



PERTH AND KINROSS COUNCIL
EDUCATION AND CHILDREN'S SERVICES
CONSULTATION REPORT

**REPORT ON THE OUTCOME OF THE CONSULTATION RELATING TO
THE PROPOSAL TO AMEND THE CATCHMENT AREA FOR
ABERNYTE PRIMARY SCHOOL TO INCLUDE THE AREA NORTH OF
THE A90 WHICH IS CURRENTLY WITHIN INCHTURE PRIMARY
SCHOOL CATCHMENT AREA.**

21 September 2022

This Consultation Report has been issued by Perth and Kinross Council in accordance with the Schools (Consultation) (Scotland) Act 2010.

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PERTH AND KINROSS COUNCIL
EDUCATION AND CHILDREN'S SERVICES

This report has been prepared following consultation on the Council's proposal to:

- Amend the catchment area for Abernyte Primary School to include the area north of the A90 currently within Inchtute Primary School catchment area with effect from August 2023.

Having had regard (in particular) to:

- (a) Relevant written representations received by the Council (from any person) during the consultation period;
- (b) Oral representations made to it (by any person) at the public meeting held on 9 June 2022; and
- (c) Education Scotland's report on the proposal.

1. INTRODUCTION

This is a consultation report prepared in compliance with the Schools (Consultation) (Scotland) Act 2010 on the above proposal.

1.1 The purpose of this report is to:

- Provide a record of the total number of written responses made during the Statutory Consultation period;
- Provide a summary of the written responses;
- Provide a summary of oral representations made at the public meeting held on 9 June 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; and
- Provide details of any omission from, or inaccuracy in, the [Proposal Paper](#) and state how the Council acted upon it.

2. BACKGROUND

- 2.1 On 4 November 2020, Lifelong Learning Committee approved the scope and principles to be used to underpin the options appraisal to be developed for a catchment review for Abernyte Primary School ([Report No. 20/208 refers](#)). Lifelong Learning Committee requested the Executive Director (Education and Children's Services) to submit a completed options appraisal to Lifelong Learning Committee in May 2021
- 2.2 On 26 May 2021, Lifelong Learning Committee considered the outcome of the options appraisal ([Report 21/64 refers](#)). The proposed recommendations within the report were considered and amended by the Lifelong Learning Committee in their [deliberations](#). The Lifelong Learning Committee subsequently approved the recommendations of the options appraisal to maintain a school capacity of 44 pupils at Abernyte Primary School and undertake a statutory consultation on a proposal to amend the catchment area for Abernyte Primary School to include the area currently within the Inchture Primary School catchment area north of the A90 within the catchment of Abernyte Primary School. This area would be removed from the current catchment area of Inchture Primary School. It was also noted that the introduction of nursery provision is not required at Abernyte Primary School at this time
- 2.3 The duties in undertaking a statutory consultation on a relevant school proposal are outlined in the [Schools \(Consultation\) \(Scotland\) Act 2010 and the accompanying Statutory Guidance](#).
- 2.4 Lifelong Learning Committee reports and the Proposal Paper referred to above are available on the Council's website www.pkc.gov.uk.

3. CONSIDERATIONS

- 3.1 The main considerations relating to the proposal are fully explained in the [Proposal Paper](#), and the main points are highlighted as follows:
- 3.2 The Council's Corporate Plan identifies the vision of "a confident and ambitious Perth & Kinross with a strong identity and clear outcomes that everyone works together to achieve. Our area will be vibrant and successful; a safe secure and healthy environment: and a place where people and communities are nurtured and supported'.
- 3.3 This strategic approach embraces the vision for our area, our communities and our people as outlined in the Corporate Plan. Our key service priorities support the delivery of our commitments in the Community Planning Partnership's Single Outcome Agreement and Corporate Plan, helping Education and Children's Services to focus on the local outcomes that will achieve meaningful improvements for the area, our local communities and our citizens.
- 3.4 Councils have a statutory duty in terms of the Education (Scotland) Act 1980 to make adequate and efficient provision of school education across their entire area for the current school population and future pattern of demand.
- 3.5 Councils also have a statutory responsibility in terms of the Local Government in Scotland Act 2003 to achieve best value.

To achieve best value and optimum efficiency, the organisation of the school estate is therefore kept under regular review, including the need for school provision and other factors, such as altering catchment areas.

- 3.6 The [Schools \(Consultation\) \(Scotland\) Act 2010](#) provides a strong, accountable statutory consultation process that local authorities must apply to their handling of all proposals of major changes to schools. These consultation processes are expected to be robust, open, transparent and fair, and seen to be so. They are also expected to be consistent across Scotland.
- 3.7 [The Education \(Scotland\) Act 2016](#) amends the Standards in Scotland's Schools Act 2000 by adding in new duties to address inequality of outcome. These duties apply in different ways to both Scottish Ministers and Education Authorities. Where the Education Authority is making or implementing strategic decisions about school education, it is required to have due regard to the need to carry out its functions in a way which is designed to reduce inequalities of outcome. This is particularly directed in the Act towards pupils who experience those inequalities through socio-economic disadvantage, but there is also a power to extend the range of pupils who are covered by this duty.

4. REASON FOR FORMULATING THE PROPOSAL

- 4.1 The purpose of increasing the Abernyste Primary School catchment area would be to meet the principle of building a sustainable school roll.

