



**Special Education and Families Committee
Special Shetland Islands Council**

**9 June 2016
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Schools (Consultation)(Scotland) Act 2010 – Consultation Report – Whalsay School

CS-11-16-F

Report Presented by Director of Children's Services

Children's Services

1.0 Summary

- 1.1 This Report presents the Consultation Report which has been prepared as part of the statutory consultation exercise undertaken by Children's Services under the Schools (Consultation) (Scotland) Act 2010. An Executive Summary of the Consultation Report is attached as Appendix 1 and the full Consultation Report, Appendix 2, is available on the Shetland Islands Council website. Links to the Consultation Report can be found at the end of this Report.
- 1.2 The Consultation Report is the document published at the end of the consultation period after the proposal has been reviewed in light of the written and oral representations it has received and the report prepared by Education Scotland.
- 1.3 The Consultation Report recommends that no closure proposal is to be implemented in relation to Whalsay School.

2.0 Decision Required

- 2.1 That the Education and Families Committee recommend that Shetland Islands Council RESOLVE that:

a) In relation to Proposal A – to discontinue Secondary 4 education at Whalsay School

- A stage of education at Whalsay School Secondary Department, namely Secondary 4 **will not** be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- The Secondary 4 pupils of Whalsay School Secondary Department **will not** continue their education at Anderson High School from 17 August

2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and

- The catchment area for Anderson High School for Secondary 4 pupils **will not** be altered to include the current catchment area for Whalsay School Secondary Department Secondary 4 pupils.

b) In relation to Proposal B – to discontinue Secondary 1, Secondary 2, Secondary 3 and Secondary 4 education at Whalsay School

- Stages of education at Whalsay School Secondary Department, namely Secondary 1, Secondary 2, Secondary 3 and Secondary 4 **will not** be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils of Whalsay School Secondary Department **will not** continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and
- The catchment area for Anderson High School for Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils **will not** be altered to include the current catchment area for Whalsay School Secondary Department Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils.

2.2 Each recommendation ((a) and (b) above), must be considered separately and determined on its own merits. In considering each recommendation, account must be taken of the educational benefits and effects of the proposal. In addition, as Whalsay School is a rural school there must be special regard to a further three factors:-

- (a) any viable alternative to the closure proposal;
- (b) the likely effect on the local community if the proposal were implemented;
- (c) the likely effect caused by the different travelling arrangements that are required if the proposal were implemented.

2.3 If there is a decision not to implement one or more of the closure proposals, the restriction on repeating school closure proposals will apply. It prevents further school closure proposals in relation to the same school for a period of five years unless there is a significant change to the school's circumstances.

2.4 Should a decision be taken to implement one or more of the closure proposals, then please note that the Scottish Ministers have an eight week period from the date of that final decision to decide if they will call-in the proposal and no action can be taken regarding implementation until the Scottish Ministers decision is known.

3.0 Detail

3.1 The statutory consultation process commenced with the publication of the Proposal Paper on 19 September 2014 and ran until the 12 December 2014. It was initially due to end on 12 November 2014, but was extended due to a

decision taken part way through the statutory consultation period to change the way in which responses were handled.

3.2 The proposals contained within the Proposal Paper were:-

Proposal A

- A stage of education at Whalsay School Secondary Department, namely Secondary 4 be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- The Secondary 4 pupils of Whalsay School Secondary Department continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and
- The catchment area for Anderson High School for Secondary 4 pupils be altered to include the current catchment area for Whalsay School Secondary Department Secondary 4 pupils.

Proposal B

- Stages of education at Whalsay School Secondary Department, namely Secondary 1, Secondary 2, Secondary 3 and Secondary 4 be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils of Whalsay School Secondary Department continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and
- The catchment area for Anderson High School for Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils be altered to include the current catchment area for Whalsay School Secondary Department Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils.

Hereinafter referred to as “Proposal A and Proposal B”.

3.3 In line with the Schools (Consultation) (Scotland) Act 2010, public meetings were held as follows:

- Whalsay School on 30 September 2014, where 207 people attended;
- Anderson High School on 8 October 2014, where 36 people attended.

3.4 Three hundred and fifty written responses were received on the Proposals.

3.5 Following the end of the statutory consultation period, the Proposal Paper, all written responses and notes of the public meetings were sent to Education Scotland who published a formal report on the educational aspects of the Proposal on 19 May 2016.

3.6 Children’s Services published their response to the consultation, in the form of a Consultation Report on 19 May 2016. This was circulated both electronically and in paper copy. The Consultation Report contains:

- a record and a summary of the number of written responses received during the statutory consultation period, and Children's Services' response to these;
 - a summary of the representations made at the public meetings held during the consultation period, and Children's Services' response to these;
 - the full text of Education Scotland's Report on the educational aspects of the Proposal and Children's Services' response to the issues raised in their report;
 - a statement of how Children's Services has reviewed the Proposal following all the representations made during the consultation period;
 - details of any omissions or inaccuracies in the Proposal Paper.
- 3.7 The Consultation Report is available on Shetland Islands Council's website and for inspection at Hayfield House, Shetland Library, Whalsay School and Anderson High School. An executive summary of the Consultation Report is also published on Shetland Islands Council's website and is Appendix 1 to this report.
- 3.8 The Consultation Report contains a full analysis of all the issues raised through the consultation process. The total number of written responses received during the consultation period was three-hundred and fifty. The summary of the written responses indicates that 97.1% of respondents disagreed with the Proposal A and 97.7% of respondents disagreed with Proposal B.
- 3.9 Amongst the oral and written responses there was overwhelming opposition to both Proposal A and Proposal B for Whalsay School Secondary Department. Proposal B was generally dismissed as being completely unacceptable and therefore the majority of detailed comments related to views on Proposal A.

The views most frequently expressed were:

- the high quality secondary educational experience pupils received at Whalsay School Secondary Department at present, and a desire to retain this;
 - no agreement that the current Secondary 1 to Secondary 4 model of provision required examination in the light of Curriculum for Excellence;
 - concerns around the suitability of the proposed transition point and the impact this may have on pupils' achievements;
 - concerns that alternative educational provision for pupils who could not cope with the move to the Anderson High School, had not been properly explained;
 - concerns about the potential detrimental impact on the community of Whalsay and existing family life if Secondary 4 provision was removed;
 - Whalsay has a vibrant community and economy through the fishing industry and this was under threat from these proposals;
 - that Children's Services lacked credibility, did not know what they were doing and could not be relied upon to provide accurate information;
 - that the statutory consultations were financially driven and part of a larger ongoing plan to centralise services in and around Lerwick.
- 3.10 The Consultation Report is an analysis of all the issues which have been raised and Children's Services' responses to those. The key points made and responses provided are considered under the following headings:

Proposal A

- Educational Benefits
- Delivery of Curriculum for Excellence
- Pupil Achievement
- Proposed Timing of Transfer and Transition Issues
- Removal of Choice
- Alternative Provision for Children who Cannot Cope
- Retention of Whalsay School Secondary Department as Secondary 1 to Secondary 4
- Living in the Hostel
- Impact of the Proposal on Family Life and Children's Wellbeing
- Impact of the Proposal on the Community of Whalsay
- Impact of the Proposal on the Economy of Whalsay
- Transport and Travel Concerns
- Whalsay School Building
- Staffing Issues
- Capacity of the Anderson High School
- Issues about Financial Savings
- Issues about the Statutory Consultation Process
- Other Issues

Proposal B

- Educational Benefits
- Delivery of Curriculum for Excellence
- Pupil Achievement
- Proposed Timing of Transfer and Transition Issues
- Removal of Choice
- Alternative Provision for Children who Cannot Cope
- Retention of Whalsay School Secondary Department as Secondary 1 to Secondary 4
- Living in the Hostel
- Impact of the Proposal on Family Life and Children's Wellbeing
- Impact of the Proposal on the Community of Whalsay
- Impact of the Proposal on the Economy of Whalsay
- Transport and Travel Concerns
- Whalsay School Building
- Capacity of the Hostel
- Capacity of the Anderson High School
- Issues about Financial Savings
- Issues about the Statutory Consultation Process
- Other Issues

3.11 Educational Benefits

Children's Services identified a number of educational benefits for **Proposal A – to discontinue Secondary 4 education at Whalsay School** and for **Proposal B – to discontinue Secondary 1, Secondary 2, Secondary 3 and Secondary 4 education at Whalsay School**. In summary, the educational benefits identified by Children's Services are:

Proposal A

Summary of Educational Benefits of Proposal A: to Discontinue Secondary 4 at Whalsay School Secondary Department.

The Proposal to transfer pupils from Whalsay School Secondary Department at the end of Secondary 3 offers a number of educational benefits to pupils directly affected by this Proposal:

- the opportunity to remain educated in their local community, the island of Whalsay, until the end of Secondary 3;
- the opportunity for all pupils in Whalsay School to experience a completely seamless Broad General Education from 3-15;
- the opportunity to experience an intact Senior Phase from Secondary 4 to Secondary 6 at the Anderson High School;
- the opportunity to experience their complete Senior Phase in a brand new fit for purpose school building;
- access to a wider range of courses at a range of different levels;
- the opportunity to experience a wider range of learning opportunities by being in classes which are of a more viable size;
- access to a wider range of teaching staff;
- access to a larger peer group;
- access to the broadest curriculum to meet the needs of all learners and their aspirations;
- access to the opportunities which will be developed through the Shetland Learning Partnership Project;
- financial savings which help safeguard the existing quality of education delivered to all pupils in schools in Shetland.

Proposal B

Summary of Educational Benefits of Proposal B: to Discontinue Secondary 1, Secondary 2, Secondary 3 and Secondary 4 at Whalsay School Secondary Department.

