



# **West Dunbartonshire Council Education, Learning and Attainment Services**

## **REPORT ON THE OUTCOME OF THE CONSULTATION RELATING TO THE PROPOSAL**

To establish a new school providing education for young people with additional support needs in the former Riverside Early Learning Childcare Centre (ELCC) premises from August 2024.

**Published 15 February 2023**

This report has been published by West Dunbartonshire Council in response to the statutory consultation undertaken under the terms of the Schools (Consultation) (Scotland) Act 2010. The report will be published on the Council's website for a period of no less than 3 weeks prior to final consideration by the Educational Services Committee on 8 March 2023.

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## **1. INTRODUCTION**

1.1 This is a consultation response report prepared in compliance with the Schools (Consultation) (Scotland) Act 2010 following consultation on the West Dunbartonshire Council (The Council) proposal to establish a new school providing education for young people with additional support needs in the former Riverside ELCC premises from August 2024.

1.2 The purpose of the response report is to:

- Provide a record of the total number of responses made during the Statutory Consultation period;
- Provide summary of the written responses;
- Provide details of oral representations made at the public meetings held on 25 October 2022;
- Provide a statement of the Council's response to those written and oral representations;
- Provide the full text of Education Scotland's report and a statement of the Council's response to this report;
- State how the Council reviewed the above proposal following the representations received during the Statutory Consultation period and the report from Education Scotland;
- Provide details of any omission from, or inaccuracy in, the Proposal Paper and state how the Council acted on it; and
- State how the Council has complied with Sections 11A to 13 of the Schools (Consultation) (Scotland) Act 2010 when reviewing the above proposals.

## **2. BACKGROUND**

2.1 On 16 March 2022, Council approved the expansion of the school learning estate to meet projected needs of the Additional Support Needs (ASN) sector. Whilst there has been expansion within the Primary ASN provision it has been recognised that it is now necessary to expand the secondary provision as this cohort moves through primary to secondary. As part of this expansion the Council is proposing to redevelop the former Riverside ELCC into a new school for young people with additional support needs.

2.2 The main reasons for the choice of this site were:

- the site is already within the Council's ownership;
- the suitable size, ground conditions, topography and the availability of utility services on the site;
- the site is located next to St. Martin's Primary School and Vale of Leven Secondary School, which will provide opportunities for community building, collaborative planning and learning.

2.3 On 28 September 2022 the Educational Services Committee agreed to commence formal consultation on the proposal for the new ASN School, and

that a report outlining the results of the consultation and making appropriate recommendations be presented to the meeting of the Educational Services Committee in March 2023.

- 2.4 As the proposal, if enacted, involved the opening of a new school, the consultation process was carried out in accordance with the Schools (Consultation) (Scotland) Act 2010 as amended, as outlined in the Act and the accompanying Statutory Guidance.

### **3. THE CONSULTATION PROCESS**

- 3.1 The statutory consultation process, which requires the Council to adopt a robust and transparent framework for consultations on school closures and other major changes to the schools estate, was undertaken in respect of the proposal. The consultation document developed for consideration included information on the:

- Proposal;
- Consultation process;
- Arrangements for public meetings;
- On how to participate in the consultation;
- Educational benefits of the proposal;
- Site map of the proposed new build location; and
- Consultation timeline

- 3.2 An electronic link to the Proposal Paper was issued by email to the stakeholders detailed within that document. The Proposal Paper and details of the consultation were made available on the consultation section of the Council's website: [Riverside ASN School Consultation](#)

- 3.3 The Act requires a consultation period of at least 6 weeks which must include at least 30 school days. The consultation period ran from Monday 3 October 2022 to midnight on Friday 11 November 2022. (A total of 33 days when the schools were open for pupils and reflecting the 5 days where schools were closed due to October week).

- 3.4 The requirements for consulting on a relevant proposal relating to schools are set out in the Schools (Consultation) (Scotland) Act 2010 and the following steps were taken to ensure compliance with the Act:

- Proposal Paper published on Monday 3 October 2022.
- Statutory consultees were sent an email providing a link to the Proposal Paper and details of where, and how to obtain a paper copy free of charge and how to participate in the consultation.
- Schools distributed details of the consultation to staff and parents/carers.
- Proposal Paper published on the West Dunbartonshire Council website and available in paper copy upon request, and information on the consultation published on social media.

