

DEPARTMENT OF EDUCATIONAL AND SOCIAL SERVICES



CONSULTATION REPORT ON THE FUTURE EDUCATION PROVISION OF GAELIC MEDIUM EDUCATION FOR PRIMARY AND EARLY YEARS PUPILS AT THE GAELIC UNIT AND EARLY CHILDHOOD CENTRE IN ONTHANK PRIMARY SCHOOL AND ADDITIONALLY PROVISION FOR SECONDARY AGE PUPILS CURRENTLY BASED AT GRANGE ACADEMY

This report has been prepared following a review of the proposal that:

That subject to the outcome of this consultation exercise:

- Pre School and Primary Gaelic education provision at Onthank Primary School and Early Childhood Centre be discontinued with effect from the end of the 2016/17 academic session in June 2017, or as soon as possible thereafter;
- Secondary Gaelic education provision at Grange Academy be discontinued with effect from the end of the 2016/17 academic session in June 2017, or as soon as possible thereafter;
- That the children and young people attending these educational establishments transfer to a new build Gaelic education provision to be sited within the new 3-18 campus on Sutherland Drive, Kilmarnock, with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter.

Having had regard in particular to:

- (a) Relevant written representations received by the Council from any person during the consultation period;
- (b) Oral representations made to it by any person at the public meetings held on 19 February, 2014; and
- (c) Education Scotland's report on the consultation proposal

This document has been issued by East Ayrshire Council under the requirements of the Schools (Consultation) (Scotland) Act 2010.



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This report has been prepared following a review of the proposal that:

1. Pre-school Gaelic education provision at Onthank Primary School and Early Childhood Centre be discontinued with effect from the end of the 2016/17 academic session in June 2017, or as soon as possible thereafter and is relocated to the new 3-18 campus to be built at the site of the present James Hamilton Campus, Kilmarnock with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter.
2. Primary Gaelic education provision at Onthank Primary School and Early Childhood Centre be discontinued with effect from the end of the 2016/17 academic session in June 2017, or as soon as possible thereafter and is relocated to the new 3-18 campus to be built at the site of the present James Hamilton Campus, Kilmarnock with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter.
3. Secondary Gaelic education provision at Grange Academy be discontinued with effect from the end of the 2016/17 academic session in June 2017, or as soon as possible thereafter and is relocated to the new 3-18 campus to be built at the site of the present James Hamilton Campus, Kilmarnock with effect from the start of the 2017/18 academic session in August 2017 or as soon as possible thereafter

Proposals 1-3 above are presented separately for the purposes of consultation as they are different provisions. However, it is envisaged that for the proposals to proceed, all three would require to be accepted.

4. That further the Early Years, Primary and Secondary provision be merged to form a single establishment within the new 3-18 campus on Sutherland Drive, Kilmarnock, with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter.

Having had regard in particular to:

- (a) Relevant written representations received by the Council from any person during the consultation period;
- (b) Oral representations made to it by any person at the public meetings held on 19 February, 2014; and
- (c) Education Scotland's report on the consultation proposal

This document has been issued by East Ayrshire Council under the requirements of the Schools (Consultation) (Scotland) Act 2010.

Report by the Executive Director of Educational and Social Services

1. INTRODUCTION

1.1 The purpose of this report is to :-

- Set out a record of the total number of written representations made to the Council by any person during the period of the public consultation exercise;
- Set out a summary of those written representations;
- Set out a summary of the oral representations made to the Council at the public meetings held at:
 - Onthank Primary School, Wednesday 19 February 2014
- Set out a statement of the Council's response to:
 - Those written and oral representations; and
 - Education Scotland's report.
- Provide a copy of Education Scotland's report;
- Set out a statement explaining how the Council reviewed the above proposal having had regard (in particular) to :-
 - The relevant written representations received by the Council during the public consultation period;
 - Oral representations made to it at the public meetings detailed above; and
 - Education Scotland's report
- Provide details of any alleged omission from, or inaccuracy in, the Proposal Paper (including a statement of the Council's opinion on it);
- Provide a statement of the action taken in respect of the omission or inaccuracy, or if no action has been taken of that fact why this is the case; and
- An explanation of the opportunity that may arise for making representations to the Scottish Ministers in terms of Section 15(4) of The Schools (Consultation) (Scotland) Act 2010.

2. THE CONSULTATION PROCESS

2.1 East Ayrshire Council's Cabinet approved the recommendation to issue a Proposal Document (attached as Annex 1 of this report) on the future provision of Gaelic Medium Education for Primary and Early Years pupils at the Gaelic Unit and Early Childhood Centre in Onthank Primary School and additionally provision for secondary age pupils currently based at Grange Academy for public consultation at its meeting of Wednesday 19 February 2014. The formal consultation period ran from Friday 14 February 2014 to Friday 28 March 2014 and written representations on the Cabinet's proposals were sought from interested parties in terms of the Schools (Consultation) (Scotland) Act 2010.

2.2 In accordance with statutory requirements, the following individuals and groups were consulted:

Statutory Consultees

- The Parent Councils of the affected schools;
- The parents of the pupils at the affected schools;
- Parents of children expected to attend an affected school within 2 years of the date of publication of this Proposal Document;
- The pupils at the affected schools;
- The teaching and ancillary staff, at the affected schools;
- The trade union representatives of the above staff;
- The Community Councils;
- Relevant users of the affected schools
- Bord na Gaidhlig;

Non statutory Consultees

- Relevant Community Associations;
- The constituency MSP;
- List MSPs for the area;
- The Constituency MP;
- Sub-Divisional Commander, Police Scotland;
- Chief Executive, NHS Ayrshire and Arran;
- Chief Executive Strathclyde Partnership for Transport (SPT);
- Area Commander, Scottish Fire and Rescue Service;
- Depute Chief Executive/Executive Director of Neighbourhood Services, East Ayrshire Council;
- Executive Director of Finance and Corporate Support, East Ayrshire Council;
- South Ayrshire Council;
- North Ayrshire Council;
- Skills Development Scotland;
- Community Planning Partnership Board;
- Principal of Ayrshire College
- East Ayrshire Gaelic Community Forum

2.3 The Proposal Document was also advertised in the press and copies were made widely available locally and to local interest groups. Additional copies of

the document were obtainable from the Department of Educational and Social Services, Council Headquarters, London Road, Kilmarnock, from the schools involved and through the Council Website at www.east-ayrshire.gov.uk. Copies were also available at public libraries and Council offices in the areas affected. A copy was also sent to Education Scotland, who under the 2010 Act are statutory consultees and a notice of the proposal was sent to all parents of pupils attending the schools directly affected and associated establishments.

- 2.4 It has always been the practice within East Ayrshire to consult directly with the young people and this good practice is now enshrined in the 2010 Act, which includes the pupils as statutory consultees. The Council followed the Scotland's Commissioner for Children and Young People Guidance on the processes to be followed when consulting with pupils and the task of obtaining the views of the pupils at both primary schools, was under taken by appropriate independent consultants, from Common Ground Mediation.
- 2.5 One public meeting was arranged by the Council and advertised in the local press and on the Council website. Schools also sent reminders messages to parents via the Groupcall system. The meeting took place on:
- Onthank Primary School, Wednesday 19 February 2014

Attendance at the meeting, representing parents, staff and others with an interest in the consultation of the future of Gaelic Medium Education provision was approximately 7. Education Scotland were also represented at the meeting.

- 2.6 The meetings offered an opportunity for discussion and clarification of the proposals as well as a forum for people to express their views on the consultation proposals. It included a presentation on the proposals and the consultative process. A written record of the meetings was kept, published on the Council's website and is included as part of the final consultative responses.
- 2.7 **Consultation Responses**

The table below gives an indication of the breakdown of different categories of respondent.