The Proposal to transfer pupils from Whalsay School Secondary Department at the end of Primary 7 offers a number of educational benefits to pupils directly affected by this Proposal:

- the opportunity for all pupils in Whalsay School to experience an entirely seamless secondary education from Secondary 1 to Secondary 6;
- the opportunity to experience an intact Senior Phase from Secondary 4 to Secondary 6 at the Anderson High School;
- the opportunity to experience their complete Senior Phase in a brand new fit for purpose school building;
- access to a wider range of courses at a range of different levels;
- the opportunity to experience a wider range of learning opportunities by being in classes which are of a more viable size;
- access to a wider range of teaching staff;
- access to a larger peer group;
- access to the broadest curriculum to meet the needs of all learners and their aspirations;
- the opportunity for all pupils to always be studying and attaining at the highest possible level in line with their individual abilities;

- access to the opportunities which will be developed through the Shetland Learning Partnership;
- financial savings which help safeguard the existing quality of education delivered to all pupils in schools in Shetland.

3.12 Process

Throughout the Consultation, Children's Services gave special regard to the provision for rural schools within Section 12 of The Schools (Consultation) (Scotland) Act 2010. It took account of the changes to the Schools (Consultation) (Scotland) Act 2010 which came into effect on 1 August 2014.

The statutory consultation process provided an opportunity for all stakeholders to identify key issues of concern. These issues have been fully considered and Children's Services' response is detailed in the Consultation Report.

Two public meetings were held in respect of the proposals as follows: one at Whalsay School Primary Department on 30 September 2014, and one at Anderson High School on 8 October 2014.

Separate meetings were also held with pupils, and then with staff at Whalsay School on 11 November 2014. A drop-in discussion session was also held with Anderson High School staff on 18 November 2014. A similar session was provided for Anderson High School pupils. No pupils attended this session.

Written responses were also received throughout the statutory consultation period.

Children's Services commissioned a socio-economic study on the Proposals and carried out an integrated impact assessment on Proposal A, and a separate one on Proposal B.

3.13 Responses Received

Two hundred and seven people attended the public meeting held in Whalsay School Primary Department, and thirty-six people attended the public meeting at Anderson High School. The oral responses made at the public meetings have been summarised and are published in the Consultation Report

The oral responses made by pupils at Whalsay School, and their written comments, have been summarised and are published in the Consultation Report. The oral responses made by staff at Whalsay School, and staff at Anderson High School have been summarised and are published in the Consultation Report.

Three hundred and fifty written responses were received during the consultation period. Within the written responses, 97.1% disagreed with Proposal A, 0.6% agreed with proposal A and 2.3% did not express an opinion.

Similarly, of the total of three hundred and fifty written responses received during the consultation, 97.7% disagreed with Proposal B, 0% agreed with Proposal B and 2.3% did not express an opinion.

In addition, 53% of respondents who submitted a written response expressed an explicit preference to retain Secondary 1 to Secondary 4 provision at Whalsay School.

3.14 Involvement of Education Scotland

As part of the Schools (Consultation) (Scotland) Act 2010, Education Scotland are required to write a report on all relevant proposals. In preparing their report on these closure proposals, Her Majesty's Inspectors from Education Scotland visited Whalsay School, Anderson High School, and the Janet Courtney Halls of Residence (the hostel) to speak to parents, children and staff. They had the opportunity to view the Proposal Paper, the notes from all the public meetings, the notes of all staff and pupil consultations, and all the written responses.

Education Scotland's comments on the educational benefits of the Proposals as follows:

"4. Summary

- 4.1 There are potential educational benefits of both options within the proposal. However, the council has not identified whether Proposal A or Proposal B is the more viable and should do so. Proposal A would allow young people in Whalsay School to experience a complete broad general education within their own community. They would then have a single transition point to the senior phase, all of which would be experienced within a single setting, maximising the choice of options available to them. However, this would depend upon similar curriculum models operating in both Whalsay School and Anderson High School. Proposal B would allow children from Whalsay School to experience education until P7 in their own community and then to experience seamless secondary education from S1 to S6 at Anderson High School. In its final report the council should give more consideration to the health and wellbeing of those children and young people who currently expect to complete their statutory education in their own communities and to the impact of the proposals on their families and the wider community. Either proposal would further restrict family life for more, or all, secondary-aged pupils living on Whalsay to two days per week in term time.*
- 4.2 Stakeholders do not support the proposal. Parents, pupils and staff would like clearer information on what the proposals would mean for their children's education, with examples and opportunities to have alternatives discussed. It will be important for the council to take account of all of these views in preparing its final consultation report. The council now needs to take account of the need to eliminate uncertainty for pupils, staff and parents by deciding on its course of action."*

All the points raised by Education Scotland with respect to educational benefits have been responded to in the Consultation Report.

3.15 Other Key Issues of Concern

3.15.1 Education Scotland's report also highlights key issues of concern to respondents which were:

- Staff, parents, children and young people at Whalsay had reasonable concerns that they have unanswered questions about what the implementation of the proposals will look like in practice, such as the

structure of the senior phase and the learning options which will be available to young people.

- Parents would appreciate clarification regarding how individual learning packages will be designed and implemented for young people who do not successfully complete a transition to Anderson High School.
- The impact on young people and their families of the implementation of either proposal; and the resulting impact on the community of Whalsay.
- Safety concerns about travel on the ferry, especially for younger pupils.

3.15.2 These issues were also identified by Children's Services in their analysis of the responses and through attendance at the public meetings, Children's acknowledges that respondents require additional information to support them in making an informed view on these matters.

3.15.3 In addition if Proposal A were to be implemented, the issue of provision for pupils from Whalsay School Secondary Department who would transfer at the end of Secondary 3 to the Anderson High School and who may not then be able to cope, arose during the statutory consultation period. It was agreed at the public meetings that some provision would be made for this group of pupils at Whalsay School but no specific details were given, and this aspect is not dealt with as part of the information provided on Proposal A in the Proposal Paper (Amended 31 October 2014).

3.15.4 This issue is clearly also relevant to the implementation of Proposal B, however there was little discussion of it in that context, as most respondents throughout the consultation period in oral and in written responses, dismissed the prospect of Proposal B ever being implemented, and something that the community of Whalsay would simply never accept.

3.15.5 Children's Services remain committed to the Educational Benefits identified in the Proposal Paper (Amended 31 October 2014), which were supported by Education Scotland. However, there were clearly other issues which emerged during the statutory consultation period which would have been required to be addressed by Children's Services before recommending the implementation of either of the Proposals.

3.15.6 This could have been achieved through starting the statutory consultation period again and issuing a new Proposal Paper which addressed the matters outlined above. However, the timing of the statutory consultation on Whalsay School also coincided with Shetland Islands Council's decisions not to implement the proposed closure of North Roe Primary School and Urafirth Primary School and Nursery Class (Min Ref: 75/14); and the decision not to progress to statutory consultation on the proposed closure of Sandness Primary School and Burravoe Primary School (Min Ref: 76/14).

3.15.7 Children's Services therefore recognised that there was no political willingness to consider further changes to the school estate, and therefore did not consider this to be an appropriate course of action. In addition, it is clear from the responses to the consultation as highlighted by Education Scotland that the community of Whalsay is seeking a period of stability for their school. Repeated consultations are bringing the process for changing the schools estate into disrepute and damaging the relationship between the council and the stakeholders.

3.16 Representations on the Consultation Report

Following the publication of the Consultation Report, there is no mechanism under the Schools (Consultation) (Scotland) Act 2010 for Children's Services to receive and consider representations on the content of the Consultation Report. There is a requirement to ensure that a period of three weeks elapses between the publication of the Consultation Report and the decision on whether to implement the proposal. The intention is that interested parties should have time to see and digest the contents of the Consultation Report and also have time if they so wish to make the authority aware of final issues and opinions regarding its decision.

4.0 Implications

Strategic

4.1 Delivery On Corporate Priorities – this report helps to achieve the aims of:

Shetland Islands Council's Corporate Plan

- Young people will feel that their voices are being heard by the council, having regular opportunities to have a say on the issues that affect them.
- Communities will be supported to find local solutions to issues they face.
- People in Shetland will be feeling more empowered, listened to and supported to take decisions on things that affect them, and to make positive changes in their lives and their communities.
- High standards of governance, that is, the rules on how we are governed, will mean that the council is operating effectively and the decisions we take are based on evidence and supported by effective assessments of options and potential effects.
- Excellent financial-management arrangements will make sure we are continuing to keep to a balanced and sustainable budget, and are living within our means.

Shetland's Outcome Improvement Plan 2016

- Shetland is the best place for children and young people to grow up.

Children's Services Directorate Plan has the following relevant priorities:

- Our public services are high quality, continually improving, efficient and responsive to local people's needs.
- Our young people are successful learners, confident individuals, effective contributors and responsible citizens.
- Our children have the best start in life and are ready to succeed.

4.2 Community /Stakeholder Issues – in accordance with the Schools (Consultation) (Scotland) Act 2010, Children's Services has consulted with all relevant stakeholders/consultees. Full details of the outcomes of the consultation are in the Consultation Report which is available on the Shetland Islands Council website.

4.3 Policy And/Or Delegated Authority – in accordance with Section 2.3.1 of the Council's Scheme of Administration and Delegations, the Education and Families Committee has responsibility and delegated authority for decision making on matters within its remit which includes school education. However,

as the decision required would be a variation of an existing plan and policy, a decision of the Council is required. This report is related to the function of an education authority.

- 4.4 Risk Management – Failure to implement the recommendations in this report carries a significant risk of overwhelming community opposition and that the decision would be called-in by the Scottish Government.

- 4.5 Equalities, Health And Human Rights – An Integrated Impact Assessment has been carried out in respect of Proposal A and on Proposal B for Whalsay School. A summary of the impacts forms part of the Consultation Report at Section 11 including how adverse impacts can be mitigated against. The full Integrated Impact Assessments are available on Shetland Islands Council's website.

- 4.6 Environmental – None

Resources

- 4.7 Financial – Shetland Islands Council's approved Medium Term Financial Plan 2015/16 – 2020/21 sets out the financial framework in which the Council is expected to operate over the next five years in order to continue to be financially sustainable, this includes a savings target of £5m for Children's Services, to be achieved by 31 March 2021. The identified estimated savings of £133,438 from the Proposal A, or the estimated savings of £437,009 From Proposal B would have made an ongoing contribution to achieving this target.

