



**Midlothian Council**  
**Children, Young People and Partnerships**  
**Directorate**

**Statutory Consultation Report**

**Report on the outcome of the consultation on the  
proposed discontinuation of primary education  
provision at St Margaret's RC Primary School with  
effect from 1 July 2022.**

**15 February 2022**

This Consultation Proposal has been issued by Midlothian Council in accordance with the  
Schools (Consultation) (Scotland) Act 2010.

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## **Midlothian Council**

### **Children, Young People and Partnerships Directorate**

This report has been prepared following a statutory consultation on the following proposal:

#### **Proposed discontinuation of primary education provision at St Margaret's RC Primary School with effect from 1 July 2022.**

Subject to the outcome of the consultation:

- The provision of primary education at St Margaret's RC Primary School will be discontinued from 1 July 2022
- The catchment areas of St Mary's, St Matthew's and Sacred Heart RC Primary Schools will be extended to include the St Margaret's catchment area
- Remaining pupils will be allocated a place at St Mary's RC Primary School or they can choose to attend their non-denominational catchment primary school.
- School transport will be provided for all children affected, where there is no safe walking route to school and/or the distance from home to school is more than two miles
- Provision of Early Learning and Childcare will continue as per current arrangements

The closure of St Margaret's RC Primary School will directly affect the following schools:

- St Margaret's RC Primary School
- St Mary's RC Primary School
- St Matthew's RC Primary School
- Sacred Heart RC Primary School

The following schools will be indirectly affected by the proposal:

- St David's RC High School
- Loanhead Primary School

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 12 October 2021 and the virtual public meeting held on 13 October 2021
- c) Any representations made to it by Parent Councils
- d) Oral representations made to it at the virtual public drop-in sessions on 27 October 2021
- e) Written representations made to it by pupils
- f) Education Scotland's report on the proposal

## **1 Introduction**

- 1.1 Midlothian Council at full council on 29 June 2021 agreed to undertake a statutory consultation on the proposal as outlined above.
- 1.2 This is a Consultation Proposal prepared in compliance with the *Schools (Consultation) (Scotland) Act 2010* on the above proposal
- 1.3 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 the oral representations made at the public meetings held on 12 and 13 October 2021;
  - 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 alleged omission from, or inaccuracy in, the Consultation Proposal Document and state how the Council acted upon it; and
  - State how the Council has complied with Section 12 of the *Schools (Consultation) (Scotland) Act 2010* when reviewing the above proposal.

## **2 Background**

- 2.1 *The Education (Scotland) Act 1980* places a legislative duty on the Council to make adequate and efficient provision of school education across its area. This duty applies in respect of both the current school population and anticipated pattern of demand.
- 2.2 Section 3D of the *Standards in Scotland's Schools etc. Act 2000 (as inserted by Section 2 of the Education (Scotland) Act 2016)* introduces a requirement on education authorities to carry out their duty to ensure the delivery of improvement in the quality of school education which is provided in the schools they manage, with a view to achieving the strategic priorities of the National Improvement Framework. It is, therefore, the duty of the education authority to ensure that the education it provides is directed to the development of the personality, talents and the mental and physical abilities of the children to their fullest potential.
- 2.3 In addition, Councils have a statutory duty to secure best value in terms of the *Local Government in Scotland Act 2003* by continuous improvement in performance of the local authority's functions, while maintaining an appropriate balance between quality and cost and having regard to economy, efficiency, effectiveness, equal opportunities and the achievement of sustainable development.

- 2.4 The Council has a number of statutory duties relating to the provision of education in its area including the statutory consultation that must be undertaken when proposing a permanent change to any of their schools, including Nursery Schools, such as closure, relocation or change of catchment area. *The Schools (Consultation) (Scotland) Act 2010* principal purpose is:

“to provide strong, accountable statutory consultation practices and procedures that local authorities must apply to their handling of all proposals for school closures and other major changes to schools.”

- 2.5 The Proposal Document and this Final Report have been prepared in accordance with the *Schools (Consultation) (Scotland) Act 2010*, having regard to the statutory guidance published by the Scottish Government on 14 May 2015, both of which are available for reference at the following websites:

Schools (Consultation) (Scotland) Act 2010:  
<http://www.legislation.gov.uk/asp/2010/2/contents>

Statutory Guidance (14 May 2015):  
<http://www.gov.scot/Publications/2015/05/4615>

The following information has also been used to prepare the report:

- Relevant written representations received by the Council (from any person) during the consultation period
- Oral representations made to it (by any person) at the public meeting held on 12 October 2021 and the virtual public meeting held on 13 October 2021
- Any representations made to it by Parent Councils
- Oral representations made to it at the virtual public drop-in sessions on 27 October 2021
- Written representations made to it by pupils
- Education Scotland’s report on the proposal

### **Midlothian’s Vision for Education**

- 2.6 The Council is ambitious for the future of Midlothian. The Vision for Midlothian is a Great Place to Grow. The Community Planning Partnership has identified Carbon Neutral by 2030 as an overarching aim supported by 3 main priorities:

- Reducing inequalities in learning outcomes
- Reducing inequalities in health outcomes
- Reducing inequalities in economic circumstances

- 2.7 We continue to aspire to deliver a world-class education system through equity and excellence. Our vision is to provide the highest quality inclusive education, learning and employability service for all individuals and families in Midlothian. To realise this vision we will support the priorities set out in the Single Midlothian Plan, Getting it Right for Every Child and will:

- give all our children the best possible start in life, providing an inclusive learning environment that builds resilience;
  - ensure that every young person has the opportunity to be a successful learner, confident individual, responsible citizen and an effective contributor who is healthy and happy, especially those who are care experienced;
  - work with our communities to promote high expectations which deliver the best educational outcomes for all learners; and
  - celebrate diversity, reduce inequalities and remove barriers to learning.
- 2.8 In 2019 the Education Service initiated a review of Midlothian's denominational school provision, in the context of a national shortfall in availability of teachers with the qualifications necessary to teach Religious Education in Roman Catholic (RC) schools, which will have had an impact on the St Margaret's RC Primary school roll. However, this impact was not reflected across all other denominational schools also affected by the review.
- 2.9 Informal consultation meetings were held with staff and parents over 2019 and 2020 as part of the denominational review. Parental support for the RC schools in Midlothian in terms of choice of school remained strong throughout this period with the exception of St Margaret's RC PS. The school roll at St Margaret's RC PS fell from 40 to 18 pupils and there were indications that a number of these children would move to other schools in the near future.
- 2.10 In June 2021 officers of the Council held virtual meetings with St Margaret's RC PS parents and representatives of the Catholic Church informing them of the intention to propose to proceed without delay to statutory consultation on the proposal to close St Margaret's.
- 2.11 Consequently on 29 June 2021 at full Council the Executive Director Children, Young People & Partnerships was authorised to undertake statutory consultation on the proposal to permanently discontinue primary education at St Margaret's RC Primary School and to extend the catchment areas of the neighbouring primary schools to include the St Margaret's RC PS catchment area.

### **3 Considerations**

- 3.1 The main considerations relating to the proposed discontinuation of primary education provision at St Margaret's RC Primary School with effect from 1 July 2022. These are fully explained in the Consultation Proposal Document. The main points are highlighted below:
- The responsibilities associated with the National Improvement Framework and the new duties imposed on Education Authorities by the Standards in Scotland's Schools etc. Act 2000 as amended by the 2016 Act.
  - The agreed principles underpinning the development of an empowered school led system set out in the 'Education Bill Policy Ambition- Joint Agreement', June 2018 <https://www.gov.scot/Publications/2018/06/8745/downloads>
  - The duties placed on local authorities in relation to the adequate and efficient provision of school education in their area

- The duties placed on local authorities to secure best value in the delivery of services

## 4 The Consultation Process

- 4.1 The Council has met the requirements set out in the *Schools (Consultation) (Scotland) Act 2010* with regards to ensuring the views of the community were listened to and their views are included in this report. Midlothian officers also engaged with Education Scotland to ensure that COVID guidance was followed, while fulfilling statutory consultation requirements. This meant that almost all meetings took place virtually, apart from one physical public meeting held as a requirement of the Schools Consultation Scotland Act. In order to further ensure compliance with the Act, an independent consultant was engaged to chair all meetings to ensure impartiality.

