

APPENDIX A

**CONSULTATION REPORT REGARDING
THE CLOSURE OF STRACHAN SCHOOL**

2020

**This Consultation Report has been issued by Education &
Children's Services of Aberdeenshire Council in accordance with
the Schools (Consultation) (Scotland) Act 2010**

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1. THE PROPOSAL

- 1.1 At its meeting on 5 December 2019, Aberdeenshire Council's Education and Children's Services Committee authorised the launch of a statutory consultation regarding the closure of Strachan School.

The Proposal Document included as Appendix 1 to this report, was issued to those individuals and bodies listed under Distribution within the proposal document. The Proposal Document was also published on the Council website:

<http://www.aberdeenshire.gov.uk/schools/education-consultations/>

The Proposal Document made clear to consultees that the consultation period would run from 7 January 2020 to 28 February 2020. This covered the required minimum of 30 days term time consultation. The consultation was originally due to close on Friday 21 February 2020, but it was identified that this was insufficient and amended proposals were issued to all consultees.

The proposal on which the consultation took place was:

- **To discontinue education at Strachan School, which is currently mothballed and re-assigning its catchment area to that of either Banchory Primary School and/or Finzean School**
- **The proposal would apply to the primary school stages (P1-P7) of education in Strachan, as there is no pre-school education provided at the school.**
- **The proposed changes, if approved, will take place immediately after the conclusion of the statutory process relating to school closures.**

- 1.2 The Proposal Document gave three options for realigning the catchment area, either in its entirety to Banchory Primary School, in its entirety to Finzean School, or with a geographical East/West split between the two schools. Two further options for realigning the catchment area were discounted, and two alternative to closure were identified as being to reopen the school or for Strachan School to remain mothballed.

- 1.3 Strachan School has been mothballed since July 2017, during that period the designated school for any pupils moving into catchment area has been Banchory Primary School, with free transport provided to any children in those circumstances.

- 1.4 Educational Benefits Statement

The Proposal Document contained within it an educational benefits statement, this can be read in full in Appendix 1. That statement drew upon the current positive

educational experiences that pupils living with the catchment area are having at other local schools. These are in contrast to the experiences that would be available with a roll of fewer than five pupils, should parents wish to enrol their children at Strachan School again.

The statement drew upon the range of activities that pupils are experiencing at Banchory Primary School and Finzean School, both as part of the curriculum and as extra curricular sporting or cultural activities. These are supported by a larger parent body and a broader staff base.

Pupils at both Banchory Primary School and Finzean School regularly work in co-operative learning groups, whereby four or five pupils of a similar age group working together collaboratively. If Strachan School were to reopen with a roll of only four or five pupils, the groups would be limited in size with no opportunities to vary the membership of the groups, and with no guarantee that the pupils would be of a similar age or ability.

The statement highlighted that if Strachan School were to reopen, with a reduced number of pupils over a greater age range, there would be increased challenges in ensuring that all children develop the four capacities of Successful Learners, Confident Individuals, Responsible Citizens and Effective Contributors.

2. PUBLIC ENGAGEMENT

2.1 Engagement with Public

Prior to the statutory consultation period, officers met with members of the community on 5 September 2018, 26 September 2018, 6 December 2018 and 1 May 2019. The meeting on 1 May 2019 was to inform the community about the outcomes of the options appraisal that had been underway since May 2018, to advise that as no alternatives to closure had been identified a statutory closure consultation would be the next step, and to set a deadline for any additional alternatives to closure to be submitted.

A public meeting was held on 6 February 2020 at Strachan Village Hall. The meeting was attended by 13 people, comprising members of the community, the head teachers of Finzean and Banchory Primary Schools and three local elected members. One of the community members was a parent of a child due to begin primary school. A full note of the meeting is available on our website (at the link provided in 1.1).