Savings which would have resulted from implementing either Proposal A or Proposal B will have to be found from elsewhere in Children's Services.

- 4.8 Legal – A proposal to discontinue a stage of education is a "relevant proposal" in terms of the Schools (Consultation) (Scotland) Act 2010. Shetland Islands Council must comply with the requirements as set out in that Act. Should a decision be taken to implement either Proposal A or Proposal B for Whalsay School, there is a risk of call-in by the Scottish Government and referral to the School Closure Review Panel.

- 4.9 Human Resources – There are no human resources implications arising from the recommendations in this report.

- 4.10 Assets And Property – There are no asset and properties implications arising from the recommendations in this report.

5.0 Conclusions

- 5.1 The statutory consultation process required by the Schools (Consultation) (Scotland) Act 2010 has been completed and the Consultation Report has recommended that:-

a) In relation to Proposal A – to discontinue Secondary 4 education at Whalsay School

- A stage of education at Whalsay School Secondary Department, namely Secondary 4 **will not** be discontinued with effect from 1 July 2016, or as soon as possible thereafter;

- The Secondary 4 pupils of Whalsay School Secondary Department **will not** continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and
- The catchment area for Anderson High School for Secondary 4 pupils **will not** be altered to include the current catchment area for Whalsay School Secondary Department Secondary 4 pupils.

b) In relation to Proposal B – to discontinue Secondary 1, Secondary 2, Secondary 3 and Secondary 4 education at Whalsay School

- Stages of education at Whalsay School Secondary Department, namely Secondary 1, Secondary 2, Secondary 3 and Secondary 4 **will not** be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils of Whalsay School Secondary Department **will not** continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and
- The catchment area for Anderson High School for Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils **will not** be altered to include the current catchment area for Whalsay School Secondary Department Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils.

5.2 The next step in the Statutory Consultation process is that Education and Families Committee makes a recommendation to Shetland Islands Council. Shetland Islands Council must then make a decision.

For further information please contact:

Audrey Edwards, Executive Manager – Quality Improvement

Tel: 01595 74 3966. E-mail: Audrey.edwards@shetland.gov.uk

Report Finalised: 31 May 2016

List of Appendices

Appendix 1: Executive Summary of the Consultation Report

Appendix 2: Available **electronically only** – on COINS or on the Education Service website: <http://www.shetland.gov.uk/education/documents/WhalsayConsultationReportFinal.pdf>

Background Documents

Proposal Paper – Whalsay School (Amended 31 October 2014)

Integrated Impact Assessment – Proposal A – Whalsay School

Integrated Impact Assessment – Proposal B – Whalsay School

Updated Estimated Financial Savings: Proposal A – Whalsay School

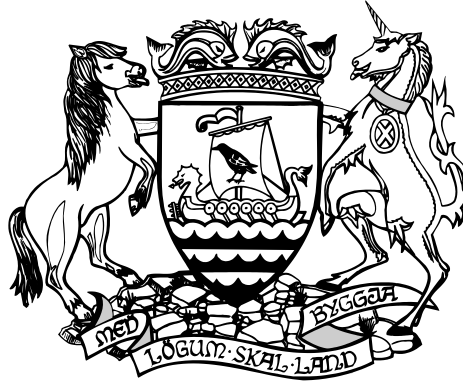
Updated Estimated Financial Savings: Proposal B – Whalsay School

Socio-Economic Study – Whalsay School

Further Analysis of Hostel Costs

END

Shetland Islands Council Children's Services



Executive Summary

The following schools are affected by this Consultation Report:

- **Whalsay School**
- **Anderson High School**

This Consultation Report has been issued by Shetland Islands Council Quality Improvement Service in accordance with The Schools (Consultation) (Scotland) Act 2010.

1. Executive Summary

1.1 This is an Executive Summary of the Consultation Report prepared in compliance with The Schools (Consultation) (Scotland) Act 2010 on the following Proposals:

That subject to the outcome of this proposal exercise and statutory consultation process as set out in the Schools (Consultation) (Scotland) Act 2010:

Proposal A

- A stage of education at Whalsay School Secondary Department, namely Secondary 4 be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- The Secondary 4 pupils of Whalsay School Secondary Department continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and
- The catchment area for Anderson High School for Secondary 4 pupils be altered to include the current catchment area for Whalsay School Secondary Department Secondary 4 pupils.

Proposal B

- Stages of education at Whalsay School Secondary Department, namely Secondary 1, Secondary 2, Secondary 3 and Secondary 4 be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils of Whalsay School Secondary Department continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and
- The catchment area for Anderson High School for Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils be altered to include the current catchment area for Whalsay School Secondary Department Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils.

1.2 The proposed discontinuation of Secondary 4 education, or the proposed discontinuation of Secondary 1, Secondary 2, Secondary 3 and Secondary 4 education at Whalsay School will be considered at Education and Families Committee, and a special meeting of Shetland Islands Council, on 9 June 2016.

2. Educational Benefits of the Proposals

2.1 Proposal A

Children's Services identified a number of educational benefits from the proposed discontinuation of Secondary 4 education at Whalsay School.

2.2 Summary of Educational Benefits of Proposal A: to Discontinue Secondary 4 at Whalsay School Secondary Department.

The Proposal to transfer pupils from Whalsay School Secondary Department at the end of Secondary 3 offers a number of educational benefits to pupils directly affected by this Proposal:

- the opportunity to remain educated in their local community, the island of Whalsay, until the end of Secondary 3;
- the opportunity for all pupils in Whalsay School to experience a completely seamless Broad General Education from 3-15;
- the opportunity to experience an intact Senior Phase from Secondary 4 to Secondary 6 at the Anderson High School;
- the opportunity to experience their complete Senior Phase in a brand new fit for purpose school building;
- access to a wider range of courses at a range of different levels;
- the opportunity to experience a wider range of learning opportunities by being in classes which are of a more viable size;
- access to a wider range of teaching staff;
- access to a larger peer group;
- access to the broadest curriculum to meet the needs of all learners and their aspirations;
- access to the opportunities which will be developed through the Shetland Learning Partnership Project;
- financial savings which help safeguard the existing quality of education delivered to all pupils in schools in Shetland.

2.3 Proposal B

Children's Services also identified a number of educational benefits from the proposed discontinuation of Secondary 1, Secondary 2, Secondary 3 and Secondary 4 education at Whalsay School.

2.4 Summary of Educational Benefits of Proposal B: to Discontinue Secondary 1, Secondary 2, Secondary 3 and Secondary 4 at Whalsay School Secondary Department.

The Proposal to transfer pupils from Whalsay School Secondary Department at the end of Primary 7 offers a number of educational benefits to pupils directly affected by this Proposal:

- the opportunity for all pupils in Whalsay School to experience an entirely seamless secondary education from Secondary 1 to Secondary 6;

- the opportunity to experience an intact Senior Phase from Secondary 4 to Secondary 6 at the Anderson High School;
- the opportunity to experience their complete Senior Phase in a brand new fit for purpose school building;
- access to a wider range of courses at a range of different levels;
- the opportunity to experience a wider range of learning opportunities by being in classes which are of a more viable size;
- access to a wider range of teaching staff;
- access to a larger peer group;
- access to the broadest curriculum to meet the needs of all learners and their aspirations;
- the opportunity for all pupils to always be studying and attaining at the highest possible level in line with their individual abilities;
- access to the opportunities which will be developed through the Shetland Learning Partnership;
- financial savings which help safeguard the existing quality of education delivered to all pupils in schools in Shetland.

3. Representations

3.1 Two hundred and seven people attended the Public Meeting held in Whalsay School on 30 September 2014. Thirty-six people attended the additional Public Meeting held at the Anderson High School on 8 October 2014. The total number of written representations received during the Consultation Period was 350.

3.2 Summary of the Written Responses

3.3 Proposal A – to discontinue Secondary 4 education at Whalsay School

Number of written consultation responses received	350	%
Number of responses that:		
agreed with the Proposal	2	0.6%
disagreed with the Proposal	340	97.1%
did not indicate an opinion or requested further information	8	2.3%

3.4 Proposal B – to discontinue Secondary 1, Secondary 2, Secondary 3 and Secondary 4 education at Whalsay School

Number of written consultation responses received	350	%
Number of responses that:		
agreed with the Proposal	0	0%
disagreed with the Proposal	342	97.7%
did not indicate an opinion or request further information	8	2.3%

- 3.5 **Over 53% of the written responses received made an explicit preference to retain the status quo at Whalsay School, of Secondary 1 to Secondary 4.**

4. Overview of Representations Received

- 4.1 Amongst the oral and written responses there was overwhelming opposition to both Proposal A and Proposal B for Whalsay School Secondary Department. Proposal B was dismissed as being entirely unacceptable to the community of Whalsay. The majority of detailed comments related to views on Proposal A.
- 4.2 The views most frequently expressed were:
- the high quality secondary educational experience pupils received at Whalsay School Secondary Department at present, and a desire to retain this;
 - no agreement that the current Secondary 1 to Secondary 4 model of provision required examination in the light of Curriculum for Excellence;
 - concerns around the suitability of the proposed transition point and the impact this may have on pupils' achievements;
 - concerns that alternative educational provision for pupils who could not cope with the move to the Anderson High School, had not been properly explained;
 - concerns about the potential detrimental impact on the community of Whalsay and existing family life if Secondary 4 provision was removed;
 - Whalsay has a vibrant community and economy through the fishing industry and this was under threat from these proposals;
 - that Children's Services lacked credibility, did not know what they were doing and could not be relied upon to provide accurate information;
 - that the statutory consultations were financially driven and part of a larger ongoing plan to centralise services in and around Lerwick.