The Council believes that this report accurately reflects the views of the community, which have been gathered through a range of engagement events and response mechanisms.

It is for members of Midlothian Council to decide to adopt the proposal, withdraw it or seek to consult on another proposal.

- 4.2 Notification of the consultation was given to all statutory consultees prior to the commencement of the consultation.
- 4.3 The Consultation Proposal Document was published on Midlothian Council's website and paper copies distributed on 24 September 2020 to:
- St Margaret's RC Primary School, 36 Edgefield Road, Loanhead, EH20 9DY
  - St Mary's RC Primary School, Rosewell Road, Bonnyrigg, EH19 3HL
  - St Matthew's RC Primary School, 32 Carnethie Street, Rosewell, EH24 9AT
  - Sacred Heart RC Primary School, Crockett Gardens, Penicuik, EH26 9BB
  - St David's RC High School, 1 Cousland Road, Dalkeith, EH22 2PS
  - Loanhead Library, The Loanhead Centre, George Avenue, Loanhead, EH20 9LA
- 4.4 Copies of the Consultation Proposal Document were emailed to affected consultees (see list below) and schools and others such as child minders on 24 September 2021.
- 4.5 Affected consultees:

- The pupils attending St Margaret's RC Primary School
- The pupils attending St Mary's, St Matthew's and Sacred Heart RC Primary Schools
- The Parent Council of St Margaret's RC Primary School
- The Parent Councils of St Mary's, St Matthew's and Sacred Heart RC Primary Schools
- The parents / carers of pupils and children expected to attend St Margaret's, St Mary's, St Matthew's and Sacred Heart RC Primary Schools within two years of the date of publication of the proposal paper
- The staff employed by the Council and based at St Margaret's, St Mary's, St Matthew's and Sacred Heart RC Primary Schools
- The Trade Union and Professional Associations Representatives of the above staff

- The Community Councils of Loanhead and District, Damhead and District, and Roslin and Bilston
  - Community Planning Partnership
  - Other users of St Margaret's RC Primary School
- 4.6 The consultation period commenced on Tuesday 28 September 2021 and lasted until Tuesday 16 November 2021, being a period of six weeks, which also included the statutory minimum 30 school days.
- 4.7 The proposal on which the consultation took place was:
- The proposed discontinuation of primary education provision at St Margaret's RC Primary School with effect from 1 July 2022.
- 4.8 The requirements for consulting on a relevant proposal relating to schools are set out in the *Schools (Consultation) (Scotland) Act 2010*.
- 4.9 An information leaflet setting out details about the proposal and consultation meetings was issued to the consultees listed in the Consultation Proposal Document. Advice on where the complete Consultation Proposal Document could be obtained was included and was published on Midlothian Council's Consultation Hub:
- [Consultations - Proposal to discontinue education provision at St Margaret's RC Primary School | Midlothian Council](#)
- 4.10 If requested, copies of the proposal would have been made available in alternative formats or translated for readers whose first language is not English.
- 4.11 A 'Frequently Asked Questions' document was also prepared which was available at the same location on the Midlothian Council's Consultation Hub.
- [Consultations - Proposal to discontinue education provision at St Margaret's RC Primary School | Midlothian Council](#)
- 4.12 In addition the consultation was publicised and received engagement in the following ways:
- There were 14 Facebook reminders to fill in the survey or join the online/public meetings. The top performing post, the first one on 2 October reached 9,841 news feeds and 1,085 people engaged with the post in some way such as clicking into it to find out more. On Facebook 4,000 people engaged with posts in some way.
  - There were 14 Twitter reminders. The best performing achieved 2,229 impressions and 100 engagements. In total, 423 people engaged with the posts in some way on Twitter.
  - Consultation pages were created on the Midlothian Council website along with 'friendly' url of [www.midlothian.gov.uk/stmargarets](http://www.midlothian.gov.uk/stmargarets). There were 616 views of these pages.
  - An advertisement was placed in the Midlothian Advertiser week beginning Monday 4 October.
  - The consultation was pushed twice during a Council news slot on a local radio station.



- 4.13 A generic email account was set up by the Council to receive representations and enquiries on the proposal.
- 4.14 The public meeting was held at Loanhead Primary School on Tuesday 12 October 2021 at 6.30 pm and a virtual public meeting was held via Microsoft Teams on Wednesday 13 October 2021 at 6.30 pm.
- 4.15 In addition to specific meetings with statutory consultees, a virtual drop-in meeting via MS Teams was held on 27 October 2021 at which members of the public and staff were welcome to attend.
- 4.16 In accordance with statutory requirements, the following persons, including those indirectly affected, were consulted:
- The Parent Councils of St Mary's, St Matthew's and Sacred Heart RC Primary Schools.
  - The parent/carers of children at St Margaret's, St Mary's, St Matthew's and Sacred Heart RC Primary Schools
  - The parents/carers of any children expected to attend St Margaret's RC Primary School within two years of the date of publication of the proposal.
  - The staff at St Margaret's, St Mary's, St Matthew's and Sacred Heart RC Primary Schools
  - The trade union representatives of the above staff.
  - Loanhead and District Community Council
  - Damhead and District Community Council
  - Roslin and Bilston Community Council
  - Community Planning Partnership
- 4.17 The following schools are directly affected by the proposal:
- St Margaret's RC Primary School
  - St Mary's RC Primary School
  - St Matthew's RC Primary School
  - Sacred Heart RC Primary School
- 4.18 Representations were sought from statutory consultees and the wider public in the following ways:
- An online questionnaire on Midlothian Council's Consultation Hub. The questionnaire asked specific questions and enabled general comments and views to be entered.
  - Paper and digital leaflets, in addition to the press advert and Council web and social media announcements linked to the Consultation Hub. These detailed a specific Education Consultations email inbox, to which any queries could be submitted during the consultation period.
  - The Head Teachers of St Mary's, St Matthew's and Sacred Heart RC Primary Schools used established methods of communication to engage/remind parents about the consultation.
  - In addition to the public meeting and public drop-in sessions, informal meetings were offered to staff at the directly affected schools to discuss any queries or

concerns they may have on the proposal based around their availability and at their discretion.

- Meetings were offered to pupils from St Matthew's, St Mary's, St Matthew's and Sacred Heart RC Primary Schools.
- Meetings were offered to St Margaret's RC, St Mary's RC, St Matthew's RC, Sacred Heart RC and Loanhead Primary Schools Parent Councils.

- 4.19 The Consultation Proposal is the Council's response to the points raised during the consultation period on the Consultation Proposal Document.
- 4.20 This Consultation Proposal will be published for a period of three weeks before a final decision is taken by Midlothian Council on 15 February 2022.

## **5 The Public Meetings**

- 5.1 A public meeting was held in Loanhead Primary School on Tuesday 12 October 2021. No members of the public attended.
- 5.2 A virtual public meeting was held via Microsoft Teams on Wednesday 13 October 2021. No members of the public attended.
- 5.3 Virtual meetings were also offered to the Parent Councils of St Margaret's RC, St Mary's RC, St Matthew's RC, Sacred Heart RC and Loanhead Primary Schools, however no meetings were requested.

## **6 Responses to the Consultation Exercise**

- 6.1 As part of the consultation process, the Council sought the views of a wide range of stakeholders. The Council provided stakeholders with a short online or paper questionnaire and also made arrangements for receiving additional written responses. The Council received 71 responses to its questionnaire during the consultation period. All representations that had been made during the consultation period were submitted to Education Scotland and any issues or concerns raised are also subject to the Council's response in this Consultation Proposal.

