

**Denominational Review  
St Margaret's RC Primary School – Consultation****Report by Executive Director Children, Young People & Partnerships****Report for Decision****1 Recommendations**

Council is requested to

- Approve the recommendation that the Council retains six denominational primary schools and one denominational secondary school as part of the learning estate; and
- Authorises the Executive Director Children, Young People & Partnerships to undertake statutory consultation on the proposal to permanently discontinue primary education at St Margaret's RC Primary School and to extend the catchment areas of the neighbouring RC primary schools to include the St Margaret's catchment area.

**2 Purpose of Report/Executive Summary**

This report advises on the outcome of the update to the denominational review and presents two proposals to the Council for approval, including that St Margaret's RC Primary School is no longer viable due to the falling roll and very small numbers of children expected to be attending from August 2021. The report advises the best course of action is to proceed without delay to statutory consultation on this proposal.

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### 3 Background

The *Education (Scotland) Act 1980* places a legislative duty on the Council to make adequate and efficient provision of school education across its area. This duty applies in respect of both the current school population and anticipated pattern of demand.

Section 3D of the *Standards in Scotland's Schools etc. Act 2000* (as inserted by Section 2 of the 2016 Act) introduces a requirement on education authorities to carry out their duty to ensure the delivery of improvement in the quality of school education which is provided in the schools they manage, with a view to achieving the strategic priorities of the National Improvement Framework. It is, therefore, the duty of the education authority to ensure that the education it provides is directed to the development of the personality, talents and the mental and physical abilities of the children to their fullest potential.

In addition, Councils have a statutory duty to secure best value in terms of the *Local Government in Scotland Act 2003* by continuous improvement in performance of the local authority's functions, while maintaining an appropriate balance between quality and cost and having regard to economy, efficiency, effectiveness, equal opportunities and the achievement of sustainable development.

#### **Denominational Review**

The Education Service carried out a review of Midlothian's denominational school provision in the context of a national shortfall in availability of teachers with approval necessary to teach in Roman Catholic (RC) schools. In 2016 the Catholic Church through Archbishop Tartaglia declared a 'crisis in faith education' due to the shortage of Catholic teachers in Catholic Schools (The Tablet.co.uk June 2016). This situation has not improved since 2016 and our objective in undertaking the review has been to find ways to stabilise and strengthen RC provision and denominational education within and across Midlothian.

The relevant legislation on the management of denominational schools in Scotland states that: "A teacher appointed to any post on the staff of any such school by the education authority shall be required to be approved as regards religious belief and character by representatives of the church or denominational body in whose interest the school has been conducted" (Education (Scotland) Act 1918; Education (Scotland) Act 1980 Section 21(2); Self-Governing Schools etc. (Scotland) Act 1989 Sch.10)

The guidance on applying for Approval to teach in a Catholic school issued by the Scottish Catholic Education Service on behalf of the Bishops' Conference of Scotland states that:

"To enable Councils to fulfil their statutory responsibilities, the Catholic Church requires to be assured that the personal "religious belief and character" of a teacher is appropriate to the duties associated with the teaching post for which he/she has applied. When seeking approval, a teacher must demonstrate how his/her personal "religious belief and character" enables him/her to undertake the duties of the particular teaching post within the context of a Catholic school, with its particular mission, values and ethos, as outlined in 'A Charter for Catholic Schools in Scotland'."

At the point the denominational review was initiated, the RC primary schools across Midlothian were operating with only 50% of teaching staff having Church approval and temporary shared headship arrangements in place for four of our RC primary schools. This followed a number of challenging years in relation to recruitment of both teaching and senior leadership staff.

Since then there has been a sustained effort to employ a greater number of teachers with the necessary qualifications to teach in our RC primary schools and for teachers working in our RC schools to undertake the Catholic Teaching Certificate and to obtain Church approval. Looking forward to the 2021/22 school year we have set the intake capacity of our RC primary schools taking account of suitably qualified teachers in each school. Taken together these strategies can be seen to be having a positive impact as we anticipate that 67% of the class teachers in our RC primary schools next year will have Church approval.

