

**ABERDEEN CITY COUNCIL**

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COMMITTEE	<b>Education, Culture and Sport</b>
DATE	<b>11 September 2014</b>
DIRECTOR	<b>Gayle Gorman</b>
TITLE OF REPORT	<b>Statutory Consultation – Consultation Reports for:</b>  <b>(i) The proposal to rezone the former Victoria Road School zone and remove the dual zoning arrangement for Tullos School and Walker Road School, with effect from August 2015</b>  <b>(ii) The proposal to rezone the Hanover Street School zone from that of the St Machar Academy Associated School Group to that of the Harlaw Academy Associated School Group, with effect from August 2015.</b>
REPORT NUMBER:	<b>ECS\14\047</b>
CHECKLIST:	<b>Yes</b>

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**1. PURPOSE OF REPORT**

To report to Committee on the outcome of the statutory consultation on the proposals to:

- (i) Rezone the former Victoria Road School zone and remove the dual zoning arrangement for Tullos School and Walker Road School, with effect from August 2015; and
- (ii) Rezone the Hanover Street School zone from that of the St Machar Academy Associated School Group to that of the Harlaw Academy Associated School Group, with effect from August 2015.

**2. RECOMMENDATION**

- (i) To implement proposals (i) and (ii) above and to instruct officers to make the necessary arrangements to ensure successful implementation in time for the start of the academic session 2015/16 in August 2015.

### **3. FINANCIAL IMPLICATIONS**

There are no financial implications associated with the recommendation above.

### **4. OTHER IMPLICATIONS**

Legal – The public consultations have complied with the requirements of the Schools (Consultation) (Scotland) Act 2010. As these proposals refer to rezoning, any decision to implement them by this Committee cannot be called in by Scottish Ministers.

Resources – Officer time and expenditure associated with these consultation exercises has been met from existing service budgets.

Personnel – Implementation of the recommendations will not result in any significant personnel implications.

Property – There are no property implications arising from the implementation of these proposals.

Equipment – There are no equipment implications or risks associated with this report.

Sustainability and environmental – Implementation of these proposals will have minimal impact upon sustainability and environmental issues related to the school estate.

Health and safety – There are no implications or risks related to this report.

Policy – there are no policy implications or risks related to this report.

## **5. BACKGROUND/MAIN ISSUES**

### **5.1 School Reorganisation Proposals**

These proposals contribute to a widespread programme to manage the school estate across the city arising from both the review of secondary schools and primary schools which were previously reported to Committee on 28 October 2010 and 7 February 2013.

These statutory consultations were carried out as result of an instruction from Education, Culture and Sport on 7 February, 2013.

### **5.2 Educational Implications**

The Education Authority has a programme to ensure the provision of an affordable and suitable education service for all its pupils. Implementation of these proposals will assist in the delivery of these objectives.

### **5.3 Statutory Consultation Feedback**

Appendix 1 details the Consultation Report for the former Victoria Road School zone and the dual zoning arrangements for Tullos School and Walker Road School, while Appendix 2 contains the Consultation Report for the rezoning of Hanover Street School zone consultation exercise. The following sections provide a synopsis of the written submissions, comment from the public consultation meetings and the service's response to these submissions and the reports from Education Scotland.

#### **5.3.1 Tullos School / Walker Road School – removal of dual zoning arrangements**

##### **(a) Methodology**

All requirements of the Schools (Consultation) (Scotland) Act 2010 were met or exceeded.

##### **(b) Feedback from Stakeholders and Education Scotland**

Four responses were received for this consultation. None of the responses directly expressed support or objection to the proposal.

Three responses from parents of children attending Walker Road School sought clarification on the impact of the proposal for their children as they would reside outwith the revised Walker Road School zone should the proposal be implemented. One submission, from the Torry Community Council, asked the Council to consider the wider educational provision within the Torry community and to ensure that sufficient capacity was maintained within the school estate to accommodate the anticipated increase in pupil numbers at both schools.

Education Scotland confirmed that the Council had provided clear rationale for its proposal, but that it would need to ensure that the concerns of respondents were addressed in the Consultation Report.

The Council's responses to these issues are included in the Consultation Report at Appendix 1.

##### **(c) Overall View of the Proposal**

The volume of response was very low with none of the responses commenting on the pros and cons of the proposal directly.

#### **5.3.2 Rezoning of Hanover Street School Zone**

##### **(a) Methodology**

The consultation met of all the requirements of the Schools (Consultation) (Scotland) Act 2010.

