

# WEST DUNBARTONSHIRE COUNCIL

## Report by the Chief Executive

Audit and Performance Review Committee : 16 April 2008

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**Subject: Consultation process on Phase 2 of the Regeneration of the Schools' Estate**

### **1. Purpose**

- 1.1** The purpose of this report is to analyse the consequences for West Dunbartonshire Council of the decision of Council on 30 January 2008 to reject officers' proposals for Phase 2 of the regeneration of the schools' estate and instead to embark on a comprehensive consultation process involving all educational establishments affected.

### **2. Background**

- 2.1** At its meeting on 28 November 2007, Council instructed officers to develop a strategic plan for "Phase 2" of the regeneration of the schools' estate.
- 2.2** At the same meeting, Council also reaffirmed its commitment to building a new Dumbarton Academy as a matter of priority, following the decision to remove the Dumbarton campus from the schools' PPP project.
- 2.3** Officers subsequently presented a report to the meeting of Council on 30 January 2008. The report proposed that officers should organise a series of consultation meetings based on proposals for a rationalisation of the primary schools' estate. The report also contained proposals for the future of the Council's Early Education and Childcare Centres.
- 2.4** At its meeting on 30 January 2008, Council rejected officers' proposals and approved the following motion:

*" This Council does not agree with the Officer's recommendations in the report.*

*This Council notes that years of indecision by successive Labour administrations have led to a school estate which is crumbling and not fit for purpose.*

*Council also notes that the report only looks at buildings and pupil numbers.*

*The SNP believe that schools should be at the very heart of the community. We also believe that parents, pupils and teachers should be consulted before any decisions are taken about how we regenerate our schools and make the service fit for the 21<sup>st</sup> Century.*

*To that end Council agrees that a short term member/officer and community working group be formed comprising 4 Administration, 3 Opposition (Labour), and 1 Opposition (Other), all relevant officers, 1 union rep, 1 school board rep and other school representation when applicable, which would include at least one public meeting, chaired by the Convener of Education, in every school or establishment affected, and as agreed by the working group.*

*The working group will start with a blank sheet looking at all options to include size, sites and services to be provided.*

*The working group will also consult with parents, teachers and pupils and will report back to Council before any decisions are taken.*

*Council further instructs officers as a priority to consult with staff and parents about a new Dumbarton Academy honouring the commitment given by Council in December to build a new Dumbarton Academy as soon as possible.*

*Officers will also approach the Scottish Government regarding funding options for both projects and will report back to a future Council meeting.”*

**2.5** For information, the first meeting of the Member/Officer Working Group took place on Monday 7 April 2008. The Working Group agreed that tours of the schools should be organised for all members of the working group before finalising a consultation strategy.

**2.6** Because of the strategic importance of this issue, the Audit and Performance Review Committee on 13 February 2008 requested a report on the consequences for the Council of the decisions outlined in 2.4 above.

### **3. Main Issues**

**3.1** Many of the primary schools in West Dunbartonshire are in a poor and deteriorating physical condition and some are likely to become completely unfit for purpose unless remedial action is taken.

**3.2** In the context of steadily declining school rolls, many of the schools also suffer from overcapacity issues, making them expensive and inefficient to run.

**3.3** When the education functions of West Dunbartonshire Council were last inspected by HMIE in 2003, Elected Members were criticised for having failed to address the twin issues of overcapacity and dilapidation in school buildings. Notwithstanding the work which has been done via PPP and other funding methods, it remains the case that the majority of the Council's primary schools have had little work done on them to address these issues. With HMIE scheduled to conduct a further inspection of the Council's education functions at some point during 2008, it is possible that HMIE may again criticise Members for rejecting officers' proposals in January 2008 with no clear alternative in mind.

**3.4** It should also be noted that the Schools' Estate Management Plan (SEMP) submitted to the Scottish Government by West Dunbartonshire Council in February 2008 was necessarily vague in nature and does not fully comply with the guidelines issued by the Scottish Government.

### **3.5** Funding

**3.5.1** At present it is unclear how any new phase of school building would be funded. Although the Scottish Government has expressed its intention to develop a funding stream under the title "Scottish Futures Trust" (SFT), there is no clear indication of when this funding method is likely to become available.

**3.5.2** Similarly, the Scottish Government has indicated that it will continue to support the "Non Profit Distributing Organisation" (NPDO) method of funding capital projects while the SFT is being developed. However, no new monies have so far been made available to Councils to invest in NPDO schemes and again timescales remain unclear.

**3.5.3** While the situation described in the foregoing two paragraphs might be seen to suggest that there is no urgency for West Dunbartonshire Council to determine its priorities for the regeneration of the schools' estate, the Council could be left in disadvantageous position if the Council has still not decided on a strategic plan for the schools' estate by the time the Scottish Government announces new funding streams. This could lead to a situation in which the Council is unable to take advantage of monies as they become available.

### **3.6** Consultation

**3.6.1** The motion carried at the Council meeting on 30 January 2008 (see 2.4 above) includes an addendum which commits the Council to "at least one public meeting, chaired by the Convener of Education, in every school or establishment affected". It is worth noting that, including Early Education and Childcare Centres, this amounts to 58 separate consultation meetings.

