

**REPORT TO:** East Lothian Council

**MEETING DATE:** 20 December 2016

**BY:** Depute Chief Executive (Resources and People Services)

**SUBJECT:** Report on the Outcome of the School Consultation on the New Additional Secondary Education Provision in the Musselburgh Area

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## **1 PURPOSE**

- 1.1 To approve the recommendations set out within the Consultation Report to establish a new, additional secondary school within the Musselburgh cluster area. (The Consultation Report is available in the Members' Library, Ref: 235/16, December 2016 Bulletin.)

## **2 RECOMMENDATIONS**

- 2.1 The Council is asked to approve on the basis of the outcome of the school consultation and taking account of the educational and social benefits of the proposal that:
- i. a new additional secondary school will be established in Wallyford from 2020, or as soon as possible thereafter, to provide additional secondary education provision within the Musselburgh cluster area;
  - ii. the site of the new additional secondary school will be in the area of Wallyford in line with the Council's proposed development strategy for the Musselburgh cluster area as set out in the Proposed LDP 2016;
  - iii. the catchment area of the new additional secondary school will be created from the Pinkie St Peter's Primary School and Wallyford Primary School catchment areas including, if approved, amendments as proposed in the Pinkie St Peter's and Wallyford Primary Schools Catchment Area Consultation, 8 November 2016:

<https://eastlothianconsultations.co.uk/education/pinkiewallyford-catchment/>

- iv. pupils living within the catchment areas of Wallyford Primary School and Pinkie St Peter's Primary School transitioning from P7 into S1 will attend the new additional secondary school at the effective date, i.e. August 2020 or as soon as thereafter;
- v. pupils living within the catchment areas of Wallyford Primary School and Pinkie St Peter's Primary School transitioning into S2 and S3 will move to the new additional secondary school at the effective date, i.e. August 2020 or as soon as thereafter;
- vi. pupils attending Musselburgh Grammar School, living in the Pinkie St Peter's Primary and Wallyford Primary school catchment areas and transitioning into S4, S5 and S6 at the effective date, i.e. August 2020 or as soon as thereafter, would remain at Musselburgh Grammar School for the remainder of their senior phase education (S4–S6);
- vii. all pupils living within the Pinkie St. Peter's Primary and Wallyford Primary school catchment areas, will live within two miles of the new secondary school, with a safe travel route to the school;
- viii. younger siblings of S4-S6 pupils living in the Pinkie St Peter's Primary and Wallyford Primary school catchment areas and attending Musselburgh Grammar School at the effective date, i.e. August 2020 or as soon as thereafter, would have the option to attend Musselburgh Grammar School if they wish.

### **3 BACKGROUND**

- 3.1 On 24 February 2015 approval was given by East Lothian Council to undertake consultations relating to the school estate (i.e. schools, catchment areas, locations) regarding work necessary to inform the emerging Local Development Plan (LDP), where there is likely to be a need for new or re-provisioned facilities, without further reference to or approval by Council; and to report back to Council on the outcomes of such consultations in order that the Council can make a decision on any proposed changes.
- 3.2 The required consultation regarding the new additional secondary education provision in the Musselburgh area commenced on Tuesday 3 May 2016 and lasted until Thursday 16 June 2016, being a period of six weeks, which also included the minimum 30 school days. This was in line with the Schools (Consultation) (Scotland) Act 2010. Notification of the consultation was given to all statutory consultees prior to the commencement of the consultation. The Consultation Document was published on [East Lothian Council's Consultation Hub](#) and paper copies distributed on Tuesday 3 May 2016.

- 3.3 Representations were sought from statutory consultees and the wider public by the completion of an online questionnaire available on the East Lothian Council Consultation Hub. The Consultation Hub also stored all relevant consultation documentation for public viewing. Paper copies of the questionnaire were also distributed at Council buildings around the Musselburgh area.
- 3.4 Publicity material detailed an East Lothian Council email address, phone number and postal address, to which representations and any other queries could be submitted.
- 3.5 HM Inspectors from Education Scotland undertook their statutory duties in accordance with the Schools (Consultation) (Scotland) Act 2010, by reviewing the educational aspects of the proposal and completing their report. A full copy of the report can be found in Appendix 9 of the Consultation Report.
- 3.6 All submitted representations, including the Education Scotland report, were analysed by East Lothian Council officers, summarised and answered to in the Consultation Report. The Consultation Report, summarising all representations and East Lothian Council's response, was published on the East Lothian Council Consultation Hub on 15 November 2016. This was made publicly available for a period of three weeks, in line with the Schools (Consultation) (Scotland) Act 2010.

