

Report by Education Scotland addressing educational aspects of the proposal by Falkirk Council to change their admissions policy for denominational schools from December 2014.

1. Introduction

1.1 This report from Education Scotland has been prepared by HM Inspectors in accordance with the terms of the *Schools (Consultation) (Scotland) Act 2010* and the amendments of the *Children and Young People (Scotland) Act 2014*. The purpose of the report is to provide an independent and impartial consideration of Falkirk Council's proposal to change their admissions policy for denominational schools from December 2014. 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 a copy of 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 legislative 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 the schools, any other users; and children likely to become pupils within two years of the date of publication of the proposal paper;
- 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 meetings held on 27 May and 9 June 2014 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;
- meeting with chair persons of two Parent Councils; and

- meeting with representatives of the Scottish Catholic Education Service and the Archdiocese of St Andrew's and Edinburgh.

2. Consultation Process

2.1 Falkirk Council undertook the consultation on its proposal with reference to the *Schools (Consultation) (Scotland) Act 2010* and the amendments in the *Children and Young People (Scotland) Act 2014*.

2.2 The consultation process took place over an eight week period between 6 May and 27 June 2014. Three public meetings were held in Denny, Bo'ness and Falkirk on 20 May, 27 May and 9 June 2014, respectively. Views were sought from a wide range of stakeholders such as parents of all pre-school children attending Falkirk Council nurseries and all pupils attending denominational schools, Parent Councils of all denominational schools, Community Councils, and the Roman Catholic Church. All stakeholders were invited to respond to the consultation paper by email, letter and on forms attached to the proposal paper. One hundred and thirteen responses were received, and ten of these were from groups such as those outlined above. Of the responses received, the majority were in favour of the proposal.

3 Educational Aspects of Proposal

3.1 Falkirk Council's consultation proposal affects all children and young people who are baptised into the Roman Catholic Church in the Falkirk area. The council is no longer able to meet the growing demand for pupil places in denominational schools without incurring the risk that children and young people who are baptised into the Roman Catholic Church are unable to obtain a place in their local denominational primary or secondary school. This situation has occurred despite actions to help alleviate the pressure on denominational schools such as building a new denominational school in 2012 and capping the numbers of children in the associated primary schools of St Mungo's High School to prevent overcapacity in the secondary school sector. Across the council, nearly 40 children and young people were unable to gain placements in a denominational school and in addition, children who are baptised into the Roman Catholic Church and moved into the area had to be placed on a waiting list to attend their local school. The proposal to change the admission's policy will allow the council to fulfil its duty to provide education to children and young people who are baptised into the Roman Catholic Church in a denominational school. The proposal may have implications for younger siblings who may wish to attend the same denominational school as their brother or sister, but who do not have a baptismal certificate. The council need to consider the potential impact for children, young people and their families if they require to be educated in different schools across the council should the proposal go ahead. Importantly, the proposal provides a guarantee that children currently attending a denominational primary school who are not baptised into the Roman Catholic Church will retain the right to be educated in St Mungo's High School and be eligible for free transport if this applies under current council policy.

3.2 The council states that there will be a number of educational benefits for children should the proposal go ahead. It indicates that the proposal will reduce the

risk of high occupancy rates in denominational schools which it believes can result in overcrowding and timetabling constraints. While these factors have the potential to have a detrimental impact on children and young people's learning, the council needs to specify more clearly the educational benefits for pupils in reducing overcrowding and timetabling constraints.

3.3 The majority of stakeholder responses were in favour of the proposal. They felt that the proposal would ensure that children who are baptised into the Roman Catholic Church would be able to be educated in a denominational school within their local community. As a result, children who are baptised into the Roman Catholic Church would be educated with their siblings, in their local community, and prevent unnecessary transitions from school to school. The proposal will ensure children who are baptised into the Roman Catholic Church will be able to attend their local denominational school rather than being placed in a school outwith their local community while waiting for an available space. The proposal, if implemented, will enable the council to manage its estate more effectively and efficiently to secure best value in the delivery of its services.

3.4 Of those stakeholders not in favour, a few were concerned that the proposal would limit the opportunities for children of other faiths to attend a denominational school. Other stakeholders not in favour were concerned that admission changes to the denominational schools would have implications for non-denominational schools. The council needs to provide more information about projected rolls, current capacity of the schools affected by the proposal, current and projected size of waiting lists for denominational schools and any impact of the proposal on non-denominational schools.

3.5 The Scottish Catholic Education Service and Archdiocese of St Andrew's and Edinburgh were consulted both before and during the consultation process. Overall, they support the proposal and are pleased that the council has given a high priority to providing places in denominational schools for children who are baptised into the Roman Catholic Church. They have submitted a written response to the council setting out their views.

4 Summary

Overall, the council's proposal is of educational benefit. The majority of stakeholders who submitted responses are positive about the proposal. The council's proposal may reduce the risk of high occupancy rates in denominational schools and ensure that it is able to meet its legislative requirements in relation to denominational education. However, the proposal does not set out some of these benefits in sufficient detail. In its final consultation report the council needs to provide more detailed information about the educational benefits of removing overcrowding and timetabling constraints.

The proposal will also ensure children who are baptised into the Roman Catholic Church and moving into the area will not need to be placed in a school outwith their local community and prevent unnecessary transitions from school to school. It will help the council to meet its duty to secure best value in the delivery of its services.

**HM Inspectors
Education Scotland
September 2014**