5. SCHOOL INFORMATION

- 5.1 Abernyste Primary School is a non-denominational school located in the village of Abernyste which is situated in the Carse of Gowrie, approximately 12 miles from Perth and approximately 12 miles from Dundee. The school roll as at Census 2021 was 18 pupils and the roll is 22 pupils for school session 2022/2023. The capacity of the school is 44 pupils. Abernyste Primary School serves all of Abernyste village and the surrounding area. The delineated catchment area is from within a boundary line from Outfield Farm, Balloleys Farm, Dundriven, Little Ballo, Lauriston Cottage Knapp and the Scottish Antiques & Arts Centre.
- 5.2 Inchtute Primary School is a non-denominational school located in the village of Inchtute situated in the Carse of Gowrie, approximately 13 miles from Perth and approximately 9 miles from Dundee. The school roll as at Census 2021 was 225 pupils and the roll is 223 pupils for school session 2022/2023. The capacity of the school is 264 pupils. The capacity of Inchtute Primary School can be increased beyond 264 pupils without the school being extended. The catchment area covers the village of Inchtute and surrounding areas of Rait, Kilspindie, Kinnauld, Craigdallie, Knapp and Ballindean. There is also nursery provision at Inchtute Primary School.
- 5.3 As part of an [options appraisal developed](#), information was collated regarding the options considered and rejected, along with feedback received during the pre-consultation exercise.

- 5.4 The Council has engaged with stakeholders and considered other options prior to formulating its proposal.

6. THE CONSULTATION PROCESS

- 6.1 A link to the Proposal Paper was issued by letter to those individuals and bodies listed under Distribution within the document. The Proposal Paper was also published on the Council's website: www.pkc.gov.uk
- 6.2 The Proposal Paper informed consultees that the consultation period would run from Monday 16 May 2022 until Wednesday 29 June 2022 – a period of at least 30 school days.
- 6.3 The proposal on which consultation took place was to:
- Amend the catchment area for Abernyte Primary School to include the area north of the A90 currently within Inchtute Primary School catchment area with effect from August 2023.
- 6.4 The requirements for consulting on a relevant proposal relating to schools are set out in the Schools (Consultation) (Scotland) Act 2010.
- A Proposal Paper was published on Monday 16 May 2022. All statutory consultees were written to providing a link to the proposal paper and details of where and how to obtain a paper copy. A copy of this document was available free of charge to the consultees listed within the document.
 - The Proposal Paper was published on the Perth and Kinross Council website and was available in paper copy upon request.
 - One public meeting was held to discuss the proposal on Thursday 9 June 2022.
 - The Consultation period ended on Wednesday 29 June 2022.
 - Education Scotland's involvement consisted of the options appraisal and proposal paper documents being sent to them, and visits to the sites of both Abernyte and Inchtute Primary Schools, including discussion with relevant consultees. They also received a copy of all written online representations and the minute of the public meeting. They then prepared a report on the educational aspects of the proposal. This is attached as Appendix 4.
- 6.5 The following schools are affected by the proposal:
- Abernyte Primary School
 - Inchtute Primary School
- 6.6 In accordance with statutory requirements and good practice, the following persons were consulted:
- The parents of the pupils and children at the affected schools
 - The parents of children expected to attend the affected schools within 2 years of the date of publication of this proposal document
 - The Parent Council of the affected schools
 - Directly affected pupils at the affected schools

- The teaching and ancillary staff at the affected schools
- The trade union and professional association representatives of the above staff
- The Community Council
- Relevant users of the affected schools
- Elected Members of Perth and Kinross Council
- The Constituency MSPs and List MSPs covering the Constituency
- The Constituency MP
- The Executive Director, Communities, Perth and Kinross Council
- Tayside Contracts
- LiveActive Leisure
- Education Scotland

- 6.7 The number of letters issued with details of the Proposal Paper was 370.
- 6.8 During the consultation period, representations were sought from interested parties, either in oral or written form or electronically. An online response form and generic email account was set up by the Council to receive representations and enquiries on the proposal.
- 6.9 This Consultation Report is the Council's response to the issues raised during the consultation period on the Proposal Paper.
- 6.10 This Consultation Report is to be published on the Council's website for a period of no less than 3 weeks prior to final consideration by Learning & Families Committee on 2 November 2022.

7. THE PUBLIC MEETING

- 7.1 A public meeting was held in Inchtute Primary School on Thursday 9 June 2022. Nine members of the public attended. A full note of the meeting is attached as Appendix 1 which details the questions and issues raised at the meeting.

8. RESPONSES TO THE CONSULTATION EXERCISE

- 8.1 In all, 12 online response forms were received. Ten responses agreed with the Council's proposal and two responses disagreed with the Council's proposal. No written representations were received.

The details of the respondents are contained within the Summary of Consultation Responses, attached as Appendix 2.

- 8.2 In summary, the oral and written responses and questions can be grouped broadly as follows:
- Support for extending the catchment area of Abernyte Primary School.
 - Flexibility in the transition arrangements to guarantee younger siblings will be able to attend Inchtute Primary School with siblings and extend to include 2 year olds in nursery.

- Logistical implications for families with a child at nursery in Inchtute and a primary school child in the catchment for Abernyte.
- Composite classes.
- The future of Abernyte Primary School and required number of pupils.
- Benefits of children attending the same nursery and primary school.
- Where children living in Abernyte catchment area will attend nursery.
- Transition from nursery to a different primary school.
- Success of placing requests made for Inchtute Primary School.
- Some parents do not want to be told to change catchment areas.

- 8.3 In summary, 370 letters were issued inviting comments and participation in the consultation. Twelve online submissions and no written responses were received in respect of the consultation. Nine members of the public attended the public meeting to give oral representations.
- 8.4 Specific consultation meetings took place with pupils at both Abernyte Primary School and Inchtute Primary School and full details of these is attached as Appendix 3.

9. EDUCATION AUTHORITY RESPONSE TO WRITTEN AND ORAL REPRESENTATIONS

9.1 Clarification was sought on whether the catchment area was changing or increasing.

The proposal is to change the catchment areas by removing the part of Inchtute Primary School catchment area which is north of the A90 and for that part to be included in the new proposed catchment area for Abernyte Primary School. The proposal will permanently increase the catchment area for Abernyte Primary School by permanently reducing the catchment area for Inchtute Primary School.

9.2 Clarification was sought regarding parents who have a child at Inchtute Nursery and want their child to go to Inchtute Primary School. Therefore, if the catchment area changes then their catchment school will become Abernyte Primary School which would require parents to be in two places at once (Abernyte Primary School and Inchtute Nursery).