**(b) Feedback from Stakeholders and Education Scotland**

One written response was received along with the Education Scotland report. This correspondence expressed support for the rezoning proposals as it provided a more accessible route to secondary provision at Harlaw Academy than was currently in place for pupils attending St Machar Academy.

**(c) Overall View of the Proposal**

The level of response was very low with only one individual attending the public meeting and one e-mailed response being received.

**5.9 Recommendations**

It is recommended that the Education, Culture and Sports Committee accept the proposals to:

- (i) Proceed with the proposal to rezone the former Victoria Road School zone and remove the dual zoning arrangement for Tullos School and Walker Road School, with effect from August 2015 and to instruct officers to make the necessary arrangements; and
- (ii) Proceed with the proposal to rezone the Hanover Street School zone from that of the St Machar Academy Associated School Group to that of the Harlaw Academy Associated School Group, with effect from August 2015 and to instruct officers to put in place the necessary arrangements.

**6. IMPACT**

**6.1 Corporate**

**Aberdeen the Smarter City**

- (i) We will enhance the physical and emotional wellbeing of all our citizens by offering support and activities which promote independence, resilience, confidence and self-esteem.
- (ii) Working with our third, public and private sector partners, we will provide opportunities for lifelong learning which will develop knowledge, skills and attributes of our citizens to enable them to meet the changing demands of the 21st Century.
- (iii) Again, working with partners, we will create a City of Learning which will empower individuals to fulfil their potential and contribute to the economic, social and cultural wellbeing of our communities.
- (iv) We will aim to have a workforce across the city which has the skills and knowledge to sustain, grow and diversify the city economy.

## **6.2 Equality and Human Rights implications**

A full Equality and Human Rights Impact Assessment is attached as Appendix 3 of this report.

## **6.3 Management of the School Estate**

It is noted that the pupil occupancy levels at both Tullos School and Walker Road School are high and are projected to increase in coming years. Although there are no direct implications on the capacities at either establishment arising from the implementation of the rezoning proposal, officers will work with the senior management teams of both schools to ensure that there is sufficient capacity in future years and report to Committee where appropriate.

## **7. MANAGEMENT OF RISK**

There is not expected to be significant operational risk arising from the implementation of the proposals. Having followed all applicable legislation, the Council will be perceived as having taken account of the result of the consultation process.

## **8. BACKGROUND PAPERS**

Appendix 1 Consultation Report on the Proposal to rezone the former Victoria Road School zone and remove the dual zoning arrangement for Tullos School and Walker Road School, with effect from August 2015.

Appendix 2 Consultation Report on Proposal to rezone the Hanover Street School zone from that of the St Machar Academy Associated School Group to that of the Harlaw Academy Associated School Group, with effect from August 2015,

## **9. REPORT AUTHOR DETAILS**

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## CONSULTATION REPORT

on the proposal by Aberdeen City Council to rezone the former Victoria Road School zone and remove the dual zoning arrangement for Tullos School and Walker Road School, with effect from August 2015.

### 1. METHODOLOGY

This consultation was conducted in accordance with the Schools (Consultation) (Scotland) Act, 2010. All requirements of the legislation were met or exceeded.

### 2. INVOLVEMENT OF STAKEHOLDERS

#### (a) Public Events

A public consultation event was held to discuss the re-zoning proposal for the former Victoria Road School zone.

The number of attendees who signed in at the public meeting was:

<i>Date</i>	<i>Time</i>	<i>Venue</i>	<i>Number of Recorded Attendees</i>
19 May 2014	7-8.30pm	Torry Academy	Approximately 12 parents/public officers and Elected Members

#### (b) Further Engagement

Officers from Education, Culture and Sport also attended a meeting of the Torry Community Council on 19 June 2014, to discuss the proposal and wider education aspects within the Torry community.

### **(c) Comments Received**

The following written submissions were received:

<i>Format</i>	<i>Number of submissions</i>
Email	3
Written	1
Comment Cards	0

Paper copies of all submissions were made available in the Members Library and have been circulated to external members of the Education, Culture and Sport Committee. Submissions, anonymised as necessary, were also made available on the Council website.