- Public notice in the ‘Dumbarton Reporter’ and ‘Clydebank Post’ newspapers advising of the consultation.
- Public consultation meetings were held on 25 October 2022 to facilitate involvement, discussion and sharing of information.
- Education Scotland’s involvement consisted of: Proposal Paper being sent to them, attendance at public consultation meetings, follow up consultation meetings with Head Teachers, Pupils, Parent Council representatives, and Church representatives. Education Scotland were also provided with copies of online survey results/comments, written representations and minutes of the public meetings held which contained oral representations.

3.5 In accordance with statutory requirements and good practise, the following relevant stakeholders were consulted:

- Education Scotland;
- Archdiocese of Glasgow of the Roman Catholic Church;
- Parent Councils of St Martin’s Primary School and Vale of Leven Academy due to their adjacency to the proposed new school;
- Parents/carers of any children expected by West Dunbartonshire Council to attend the new schools within two years of the date of publication of this Proposal Document;
- Teaching and support staff at St Martin’s Primary School;
- Trade union representatives of the above staff;
- User groups or individuals who currently utilise the facilities at St Martin’s Primary School;
- Neighbouring local authorities;
- The constituency MSP and constituency MP.

#### **4. PUBLIC CONSULTATION MEETINGS**

4.1 An online public consultation meeting was held on 25 October (2.00 p.m. – 4.00 p.m.) with no members of the public or interested parties attending. A public meeting was held in St. Martin’s Primary School (7.00 p.m. – 9.00 p.m.) with 12 members of the public, 3 staff members and an HM Inspector attending the meeting.

4.2 A full note of the meetings is contained within Appendix 1 and the meeting note also details the questions/comments raised at the meetings and the responses.

#### **5. RESPONSES TO THE CONSULTATION EXERCISE**

5.1 Members of the public were encouraged to respond to the consultation through the online survey, by phone or in writing.

5.2 A total of 7 respondents responded through the online survey as detailed overleaf.

<b>Resident/Non Resident</b>	<b>Number of respondents</b>
Resident within west Dunbartonshire	6
Non resident	1
<b>TOTAL</b>	<b>7</b>

5.3 A breakdown of category of interest from respondents is detailed below.

<b>Interest</b>	<b>Number of respondents</b>
Parent/carer of child with additional support needs	3
Parent/carer of child with no additional support needs	0
Work at St. Martin's Primary School	0
Trade Union	0
Other	4
<b>TOTAL</b>	<b>7</b>

**Note** – other includes (childcare worker (1) / member of public (1) / other local authority (1) / education support staff (1))

5.4 A summary of the completed online responses to the question “Are you in favour of the proposal to redevelop the former Riverside Early Learning and Childcare Centre (ELCC) to form a new school, supporting ASN needs, on St. Martin's Campus”? Is detailed below. The majority of the respondents were in favour of the proposal.

<b>RESPONSE</b>	<b>No.</b>	<b>%</b>
Yes	6	85.71%
No	1	14.29%
<b>TOTAL</b>	<b>7</b>	<b>100%</b>

## **6. SUMMARY OF ISSUES RAISED BY STAKEHOLDERS AND EDUCATION AUTHORITY RESPONSE**

6.1 From the 7 online response forms, 6 respondents completed the comment box which provided the opportunity for individuals to comment on the proposal. The comment and response from Education Services is detailed below.

### Comment 1:

*“West Dunbartonshire Council’s proposal to develop an ASN school seems to be a positive response to the increasing numbers of children and young people with additional support needs who require a higher level of specialist support. It is not unique that current specialist provisions across the country are experiencing increased pressures on available capacity therefore this would seem to be a positive move for the Council to meet the needs of their*

*children and young people. There is always the potential of placing requests from other local authority areas who border with West Dunbartonshire however this should not be a barrier for West Dunbartonshire, who are seeking solutions to meet the needs of their children and young people who present with complex additional support needs and who require a higher level of specialist support.”*

**Response:** On 16 March 2022, Council approved the expansion of the school learning estate to meet projected needs of the ASN sector. This is a positive comment which recognises our response to projected needs in West Dunbartonshire. If the proposal is approved this will provide provision for 36 young people with additional support needs due to transition to secondary school.