If the proposal is accepted, then this may be the case for some families if the catchment area is changed. School transport for primary school pupils living more than 2 miles from Abernyte Primary School will be provided by the Council which would mean that parents would not be required to drop-off and pick-up children at Abernyte Primary School.

9.3 Clarification was sought regarding pupils of different stages being in the same class.

Many schools have composite classes as well as single classes and this is not just the case in rural schools. It is common practice for schools to operate classes of pupils of different stages. Abernyte Primary School is currently a 2 teacher school operating 2 composite classes.

9.4 Clarification was sought whether the Council would consider providing the children already at Inchtute nursery a grace period to be able to continue to attend Inchtute Primary School and allow the transition arrangements to include nursery pupils attending Inchtute nursery.

It is recognised that the Council is proposing to change a school catchment area after some families have chosen to buy a house or where some children have already commenced at their current catchment school. The Council has set out within the Proposal Paper what it considers are reasonable transition arrangements for directly affected families should the proposal be accepted. It is not proposed to provide an extended grace period for children living in the affected area to continue to attend Inchtute Primary School if the catchment area is amended. Parents who wish to do so, may make placing requests to attend Inchtute Primary School from Inchtute nursery should they not wish their children to attend Abernyte Primary School. It is considered that extending the period for children in the affected area to transfer from Inchtute nursery to Inchtute Primary School if the catchment area is amended, will not support the principle of creating an increased and sustainable roll for Abernyte Primary School.

9.5 Clarification was sought whether the change of catchment is a commitment to keep Abernyte Primary School open

The School Closure Review Panel has determined that the Council's decision to close Abernyte Primary School cannot be implemented. This decision followed a Judicial Review of Scottish Ministers' decision to call in the Council's closure decision and was considered by the Court of Session. The Court of Session did not find in the Council's favour and referred the decision to the School Closure Review Panel for determination.

The Elected Members of the then Lifelong Learning Committee requested that statutory consultation is undertaken on a proposal to amend the catchment area serving Abernyte Primary School to create an increased, sustainable school roll for Abernyte Primary School.

9.6 Clarification was sought regarding where children will go to nursery if they cannot come to Inchtute nursery due to the catchment change as their catchment school will be Abernyte Primary School.

Attendance at nursery is not determined by school catchment areas. These are completely separate and different. There is much more flexibility in where children can attend nursery within their designated Early Learning and Childcare Community. Children will still be able to attend nursery at Inchtute Primary School whilst living in the school catchment area for Abernyte Primary School.

9.7 Clarification was sought regarding whether there was a certain number of pupils required to attend Abernyte Primary School or is there no guarantee that Abernyte might close in the next 5 years.

There is not a certain number of pupils required to attend Abernyte Primary School. The Council's decision to close Abernyte Primary School was considered by the School Closure Review Panel and consent was refused for the closure decision to be implemented by the Council. The legislation provides that this decision cannot be revisited by the Council for a five year period unless there is a material change of circumstances.

9.8 Clarification was sought regarding why the Council is not guaranteeing placements for siblings to attend Inchtute Primary School.

The Council cannot guarantee placements for any pupils to attend any particular school. The Council's Admission Policy sets out that whilst the Council tries to provide enough places for all children in the catchment area to attend the catchment school, living within a catchment area does not guarantee a child a place at that school.

Therefore, the Council cannot provide guaranteed placements for children living outwith the catchment area when that guarantee is not afforded to pupils living within the catchment area. The Council has set out what it considers is reasonable transition arrangements for siblings should the catchment area be amended in line with the Council's Admission Policy which determines priority for siblings to attend the same school.

The purpose of the proposal is to try to create an increased and sustainable school roll for Abernyte Primary School. Changing the catchment area and then permitting pupils to attend their previous catchment school as entitled pupils may not achieve this. Parents continue to have the legal right to make a placing request for their child to attend a school which is not their catchment school.

9.9 Clarification was sought regarding the situation with placing requests for Inchtute Primary School.

To date, there has not been any issues with placing requests not being granted for younger siblings to attend Inchtute Primary School.

9.10 Parents need to understand how the transition will affect their family. Parents do not want to be told to change catchment areas.

Parents who raised concerns about their school catchment area being changed from Inchtute to Abernyte if the proposal was to be implemented, identified with Council Officers on the maps shown in the presentation that they do not live in the area affected by the proposed change. It was confirmed that their school catchment would remain as Inchtute Primary School as it is currently.

10. EDUCATION SCOTLAND REPORT

10.1 In accordance with the Schools (Consultation) (Scotland) Act 2010, a report was produced by Education Scotland on the educational aspects of the proposal.

10.2 The purpose of the report is to provide an independent and impartial consideration of Perth and Kinross Council's proposal to amend the catchment area for Abernyte Primary School to include the area north of the A90 currently within Inchtute Primary School catchment area with effect from August 2023.

10.3 Education Scotland visited Abernyte and Inchtute Primary Schools the week commencing 22 August 2022 to speak to relevant consultees.

10.4 The Education Scotland report is reproduced in full (Appendix 4).

10.5 The report supports the proposal and is summarised below:

- HM Inspectors agree with the Council's educational benefits statement and are confident that there is sufficient merit to amend the catchment area for Abernyte Primary School. The Council's proposal provides a possible solution to secure a sustainable roll for Abernyte Primary School with minimal to no impact on Inchtute Primary School.

- HM Inspectors agree with the Council that the proposal could also support a better gender balance, opportunities for cooperative teaching and increased opportunities for peer relationships.
- HM Inspectors agree that there are potential educational benefits in the proposal to amend the catchment of Abernyte Primary School. There have been previous periods of uncertainty around the future of the school therefore, measures to secure a sustainable future roll are welcome.
- Children, parents and staff at Abernyte Primary School who met with HM Inspectors are in favour of the proposal. Children are very proud of their school and recognise the potential benefits from an increase in the number of children attending. They particularly welcome opportunities to have a bigger peer group.
- Staff at Abernyte Primary School welcome the proposal and view it as a common sense change that could help secure the future of the school.
- Children, parents and staff at Inchtute Primary School who met with HM Inspectors' do not have any strong feelings either in favour or against the proposal. They are respectful of the views of stakeholders of Abernyte Primary School but view the proposal as having minimal or no impact on Inchtute Primary School.
- HM Inspectors agree with the views of stakeholders that the proposal brings potential longer term benefits to Abernyte Primary School with minimal impact to Inchtute Primary School.

