

Mayfield Early Learning Centre Consultation

Report by Executive Director Children, Young People & Partnerships

Report for Decision

1 Recommendations

Council is recommended to approve the following:

- i. The closure of Mayfield Nursery School from August 2025 or as soon as possible thereafter;
- ii. Mayfield Early Learning Centre will be established from August 2025 or as soon as possible thereafter;
- iii. Mayfield Nursery School will be closed and re-designated to Mayfield Early Learning Centre within the Mayfield Learning Community Campus;
- iv. The Speech and Language Communication provision hosted within Mayfield Nursery School will close with effect from August 2024 or as soon as possible thereafter;
- v. The re-designation of Mayfield Nursery School to Mayfield Early Learning Centre will take effect from August 2025 or as soon as possible thereafter;
- vi. The new Mayfield Early Learning Centre will be under the leadership of the Head Teacher of St Luke's RC Primary School

2 Purpose of Report

This report advises on the outcome of the statutory consultation on the proposal to close of Mayfield Nursery School and re-designation it to Mayfield Early Learning Centre and seeks approval for the recommendations outlined above.

The statutory consultation on the proposal was undertaken in the period from Wednesday 6 March to Friday 3 May 2024. The statutory report on the outcome of the consultation was published on 3 June 2024 and provides full details of the process undertaken, representations made and Education Scotland's report on the proposal.

Date: 31 May 2024

Report Contact:

Katy Johnstone, Learning Estate Resource Officer, Education

Katy.Johnstone@midlothian.gov.uk

3 Background

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. Section 3D of the *Standards in Scotland's Schools etc. Act 2000* (as inserted by Section 2 of the *Education (Scotland) 2016 Act*) 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.
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.
4. Midlothian Council approved plans to replace Mayfield Nursery School and Mayfield and St Luke's RC Primary Schools. The proposed Mayfield Early Learning Centre will be created on the same site as the schools currently occupy. The existing buildings will be replaced with a new multi-functional and adaptive school campus and community facilities in the heart of Mayfield.
5. The closure of the Speech and Language Communication (SLC) provision at Mayfield Nursery School and movement of the service to outreach has been proposed to provide a locality model. Children and young people who access the SLC service will remain within their locality and their peers, this will provide the intense support and upskill all staff in supporting children and young people with speech, language and communication needs.
6. Mayfield Nursery School comprises the original 1963 nursery building with a modular unit added in 2018. It has the capacity to provide up to 100 full-time places for 3-5 year old children offering 1140 hours of Early Learning and Childcare.
7. In October 2023, there were 72 children on the roll which increased in January 2024 to 86 and will increase again in April 2024, bringing the nursery to capacity. These children attend the nursery school full time, and numbers are split between the original nursery building and the modular unit. Approximately 40% of the children who attend have been identified as having an additional support need.

8. The original nursery building has limited space, both indoors and out. The outdoor space has older play equipment and is laid partly to concrete. The modular unit has 2 rooms for learning and extensive outdoor gardens with built-in educational equipment. Both buildings have limited storage facilities and there is one accessible toilet.
9. The statutory consultation on the proposal was undertaken in the period from Wednesday 6 March to Friday 3 May 2024. The report on the outcome of the consultation was published on 3 June 2024, and provides full details of the process undertaken, representations made and Education Scotland's report on the proposal. The report is available on the Council's Citizen Space Consultation page:

<https://midlothiancouncil.citizenspace.com/education/mayfield-elc-consultation>
10. The Education Service offered additional consultation sessions over and above the required statutory public meeting. Further information on these sessions can be found in the consultation report section 4. Two members of the public attended the public meeting held in Newbattle High School on Wednesday 17 April 2024.
11. A total of 90 responses to the consultation were received during the period of the statutory consultation.
12. 49 responses to the consultation were in favour of the proposal to close Mayfield Nursery School, 36 were not in favour and 5 had no opinion.
13. 63 responses to the consultation were in favour of the proposal to establish Mayfield Early Learning Centre, 14 were not in favour and 13 had no opinion.
14. 12 responses to the consultation were in favour of the proposal to close the Speech and Language Communication provision hosted within Mayfield Nursery School, 71 were not in favour and 7 had no opinion.
15. 26 responses to the consultation were in favour of the proposal to place Mayfield Early Learning Centre under the leadership of the Head Teacher of St Luke's RC Primary School, 43 were not in favour and 21 had no opinion.
16. Education Scotland's Her Majesty's Inspectors of Education (HM Inspectors) prepare a report 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 (Appendix C).
17. The Education Scotland report summary states:

