

Lasswade High School Childcare Service 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 Lasswade High School Childcare Service from September 2025.

2 Purpose of Report

This report advises on the outcome of the statutory consultation on the proposal to close Lasswade High School Childcare Service and seeks approval for the recommendation outlined above.

The statutory consultation on the proposal was undertaken in the period from Friday 29 November 2024 to Friday 24 January 2025. The statutory report on the outcome of the consultation was published on 10 March 2025 and provides full details of the process undertaken, representations made and Education Scotland's report on the proposal.

Date: 10 March 2025

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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. At a meeting of Midlothian Council on 25 June 2024, approval was granted for officers to undertake a statutory consultation on the proposal to close Lasswade High School Childcare Service and for a report on the outcome of the consultation exercises to be brought back to council for consideration and a decision.
5. Lasswade High School Childcare Service is located within the Lasswade High School Centre in Bonnyrigg. The Childcare service is registered with the Care Inspectorate to provide a service to a maximum of 15 children aged 0 to those not yet attending primary school. As of November 2024, there were 10 children attending the setting.
6. A review of the service was undertaken by setting management in late 2013 and this was then changed to a childcare setting operating full time places as a funded provider. This change did not require a statutory consultation as the legislative duty to consult on establishing new nurseries and nursery classes was suspended at the time to facilitate the move from 475 to 600 hours of funded early learning and childcare.
7. The childcare service is staffed appropriately as per the Care Inspectorate's regulation for child staff ratios in group based ELC settings. They are supported by the Depute Head Teacher (DHT) of Lasswade High School and in terms of quality an Early Years Principal Teacher (PT).

8. The childcare setting comprises of a main playroom with small kitchen area, children's nappy changing and toilet. There is also direct access to the outdoor play area from the playroom. Children also use other parts of Lasswade High School such as art rooms and the library for additional activities.
9. Midlothian Council officers have carried out an exercise inviting external organisations to note interest in the space to deliver an ELC of Childcare. This and any other potential options will continue to be considered.
10. The statutory consultation on the proposal was undertaken in the period from Friday 29 November 2024 to Friday 24 January 2025. The report on the outcome of the consultation was published on 10 March 2025, Appendix B, 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/lasswade-hscs-consultation>

11. 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. Three members of the public attended the public meeting held in Lasswade High School on Thursday 16 January 2025 at 18:30.
12. A total of 62 responses to the consultation were received during the period of the statutory consultation.
13. 11 responses to the consultation were in favour of the proposal to close Lasswade High School Childcare Service.
14. 51 responses to the consultation were not in favour of the proposal to close Lasswade High School Childcare Service.
15. Education Scotland's His 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).
16. The Education Scotland report summary states:

"HM Inspectors agree that the proposal has educational benefits. These could include the potential for better transition arrangements. Staff may benefit from improved access to leadership from ELC professionals, should they move to provision in a nursery or primary school setting. Children should benefit from appropriate spaces that facilitate the delivery of high quality ELC where they will learn and play with other children at early level. However, there may be potential to achieve this through enhancing the current setting. Should the proposal be approved, the council will need to support staff and families to transition to other provision."

17. The education service welcomes Education Scotland's report and should the proposal be approved, will continue to support and engage with families regarding the availability of Early Learning and Childcare settings in the local area.
18. The consultation report was published on 10 March 2025 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 Lasswade High School Childcare Service from September 2025.
19. The recommendation of the consultation report is for Council to approve the proposed closure of Lasswade High School Childcare Service.

4 Report Implications (Resource, Digital and Risk)

4.1 Resource

1. The financial implications of closing Lasswade High School Childcare Service within Lasswade High School can be found in Appendix 2.
2. Staff at Lasswade High School Childcare Service would be redeployed and managed in accordance with the Policy for Managing Change (LGWs). A mix of group and individual consultations will be undertaken with recognised Trade Unions and all affected staff in the setting.

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, Appendix D.

4.4 Additional Report Implications

See Appendix A.

Appendices

Appendix A – Additional Report Implications

Background Links

Appendix B – [Consultation Report, March 2025](#)

Appendix C – [Education Scotland Report](#)

Appendix D – [Integrated Impact Assessment](#)

Appendix E – [Consultation Proposal Paper, November 2024](#)

Appendix F - [Omissions, Corrections & Amendments](#)

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 Lasswade High School Childcare Service.

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