There were several comments and questions raised during the meeting and a summary of these can be found below:

- The history of the decrease in roll and the reason for mothballing Strachan School for the first time in 2015 before opening again later that year
- Having a split zone where families can choose either Finzean or Banchory Primary School
- Concern about future of the building and potential uses
- Mothballing for a further year

2.2 Online Survey

An online survey was made available to all consultees. 66 people completed the survey and 49 comments were made to the two questions. The survey questions and all responses have been provided at Appendix 2. Members of the community felt that postcodes should have been collected to better identify how consultees responded, however given the small number of residents living in some of the postcodes, officers felt that this would make respondents identifiable and therefore be a breach of GDPR.

The survey asked whether respondents supported the closure of Strachan School, and if so which of the catchment area zoning options they would prefer. 43 people (65.15%) responded that they support the closure. 22 people (33.33%) do not support the closure of Strachan School.

The second question asked which option they preferred. Option 1 to close Strachan School and merge with Banchory Primary School was the most popular with 20 respondents (31.75%) choosing this. Option 2 to close Strachan School and merge with Finzean School was supported by 11 respondents (17.46%). Option 3 to close Strachan School and divide the catchment between Banchory Primary School and Finzean School was selected by 15 people (23.81%) and Option 4 to continue to mothball Strachan School was chosen by 16 people (25.40%).

2.3 Discussions with Pupils

As part of the consultation process, the head teachers at Banchory Primary School and Finzean School discussed the proposal with pupils and asked them a short set of questions to gain their views about the options of merging with each school. The feedback from both schools was positive and thoughtful. A summary note of responses is appended at Appendix 3.

2.4 Staff engagement

Throughout the consultation, there were opportunities for staff at all schools affected to engage, although due to being mothballed, there are no staff at Strachan School to participate. Finzean School provided staff feedback that was supportive of the proposal and recognised the opportunity for pupils from Strachan to increase the roll at Finzean and support longer term sustainability.

3. WRITTEN RESPONSES

There were five written responses submitted to the consultation. Four were from residents and one from the Community Council. Three of the residents who responded are members of the community council, and their individual comments are echoed in the Community Council response. An overview of the submissions is provided below.

An email was received from a Strachan resident with a child currently attending Banchory Primary School. They were supportive of the proposal to close Strachan School and merge with Banchory Primary School and strongly opposed to a merger with Finzean School.

A letter was received from Feughdee West Community Council in response to the consultation. The letter raised a number of points as summarised below:

- The condition and suitability of the building are the same as other schools in the local area, and that with houses allocated in the Local Development Plan, there is opportunity for the school to grow again.
- The impact upon the community to proceed with closure rather than continuing to mothball the school.
- Concern about the future of the building.
- A further rezoning option of a dual zone between Finzean and Banchory Primary School.
- Comments were made around the historical situation at the school
- Criticism of the online survey

Attached to this response was a copy of a letter sent to the Director of Education & Children's Services in 2015 as explanation for the community distrust of the process following the previous decline in roll.

An email was received from a Strachan resident requesting that the school continue to be mothballed. This response also requested a fourth option in terms of catchment areas if the rezone goes ahead. The request is for a dual zone allowing full choice for parents between Finzean and Banchory Primary schools. This email also reflected upon the historical decisions and actions that led to the school being mothballed in 2015.

An email was received from a Strachan resident who objected to the way the survey was written and the way in which the consultation has been undertaken. They state that the consultation was not fit for purpose. This email also reflected upon the historical decisions surrounding Strachan School.

An email was received from a Strachan resident commenting upon the situation in 2015 which resulted in the school being mothballed for a short period of time. The

response stated that there was opportunity for the school to become viable with new housing allocated for the village. The response raised concerns that the impact upon the community had been underestimated, and requested that the school should remain mothballed.