GAELIC MEDIUM EDUCATION PROPOSAL - ANALYSIS

TABLE 1 Responses to Consultation

Total Number of Responses	12
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1a. Interest Group Definition as Determined by Responder

Parent / carer of pupil at Onthank Primary School attending Gaelic Medium Primary Education	3
Parent / carer of a pupil at Onthank PS attending GME ECC	1

Parent / carer of a pupil attending Grange Academy for secondary education including Gaelic	1
Grandparent	1
Community Planning Partners	2
Others - Bord Na Gaidhlig - East Ayrshire Gaelic Forum - Gaelic Parent and Toddler Group - South Ayrshire Council	4
Total	12

3. FEEDBACK FROM THE PUBLIC MEETINGS

3.1. There were 12 written submissions received. Table 1 above provides a breakdown of these submissions by group and provides some perspective on the scale of response to the consultation process:

3.2 The following paragraphs summarise the issues raised at the public meetings in response to the Proposal Document. Every effort has been made to summarise views as accurately as possible. A copy of the written submissions is available to be viewed at Council Headquarters, London Road, Kilmarnock, KA3 7BU.

3.3 Education Scotland, in addition to attending public meetings, were also provided with the notes taken for each meeting and a copy of every submission received in response to the consultation proposals. On 25 April, 2014, a report was received from Education Scotland on the proposals. A full copy of the Education Scotland report can be found at section 4.14 of this document.

3.4 Public Meetings

(a) The public meeting was chaired by the Head of Service: Schools, who was accompanied by senior officers from Educational and Social Services and Head Teachers of the schools affected. Attendance was approximately 7 parent/carers/others. Education Scotland were also represented at the meeting.

(b) At the meeting, officers from Educational and Social Services presented information on the consultation options and the process which would be followed.

(c) Following the officer presentations members of the public were provided with an opportunity to raise issues or seek further information on the consultation. The paragraphs below summarise the main issues raised and statements made by those attending the various meetings.

3.5 **Public Meeting – Onthank Primary School – 19 February 2014**

Subject Choices

Aunt of S3 pupil asked if all subjects will be available. Officers responded that as part of the management of proposals East Ayrshire Council would ensure that the option choices for Gaelic pupils would be matched up to ensure continuity. He also advised that Gaelic could still be delivered in Grange Academy if necessary.

Transfer of staff/Staffing

A parent asked if staff from the old school would automatically transfer to the new school or would additional staff be looked for. Officers advised that staff would transfer to the new school but may also continue to work at Grange Academy to help support with certificated courses in Gaelic.

A parent asked what the situation was regarding getting a probationers teacher. Officers advised that this is not decided at this time of year, but that the authority have to put in a request for a probationer. The parent asked if the Gaelic Unit could be allocated more than one probationer. Officers advised that they understood that there would only be a limited number of probationers available to all of the authorities this year but that East Ayrshire would seek to have a probationer.

A parent asked if the authority are actively looking for Gaelic teaching staff. Officers advised that the authority are actively looking for staff across every area of Gaelic Medium Education. Officers advised that they will check with the Council's Human Resources Department to make sure that the advertisement for Gaelic staffing remains in place indefinitely.

Identity of Gaelic medium Unit

A parent asked what would happen to the identity of the Gaelic Medium Education Unit when they move to the new school as concern had been expressed about whether pupils would be integrated into classes with the rest of the school. Officers advised that it is important for Gaelic Medium Education to retain their own identity and that although the new 3-18 Campus will be one school with shared facilities, the Gaelic Medium Education Unit will have their own part of the school with their own classes.

A parent asked if the Gaelic classrooms would be solely for use by Gaelic pupils. Officers advised that the classes in the Gaelic Medium Education Unit would be solely for Gaelic education.

A parent asked if dual signage would be used at the school. Another parent stated that they feel dual signage should be in all shared areas of the school. Officers assured parents that this would be an integral aspect of the planning for the whole campus. Mr Ward advised that all comments would be noted and taken into account.

A parent asked if the Gaelic Unit would have their own school uniform with own colours, or would they have to have the same as the rest of the Campus.

Officers advised that this would be consulted upon as part of the management of proposals.

Campus Issues

A parent asked if New Farm Primary and Silverwood Primary will retain their names or come under the Campus name in the new school. Officers advised that the two primary schools will be merged and a new name will be chosen for that primary that will be within the 3-18 Campus.

Parents noted that they would like their children to be involved with other children in shared facilities at lunch times etc, but wondered if the Gaelic Unit would also have their own designated space. Officers advised that the Gaelic Unit will have their own designated areas for curricular matters but that there would be the opportunity for shared space for recreational time.

A parent stated that she felt that East Ayrshire Council do not promote Gaelic Medium Education enough, and wanted to know if it would be promoted when the new Unit is prepared. Mr Ward advised that research into Gaelic support in Scotland had been done and that other local authorities had been contacted in order to share good practice.

Parents wondered if it could be made compulsory that every parent/carer is made aware of the Gaelic Medium Education Unit when they are registering their children for school. They noted that some parents are not aware that Gaelic Education is available in East Ayrshire Council. Officers advised that it is important to note that the 1+2 Language Plan is very much in development and will be promoting Gaelic language.

Additional Meeting

A Parent asked if there will be another public consultation meeting for people who couldn't attend today. Officers advised that they would be happy to meet with other Gaelic parents if necessary.

4. RESPONSES FROM STAKEHOLDERS TO THE CONSULTATION EXERCISE INCLUDING THE REPORT BY EDUCATION SCOTLAND

4.1 Parent Councils

- (a) No responses to the consultation were received from affected parent councils.

4.1.1 Parent Councils of Other Educational Establishments

- (a) No responses to the consultation were received from other parent councils.

4.2 Parents

4.2.1 Parents of Pupils attending Gaelic Medium Education

- (a) Parent has one child in P5 and one in S1 and is very supportive of the proposed move to a single campus. Only concern is that child will be in S5

when the proposed move would take place and would prefer that child avoid a move of school whilst studying Gaelic in final school year.

(b) Parents of two primary aged pupils requested that consideration be given to:

- The move to the new school being at the start of a new school year.
- Consideration be given to providing transport to pupils.

They feel the move would be a positive one for all concerned, however, feel that careful nurturing is required and further promotion of Gaelic Medium Education is necessary.

(c) A parent of a child attending Grange Academy for secondary education including Gaelic is positive about options 1-3, but is disappointed that this couldn't take place at Grange Academy. Considerations should also be given to

- Ensuring that a strong Gaelic principal teacher is in place within the Gaelic school;
- That the resources and funding are made available to get the right person for the principal teacher post; and
- That Gaelic medium provision plays a central role in the wider campus community

(d) A parent with two pupils at Onthank Primary School attending Gaelic Medium Primary wanted consideration to be given;

- To the continuation of Gaelic mentoring language classes currently held at Grange Academy at the new school; and
- That consideration be given to the possible disruption for students as a result of a move from Grange Academy to a new school.

(e) A parent of a pupil and former pupil at the Gaelic Medium Unit at Onthank Primary School supports option 4 in principle and raised the following issues for consideration;

- That the Gaelic Nursery and Primary Unit do not presently have enough fluent Gaelic teachers, and Gaelic Medium Education (GME) at these stages is not being delivered in the way Curriculum for Excellence states it should.
- That a strategy to increase the number of children entering GME (in line with Bord na Gàidhlig's aims) is needed.
- That there must be a named Council officer with day-to-day responsibility for GME; and
- That the Pàrant's Pàisde (Parent and Toddler) group must be part of this new GME Hub.

4.2.2 **Parents of Pupils attending other educational establishments**

(a) No responses to the consultation were received from other educational establishments.

4.3 **Pupils**

- (a) No responses to the consultation were received from pupils.

4.3.1 **Pupils of Gaelic Medium Education Unit**

- (a) No responses to the consultation were received from pupils of the Gaelic Medium Unit.

4.3.2 **Pupils attending other educational establishments**

- (a) No responses to the consultation were received from other educational establishments.

4.4 **Pupils of the Affected Schools – Independent Consultation**

Educational establishments visited:

The Gaelic Medium Provision at Onthank Primary School (currently based at Mount Carmel Primary School)

The Gaelic Medium Provision at Grange Academy

Summary of Findings

Responses were collated from a total number of 24 children and young people:

18 pupils at Mount Carmel Primary School (13 from P1-P3 and 5 from P6-P7)
6 pupils at Grange Academy.

71% of the total number of children and young people think that the proposal to create a new 3-18 years provision in Gaelic education at the new campus to be opened in August 2017 at the site of the current James Hamilton Academy is a good idea.