The questionnaire responses are summarised by category in the following tables:

**Table 1 – Number of respondents by type of respondent**

<b>Type of Respondent</b>	<b>No. of Responses</b>	<b>% of Responses</b>
Groups	0	0%
Individuals	71	100%
<b>Total Responses</b>	<b>71</b>	<b>100%</b>

**Table 2 – Number of individual respondents by category**

<b>Individual Respondent</b>	<b>No. of Responses</b>	<b>% of Responses</b>
Parents	18	22.2%
Staff	2	2.5%
Member of Local Community	41	50.6%
Other/Unknown	20	24.7%
<b>Total Responses</b>	<b>81</b>	<b>100%</b>

*\*The total number of respondents differs from the number of respondents by category because some respondents identified with more than one category.*

- 6.2 In addition, one response to the consultation was received by email.
- 6.3 For the Question: To what extent do you agree or disagree with the proposal to discontinue primary education provision at St Margaret's RC Primary School? The responses were as follows:

**Table 3 – Number of Responses by Opinion**

<b>Response</b>	<b>No. of Responses</b>	<b>% of Responses</b>
Strongly Agree	23	32.4%
Agree	7	9.9%
No Opinion	2	2.8%
Disagree	4	5.6%
Strongly Disagree	34	47.9%
Not Answered	1	1.4%
<b>Total Responses</b>	<b>71</b>	<b>100%</b>

**Table 4 - Number of respondents by category**

	Agree/Strongly Agree		Disagree/Strongly Disagree		No opinion/Not answered		Total	
	No.	%	No.	%	No.	%	No.	%
<b>Individual Respondents</b>								
Parents	5	15.6%	13	28.3%			18	22.2%
Staff	1	3.1%	1	2.2%			2	2.5%
Member of Local Community	17	53.1%	23	50%	1	33.3%	41	50.6%
Other/Unknown	9	28.1%	9	19.6%	2	66.6%	20	24.7%
<b>Total Responses</b>	<b>32</b>	<b>39.5%</b>	<b>46</b>	<b>56.8%</b>	<b>3</b>	<b>3.7%</b>	<b>81</b>	<b>100%</b>

*\*The total number of respondents differs from the number of respondents by category because some respondents identified with more than one category.*

- 6.4 The comments made as part of the questionnaire submissions are included in Appendix 1, apart from submissions which consultees did not wish Midlothian Council to share publicly. Even if a submission is not shared publicly, it has still been included in the collation of stakeholder's views and informed the Education Authority's response as detailed in Section 10 of this report.

### **Response Analysis from Groups**

- 6.5 There were no responses from groups within the online questionnaire.

### **Public Meeting**

- 6.6 A public meeting was arranged in Loanhead Primary School on 12 October 2021 and a virtual public meeting via Microsoft Teams was arranged for 13 October 2021. There was no attendance by members of the public at either meeting.
- 6.7 Additionally, a virtual drop-in session was arranged for 27 October 2021, enabling any member of the public and staff to ask questions and discuss the proposal, the consultation process and how they could make representations. One member of the public attended these sessions.

### **Pupil & Staff Sessions**

- 6.8 During the consultation period, Council officers offered to facilitate meetings with pupils and staff at St Margaret's RC, St Mary's RC, St Matthew's RC, Sacred Heart RC and Loanhead Primary Schools to provide good opportunities for them to discuss their views. No meetings were requested by either staff or pupils at the schools.
- 6.9 In addition to offering to meet with pupils, a copy of a pupil questionnaire was sent to each of the schools. Collective pupil responses were received from Loanhead, Stobhill and Sacred Heart RC Primary Schools and can be found in Appendix 2. Although

Stobhill PS was not affected by the consultation, pupils who had moved there from St Margaret's RC PS were consulted.

- 6.10 A copy of a questionnaire was also sent to pupils and staff at Treehouses Additional Support Needs provision who are currently occupying the St Margaret's RC PS building. A collective pupil response as well as two individual staff responses were received and can be found in Appendix 3.

## **7 Support for the Proposal**

- 7.1 42.9% of all individual questionnaire respondents (30 responses) to the consultation were in favour of discontinuing primary education provision at St Margaret's RC Primary School. The full text of all responses received can be read in Appendix 1, apart from submissions which consultees did not wish Midlothian Council to share publicly. Even if a submission is not shared publicly, it has still been included in the collation of stakeholder's views and informed the Education Authority's response as detailed in Section 8 of this report.
- 7.2 A number of common points and questions emerged from the responses as follows:
- Why a consultation on how the space should be used was not considered?
  - There is no longer a need for denominational schools
  - The space should be used by the staff and pupils at Loanhead
  - Where are all the additional staff from these units going to go?
  - Is this (what the building is currently being used for) the best option for all parties?

## **8 Opposition to the Proposal**

- 8.1 53.5% of all individual questionnaire respondents (38 responses) to the consultation were not in favour of discontinuing primary education provision at St Margaret's RC Primary School. The full text of all responses received can be read in Appendix 1, apart from submissions which consultees did not wish Midlothian Council to share publicly. Even if a submission is not shared publicly, it has still been included in the collation of stakeholder's views and informed the Education Authority's response as detailed in Section 10 of this report.
- 8.2 A number of common points and questions emerged from the responses as follows:
- The consultation is a pointless exercise
  - The Council did not let parents register children at the school
  - Capacity issues at other local schools should mean the school remains open
  - The Council has deliberately tried to close the school
  - Instead of closing the school, could it be a shared campus?
  - Travelling to Penicuik for school is too far for young children
  - It is a waste of a school building

## **9 No Opinion on the Proposal**

- 9.1 2.8% of all individual questionnaire respondents (2 responses) to the consultation had no opinion on the discontinuation of primary education provision at St Margaret's RC

Primary School. The full text of all responses received can be read in Appendix 1, apart from submissions which consultees did not wish Midlothian Council to share publicly. Even if a submission is not shared publicly, it has still been included in the collation of stakeholder's views and informed the Education Authority's response as detailed in Section 8 of this report.

9.2 A number of common points and questions emerged from the responses as follows:

- Will there be a cost to the Council ratepayers to come out of the PFI deal?

## **10 Education Authority Response to the Main Issues Raised**

### **10.1 Why a consultation on how the space should be used was not considered?**

10.1.1 There was an informal consultation held on the use of the school building by Treehouses ASN provision. Council officers met with staff from the provision that are currently occupying the space as well as staff from St Margaret's RC PS and Loanhead PS.

10.1.2 Officers also consulted with St Margaret's RCPS parents, Loanhead PS parents and presented to the Parent Council, where no objections were raised.

10.1.3 Although any option for potential future use would have to be carefully considered, with all relevant Council Departments and Stakeholders being fully consulted. However, given the growth across the Learning Estate and the need for additional ASN provision, the Education Service intends to propose that the building be retained for education purposes.

### **10.2 There is no longer a need for denominational schools**

10.2.1 In line with the School Consultation Act 2010, a local authority must consult on any changes to its schools and Schedule 1 of the Act sets out all the categories of relevant proposals to which this Act applies. This proposal has been put forward to ensure equity of learning experiences for children as well as Best Value. These factors apply to both denominational and non-denominational schools.

10.2.2 The Catholic Church handed its schools over to the state in Scotland in the Education (Scotland) Act 1918 with certain guarantees as to their Catholic ethos and practice. The provisions from the 1918 Act have been replicated in education legislation ever since and are now manifest in the Education (Scotland) Act 1980.

10.2.3 An RC School is held, maintained and managed as a public state school subject to special safeguarded provisions resulting from particular links with the RC Church 'in whose interests the school has been conducted' (s21 1980 Act). There is a protocol between the Bishops of Scotland and Local Authorities that is safeguarded by the 1980 Act.

### **10.3 The space should be used by the staff and pupils at Loanhead**

10.3.1 The Council has an agreed process for this. The Directorate that operates the premises will consider if they require the building or land for an alternative purpose, if they do not, they declare it surplus and other Directorates within the Council can put

together a business case for its use. If the Council has no purposeful use for it, it can be considered for sale.

- 10.3.2 As St. Margaret's RC PS is on a shared campus with Loanhead PS, any option for potential future use would have to be carefully considered, with all relevant Council Departments and Stakeholders being fully consulted. However given the growth across the Learning Estate and the need for additional ASN provision the Education Service intends to propose that the building be retained for education purposes.

