

**ANGUS COUNCIL**

**CHILDREN AND LEARNING COMMITTEE – 23 FEBRUARY 2016**

**CONSULTATION TO MOTHBALL LETHNOT PRIMARY SCHOOL**

**REPORT BY MARGO WILLIAMSON, STRATEGIC DIRECTOR PEOPLE**

**ABSTRACT**

This report summarises our intention to consult with parents on the proposal to mothball Lethnot Primary School from August 2016.

**1. RECOMMENDATION(S)**

It is recommended that the Committee:

- (i) Approve the plan to consult with parents on the proposal to mothball Lethnot Primary School from August 2016
- (ii) Approve Angus Council's process for mothballing a school as set out in appendix 1.

**2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/COPORATE PLAN**

This report contributes to the following local outcome(s) contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Our children and young people are confident individuals, effective contributors, successful learners and responsible citizens.

**3. BACKGROUND**

- 3.1 Lethnot Primary School is a remote rural school which is part of the Brechin cluster of schools.
- 3.2 The term 'mothballing' is used, according to Scottish Government guidance, to refer to a temporary decision to close a school where the roll has fallen to zero. Mothballing, rather than closing a school, gives the opportunity for it to reopen should circumstances change. There is no legal process for mothballing.
- 3.3 The Scottish Government has issued statutory Guidance under the Schools (Consultation)(Scotland) Act 2010 which can be found at the following link: <http://www.gov.scot/Resource/0047/00477028.pdf>. Paragraphs 63 to 65 of the Guidance deals with the issue of mothballing as follows:-

"Mothballing

63. In considering alternatives to closure, authorities may choose to consider "mothballing" a school (or a stage of education or a nursery class at a school). This is a temporary closure which does not lead to a consultation under the 2010 Act. It is only appropriate in very restricted circumstances. When a school roll falls very low, the authority and/or community may consider that the school is not presently viable but do not wish to close it immediately because there is a reasonable prospect that the number of pupils in the area will increase such that it should be re-opened in the future.

64. It is vital that this flexibility to close a school for a temporary period is not used to undermine the requirements under the 2010 Act to consult on all school closure proposals. Mothballing is only appropriate for a temporary period and should be subject to regular

review, at least annually, against the same requirements which led to the original decision to mothball the school (or stage of education). The maximum length of its duration is likely to depend on the location of the school and the desirability of maintaining capacity to re-open a school there, but it is unlikely that it should exceed 3 years in areas that are not very remote. The condition of the school building and cost of maintaining the mothballed provision will also be relevant.

65. A school can be mothballed where the school roll has fallen to zero and continues to be zero. It may also be appropriate where the roll or potential roll is very low and the authority considers the only other option to be closure. However, in circumstances where a school is mothballed rather than closed and some children and young people remain in the catchment area, this decision should be taken in consultation with the parents involved, and the possibility should be raised as early as possible, in order to ensure that families can understand the options open to them. Mothballing should not be a way of denying parents access to the statutory consultation process required under the 2010 Act and if the majority of parents oppose mothballing, it would be appropriate to move to statutory consultation on closure as soon as possible.”

#### **4. CURRENT POSITION**

- 4.1 Currently, an Acting Head Teacher oversees the work of Lethnot and Tarfside Primary Schools. In addition to the shared Head Teacher, there are two part-time class teachers at Lethnot. There is also part-time administrative support.
- 4.2 During session 2015/16, there have been four pupils at Lethnot Primary School which has no pre-school class, three P7 children and one P5.
- 4.3 One P7 pupil moved school in November 2015 and the remaining two primary seven pupils will be leaving Lethnot Primary School to move into Brechin High School in August 2016. The P5 child's family have recently relocated to another area in Scotland. There are no other younger children living in the school catchment area.

#### **5. PROPOSALS**

- 5.1 We seek approval to consult with parents immediately on our proposal to mothball Lethnot Primary School from August 2016 in line with our mothballing process set out in Appendix one. Mothballing is the temporary closure of a school which does not in itself lead to statutory consultation. This is in accordance with the Scottish Government's statutory guidance contained in the Schools' (Consultation) (Scotland) Act 2010 which can be found at the following link: <http://www.gov.scot/Resource/0047/00477028.pdf>. We will seek to consult with all families living in the catchment area of Lethnot School regardless of whether their children currently attend Lethnot School.
- 5.2 This early consultation is necessary to ensure we give early notification of our intent to families involved, take full account of their views on the matter.
- 5.3 The decision to mothball will be reviewed in December 2016. This will include an analysis of any demand at the time that would necessitate the re-opening of Lethnot Primary School. In the meantime the delineated area for Lethnot Primary School will be temporarily re-aligned to Edzell Primary School.
- 5.4 A further report outlining the outcome of this consultation will be brought to committee in May 2016.

#### **6. FINANCIAL IMPLICATIONS**

Depending on where pupils live, there are likely cost implications in terms of transporting pupils to Edzell School rather than Lethnot. This will be fully explored and met from existing transport budgets. The cost of any weather and/or security protection to buildings will be also assessed. In the event of mothballing, staff resource will be redeployed to other schools and may incur travel expenses. The financial implications of mothballing will be set out in the post consultation report in May 2016.

**NOTE:** No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

**REPORT AUTHOR:** Pauline Stephen, Head of Schools and Learning

**EMAIL DETAILS:** PEOPLE@angus.gov.uk

List of Appendices:

Appendix 1: Process for mothballing a school

**ANGUS COUNCIL – PEOPLE DIRECTORATE**  
**PROCESS FOR MOTHBALLING A SCHOOL**

1. Committee approval to consult:  
Roll naturally falling to very low numbers/zero
2. Consultation process including alternative schools, re-alignment to delineated areas, (primary and secondary), transport requirements, commitment to honour existing placements. Maintaining integrity of school building and criteria to re-opening. Review period in less than one year.
3. Report back to Committee.
4. Scottish Government approval – not part of statutory process, only temporary.
5. Confirmation of Council approval.
6. Advertise notice to temporary mothball school locally.
7. Redeployment of staff – LG/Teaching – TUPE.
8. Inventory of resources to go elsewhere, retain or redeploy to schools.
9. Meeting with Property regarding security, weather protection, signage, interim community use. Ongoing maintenance inspection.
10. Water, rates, power, IT informed of change and re-charge.