4. EDUCATION SCOTLAND REPORT

- 4.1 The Education Scotland report is reproduced in full in Appendix 4.
- 4.2 Education Scotland acknowledge that the proposal to close Strachan School and rezone the catchment area to either Banchory Primary School, Finzean School or a combination of both has the potential to provide education benefits. They recognise that pupils attending Banchory Primary School would have access to a much broader range of facilities and more opportunities to learn and socialise with their peers. Children attending Finzean School could benefit from a continuity of educational experience through attending a remote rural school with a strong sense of community.
- 4.3 Education Scotland also acknowledge that pupils attending Finzean School from the Strachan catchment area could have the added benefit of ensuring future sustainability for the roll at Finzean School.
- 4.4 The report requires Aberdeenshire Council to clarify the position on a continuation of mothballing, as it appears as an option in the consultation proposal and within the survey but was discussed at the public meeting as having been discounted. This clarification can be found at 5.5 below.
- 4.5 Education Scotland identify that Aberdeenshire Council has taken account of the anticipated impact upon the community from closing Strachan School. They recognise that alternative uses of the building have been explored with the community. They also recognise that the environmental impact of school closure would not be significant since the travel arrangements to alternative schools are already in place for children living within the catchment area.
- 4.6 Education Scotland acknowledge that Aberdeenshire Council has considered alternative options to the closure of Strachan School, and that it was not considered viable to reopen Strachan School, since the council had already unsuccessfully sought enrolments since mothballing the school.

5. EDUCATION AUTHORITY RESPONSE TO WRITTEN AND ORAL REPRESENTATIONS

5.1 All comments have been categorised and the Council response is provided below.

5.2 Mothballing of Strachan School between June and November 2015

There have been comments made about the circumstances that led to Strachan School being initially mothballed for a period in June 2015. A large number of families submitted placing requests to neighbouring schools, when it became apparent that the school would be reducing to a single class, with only one teacher. There was not a legal reason for the placing requests to be refused, and so Aberdeenshire Council was required to accept them.

The school reopened again in November 2015, with a different management arrangement, and any families who had previously left the school were able to re-enrol in the village school. This did not happen and unfortunately those families who did enrol, then left due to either personal circumstances or the pupils progressing to Banchory Academy. Officers have repeatedly sought new enrolments at Strachan School to enable the school to reopen.

The comments have been made repeatedly by a group of residents, and continue to be a cause for concern for some members of the community. Officers have listened to these concerns in detail, and accept that the worries about the school could have been handled differently in 2015. Officers recognise that some members of the Strachan community feel that the Council does not care about their views. This is not the case.

5.3 Having a split zone where families can choose either Finzean or Banchory Primary School

During the public meeting on 6 February 2020, officers explained that having a split zone between Finzean or Banchory would require another consultation that involved Aboyne Academy, due to the potential impact upon the roll at Aboyne. Officers have further considered this option, and if a dual zone was offered to Strachan pupils to attend either Finzean School or Banchory Primary, but remaining zoned to Banchory Academy, then this could be adopted as a minor amendment to the existing consultation. On this basis there would be no requirement for further consultation, and this could be a viable solution.

5.4 Concern about future of the building and potential uses

A number of respondents highlighted their concern about the school building, should the decision be made to close Strachan School. Aberdeenshire Council's position on the building has been clearly stated at each of the engagement sessions prior to the consultation, during the public meeting and within the

Proposal Document at 3.1. Any use of the building that is not as a primary school, require the school to be formally closed before they are implemented.

The engagement sessions and options appraisal sought suggestions from the community about how they would like the school building to be used if it were closed. Many of the suggestions provided would require a commitment from private businesses to be effective. These can be explored further depending upon the Council decision on the consultation.

At the public meeting the possibility of a Community Asset Transfer was discussed, and should this be an option that the community are keen to progress then appropriate timescales would be introduced to allow the necessary organisational structures to be put into place.

The option of a Forest School or Outdoor Centre has been a consideration since the first engagement sessions. This could either be an Aberdeenshire Council run provision, or could be delivered by a private business. This remains a viable option, and as with the other possible uses mentioned above can be explored further depending upon the outcome of this consultation.