A permanent shared headship has been established at Sacred Heart and St Mathew's Primary Schools, which has brought greater stability to the leadership of both schools. There are no longer any temporary shared headship arrangements in place, however, there are still temporary Leader of Learning leadership arrangements at three of our RC primary schools. We now wish to move to permanent leadership appointments at St Andrew's and St Luke's Primary Schools. In Midlothian, at the time of the 2019 pupil census, our seven RC primary schools had a total of 907 pupils and St David's High School, which serves Musselburgh as well as Midlothian, had 648 pupils.

The overall percentage of children attending our RC primary schools in 2019/20 who had a declared affinity with the RC faith was 40%:

RC Primary School	Total Roll	Percentage RC
Sacred Heart	127	34%
St Andrew's	157	36%
St David's	192	41%
St Luke's	201	34%
St Margaret's	40	48%
St Mary's	135	51%
St Matthew's	55	41%
	907	40%

Midlothian, as one of the fastest growing local authorities, has rising school rolls across both primary and secondary schools and our RC schools play an important role in providing capacity, particularly in areas of significant pressure such as Bonnyrigg, Dalkeith, Gorebridge and Mayfield. The pupil enrolment process for August 2021 is now well progressed and the demand for Primary 1 places at St David's, St Luke's and St Mary's has been greater than the number of places available. To date there are no Primary 1 pupils enrolled at St Margaret's for the coming school year.

The projections for August 2021 is shown in the tables below:

School	Total Roll	Number of Classes	Percentage RC
Sacred Heart	120	6	37%
St Andrew's	150	7	43%
St David's	190	7	51%
St Luke's	203	8	36%
St Margaret's	18	1	39%
St Mary's	160	7	47%
St Matthew's	56	3	52%
	897	39	43%

All RC Primary Schools – Projected Number of Pupils by Year Group							
P1	P2	P3	P4	P5	P6	P7	Total
104	128	129	120	136	139	141	897
St David's RC High School Projected Roll 2021/22							
S1	S2	S3	S4	S5	S6	Total	
138	135	142	139	109	98	761	

Parental support for our RC schools in terms of choice of school remains strong: the pupil roll of St David's High School is growing; the number of pupils attending six of our seven RC primary schools is stable, with a slight increase in the percentage of pupils attending being baptised Roman Catholic. However, the school roll at St Margaret's has fallen from 40 to 18 pupils and there are indications that a number of these children will move to other schools in the near future.

Taking account of the growth in housing across Midlothian, which will lead to significant growth in total pupil numbers, the Council's learning estate strategy makes provision for investment in new schools and school expansions. Over the past year the refurbishment and expansion of Sacred Heart in Penicuik was completed and we opened a new St Mary's school building in Bonnyrigg. The Council has been awarded funding as part of Scottish Government's Learning Estate Investment Programme to replace the Mayfield School Campus, including the replacement of St Luke's. Plans are being formulated for the refurbishment and expansion of St David's Primary School in Dalkeith and the strategy allows for an extension to St Andrew's Primary School in Gorebridge.

St Matthew's Primary School serves the rural community of Rosewell and is included in the Scottish Government's list of rural schools. The school building it occupies is leased from the Church and the Council has no plans to make the significant investment that would be required to replace this capacity. St Matthew's and Rosewell Primary Schools may not continue to be considered rural given the significant housing developments in the area.

In the Denominational Review Briefing document of 18 March 2020 we advised that we had applied the following required outcomes in arriving at the preferred school model of four RC primary schools, with locations in Dalkeith, Gorebridge, Bonnyrigg and Penicuik, and 1 RC secondary school:

- To reduce the required complement of head teachers and teaching staff with Church approval;
- To create an RC school structure which provides opportunities for staff progression;
- To maintain sufficient primary RC school capacity across Midlothian;
- To minimise the detrimental effect on the number of pupils who will go on to attend St David's High School;
- To minimise the increase in distances for children to travel from home to school.

Very shortly after that Covid19 struck and delayed our plans to carry out further engagement activities and to progress to statutory consultation as quickly as possible.