5. Involvement of Education Scotland

- 5.1 As part of the Schools (Consultation) (Scotland) Act 2010, Education Scotland are required to write a report on all relevant proposals. In preparing their report on these closure proposals, Her Majesty's Inspectors from Education Scotland visited Whalsay School, Anderson High School, and the Janet Courtney Halls of Residence to speak to parents, children and staff. They had the opportunity to view the Proposal Paper, the notes from all the public meetings, the notes of all staff and pupil consultations, and all the written responses.
- 5.2 In summary, the report by Education Scotland on the educational aspects of the proposals acknowledges that:

"4. Summary

4.1 There are potential educational benefits of both options within the proposal. However, the council has not identified whether Proposal A or Proposal B is the more viable and should do so. Proposal A would allow young people in Whalsay School to experience a complete broad general education within their own community. They would then have a single transition point to the senior phase, all

of which would be experienced within a single setting, maximising the choice of options available to them. However, this would depend upon similar curriculum models operating in both Whalsay School and Anderson High School. Proposal B would allow children from Whalsay School to experience education until P7 in their own community and then to experience seamless secondary education from S1 to S6 at Anderson High School. In its final report the council should give more consideration to the health and wellbeing of those children and young people who currently expect to complete their statutory education in their own communities and to the impact of the proposals on their families and the wider community. Either proposal would further restrict family life for more, or all, secondary-aged pupils living on Whalsay to two days per week in term time.

4.2 Stakeholders do not support the proposal. Parents, pupils and staff would like clearer information on what the proposals would mean for their children's education, with examples and opportunities to have alternatives discussed. It will be important for the council to take account of all of these views in preparing its final consultation report. The council now needs to take account of the need to eliminate uncertainty for pupils, staff and parents by deciding on its course of action."

6. Key Issues of Concern to Respondents

6.1 Education Scotland's report highlights key issues of concern to respondents which are:

- Staff, parents, children and young people at Whalsay had reasonable concerns that they have unanswered questions about what the implementation of the proposals will look like in practice, such as the structure of the senior phase and the learning options which will be available to young people.
- Parents would appreciate clarification regarding how individual learning packages will be designed and implemented for young people who do not successfully complete a transition to Anderson High School.
- The impact on young people and their families of the implementation of either proposal; and the resulting impact on the community of Whalsay.
- Safety concerns about travel on the ferry, especially for younger pupils.

6.2 These issues were also identified by Children's Services in their analysis of the responses and through attendance at the public meetings, and although we provided information with respect to transitions, it is clear that respondents require additional information to support them in making an informed view on these matters.

6.3 In addition if Proposal A were to be implemented, the issue of provision for pupils from Whalsay School Secondary Department who would transfer at the end of Secondary 3 to the Anderson High School and who may not then be able to cope, arose during the statutory consultation period. It was agreed at the public meetings that some provision would be made for this group of pupils at Whalsay School but

no specific details were given, and this aspect is not dealt with as part of the information provided on Proposal A in the Proposal Paper (Amended 31 October 2014).

- 6.4 This issue is clearly also relevant to the implementation of Proposal B, however there was little discussion of it in that context, as most respondents throughout the consultation period in oral and in written responses, dismissed the prospect of Proposal B ever being implemented as entirely unacceptable.
- 6.5 Children's Services also considers it important to highlight the mood and tone of many of the responses to this statutory consultation. There were very strong views expressed in response to both proposals on Whalsay School Secondary Department. Feelings of anger, mistrust and resentment come across clearly. Coupled with this, there is undiluted criticism of the central service in many of the responses. Views were expressed that officers are incompetent, useless and less than honest.
- 6.6 In thinking about how Shetland Islands Council moves forward with consideration of the school estate in the future, these poor perceptions will have to be addressed.

7. Financial Savings

- 7.1 The savings from these proposals have been reviewed and updated for the publication of the Consultation Report. The detailed updated estimated financial savings tables for Proposal A and Proposal B can be found on the Shetland Islands Council website at: www.shetland.gov.uk/education. The revised total estimated savings from Proposal A are £133,438. The revised total estimated savings from Proposal B are £437,009.

8. The Status of the Strategy for Secondary Education

- 8.1 In accordance with the timeline presented in the Strategy for Secondary Education, the first two statutory consultations arising from Strategy, namely to discontinue Secondary 4 education or close the secondary departments at Mid Yell Junior High School and Whalsay School commenced on 19 September 2014. Following an extension to the statutory consultation period, the statutory consultation period for these consultations ended on 12 December 2014.
- 8.2 The Consultation Report presents the outcomes of the statutory consultation on the proposals to discontinue Secondary 4 education or to close the Secondary Department at Whalsay School.
- 8.3 In clarifying the recommendations of Children's Services on the proposals for Whalsay School, it is important to acknowledge the time delay which occurred in completing the statutory consultation process after the statutory period ended on 12 December 2014, and the reasons for this as they directly influence the recommendations in the Consultation Report.

- 8.4 It was clear from the public meetings held, the written responses received and the consultations with staff and pupils in Whalsay School that, amongst those who responded during the statutory consultation period, there was overwhelming opposition to any change to secondary provision in Whalsay School.
- 8.5 In addition, on 5 November 2014, Shetland Islands Council resolved to keep North Roe Primary School and Urafirth Primary School and Nursery Class open. At the same meeting Shetland Islands Council also decided to remove the planned statutory consultations on Sandness Primary School and Burravoe Primary School from the remaining Blueprint for Education proposals, as it was clear that there was no willingness to support any school closure proposals at that time, and officer time was being wasted on carrying out unnecessary work.
- 8.6 Children's Services remained clear, that the current Strategy for Secondary Education remained valid from an educational perspective, and therefore should not be further amended. As set out in the Strategy, transitions during secondary education should be avoided where possible and if a transition is required, for geographical reasons, it should not be during the Senior Phase.
- 8.7 As a result, Children's Services put a report to Shetland Islands Council on 18 February 2015, seeking their agreement to amend the statutory consultation timeline for all of the closure proposals in the Amended Strategy for Secondary Education. This was until at least, 2017 when the new Anderson High School would be open, and the Shetland Learning Partnership would be bedded in.
- 8.8 Shetland Islands Council approved this course of action. This had the effect of ceasing the statutory consultations on the closure proposals affecting Mid Yell Junior High School Secondary Department and Whalsay School Secondary Department, at the point they had reached in the process and meant that consultation reports on the proposals affecting these schools would not be published.
- 8.9 However, following on from this decision, Shetland Islands Council was widely criticised for the fact that the statutory moratorium would not apply to these schools. Representations were received from parents and Parent Councils who were concerned about the implications for the affected schools.
- 8.10 Children's Services reported to Shetland Islands Council again on 27 May 2015, recommending that the decision taken on 18 February 2015 be revoked, and that they proceed to publish Consultation Reports on the closure proposals affecting Mid Yell Junior High School Secondary Department and Whalsay School Secondary Department.
- 8.11 In addition, that report made it clear that, once published, the recommendation in each consultation report would be that Shetland Islands Council did not to implement any of the closure proposals for Mid Yell Junior High School Secondary Department and Whalsay School Secondary Department at this time. If this is agreed by Shetland Islands Council then the five year moratorium on further closure proposals on Mid Yell Junior High School and Whalsay School would apply. The updated Statutory Guidance on the Schools (Consultation) Scotland) Act 2010,

makes it clear that the five year moratorium can be revoked if during that time there is a 'significant change' in the circumstances of a school.

9. Conclusion

- 9.1 There is overwhelming opposition to both proposals expressed by respondents. In addition, 53% of written responses explicitly stated that their preferred model was to retain Secondary 1 to Secondary 4 education at Whalsay School. Education Scotland, in their report, also identify areas of concern for respondents that they feel Children's Services have not fully addressed in the Proposal Paper. Children's Services acknowledges these gaps exist from the perspective of relevant consultees.
- 9.2 In saying that, Education Scotland, however, also acknowledge that both proposals have the potential to offer educational benefits to the pupils directly affected by them.
- 9.3 Children's Services throughout this process, has recognised the overwhelming opposition which exists in the affected communities to any changes to the secondary school estate, proposed by the Amended Strategy for Secondary Education. We also recognise at present, that this has resulted in a political unwillingness to implement any school closure proposals in the school estate in Shetland.
- 9.4 These issues are crystallised by Education Scotland in their report on the proposals for Whalsay School:
- "Whalsay School has been the subject of a number of school consultations over the last ten years. As a result, parents, staff and children have faced uncertainty over future education provision. All stakeholders expressed a desire for the council to make a clear decision and provide a substantial period of stability."*
- 9.5 Consequently the recommendations of Children's Services, for the closure proposals on Whalsay School are set out below.

10. Recommendations

- 10.1 With respect to **Proposal A** which is as follows:
- A stage of education at Whalsay School Secondary Department, namely Secondary 4 be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
 - The Secondary 4 pupils of Whalsay School Secondary Department continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and

- The catchment area for Anderson High School for Secondary 4 pupils be altered to include the current catchment area for Whalsay School Secondary Department Secondary 4 pupils.

10.2 Children's Services recommends that **no part** of this proposal is implemented.

10.3 With respect to **Proposal B** which is as follows:

- Stages of education at Whalsay School Secondary Department, namely Secondary 1, Secondary 2, Secondary 3 and Secondary 4 be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils of Whalsay School Secondary Department continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and
- The catchment area for Anderson High School for Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils be altered to include the current catchment area for Whalsay School Secondary Department Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils.

10.4 Children's Services recommends that **no part** of this proposal is implemented.



**Special Education and Families Committee
Special Shetland Islands Council**

**9 June 2016
9 June 2016**

Schools (Consultation)(Scotland) Act 2010 – Consultation Report – Mid Yell Junior High School

CS-12-16-F

Report Presented by Director of Children's Services

Children's Services

1.0 Summary

- 1.1 This Report presents the Consultation Report which has been prepared as part of the statutory consultation exercise undertaken by Children's Services under the Schools (Consultation) (Scotland) Act 2010. An Executive Summary of the Consultation Report is attached as Appendix 1 and the full Consultation Report, Appendix 2, is available on the Shetland Islands Council website. Links to the Consultation Report can be found at the end of this Report.
- 1.2 The Consultation Report is the document published at the end of the consultation period after the proposal has been reviewed in light of the written and oral representations it has received and the report prepared by Education Scotland.
- 1.3 The Consultation Report recommends that no closure proposal is to be implemented in relation to Mid Yell Junior High School.