### **(d) Issues Raised**

#### **Public Meeting – 19 May 2014**

There were 12 parents and members of the public in attendance at the public meeting. Those present raised a number of issues, including the issue of siblings who live outwith a school zone being able to attend a school by placing request. The audience also sought comment on the capacity of the two primary schools and what would be done to increase the capacities to take account of potential new housing developments in the area. The discussion included commentary from the audience on the possibility of re-opening the former Victoria Road School or using the Torry Academy building to house Walker Road School.

Attendees expressed a desire to hear about the Council's long term educational plans for the Torry community, recognising that it was an area of deprivation.

#### **Parent Councils**

No responses were received from the Parent Councils of Tullos School or Walker Road School.

#### **Individuals**

Three e-mailed responses from individuals were received. All responses sought clarification on whether their children would still be eligible to attend Walker Road School should the rezoning proposal be implemented.

#### **Torry Community Council**

The response from Torry Community Council was received on 7 July, almost 3 weeks after the end of the consultation period, but due to the few submissions received it was agreed to record the comments as part of the consultation. A summary of the issues raised by Torry Community Council is provided in the following paragraphs.

The Community Council submission dealt with the wider concerns of Torry residents and is not solely focused on the actual detail of the consultation proposal. The response states that the community have lost faith in the City Council's decision making and inability to communicate and that this has led to the low number of responses received.

The Community Council believe that investment is needed in both Tullos School and Walker Road School and that modular accommodation should not be considered to address perceived capacity issues as the Community Council believe that this would not meet the requirements for the delivery of Curriculum for Excellence. The document also comments on the need for siblings to attend the same school regardless if they are from outwith that school zone.

Further concerns are raised about the possibility of new housing in the Torry area. The response identified the former prison site and the former Victoria Road School site and commented on the perceived impact on pupil occupancy levels within both schools.

### **Education Scotland Report**

An essential element of the statutory consultation process is involvement of Education Scotland whose report is provided as Annex A of this Consultation Document.

Education Scotland confirm that the Council "provided a clear rationale" for its rezoning proposals. The report also notes parental support in favour of the proposal to address over capacity issues by creating defined school zones for Tullos School and Walker Road School.

Education Scotland also comments on the need for the Council to address concerns raised during the consultation exercise.

### **3. THE COUNCIL'S RESPONSE TO ISSUES RAISED DURING THE CONSULTATION PERIOD AND CONTINUED WITHIN THE EDUCATION SCOTLAND REPORT**

The following paragraphs detail the issues raised during the consultation process, and the matters identified by Education Scotland in their report on the Council's proposals.

#### **(i) Out of Zone Pupils**

The three responses received from parents all had children attending Walker Road School but who would reside in the Tullos School zone, should the rezoning proposals be implemented. These individuals were advised that the Proposal Document which was issued on 6 May 2014 had contained specific reference that:

"It should be noted that the enrolment of pupils currently attending either of the schools would not be affected by this proposal."



Respondents were further advised that if they wished future siblings to attend Walker Road School, they would need to submit a placing request application, but that such applications would be prioritised providing there was sufficient space available in Walker Road School.

(ii) **Pupil Occupancy Levels**

The roll projection database shows that the occupancy levels at Walker Road School will require an additional classroom for the 2015/16 academic session in August 2015. Informal discussions have already taken place with the Head Teacher and it has been confirmed that there is one further room on the second floor which can be utilised as a classroom to create the required additional capacity.

Officers will continue working with the Head Teachers of both schools to ensure that plans are developed at the appropriate time to accommodate the young people who reside in either Tullos School or Walker Road School zones. Any plans for reconfiguring buildings will be brought to a future Committee meeting for approval.

(iii) **Other Comments**

The Service has committed to engage with the community of Torry, through the Community Council and to keep them apprised of any educational developments in the area. This will include any work which is required for both primary schools and regular updates on the new Academy which is being built to replace Kincorth and Torry Academies.

In relation to the future use of the Torry Academy building, it will be a decision for the Council to take following an options appraisal exercise which will be conducted at the appropriate time.

**4. ALLEGED OMISSIONS OF RELEVANT INFORMATION AND ALLEGED INACCURACIES CONTAINED WITHIN THE PROPOSAL DOCUMENT**

No responses asserting allegations of omissions or inaccuracies within the Proposal Document were received during the consultation period.

**5. COMPLIANCE WITH SECTION 9(1) OF THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010 AND CONSIDERATION OF THE PROPOSALS**

Following the conclusion of the consultation period, Section 9(1) of the Schools (Consultation) (Scotland) Act 2010, requires the Council to review the relevant proposal, having had regard to the written representations that have been received by it during the consultation period; oral representations made to it at the public meeting held on 19 May 2014 and Education Scotland's report.