10.6 **Perth and Kinross Council's Response to Education Scotland's Report**

The Council welcomes the report from Education Scotland and accepts its findings.

In response to the findings contained within the Education Scotland report, Perth and Kinross response is as follows:

10.6.1 **Children at Abernyte Primary School would like consideration given to cloakroom and toilet facilities should the roll grow more considerably.**

The Council monitors and reviews school rolls regularly to ensure that where considerable changes in school rolls have occurred, accommodation requirements are suitable to meet the needs of increased pupil numbers in accordance with national school accommodation standards.

10.6.2 **Staff at Abernyte Primary School would like the Council to consider the resourcing required to support learning and teaching across the curriculum for potentially larger year groups.**

Staffing levels in primary schools are reviewed on an annual basis as part of the staffing exercise which is undertaken ahead of each new school session. All primary schools are staffed in accordance with the Staffing Standard for Primary Schools which is determined by the total number of pupils attending the school. Abernyte Primary School will continue to be reviewed annually, along with all other primary schools, to ensure appropriate resourcing to support learning and teaching across the curriculum which will be determined by the actual number of pupils attending the school each school session.

10.6.3 Should the proposal go ahead, it would be helpful if the Council clarified the revised catchment area in the form of a map to ensure clarity for all stakeholders.

If the proposal is approved, then the Council will update its Geographic Information System to create and publish the amended catchment areas for both Abernyte Primary School and Inchtute Primary School. The catchment maps are published on the Council website and are linked to the online school registration application process where the correct catchment school is automatically identified by pupils' home addresses.

11. ALLEGED OMISSIONS OR INACCURACIES

- 11.1 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.
- 11.2 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.

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

- 12.1 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.
- 12.2 Following receipt of the Education Scotland report, 12 online representations, no written representations and oral representations made at the public meeting held during the consultation period, officers reviewed the proposals.
- 12.3 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.
- 12.4 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 and the online representations. The proposal was reviewed to consider whether any of the representations led to the Council to reconsider other options as being reasonable alternatives to the proposal to amend the catchment area of Abernyte Primary School.
- 12.5 None of the representations led officers to conclude that there were any other reasonable alternatives to the proposal, nor that the proposal should be reconsidered.

- 12.6 The educational benefits were reviewed in respect of the Education Scotland report and representations made.
- 12.7 There were no factors included in the Education Scotland report or representations made requiring any aspect of the educational benefits to be reconsidered.
- 12.8 Having reviewed the Education Scotland report and feedback from consultees, officers concluded that the basis of the original proposal continues to be the most appropriate response to meet the principle of building a sustainable school roll for Abernyste Primary School.
- 12.9 It is considered that the proposal addresses the issue of meeting the principle of building a sustainable school roll and remains the best solution for Abernyste Primary School. There is sufficient capacity at Abernyste Primary School to accommodate an increased catchment area and this proposal is not considered to have any material detrimental impact on Inchtute Primary School.

13. LEGAL ISSUES

- 13.1 The Council has complied in full with the requirements of the Schools (Consultation) (Scotland) Act 2010 throughout this statutory consultation.
- 13.2 The Council is mindful of its duties in respect of equality and the Equality Impact Assessment did not identify that any parent, child or young person would be treated less favourably as a result of this proposal. Pupils may have access to a wider peer group of both sexes at Abernyste Primary School which is a positive impact.

In terms of Socio Economic Impact, the assessment identified that there may be a small disadvantage for some parents who may have slightly further to travel when attending meetings or events in school. However, the identified benefits significantly outweigh any disadvantage. In addition, a number of pupils from Inchtute catchment area are already attending Abernyste Primary School as the result of successful placing requests. If the proposal is implemented, those pupils living in the area north of the A90 and living more than 2 miles from school will be transported to Abernyste Primary School by the Council rather than travelling separately at a cost to the parents.

- 13.3 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.
- 13.4 As it is the intention that this Consultation Report should be published, both electronically and in written form, if required, on 26 September 2022, this meets the statutory requirement to publish this report for more than three weeks before consideration of the proposal by Learning & Families Committee on 2 November 2022.

14. PERSONNEL IMPLICATIONS

- 14.1 There are no staffing implications relating to the proposal if implemented.

15. CONCLUSION

15.1 The Council now has 4 broad options to consider, namely:

- (a) adopt the proposal;
- (b) withdraw the proposal;
- (c) amend the proposal in some way which allows the proposal to proceed; or
- (d) amend the proposal significantly and undertake a further consultation exercise on a new proposal.

15.2 Education Scotland has considered that the proposal has potential educational benefits for young people. This may include a larger number and wider range of peers in Abernaye Primary School. This may allow children to access learning with groups of learners at all stages within a primary school and to develop their social and interpersonal skills in a broader range of appropriate contexts.

15.3 If the Council adopts the proposal, it is understood that the educational benefits set out in the Proposal Paper may materialise.

15.4 The key points that have been highlighted during the consultation period are as follows:

- The report from Education Scotland acknowledges that the proposal has potential educational benefits for pupils. This includes the potential for a larger number and wider range of peers in Abernaye Primary School, which may allow children to access a learning environment where there may be groups of learners at all stages of school, providing a better age and gender balance.
- The Council does not consider that the proposal will adversely affect Inchtute Primary School due to the small number of pupils living in the area north of the A90. Pupils already in attendance at Inchtute Primary School will not be required to move schools and will be able to complete their education at Inchtute Primary School.
- The Council's proposals have generally been supported by those stakeholders who participated in the consultation, and the majority of those consulted have raised no issues or opposition to the proposal.

