

ANGUS COUNCIL

FAMILY, EDUCATION AND JUSTICE COMMITTEE – 26 MARCH 2024

OUTCOME OF CONSULTATION – HAYSHEAD AND ST THOMAS NURSERY CLASSES

REPORT BY KELLY MCINTOSH, DIRECTOR OF EDUCATION AND LIFELONG LEARNING

1. ABSTRACT

This report seeks approval to administratively close Hayshead and St Thomas Nursery Classes, following consultation undertaken in accordance with the Schools (Consultation) (Scotland) Act 2010.

2. ALIGNMENT TO THE COUNCIL PLAN AND COUNCIL POLICIES

The proposals in this report align to:

Council Plan 2023-28

- Support children, young people and adults to access appropriate opportunities which allow them to progress in their learning.
- Deliver our statutory obligation and core functions, tailored to suit our available resources and making best use of our data and performance information.

Angus Schools for the Future Strategy

3. RECOMMENDATIONS

It is recommended that the Committee:

- (i) Approve the administrative closure of the Hayshead and St Thomas Nursery Classes; and
- (ii) Delegates authority to the Director of Education and Lifelong Learning to refer the above decision, if approved, to Scottish Ministers in accordance with the Schools (Consultation) (Scotland) Act 2010.

4. BACKGROUND

4.1 In 2023 an opportunity was identified to rationalise the management structures for the Hayshead and St Thomas Nursery Classes. It was determined that a statutory consultation was required under the terms of the Schools (Consultation) (Scotland) Act 2010.

4.2 In June 2023, members of the Children and Learning Committee gave approval for a statutory consultation to be carried out regarding the proposal. [Report 160/23](#) refers.

5. CURRENT POSITION

5.1 A consultation process has been undertaken in accordance with the Schools (Consultation) (Scotland) Act 2010. The consultation period ran from Monday 30 October 2023 to Friday 15 December 2023, a total of 32 school days.

5.2 Consultees were provided with opportunities to express their views through written and oral representations. A formal Consultation Report (Appendix 1) has been prepared, detailing the process undertaken and summarising the representations made.

5.3 Section 11 of the 2010 Act requires local authorities to publish the Consultation Report at least three weeks prior to a final decision being taken. The report was published on 01 March 2024 and all relevant stakeholders were notified. One written comment or representation was received. An amendment was made at the top of P7 of the report, to make clearer the view expressed by a trade union representative.

6. PROPOSALS

6.1 Of the written representations made during the consultation, 11 explicitly disagreed with the proposal. While this is a majority of the written responses, it is noted that this is only a small proportion when balanced against the potential number of consultees. Reference is also made to Paragraphs 3.2 and 3.3 of the report by Education Scotland which details support from stakeholders who participated in that engagement.

6.2 Section 9 of the 2010 Act requires local authorities to review proposals in light of written and oral representations received and the feedback from Education Scotland. Our compliance with this requirement is detailed in Sections 4 and 5 of the Consultation Report. No new or revised options emerged from the consultation and as such there are no changes required to the initial proposal. We have responded to the feedback raised by stakeholders and have developed an initial action plan to alleviate any concerns raised during the consultation process. If the proposal is approved, any changes to working arrangements for staff will be managed in accordance with the Workforce Change procedures.

6.3 In light of the feedback received and the responses by the Education and Lifelong Learning Directorate (ELL), it is proposed that the Family, Education and Justice Committee approves the administrative closure of the Hayshead and St Thomas Nursery Classes.

6.4 If the above is approved, it is proposed that the Family, Education and Justice Committee delegates authority to the Director of ELL to refer the decision to Scottish Ministers, in accordance with the Schools (Consultation) (Scotland) Act 2010.

7. FINANCIAL IMPLICATIONS

7.1 As detailed in the Proposal Paper, if approved, there is expected to be an annual saving of circa £21,000.

8. RISK MANAGEMENT

8.1 There are no specific risk management implications arising from this report.

9. ENVIRONMENTAL IMPLICATIONS

9.1 There are no direct environmental implications arising from the recommendations of this report.

10. EQUALITY IMPACT ASSESSMENT, HUMAN RIGHTS AND FAIRER SCOTLAND DUTY

10.1 An Equality Impact Assessment has been carried out and is attached as Appendix 2.

11. CONSULTATION

11.1 The Director of Finance and the Director of Legal, Governance and Change have been consulted in the preparation of this report. In addition, the content of the report is informed by the outcome of statutory consultation.

NOTE: The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

- [Report 160/23](#)

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List of Appendices:

Appendix 1 – Consultation Report

Appendix 2 – EIA.