In terms of Section 10(2) (e) of the said Schools (Consultation) (Scotland) Act 2010 the Consultation Report requires to contain a statement explaining how the Council complied with its duty under the above Section 9(1) of the Act.

With relation to Section 9(1) of the 2010 Act and having considered all of the information received during the consultation process, officers are satisfied that no comments have been received which would have caused them to review the merits of the proposal to rezone the former Victoria Road School zone and remove the dual zoning arrangement currently in place between Tullos School and Walker Road School, with effect from August 2015.

## **6. RECOMMENDATION**

It is recommended that the Education, Culture and Sport Committee agree:

- (i) To implement the proposed rezoning of the former Victoria Road School zone and remove the dual zoning arrangements which currently exist for Tullos School and Walker Road School, with effect from August 2015.

**Gayle Gorman**  
**Director of Education, Culture and Sport**  
**July 2014**

## **REPORT FROM EDUCATION SCOTLAND**

### **Consultation proposal by Aberdeen City Council**

Report by Education Scotland, addressing educational aspects of the proposal to remove dual zoning of the former Victoria Road School zone and define Tullos and Walker Road Schools' zones.

#### **Context**

This report from Education Scotland is required under the terms of the Schools (Consultation) (Scotland) Act 2010. It has been prepared by HM Inspectors in accordance with the terms of the Act. The purpose of this report is to provide an independent and impartial consideration of the council's consultation proposal. Section 2 of this report sets out the views expressed by consultees during the initial consultation process. Section 3 sets out HM Inspectors' consideration of the educational aspects of the proposal and the 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 a copy of this report and must contain an explanation of how it has reviewed the initial proposal, including a summary of points raised during the consultation and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision.

#### **1. Introduction**

1.1 Aberdeen City Council proposes to remove dual zoning of the former Victoria Road School zone and define Tullos and Walker Road Schools' zones. Victoria Road School was closed in 2008.

1.2 The report from Education Scotland is required under the terms of the Schools (Consultation) (Scotland) Act 2010. It has been prepared by HM Inspectors in accordance with the terms of the Act.

1.3 HM Inspectors undertook the following activities in considering the educational aspects of the proposal:

- attendance at the public meeting held on Monday 19 May 2014 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
- visits to the site of Walker Road and Tullos Schools, including discussion with relevant consultees.

1.4 HM Inspectors considered:

- the likely effects of the proposal for children and young people of the schools; 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
- benefits which the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

## **2. Consultation process**

2.1 Aberdeen City Council undertook the initial consultation on its proposal with reference to the Schools (Consultation) (Scotland) Act 2010.

2.2 Very few formal written responses were received by Aberdeen City Council. Parents, children and staff from both schools who spoke to HM Inspectors were broadly in favour of the proposal. They recognised the need for the council to address school roll and capacity issues in the area and believed the proposal would provide a short-term solution to rising school rolls. They raised a number of additional concerns on the proposal and the details for its implementation.

2.3 Parents who spoke with HM Inspectors were concerned about the council's policy on siblings and were concerned that a situation could arise where siblings would have to attend different primary schools. The council has stated in response to questions raised, that priority would be given to brothers or sisters when parents apply through a school placing request. Parents wanted a stronger level of reassurance. Parents at Walker Road School who spoke to HM Inspectors were also concerned that those parents who used Walker Road Nursery might be under the impression that their children would gain the right to a place at Walker Road School. They felt that the council needs to communicate clearly with parents of nursery children to enable them to make appropriate decisions on where to place their children at nursery stage.

2.4 Parents who spoke with HM Inspectors and representatives of Torry Community Council who attended the public meeting were concerned about the longer-term investment in education in Torry and the potential need for another primary school in the area to cope with rising rolls in the future. They were aware of potential for further housing development and were of the view that the council was potentially underestimating pupil numbers in school roll forecasts. They were concerned that the council, in working together with partners to tackle social and economic deprivation in Torry, should give greater priority to a positive long-term plan for improving primary education in Torry.