Comment 2:

*“Although I’m not completely opposed to this proposal, as someone who works in early years I believe our youngest children with ASN need more support. A nursery that is purpose built and has appropriate facilities to support our youngest children with ASN is urgently needed and I believe this should be prioritised. I understand inclusion and equality but how can we possibly get it right for every child and help raise attainment when there are so many children requiring additional support in one setting; a setting which does not have the correct facilities, which is actually currently having to be adapted and does not have enough support staff. How are we getting it right for EVERY child and meeting their needs? How can we possibly give children with ASN the additional support they require? Early years is being completely forgotten about, when children with severe needs go to school they will go to a school where there are less children and more support staff. So why is this not the same in nursery? What ever happened to early intervention? Is it not about time someone fought for accessible nurseries to be built which are supplied with the required equipment and trained staff? And people wonder why there is such a large amount of council staff suffering with their mental health.”*

**Response:** Getting it right is at the heart of what our early learning and childcare staff do day to day for children and families. For example, our Learning Assistants provide additional support for children when required. Pupil and Family Support Workers provide support between the home and ELC. Our early stages teachers contribute to the identification of children with additional support needs; actively contribute to the intervention process through assessment, planning and implementation; devise support plans in consultation with early year’s staff; and respond to children’s particular learning needs. Each early years centre has a link Educational Psychologist allocated to provide a regular visiting service, advice, training and support for families. In West Dunbartonshire we also have specialist ELC provision at Kilpatrick Early Years’ Service. The admissions guidance for ELC is being reviewed in order to support our staff teams to provide the service required for families with children with ASN.

Comment 3:

*“A welcome addition to the ASN estate in WDC”.*

**Response:** As an authority we welcome this positive response to the Council’s plan to expand the school learning estate to meet projected needs of the ASN sector. If agreed the proposal will result in the development of a new school to accommodate 36 young people with additional support needs.

Comment 4:

*“N/a”*

**Response:** No response required.

Comment 5:

*“The VoL base caters for young people who are able to integrate into a main stream setting. Kilpatrick meets another spectrum of needs. What about in between? The provision is inadequate. There should be provision within existing and proposed ASN establishments for Catholic education, or at least, support for making sacraments. This is currently lacking; perhaps with exception to the base within Balloch Campus that also happens to have a Catholic school? Children currently need to be taken out of school and private arrangements made for making sacraments. This is not acceptable and puts Catholic young people, attending a base within a non-denominational school, at a disadvantage from Catholic young people at Catholic schools”.*

**Response:** The position noted is not accurate as support is provided. At present any child, or young person, in a special setting requiring support to prepare and receive The Sacraments and practise their Faith does receive support. The Council has no plans to open a separate denominational additional support needs setting.

Comment 6:

*“Provision for ASN at secondary level in the Dumbarton and VoL area is significantly lacking”.*

**Response:** This proposal is part of West Dunbartonshire Council’s plan to expand the school learning estate to meet projected needs of the ASN sector and would accommodate 36 young people due to transition to secondary school.

- 6.2 In addition to the online responses, one written submission was received from the Archdiocese of Glasgow. A summary of the main points from the submission is outlined below:



- Congratulate the Council in their endeavours to provide expansion to their ASN learning estate.
- Recognise that the proposal will involve redeveloping the former Riverside ELCC into a new school and this would be a shared campus with St. Martin's Primary School. The two schools would remain separate located on the one campus.
- Notes that the Council will ensure that the plans for the co-location of the two schools will be in accordance with the Catholic Church's protocols for co-located establishments.

6.3 Whilst the Archdiocese is in favour of the proposal the following points were outlined for consideration by officials planning the school due to the different ages of the pupils in the two schools.

- The approaches to the separate entrances to the schools are safe for pupils in both schools
- Any connecting door(s) between the two schools ensure security for all the pupils
- Any use of shared facilities e.g. gym hall/assembly hall, general purpose room is well timetabled

6.4 The Council welcomes the response from the Archdiocese and notes the supportive views within the submission. The Council has worked effectively with the Archdiocese regarding similar new builds on a co-located campus and will continue to engage with the Archdiocese and will make arrangements to meet with advisors on a regular basis.

6.5 This will be a refurbishment not just an upgrade and the layout will be different from the layout used for Riverside ELCC. There will be 2 separate schools, with 2 separate entrances and each school would have its own senior management team. The design for the building will ensure safety for all pupils and staff. There will be an additional security door, each school would have their own toilets and areas. Use of shared facilities will be through a robust timetabled system.