Consultation Process

Contact was made with each educational establishment via the Head Teacher to make arrangements to meet the children and young people. As only a small number of children and young people were identified, it was decided to meet them in focus groups.

Analysis of responses

1) The Gaelic Medium Provision at Onthank Primary School (currently based at Mount Carmel Primary School)

The consultant met with a group of 13 pupils from P1 – P3 with their teacher. After 30 minutes 5 pupils from P6 and P7 joined the group.

72% of the children think that the proposal to create a new 3-18 years provision in Gaelic education at the new campus to be opened in August 2017 at the site of the current James Hamilton Academy is a good idea.

The Gaelic Medium Provision at Grange Academy

The consultant met with a group of 6 pupils (S1 – S5). The Gaelic teacher was present for part of the time.

67% of the students think that the proposal to create a new 3-18 years provision in Gaelic education at the new campus to be opened in August 2017 at the site of the current James Hamilton Academy is a good idea.

Conclusion and Recommendations

The SCCYP Guidance advises that good quality feedback is an essential part of children and young people's involvement in the consultation process. Without this, pupils may feel that their involvement has been tokenistic. The SCCYP Guidance also advises that pupils should be informed when a final decision is made, and that this should be done sensitively and as simultaneously as possible with other affected people. It should be explained to pupils why the decision has been taken, how their views were taken into consideration, and what will happen next. It is recommended that members of the education authority consider how best to ensure this happens.

4.5 Parents of Future Pupils who will attend Affected Schools

- (a) No responses to the consultation were received from parent of future pupils who will attend affected schools.

4.6 Family members of children and young people attending the affected establishments

- (a) A grandparent requested that pre 3 provision (Gaelic Parent and Toddler Group) be considered in the consultation process.

4.7 Former Pupils of the affected schools

- (a) No responses to the consultation were received from former pupils of the affected schools

4.8.1 Community Planning Partners

- (a) The Community Planning Partnership favoured option 4, which seeks to unify current Gaelic education provision within a single all-through Gaelic Medium provision in the new campus to be opened in August 2017, as the option that offers the most advantages in terms of both educational benefit and promotion of Gaelic language and culture.
- (b) NHS Ayrshire & Arran acknowledged receipt of the consultation report. No comments made.

4.9 Community Councils / Community Council Members

- (a) No responses to the consultation were received from community councils or community council members.

4.10 **Elected Representatives**

- (a) No responses to the consultation were received from elected representatives.

4.11 **Employees of East Ayrshire Council**

- (a) No responses to the consultation were received from employees of East Ayrshire Council.

4.12 **Other Interested Individuals**

- (a) **Co-ordinator of Gaelic Parent and Toddler group** requested that consideration be given to this 0-3 years group being included in the consultation alongside the Early Years establishment.

- (b) **South Ayrshire Council** acknowledged receipt of the consultation report and stated that they could see no reason for the proposal not to be accepted.

(c) **East Ayrshire Gaelic Forum**

The Forum support the proposed option 4 as it makes promoting and delivering the Gaelic language and culture within a purpose-built campus a very exciting development for the future of Gaelic in East Ayrshire. Other comments received include:

- That the school must recruit fluent Gaelic teachers and staff to enable it to deliver the Curriculum for Excellence in Gaelic.
- That early years are vital in engaging parents with children to consider GME as an alternative.

(d) **Bord Na Gaidhlig**

Bord na Gaidhlig submitted their submission on the 07 April 2014 after the closure of the statutory consultation period which ended on the 28 March 2014.

Bòrd na Gàidhlig's confirmed its preferred option was Option 4. The following additional comments were made:

- That the establishment of a 0-18 campus for Gaelic provision creates a clear pathway for pupils and parents.
- That the overall aim of creating a Gaelic community around the campus is welcomed.
- That creating a Hub / Centre for Excellence for GME can raise the profile of the provision and make it attractive to new parents.
- That the benefits of bilingualism are widely documented and research shows that children in GME out-perform or do as well as children in English-medium education and that providing the opportunity for more children to access the benefits of bilingualism can only be a positive development.

- Establishing a sizeable GM provision could also make it attractive to teaching and other staff in terms of collegiality and career long professional learning. It could also be more attractive when recruiting senior management candidates.
- That working in partnership across GM early years, primary and secondary can provide practitioners with a deeper understanding of the delivery of the whole curriculum but in particular language learning and development across all stages of learning.
- That establishing a campus where Gaelic and English languages are given equal respect can have a positive impact on the whole 0-18 campus and provide an enriching experience for all who access the new campus.
- Curriculum delivery for GM early years and primary on the campus would be straight forward for pupils as the curriculum is delivery wholly through the medium of Gaelic. Gaelic secondary provision in the campus would require close links with the secondary school. Pupils may be able to access some subjects through the medium of Gaelic in addition to Gaelic language and could be delivered on the Gaelic campus. Pupils who have gone through GM primary will most probably have access to a partial GM secondary education experience with many subjects being taught in the non-Gaelic secondary campus.
- Bòrd na Gàidhlig will continue working with and support East Ayrshire Council in GME development and in promoting an awareness of GME across all sectors. It will also continue to work with other neighbouring local authorities to ensure that GME development is included in statutory Gaelic Language Plans. The Bòrd can envisage this Gaelic Centre for Excellence as facility for the wider community across Ayrshire.

4.13 **Responses Submitted Through Social Media**

During the consultation period officers reviewed the council's Facebook page and Twitter account. No responses were received on this consultation proposal on either format.

4.14 **EDUCATION SCOTLAND REPORT**

- (a) The formal Education Scotland report on the Proposal Document and the submissions received during the consultation process was received by the Council on 25 April 2014.
- (b) The full text of the Education Scotland report is set out below:

**Consultation proposal by East Ayrshire Council
Report by Education Scotland, addressing educational aspects of the following proposal.
Discontinue pre-school and primary Gaelic Education Provision at Onthank Primary School and Early Childhood Centre and secondary Gaelic Education Provision at Grange Academy with effect from the end of the 2016/17 academic session in June 2017, or as soon as possible thereafter and relocate to the new 3 to 18 campus to be built at the site of the present James Hamilton Campus, Kilmarnock with the option of forming a single establishment within the new 3 to 18 campus.**

Context

This report from Education Scotland is required under the terms of the *Schools (Consultation) (Scotland) Act 2010*. It has been prepared by HM Inspectors in accordance with the terms of the Act. The purpose of this report is to provide an independent and impartial consideration of the council's consultation proposal. Section 2 of this report sets out the views expressed by consultees during the initial consultation process. Section three sets out HM Inspectors' consideration of the educational aspects of the proposal and the views expressed by consultees. Section 4 summarises HM Inspectors' overall view of the proposal. Upon receipt of this report, the Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include a copy of this report and must contain an explanation of how it has reviewed the initial proposal, including a summary of points raised during the consultation and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision. As the council is proposing to change the provision for Gaelic Medium Education, it will need to follow all legislative obligations set out in the 2010 Act, including notifying Ministers within six working days of making its final decision and explaining the opportunity for representations to be made to Ministers.

1. Introduction

1.1 East Ayrshire Council proposes to merge the current early years, primary and secondary Gaelic Education Provision to form a single establishment within the new 3 to 18 campus on Sutherland Drive, Kilmarnock.

1.2 This report from Education Scotland is required under the terms of the *Schools (Consultation) (Scotland) Act 2010*. It has been prepared by HM Inspectors in accordance with the terms of the Act.

1.3 HM Inspectors undertook the following activities in considering the educational aspects of the proposals:

- attendance at the public meeting held on 19 February 2014 in connection with the council's proposals;
- consideration of all relevant documentation provided by the council in relation to the proposals, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others; and
- visits to the site of Onthank Primary School (including the Gaelic Medium Provision), Onthank Early Childhood Centre, Grange Academy (including the Gaelic Medium Provision), Kilmarnock Academy, James Hamilton Academy, New Farm Primary School and Early Childhood Centre and Silverwood Primary School, including discussion with children and young people, parents and staff of the establishments noted.