2.0 Decision Required

- 2.1 That the Education and Families Committee recommend that Shetland Islands Council RESOLVE that:

a) In relation to Proposal A – to discontinue Secondary 4 education at Mid Yell Junior High School

- A stage of education at Mid Yell Junior High School Secondary Department, namely Secondary 4 **will not** be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- The Secondary 4 pupils of Mid Yell Junior High School Secondary Department **will not** continue their education at Anderson High School

from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and

- The catchment area for Anderson High School for Secondary 4 pupils **will not** be altered to include the current catchment area for Mid Yell Junior High School Secondary Department Secondary 4 pupils.

b) In relation to Proposal B – to discontinue Secondary 1, Secondary 2, Secondary 3 and Secondary 4 education at Mid Yell Junior High School

- Stages of education at Mid Yell Junior High School Secondary Department, namely Secondary 1, Secondary 2, Secondary 3 and Secondary 4 **will not** be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils of Mid Yell Junior High School Secondary Department **will not** continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and
- The catchment area for Anderson High School for Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils **will not** be altered to include the current catchment area for Mid Yell Junior High School Secondary Department Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils.

2.2 Each recommendation ((a) and (b) above), must be considered separately and determined on its own merits. In considering each recommendation, account must be taken of the educational benefits and effects of the proposal. In addition, as Mid Yell Junior High School is a rural school there must be special regard to a further three factors:-

- (a) any viable alternative to the closure proposal;
- (b) the likely effect on the local community if the proposal were implemented;
- (c) the likely effect caused by the different travelling arrangements that are required if the proposal were implemented.

2.3 If there is a decision not to implement one or more of the closure proposals, the restriction on repeating school closure proposals will apply. It prevents further school closure proposals in relation to the same school for a period of five years unless there is a significant change to the school's circumstances.

2.4 Should a decision be taken to implement one or more of the closure proposals, then please note that the Scottish Ministers have an eight week period from the date of that final decision to decide if they will call-in the proposal and no action can be taken regarding implementation until the Scottish Ministers decision is known.

3.0 Detail

3.1 The statutory consultation process commenced with the publication of the Proposal Paper on 19 September 2014 and ran until the 12 December 2014.

It was initially due to end on 12 November 2014, but was extended due to a decision taken part way through the statutory consultation period to change the way in which responses were handled.

3.2 The proposals contained within the Proposal Paper were:-

Proposal A

- A stage of education at Mid Yell Junior High School Secondary Department, namely Secondary 4 be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- The Secondary 4 pupils of Mid Yell Junior High School Secondary Department continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and
- The catchment area for Anderson High School for Secondary 4 pupils be altered to include the current catchment area for Mid Yell Junior High School Secondary Department Secondary 4 pupils.

Proposal B

- Stages of education at Mid Yell Junior High School Secondary Department, namely Secondary 1, Secondary 2, Secondary 3 and Secondary 4 be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils of Mid Yell Junior High School Secondary Department continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and
- The catchment area for Anderson High School for Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils be altered to include the current catchment area for Mid Yell Junior High School Secondary Department Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils.

Hereinafter referred to as “Proposal A and Proposal B”.

- 3.3 In line with the Schools (Consultation) (Scotland) Act 2010, public meetings were held as follows:
- Mid Yell Junior High School on 2 October 2014, where 197 people attended;
 - Anderson High School on 9 October 2014, where 54 people attended.
- 3.4 Three hundred and eighty-one written responses were received on the Proposals.
- 3.5 Following the end of the statutory consultation period, the Proposal Paper, all written responses and notes of the public meetings were sent to Education Scotland who published a formal report on the educational aspects of the Proposal on 19 May 2016.
- 3.6 Children’s Services published their response to the consultation, in the form of a Consultation Report on 19 May 2016. This was circulated both electronically and in paper copy. The Consultation Report contains:

- a record and a summary of the number of written responses received during the statutory consultation period, and Children's Services' response to these;
 - a summary of the representations made at the public meetings held during the consultation period, and Children's Services' response to these;
 - the full text of Education Scotland's Report on the educational aspects of the Proposal and Children's Services' response to the issues raised in their report;
 - a statement of how Children's Services has reviewed the Proposal following all the representations made during the consultation period;
 - details of any omissions or inaccuracies in the Proposal Paper.
- 3.7 The Consultation Report is available on Shetland Islands Council's website and for inspection at Hayfield House, Shetland Library, Mid Yell Junior High School and Anderson High School. An executive summary of the Consultation Report is also published on Shetland Islands Council's website and is Appendix 1 to this report.
- 3.8 The Consultation Report contains a full analysis of all the issues raised through the consultation process. The total number of written responses received during the consultation period was three-hundred and eighty-one. The summary of the written responses indicates that 96.4% of respondents disagreed with the Proposal A and 96.7% of respondents disagreed with Proposal B.
- 3.9 Amongst the oral and written responses there was overwhelming opposition to both Proposal A and Proposal B for Mid Yell Junior High School Secondary Department. Proposal B was generally dismissed as being entirely unacceptable and therefore the majority of detailed comments related to Proposal A.

The views most frequently expressed were:

- the high quality secondary educational experience pupils received at Mid Yell Junior High School Secondary Department at present, and a desire to retain this;
 - no agreement that the current Secondary 1 to Secondary 4 model of provision required examination in the light of Curriculum for Excellence;
 - concerns around the suitability of the proposed transition point and the impact this may have on pupils' achievements;
 - concerns that alternative educational provision for pupils who could not cope with the move to the Anderson High School, had not been properly explained;
 - concerns about the potential detrimental impact on the community of Yell and existing family life if Secondary 4 provision was removed;
 - that Children's Services lacked credibility, did not know what they were doing and could not be relied upon to carry out a statutory consultation process correctly;
 - that the statutory consultations were financially driven and part of a larger ongoing plan to centralise services in and around Lerwick.
- 3.10 The Consultation Report is an analysis of all the issues which have been raised and Children's Services' responses to those. The key points made and responses provided are considered under the following headings:

Proposal A

- Educational Benefits
- Delivery of Curriculum for Excellence
- Pupil Achievement
- Proposed Timing of Transfer and Transition Issues
- Removal of Choice
- Alternative Provision for Children who Cannot Cope
- Retention of Mid Yell Junior High School Secondary Department as Secondary 1 to Secondary 4
- Living in the Hostel
- Impact of the Proposal on Family Life and Children's Wellbeing
- Impact of the Proposal on the Community of Yell
- Impact of the Proposal on the Economy of Yell
- Transport and Travel Concerns
- Staffing Issues
- Capacity of the Anderson High School
- Issues about Financial Savings
- Issues about the Statutory Consultation Process
- Other Issues

Proposal B

- Delivery of Curriculum for Excellence
- Pupil Achievement
- Removal of Choice
- Impact of the Proposal on Family Life and Children's Wellbeing
- Impact of the Proposal on the Community of Yell
- Impact of the Proposal on the Economy of Yell
- School Building
- Transport and Travel Concerns
- Issues about Financial Savings
- Other Issues

3.11 Educational Benefits

Children's Services identified a number of educational benefits for **Proposal A – to discontinue Secondary 4 education at Mid Yell Junior High School** and for **Proposal B – to discontinue Secondary 1, Secondary 2, Secondary 3 and Secondary 4 education at Mid Yell Junior High School**. In summary, the educational benefits identified by Children's Services are:

Proposal A

Summary of Educational Benefits of Proposal A: to Discontinue Secondary 4 at Mid Yell Junior High School Secondary Department.

The Proposal to transfer pupils from Mid Yell Junior High School Secondary Department at the end of Secondary 3 offers a number of educational benefits to pupils directly affected by this Proposal:

- the opportunity to remain educated in their local community, the island of Yell, until the end of Secondary 3;
- the opportunity for all pupils in Mid Yell Junior High School to experience a seamless Broad General Education from 3-15;

- the opportunity to experience an intact Senior Phase from Secondary 4 to Secondary 6 at the Anderson High School;
- the opportunity to experience their complete Senior Phase in a brand new fit for purpose school building;
- access to a wider range of courses at a range of different levels;
- the opportunity to experience a wider range of learning opportunities by being in classes which are of a more viable size;
- access to a wider range of teaching staff;
- access to a larger peer group;
- access to the broadest curriculum to meet the needs of all learners and their aspirations;
- access to all the opportunities which will be developed through the Shetland Learning Partnership Project;
- financial savings which help safeguard the existing quality of education delivered to all pupils in schools in Shetland.

Proposal B

Summary of Educational Benefits of Proposal B: to Discontinue Secondary 1, Secondary 2, Secondary 3 and Secondary 4 at Mid Yell Junior High School Secondary Department.

The Proposal to transfer pupils from Mid Yell Junior High School Secondary Department at the end of Primary 7 offers a number of educational benefits to pupils directly affected by this Proposal:

- the opportunity for all pupils in Mid Yell Junior High School to experience an entirely seamless secondary education from Secondary 1 to Secondary 6;
- the opportunity to experience an intact Senior Phase from Secondary 4 to Secondary 6 at the Anderson High School;
- the opportunity to experience their complete Senior Phase in a brand new fit for purpose school building;
- access to a wider range of courses at a range of different levels;
- the opportunity to experience a wider range of learning opportunities by being in classes which are of a more viable size;
- access to a wider range of teaching staff;
- access to a larger peer group;
- access to the broadest curriculum to meet the needs of all learners and their aspirations;
- the opportunity for all pupils to always be studying and attaining at the highest possible level in line with their individual abilities;
- access to the opportunities which will be developed through the Shetland Learning Partnership;
- financial savings which help safeguard the existing quality of education delivered to all pupils in schools in Shetland.

3.12 Process

Throughout the Consultation, Children's Services gave special regard to the provision for rural schools within Section 12 of The Schools (Consultation) (Scotland) Act 2010. It took account of the changes to the Schools (Consultation) (Scotland) Act 2010 which came into effect on 1 August 2014.

The statutory consultation process provided an opportunity for all stakeholders to identify key issues of concern. These issues have been fully considered and Children's Services' response is detailed in the Consultation Report.