### **Summary**

- 3.7 The Council received 423 responses to the questionnaire (online or written) and 10 written responses. Of the submitted written responses, 6 were from the Parent Councils of Campie Primary, Pinkie St Peter's Primary, Stoneyhill Primary and Wallyford Primary schools, Musselburgh Grammar School and Musselburgh & Inveresk Community Council, and 4 of the written responses were from individuals.
- 3.8 Of the 423 questionnaire responses, a clear majority of respondents (60.5%) support the proposal. 35.2% of the questionnaire respondents oppose the proposal. 4.3% expressed no opinion. A summary of responses by demographic is provided in the Consultation Report.
- 3.9 Of the 10 written responses, 3 Parent Councils supported the proposal (Pinkie St Peter's, Stoneyhill and Wallyford), 1 Parent Council opposed the proposal (Musselburgh Grammar) and 1 Parent Council was evenly split (Campie). Musselburgh & Inveresk Community Council opposed the proposal.
- 3.10 A number of common themes emerged from the written and oral responses, and can be grouped as follows:
  - concerns over the proposed site or catchment of the new school

- choices for places to have lunch
- community facilities
- the consultation process
- divisive for the community and rivalry
- environmental Impact
- the proposal not being the preferred option
- parity of subject choices and facilities at both schools
- traffic, transport, parking and safer routes to schools
- school capacity
- SIMD (Scottish Index of Multiple Deprivation) profile and diversity
- transition concerns and siblings

East Lothian Council's response to these themes is detailed in Section 7 of the Consultation Report.

3.11 In line with the Schools (Consultation) (Scotland) Act 2010, Education Scotland considered the educational aspects of the proposal and submitted a report to East Lothian Council. As part of this consideration, Education Scotland met with children, young people, staff and parents who may be affected by the proposal. The full report from Education Scotland can be found in Appendix 9 of the Consultation Report. Education Scotland reported that the proposal to establish a new, additional secondary school in the Musselburgh area had the potential to bring about educational benefits as follows:

- addressing the capacity pressures on Musselburgh Grammar School, due to the proposed Local Development Plan and the impact this would have on learning and social spaces at the school;
- an additional secondary school within Musselburgh area offers the potential for joint planning and greater breadth of provision in the curriculum, and in wider activities which will benefit all young people within the Musselburgh learning community.

3.12 Education Scotland reported that most parents, children and staff who met HM Inspectors were positive about the proposal and understood the benefits it could bring. The same group of stakeholders from Musselburgh Grammar School who met with HM Inspectors were less positive, with most parents and staff opposing the proposal. Generally, parents reported they were appreciative regarding the sibling transition arrangements (as set out in the

proposal) and the continuance of the senior phase pupils' education at Musselburgh Grammar School. However, some stakeholders have concerns that the creation of a second secondary school could lead to a split within the community.

3.13 Education Scotland noted that East Lothian Council needs to ensure the following, if the proposal is taken forward:

- continue to engage with stakeholders to investigate further ways in which the schools can work together for a united community;
- ensure that planning for appropriate transition arrangements for affected pupils, especially the most vulnerable, takes place in good time for the expected start date;
- develop and share its plans, in due course, for ensuring that a suitably wide range of staff is in place to deliver a broad curriculum for the first cohort of learners at S1–S3;
- ensure that stakeholders are provided with greater detail, once this is possible, on the financial costs and implications of its proposal;
- continue to work with stakeholders to establish and develop safe routes to the new secondary school.

3.14 Following receipt of a total of 423 questionnaire responses, 10 written representations and consideration of oral representations made at a public meeting held during the consultation period, a range of officers from Education, Transport, Planning and Communities and Partnerships, reviewed the proposal. This ensured that the Council met the requirements of sections 9(1), 12 and 13(3) (b) of the 2010 Act. Officers of the Education Authority have listened carefully to the points made at the public meetings and have considered the written representations, including the Education Scotland report.

3.15 Having reviewed the feedback from consultees, officers conclude that the original proposal remained the best solution, to provide appropriate and effective secondary education provision to pupils in the Musselburgh area.

## **4 POLICY IMPLICATIONS**

4.1 None

## 5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report has been through the Integrated Impact Assessment process. Potential impacts have been identified and will be addressed.

## 6 RESOURCE IMPLICATIONS

- 6.1 Financial – The cost of the capital provision will be met by the Council, partially off-set by developers' contributions. Developers have a legal obligation to pay their proportionate share of costs of the new education facility directly related to the impact of the additional housing being built. The Council will also incur additional revenue costs associated with the day-to-day running of the secondary school.
- 6.2 Personnel – The new additional secondary school will be staffed in line with current East Lothian recruitment procedures, appointing the best candidates for each vacancy. Recruitment will be open to all appropriately qualified staff from East Lothian and beyond. Whilst this will provide career opportunities for many of our existing staff, the staffing will be phased in over a number of years and should not have a detrimental impact on the teaching and learning in neighbouring schools. The Council does not foresee the need for compulsory redeployment of staff as a consequence of this proposal. A senior management team will be recruited a number of months before the school is open. The key tasks of this group will be to appoint the staff team in readiness for the new secondary school opening, and to prepare for transition.
- 6.3 Other – None

## 7 BACKGROUND PAPERS

- 7.1 Consultation Report on the outcome of the consultation on the new additional secondary education provision in the Musselburgh area, available in the Members' Library, Ref: 235/16, December 2016 Bulletin:

[http://www.eastlothian.gov.uk/meetings/meeting/5998/members\\_library\\_service](http://www.eastlothian.gov.uk/meetings/meeting/5998/members_library_service)

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