#### **10.4 Where are all the additional staff from these units going to go?**

- 10.4.1 Staff from St Margaret's RC PS have either transitioned into positions in other schools within Midlothian or will be supported to do so moving forward.
- 10.4.2 The staff currently occupying the school building have transitioned with the ASN provision therefore there will not be a surplus of staff as a result of this proposal.

#### **10.5 Is this (what the building is currently being used for) the best option for all parties?**

- 10.5.1 The school building is currently hosting provisions for pupils with Additional Support Needs (ASN), as an authority Midlothian is facing an increasing demand for specialist provision reflecting the growth across our communities. A full review of the ASN service is currently being undertaken to ensure we have sufficient facilities and capacities for our students with ASN.
- 10.5.3 Due to this demand, the use of the St Margaret's RC building for ASN provision underwent an informal consultation process and was agreed as the best course of action at this time.
- 10.5.2 If the proposal is approved the agreed process for deciding what this use will be, will (as stated in 10.3.1) take place.

#### **10.6 The consultation is a pointless exercise**

- 10.6.1 The Education (Scotland) Act 1980 places a legislative duty on the Council to ensure the adequate and efficient provision of school education across its area and must consult on certain changes in such arrangements before it can commit to delivering them.
- 10.6.2 The Schools (Consultation) (Scotland) Act 2010 sets out the statutory consultation that must be undertaken when proposing a permanent change to any of their schools. The principle of the Act is "... to provide strong, accountable statutory consultation practices and procedures that local authorities must apply to their handling of all proposals for school closures and other major changes to schools."
- 10.6.3 The consultation exercise ensures that the views of all members of the community have been listened to and are included in this report so that elected members can make an informed decision on whether or not to approve the proposal.

#### **10.7 The Council did not let parents register children at the school**

- 10.7.1 Parents are, and have always been, able to register their children at St Margaret's RC Primary School however the number of parents choosing to enrol their children at the school decreased from 12 in 2018 to 4 in 2021.

- 10.7.2 When Parents receive their primary school registration letter, the paragraph below is included to inform them that there may be changes to the school at which they would like to register their child:

*“Please note if one of your catchment primary schools is subject to a consultation review you should continue to register your child at that catchment school. As part of the consultation process we will keep you informed of the implications for your child and the options available to you. Further information on school consultations can be found at [midlothian.gov.uk/consultations](https://midlothian.gov.uk/consultations)”*

## **10.8 Capacity issues at other local schools should mean the school remains open**

- 10.8.1 As an authority we constantly review our school rolls and the available capacity at each school to ensure there are sufficient pupil places available in each catchment. The education service will continue to utilise the building to support capacity across the learning estate.
- 10.8.2 The school roll of St Margaret’s RC Primary School has decreased significantly in the past few years, from 55 in 2018 to 2 in 2021. This does not ensure Best Value and highlights that the school was not contributing to a reduction in capacity issues in the local area.

## **10.9 The Council has deliberately tried to close the school**

- 10.9.1 In 2019 an informal pre-consultation was held on the future of denominational school provision across the whole of Midlothian. The pre-consultation was held to find out what stakeholders and the community thought. Information about a range of considerations was presented along with 8 discussion models. These models ranging from retaining the status quo with 7 primary and one secondary schools, to one all-through (combined primary and secondary) school.
- 10.9.2 The Council took into account the views that were shared during this pre-consultation along with other factors, including looking at the pupil roll at each of the schools, when deciding the model to propose and carry out formal consultation on.
- 10.9.3 Following the pre-consultation the rolls of the other six primary schools remained stable. However, St Margaret’s roll began to decline.
- 10.9.4 There is more information on the pre-consultation, the feedback received and the decision on the proposed model in the Denominational Review paper to the meeting of Midlothian Council on 29 June 2021.

## **10.10 Instead of closing the school, could it be a shared campus?**

- 10.10.1 The St Margaret’s RC Primary School building, which has capacity for 100 primary pupils, is part of the Ramsay Campus which was built in 2007 and is shared with Loanhead Primary School. The shared facilities include two P.E. halls, an expressive arts hall, dining facilities and a well-equipped playground.
- 10.10.2 The school does not have a separate nursery. Pupils who go on to attend St Margaret’s RC Primary School have often attended the Loanhead Nursery which is co-located on the Ramsay Campus.
- 10.10.3 The school roll has declined in recent years from a high of 63 pupils in 2016 to 18 pupils by the time of the 2020 pupil census. At the start of the 2021/22 school year



there were 2 pupils attending St Margaret's. Subsequently these pupils have moved to another school leaving 0 pupils on the school roll.

10.10.4 Despite being part of a shared campus, the roll of St Margaret's decreased and therefore a move to another shared campus would not be beneficial.

#### **10.11 Travelling to Penicuik for school is too far for young children**

10.11.1 Not all children in the current St Margaret's RC Primary School catchment area will attend Sacred Heart RC Primary School in Penicuik.

10.11.2 This proposal, if approved, will redistribute the catchment area of St Margaret's RC Primary School to the neighbouring RC primary schools on the basis of the shortest route between the schools based on current bus routes. This approach is proposed as the direct route from Roslin to Bonnyrigg via Roslin Glen is not used as a public transport route.

10.11.3 In addition it is proposed to align the boundaries of St Mary's, St Matthew's and Sacred Heart RC Primary Schools with the catchment boundaries of the non-denominational primary schools in these areas so that all children residing in a non-denominational primary school catchment area will have the same denominational catchment school.

10.11.4 On this basis the catchment of:

- St Mary's RC Primary School will be expanded to include the catchment areas of Bilston, Paradykes and Loanhead;
- Sacred Heart RC Primary School will be expanded to include the catchment area of Roslin;
- St Matthew's RC Primary School will be expanded to include Firth Mains, Firth Road & Rosslynlee

10.11.5 School transport will be provided for all children affected, where there is no safe walking route to school and/or the distance from home to school is more than two miles

#### **10.12 It is a waste of a school building**

10.12.1 Although this consultation proposal is a technical closure, the school building itself will not be closing. The future use of the building has yet to be decided and will be subject to a consultation exercise as mentioned in 10.3.1.

#### **10.13 Will there be a cost to the Council ratepayers to come out of the PFI deal?**

10.13.1 St Margaret's RC Primary School building is located at the Ramsay Campus, which it shares with Loanhead Primary School and both are part of a PPP contract with Midlothian Schools Limited (MSL).

10.13.2 The school buildings are leased to MSL and the cost of the campus will be repaid over the duration of a 30 year contract period.

10.13.3 There will be no additional cost to the public as a result of this proposal. The continued use of the school building will be subject to a consultation, as mentioned in 10.3.1.

#### **10.14 Could St Margaret's RC Primary School be used as a pilot for a web TV channel like the idea for Dalkeith web TV channel?**

- 10.14.1 As previously stated, although any option for potential future use would have to be carefully considered, with all relevant Council Departments and Stakeholders being fully consulted. However, given the growth across the Learning Estate and the need for additional ASN provision, the Education Service intends to propose that the building be retained for education purposes.

### **11 Education Scotland Report**

- 11.1 In accordance with the Schools (Consultation) (Scotland) Act 2010, a report was produced by Education Scotland on the educational aspects of the proposal. The purpose of the report is to provide an independent and impartial consideration of Midlothian Council's proposal to discontinue primary education provision at St Margaret's RC Primary School. The Education Scotland report can be read in full at Appendix 6.

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

- attendance at the public meeting held on 12 October 2021 in connection with the council's proposals;
- 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
- online visits to the sites of Loanhead Primary School, Paradykes Primary School, Sacred Heart RC Primary School, St David's RC High School, St Margaret's RC Primary School, St Mary's RC Primary School, St Matthew's RC Primary School, and Treehouse Additional Support Needs provision, including discussion with relevant consultees.