5.5 Mothballing for a further year

Officers included mothballing for a further year as an alternative to closure within the consultation and the survey. This would be the status quo and is included on that basis. However as detailed in the proposal document, this is not a preferred option as it will extend the period of uncertainty for the community and prevents any other alternative uses for the building that would support the community, from being progressed. If the community had expressed a strong wish for mothballing to continue, then officers would consider this within their recommendations. However Scottish Government guidance advises that mothballing should not be a way of denying parents access to the statutory consultation process required under the 2010 Act, and that it should not exceed 3 years in areas that are not very remote.

The school continues to be mothballed for the 2020/21 school session. Due to the impact of COVID-19, the decision making process for this consultation will extend beyond the P1 admission period for the 2021/22 session. It will therefore become apparent at that time whether any families are interested in enrolling their child in the 2021/22 session.

It should be noted that despite multiple opportunities for parents to approach the Council to express this wish since July 2017, through a range of methods including this consultation, previous engagement and letters issued to every property in the catchment area, only one family came forward during the meeting on 1 May 2019. In order for a school to be viable it must have families willing to enroll their children.

5.6 Enforcing catchment areas so that pupils attend their zoned school

A number of responses to the survey suggested that pupils should be required to attend their zoned school within the village, or that they should not be allowed to attend other schools.

The legislation governing placing requests for schools in Scotland is contained in the Education (Scotland) Act 1980. Section 28 provides that pupils are to be educated in accordance with the wishes of their parent so far as is compatible with the provision of suitable instruction and training and the avoidance of unreasonable public expenditure.

If a parent wants their child to go to a school other than their designated school, they must make a placing request. They can do this under section 28A of the 1980 Act, and education authorities have a duty to grant the parental request unless one of the reasons set out in section 28(3A) apply.

All placing requests are determined centrally within Aberdeenshire Council to ensure that the decisions are made in line with legislation and that any refusals have a legal basis.

5.7 Supporting the Community

Throughout the consultation comments have been made about the need to support the local community. Aberdeenshire Council recognises this and understands the value that a school can have within the local community. The school has not been operating as a community focus since 2017, and largely community activities have transferred to the refurbished village hall. A small number of meetings were held in the school building during the period it has been mothballed, and this was as a result of the hall refurbishment works. As stated above, the Council has repeatedly sought interest from parents in enrolling at the school. Without families wishing to enroll, the school cannot operate, and therefore cannot contribute to the wider community. If the decision is made to close Strachan School, then whichever school(s) it is merged with would be expected to recognise Strachan as a community within their catchment area.

5.8 Increasing viability for Finzean

Some respondents commented on the positive impact that rezoning all or part of the Strachan catchment area to Finzean School would have. Finzean School is a rural school with a roll that is currently forecast to decline, additional pupils from the current Strachan catchment area would boost the roll and support the school in remaining viable.

5.9 Growing population and future viability of village school

A number of respondents commented upon the new housing planned for the village and the possibility that it could make the school viable again. There are currently 22 houses allocated for Strachan within the Local Development Plan across two sites. These are expected to be built out over the next four years, however the sites have been allocated within the Housing Land Audit since 2010 and 2013 respectively. It is certainly possible that these houses will be bought by families with primary school aged children, and Aberdeenshire Council's school roll forecasts allow for this in their projections. Equally it is possible that the houses will be bought by families with secondary aged children, or by people without any children. Therefore, the construction of new houses cannot be taken as a guarantee that they would make the school viable.

5.10 Criticism of the online survey and the consultation process

There has been criticism of the way in which the consultation process was undertaken by a small number of respondents, and that the online survey was poorly written. Officers acknowledge the feedback regarding the survey wording and will take this into consideration for future consultations.