Two public meetings were held in respect of the proposals as follows: one at Mid Yell Junior High School on 2 October 2014, and one at Anderson High School on 9 October 2014.

Separate meetings were also held with pupils, and then with staff at Mid Yell Junior High School on 13 November 2014. A drop-in discussion session was also held with Anderson High School staff on 18 November 2014. A similar session was provided for Anderson High School pupils. No pupils attended this session.

Written responses were also received throughout the statutory consultation period.

Children's Services commissioned a socio-economic study on the Proposals and carried out an integrated impact assessment on Proposal A, and a separate one on Proposal B.

3.13 Responses Received

One hundred and ninety seven people attended the public meeting held in Mid Yell Junior High School, and fifty-four people attended the public meeting at Anderson High School. The oral responses made at the public meetings have been summarised and are published in the Consultation Report

The oral responses made by pupils at Mid Yell Junior High School, and their written comments, have been summarised and are published in the Consultation Report. The oral responses made by staff at Mid Yell Junior High School, and staff at Anderson High School have been summarised and are published in the Consultation Report.

Three hundred and eighty-one written responses received during the consultation period. Within the written responses received, 96.4% disagreed with Proposal A, 0.6 % agreed with proposal A and 3% did not express an opinion.

Similarly, of the total of three hundred and eighty-one written responses received during the consultation, 96.7% disagreed with Proposal B, 0.3% agreed with Proposal B and 3% did not express an opinion.

In addition, over 70% of respondents who submitted a written response expressed an explicit preference to retain Secondary 1 to Secondary 4 provision at Mid Yell Junior High School.

3.14 Involvement of Education Scotland

As part of the Schools (Consultation) (Scotland) Act 2010, Education Scotland are required to write a report on all relevant proposals. In preparing their report on these closure proposals, Her Majesty's Inspectors from Education Scotland visited Mid Yell Junior High School, Anderson High School, and the Janet Courtney Halls of Residence to speak to parents, children and staff. They had the opportunity to view the Proposal Paper, the notes from all the public meetings, the notes of all staff and pupil consultations, and all the written responses.

Education Scotland's Report comments on the educational benefits of the Proposals as follows:

"4. Summary

- 4.1 There are potential educational benefits of both options within the proposal. However, the council has not identified whether Proposal A or Proposal B is the more viable and should do so. Proposal B would allow young people in Mid Yell Junior High School to experience a complete broad general education within their own community. They would then have a single transition point to the senior phase, all of which would be experienced within a single setting, maximising the choice of options and progression pathways available to them. However, this would depend upon similar curriculum models operating in both Mid Yell Junior High School and Anderson High School. In its final report, the council should give more consideration to the health and wellbeing of those children and young people who currently expect to complete their statutory education in their own communities and to the impact of the proposals on their families and the wider community.*
- 4.2 Almost all of those who responded were opposed to both proposals. Parents, pupils and staff would like clearer information on what the proposals would mean for their children's education, with examples and opportunities to have alternatives discussed. It will be important for the council to take account of all of these views in finalising its final consultation report. The council now needs to take account of the need to eliminate uncertainty for pupils, staff and parents by deciding on its course of action."*

All the points raised by Education Scotland with respect to educational benefits have been responded to in the Consultation Report.

3.15 Other Key Issues of Concern

- 3.15.1 Education Scotland's report also highlights key issues of concern to respondents which were:
- Respondents have unanswered questions about what the implementation of the proposals will look like in practice, such as the structure of the senior phase and the learning options available to young people.
 - Parents would appreciate clarification regarding how individual packages will be designed and implemented for young people who do not successfully transfer to Anderson High School but return to Mid Yell Junior High School.
 - In its final report, the council should give more consideration to the health and wellbeing of those children and young people who currently expect to complete their statutory education in their own communities and to the impact of the proposals on their families and the wider community.
- 3.15.2 These issues were also identified by Children's Services in their analysis of the responses and through attendance at the public meetings. Children's Services acknowledges that respondents require additional information to support them in making an informed view on these matters.
- 3.15.3 In addition if Proposal A were to be implemented, the issue of provision for pupils from Mid Yell Junior High School Secondary Department who would

transfer at the end of Secondary 3 to the Anderson High School and who may not then be able to cope, arose during the statutory consultation period. It was agreed at the public meetings that some provision would be made for this group of pupils in Mid Yell Junior High School but no specific details were given, and this aspect is not dealt with as part of the information provided on Proposal A in the Proposal Paper (Amended 31 October 2014).

- 3.15.4 This issue is clearly also relevant to the implementation of Proposal B, however there was little discussion of it in that context, as most respondents throughout the consultation period in oral and in written responses, dismissed the prospect of Proposal B ever being implemented.
- 3.15.5 As well as this, the issue of the interdependence of Mid Yell Junior High School with other educational establishments was raised during the statutory consultation period, and considered to be a material consideration. This issue particularly relates to the impact implementing any closure proposal on Mid Yell Junior High School would have on Baltasound Junior High School, and that this was not addressed in the Proposal Paper (Amended 31 October 2014).
- 3.15.6 Children's Services remain committed to the Educational Benefits identified in the Proposal Paper (Amended 31 October 2014) which were supported by Education Scotland. However, there were clearly other issues which emerged during the statutory consultation period which would have been required to be addressed by Children's Services before recommending the implementation of either of the Proposals.
- 3.15.7 This could have been achieved through starting the statutory consultation period again, and issuing a new Proposal Paper which addressed these matters outlined above. However, the timing of the statutory consultation on Mid Yell Junior High School also coincided with Shetland Islands Council's decisions not to implement the proposed closure of North Roe Primary School and Urafirth Primary School and Nursery Class (Min Ref:75/14); and the decision not to progress to statutory consultation on the proposed closure of Sandness Primary School and Burravoe Primary School (Min Ref:76/14). Children's Services therefore recognised that there was no political willingness to consider further changes to the school estate, and therefore did not consider this to be an appropriate course of action. In addition, it is clear from the responses to the consultation as highlighted by Education Scotland that the community of yell is seeking a period of stability for their school. Repeated consultations are bringing the process for changing the schools estate into disrepute and damaging the relationship between the council and the stakeholders.

3.16 Representations on the Consultation Report

Following the publication of the Consultation Report, there is no mechanism under the Schools (Consultation) (Scotland) Act 2010 for Children's Services to receive and consider representations on the content of the Consultation Report. There is a requirement to ensure that a period of three weeks elapses between the publication of the Consultation Report and the decision on whether to implement the proposal. The intention is that interested parties should have time to see and digest the contents of the Consultation Report and also have time if they so wish to make the authority aware of final issues and opinions regarding its decision.

4.0 Implications

Strategic

4.1 Delivery On Corporate Priorities – this report helps to achieve the aims of:

Shetland Islands Council's Corporate Plan

- Young people will feel that their voices are being heard by the council, having regular opportunities to have a say on the issues that affect them.
- Communities will be supported to find local solutions to issues they face.
- People in Shetland will be feeling more empowered, listened to and supported to take decisions on things that affect them, and to make positive changes in their lives and their communities.
- High standards of governance, that is, the rules on how we are governed, will mean that the council is operating effectively and the decisions we take are based on evidence and supported by effective assessments of options and potential effects.
- Excellent financial-management arrangements will make sure we are continuing to keep to a balanced and sustainable budget, and are living within our means.

Shetland's Outcome Improvement Plan 2016

- Shetland is the best place for children and young people to grow up.

Children's Services Directorate Plan has the following relevant priorities:

- Our public services are high quality, continually improving, efficient and responsive to local people's needs.
- Our young people are successful learners, confident individuals, effective contributors and responsible citizens.
- Our children have the best start in life and are ready to succeed.

4.2 Community /Stakeholder Issues – in accordance with the Schools (Consultation) (Scotland) Act 2010, Children's Services has consulted with all relevant stakeholders/consultees. Full details of the outcomes of the consultation are in the Consultation Report which is available on the Shetland Islands Council website.

4.3 Policy And/Or Delegated Authority – in accordance with Section 2.3.1 of the Council's Scheme of Administration and Delegations, the Education and Families Committee has responsibility and delegated authority for decision making on matters within its remit which includes school education. However, as the decision required would be a variation of an existing plan and policy, a decision of the Council is required. This report is related to the function of an education authority.

4.4 Risk Management –Failure to implement the recommendations in this report carries a significant risk of overwhelming community opposition and that the decision would be called-in by the Scottish Government.

4.5 Equalities, Health And Human Rights – An Integrated Impact Assessment has been carried out in respect of Proposal A and on Proposal B for Mid Yell Junior High School. A summary of the impacts forms part of the Consultation Report at Section 11 including how adverse impacts can be mitigated against.

The full Integrated Impact Assessments are available on Shetland Islands Council's website.

4.6 Environmental – None

Resources

- 4.7 Financial – Shetland Islands Council's approved Medium Term Financial Plan 2015/16 – 2020/21 sets out the financial framework in which the Council is expected to operate over the next five years in order to continue to be financially sustainable, this includes a savings target of £5m for Children's Services, to be achieved by 31 March 2021. The identified estimated savings of £149,547 from the Proposal A, or the estimated savings of £297,500 From Proposal B would have made an ongoing contribution to achieving this target.

Savings which would have resulted from implementing either Proposal A or Proposal B will have to be found from elsewhere in Children's Services.

- 4.8 Legal – A proposal to discontinue a stage of education is a "relevant proposal" in terms of the Schools (Consultation) (Scotland) Act 2010. Shetland Islands Council must comply with the requirements as set out in that Act. Should a decision be taken to implement either Proposal A or Proposal B for Mid Yell Junior High School, there is a risk of call-in by the Scottish Government and referral to the School Closure Review Panel.

- 4.9 Human Resources – There are no human resources implications arising from the recommendations in this report.

- 4.10 Assets And Property – There are no asset and properties implications arising from the recommendations in this report.