- 11.3 The Summary section of the Education Scotland report summarises their findings and conclusions as follows:

*The council provides a strong case for the proposed discontinuation of primary education provision at St Margaret's RC Primary School with effect from 1 July 2022. If the proposal is implemented, HM Inspectors consider that the proposal has the potential to support the council in providing high-quality denominational provision across six RC primary schools. This would include St Mary's RC Primary School, the neighbouring denominational primary school. St Mary's RC Primary School would provide children from St Margaret's RC Primary School with a wide range of experiences and outcomes linked to Curriculum for Excellence, and increased opportunities for success. It would also help children to develop social relationships more easily with their peers.*

### **Midlothian Council's Response to Education Scotland's Report**

- 11.4 Midlothian Council welcomes the report by Education Scotland which highlights the benefits of the proposal and the Education Authority accepts its findings. Officers from

the Education Authority met to consider the content of the report and the action highlighted in the summary.

- 11.5 In response to the findings contained within the Education Scotland report Midlothian has been asked to address the following points:

*In its final report, the council should outline more clearly the considerable work it has engaged in with the Catholic Church to try to remedy the previous staffing challenges at St Margaret's RC Primary School.*

- 11.6 Midlothian Council's committed objective is to stabilise and strengthen RC provision and denominational education within and across the authority.
- 11.7 There has been a sustained effort to employ a greater number of teachers with the necessary qualifications to teach in our RC primary schools and for teachers working in our RC schools to undertake the Catholic Teaching Certificate and to obtain Church approval to teach Religious Education. For the 2021/22 school year we have set the intake capacity of our RC primary schools taking account of suitably qualified teachers in each school. Taken together these strategies can be seen to be having a positive impact as we anticipate that 67% of the class teachers in our RC primary schools next year will have Church approval the qualification to teach Religious Education.
- 11.8 Midlothian Council continues to liaise with the Archdiocese in order to promote and maintain denominational teaching opportunities. An Education Support Officer has been appointed who will work to further strengthen the number of suitably qualified teachers and the opportunities to undertake the Catholic Teaching Certificate for those working in denominational schools.

## **12 Transition Arrangements**

- 12.1 Subject to the conclusion of the Scottish Ministers eight-week call-in period or the notification of the outcome of a call-in, as appropriate, if approved, the discontinuation of primary education provision at St Margaret's RC Primary School and extension to the catchment areas of Sacred Heart RC, St Matthew's RC and St Mary's RC Primary Schools to include St Margaret's RC Primary School catchment area will take effect from 1 July 2022.
- 12.2 As of August 2021, there were 2 pupils remaining enrolled at St Margaret's RC PS however they left the school in September 2021. Staff have either already transitioned to other schools or will be supported to do so.

## **13 Alleged Omissions or Inaccuracies**

- 13.1 *Section (10) (3) of the Schools (Consultation) (Scotland) Act 2010* also places a requirement on the Council to provide details of any inaccuracy or omission within the Consultation Proposal Document 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.

- 13.2 There were no inaccuracies or omissions within the Consultation Proposal Document either identified by the Council or raised by consultees during the consultation period.

## **14 Compliance with Section 9(1) of the Schools (Consultation) (Scotland) Act 2010**

- 14.1 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,
- (iii) Education Scotland's report.

- 14.2 Following receipt of the Education Scotland report, 71 questionnaire responses received during the consultation period and consideration of oral representations made at a public meeting held during the consultation period, officers reviewed the proposal.

- 14.3 The feedback from the consultation was considered by relevant officers within the Council's Children, Young People's and Partnership Directorate. Data and factual information was checked where required and advice and input was sought from other Council Services where needed to consider the issues raised. This ensured that the Council met the requirements of sections 9(1), 12 and 13(3) (b) of the 2010 Act.

## **15 Legal Issues**

- 15.1 The Council has complied in full with the requirements of the *Schools (Consultation) (Scotland) Act 2010* throughout this statutory consultation.

- 15.2 The Council is mindful of its duties in respect of equality under the *Equality Act 2010*, the *Public Sector Equality Duty 2011*, and the *Fairer Scotland Duty* (Part one of the Equality Act). The Equality Impact Assessment identified that the proposal, if implemented, will result in children travelling further to attend their denominational catchment primary school. This will be mitigated by providing school transport for affected pupils where there is no safe walking route to school and/or the distance from home to school is more than two miles. In terms of Socio Economic Impact, the assessment identified no significant impact from the implementation of this proposal.

- 15.3 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 having reviewed the relevant proposal having regard, in particular, to:

- a) relevant written representations received from any person during the consultation period;
- b) oral representation made to it by any person at the public meetings held on ;
- c) the Education Scotland report;
- d) preparing a Consultation Proposal; and
- e) waiting until a period of three weeks starting on the day on which this Consultation Proposal is published in electronic and printed form has expired.

- 15.4 As it is the intention that this Consultation Proposal should be published, both electronically and in paper form, if required, on 24 January 2022, this meets the statutory requirement to publish this report for more than three weeks before consideration of the proposal by Midlothian Council.

## **16 Scottish Ministers Call-in Closure Procedure**

- 16.1 At the end of the consultation process, Section 15 of the *Schools (Consultation) (Scotland) Act 2010* enables Scottish Ministers to call-in a decision to implement the proposed discontinuation of primary education provision at St Margaret's RC Primary School.
- 16.2 If the Council's final decision is to implement the proposal, it will require to notify the Scottish Ministers of that decision, and provide them with a copy of the proposal document and Consultation Proposal. This must be done within six working days of that decision. The Scottish Ministers have an eight week period from the date of that final decision to decide if they will call-in the proposal.
- 16.3 Within the first three weeks of that eight week period, the Scottish Ministers will take account of any relevant representations made to them by any person. Until the outcome of the eight week call-in process is known, the Council cannot proceed to implement the proposal.
- 16.4 If the Scottish Ministers call-in the proposal, they must refer the proposal to the Convener of the School Closure Review Panels who may refuse to consent to the proposal or grant their consent to the proposal subject to conditions or unconditionally.
- 16.5 Recipients of this Consultation Proposal, and other readers, should note that the legislation allows for any person to make representations to Scottish Ministers within three weeks of the Council taking their final decision to implement a closure proposal.
- 16.6 Midlothian Council will take the decision on whether or not to implement the discontinuation of education provision at St Margaret's RC Primary School at its meeting on 15 February 2022. If the decision is taken to implement, any representations to Scottish Ministers, therefore, in this context need to be with the Ministers within three weeks of this date. Therefore, any representations must be made to Scottish Ministers by 8 March 2022.
- 16.7 Anyone wishing to make representation to Scottish Ministers during the three week period referred to above should do so by email to [schoolclosure@gov.scot](mailto:schoolclosure@gov.scot) or in writing to:

School Infrastructure Unit  
The Scottish Government  
Area 2B (North)  
Victoria Quay  
EDINBURGH  
EH6 6QQ

## **17 Personnel Implications**

- 14.1 If this proposal is implemented, the staff in St Margaret's RC Primary School will all be offered positions in other schools.
- 14.2 The Council does not envisage any adverse effects from implementation of the proposal in respect of staffing. Should issues arise however, these will be mitigated through the Council's Education Leadership Team support structure.

## **18 Environmental Issues**

- 18.1 There are no environmental issues arising from this proposal.

## **19 Conclusions**

- 19.1 On the basis of the feedback received and taking account of the educational and social benefits of the proposal, it is concluded that:
- a) education provision at St Margaret's RC Primary School be discontinued with effect from 1 July 2022 and the catchment areas of St Mary's, St Matthew's and Sacred Heart RC Primary Schools be extended to include the current catchment area of St Margaret's RC Primary School;
  - b) the proposal will bring educational benefits to the present and future users of the affected schools and assist in ensuring that the Education budget is more sustainable into the future, as the costs per pupil in under-occupied schools are excessively high. This is in line with our duty to secure best value;
  - c) as part of the Council's Asset Management Strategy, the future use of the building would require to be assessed. A few potential options may be that it is required to satisfy the demand for Additional Support Needs pupils or retained to meet capacity pressures due to the region's growth. These and any other potential options will have to be considered;
  - d) overall there are no environmental impacts as a result of this proposal; and
  - e) overall there are strong educational arguments in favour of this proposal.

