

# **Schools (Consultation) (Scotland) Act 2010**

**Report by Education Scotland addressing educational aspects of the proposal by Clackmannanshire Council to change the admissions policy for denominational schools in Clackmannanshire effective from August 2019.**

January 2019

## 1. Introduction

1.1 This report from Education Scotland has been prepared by Her Majesty's Inspectors of Education (HM Inspectors) in accordance with the terms of the [Schools \(Consultation\) \(Scotland\) Act 2010](#) ("the 2010 Act"). The purpose of the report is to provide an independent and impartial consideration of Clackmannanshire Council's proposal to change the admissions policy for denominational schools in Clackmannanshire. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant 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 this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision. Where a council is proposing to close a school, it needs to follow all statutory obligations set out in the 2010 Act, including notifying Ministers within six working days of making its final decision and explaining to consultees the opportunity they have to make representations to Ministers.

1.2 HM Inspectors considered:

- the likely effects of the proposal for children and young people of Clackmannanshire; 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 proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

1.3 In preparing this report, HM Inspectors undertook the following activities:

- attendance at the public meeting held on 20 November 2018 in connection with the council's proposals;
- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others; and
- visits to the site of St Bernadette's Roman Catholic Primary School (RCPS) and St Mungo's RCPS, including discussion with relevant consultees.

## 2. Consultation process

2.1 Clackmannanshire Council undertook the consultation on its proposal(s) with reference to the [Schools \(Consultation\) \(Scotland\) Act 2010](#).

2.2 The formal consultation ran from 2 November until 14 December 2018. Public meetings were held on 20 November and 6 December 2018. These meetings were not well attended. There were no objections to the proposal. The council posted the consultation document on its website.

Interested parties were invited to comment. Copies were also sent to all Clackmannanshire schools and Parent Councils with paper copies of the proposal made available in schools and public offices. Copies of the consultation were sent to Stirling Council as Roman Catholic Secondary School provision for Clackmannanshire is provided at St Modan's High School in Stirling. Copies were also sent to the Bishop of Dunkeld and the Catholic Church representative for Clackmannanshire Council.

2.3 The council received 21 responses to the proposal. Of these 14 were supportive. The majority of positive respondents did not include any further comment as to why they were supportive. Six out of the seven respondents who did not support the proposal had a child currently attending a Clackmannanshire school. The main area of objection raised was in regard to the existence of denominational schools and the potential for segregation based on religious grounds.

2.4 No formal, written response was received by the Diocese Catholic Church. All other Parent Councils in the two council areas were invited to take part in the consultation but chose not to submit any comments.

### 3. Educational aspects of proposal

3.1 It is proposed that the council's Admissions Policy is changed, so that pupils who can demonstrate affiliation to the Roman Catholic Church by means of a baptismal certificate would remain entitled to enrol at their catchment denominational school, but that all other pupils would be required to submit a placing request. In 2015-16 school years, St Bernadette's RCPS did not have sufficient capacity to accommodate Roman Catholic children who wished to enrol during the academic year. To meet its legal obligations, the council provided transport to St Mungo's RCPS in Alloa. This meant children had to attend a school outside the community in which they were living. St Bernadette's RCPS will move into Tullibody South Campus in August 2019. The new school will have the same number of classrooms as the current school. As a new school, St Bernadette's RCPS may be attractive to parents which may result in the demand exceeding the number of places available. The current admissions policy allows any child living in Tullibody, Menstrie or Alva, irrespective of their denomination, to attend St Bernadette's RCPS. The new St Bernadette's RCPS is not designed to accommodate such a broad catchment. The proposed changes will allow the council to better fulfil its duty to provide education to children and young people who are baptised into the Roman Catholic Church in a denominational school, including when a denominational school is oversubscribed.

3.2 The proposal has a number of educational benefits for children. The council's proposal, if it proceeds, would reduce the risk of over subscription and resulting high occupancy in denominational primary schools. It will also enable the council to meet its legislative requirements in relation to denominational education and potentially demonstrate best value through making effective use of its existing school estate as a whole. St Bernadette's RCPS will have sufficient capacity to accommodate Roman Catholic children who wished to enrol during the academic year. A more systematic approach to placing requests will be introduced.

3.3 Management, support and teaching staff from St Bernadette's RCPS and St Mungo's RCPS who met with HM Inspectors were supportive of the proposal. They saw the proposed changes in policy as bringing Clackmannanshire into line with other Scottish local authorities. They welcomed the introduction of a more systematic approach to placing requests. Staff at both schools did not see the proposed change in policy having a negative impact on themselves, children or parents. They were confident both schools had capacity to accommodate others. However, they were concerned that the need to complete a placing request might act as an additional barrier for parents considering their school.

3.4 The small number of parents from both St Bernadette's RCPS and St Mungo's RCPS who met with HM Inspectors were supportive of the proposal. They agreed that where capacity issues arose, that children baptised into the Catholic faith should be given priority when applying for places at the denominational schools. They were reassured that existing pupils and their siblings would be able to attend St Bernadette's RCPS and St Mungo's RCPS. However, they were concerned that the inclusive ethos that both schools currently enjoy might be compromised if children of other faiths are not admitted. Representatives from St Mungo's RCPS Parent Council shared a concern that completion of a placing request might act as an additional barrier for those families for which English is not their first language.

3.5 Children from both St Bernadette's RCPS and St Mungo's RCPS who met with HM Inspectors agreed that where demand exceeded capacity there was a case for prioritising in favour of children baptised into the Catholic faith. However, they expressed the desire that their schools should be open and welcoming to all children irrespective of faith. They saw this as a major strength in their existing schools.

3.6 The representative from the Diocese of Dunkeld who met with HM Inspectors was supportive of the proposal. He recognised the proposal brings Clackmannanshire into line with other Scottish authorities. However, he expressed the need to retain the inclusive, open to all, welcoming nature that currently exists in both denominational schools.

## 4. Summary

Overall, the council's proposal is of educational benefit. The council's proposal, if it proceeds, would reduce the risk of over subscription and resulting high occupancy in denominational primary schools. It will also enable the council to meet its legislative requirements in relation to denominational education. St Bernadette's RCPS and St Mungo's RCPS will have sufficient capacity to accommodate Roman Catholic children who wished to enrol during the academic year. A more systematic approach to placing requests will be introduced.

**HM Inspectors  
January 2019**