5.0 Conclusions

- 5.1 The statutory consultation process required by the Schools (Consultation) (Scotland) Act 2010 has been completed and the Consultation Report has recommended that:-

a) In relation to Proposal A – to discontinue Secondary 4 education at Mid Yell Junior High School

- A stage of education at Mid Yell Junior High School Secondary Department, namely Secondary 4 **will not** be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- The Secondary 4 pupils of Mid Yell Junior High School Secondary Department **will not** continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and
- The catchment area for Anderson High School for Secondary 4 pupils **will not** be altered to include the current catchment area for Mid Yell Junior High School Secondary Department Secondary 4 pupils.

b) In relation to Proposal B – to discontinue Secondary 1, Secondary 2, Secondary 3 and Secondary 4 education at Mid Yell Junior High School

- Stages of education at Mid Yell Junior High School Secondary Department, namely Secondary 1, Secondary 2, Secondary 3 and Secondary 4 **will not** be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils of Mid Yell Junior High School Secondary Department **will not** continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and
- The catchment area for Anderson High School for Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils **will not** be altered to include the current catchment area for Mid Yell Junior High School Secondary Department Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils.

5.2 The next step in the Statutory Consultation process is that Education and Families Committee makes a recommendation to Shetland Islands Council. Shetland Islands Council must then make a decision.

For further information please contact:

Audrey Edwards, Executive Manager – Quality Improvement

Tel: 01595 74 3966. E-mail: Audrey.edwards@shetland.gov.uk

Report Finalised: 31 May 2016

List of Appendices

Appendix 1: Executive Summary of the Consultation Report

Appendix 2: Appendix 2: Available **electronically only** – on COINS or on the Education Service website

<http://www.shetland.gov.uk/education/documents/MidYellConsultationReportFinal.pdf>

Background Documents

Proposal Paper – Mid Yell Junior High School (Amended 31 October 2014)

Integrated Impact Assessment – Proposal A – Mid Yell Junior High School

Integrated Impact Assessment – Proposal B – Mid Yell Junior High School

Updated Estimated Financial Savings: Proposal A – Mid Yell Junior High School

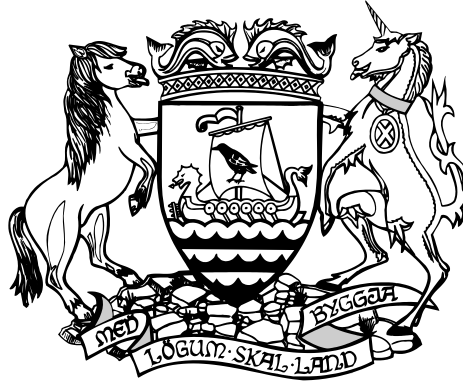
Updated Estimated Financial Savings: Proposal B – Mid Yell Junior High School

Socio-Economic Study – Mid Yell Junior High School

Further Analysis of Hostel Costs

END

Shetland Islands Council Children's Services



Executive Summary

The following schools are affected by this Consultation Report:

- **Mid Yell Junior High School**
- **Anderson High School**

This Consultation Report has been issued by Shetland Islands Council Quality Improvement Service in accordance with The Schools (Consultation) (Scotland) Act 2010.

1. Executive Summary

1.1 This is an Executive Summary of the Consultation Report prepared in compliance with The Schools (Consultation) (Scotland) Act 2010 on the following Proposals:

That subject to the outcome of this proposal exercise and statutory consultation process as set out in the Schools (Consultation) (Scotland) Act 2010:

Proposal A

- A stage of education at Mid Yell Junior High School Secondary Department, namely Secondary 4 be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- The Secondary 4 pupils of Mid Yell Junior High School Secondary Department continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and
- The catchment area for Anderson High School for Secondary 4 pupils be altered to include the current catchment area for Mid Yell Junior High School Secondary Department Secondary 4 pupils.

Proposal B

- Stages of education at Mid Yell Junior High School Secondary Department, namely Secondary 1, Secondary 2, Secondary 3 and Secondary 4 be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils of Mid Yell Junior High School Secondary Department continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and
- The catchment area for Anderson High School for Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils be altered to include the current catchment area for Mid Yell Junior High School Secondary Department Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils.

1.2 The proposed discontinuation of Secondary 4 education, or the proposed discontinuation of Secondary 1, Secondary 2, Secondary 3 and Secondary 4 education at Mid Yell Junior High School will be considered at Education and Families Committee, and a special meeting of Shetland Islands Council, on 9 June 2016.

2. Educational Benefits of the Proposals

2.1 Proposal A

Children's Services identified a number of educational benefits from the proposed discontinuation of Secondary 4 education at Mid Yell Junior High School.

2.2 Summary of Educational Benefits of Proposal A: to Discontinue Secondary 4 at Mid Yell Junior High School Secondary Department.

The Proposal to transfer pupils from Mid Yell Junior High School Secondary Department at the end of Secondary 3 offers a number of educational benefits to pupils directly affected by this Proposal:

- the opportunity to remain educated in their local community, the island of Yell, until the end of Secondary 3;
- the opportunity for all pupils in Mid Yell Junior High School to experience a seamless Broad General Education from 3-15;
- the opportunity to experience an intact Senior Phase from Secondary 4 to Secondary 6 at the Anderson High School;
- the opportunity to experience their complete Senior Phase in a brand new fit for purpose school building;
- access to a wider range of courses at a range of different levels;
- the opportunity to experience a wider range of learning opportunities by being in classes which are of a more viable size;
- access to a wider range of teaching staff;
- access to a larger peer group;
- access to the broadest curriculum to meet the needs of all learners and their aspirations;
- access to all the opportunities which will be developed through the Shetland Learning Partnership Project;
- financial savings which help safeguard the existing quality of education delivered to all pupils in schools in Shetland.

2.3 Proposal B

Children's Services also identified a number of educational benefits from the proposed discontinuation of Secondary 1, Secondary 2, Secondary 3 and Secondary 4 education at Mid Yell Junior High School.

2.4 Summary of Educational Benefits of Proposal B: to Discontinue Secondary 1, Secondary 2, Secondary 3 and Secondary 4 at Mid Yell Junior High School Secondary Department.

The Proposal to transfer pupils from Mid Yell Junior High School Secondary Department at the end of Primary 7 offers a number of educational benefits to pupils directly affected by this Proposal:

- the opportunity for all pupils in Mid Yell Junior High School to experience an entirely seamless secondary education from Secondary 1 to Secondary 6;

- the opportunity to experience an intact Senior Phase from Secondary 4 to Secondary 6 at the Anderson High School;
- the opportunity to experience their complete Senior Phase in a brand new fit for purpose school building;
- access to a wider range of courses at a range of different levels;
- the opportunity to experience a wider range of learning opportunities by being in classes which are of a more viable size;
- access to a wider range of teaching staff;
- access to a larger peer group;
- access to the broadest curriculum to meet the needs of all learners and their aspirations;
- the opportunity for all pupils to always be studying and attaining at the highest possible level in line with their individual abilities;
- access to the opportunities which will be developed through the Shetland Learning Partnership;
- financial savings which help safeguard the existing quality of education delivered to all pupils in schools in Shetland.

3. Representations

3.1 One hundred and ninety-seven people attended the Public Meeting held in Mid Yell Junior High School on 2 October 2014. Fifty-four people attended the additional Public Meeting held at the Anderson High School on 9 October 2014. The total number of written representations received during the Consultation Period was 381.

3.2 Summary of the Written Responses

3.3 Proposal A – to discontinue Secondary 4 education at Mid Yell Junior High School

Number of written consultation responses received	381	%
Number of responses that:		
agreed with the Proposal	2	0.6%
disagreed with the Proposal	367	96.4%
did not indicate an opinion or requested further information	12	3%

3.4 Proposal B – to discontinue Secondary 1, Secondary 2, Secondary 3 and Secondary 4 education at Mid Yell Junior High School

Number of written consultation responses received	381	%
Number of responses that:		
agreed with the Proposal	1	0.3%
disagreed with the Proposal	368	96.7%
did not indicate an opinion or request further information	12	3%

- 3.5 **Over 70% of the written responses received made an explicit preference to retain the status quo at Mid Yell Junior High School, of Secondary 1 to Secondary 4.**

4. Overview of Representations Received

- 4.1 Amongst the oral and written responses there was overwhelming opposition to both Proposal A and Proposal B for Mid Yell Junior High School Secondary Department. Proposal B was dismissed as being entirely unacceptable to the community of Yell. The discussion, and the majority of detailed comments related to views on Proposal A.
- 4.2 The views most frequently expressed were:
- the high quality secondary educational experience pupils received at Mid Yell Junior High School Secondary Department at present, and a desire to retain this;
 - no agreement that the current Secondary 1 to Secondary 4 model of provision required examination in the light of Curriculum for Excellence;
 - concerns around the suitability of the proposed transition point and the impact this may have on pupils' achievements;
 - concerns that alternative educational provision for pupils who could not cope with the move to the Anderson High School, had not been properly explained;
 - concerns about the potential detrimental impact on the community of Yell and existing family life if Secondary 4 provision was removed;
 - that Children's Services lacked credibility, did not know what they were doing and could not be relied upon to carry out a statutory consultation process correctly;
 - that the statutory consultations were financially driven and part of a larger ongoing plan to centralise services in and around Lerwick.

5. Involvement of Education Scotland

- 5.1 As part of the Schools (Consultation) (Scotland) Act 2010, Education Scotland are required to write a report on all relevant proposals. In preparing their report on these closure proposals, Her Majesty's Inspectors from Education Scotland visited Mid Yell Junior High School, Anderson High School, and the Janet Courtney Halls of Residence to speak to parents, children and staff. They had the opportunity to view the Proposal Paper, the notes from all the public meetings, the notes of all staff and pupil consultations, and all the written responses.
- 5.2 In summary, the report by Education Scotland on the educational aspects of the proposals acknowledges that:

"4. Summary

4.1 There are potential educational benefits of both options within the proposal. However, the council has not identified whether Proposal A or Proposal B is the more viable and should do so. Proposal B would allow young people in Mid Yell

Junior High School to experience a complete broad general education within their own community. They would then have a single transition point to the senior phase, all of which would be experienced within a single setting, maximising the choice of options and progression pathways available to them. However, this would depend upon similar curriculum models operating in both Mid Yell Junior High School and Anderson High School. In its final report, the council should give more consideration to the health and wellbeing of those children and young people who currently expect to complete their statutory education in their own communities and to the impact of the proposals on their families and the wider community.