Some members of the community are of the opinion that the closure consultation has been brought too soon, and have quoted officers who stated that the process could take as long as the community needed. That statement was made in relation to the options appraisal process in terms of either finding a way to reopen the school, identifying alternatives to closure or alternative uses for the building. The community were invited to participate in all stages of engagement, however the majority of meetings were attended by a core group within the community.

It was made clear to the community at the meeting on 1 May 2019 that a deadline would be set for any further alternatives to closure, as the options appraisal process had considered all solutions already identified. When no further alternatives to closure were suggested by the community by the deadline, the decision was made by Education & Children's Services Committee to progress to statutory consultation on closure. This would then allow alternative uses for the building to be explored for the community. The consultation process has followed the requirements of the Schools (Consultation) (Scotland) Act 2010 and has also adhered to Aberdeenshire Council governance procedures.

6 COMPLIANCE WITH SECTION 9(1) AND SECTION 10 (3) OF THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010 CONCLUSIONS

6.1 Section 9(1) of the Schools (Consultation) (Scotland) Act 2010 states that:

After the Education Authority has received HMle's report, the Authority is to review the relevant proposal having regard (in particular) to

- (i) written representations received by the Authority (from any person) during the consultation period,*
- (ii) oral representations made to it (by any person) at the public meeting,*
- (iii) HMle's report.*

Officers of the Education Authority have listened carefully to the points made at the public meeting and have considered equally carefully the written representations. The Education Authority's position is set out in this document.

- 6.2 Section (10) (3) of the 2010 Act also places a requirement on the Council to provide details of any inaccuracy or omission within the Proposal Paper which has either been identified by the Council or raised by consultees.

This section of the 2010 Act also requires the Council to provide a statement on the action taken in respect of the inaccuracy or omission, or, if no action was taken, to state that fact and why.

As detailed at 1.1 it became apparent that the initial period for consultation did not cover the required period of 30 days term time. Aberdeenshire Council, extended the consultation period by a week, and notified all consultees of this in writing. 11 further representations were made via the online survey during this additional period. These have been considered alongside all other representations.

7 CONCLUSIONS

7.1 Conclusions and Recommendation

The Council now has 3 broad options, namely:

- (a) Adopt the proposal; or
- (b) Amend the proposal in a minor way and adopt; or
- (c) Not adopt the proposal and maintain the status quo.

Each option is discussed below.

(a) Adopt the Proposal

If the Council chooses to adopt the proposal and close Strachan School on a permanent basis then one of the three options outlined for merging Strachan School

would also need to be chosen. As detailed above at 2.2, 65.15% of respondents to the online survey support the closure of Strachan School.

Should the Council choose to adopt the proposal and close Strachan School, the most popular option amongst respondents was to merge with Banchory Primary School.

If the Council adopts the proposal it would be on the basis that the educational benefits set out in the proposal document would materialise. There would be a requirement that the Council continues to work closely with stakeholders including community groups and parents to ensure that any concerns raised are addressed.

(b) Amend the proposal in a minor way and adopt

During the public meeting and as part of the written responses to the proposal, a suggestion was made to allow parents to choose between either Banchory Primary School or Finzean School. This would operate as a dual zone arrangement. As the options already presented include a geographical split between Banchory and Finzean Schools, removing this split and giving parental choice would only be a minor amendment to the proposal. School transport would be provided to pupils from the current Strachan School catchment area attending either Finzean School or Banchory Primary School.

This scenario would in effect support the 46 respondents who selected the option to close Strachan School but gave a preference to which school it should be merged with.

(c) Not adopt the proposal and maintain the status quo.

This option would be to continue to mothball Strachan School. This would be the preference of 16 respondents to the online survey, the three people who submitted a written response and the community council. As discussed in 5.5 above, this would continue the uncertainty for the community. The repeated attempts to seek enrolments to school, suggest that it would be difficult for Strachan School to re-open with a viable roll in the near future.

7.2 The recommendation of officers is that the Council should amend the proposal to close Strachan School and create a dual zone arrangement enabling parents to select either Finzean School or Banchory Primary School.