1.4 HM Inspectors considered:

- the likely effects of the proposals for children and young people of the schools and centres; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children and young people in the council area;
- any other likely effects of the proposals;

- how the council intends to minimise or avoid any adverse effects that may arise from the proposals; and
- benefits which the council believes will result from implementation of the proposals, and the council's reasons for coming to these beliefs.

2. Consultation Process

2.1 East Ayrshire Council undertook the initial consultation on its proposals with reference to the *Schools (Consultation) (Scotland) Act 2010*.

2.2 HM Inspectors met with children and young people, headteachers, staff and parents from the schools affected by the proposals. There was overwhelming support for East Ayrshire Council's proposals to merge Gaelic Medium Education provision to create a 3 to 18 Gaelic campus. Almost all those consulted were of the view that the proposal for a 3 to 18 Gaelic campus in East Ayrshire Council had the potential to establish a strong basis for securing future provision. However, those consulted required more details of the proposals. Some parents also felt that the proposals had to be part of a long-term plan for Gaelic Education for East Ayrshire. They would like to be fully involved and consulted on all aspects of future planning. Parents of children and young people currently receiving Gaelic Medium Education also felt that the proposals had to be taken forward in a way that demonstrated a full commitment to Gaelic Medium Education. They felt that learning through the medium of Gaelic needed to be presented as an option available to all parents within East Ayrshire Council.

2.3 Most stakeholders were satisfied with how the council had involved them in the consultation process. Some parents and staff expressed dissatisfaction with aspects of the overall consultation process. A few felt that information had only been passed on by word of mouth or through social media. A few stated that they were not able to submit their views online.

2.4 Those consulted by HM Inspectors were reassured that better continuity and progression could be provided through the proposal which brought together, on one site, provision that takes place currently on two campuses in different parts of Kilmarnock. Parents and staff, however, were still concerned with the lack of detail of how the 3 to 18 Gaelic campus would operate. At the primary stages, there was uncertainty as to whether children's learning operated alongside the English medium provision or whether it was a dedicated Gaelic Medium Provision. In both cases, parents were clear that the proposal had to lead to Gaelic Medium Education that was based on the principles of immersion. They referred to national advice on Gaelic Medium Education to illustrate their aspirations. Parents expressed disappointment with the availability of staffing over time at the current Gaelic Medium Provision at Onthank Primary School. They are now looking for a commitment for suitably qualified staffing to be part of the proposed new 3 to 18 Gaelic campus. Without this commitment, they felt that the proposed new 3 to 18 Gaelic campus would not lead to an improved quality of education.

2.5 All those consulted felt the proposal had potential to increase the quality of Gaelic Medium Education at the proposed new campus. Parents who met with HM Inspectors felt that references to the learning approaches in the proposal document such as 'cascading' were not sufficiently mindful of national advice on the principles of immersion. Some of those consulted were very clear that there had to be a strong focus on immersion for the proposed 3 to 18 Gaelic campus to be classified as Gaelic Medium Education. Parents felt that the lack of detail on staffing for the proposed 3 to 18 Gaelic

campus, especially at the secondary stages, did not provide reassurances that children and young people would benefit from increased learning through the medium of Gaelic as a result of these proposals.

2.6 Parents would also like more information on how Gaelic Medium Education would operate at the secondary stages. They appreciated that young people would be part of a 3 to 18 Gaelic campus but they were unclear as to how this would link to the secondary school on the campus. Parents also highlighted a need for clarity on whether a range of subjects would be taught through the medium of Gaelic at the secondary stages. They were aware this was a challenge for the council but needed some re-assurance that all possible steps to secure appropriate staff would be taken. If this was not to be the case, the provision would not present parity in Gaelic Medium Provision with a nearby education authority. One of the aims of the proposal was to offer better Gaelic Medium Provision in East Ayrshire so that the council would not lose young people to study at this other education authority. Other parents recognised that if the council did not promote and advertise the benefits of Gaelic Medium Education and bilingualism it would not attract sufficient pupil numbers to justify staffing to provide a curriculum through the medium of Gaelic at the secondary stages. All parents had concerns about the current reduction of time that children spent learning through the medium of Gaelic as they moved from primary to secondary. In all cases, parents were clear that young people need to be able to take appropriate National Qualifications and awards to demonstrate their skills, knowledge and understanding in Gaelic and through Gaelic.

2.7 Those consulted recognised that the creation of a 3 to 18 Gaelic campus presented an opportunity to have adults and organisations using the school as a centre of Gaelic which may also lead to partnership working to support children and young people's learning through Gaelic. Parents highlighted that birth to three Pàrant is Pàiste provision was not, however, included as part of this provision and requested that it would be. They highlighted that it would be more convenient to have the same venue for children and young people's learning opportunities from birth to 18 within the proposed 3 to 18 Gaelic campus.

2.8 Staff, parents and young people at Grange Academy expressed respect and value for having Gaelic Medium as part of their curriculum. They regretted that this unique and special aspect of Scottish Education would no longer be part of the curriculum at Grange Academy should the proposal go ahead. In so doing, they did, however, endorse the proposed 3 to 18 Gaelic campus for its potential to realise positive benefits for young people. Children and young people in primary and secondary schools which currently have no Gaelic Medium Provision, but would in the future be part of the 3 to 18 Gaelic campus, were excited by the prospect. They would like to know more about how it would affect them and how they could support their peers, learning through Gaelic, who would be members of a larger school community. They were keen for links to be built to allow this to happen.

2.9 Those consulted were very positive about the innovative approaches to curriculum design which resulted in Gaelic Learner Education being part of all young people's learning in S1 at Grange Academy. Young people learning through the medium of Gaelic recognised this had greatly improved a wider understanding of the importance and value of the language. They commented on how this had led to a more inclusive culture and ethos within the school for Gaelic. They felt it was essential to have an inclusive culture

and ethos across the proposed new 3 to 18 Gaelic campus to ensure children and young people learning through the medium of Gaelic are included.

2.10 All those consulted recognised the impact that very effective leadership of the school had on the success of Gaelic Education within Grange Academy. They highlighted the importance of having strong leadership at the proposed 3 to 18 Gaelic campus with a vision, a commitment, an understanding of and support for a high quality Gaelic Medium Education. They stated these were key criteria for selecting a future headteacher.

2.11 A significant number of those consulted commented on current and longstanding difficulties arising from the council not being able to secure suitably qualified staff at the primary stages. This had resulted in their children not having enough of their learning through the medium of Gaelic. They expressed a strong desire that this new proposed 3 to 18 Gaelic campus would allow staff and children to provide and enjoy an improved quality of education.

2.12 Staff delivering through the medium of Gaelic felt that a dedicated 3 to 18 Gaelic campus would enable them to share practice in learning and assessment and engage in professional dialogue through the medium of Gaelic. They felt this would have a positive impact on their continued professional development. The headteacher of Onthank Primary School felt that the proposed 3 to 18 Gaelic campus would increase flexibility in deploying staff to good effect for the benefit of children learning through the medium of Gaelic.

2.13 Young people and parents of those who would have embarked on secondary education at Grange Academy, at the time that the proposed Gaelic Medium Provision would open, requested arrangements be put in place to enable them to remain at Grange Academy while also being able to continue with Gaelic Medium education. This needed to include them being able to sit National Qualifications for Gaelic in the senior phase. A few children at Onthank Primary School stated they did not see the value of starting to learn at Grange Academy to then transfer to the proposed 3 to 18 Gaelic campus. For them, their preferred option might be to attend their associated secondary, James Hamilton Academy with their peers, and to pick up their Gaelic Education again once they had moved to the proposed 3 to 18 Gaelic campus.

3. Educational aspects of the proposal

3.1 The proposals by East Ayrshire Council to discontinue Gaelic Medium Provision in the separate establishments and merge the current Gaelic Medium Provision into a single establishment in the new 3 to 18 Gaelic campus on Sutherland Drive, Kilmarnock offer a clear educational benefit to the children and young people who will attend the new provision.

3.2 The proposals acknowledge there will be an opportunity to strengthen the transition process for children and young people as they progress from pre-school, through primary and on to secondary education. In addition, children and young people will be part of a larger peer group within a single location.

