

Schools (Consultation) (Scotland) Act 2010

Report by Education Scotland addressing educational aspects of the proposal by West Lothian Council to close Our Lady's Nursery Class, Stoneyburn.

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 Our Lady's Nursery Class, Stoneyburn. 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 young people 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 and young people in the local authority 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 23 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/carers and others; and
- visits to the site of Our Lady's Nursery Class at Stoneyburn Primary School, including discussion with relevant consultees and consultees at Our Lady's Primary School.

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. There were no written responses to the consultation on the proposals. The council held a public meeting on 23 September 2024 at Our Lady's Primary School, Stoneyburn.

Five people attended the public meeting. Attendees agreed with the proposals but sought clarity on a few areas. Attendees' questions related to:

- different possible arrangements for delivering the 1140 hours of free learning and childcare;
- the decline of enrolments in the local authority's nursery services;
- roll capacity for both nurseries;
- impact on the uptake on denominational education;
- declining numbers at the denominational school;
- effective transitions to P1 at the denominational school;
- maintaining and extending services; and
- future town development projects, including impact of house building in the area.

3. Educational aspects of proposal

3.1 West Lothian Council initiated a proposal to close the nursery class at Our Lady's Primary School. The council promotes the educational benefits of all children in Stoneyburn going to the same community nursery class at Stoneyburn Primary School. They state how the 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. However, the council needs to have an effective strategy in place to promote denominational education with parents/carers. Children need to have a planned and effective transition to P1 at the denominational school, should this be parents/carers choice of education.

3.2 HM Inspectors met with a range of stakeholders as part of the statutory consultation. Across stakeholder consultation, there was a consensus that the council's proposal was realistic, given the financial context. Stakeholders have raised a few legitimate concerns for the council to address in its consultation report.

3.3 Children attending the nursery class at Stoneyburn Primary Nursery from Our Lady's Primary School are respected, nurtured and achieve in their play and learning. The roll at Our Lady's Nursery Class was declining, with 11 children attending the nursery class in 2023. This was the point at which the council made a temporary arrangement to relocate nursery services to Stoneyburn Primary School. Practitioners leading nursery education at Our Lady's Primary School moved location at the same time as children. The roll at Our Lady's Primary School is declining. Senior leaders at both primary schools are at the early stages of engaging with parents/carers on how play and learning experiences build on children's interests and faith needs.

3.4 The council's proposal paper refers to an integrated impact assessment commenced in 2023 on nursery services. The council should carry out a current impact assessment articulated to their proposal to shape their final decision. They should take account of children's rights and protected characteristics of religion and belief. The council has a statutory commitment to consult parents/carers on their needs for early learning and childcare. They should continue to monitor that the arrangements for delivering the free 1140 hours of play and learning suits parents/carers.

3.5 The council's proposal paper states that their proposed arrangement will improve the overall quality of nursery service. HM Inspectors reported on very high standards of play and learning at Our Lady's Nursery class on 23 January 2023. The council should detail further how they will achieve improved quality of nursery service at Stoneyburn Primary School, to which children were relocated in June 2023.

3.6 HM Inspectors consulted the Archdiocese of St Andrews and Edinburgh. The Archdiocese expressed concern that the proposed closure of the nursery class at Our Lady's Primary School would impact adversely on children enrolling at the denominational school. This is also the

Archdiocese's view for four other nursery closures in denominational schools across the council. Specifically, the Archdiocese suggest that parents/carers may choose for their children's nursery and primary education to be in the same school. The Archdiocese is concerned that parents/carers may not enrol their children in the denominational school. That longer term, this may have an impact on the sustainability of denominational schools within the council. The Archdiocese considers children in the nursery class of a denominational school to be part of the wider denominational school community. As such, children in the nursery build links within the school. The Archdiocese believes that closing the nursery class at Our Lady's Primary School would impact adversely on children's faith journey. If the proposal goes ahead, the council should work with stakeholders to ensure that the closures do not impact negatively on access to denominational school education in West Lothian.

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

4 Summary

HM Inspectors agree that the council's proposal to close the nursery class at Our Lady's Primary School, to have one community nursery class at Stoneyburn Primary School, has some potential educational benefits. It confirms an informal arrangement that has been in place since June 2023. Children get to know their peers from across the small town of Stoneyburn and begin to respect each other's differences. The council recognises that the proposed nursery closure brings financial efficiencies. Should the council proceed with the proposal, it should consider the views of the Archdiocese and work with stakeholders to ensure that school rolls in denominational schools in West Lothian are not impacted negatively. It will also be important that the council continue to work closely with stakeholders to support children's transitions. 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**