16. RECOMMENDATIONS

16.1 On the basis of the feedback received and taking account of the potential educational and social benefits of the proposal, it is recommended that the Council approves:

- The amendment of the catchment area for Abernaye Primary School to include the area north of the A90 currently within Inchtute Primary School catchment area with effect from August 2023.

Sheena Devlin
Executive Director (Education and Children's Services)
21 September 2022



Education & Children's Services

Improving Lives Together Ambition | Compassion | Integrity

Statutory Consultation Public Meeting

**Minute of Meeting Held on Thursday 9 June 2022
At 7.00pm in Inchtute Primary School**

Present:

Councillor John Rebbeck
Sharon Johnston
Greg Boland
Karen Robertson

Convener, Learning & Families Committee
Head of Education & Learning
Head of Business & Resources
Service Manager - Business Services

In Attendance:

Caroline Nash – Minutes

Perth and Kinross Council

9 members of the public

Welcome and Introductions

Karen Robertson opened the meeting and welcomed the members of the public in attendance to the statutory consultation public meeting. Karen Robertson introduced herself and the panel to the members of the public and thanked them for attending.

Format of Meeting

Karen Robertson explained the format the meeting would follow.

The Proposal

Karen Robertson explained the consultation proposal to the attendees. Subject to the outcome of the consultation exercise, the Council proposes to:

- Amend the catchment area for Abernaye Primary School to include the area North of the A90 currently within Inchtute Primary School catchment area with effect from August 2023

Presentation

Karen Robertson gave a [presentation](#) explaining the proposal in further detail and explained the background to the proposal.

Karen Robertson advised that the process is strictly determined by legislation to ensure thorough and robust processes across authorities in Scotland. The process started with the consideration by Lifelong Learning Committee on 4 November 2020 which granted permission to undertake a statutory consultation. Karen Robertson emphasised that no decisions regarding the amending the catchment area for Abernyte Primary School area have been made. The only decision which has been taken to date is that Education and Children's Services is to undertake a statutory consultation on the above proposal and report the findings of the consultation back to Learning and Families Committee.

The Options Appraisal and Proposal Paper have been published on the Council's website. The period of consultation will run from Monday 16 May 2022 to Wednesday 29 June 2022 which includes a period of 31 school days. The purpose of this consultation is to seek representations from interested parties and this can be done online, in writing or in person.

The presentation outlined the current arrangements, and it was explained that the proposed revised catchment area would be effective from August 2023. The presentation also outlined the proposed transition arrangements for families in the affected area who already had children attending Inchtute Primary School. It was confirmed that if the offer of a place at Inchtute Primary School has already been made by the time of the Council decision, these will be honoured by the Council. Children would continue to attend Inchtute Primary School until they finish their education there unless parents/carers choose to transfer them to their new catchment school, Abernyte Primary School.

The presentation outlined the likely effect of the proposal on the local community and the likely effect caused by different travel arrangements. It was confirmed that no existing primary school pupils will be required to move school as a result of a change to the catchment area in which they live unless that is by parental choice. It was confirmed that transport would continue to be provided by the Council for those pupils who live beyond the statutory travel distance to their catchment school.

The anticipated educational benefits set out in the Proposal Paper were explained. Karen Robertson then went on to explain the statutory consultation process including the legal framework, consideration by Learning & Families Committee, the statutory consultation period and the different ways in which representations from interested parties could be made as the first part of the consultation process. Karen Robertson then went on to explain the next stages of the process which includes the involvement of Education Scotland, the preparation and publication of the consultation report and the final decision made by the Learning & Families Committee, currently anticipated to be November 2022.

Karen Robertson then opened up the meeting to any questions, comments or observations from the floor.

Member of Public Comment – I'm very supportive of extending the catchment area of Abernyte Primary School. I would encourage the Council to provide more flexibility into the transition period for affected families.

The After school club in Inchtute accommodates Abernyte pupils using the bus to enable them to access the provision, extending after-school care to Abernyte.

Member of Public Question - Are you changing or increasing the catchment area?

A – Karen Robertson informed the proposal was to change the catchment area.

Member of Public Comment - This is not clear, and parents think it is increasing and, therefore, there are not many parents here tonight.

Karen Robertson clarified that the proposed change to Abernyte Primary School's catchment area is to increase the catchment area for Abernyte Primary School by reducing the catchment area for Inchtute Primary School.

Member of Public Comment – If you have a child at Inchtute Nursery and want your child to go to Inchtute Primary School, if the catchment area changes then their catchment school will be Abernyte Primary School. The first day of my child attending P1 will also be the first day of my other child attending nursery. I cannot be in two places at once (Abernyte Primary School and Inchtute Nursery).

Member of Public responded – If I could answer this as I have a child at Inchtute Nursery and a P1 at Abernyte Primary School. The nursery has a 2.50pm pick up which enables me to then get to Abernyte Primary School to collect my other child.

Member of Public Question – So are you one of these parents flying from one place to another saying sorry for being late to collect your child from school? I am a stay-at-home mum and would not be happy with my P1 having to get a bus to school.

Member of Public responded – No not at all and I get there in time and I still have time to chat at the school gates. Most days my child gets the bus to Abernyte Primary School, however, if you are not happy with your child getting the bus then this does still work.

Member of Public Comment – Thank you it was nice hearing of another parent's experience. We lived in Abernyte and moved to Inchtute so that our children could go to nursery and primary school here.

Member of Public Comment – This is more like a business decision and just about numbers of pupils. There is no evidence about children's transition or educational impact.

Member of Public Comment – If you go to a school in P1 that has 16 pupils there are 4 five year olds and 4 eight year olds and 8 ten year olds all in the same class which is not ideal.

A - Sharon Johnston explained that a lot of schools have composite classes as well as single classes and this is not just the case in rural schools.

Member of Public Comment – I went to a school with composite classes and only one teacher.

Member of Public Comment – There is not just one teacher at Abernyte, there are 2 teachers and there is a pupil support / classroom assistant.