3.3 Within the proposed arrangements, staff will be able to take part more readily in activities with practitioners from their own and other sectors and this will provide improved professional learning. There is an ambition, too, to develop further

opportunities for the use of Gaelic within East Ayrshire through increased opportunities for extra-curricular activities through the medium of Gaelic.

3.4 East Ayrshire Council's proposals are mindful of the aims of the National Gaelic Language Plan. By taking account of national advice, the proposals have the potential to help secure an increase in the numbers benefiting from Gaelic Medium Education in Scotland. If this was not to be the case, the provision would not present parity in Gaelic Medium Provision with a nearby education authority. One of the aims of the proposal is to offer better Gaelic Medium Provision in East Ayrshire so that the council will not lose young people to study at this other education authority. In its final consultation report, the council needs to include more information about arrangements for staffing to deliver Gaelic Medium Education; and how a secondary Gaelic Medium Curriculum will be delivered and the role that staff in the Gaelic Medium campus will have in its delivery.

3.5 The proposals highlight the success of Gaelic Education at Grange Academy can, in part, be attributed to the very effective leadership and to the senior leaders' understanding and vision for Gaelic. In its final consultation report, the council needs to be much clearer on the arrangements that will be in place for the leadership and management of Gaelic Medium at the proposed 3 to 18 Gaelic campus to ensure support and development of Gaelic. It is not clear whether Gaelic Medium Education will be led by the headteacher of the primary or secondary stages. There is much more clarity required to confirm the arrangements for ensuring the quality of children and young people's education.

3.6 The final consultation report needs to be much clearer on how the council will consult with, and take account of, the views of parents of those learning through the medium of Gaelic in the development of the proposed 3 to 18 Gaelic campus.

3.7 The current proposals do not provide sufficient information on how quality Gaelic Medium Education will be delivered. In taking forward the proposal, the council needs to set out clearly how this will allow it to implement national guidance on Gaelic Medium Education, including the principle of immersion.

3.8 In taking forward the proposals, the council should outline how it will work with the whole school community to create and develop a common understanding of Gaelic language and culture amongst all stakeholders. East Ayrshire Council should also include how an ethos for Gaelic will be created across the entire campus with the use of, for example, bilingual signage.

3.9 The proposals highlight that in moving forward there is the potential to increase the numbers learning through the medium of Gaelic. It is not clear how this will be achieved. In its final consultation report, the council needs to commit to a strategy for promoting the availability and benefits of Gaelic Medium Education to parents. In so doing, there needs to be a clear link to the benefits of bilingualism as afforded through the medium of Gaelic. Currently, the proposals do not link Gaelic Medium Education to bilingualism. Approaches to assist parents in selecting Gaelic Medium Education should also be included.

3.10 Young people learning through the medium of English at Grange Academy benefit from opportunities to learn Gaelic as a second language. HM Inspectors commended Grange Academy for such innovative approaches as part of their inspection findings in December 2013. Grange Academy is making a significant contribution to increasing numbers learning Gaelic in line with the National Gaelic Language Plan. The final

consultation report needs to detail how parents will be consulted on the impact of curriculum provision for Gaelic Learners at Grange Academy if specialist teaching staff are to be transferred to the proposed new 3 to 18 Gaelic campus. Additionally, as a result of the delivery of Gaelic as a second language at Grange Academy, young people learning through the medium of Gaelic talk about improved fairness, equality, inclusion and respect towards them. The council needs to outline how an understanding and empathy to Gaelic Medium Education will be promoted at the proposed 3 to 18 Gaelic campus.

3.11 The final consultation report needs to ensure that all the language used is respectful and inclusive of the Gaelic language and towards the whole community.

3.12 The council's final consultation report needs to give a commitment to working closely with parents in taking forward the proposal. This needs to include working in partnership with parents on the issues identified in this report, including interim arrangements for transition.

3.13 The proposal contains a range of terminology to describe the proposed 3 to 18 Gaelic campus, including a 3 to 18 provision, a 3 to 18 campus, a single establishment and a Gaelic hub. In its final consultation report, the council needs to ensure a consistent use of terminology.

3.14 Under the terms of the *Schools (Consultation) (Scotland) Act 2010* Statutory Guidance, Bòrd na Gàidhlig is listed by the council as a consultee on the proposals. The council had not received a response from Bòrd na Gàidhlig during the period of consultation. However, Bòrd na Gàidhlig had indicated to the council that they would still be making a response available. The council should ensure it takes into account Bòrd na Gàidhlig's written response in their final consultation report.

4. Summary

HM Inspectors consider that the proposal from East Ayrshire Council to locate Gaelic Medium Education in a 3 to 18 Gaelic campus has the potential to deliver clear educational benefits for children and young people. However, for these benefits to be fully realised, the council needs to ensure that it sets out a long-term strategy and vision which it takes forward with stakeholders, including parents. The council needs to include more specific detail in its final consultation report on the issues detailed in this report. These include more detail on the leadership and management arrangements, the staffing and the curriculum which will be on offer in the new provision, and how the council plans to ensure that there is a shared understanding across the campus of learning through the medium of Gaelic. As the council takes forward its proposals for Gaelic Medium Education, it needs to ensure that it continues to consult with parents, children and young people, staff and appropriate organisations in developing its plans.

**HM Inspectors
Education Scotland
April 2014**

5. THE COUNCIL'S RESPONSE TO ISSUES RAISED IN THE CONSULTATION

- 5.1 During the consultation period there were a number of comments submitted, either verbally at the public meetings or within the written submissions. Many of the responses concerned matters which would be described as strategic rather than specific to the proposals. The Council's response to these issues raised is set out in the following paragraphs.

1. Issues Being Raised in Consultation Forms

Issue	Number
There should be a 0-18 campus instead of 3-18, the Gaelic parent and toddler group must be part of the new GME Hub	5
Appropriate Transition arrangements need to be in place prior to the move	2
That Gaelic medium provision plays an active role in the wider community campus	2
That free school transport would be required	1
That a Gaelic Department should be created within education	1
That Gaelic Education should be advertised more	1
That there should be an option to allow students currently studying at the Grange Academy to continue studying Gaelic there instead of moving to the new JHA	1
Additional resources and funding need to be put in place to get the right head teacher	1
Continue the "mentor spoken Gaelic classes" currently available at the Grange at the new school	1
Currently there is an issue with Onthank Primary School children going to Grange Academy for GME while their peers go to JHA campus for secondary education	1
Proper strategy to increase the number of children entering GME	1
There must be a named council officer with day to day responsibility for GME	1
More fluent Gaelic speakers and GME required in the nursery and primary unit	1
Total	19

5.2 Issue

There should be a 0-18 campus instead of 3-18, the Gaelic parent and toddler group must be part of the new GME Hub

Position

East Ayrshire Council would be happy to support the most comprehensive of transition arrangements which of course would include the current Parent and Toddlers group. However it is important to note here that East Ayrshire Council's support for continuity through effective, but informal, links with the parent /toddlers group does not constitute an equivalent to a formal 0-18 setting as referred to in the Bord na Gaidhlig consultation response in 4.12 (d) of this document. The proposal was, and remains, that a 3-18 campus will be set up in which, (as part of ongoing desirable community links), we will endeavour to sustain links between the parent/toddler group and the new Gaelic Early Childhood Centre by providing facilities at agreed times.

Action

Members of the Parent/Toddlers group were present at the public meeting and were reassured that they would be involved in the ongoing planning for the new campus under the management of proposals section. This will continue to be included in discussions at the project Board for the new build.

5.3 **Issue**

Appropriate Transition arrangements need to be in place prior to the move.

Position

Officers re-assured parents at the public meetings that transition for all groups is a major priority and would be a cornerstone of the Management of proposals. The issue of how transition from the current system, (set in two different sites), would be addressed came up in a range of ways; for pupils, staffing and transport. For pupils the issues are around siblings attending different schools, subject choice availability and peer groups.

Action

Under the management of proposals, the new Head Teacher with overall responsibility for Gaelic would ensure that a transition plan for the new school took account of the needs of families and individual pupils in ensuring the best possible continuity of education for every child or young person. If, for example, pupils in Senior Phase wished to continue in Grange to complete their SQA qualifications then that would be supported. If a younger sibling wished to remain at Grange until such times as the elder sibling was through the system and this was the wish of parents then this would be supported. A cut-off point of two school sessions would be the acceptable limit to ensure the new unit, at the new campus functioned as planned.