## **20 Recommendations**

- 20.1 Following the conclusion of the Scottish Ministers eight-week call-in period or the notification of the outcome of a call-in, as appropriate, it is recommended that the Council approves the following:
- The provision of primary education at St Margaret's RC Primary School will be discontinued from 1 July 2022
  - The catchment areas of St Mary's, St Matthew's and Sacred Heart RC Primary Schools will be extended to include the St Margaret's catchment area
  - Remaining pupils will be allocated a place at St Mary's RC Primary School or they can choose to attend their non-denominational catchment primary school.
  - School transport will be provided for all children affected, where there is no safe walking route to school and/or the distance from home to school is more than two miles
  - Provision of Early Learning and Childcare will continue as per current arrangements

## Appendix 1: Comments from Questionnaire Responses

Of the 71 questionnaire responses, 54 contained comments of which 22 declined permission to make their comments publicly available. However, their representations have been taken account of and responded to in Section 10 of the Consultation Proposal. The summary of comments below, were made from the remaining 21 responses who did not choose the option to decline permission to make their comments publicly available.

### **Responses from those in support of the proposal to discontinue primary education provision at St Margaret's RC Primary School with effect from 1 July 2022.**

The comments included with those responses received that were in favour of the proposal are shown below, comments are redacted to avoid the identification of individuals:

Comments
The roll was not dominated by Catholic families, nor were many of them from within the Loanhead catchment. Closing and merging with other religious schools seems sensible. However why is this consultation still in progress when the entire school space has been reallocated and is already being used by two other units. I question why a consultation on how the space should be used was not done? No consideration has been given to the staff, pupils and families of LPS and the Loanhead community.
It is ridiculous to run two schools, paying two lots of staff purely to separate children on the grounds of religion. In my view children should be educated together if we want a tolerant society without religious bigotry.
Classroom space could be better used by Loanhead primary.
We need to rid ourselves of these state funded religious schools. Become a more inclusive society. This would be a good step to start that.

### **Responses from those who are not in favour of the proposal to discontinue primary education provision at St Margaret's RC Primary School with effect from 1 July 2022.**

The comments made in the responses that were not in favour of the proposal are shown below, comments are redacted to avoid the identification of individuals:

Comments
St Margaret's was a great primary school, my older daughter attended from p1-p3, she is now in p5 at St Mary's. When the consultation period started 3+ years ago it was obvious the writing was on the wall. We kept our daughter in the school until the end of p3 while the stampede commenced to move to different school. When classes became so small and there was no option but to create composites covering more and more classes, the end was a certainty. We moved our daughter to St Mary's and have now also moved house to Bonnyrigg. The consultation process has been a pointless exercise as it was obvious from the outset what would happen. It's a real shame as St Margaret's was a great little school. The money wasted on this exercise could have been better spent on the schools themselves if the process hadn't been dragged out for years.

It is important to maintain schools that connect to the community and the church. The style of teaching and the values that are taught within a RC School are invaluable. It also gives choice and should be inclusive to children of different religions if they wish to attend.

I think it's terrible that this is happening, my wife and children went to the old St. Margaret's school and I was chair of school council. I don't think enough encouragement has come from the parish of St. Margaret's which has seen the decline in attendance at the school.

St Margaret's was a wonderful school before it became a launch pad for staff. My children had been let down in other schools and achieved so much in their time at St Margaret's before [REDACTED] moved on. Since then the staff turn over became unmanageable and people started to remove pupils to give young people stability in their education. Finding Catholic schools is important and the loss of these in Midlothian would be very disappointing

This is putting more pressure on surrounding areas such as Bonnyrigg where schools are already at capacity. Instead of closing it completely why can't it be a shared campus such as St David's and Dalkeith high schools?

What an utter waste of a beautiful school building. The other two local primary schools are at bursting point and with all the extra housing being built in Loanhead I feel that keeping St Margaret's open would be beneficial to pupils moving into these houses

My children attended st Margaret's and feel that the consultation letter put out to parents 2 years ago left everyone so uncertain about the future of st Margaret's that there was no other option than to leave and give the children a stress free education. In the letter only one option left st Margaret's open and that was the status quo. In a cost saving exercise, the status quo was never going to be the viable choice.

The school should never have been closed, I had to move my daughters to Paradykes primary school and I believe they benefitted so much from the small Classes in st Margaret's. The other 2 schools in loanhead will soon be full due to the amount of houses being built in the area.

This school has been part of our community for ever. My whole family attended here and have had wonderful experiences they will never forget! And their time at st.Margaret's formed them as the people they are today. Yes the school was never huge, but that's what I needed and a lot of the other children did too. The school cared about every child individually. They provided great education about christianity on top of the curriculum-based subjects but also provided a safe space and encouraged learning of other religions, and backgrounds. Their special needs care was outstanding, everyone was given the specific support they needed at the same time was treated the same. I think this school has been treated unfairly with long running threats of closure. Midlothian council got parents scared it would close and they had to get there child a space at their second preference school before there was no room. Midlothian council have created this situation themselves to justify the closure. This school is amazing and would be a great loss to all the children and family's of this area, it just needs a little belief and backing from its own council to make it shine again. If this school is closed the whole community will feel it's loss.

Due to my qualifications in HNC childhood practice and dream of starting my own business I think St Margaret's RC Primary school would be a great place for afternoon school club which could include specific activities for children in certain subjects they are interested to also could give an awesome opportunity for me to organize classes for foreign children who could practice their mother languages in speaking, reading and writing. I strongly believe that St Margaret's school would be perfect place to give new opportunities for so many children and teachers.



The only reason the role fell is because you said it would close and parents had no choice but to move their children. Putting specialist provisions in the school instead is a joke to be honest

Loanhead has 2 schools now running at max capacity. Paradykes primary has 13 classes and only 7 years. Staff are over worked and children are loosing out on proper education and being moved about classes every year. Children are suffering at the fact they have spent a whole term making friends to find out the next term they are moving class. Loanhead has a growing population with more housing developments being built every other week. To cope with the capacity we need another school that isn't necessarily religious. Expand Loanhead primary or use the building for another primary that Loanhead could benefit from.

I think it's truly disgusting to close a good school when the schools in the area are bursting at the seams and they are having to build more schools. My daughter failed to get a nursery place at our local school because it was full and yet the council wants to close schools. This school has no pupils because parents were forced to move their children in order to achieve continuity as this was threatened with closure. Many did not want to leave. Tell them its staying open and they might come back.

This is another example of schools being run down in Midlothian with scaremongering by MC to reduce school numbers. The same happened in Glencorse primary. We are the fastest growing council in terms of number of new homes being built and do not have capacity at current schools for all new homes. Keep this open and invite parents from all local areas to attend or convert to non denominational school. We cannot keep closing schools while allowing more homes to be built

My daughter went to St Margaret's and it was a fantastic school. Small classes meant all children felt included whatever their level. With it being a smaller school all the children knew each other so social aspect was fantastic. St Margaret's will be a big loss to the community

Loanhead is up and coming with all new houses being build in and surrounding. If a child is Roman Catholic from Loanhead they are then being discriminated for their religion in a way as having to travel else where. St. Margarets primary should stay open and given the chance and promotion it deserves

## **Appendix 2: Pupil Questionnaire Responses**

### **Sacred Heart RC Primary School Pupil Questionnaire Response**

#### **St Margaret's RC PS Consultation Questions**

**1. What do you think about the proposal to close St Margaret's RC Primary School?**

It's really sad, it makes me feel upset.

**2. If you think it's a good idea, tell us why?**

No pupil felt it was a good idea

**3. If you don't think it's a good idea, tell us why?**

It's hard for us to join a new school and make new friends. It was a bit scary having to get to know lots of new people. It's hard for parents too. The teachers at St Margaret's knew us well and now new teachers need to get to know us.

**4. What did you like about being a pupil at St Margaret's RC Primary School?**

My teachers were amazing. Our classes were smaller so we learned things faster. We got help more quickly because the classes were smaller so we learned more. Less people made me feel less nervous. There was lots of space to play. St Margaret's had their very own bit of the playground. St Margaret's did good school dinners. There were more things to do during wet play – there was a whole section of things we could play with if we couldn't go out to the playground. We had a school library and a science room. The teachers were nice.

**5. Can you tell us what you like about the school you are now in?**

There are more people in my class so it's easier to make friends and have people to play with.