Member of Public Comment – I know for a fact that the parent that has just left is going to the housing development meeting regarding the building of new family homes. More families will move into the area with the housing development.

Member of Public Question – Would the Council consider providing the children already at Inchtute nursery a grace period to be able to continue to attend Inchtute Primary School?

A – Karen Robertson advised that it is recognised that the Council is proposing to change the catchment after some families have chosen to buy a house here or where some children have already commenced at their current catchment school. The Council has set out within the Proposal Paper what it considers are reasonable transition arrangements for directly affected families should the proposal be accepted. The Council will record and consider all comments so that these can be addressed in the final report.

Member of Public Comment – For the children already attending Inchtute, there must be flexibility in the transition period for younger siblings to attend the same school.

Councillor Rebbeck advised that this proposal is trying to make the school roll at Abernyte Primary School sustainable. The Council would like to do that without it being detrimental to people like some of the parents attending here tonight.

Member of Public Comment – I support the transition period being extended to include nursery pupils from 2 year old.

Karen Robertson advised that all views made at the meeting would be recorded and parents were being encouraged to look at the Proposal Paper and submit their views to the Council for consideration.

Member of Public Question – Is this change of catchment a commitment to keep Abernyte Primary School open? It was not deemed necessary to have a nursery at Abernyte Primary School.

A – The Decision has been taken that Abernyte Primary School is to remain open. The Elected Members of the then Lifelong Learning Committee have requested that statutory consultation is undertaken on a proposal to amend the catchment area serving Abernyte Primary School.

Member of Public Comment – I am a teacher and see the benefits of children attending the same nursery / school.

Member of Public Question – Where will my child go to nursery if they cannot come to Inchtute due to the catchment change meaning their catchment school will be Abernyte Primary School?

A – Attendance at nursery is not determined by school catchment areas. These are completely separate and different. There is much more flexibility in where children can attend nursery within their designated ELC Community.

Children will still be able to attend nursery at Inchtute Primary School whilst living in the school catchment area for Abernyte Primary School,

Member of Public Question – Would the Council consider an extended grace period for transition? Does the transition period go far enough?

A – Karen Robertson advised that it is critical the Council understands parents' concerns regarding any aspect of the proposal and parents are encouraged to ensure their views are made known in order that the Council can consider whether any further amendment requires to be made to the proposal before any final decisions are made.

Member of Public Comment – This is a personal choice of not wanting my children to go to Abernyte Primary School as this is where we live, where his peers live etc.

This is affecting Inchtute parents and children rather than Abernyte. I am not against the change of catchment as long as we get a say in what we want and a guarantee that if our child attends nursery at Inchtute and they go to Inchtute Primary School then their sibling will also be able to do the same.

A – Karen Robertson advised that it is perfectly reasonable to make representation to reflect a view that is not opposed to the proposal in principle, but to have an opposing view on how the proposal would affect your family directly.

Member of Public Question – Is there a certain number of pupils required to attend Abernyte Primary School or is there no guarantee that Abernyte might close in the next 5 years?

A – Councillor Rebbeck advised that it is Elected Members who make the decisions regarding any school closures, not Education and Children's Services. It has been confirmed that Abernyte Primary School will not be considered for closure within 5 years of the previous decision.

Member of Public Comment – I was surprised by the decision to keep Abernyte Primary School open given the size of the school.

Member of Public Response – The highest court in the land determined that the Council had not acted correctly attempting to close Abernyte Primary School.

Member of Public Comment – The Educational Benefits are not saying that the education of pupils will benefit. The education provision at Abernyte and Inchtute are both good.

Member of Public Comment – It's easier for a 12-year-old to transition from primary to secondary with their peers than it is to transition from a nursery to a different primary school.

Member of Public Comment – The transition from nursery to primary is very good in Perth and Kinross.

Member of Public Question – It's not about the education for us, it's about the way we want our life to be and that's not taking one child here and another child there. Why can you not guarantee placements for siblings?

A – The Council has set out what it considers is reasonable transition arrangements for siblings should the catchment area be amended. The purpose of the proposal is to try to create an increased and sustainable school roll for Abernyte Primary School. Changing the catchment area and then permitting pupils to attend their previous catchment school as entitled pupils may not achieve this. Parents continue to have the right to make a placing request for their child to attend a school which is not their catchment school.

Member of Public Question – What is the situation with placing requests for Inchtute Primary School?

A – Karen Robertson advised that, to date, there has not been any issues with placing requests not being granted for younger siblings to attend Inchtute Primary School.

Member of Public Comment – We need to understand how the transition will affect our family. We do not want to be told to change catchment areas.

Karen Robertson advised that the Council is seeking views on the proposal and the Council wants to understand how parents feel about the proposal and if there are any other aspects the Council needs to consider further. This is the opportunity for parents to go away and review the Proposal Papers and have a think about the implications and make these known to the Council during the consultation period.

All consultees who make representations will be contacted when the Consultation Report is published, prior to any final decisions being taken.

There being no further questions or comments, Karen Robertson thanked everyone for attending. The meeting was then closed at 8.30pm.

Post Meeting Note

The parents who raised concerns about their school catchment area being changed from Inchtute to Abernyte if the proposal was to be implemented, identified with Council Officers on the maps shown in the presentation that they do not live in the area affected by the proposed change. It was confirmed that their school catchment would remain as Inchtute Primary School as it is currently.



Perth & Kinross Council

Education and Children's Services

Abernyte Primary School Catchment

Summary of Consultation Responses

The statutory consultation on the proposal to amend the catchment area for Abernyte Primary School commenced on Monday 16 May 2022 and closed on Wednesday 29 June 2022.

Details of the proposal document were issued to the list of consultees contained within the Proposal Paper. 370 letters were issued with a link to the proposal paper and details of where and how to obtain a paper copy. The Proposal Paper was also published on the Council website.

A specific email address was set up for representations and enquiries. This was in addition to the usual methods of submitting representations. An online response form was set up on the consultation webpage.

