

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

**Report by Education Scotland addressing educational aspects of the proposal by Clackmannanshire Council to close permanently ABC Nursery, Alloa.**

May 2021

## 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 close permanently ABC Nursery, Alloa. 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 of the setting; any other users 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 virtual public meeting held on 23 March 2021 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
- virtual visits to the site of Park Primary School and Nursery Class, Menstrie Nursery and Alva Nursery Class. This included discussions with five former staff members of ABC Nursery. Two parents attended the parents' meeting. Both were parents of children who formerly attended ABC Nursery.

## 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 consultation ran from 22 February to 26 April 2021. The council's proposal paper was made available online and provided to statutory consultees. Taking account of relevant current public health advice and Covid-19 restrictions at the time, a virtual public meeting was held on 23 March 2021 where six stakeholders attended. In addition, a staff only consultation meeting took place on 16 March 2021. In total, 32 people responded to the online consultation. Of the

32 respondents, six were in favour of the proposal and 26 were not. The main reasons for opposing the proposal included a lack of council provision for children under the age of two and greater distance to travel for alternative provision. Respondents also shared their disappointment at the possibility of the permanent closure of ABC Nursery. Stakeholders supporting the proposal highlighted that other early learning and childcare (ELC) settings within Clackmannanshire are available to provide improved learning environments, particularly outdoors.

### 3. Educational aspects of proposal

3.1 ABC Nursery provides full year, extended day provision for babies and children until they start primary school. In May 2020, the nursery was subject to an emergency closure due to planned structural assessments unable to take place at an earlier stage due to Covid-19 restrictions. Following a period of severe weather in summer 2020, significant damage was caused to the roof of the building. A decision was taken not to re-open ABC Nursery in August 2020, due to concerns for the health and safety of children, staff and parents. In May 2020, the nursery manager and staff supported parents to find alternative placements for their children. All children were relocated to other ELC settings. All staff were temporarily redeployed and will be redeployed permanently should the proposal go ahead.

3.2 Clackmannanshire Council has set out a clear case in support of its proposal to close permanently ABC Nursery. The council has identified a range of educational benefits to be gained if the proposal is taken forward. HM Inspectors agree the expansion of ELC in Clackmannanshire Council will increase choice and flexibility of provision to meet the needs of families of children aged 2-5 years. As a result of the ELC expansion capital investment programme, there are now two purpose built settings at Tulach and Menstrie as well as a refurbishment at Sauchie. Park ELC is also undergoing significant extension and refurbishment. Some ELC classes have also received extensive refurbishments and others have been enhanced. As a result, children will be able to access improved learning environments. The council also believe there will be improved transition for children attending ELC settings closest to their catchment school. The proposal also supports greater continuity in children's learning across the early level of Curriculum for Excellence, with increased opportunities for ELC and primary staff to work together.

3.3 Parents and staff who met with HM Inspectors agreed with the proposal to close permanently ABC Nursery due to the structural issues with the building and understood why the emergency closure had to take place. However, most respondents to the online consultation were not in favour of the permanent closure of the nursery. All parents and staff who met with HM Inspectors and those who responded online shared that children previously attending ABC Nursery had always benefited from high quality ELC. Parents and staff were keen that children could continue to access high quality ELC. Overall, they believe new and refurbished settings will continue to provide children with high quality learning environments, particularly outdoors where children will be able to engage readily with a wider range of nature experiences.

3.4 Consultees, who met with HM Inspectors, recognise there will be greater choice and flexibility for families due to an increase in settings with full day provision. However, a few raised concerns about a lack of affordable placements within council settings for children under the age of two. This was previously available at ABC Nursery. In addition, a concern was raised regarding the availability of appropriate placements for children under two with complex additional support needs.

3.5 All parents and staff who met with HM Inspectors could see the benefits of improved transition arrangements where an ELC setting is within a school or on a school campus. This reassured parents. Staff look forward to increased opportunities to work with colleagues across

the early level of Curriculum for Excellence to support continuity and progression in children's learning.

#### 4. Summary

The council's proposal is of clear educational benefit for children aged 2-5 years. HM Inspectors agree that there will be greater choice and flexibility of ELC provision for children aged 2-5 years. Improved learning environments, particularly outdoors will provide children with a wider range of experiences. Settings within schools or campuses will be able to provide enhanced transition arrangements for children starting school. There is the potential for greater opportunities for continuity in learning across the early level of Curriculum for Excellence when nursery staff and primary school teachers work closely together. Should the council proceed with its plans to close ABC Nursery permanently, it should set out how it will address the concerns raised during the consultation. In particular, how it will inform parents of the availability of provision for children aged two years and under including those children who may have complex additional support needs. It will also be important that the council should continue to work with ELC settings and schools to support collaboration to ensure continuity of learning across the early level.

**HM Inspectors  
May 2021**