## **7. EDUCATION SCOTLAND REPORT AND EDUCATION AUTHORITY RESPONSE**

7.1 In accordance with the Schools (Consultation) (Scotland) Act 2010, a report was produced by Education Scotland on the educational aspects of the proposal. Education Scotland agree that the proposal has the potential to bring clear educational benefits for young people with additional support needs attending the school. Almost all stakeholders who spoke with HM Inspectors or responded in writing are supportive of the proposals and recognised that it will enhance the current provision within West Dunbartonshire and provide an option for children to be educated locally.

7.2 The Education Scotland report can be read in full in Appendix 2, and the summary conclusions from the report were as follows:

- HM Inspectors agree that the proposal has the potential to bring clear educational benefits for young people with additional support needs attending the new school.
- A shared campus will create joint learning opportunities for both the new school and the existing primary school.

7.3 The Council welcomes the report from Education Scotland and accepts its response to the Council's proposal. The report detailed that in order to alleviate any concerns that stakeholders may have about the layout of the building, the Council should share plans as soon as practicable. In addition the report stated that should the proposal go ahead, the Council should ensure that all stakeholders are kept fully up to date with developments.

**Response:** If the proposal goes ahead the Council is fully committed to including all stakeholders in the planning and design stage, and will continue to use effective communication strategies to ensure continued engagement with all stakeholders throughout the development.

7.4 A few stakeholders expressed some reservations in terms of safety regarding car parking and access at the school at busy times.

**Response:** The Council is aware of known problems at the site with car parking, and drop off points and the turning area and has developed an indicative plan in relation to car parking including using available land to accommodate wider car parking area and this plan will be further developed and made available to stakeholders as part of the planning and design stage,

## 8. ALLEGED OMISSIONS OR INACCURACIES

8.1 Section (10) (3) of the 2010 Act also places a requirement on the Council to provide details of any inaccuracy or omission within the Proposal Paper which has either been identified by the Council or raised by consultees. This section of the 2010 Act also requires the Council to provide a statement on the action taken in respect of the inaccuracy or omission, or, if no action was taken, to state that fact and why.

8.2 In the course of the consultation exercise, there were no areas identified by respondents as being inaccurate or omitted from the Proposal Paper during the consultation period.

## 9. COMPLIANCE WITH SECTION 9(1) OF THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010

9.1 Section 9(1) of the Schools (Consultation) (Scotland) Act 2010 states that: After the Education Authority has received Education Scotland's report, the Authority is to review the relevant proposal having regard (in particular) to:

- (i) written representations received by the Authority (from any

- person) during the consultation period;
- (ii) oral representations made to it (by any person) at the public Meeting; and
- (iii) Education Scotland's report.

- 9.2 Following receipt of the Education Scotland report, the Council has reviewed the proposal, having regard to the written and oral representations made and to Education Scotland's report.
- 9.3 The feedback from the consultation was considered by officers where all the questions and comments raised were considered in detail. This ensured that the Council met the requirements to review the proposal under section 9(1) and 13(5) of the 2010 Act.
- 9.4 Officers of the Education Authority have listened carefully to the points made at the public meeting and have considered equally carefully the Education Scotland report, online representations and written submission.
- 9.5 The proposal was reviewed to consider whether any of the representations led to the Council to reconsider any other reasonable alternatives to the proposal. There were no factors which led to reconsidering the proposal and it was also noted that 6 out of the 7 individuals who responded to the online survey were in favour of the proposal, and there is general support for the proposal across all groups of stakeholders.
- 9.6 The educational benefits were reviewed in respect of the Education Scotland report and representations made. There were no factors included in the Education Scotland report or representations made requiring any aspect of the educational benefits to be reconsidered.

## **10. LEGAL ISSUES/NEXT STEPS**

- 10.1 The Council has complied in full with the requirements of the Schools (Consultation) (Scotland) Act 2010 throughout this statutory consultation.
- 10.2 Under the terms of the Schools (Scotland) (Consultation) Act 2010, it is a legal requirement that the Council should not reach any formal decision without waiting until a period of three weeks starting on the day on which this Consultation Report is published in electronic and printed form has expired.
- 10.3 This Consultation Report will be published, both electronically and available in written form, if required, on Wednesday 15 February 2023, this meets the statutory requirement to publish this report for more than three weeks before the report on the consultation is considered by Educational Service Committee on Wednesday 8 March 2023 for final decision. If approved the Council will ensure continued engagement with all stakeholders throughout the development.