Online Response Forms

12 online response forms were received. 10 responses agreed with the Council's proposal and 2 disagreed with the Council's proposal.

RESPONDENT GROUP	NUMBER OF RESPONSES	AGREE	DISAGREE
Parents	9	7	2
Pupils	-	-	-
Staff	-	-	-
Elected Members	1	1	-
Parent Councils	-	-	-
Community Members	-	-	-
Grandparents	-	-	-
Trade Unions	-	-	-
Other	2	2	-
Not disclosed (Invalid)	-	-	-
Total	12	10	2

Public Meeting

As part of the statutory consultation process, 1 public meeting was held on 9 June 2022 at Inchtute Primary School. A presentation was given at the meeting.

Thursday 9 June 2022 – Inchtute Primary School

Attended by 9 members of the public.

The questions and comments were around:

- Support for extending the catchment area of Abernyte Primary School.
- Further flexibility within the transition arrangements for affected families.
- Clarification on whether the catchment area was changing or increasing.
- Logistical implications for families who would have a child at nursery at Inchtute and a primary school child in the catchment for Abernyte.

- Families have moved to Inchture in order that their children can attend nursery and primary school in Inchture.
- The reason for the change being about pupil numbers and not educational benefit.
- Composite classes.
- Whether the Council would consider providing assurance to affected families that children attending Inchture nursery would be able to attend Inchture Primary School.
- Flexibility in the transition arrangements to guarantee that younger siblings will be able to attend Inchture Primary School with their siblings.
- Extend the transition arrangements to include 2 year olds in nursery.
- Whether there is a commitment to keep Abernaye Primary School open and what would be the required number of pupils.
- Benefits of children attending the same nursery and primary school.
- Where children who live in Abernaye catchment area will attend nursery.
- Education provision at Abernaye and Inchture are both good.
- Transition from nursery to a different primary school.
- Transition from nursery to primary is good within Perth and Kinross.
- Can siblings be guaranteed placements at Inchture Primary School and what is the situation with placing requests being granted for the school.
- Parents do not want to be told to change catchment areas.

Written Representations

During the consultation period between 16 May 2022 and 29 June 2022, representations were invited from statutory consultees and interested parties. No written responses were received:

Comments Received on Online Response Forms

The comments were:

My [REDACTED] went into p[REDACTED] at Abernaye primary school last august. I was so pleased when the school was saved and that [REDACTED] would get to go there. It's in a lovely location, the class sizes aren't too big and the staff put so much into the school and the children. It seems to result in confident, articulate, capable and respectful children, which sets them up well for high school and beyond. It's a great school and I 100% support moving the boundary as I believe it will help sustain the school which, in turn, will give more children the same opportunities that my [REDACTED] is now getting to benefit from everything this school has to offer.

This growth will not only help in growing the smaller Abernaye school but it also integrates the wider community.

I believe this one measure will secure the future of Abernaye long term and without it there are ongoing risks for the school. The buzz at Abernaye in the last few years has been inspiring and many people are now attracted to the rural school, quality education offering that it gives. I hope that Lifelong Learning Committee opinions have been changed since the vote to close it, on the basis that children were missing out. They are not missing out, the school is excellent. Please do all you can to support its future and the rural community it is at the heart of.

It is only by expanding the catchment of Abernyte Primary School that we can ensure that it will continue to build its roll and remain a great wee school.

I think that it makes sense for the kids in the rural areas to go to the rural school by default. Also Inchtur school is already very busy. The proposed change will help make Abernyte's school more sustainable for future generations.

The proposal benefits both Abernyte and Inchtur primary school rolls: It avoids overcrowding at Inchtur when the new 50 houses are built next to the redwoods; it removes the need to extend the Inchtur building to add a classroom; it fully utilises the 2 classrooms and facilities at Abernyte; it won't increase the cost or carbon footprint of transport as a minibus provision is already in place.

It should be up to parents to decide which local school their children go to. Abernyte can't ever expand so places will always be limited. There is limited numbers of peers to socialise with and learn with. The resources and opportunities are less than in a bigger primary. Going from a small village primary to a large town secondary school is very hard to deal with. Transport to the school is harder than going to Inchtur for us as both parents work in Dundee so are passing Inchtur whereas we'd need to take a detour to get to Abernyte. Breakfast and after school clubs won't be available at Abernyte either and I presume supported learning will be lacking also. What happens for school trips? It will be composite classes which we don't believe is the best way of teaching - the children need to be being taught only what's appropriate for their primary not the primary above or below them.

A second primary school with nursery to be built within Inchtur. Moving the current 18 children attending Abernyte PS is going to be a lot easier than moving a lot more children from surrounding villages to a school that has a very limited maximum capacity.

I think this is an excellent idea, the school is doing really well, all pupils are getting a first class education and its a great idea to help the school keep up the roll numbers. A lot from all over the carse already join as it offers something a little different to a normal primary environment. These options are important for many families as well as providing schooling for the local area.

After School club at Abernyte School

Pupil Consultation

Consultation with pupils in stages P1 – P5 was undertaken in the 2 directly affected primary schools. Pupils in P6 - P7 are not affected by the proposed change to the catchment area as these pupils will be at secondary school in August 2023 when the proposed change to the catchment area would be implemented. The consultation took place on 20 June 2022.

Abernyte Primary School

16 pupils from P1 - P5 were involved in the session. Questions and comments were:

- More children would come to Abernyte
- Changes would help adults get to work, if there was transport
- There would be more resources
- It would help with climate change
- There would be more people to be friends with

- Others will think it's a good school and more children would come
- It would be better for the staff

11 agreed with the proposal and 5 were against the proposal.

Inchtute Primary School

This was undertaken as a focus group session with representatives from P1 – P5. There were 12 pupils in this session. Questions and comments were around:

- placing requests
- space in school
- sharing their own experiences
- moving schools, one from a pupil who lived in the area that the proposal covered (they did not want to have to move)

9 agreed with the proposal and 3 were against the proposal.

