



Shetland Islands Council

MINUTES

AB - Public

Special Education and Families Committee
Council Chamber, Town Hall, Lerwick
Thursday 9 June 2016 at 10.00am

Present:

Councillors:

P Campbell	B Fox
A Manson	G Robinson
D Sandison	G Smith
M Stout	V Wishart

Religious Representatives:

T Macintyre	M Tregonning
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Apologies:

G Cleaver	R MacKay
F Robertson	

In Attendance:

H Budge, Director – Children's Services
A Edwards, Executive Manager – Quality Improvement
S Thompson, Executive Manager - Schools
K Johnston, Solicitor
M Thomson, Management Accountant
L Geddes, Committee Officer

Chairperson

Ms Wishart, Chair of the Committee, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

None

16/16 Schools (Consultation) (Scotland) Act 2010 – Consultation Report – Whalsay School

The Committee considered a report by the Director of Children's Services (CS-11-16-F) which presented the Consultation Report prepared as part of the statutory consultation exercise undertaken by Children's Services under the Schools (Consultation) (Scotland) Act 2010.

The Director of Children's Services summarised the main terms of the report, highlighting that the proposal, along with the identical proposal for Mid Yell Junior

High School (JHS) Secondary Department, were the first two formal statutory consultations which resulted from the amended Strategy for Secondary Education agreed by Shetland Islands Council on 2 July 2014. The statutory consultation period for this proposal ran from 19 September 2014 to 12 December 2014, and the presentation of this Consultation Report completed the statutory process for Whalsay School Secondary Department.

Her recommendation, as set out in the Consultation Report, was that no part of either closure proposal for Whalsay School Secondary Department be implemented. This recommendation had been reached following on from the end of the statutory consultation period, when Shetland Islands Council had agreed, on 18 February 2015, to suspend the statutory consultation process with respect to this proposal and the identical one for Mid Yell JHS Secondary Department. This followed the decision taken by Shetland Islands Council on 5 November 2014 not to close North Roe Primary School and Urafirth Primary School and Nursery Class, and a decision not to proceed with the outstanding statutory consultations on closure proposals arising from the Refresh of the Blueprint for Education. At that time, there was an acknowledgement that this Council had no further appetite for school closures.

However concerns were then raised about this decision from the Scottish Rural Schools Network and the affected communities that this action had the effect of not affording Whalsay School and Mid Yell JHS Secondary Department the five-year period of protection from further closure proposals, as the Consultation Reports had not been published and a formal decision taken on them. As a result of these concerns, and following advice received from Senior Counsel on 27 May 2015, Shetland Islands Council further agreed that Children's Services should complete the statutory consultation process by publishing the consultation reports for the two schools. Once published, Consultation Reports must be presented to a Council for a decision and, importantly, Shetland Islands Council also agreed on 27 May 2015 that the recommendations in these reports should be that there will be no change to the current education provision at Whalsay School and Mid Yell JHS. Therefore that was her recommendation for Whalsay School Secondary Department.

She concluded by thanking officers across the Council for their contribution to the Consultation Reports, in particular, the Executive Manager – Quality Improvement who had worked for months on the reports.

Responding to a query, she confirmed that should parents wish to put in a placing request for their child from Secondary 4 in order that they could access the subjects they wished to study, the Council had previously agreed that travel and hostel costs would be met by the Council.

Ms Wishart moved that the Committee approve recommendations 2.1(a) and (b) in the report.

In seconding the motion, Mr G Smith highlighted that there would be significant changes ahead for education in Shetland as a result of national and local policies, strategies and initiatives. These would be further affected by the Scottish Government's proposals to consider regionalisation and direct school funding, and by the Council's ongoing financial situation. The Council did not receive enough funding to deliver education in Shetland the way it wanted to. Although the Committee had made savings each year, he was of the view that it was no longer possible to continue to do so without impacting on the quality of education delivered

in Shetland for all pupils, and without affecting attainment levels. It was important that the Scottish Government recognised the challenges of delivering education in island communities where there were smaller school rolls, and he suggested that there was a need for the Council to seek an urgent meeting with the Cabinet Secretary – Education and Skills, John Swinney, Cabinet Secretary – Finance and the Constitution, Derek Mackay, and Humza Yousaf, Minister for Transport and the Islands, regarding the realities of delivering the education agenda in small island communities.

The Committee agreed.

It was commented that it was important that the Council had a strategy in place to develop its lobbying efforts to get a better deal for education funding, and that it took an active stance in seeking a demonstration as to how proposed national policy changes would work in a Shetland context.

Decision:

The Education and Families Committee **RECOMMENDED** 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.

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

The Committee considered a report by the Director of Children's Services (CS-12-16-F) which presented the Consultation Report prepared as part of the statutory consultation exercise undertaken by Children's Services under the Schools (Consultation) (Scotland) Act 2010.

The Director of Children's Services summarised the main terms of the report, highlighting that the proposal, along with the identical proposal for Whalsay School Secondary Department, were the first two formal statutory consultations which resulted from the amended Strategy for Secondary Education agreed by Shetland Islands Council on 2 July 2014. The statutory consultation period for this proposal ran from 19 September 2014 to 12 December 2014, and the presentation of this Consultation Report completed the statutory process for Mid Yell JHS Secondary Department.

Her recommendation, as set out in the Consultation Report, was that no part of either closure proposal for Mid Yell JHS Secondary Department be implemented. This recommendation had been reached following on from the end of the statutory consultation period, when Shetland Islands Council had agreed, on 18 February 2015, to suspend the statutory consultation process with respect to this proposal and the identical one for Whalsay School Secondary Department. This followed the decision taken by Shetland Islands Council on 5 November 2014 not to close North Roe Primary School and Urafirth Primary School and Nursery Class, and a decision not to proceed with the outstanding statutory consultations on closure proposals arising from the Refresh of the Blueprint for Education. At that time, there was an acknowledgement that this Council had no further appetite for school closures.

However concerns were then raised about this decision from the Scottish Rural Schools Network and the affected communities that this action had the effect of not affording Mid Yell JHS Secondary Department and Whalsay School the five-year period of protection from further closure proposals, as the Consultation Reports had not been published and a formal decision taken on them. As a result of these concerns, and following advice received from Senior Counsel on 27 May 2015, Shetland Islands Council further agreed that Children's Services should complete the statutory consultation process by publishing the consultation reports for the two schools. Once published, Consultation Reports must be presented to a Council for a decision and, importantly, Shetland Islands Council also agreed on 27 May 2015 that the recommendations in these reports should be that there will be no change to the current education provision at Mid Yell JHS and Whalsay School. Therefore that was her recommendation for Mid Yell JHS Secondary Department.

In moving that the recommendation in the report be approved, Ms Wishart highlighted that there had been a series of attacks on the integrity of professionals working in Children's Services which, in her view, was unacceptable and very unfair. It was unfair because staff could not respond, and it was unacceptable because the allegations were untrue and had been rebutted in the Consultation Reports. She went on to say that her experience of working with staff in Children's Services had confirmed her belief that they were professional, honest and diligent, and any suggestion to the contrary required to be rebutted quite firmly. It was quite in order for the public to disagree with proposals and with councillors, but denigrating the people working very hard to provide an excellent service to the community was unacceptable.

Mr G Smith seconded.

Decision:

The Education and Families Committee **RECOMMENDED** that Shetland Islands Council resolves 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.

The meeting concluded at 10.20am.