**6. Is there anything else you would like to say about St Margaret's or your new school?**

We loved St Margaret's and would keep it open if we could. It would be great for new people joining school because it was such a good school and helped everybody.

### **Loanhead Primary School Pupil Questionnaire Response**

#### **St Margaret's RC PS Consultation Questions**

**1. What do you think about the proposal to close St Margaret's RC Primary School?**

Don't think this was right. People got scared that it was going to close down and they left.

**2. If you think it's a good idea, tell us why?**

n/a

**3. If you don't think it's a good idea, tell us why?**

People didn't want to leave and fine with it being there. It was a really nice school. A lot of people had friends.

**4. What did you like about being a pupil at St Margaret's RC Primary School?**

The teachers, the people, friends, liked being the only girl in my year.

**5. Can you tell us what you like about the school you are now in?**

The work is easy and lots more friends, like more girls than boys in class. Lots more new friends, teacher is funny. More people means more friends. Get to be with my nursery friends.

**6. Is there anything else you would like to say about St Margaret's or your new school?**

Loanhead is better.

## **Stobhill Primary School Pupil Questionnaire Response**

### **St Margaret's RC PS Consultation Questions**

**1. What do you think about the proposal to close St Margaret's RC Primary School?**

Wee bit sad because I miss it and miss my friends there too. It is a good idea because there are no pupils there.

**2. If you think it's a good idea, tell us why?**

No pupils there now so not needed as a school any more.

**3. If you don't think it's a good idea, tell us why?**

Would have liked to stay there but so few pupils so I had to leave. It was a really good school and I am sad to see it go.

**4. What did you like about being a pupil at St Margaret's RC Primary School?**

Friends were nice to me, respectful people and people who followed the rules. Best playground and lovely pupils

**5. Can you tell us what you like about the school you are now in?**

More people and everyone is kind and follows the rules. Lot of people to make friends with and most are nice and friendly and there is more to do here

**6. Is there anything else you would like to say about St Margaret's or your new school?**

St Margaret's was the best school in the world and I had to move because I was only one of 2/3 pupils left in the school. As there were so few pupils there and no other p7

to talk to it was lonely. It was sad that I had no choice in moving schools really if I wanted peers

## **Appendix 3: Treehouses ASN Staff and Pupil Questionnaire Responses**

### **Pupil Response**

#### **1. What do you like about your school building?**

It has good heating.  
I like the teachers/staff.  
I like the gym hall and the MUGA.  
The playground is good.  
I like the sliding doors and the big spaces (atriums).  
I like the doors in the classrooms that go straight outside.

#### **2. Is there anything you dislike about your school building?**

I don't like the fact there are windows into the classrooms from the atrium so that people can see in.  
The doors should be thicker.

#### **3. Is there anything you would change about your school building?**

I would like a disco ball.  
I would like more stuff in the playground like a swing and a trampoline.  
I would like a seesaw, roundabout and a slide in the playground.  
I would like a swing.  
Staff suggested 'Loose Parts Play'.

#### **4. Is there anything else you would like to add?**

I would like to be taller.  
A tent for each person.  
Free Fruit Shoots.  
Ice cream van.

### **Staff Responses**

#### **1. What do you like about your school building?**

The building is bright and airy and welcoming to be in. There are benefits to being based in a space which is large enough to accommodate teaching facilities for colleagues who are class-based but also office and work-space areas for colleagues who work peripatetically around the Authority and require 'base' facilities.

#### **2. Is there anything you dislike about your school building?**

There is nothing that I dislike about the building.

#### **3. Is there anything you would change about your school building?**

There is nothing that I would change about the school building.

**4. Is there anything else you would like to add?**

n/a

**1. What do you like about your school building?**

It's a fairly new building

**2. Is there anything you dislike about your school building?**

I feel the part of the school we are working in is not secure enough

**3. Is there anything you would change about your school building?**

To make it more secure

**4. Is there anything else you would like to add?**

n/a

## **Appendix 4: Response from the Archdiocese of St Andrews & Edinburgh**

Response of the Archdiocese of St. Andrews & Edinburgh to the closure of St. Margaret's Primary


To whom it may concern:

The Archdiocese believes that St Margaret's Primary, Loanhead, has always served the local community commendably and regrets its planned closure. In principle, where there is a need for Catholic schooling and a desire by the local Catholic community to be served in that way, the Archdiocese continues to expect that all local councils will respect the lawful right of the Catholic community to have schools for its children. The Archdiocese would, therefore, prefer that all Catholic Schools in the Midlothian Council area be kept open and viable as a result of its denominational review.

Having said that, in the circumstances of the review, the Archdiocese acknowledges that there are no pupils currently attending St. Margaret's Primary. Therefore, it would appear that the school is no longer viable under these circumstances.

Finally, the Archdiocese will always be willing to engage in discussions regarding the possibility of keeping St. Margaret's open, actively serving the community of Loanhead.

Sincerely yours,



Fr Robert Afayori (PhD)  
VE for Catholic Education  
Archdiocese of St Andrews & Edinburgh

## Appendix 5: Frequently Asked Questions

### Midlothian Council - Children, Young People and Partnerships Directorate

Statutory School Consultation – Discontinuation of Primary Education Provision at St Margaret's RC Primary School with effect from 1<sup>st</sup> July 2022.

### Frequently Asked Questions

#### 1. What is the main purpose of the proposal?

The main purpose of the proposal is to enter into formal consultation to discontinue Primary Education Provision at St Margaret's Roman Catholic Primary School from 1<sup>st</sup> July 2022. We are also proposing that the catchment areas of St Mary's, St Matthew's and Sacred Heart RC Primary Schools be extended to include the current catchment area of St Margaret's RC Primary School. We must consult in line with the statutory duties set out in the Schools (Consultation) (Scotland) Act 2010.

#### 2. Why are you considering closing a school now with all the house building and growth?

Midlothian, as one of the fastest growing local authorities, has rising school rolls across both primary and secondary schools and our Roman Catholic schools play an important role in providing capacity, particularly in areas of significant pressure such as Bonnyrigg, Dalkeith, Gorebridge and Mayfield. To date there are no Primary 1 pupils enrolled at St Margaret's for the coming school year. The St Margaret's RC PS school roll as at August 2021 was 2 pupils. As at the 14<sup>th</sup> September 2021 there were 0 pupils enrolled at the school.

#### 3. How will future catchment areas be affected?

We are also proposing that the catchment areas of St Mary's, St Matthew's and Sacred Heart RC Primary Schools be extended to include the current catchment area of St Margaret's RC Primary School.

#### 4. Who will make the final decision about the proposal and why is there only one option to close as opposed to increasing the size of the school roll through effective marketing?

While it is Midlothian Council's Children, Young People and Partnership Directorate that is conducting the consultation, it is for the elected councillors on Midlothian Council to decide following the conclusion of the statutory consultation period. They will be asked at a meeting of the full Midlothian Council to adopt the proposal, withdraw it or seek to consult on another proposal.

The statutory consultation is designed to encourage maximum participation. This will allow the views of all members of the community to be included in the Consultation Report which will be used by councillors to make an informed decision.

The *Education (Scotland) Act 1980* places a legislative duty on the Council to ensure the adequate and efficient provision of school education across its area and it must consult on certain changes in such arrangements before it can commit to delivering them. The Schools (Consultation) (Scotland) Act 2010 sets out the statutory consultation that must be undertaken when proposing a permanent change to any of our schools.



The principle of the Act is “... to provide strong, accountable statutory consultation practices and procedures that local authorities must apply to their handling of all proposals for school closures and other major changes to schools.”

The statutory consultation process must be based on a proposal that is viable and deliverable and represents the very best educational outcomes for its young people.

From previous experience, it is not believed that the school roll for St Margaret's will increase enough to support the best educational outcomes for its children.

**5. Why are the cost savings not taken into account as part of the decision making process?**

The Act indicates we can provide information on costs but decision-making should be as described above, and based on what supports the best educational outcomes for children.

**6. What will happen to the staff currently in the school?**

Staff will be fully consulted and supported to consider employment in alternative educational settings within Midlothian.