5.4 **Issue(s)**

That Gaelic medium provision plays an active role in the wider community campus

That Gaelic Education should be advertised more

There must be a named council officer with day to day responsibility for GME
That a Gaelic Department should be created within education

Position

The above issues could be grouped under the heading Identity for Gaelic Medium Education. East Ayrshire is in full support of developing the issues above as evidenced through the Gaelic Language Plan, which has recently been approved, and particularly in seeking out new sources of funding for GME such as through these very proposals.

Action

Officers have listened to the comments made at previous consultations and discussions with parents of GME pupils and have put in place longer term plans to ensure expansion and growth of Gaelic language and GME. A number of parents wanted to focus on the profile and prominence of Gaelic language development, citing issues such as how the new unit would be managed, would the rooms be for Gaelic pupils only, Gaelic signage across the new campus and management of Gaelic on an operational basis. The council's response to this is clear: officers have already undertaken strategic planning and development work, including the formation of the 3-18 campus context which is envisaged in these proposals, which is designed to augment the numbers of pupils entering Gaelic Immersion and the numbers transferring to secondary school. Additionally the authority views the new facility as a vehicle to enhance the number and quality of opportunities to provide a community setting for Gaelic development which would both support and increase the profile of the Gaelic School and Gaelic generally. East Ayrshire has a Gaelic Language plan in place, a key aim of which, is to deliver a centre of excellence.

5.5 **Issue**

That free school transport would be required

Position

The council's policy on Free Transport i.e. 1.5 miles or more for primary aged pupils to be eligible for free transport, and, 3 miles for secondary pupils would broadly apply.

Action

Officers and managers in schools will work closely with parents to ensure that anyone entitled to free transport to school is able to access it. The rules around concessionary transport and privileged places would also apply in order to address any anomalies in the system.

5.6 **Issue**

That there should be an option to allow students currently studying at the Grange Academy to continue studying Gaelic there instead of moving to the new academy.

Position

East Ayrshire Council would support requests from parents for young people to continue at Grange Academy wherever possible.

Action

Under the management of proposals, the new Head Teacher with overall responsibility for Gaelic would ensure that a transition plan for the new school took account of the needs of families and individual pupils in ensuring the best possible continuity of education for every child or young person. If, for example, pupils in Senior Phase wished to continue in Grange to complete their SQA qualifications then that would be supported. If a younger sibling wished to remain at Grange until such times as the elder sibling was through the system and this was the wish of parents then this would be supported. A cut-off point of two school sessions would be the acceptable limit to ensure the new unit, at the new campus functioned as planned.

5.7 **Issue**

Additional resources and funding need to be put in place to get the right head teacher.

Position

There are set procedures which east Ayrshire must follow in the recruitment and selection of officers.

Action

Where specific posts have individualised requirements then the person specification and job description can be tailored to ensure the optimum recruitment process is established from the outset. Officers will ensure that this process is in place for the new academy under the management of arrangements.

5.8 **Issue**

Continue the “mentor spoken Gaelic classes” currently available at the Grange at the new school.

Position

East Ayrshire Council has committed to Gaelic and Scottish Studies in addition to preparing for the 1+2 languages programme.

Action

The detail of curriculum planning will be carried out by the Head Teacher and the Principal Teacher responsible for Gaelic. The Gaelic Language Plan (GLP) will involve a number of different strategies for not only continuing Gaelic provision but expanding to other schools in the authority. Best practice will be developed and adopted to ensure pupils are receiving the best possible educational experience.

5.9 **Issue**

Currently there is an issue with Onthank Primary School children going to Grange Academy for GME while their peers go to JHA campus for secondary education.

Position

The authority has taken the positive step of proposing this consultation in order to address this and other issues

Action

Officers will monitor the implementation of the Gaelic Language Plan and the management of proposals to ensure that transition is as seamless as possible and that as many young people as possible continue in Gaelic Education.

5.10 **Issue**

More fluent Gaelic speakers and GME required in the nursery and primary unit.

Position

East Ayrshire Council is striving to ensure that the best possible candidates for Gaelic Language teaching are recruited and retained.

Action

East Ayrshire Council currently has two candidates ready to take up training for Gaelic Immersion teaching.

5.11 **Issue**

Regarding communications, a small number of parents indicated that they did not know about the public meeting.

Position

Letters directed to each specific group were provided as can be seen in the complete, documented record of the consultation response process.

Action

Officers provided additional meetings to mitigate this. One was led by Onthank HT and the other by the Acting Head of Schools. These meetings were specific to the Gaelic Parents and not public meetings. There were no issues raised at these meetings which were not raised at the public meeting or in the written responses. These additional meetings were held within the consultation period and allowed adequate time for formal responses to the proposals to be made.

5.12 Issue

Design and Lay-out of the rooms for secondary, primary and nursery education were raised.

Position

Although no specific plans have been prepared as yet, and cannot be until the proposals are accepted, the intention would be to have all rooms for Gaelic Education to be contiguous as far as possible. It is also important to note that the Gaelic classrooms would be available for extra-curricular activity, cultural activities/performances and community use after school hours.

Action

Officers will work closely with the architects to ensure sympathetic and effective design to ensure that the Gaelic unit will constitute a discrete design feature in the new building. This will allow for the most effective allocation and deployment of resources and staff. The Acting Head of Schools has been present at all of the new School Project Board meetings and has ensured that this issue is a key factor in the layout of the new campus. Additionally the issue of dual-signage across the campus is an integral part of the architect's brief. It is expected that the Parent/Toddlers group will have access to an appropriate facility within the defined area of the new facility.

THE COUNCIL'S RESPONSE TO THE EDUCATION SCOTLAND REPORT

- 5.13 In its report on the Gaelic Unit proposals Education Scotland indicates immediately the overwhelming support for the proposals and the strength of feeling about the sustainability of the future plans for Gaelic Education in the council and beyond. It states in para 2.2 that "There was overwhelming support for East Ayrshire Council's proposals to merge Gaelic Medium Education provision to create a 3 to 18 Gaelic campus. Almost all those consulted were of the view that the proposal for a 3 to 18 Gaelic campus in East Ayrshire Council had the potential to establish a strong basis for securing future provision."
- 5.14 In paragraph 2.3 Education Scotland note that some parents did not feel that communication on the proposals was sufficient. It is important to note that the council followed tried and tested methods of communicating and immediately

arranged further meetings to meet any possible demand for more information. Additionally parents were offered the opportunity to contact the Head of Schools directly if they were unable to attend the additional meetings.

- 5.15 In para 2.4 there was further confirmation of support for the proposals when Education Scotland state that “Those consulted by HM Inspectors were reassured that better continuity and progression could be provided through the proposal which brought together, on one site.” However elsewhere in para 2.4 Education Scotland explore a number of issues which relate directly to learning and Teaching , which have been addressed, but should not appear in this document.
- 5.16 In paragraphs 2.5 to 2.7 a number of issues were raised again which are relevant to the Gaelic Language Plan for East Ayrshire rather than have focus in this process. This includes a willingness on the part of the council to ensure continuity with the Parent/Toddlers group who currently have close links with the Gaelic Unit.
- 5.17 In paragraphs 2.8 to 2.10 there is fulsome praise for the development work already undertaken at Grange Academy and for the leadership shown by senior management and teaching staff there. This is rightly recognised when the report concludes “All those consulted recognised the impact that very effective leadership of the school had on the success of Gaelic Education within Grange Academy.” It is important to note that the good work undertaken so far will be continued with Gaelic being a key part of the 1+2 languages programme in East Ayrshire.
- 5.18 Paras 2.11 to 2.13 indicate concerns about the transition process. Officers from the council spent considerable time at the public meetings and in responding to individual emails to reassure parents that the purpose of linking these proposals to our long-term planning was to ensure the sustainability of and quality of Gaelic through enhanced provision. This would address staffing and continuity issues through the Gaelic Plan and the management of proposals. Parents were reassured about transition of pupils for example, in the clear statement from the council about siblings being allowed to continue in their existing provision at Grange if need be.
- 5.19 In paragraphs 3.1 to 3.3 there are clear indications from education Scotland about the overwhelmingly positive outlook for the education benefits for the proposals namely that the new provision would “offer a clear educational benefit to the children and young people who will attend the new provision.”

