

Schools (Consultation) (Scotland) Act 2010

Report by Education Scotland addressing educational aspects of the proposal by West Lothian Council to close Bathgate West Nursery School.

December 2024

1. Introduction

1.1 This report from Education Scotland has been prepared by His 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 a proposal by West Lothian Council to close Bathgate West Nursery School. 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' view. Upon receipt of this report, the Act requires the council to consider it alongside any relevant considerations the council received and then prepare its consultation report. The council's 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 consultation report at least three weeks before it takes its final decision. With all proposals the council needs to follow all statutory obligations set out in the 2010 Act. Where a council is proposing to close a school, there are specific additional obligations. These include 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 of the setting; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children 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 30 September 2024 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 sites of Balbardie Primary School, Bathgate Early Years Centre, St Mary's Primary School (Bathgate), Simpson Primary School and Windyknowe Primary School, including discussion with relevant consultees.

2. Consultation process

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

2.2 The public consultation ran from 9 September to 1 November 2024. The proposal was available on the council website. Paper copies and accessible formats were available on request. This proposal is one of nine closure proposals for early years and childcare settings on which the council are consulting. The council held a public meeting in Balbardie Primary School on

30 September 2024 which was attended by three members of the public. The council received two written responses, one from a parent who disagreed with the proposal. The other response was received from Bathgate Community Council stating they had received no community concerns and did not oppose the proposal.

3. Educational aspects of proposal

3.1 Bathgate West Nursery School has been inactive since April 2023. At that time children were temporarily relocated to Bathgate Early Years Centre. This was to accommodate children and staff from other primary schools as building works were undertaken in their schools. In its educational benefits statement, the council has outlined the efficiencies that arise from this proposal. They state how their council's proposal takes forward national policy for curriculum, play and providing children with free 1140 hours of early learning and childcare. HM Inspectors agree that some rationalisation of nursery provision may be reasonable as it is important that council ensure best use of their resources. HM Inspectors agree that West Lothian Council have set out an appropriate case in support of its proposal to permanently close Bathgate West Nursery School. Families already access alternative ELC provision to suit their needs and children will access provision in line with national standards. As a result, if the council proceeds with the proposal, children will not experience any disruption.

3.2 Almost all children who met with HM Inspectors were supportive of the council's proposal. All of the primary-aged children who met with HM Inspectors had previously attended Bathgate West Nursery School. They all have fond memories of their time at nursery. Whilst a few expressed sadness about the proposed closure, those with younger siblings attending Bathgate Early Years Centre agreed that children were happy in their current setting. They all agreed that any change may be unsettling.

3.3 All staff who met with HM Inspectors agreed with the proposal to close Bathgate West Nursery School. Staff who were previously located in the nursery school are disappointed about the loss of this resource. They understand the council's rationale and feel the closure is inevitable. They agree that children and staff have integrated successfully into Bathgate Early Years Centre and recognise the educational benefits of the proposal. Staff would like to see the remaining outdoor play equipment repurposed to benefit children from Bathgate.

3.4 During the consultation period consultees identified alleged inaccuracies in the proposal paper. The council will need to ensure that it takes the necessary steps to investigate these alleged inaccuracies. In its final consultation report, the council will need to set out the actions it has taken to address these.

4. Summary

HM Inspectors agree that there are educational benefits to support the closure of Bathgate West Nursery School. Almost all stakeholders agree with the council's proposals and felt the potential closure is inevitable. HM Inspectors agree that children are currently happy and settled in their current provision and there is adequate alternative ELC provision in the local area. In its consultation report, the council will need to set out the actions it has taken to address any alleged inaccuracies notified to it.

**HM Inspectors
December 2024**