"HM Inspectors agree with the overall educational benefits of this proposal. The proposed new facility has the potential to deliver a modern, well-equipped space that supports well the delivery of the

Curriculum for Excellence. The shared campus could support further the transition from nursery to primary school. Leaders' collaborative approach has the potential to promote professional learning and to make best use of available resources. Parents, staff and children are keen to continue to be involved in shaping the development of the campus. The council should continue to engage with them to ensure that the final outcome best meets the needs of children. Parents and staff raised concerns regarding the interim nursery arrangements while construction takes place. If the proposal is approved, the council should continue to engage with all stakeholders regarding interim arrangements for nursery provision. In moving the SLCP to an outreach model, there is potential for more children to receive the right support at the right time within their mainstream schools. Stakeholders require further clarity."

18. The education service welcomes Education Scotland's report and will continue to engage with parents, staff and pupils to provide clarity on the proposed outreach model for Speech and Language Communication as well as the interim nursery arrangements.
19. The consultation report was published on 3 June 2024 leaving the required period of at least three weeks for further representations to be made prior to Council's consideration of the report and its decision regarding the recommendations:
 - i. The closure of Mayfield Nursery School from August 2025 or as soon as possible thereafter;
 - ii. Mayfield Nursery School will be closed and re-designated to Mayfield Early Learning Centre within the Mayfield Learning Community Campus;
 - iii. The Speech and Language Communication provision hosted within Mayfield Nursery School will close with effect from August 2024 or as soon as possible thereafter;
 - iv. The re-designation of Mayfield Nursery School to Mayfield Early Learning Centre will take effect from August 2025 or as soon as possible thereafter;
 - v. The new Mayfield Early Learning Centre will be under the leadership of the Head Teacher of St Luke's RC Primary School
20. The recommendation of the consultation report is for Council to approve the proposed closure of Mayfield Nursery School and re-designation to Mayfield Early Learning Centre and the recommendations outlined above.

4 Report Implications (Resource, Digital and Risk)

4.1 Resource

1. The approved budget for the ELC setting is £4m and the financial implications of closing Mayfield Nursery School and the Speech and

Language Communication (SLC) provision at Mayfield Nursery School can be found in the Consultation Proposal Paper (February 2024).

2. If this proposal is implemented Mayfield ELC would be staffed according to local and national policies and agreements in place at the time, which are designed to ensure that all duties and responsibilities of the early years setting are carried out. The staffing levels will principally be determined by the number of children adhering to Care Inspectorate guidelines around Safer Staffing.

4.2 Digital

None

4.3 Risk

None

4.4 Ensuring Equalities (if required a separate IIA must be completed)

An Integrated Impact Assessment has been carried out and published: https://www.midlothian.gov.uk/downloads/file/5237/integrated_impact_assessment_mayfield_elc_june_2024

4.4 Additional Report Implications

See Appendix A.

Appendices

Appendix A – Additional Report Implications

Appendix B – Education Scotland Report

Background links

[Consultation Report, June 2024](#)

[Consultation Proposal Paper, February 2024](#)

[Integrated Impact Assessment](#)

APPENDIX A – Report Implications

A.1 Key Priorities within the Single Midlothian Plan

Not applicable

A.2 Key Drivers for Change

Key drivers addressed in this report:

- Holistic Working
- Hub and Spoke
- Modern
- Sustainable
- Transformational
- Preventative
- Asset-based
- Continuous Improvement
- One size fits one
- None of the above

A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- One Council Working with you, for you
- Preventative and Sustainable
- Efficient and Modern
- Innovative and Ambitious
- None of the above

A.4 Delivering Best Value

The implementation of the recommendation of this report will enhance best value in the delivery of Council services.

A.5 Involving Communities and Other Stakeholders

This report provides details of the statutory consultation undertaken with communities and all stakeholders regarding the proposal to close Mayfield Nursery School and re-designate it to Mayfield Early Learning Centre.

A.6 Impact on Performance and Outcomes

The report does not directly impact on Midlothian Council's performance and outcomes.

A.7 Adopting a Preventative Approach

Not applicable

A.8 Supporting Sustainable Development

Not applicable