Similarly other quotes exemplify approval “Within the proposed arrangements, staff will be able to take part more readily in activities with practitioners from their own and other sectors and this will provide improved professional learning. There is an ambition, too, to develop further opportunities for the use of Gaelic within East Ayrshire through increased opportunities for extra-curricular activities through the medium of Gaelic.”

- 5.20 In para 3.4 there is confirmation and agreement with the council’s assertion that “By taking account of national advice, the proposals have the potential to

help secure an increase in the numbers benefiting from Gaelic Medium Education in Scotland.” This statement serves to reassure all stakeholders of the council’s good intentions.

- 5.21 In paragraphs 3.5 and 3.6 a number of issues are explore by education Scotland not all of which are relevant to this process. However it is important to note that the council has now taken steps at Project Board level for the new academy to indicate that the head teacher of the secondary school will have overall supervision of Gaelic provision through a principal teacher. It is important to record also that the approaches to learning and teaching should not be determined to the level requested by parents at this stage since it is not strictly relevant to these proposals and additionally this is the responsibility of school leaders and staff.
- 5.22 In paragraphs 3.7 to 3.11 a number of assertions are made by Education Scotland about what the council need s to do. The council is addressing the issues noted, but not as part of these proposals. It is already recorded earlier in the report by education Scotland that there is confidence in the long term planning for Gaelic and that there is a recently approved Gaelic Language plan in place to guide and support the development process.
- 5.23 Under the management of proposals there is a transition being developed for the whole campus and included in that is the plan for the Gaelic Unit specifically. The council is urged to treat Gaelic Language with respect and to be inclusive. East Ayrshire has always adopted this attitude and it should be noted that many authorities across the country do not show any interest in Gaelic at all while in east Ayrshire we continue to strive for a sustainable and high quality programme. At the recent project board meeting it was fully acknowledged that signage would be dual throughout the campus.
- 5.24 The summary of the Education Scotland report concludes that “HM Inspectors? Consider that the proposal from east Ayrshire Council to locate Gaelic medium Education in a 3-18 Gaelic Campus has the potential to deliver clear educational benefits for children and young people. The council believes that the support for our proposals is comprehensive and positive and concludes that the proposals should go ahead.

6. ALLEGED OMISSIONS OF RELEVANT INFORMATION AND ALLEGED INACCURACIES CONTAINED WITHIN THE PROPOSAL DOCUMENT

- 6.1 There were no allegations of inaccuracies or omissions

7. REVIEW OF THE PREFERRED OPTION

- 7.1 The Proposal Document expressed the preferred Option of officers, which was to create one single all-through Gaelic medium provision to be included in the new 3-18 campus being built on the James Hamilton Academy site. The consultation exercise asked for responses to the following:
Do you agree with:-

- The proposed relocation of Early Years, Primary and Secondary Gaelic Medium Education from Onthank primary School and Grange Academy respectively to the new 3-18 campus
- The merger of the Early Years, Primary and Secondary Gaelic Medium provision into a single establishment

7.2 The overwhelming response from parents and other consultees was that the the proposed merger should go ahead. The table below indicates the breakdown of the figures

	Number	%
In favour of a merger	10	83%
No Comment	2	17%
Total	12	100%

7.3 Clearly parents are keen to explore the strategic development of Gaelic medium education at all levels and East Ayrshire's responses to those questions are summarised in Section 5.

8. COMPLIANCE WITH SECTION 9(1) OF THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010

8.1 Having received Education Scotland's report on 25April, 2014, Section 9(1) of the Schools (Consultation) (Scotland) Act 2010, requires the Council to review the relevant proposal (Option 4), having had regard (in particular) to the written representations that have been received by it during the consultation period; oral representations made to it at the public meetings held on 18 February 2014, 19 February 2014, 20 February 2014 and 26 February 2014 and Education Scotland's report. In terms of Section 10(2) (e) of the said Schools (Consultation) (Scotland) Act 2010, the Consultation Report requires to contain a statement explaining how the Council complied with its duty under the above Section 9(1) of the Act.

8.2 On 1 May, 2014, Council Officers convened a special meeting for the purposes of reviewing the relevant proposal (Option 2C) having had regard to the written representation received by the Council during the public consultation period; the verbal representations made to it at the said public meetings, and Education Scotland's report, all of which is summarised in paragraphs 3.1 to 5.23 above. When reviewing the proposal (Option 2C) against the written and verbal responses as well as the terms of the Education Scotland report, the Council had regard to the terms of Section 12 of the Act and the factors that required to be considered, in particular:

- whether there was any viable alternative to the closure proposal
- what the likely effect may be on the local community on consequence of the proposal (if implemented); and
- what the likely effect caused by the different travel arrangements for pupils, staff and any other users of the school facilities that may be required in consequence of the proposal (if implemented), including any environmental impact.

- 8.3 In complying with section 13(3) (b) of the 2010 Act and having carried out the review mentioned above, Council officers concluded that their attitude to Option 2C is to recommend to cabinet that the proposals should go ahead.

9. IMPLEMENTATION ARRANGEMENTS

- 9.1 The following paragraphs details the arrangements that will be made, should the Council decide to implement

9.2 **Design Specification**

- (a) To ensure the successful completion of the build by August 2017 will require early completion of the design specification. The Council is committed to following the good practice achieved in its *Building Learning Communities* project and seek input from pupils, staff, parents and the wider communities. It is through such involvement that staff, young people and parents engage with the concept of the new school and assume a sense of ownership and this assists in the development of the new schools' ethos.

9.3 **School Management**

There will be no designated Head of Campus. As such the management structure with reference to this set of proposals would operate as follows:-

Academy and Gaelic Medium Unit

A Head Teacher will be appointed to lead the new Academy and the Gaelic Medium Unit by open interview. The HT will appoint a Principal Teacher to oversee the learning and teaching from Early Years through to Senior Phase and to develop links with the Gaelic community.

(a) **Primary School**

The education authority will work in partnership with the management teams of James Hamilton Academy, Kilmarnock Academy, New Farm Primary School and Silverwood Primary school to prepare the groundwork for a merged 3-18 Campus. It is anticipated at this stage that new management teams will be in post prior to the proposed schools' merger in August 2017

(b) **Early Childhood Centre**

Pre-school provision will be operated by the council from premises within the school. The Head of Service: Community Support will lead an appraisal exercise to determine the most effective and cost effective method of providing this service within the new build. Such work would involve discussion with all stakeholders at the appropriate time and the outcome would be reported to Cabinet at the earliest opportunity.

9.4 **Parent Councils**

- (a) There is no Parent Council for the Gaelic Unit.

9.5 **Staff**

- (a) The Council is committed to ensuring staff are informed and involved in planning activities. Following the standards set during the *Building Learning Communities* project effective communications will be maintained throughout the process. This will commence with input into the design brief and the opportunity to influence the building design.
- (b) The Council is aware that staff will be concerned about future employment opportunities and is committed to working closely with Human Resources and Trade Unions to ensure that relevant information is provided at the earliest opportunity.

9.6 **Aligning Curricula**

- (a) It is envisaged that the primary schools' curricula will be aligned for the start of the 2015/16 academic session. This will require the involvement of the senior management teams in both primary schools and senior education authority officers.

9.7 **Involvement of Pupils**

- (a) Central authority staff, in conjunction with school staff, will facilitate joint working with pupils to create Pupil Councils for the new schools. As intimated previously, pupils of all affected schools will be consulted on the design of the new school and will be kept informed of progress, including site visits to view the creation of their new schools.

9.8 **Identity of the New Schools**

- (a) All of the comments within paragraphs 9.2 to 9.7 are intended to create new identities for the merged school. Further activities such as names, school badges and uniforms for the two establishments will be undertaken at the appropriate time prior to the schools coming together. Details of when these activities will occur will be discussed with the Parent Councils, staff and pupils and progress will be reported to Cabinet.