**7. What will happen to the school building and the land if this proposal goes ahead? Will it be sold or used for an alternative council purpose? Could it be deemed suitable for asset transfer to the community?**

The Council has an agreed process for this. The Directorate that operates the premises will consider if they require the building or land for an alternative purpose, if they do not, they declare it surplus and other Directorates within the Council can put together a business case for its use. If the Council has no purposeful use for it, it can be considered for sale.

As St. Margaret's RC PS is on a shared campus with Loanhead PS, any option for potential future use would have to be carefully considered with all relevant Council Departments and Stakeholders being fully consulted.

**8. Will offering to transport pupils to either St Mary's RC PS or another school in the catchment increase our impact on Climate Change?**

School transport will be provided for all children affected, where there is no safe walking route to school and/or the distance from home to school is more than two miles, therefore not everyone may need transport. If the proposal goes ahead we are committed to ensuring safe routes to school, and to addressing the carbon neutral plan.

**9. How will children get the right support they need in an increased class size?**

Children moving school will be supported with a tailored transition plan to support them in the initial transition but also in their ongoing education. This will take into account: good practice, educational principles, managing change, small group work, learning support needs and confidence levels.

**10. The council suggested that St Margaret's might be closed and this is why the roll has fallen.**

In 2019 an informal pre-consultation was held on the future of denominational school provision across the whole of Midlothian. The pre-consultation was held to find out what stakeholders and the community thought. Information about a range of considerations was presented along with 8 discussion models. These models ranging from retaining the status quo with 7 primary and one

secondary schools, to one all-through (combined primary and secondary) school. We took into account what we heard during this pre-consultation along with other factors, including looking at the pupil roll at each of the schools, when deciding the model to propose and carry out formal consultation on. Following the pre-consultation the rolls of the other six primary schools remained stable. There is more information on the pre-consultation, the feedback received and the decision on the proposed model in the Denominational Review paper to the meeting of Midlothian Council on 29 June 2021.

[Midlothian Council > Meetings \(cmis.uk.com\)](https://cmis.uk.com)

## **Appendix 6: Education Scotland Report**

**Report by Education Scotland addressing educational aspects of the proposal by Midlothian Council to discontinue primary education provision at St Margaret's RC Primary School with effect from 1 July 2022.**

### **1. Introduction**

1.1 This report from Education Scotland has been prepared by Her 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 Midlothian Council's proposal to discontinue primary education provision at St Margaret's RC Primary School with effect from 1 July 2022. 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 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. Where a council is proposing to close a school, it needs to follow all statutory obligations set out in the 2010 Act, including notifying Ministers within six working days of making its final decision and explaining to consultees the opportunity they have to make representations to Ministers.

1.2 HM Inspectors considered:

- the likely effects of the proposal for children and young people of the school; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children and young people in the council area;
- 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:

- attendance at the public meeting held on 12 October 2021 in connection with the council's proposals;
- 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
- online visits to the sites of Loanhead Primary School, Paradykes Primary School, Sacred Heart RC Primary School, St David's RC High School, St Margaret's RC Primary School, St Mary's RC Primary School, St Matthew's RC Primary School, and Treehouse Additional Support Needs provision, including discussion with relevant consultees.

## **2. Consultation process**

- 2.1 Midlothian Council undertook the consultation on its proposal(s) with reference to the Schools (Consultation) (Scotland) Act 2010.
- 2.2 Midlothian Council undertook a statutory consultation, which ran from 28 September until 16 November 2021. Information was provided to stakeholders including parents of children attending St Margaret's RC Primary School, St Mary's RC Primary School, St Matthew's RC Primary School, Sacred Heart RC Primary School, and St David's RC High School. Details of the consultation were published in the local newspaper and on the Midlothian Council website. Details were also available at Loanhead Library. A public meeting was held on 12 October 2021 and a virtual public meeting was scheduled for 13 October 2021. There were no attendees at the public meeting and no stakeholders indicated that they wished to join the virtual meeting. The council received 68 written responses to the proposal. Thirty responses approved of the proposal and 38 responses objected to it.
- 2.3 The council proposes to discontinue primary education provision at St Margaret's RC Primary School with effect from 1 July 2022. This is due primarily to the school's roll declining considerably over recent years. Only two pupils attended St Margaret's RC Primary School at the start of the 2021-22 school year. Subsequently, these pupils moved to another school.
- 2.4 The council has experienced considerable recruitment challenges at St Margaret's RC Primary School over recent years. These have included being unable to recruit a Roman Catholic (RC) headteacher. The council has worked well with representatives from the RC Church to try to ensure appropriate staffing in the school. However, it has had limited success with this. Midlothian Council undertook a review of its denominational school provision in 2019, prompted by a national shortfall in the availability of teachers with the necessary approval to teach in RC schools. The review led to the council committing to maintain six RC primary schools and one RC secondary school in Midlothian.
- 2.5 Subject to the outcomes of the consultation exercise, the council proposes to extend the catchment areas of St Mary's RC Primary School, St Matthew's RC Primary School and Sacred Heart RC Primary School to include the St Margaret's RC Primary catchment area. Pupils at St Margaret's RC Primary School, of which there are currently none, would be allocated a place at St Mary's RC Primary School or be able to attend their non-denominational catchment primary school. St Mary's RC Primary School and the non-denominational primary schools in the catchment are suitably equipped, and situated within 4.2 miles of St Margaret's RC Primary School. The council would provide school transport for children without a safe walking route to school and children who would need to travel more than two miles from home to school.

## **3. Educational aspects of proposal**

- 3.1 The council believes rightly that there would be a number of potential educational benefits for children should the proposal be accepted. Children from St Margaret's RC Primary School would be able to experience a broader range of learning experiences, in which they could interact with a larger group of peers at their age and stage. Children would also be able to take part in team activities, move with their peers to secondary school and benefit from daily interactions with a larger denominational peer group. This is likely to help them develop important friendships, improve their confidence and wellbeing, and nurture their faith development.
- 3.2 Almost all stakeholders who met with HM Inspectors said they did not have strong feelings about the proposal. Most stakeholders understand the council's rationale for proposing to discontinue

primary education provision at St Margaret's RC Primary School due to it having no pupils currently. A few stakeholders expressed sadness about the proposed closure. They noted that, if the closure goes ahead, they would want to celebrate the previous successes of St Margaret's RC Primary School. A few children said that, although they enjoyed their time at St Margaret's RC Primary School, they are happy and well supported in the schools they now attend. One parent expressed discontent about the proposed closure, expressing that the council could have tried different strategies to maintain or strengthen the school roll.

- 3.3 Many parents praised St Margaret's RC Primary School in their written responses to the council. They said that it catered well for children with additional support needs due to its size, and that its small class sizes were beneficial. Parents were mixed in their views about pupil experiences in composite classes at St Margaret's RC Primary School. A few parents indicated that they had moved their children from St Margaret's RC Primary School because they were afraid of the school closing. Other parents highlighted the staffing challenges faced by the school.
- 3.4 The Archdiocese of Edinburgh expressed regret on behalf of the Catholic Church that the council proposes to close St Margaret's RC Primary School. The Archdiocese would prefer all Catholic schools in Midlothian to be kept open and viable. However, church representatives acknowledge that no pupils attend St Margaret's currently and, as a result, the school may no longer be viable.

#### **4. Summary**

- 4.1 The council provides a strong case for the proposed discontinuation of primary education provision at St Margaret's RC Primary School with effect from 1 July 2022. If the proposal is implemented, HM Inspectors consider that the proposal has the potential to support the council in providing high-quality denominational provision across six RC primary schools. This would include St Mary's RC Primary School, the neighbouring denominational primary school. St Mary's RC Primary School would provide children from St Margaret's RC Primary School with a wide range of experiences and outcomes linked to Curriculum for Excellence, and increased opportunities for success. It would also help children to develop social relationships more easily with their peers.
- 4.2 In its final report, the council should outline more clearly the considerable work it has engaged in with the Catholic Church to try to remedy the previous staffing challenges at St Margaret's RC Primary School.

**HM Inspectors  
November 2021**