We are steadfast in our objective to stabilise and strengthen RC provision and denominational education within and across Midlothian. Because of the progress made to date we are now more optimistic about our ability to recruit and retain suitably qualified teachers for our RC schools. In light of all the foregoing we now believe that the required outcomes will be better met by a model based on 6 RC primary schools and 1 RC secondary school:

RC Primary Schools	RC Secondary School
St David's in Dalkeith St Luke's in Mayfield St Andrew's in Gorebridge St Mary's Primary in Bonnyrigg Sacred Heart in Penicuik & St Matthew's in Rosewell	St David's High School

With continued investment in our workforce plan specifically for our RC schools which will strengthen our ability to grow our own RC teachers, middle managers and head teachers, and with rigorous management of pupil intake, this model will:

- reduce the required complement of head teachers and teaching staff with Church approval;
- create an RC school structure which provides opportunities for staff progression;
- maintain sufficient primary RC school capacity across Midlothian;
- have minimal detrimental effect on the number of pupils who will go on to attend St David's High School;
- result in minimal increase in distances for children to travel from home to school.

We also propose that we conclude the review of denominational schools on the basis of the proposal to retain six primary schools and one secondary school. The education service will continue to review the capacity and staffing needs of denominational schools as part of the process carried out annually across all of the learning estate.

## **Proposal to undertake a statutory consultation to permanently discontinue primary education at St Margaret's RC Primary School**

St Margaret's is a Roman Catholic (RC) primary school located in Loanhead on a shared campus with Loanhead Primary School. St Margaret's is the catchment denominational school for Loanhead, Bilston and Roslin. There are 715 primary-aged children residing in this catchment area, 444 of whom reside in Loanhead. At the time of the 2020 pupil census there were 18 pupils attending St Margaret's and at this point there are no Primary 1 pupils enrolled for the forthcoming school session. There are indications that a number of children will move to other schools by August 2021, with 12 so far either confirming attendance elsewhere or registering interest in transferring to Loanhead Primary School or to another RC primary school. On this basis we estimate that the school's roll next year may be as low as 6 pupils and the school will operate one composite P2 to P7 class.

Currently, there are around thirty schools with a school roll of 7 or less across Scotland's 2,010 primary schools, most of these are in very rural locations, including the Scottish islands. St Margaret's is not a rural school. It is situated in Loanhead, which is also served by two non-denominational primary schools, Loanhead and Paradykes. The closest catholic schools are St Mary's and Sacred Heart RC Primary Schools which are respectively situated 3 miles and 5.6 miles distance from St Margaret's. Children from the St Margaret's catchment area who attend other schools in this neighbourhood continue to benefit from education in a locality familiar to them, and still relatively close to home.

In June 2021 we held virtual meetings with St Margaret's RC PS parents and representatives of the Catholic Church informing them of our intention to propose to council to proceed without delay to statutory consultation on the proposal to:

- Permanently discontinue the provision of primary education at St Margaret's RC Primary School with effect from 30 June 2022, and
- Extend the catchment areas of the neighbouring RC primary schools, namely St Mary's RC Primary School in Bonnyrigg and Sacred Heart RC Primary School in Penicuik, to include the catchment area of St Margaret's RC Primary School.

Curriculum for Excellence (CfE) sits at the heart of what Midlothian Council is committed to achieving in terms of raising attainment and achievement, and improving educational outcomes for all children. CfE is intended to nurture successful, effective, confident and responsible children, able to learn and utilise learning in a way that helps them reach their full potential and to respond to the increased variety and pace of change in today's and tomorrow's world. Whilst the Education Service recognises the quality of education provision currently offered it considers that the very small number of children attending St Margaret's Primary School will benefit more from the wider range and breadth of learning experiences available to them within other learning environments and within a wider peer group at their age and stage. This will also ensure that the children will have parity of access to learning and opportunities offered within our larger establishments with the remaining children being placed at alternative schools of their choice.

Council is requested to authorise the Executive Director Children, Young People & Partnerships to undertake statutory consultation on the proposals:

- to permanently discontinue the provision of primary education at St Margaret's RC Primary School, and
- to adjust the catchment boundaries of St Mary's RC Primary School in Bonnyrigg and Sacred Heart RC Primary School in Penicuik to incorporate the catchment area of St Margaret's RC Primary School.