10. **CATCHMENT AREAS**

- 10.1 The Gaelic Unit currently does not have specified catchment area and therefore there are no implications for parents or schools regarding this issue.

11. **PROCEDURES FOR MINISTERIAL CALL- IN**

- 11.1 Since this proposal is to merge aspects of the service i.e. Gaelic provision at all levels, there is no closure proposed as such and therefore the process is not subject to ministerial call-in. Section 10(4) of the Schools (Consultation) (Scotland) Act 2010 would normally apply. At this stage, it is anticipated that Cabinet will be asked to make a final decision on the proposed merger of these aspects of the service at Cabinet on 18 June, 2014. If Cabinet agree to

the said proposal, the Scottish Ministers will be notified of this decision but it will not be subject to call in.

- 11.2 Anyone wishing to contact the Scottish Ministers during the three week period referred to above should do so by e-mail to:

schoolclosure@scotland.gsi.gov.uk

or in writing to:

School Infrastructure Unit
 Scottish Government
 Areas 2-A South
 Victoria Quay
 Edinburgh
 EH6 6QQ

- 11.3 Should Cabinet agree to the recommendations, detailed in section 19 of this report, and implement the merger proposal for the identified aspects of Gaelic provision and create a new 3-18 Gaelic Unit and the amendments to the delineated areas of Grange Academy and Kilmarnock Academy, at its meeting of 18 June, 2014, the Council in order that its position is not prejudiced in complying with section 15 of the 2010 Act will notify Scottish Ministers of its decision. This final decision will include consideration of comments from the Council's internal Governance and Scrutiny Committee meeting of 11 June, 2014.

12. CORPORATE MANAGEMENT TEAM ROLE IN THE CONSULTATION PROCESS

- 12.1 The proposal to merge Early Years, primary and Gaelic medium provision and to locate it within one single establishment has been discussed fully and regularly at the highest level of Officer Management of the Council. This included reviews of the Proposal Document prior to its consideration by Cabinet on 5 February 2014, and consideration of the Consultation Report prior to its publication. The outcome of this involvement, in part, is a set of recommendations by the Executive Director of Educational and Social Services supported and endorsed by the Corporate Management Team.

13. THE COUNCIL'S APPROACH TO CONSULTATION

- 13.1 The foregoing subsections of sections 6 and 7 (above) detail the Council's considerations of all issues as originally defined in the Proposal Document and importantly, all of those, both educational and non-educational, raised through the detailed consultation responses and the public meetings. The Council allocated time compliant with the statutory minimum (42 calendar days, to include a minimum of 30 school days) consultation period for response.
- 13.2 Of the 12 responses received, all issues raised have been addressed in sections 3 to 7 of this report. Cabinet will therefore have before it in this paper

full and detailed arguments for and against the recommend proposal by officers.

14. RISK MANAGEMENT

- 14.1 There is no reduction in the property portfolio specific to these proposals.
- 14.2 By implementing the merger proposal, officers will ensure the quality of educational experience for the children and young people attending, or due to attend, is maintained or improved.

15. LEGAL ISSUES

- 15.1 In accordance with the Schools (Consultation) (Scotland) Act 2010, it is a legal requirement that the Council shall not reach any formal decision without:
- having reviewed the merger proposal on the creation of a new single provision for Gaelic Education in East Ayrshire (Option 4) and having regard in particular to:
 - (a) Relevant written representations received from any person during the consultation period;
 - (b) Oral representation made to it by any person at the public meetings held on Wednesday 19 February 2014,
 - (c) The Education Scotland report;
 - Preparing this Consultation Report; and
 - Waiting until a period of 3 weeks starting on the day on which this Consultation Report is published in electronic and printed form has expired.
- 15.2 If East Ayrshire Council's Cabinet is minded to agree to the unification of Gaelic education into a single provision the matter will be referred immediately to Governance and Scrutiny Committee in accordance with existing good practice for ratification. Should Cabinet be minded, subsequent to consideration by the Governance and Scrutiny Committee, to agree the proposal to merge the Gaelic provision into one 3-18 establishment at the new site on Sutherland Drive) then under Section 15(2) (a) of the Schools (Consultation) (Scotland) Act 2010 the Authority must notify the Scottish Ministers within 6 working days of the decision being taken. There then follows a 6 week period within which the Scottish Ministers may issue a call-in notice to the Authority. Any such decision by the Scottish Ministers would require them to take account of any relevant representations they may receive within the first 3 of those 6 weeks. The Education Authority may not proceed with the implementation of the proposal until the 6 weeks has expired or the Scottish Ministers indicate they do not intend to issue a call in notice.
- 15.3 As provided for in section 1 of the 1980 Act, it is the duty of the Council to ensure adequate and efficient provision of school education within East Ayrshire. Such education to be directed towards the development of the

personality, talents and mental and physical abilities of children or young persons to their fullest potential (Standards in Scotland's Schools Etc. Act 2000 section 2). That said, as with all Council duties, the Council has a duty to make arrangements to secure best value and in securing best value the Council is required to maintain an appropriate balance between, inter alia, the quality of its performance of its functions and the cost to the authority of that performance (Local Government in Scotland Act 2003 section 1). In coming to any decision, members should balance the foregoing duties.

- 15.4 Article 2 of the first protocol to the European Convention on Human Rights, incorporated into domestic law by the Human Rights Act 1998 provides that:

"No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions"

- 15.5 The principle in the second sentence is accepted into UK law only so far as it is compatible with the provisions of efficient instruction and training, and the avoidance of unreasonable public expenditure. The right to education is a general right and the relevant provisions of the 1980 Act and the Standards in Scotland's Schools etc (Scotland) Act 2000 go beyond what is required by the provision in the first protocol. Accordingly, provided the Council complies with the duties referred to in paragraphs 15.1 to 15.4, a successful Human Rights challenge to a properly considered decision will be minimised.

15.6 **Title Implications**

- (a) There are no subsisting title conditions restricting the use of the sites of Bellfield Primary School or Kirkstyle Primary School. Should the merger proposal be accepted and implemented, with the two sites being declared surplus to requirements, the Council could dispose of these on the open market.

16. **CONCLUSION**

- 16.1 Having carefully reviewed the proposal, with the relocation of a new 3-18 Gaelic Unit as at Option (Option 2C) and having had regard to:

- (a) Relevant written representations received by the Council from any person or groups during the consultation period;
- (b) Oral representation made to it by any person at the public meetings held on 18 February 2014, 19 February 2014, 20 February 2014 and 26 February 2014; and
- (c) The contents of the Education Scotland report

It is therefore concluded that the decision to proceed with the consultation on the closure proposal remains valid.

17. RECOMMENDATIONS

17.1 It is therefore recommended that cabinet approves that:

- Pre School and Primary Gaelic education provision at Onthank Primary School and Early Childhood Centre be discontinued with effect from the end of the 2016/17 academic session in June 2017, or as soon as possible thereafter;
- Secondary Gaelic education provision at Grange Academy be discontinued with effect from the end of the 2016/17 academic session in June 2017, or as soon as possible thereafter;
- That the children and young people attending these educational establishments transfer to a new build Gaelic education provision to be sited within the new 3-18 campus on Sutherland Drive, Kilmarnock, with effect from the start of the 2017/18 academic session in August 2017, or as soon as possible thereafter;
- That this report is referred to Governance and Scrutiny Committee for consideration;
- Otherwise note the contents of this report.

Graham Short
Executive Director of Educational and Social Services

GRS/AW
2 May, 2014

LIST OF ATTACHED PAPERS

- i) Proposal Document issued 14 February 2014

BACKGROUND DOCUMENTS

- i) List of respondents

Members wishing further information should contact Graham Short, Executive Director of Educational and Social Services, Telephone (01563) 576017 or Alan Ward, Acting Head of Service: Schools, telephone (01563) 576126.

ANNEX 1

PROPOSAL DOCUMENT

An electronic version of the Proposal Document can be found at the link below:

<http://www.east-ayrshire.gov.uk/Resources/PDF/S/schools/Proposed%20merger%20of%20Bellfield%20Primary%20School%20and%20Kirkstyle%20Primary%20School%20consultation.pdf>