- 3.6.2** It should also be noted that these consultation meetings are non-statutory and would have to be followed by formal, statutory consultation meetings in all schools for which a change of status or location is proposed. If a radical approach to the schools' estate is adopted, this formal consultation phase could be almost as extensive as that outlined in 3.6.1 above.
- 3.6.3** The meetings outlined in the foregoing two paragraphs will require the presence of officers from the Department of Educational Services and notes of the meetings will require to be taken. In addition, the formal, statutory part of the consultation process will require to be meticulously recorded and the views expressed will have to be accurately represented in reports by officers to Council or to the Education and Lifelong Learning Committee. The whole process would also take well over a year to complete.
- 3.6.4** The Department of Educational Services does not have the capacity to service and deliver such an exhaustive consultation process and any attempt to deliver such a process would seriously impair the Department's efforts to expedite its other priorities.
- 3.6.5** It is also difficult to see what the informal part of this consultation process (ie the meetings in all 58 establishments) would achieve. All the available evidence indicates that, if one asks parents what they want in relation to their children's school, they will say that they want the school to be retained as an individual entity, either refurbished or rebuilt in its present location.
- 3.6.6** While such views are heartening, in that they indicate strong parental support for their child's school, they do not assist the Council in addressing the twin problems of dilapidated buildings and overcapacity. The retention of all existing schools, suitably refurbished or rebuilt, would also be entirely unaffordable for the Council.
- 3.6.7** In assisting officers and members to arrive at workable, strategic solutions for the schools' estate, it would be preferable and much more practical to organise the initial, informal consultations on a cluster or area basis. This would allow parents, staff and pupils to discuss the broader picture and to look at issues beyond those which affect an individual school. Such a process would offer the best opportunity for officers and members to elicit the support of stakeholders for a more strategic approach to the schools' estate and could bring school communities closer together rather than driving them apart, which could be a consequence of holding consultations in individual establishments.

**3.6.8** At the first meeting of the Member/Officer Working Group on Phase 2 of the Schools' Regeneration, held on 7 April 2008, there was significant support for the idea of consulting on an area or cluster basis, rather than conducting consultations with individual establishments.

**3.6.9** Of course, any subsequent, formal, statutory consultations on proposed closures, amalgamations or relocations would require to be conducted on an individual school-by-school basis.

#### **4. Personnel Issues**

**4.1** There are no personnel issues arising directly from this report, although subsequent decisions on a rationalisation of the schools' estate would almost certainly have implications for staff in the schools affected.

#### **5. Financial Implications**

**5.1** Apart from the cost of conducting the consultation processes, there are no financial issues arising directly from this report, although subsequent decisions on a rationalisation of the schools' estate would almost certainly have significant financial implications for the Council. The scale of such implications is impossible to assess at this time.

#### **6. Risk Analysis**

**6.1** As indicated in section 3 of this report, there are significant risks for the Council if a robust strategy for the next phase of the regeneration of the schools' estate is not developed within a reasonable timescale.

**6.2** There is a risk that the Council's reputation will be tarnished and that it will be subject to criticism for failing to address the issues of dilapidation and overcapacity. Specifically, the following bodies are likely to make comment on this matter:

- Audit Scotland (in the follow-up to the Best Value Audit);
- HMle (in the forthcoming INEA Inspection);
- The Scottish Government (whose officers oversee the Council's Schools' Estate Management Plan).

**6.3** There is a potential financial risk to the Council if a failure to develop a strategic plan for the schools' estate within a reasonable timescale leaves the Council unable to take advantage of new funding streams as they become available.

**6.4** There is a risk that the exhaustive school-by-school consultation strategy approved by Council on 30 January 2008 will overstretch the Department of Educational Services and will hamper the Department's efforts to address its other priorities and to deliver on its statutory obligations.

**6.5** Because of the fact that parents naturally want to fight to protect their own child's school, there is a risk that the school-by-school approach to consultation will fail to produce a clear strategy for schools' regeneration which is affordable for the Council and which addresses the problems of dilapidated buildings and overcapacity.

## **7. Conclusions**

**7.1** The Consultation strategy approved by Council on 30 January 2008 will severely overstretch the resources of the Department, and is unlikely to result in an affordable strategy for schools' regeneration which is deliverable within reasonable timescales.

**7.2** A consultation strategy on an area or cluster basis is much more likely to produce workable results. It is also capable of being delivered within existing Departmental resources.

**7.3** It is important for the Council to develop a robust strategic plan for the next phase of schools' regeneration within a reasonable timescale if it is going to be able to take advantage of new funding streams as they become available.

## **8. Recommendation**

**8.1** **It is recommended that the Audit and Performance Review Committee consider the content of the report.**

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**David McMillan**  
**Chief Executive**  
**Date: 10 April 2008**

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**Appendices:** None

**Background Papers:** Council Report of 30 January 2008 on Phase 2 of the Regeneration of the Schools' Estate  
Minutes of the meeting of Council on 30 January 2008

**Wards Affected:** All wards