## **4 Report Implications (Resource, Digital and Risk)**

### **4.1 Resource**

There is no direct impact on resources resulting from the recommendation in this paper. However if the outcome of the consultation leads to the discontinuation of primary education at St Margaret's there will be the following impact on resources.

The remaining pupils will be assigned places at their parents' choice of alternative neighbouring school, this can be accommodated without increasing the operating costs of those schools. There will however be a cost for transporting the children affected to and from school, where there is no safe walking route to school and/or the distance from home to school is more than two miles. Based on using a minibus, this cost is estimated at £120 per day or £22,800 for a school year. This cost could be mitigated by offering places on the minibus to pupils already attending other schools and charge for the service.

St Margaret's RC Primary School's staff will all be offered positions in other schools for which budget is already in place, allowing a saving of the school's employee costs, which totalled £166,160 in 2020/21.

The Loanhead St Margaret's school campus is a PPP facility so we will not reduce the costs of operating the school building. However we will be able to avoid the cost of providing additional primary school capacity which will be needed for the Loanhead area and/or much needed space for pupils with additional support needs, dependant on decisions about the use of the building once primary education has been discontinued.

The revenue savings of £144k, net of potential transport costs, will contribute towards the learning estate savings target of £600k. Together with estimated revenue savings of £187k from the closure of Glencorse Primary School this will deliver total annual revenue savings of £331k, leaving a learning estate savings target of £269k for which there is no delivery plan.

### **4.2 Digital**

None

### **4.3 Risk**

This report addresses the risk to affording parity of access to learning experiences for all Midlothian pupils and the risk that the Council does not deliver best value.

#### **4.4 Ensuring Equalities (if required a separate IIA must be completed)**

This report does not recommend any change to policy or practice and therefore does not require an Equalities Impact Assessment. An Equalities Impact Assessment will be carried out and published as part of the consultation process.

#### **4.5 Additional Report Implications**

None

### **Appendices**

**Appendix A – Additional Report Implications**

**Appendix B – Consultation Timeline**

**Appendix C – St Margaret’s RC Primary School Rolls**



## APPENDIX A – Report Implications

### A.1 Key Priorities within the Single Midlothian Plan

Not applicable

### A.2 Key Drivers for Change

Key drivers addressed in this report:

- Holistic Working
- Hub and Spoke
- Modern
- Sustainable
- Transformational
- Preventative
- Asset-based
- Continuous Improvement
- One size fits one
- None of the above

### A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- One Council Working with you, for you
- Preventative and Sustainable
- Efficient and Modern
- Innovative and Ambitious
- None of the above

### A.4 Delivering Best Value

The implementation of the recommendation of this report will enhance best value in the delivery of Council services.

### A.5 Involving Communities and Other Stakeholders

This report recommends consultation with communities and all stakeholders, including Church representatives, regarding the provision of primary education at St Margaret's RC Primary School

### A.6 Impact on Performance and Outcomes

The report does not directly impact on Midlothian Council's performance and outcomes

### A.7 Adopting a Preventative Approach

Not applicable

### A.8 Supporting Sustainable Development

Not applicable

**APPENDIX B – Consultation Timeline**

<b>St Margaret's RC Primary School</b>	<b>Minimum Time</b>	<b>From</b>	<b>Target Completion Date</b>
Obtain Council governance to progress to statutory consultation			29-June-21
Consultation period	6 weeks	1-Sept-21	13-Oct-21
HMiE issue report	3 weeks	14-Oct-21	5-Nov-21
Publish Consultation Report			15-Nov-21
Further Consideration after publication of report	3 weeks		6-Dec-21
Council Meeting & Decision			14-Dec-21
Ministerial Call In	up to 8 weeks		mid Feb 22
School Closure Review Panel	up to 17 weeks		mid June 22
Council Meeting following Review Panel decision			August 2022

**Appendix C****St Margaret's RC Primary School Rolls**

<b>Year</b>	<b>Pupil Census</b>	<b>Year</b>	<b>Pupil Census</b>
1999	76	2010	42
2000	79	2011	32
2001	83	2012	42
2002	82	2013	42
2003	88	2014	50
2004	84	2015	59
2005	76	2016	63
2006	73	2017	59
2007	66	2018	55
2008	51	2019	40
2009	48	2020	18