4.2 Almost all of those who responded were opposed to both proposals. Parents, pupils and staff would like clearer information on what the proposals would mean for their children's education, with examples and opportunities to have alternatives discussed. It will be important for the council to take account of all of these views in finalising its final consultation report. The council now needs to take account of the need to eliminate uncertainty for pupils, staff and parents by deciding on its course of action."

6. Key Issues of Concern to Respondents

6.1 Education Scotland's report highlights key issues of concern to respondents which are:

- Respondents have unanswered questions about what the implementation of the proposals will look like in practice, such as the structure of the senior phase and the learning options available to young people.
- Parents would appreciate clarification regarding how individual packages will be designed and implemented for young people who do not successfully transfer to Anderson High School but return to Mid Yell Junior High School.
- In its final report, the council should give more consideration to the health and wellbeing of those children and young people who currently expect to complete their statutory education in their own communities and to the impact of the proposals on their families and the wider community.

6.2 These issues were also identified by Children's Services in their analysis of the responses and through attendance at the public meetings, and it is clear that respondents require additional information to support them in making an informed view on these matters.

6.3 In addition if Proposal A were to be implemented, the issue of provision for pupils from Mid Yell Junior High School Secondary Department who would transfer at the end of Secondary 3 to the Anderson High School and who may not then be able to cope, arose during the statutory consultation period. It was agreed at the public meetings that some provision would be made for this group of pupils in Mid Yell Junior High School but no specific details were given, and this aspect is not dealt with as part of the information provided on Proposal A in the Proposal Paper (Amended 31 October 2014). This issue is clearly also relevant to the implementation of Proposal B, however there was little discussion of it in that

context, as most respondents throughout the consultation period in oral and in written responses, dismissed the prospect of Proposal B ever being implemented.

- 6.4 As well as this, the issue of the interdependence of Mid Yell Junior High School with other educational establishments was raised during the statutory consultation period, and considered to be a material consideration. This issue particularly relates to the impact implementing any closure proposal on Mid Yell Junior High School would have on Baltasound Junior High School, and that this was not addressed in the Proposal Paper (Amended 31 October 2014). Children's Services would extend this consideration to all junior high schools in Shetland. The Amended Strategy for Secondary Education set out statutory consultation on the same two closure proposals (the discontinuation of Secondary 4 education or the closure of the secondary department) for all five junior highs with all decisions arising from the closure proposals taking place at different times but all outcomes being implemented at the same time, when the new Anderson High School was open. It would be impossible then to quantify the potential impacts at the time of writing an individual consultation report as the whole picture of secondary provision across Shetland would not be known.
- 6.5 Finally, Children's Services considers it important to highlight the mood and tone of many of the responses to this statutory consultation. There were very strong views expressed in response to both proposals on Mid Yell Junior High School Secondary Department. Feelings of anger, mistrust and resentment come across clearly. Coupled with this, there is undiluted criticism of the central service in some of the responses. Views were expressed that officers are incompetent and less than honest. In thinking about how Shetland Islands Council moves forward with consideration of the school estate in the future, in Shetland, these poor perceptions will have to be addressed.

7. Financial Savings

- 7.1 The savings from these proposals have been reviewed and updated for the publication of the Consultation Report. The detailed updated estimated Financial Savings tables for Proposal A and Proposal B can be found on Shetland Islands Council's website at: www.shetland.gov.uk/education. The revised total estimated savings from Proposal A are £149,547. The revised total estimated savings from Proposal B are £297,500.

8. The Status of the Strategy for Secondary Education

- 8.1 In accordance with the timeline presented in the Strategy for Secondary Education, the first two statutory consultations arising from Strategy, namely to discontinue Secondary 4 education or close the secondary departments at Mid Yell Junior High School and Whalsay School commenced on 19 September 2014. Following an extension to the statutory consultation period, the statutory consultation period for these consultations ended on 12 December 2014.

- 8.2 The Consultation Report presents the outcomes of the statutory consultation on the proposals to discontinue Secondary 4 education or to close the Secondary Department at Mid Yell Junior High School.
- 8.3 In clarifying the recommendations of Children's Services on the proposals for Mid Yell Junior High School, it is important to acknowledge the time delay which occurred in completing the statutory consultation process after the statutory period ended on 12 December 2014, and the reasons for this as they directly influence the recommendations in the Consultation Report.
- 8.4 It was clear from the public meetings held, the written responses received and the consultations with staff and pupils in Mid Yell Junior High School that, amongst those who responded during the statutory consultation period, there was overwhelming opposition to any change to secondary provision in Mid Yell Junior High School.
- 8.5 In addition, on 5 November 2014, Shetland Islands Council resolved to keep North Roe Primary School and Urafirth Primary School and Nursery Class open. At the same meeting Shetland Islands Council also decided to remove the planned statutory consultations on Sandness Primary School and Burravoe Primary School from the remaining Blueprint for Education proposals, as it was clear that there was no willingness to support any school closure proposals at that time, and officer time was being wasted on carrying out unnecessary work.
- 8.6 Children's Services remained clear, that the current Strategy for Secondary Education remained valid from an educational perspective, and therefore should not be further amended. As set out in the Strategy, transitions during secondary education should be avoided where possible and if a transition is required, for geographical reasons, it should not be during the Senior Phase.
- 8.7 As a result, Children's Services put a report to Shetland Islands Council on 18 February 2015, seeking their agreement to amend the statutory consultation timeline for all of the closure proposals in the Amended Strategy for Secondary Education. This was until at least, 2017 when the new Anderson High School would be open, and the Shetland Learning Partnership would be bedded in.
- 8.8 Shetland Islands Council approved this course of action. This had the effect of ceasing the statutory consultations on the closure proposals affecting Mid Yell Junior High School Secondary Department and Whalsay School Secondary Department, at the point they had reached in the process and meant that consultation reports on the proposals affecting these schools would not be published.
- 8.9 However, following on from this decision, Shetland Islands Council was widely criticised for the fact that the statutory moratorium would not apply to these schools. Representations were received from parents and Parent Councils who were concerned about the implications for the affected schools.
- 8.10 Children's Services reported to Shetland Islands Council again on 27 May 2015, recommending that the decision taken on 18 February 2015 be revoked, and that they proceed to publish Consultation Reports on the closure proposals affecting

- 8.11 In addition, that report made it clear that, once published, the recommendation in each consultation report would be that Shetland Islands Council did not to implement any of the closure proposals for Mid Yell Junior High School Secondary Department and Whalsay School Secondary Department at this time. If this is agreed by Shetland Islands Council then the five year moratorium on further closure proposals on Mid Yell Junior High School and Whalsay School would apply. The updated Statutory Guidance on the Schools (Consultation) Scotland) Act 2010, makes it clear that the five year moratorium can be revoked if during that time there is a 'significant change' in the circumstances of a school.

9. Conclusion

- 9.1 There is overwhelming opposition to both proposals expressed by respondents. The explicit opinion of 70% of respondents is that Secondary 1 to Secondary 4 is not a model that requires any revision with respect to how best we deliver Curriculum for Excellence for all our young people. Education Scotland in their report also identify areas of concern for respondents that they feel Children's Services have not fully addressed in the Proposal Paper. Children's Services acknowledges these gaps exist from the perspective of relevant consultees.
- 9.2 In saying that, Education Scotland, however, also acknowledge that both proposals have the potential to offer educational benefits to the pupils directly affected by them:
- "There are potential educational benefits of both options within the proposal. However, the council has not identified whether Proposal A or Proposal B is the more viable and should do so. Proposal A would allow young people in Mid Yell Junior High School to experience a complete broad general education within their own community. They would then have a single transition point to the senior phase, all of which would be experienced within a single setting, maximising the choice of options and progression pathways available to them. However, this would depend upon similar curriculum models operating in both Mid Yell Junior High School and Anderson High School. In its final report, the council should give more consideration to the health and wellbeing of those children and young people who currently expect to complete their statutory education in their own communities and to the impact of the proposals on their families and the wider community."*
- 9.3 Children's Services throughout this process has recognised the overwhelming opposition which exists in the affected communities to any changes to the secondary school estate, proposed by the Amended Strategy for Secondary Education. We also recognise at present, that this has resulted in a political unwillingness to implement any school closure proposals in the school estate in Shetland.
- 9.4 These issues are crystallised by Education Scotland in their report on the proposals for Mid Yell Junior High School:

Mid Yell Junior High has been the subject of a number of school consultations over the last ten years. As a result, parents, staff and children have faced uncertainty over future education provision. All stakeholders expressed a desire for the council to make a clear decision and provide a substantial period of stability.

9.5 Consequently the recommendations of Children's Services for the closure proposals on Mid Yell Junior High School are as follows:

10. Recommendation

10.1 With respect to **Proposal A** which is as follows:

- A stage of education at Mid Yell Junior High School Secondary Department, namely Secondary 4 be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- The Secondary 4 pupils of Mid Yell Junior High School Secondary Department continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and
- The catchment area for Anderson High School for Secondary 4 pupils be altered to include the current catchment area for Mid Yell Junior High School Secondary Department Secondary 4 pupils.

10.2 Children's Services recommends that **no part** of this proposal is implemented.

10.3 With respect to **Proposal B** which is as follows:

- Stages of education at Mid Yell Junior High School Secondary Department, namely Secondary 1, Secondary 2, Secondary 3 and Secondary 4 be discontinued with effect from 1 July 2016, or as soon as possible thereafter;
- Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils of Mid Yell Junior High School Secondary Department continue their education at Anderson High School from 17 August 2016, or as soon as possible thereafter, when the Anderson High School new build is ready to receive pupils; and
- The catchment area for Anderson High School for Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils be altered to include the current catchment area for Mid Yell Junior High School Secondary Department Secondary 1, Secondary 2, Secondary 3 and Secondary 4 pupils.

10.4 Children's Services recommends that **no part** of this proposal is implemented.