Abernyte Catchment Review

Pupil Consultations – 20 June 2022

Anne Lemon, Quality Improvement Officer and Lorna Hamilton, Project Manager

Abernyte Primary School

16 pupils from P1 to P5 were involved in the consultation exercise. The session focussed on the meaning of catchment areas, and checking the pupils' understanding of what this meant in terms of their school and the other school.

Discussion took place around what a change to the catchment area, as outlined in the proposal, would mean for these pupils, and any future pupils.

The pupils had the opportunity to look at maps, and to ask questions and make comments

Some questions and comments were:

- More children would come to Abernyte
- Changes would help adults get to work, if there was transport
- There would be more resources
- It would help with climate change
- There would be more people to be friends with
- Others will think it's a good school and more children would come
- It would be better for the staff

Understanding of all the points was checked and then the pupils were asked to say what they thought of the proposal.

Five were against the proposal

11 were for the proposal

Inchtute Primary School

As their catchment area is impacted by the proposal, a session took place with a focus group from the P1 to P5 classes at Inchtute Primary School.

The format was similar to that at Abernyte.

There were 12 children forming the focus group and they understood what a catchment area was, and how it affected them at the school, with thoughtful questions about placing requests, space in school, sharing their own experiences. There were questions about moving schools, one from a pupil who lived in the area that the proposal covered (they did not want to have to move)

The pupils enjoyed the maps and showed good understanding of where the areas were and where the schools were.

Understanding of all the points was checked and then the pupils were asked to say what they thought of the proposal.

Three were against the proposal

Nine were for the proposal

Schools (Consultation) (Scotland) Act 2010

Report by HM Inspectors of Education addressing educational aspects of the proposal by Perth and Kinross Council to amend the catchment area for Abernyte Primary School to include the area north of the A90 which is currently within Inchtute Primary School catchment area.

August 2022

1. Introduction

1.1 This report from Education Scotland has been prepared by His Majesty's Inspectors of Education (HM Inspectors) in accordance with the terms of the [Schools \(Consultation\) \(Scotland\) Act 2010](#) ("the 2010 Act"). The purpose of the report is to provide an independent and impartial consideration of Perth and Kinross Council's proposal to amend the catchment area for Abernyte Primary School to include the area north of the A90, which is currently within Inchtute Primary School catchment area. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' overall view of the proposal. Upon receipt of this report, the 2010 Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision.

1.2 HM Inspectors considered:

- the likely effects of the proposal for children of the schools; any other users and children likely to become pupils within two years of the date of publication of the proposal paper;
- any other likely effects of the proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

1.3 In preparing this report, HM Inspectors undertook the following activities:

- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others; and
- visits to the sites of Abernyte Primary School and Inchtute Primary School, including discussion with relevant consultees.

2. Consultation process

2.1 Perth and Kinross Council undertook the consultation on its proposal with reference to the [Schools \(Consultation\) \(Scotland\) Act 2010](#).

2.2 The consultation process ran from 16 May 2022 to 29 June 2022. A public meeting was held at Inchtute Primary School on 9 June 2022 and was attended by nine members of the public. Attendees asked questions to clarify how the proposal may affect their families. The main concern raised was to have increased flexibility to allow younger siblings to attend Inchtute Primary School should older siblings already attend the school. The council received 12 responses to the online survey. Ten responses were in favour of the proposal and two against the proposal. Consultation with pupils in P1 to P5 was undertaken in the two affected primary schools on 20 June 2022. Pupils in P6 and P7 are not affected by the proposed change to the catchment area. These pupils will be at secondary school in August 2023 when the proposed change to the catchment area would be implemented. Most children in both schools were in favour of the proposal.

3. Educational aspects of proposal

3.1 Perth and Kinross Council propose to increase the catchment area of Abernyte Primary School catchment area to build a sustainable school roll.

3.2 HM Inspectors agree with the council's educational benefits statement and are confident that there is sufficient merit to amend the catchment area for Abernyte Primary School. The council's proposal provides a possible solution to secure a sustainable roll for Abernyte Primary School with minimal to no impact on Inchtute Primary School. By sustaining the roll at Abernyte Primary School, it is likely that the current two composite class structure can be maintained. HM Inspectors agree with the council that the proposal could also support a better gender balance, opportunities for cooperative teaching and increased opportunities for peer relationships.

3.3 Children, parents and staff at Abernyte Primary School who met with HM Inspectors' are in favour of the proposal. Children are very proud of their school and recognise the potential benefits from an increase in the number of children attending. They particularly welcome opportunities to have a bigger peer group. They offer a solution focused approach to any challenges that may result from more children attending their school, for example, lunch routines. Children at Abernyte Primary School would like consideration given to cloakroom and toilet facilities should the roll grow more considerably. Staff at Abernyte Primary School welcome the proposal and view it as a common sense change that could help secure the future of the school. They would like the council to consider the resourcing required to support learning and teaching across the curriculum for potentially larger year groups. Parents who spoke with HM Inspectors' are all in favour of the proposal. They are passionate about securing the future of Abernyte Primary School. They are keen that other families have the opportunity to attend and benefit from similar positive experiences their children are having. Parents are keen that any amendments to the catchment are clear and publicised well to help prevent any future uncertainty. They feel this will also help secure the future roll of the school.

3.4 Children, parents and staff at Inchtute Primary School who met with HM Inspectors' do not have any strong feelings either in favour or against the proposal. They are respectful of the views of stakeholders of Abernyte Primary School but view the proposal as having minimal or no impact on Inchtute Primary School.

4. Summary

HM Inspectors' agree that there are potential educational benefits in the proposal to amend the catchment of Abernyte Primary School. There have been previous periods of uncertainty around the future of the school therefore measures to secure a sustainable future roll are welcome. HM Inspectors' agree with the views of stakeholders that the proposal brings potential longer term benefits to Abernyte Primary School with minimal impact to Inchtute Primary School. Should the proposal go ahead it would be helpful if the council clarified the revised catchment area in the form of a map to ensure clarity for all stakeholders.

**HM Inspectors
August 2022**