

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

**Report by Education Scotland addressing educational aspects of the proposal by Dumfries and Galloway Council to discontinue education provision at St Ninian's RC Primary School and re-align its catchment area to St Joseph's RC Primary School.**

May 2025

## 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 Dumfries and Galloway Council to discontinue education provision at St Ninian's RC Primary School and re-align its catchment area to St Joseph's RC Primary 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 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 of the school; 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 15 April 2025 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 Joseph's RC Primary School, including discussion with relevant consultees.

## 2. Consultation process

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

2.2 The consultation ran from 10 March to 9 May 2025. A public meeting was held on 15 April 2025 in Penninghame Primary School. Copies of the proposal paper were published on the council's website and were also available through various council offices. The council also conducted a pre-consultation phase in order to seek the views of the local community. There were

eight responses to the public consultation. Almost all agreed with the council's proposal to close the school on a permanent basis. Only one member of the public attended the public meeting. A few stakeholders queried what use the building would be put to and how the council would avoid disruption to Penningham Primary School during any change. A few stakeholders asked that the site be added to Penningham Primary School to increase the school's capacity and facilities.

2.3 The council ran pupil consultations with children at Penninghame and St Joseph's Primary Schools. Children expressed positive views about being part of both small and larger schools. A few children at Penninghame Primary School queried if the St Ninian's RC Primary School rooms could become part of the facilities at their school to extend quiet spaces. A few children at St Joseph's RC Primary School are concerned that journeys for those coming to their school from the St Ninian's RC Primary School catchment area could be long.

### 3. Educational aspects of proposal

3.1 St Ninian's RC Primary School was mothballed in 2023 following the school roll falling, with no pupils in attendance since August 2023. This reflects school rolls reducing across Dumfries and Galloway. A further drop of around 18 percent is predicted in school rolls across the council over the next ten years. Prior to this the council discussed options with parents of the children at the school. In its proposal the council outlines their consideration of alternatives to closure. These included continuing to mothball the school and reopening the school. Following the informal consultation, the council felt that neither of these were viable and there was little prospect of the school roll at St Ninian's RC Primary School increasing in the near future. St Ninian's RC Primary School shares a site with Penninghame Primary School within Newton Stewart.

3.2 HM Inspectors agree that if the proposal to permanently close St Ninian's RC Primary School is agreed, that realigning the catchment area to St Joseph's RC Primary School is sensible. Whilst children are attending a local non-denominational school, it is important that the council has included in its proposal how children, who would have attended St Ninian's RC Primary School, can still access a Catholic education. St Joseph's RC Primary School has capacity to accept any children from the St Ninian's RC Primary School area. HM inspectors agree that the council has taken reasonable steps to enable children to access a Catholic education at St Joseph's RC Primary School.

3.3 The council sets out the educational benefits in its proposal. These include that the children who would have attended St Ninian's RC Primary School will receive a more diverse curriculum and a wider range of learning experiences at St Joseph's RC Primary School. They state that at St Joseph's RC Primary School children have opportunities to develop skills through engagement in the life of the school community. For example, through pupil committees and community links. Children are settled in the schools they have attended since St Ninian's RC Primary School was mothballed. HM Inspectors agree that there are educational benefits to this proposal.

3.4 Children, parents and staff at St Joseph's RC Primary School that spoke to HM Inspectors all agree that St Ninian's RC Primary School should close permanently. They recognise that numbers attending the school prior to mothballing were very low and that St Joseph's RC Primary School provides a positive educational experience. Parents and staff feel that St Joseph's RC Primary School has a strong tradition of providing a Catholic education with good links to church and community. Children are positive about having new children join their school. Children enjoy the opportunities for learning outside of the classroom that St Joseph's RC Primary School provides.

3.5 HM Inspectors met with a representative of the Catholic Church as part of the consultation and the diocese also submitted a written response. They recognise that attendance at St Ninian's

RC Primary School had fallen substantially in recent years and that there was little prospect of numbers in the catchment area increasing. They have no objection to the permanent closure of the school and the re-aligning of the catchment to St Joseph's RC Primary School. They noted that the right to a Catholic education remains unchanged. Should the proposal be agreed, the diocese have requested that the council include a formal clause stating the right of Catholic families, either now or in the future, to receive Catholic religious education including where necessary, Sacramental preparation.

3.6 The council confirm that transport for children in the St Ninian's RC Primary School catchment area will be provided should they decide to attend St Joseph's RC Primary School in future. A few stakeholders were worried about the increased distance that children would have to travel, especially in winter, in order to access Catholic education. For children who now attend local non-denominational school journey times are similar to what they were prior to St Ninian's RC Primary School being mothballed.

## 4. Summary

HM Inspectors agree that there are educational benefits to Dumfries and Galloway Council's proposal to permanently close St Ninian's RC Primary School and re-align the catchment to St Joseph's RC Primary School. Almost all stakeholders agree with the proposal and children are settled at their current schools. It is unlikely that the numbers of school age children that would be in the St Ninian's RC Primary School catchment will increase in the coming years. Falling school rolls mean that this change is largely accepted by stakeholders as a way to continue to provide an option for Catholic education in the area. St Joseph's RC Primary School have capacity and would welcome any children whose parents or carers wish them to go to a denominational school from the area. Should the proposal go ahead, the council should continue to liaise with stakeholders, including the Catholic Church, regarding its implementation. Stakeholders at Penninghame Primary School should be included in discussion about the future use of the site.

**HM Inspectors**  
**May 2025**