2.5 Staff at both schools who spoke with HM Inspectors were concerned about the potential impact of rising school rolls on class sizes and use of accommodation. They were keen to ensure that refurbishment of the schools

was undertaken as planned to enable a positive approach to delivering all aspects of Curriculum for Excellence, including outdoor learning. In Walker Road School, detailed plans to improve the playground area are in place and new equipment has been ordered. Staff felt it was important to avoid the need for temporary classroom units as a means of addressing the rising roll. Staff who met with HM Inspectors were not aware of recent building surveys or timescales for refurbishment of buildings.

2.6 Children who spoke to HM Inspectors at both schools were well informed about the proposal. They had no major concerns. They valued their schools and wished to continue to attend their school with their friends. They were reassured that the proposals will not impact on children currently attending schools.

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

3.1 Aberdeen City Council has provided a clear rationale for its proposal. If implemented it will result in more clearly defined school zones and provide greater certainty for parents and children in the former Victoria Road School zone. School rolls are rising and there is a need to avoid overcrowding at Walker Road School.

3.2 Parents raised the need for greater certainty on the position of siblings attending different schools. If the council implements its proposal it will need to provide more information on how it will allocate places to siblings of those children currently attending each of the schools affected.

3.3 If implemented, the proposals will require joint planning between Tullos School and Walker Road School, particularly in the transition from nursery to primary stages. The council will need to ensure it provides clear information to parents of nursery children about the catchment areas for each school to enable them to make informed choices.

3.4 Staff, parents and representatives of Torry Community Council expressed a need for a longer-term plan to address rising school rolls in the area and the council's approach to improving educational provision in the future. If the proposals are implemented, the council will need to work closely with stakeholders on its longer-term plan and vision for education in the Torry area. Aberdeen City Council officers agreed to accept a late written submission from Torry Community Council. The council will need to consider this submission in preparing its final report.

### **4. Summary**

A limited number of responses were made to Aberdeen City Council on its proposal. Parents, staff and children who spoke to HM Inspectors thought the proposal made sense in addressing school capacity and rising school rolls in the area. In its final consultation report, the council needs to address the concerns raised by stakeholders and consider the submission from Torry Community Council.

HM Inspectors  
Education Scotland  
June 2014




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## CONSULTATION REPORT

on the proposal by Aberdeen City Council to rezone the Hanover Street School zone from that of the St Machar Academy Associated School Group to that of the Harlaw Academy Associated School Group, with effect from August 2015.

### 3. METHODOLOGY

This consultation was conducted in accordance with the Schools (Consultation) (Scotland) Act, 2010. All requirements of the legislation were met or exceeded.

### 4. INVOLVEMENT OF STAKEHOLDERS

#### (a) Public Events

A public consultation event was held to discuss the proposal to rezone the Hanover Street School zone from that of St Machar Academy to that of Harlaw Academy.

The number of attendees who signed in at the public meeting was:

<i>Date</i>	<i>Time</i>	<i>Venue</i>	<i>Number of Recorded Attendees</i>
20 May 2014	7-8.30pm	Hanover Street School	1 parent/public plus officers and Elected Members

**(b) Comments Received**

The following written submissions were received:

<i>Format</i>	<i>Number of submissions</i>
Email	1
Written	0
Comment Cards	0

Paper copies of the submission were made available in the Members Library and have been circulated to external members of the Education, Culture and Sport Committee. The submission, anonymised as necessary, was also made available on the Council website.

The public meeting, held at Hanover Street School, was attended by 1 individual.

**(d) Issues Raised**

**Public Meeting**

At the public meeting the parent in attendance sought advice on how the proposal would affect their children’s ability to attend Aberdeen Grammar.

**Parent Councils**

No responses were received from the Parent Councils of Hanover Street School, Harlaw Academy or St Machar Academy.

**Individuals**

One response was received by e-mail which expressed support for the proposal as it would provide a direct bus route and safe walking route to the secondary provision at Harlaw Academy.

**Education Scotland Report**

An essential element of the statutory consultation process is involvement of Education Scotland whose report is provided as Annex A of this Consultation Report.

Education Scotland confirm that the Council’s proposal has a number of benefits and will deliver educational benefits. The report also notes the support of the individual who responded to the consultation.



### **3. THE COUNCIL'S RESPONSE TO ISSUES RAISED DURING THE CONSULTATION PERIOD AND CONTINUED WITHIN THE EDUCATION SCOTLAND REPORT**

There were no issues raised during the consultation process, although officers will contact the parents of Hanover Street School pupils to confirm the revised rezoning arrangements, should Committee decide to implement the proposal.

### **4. ALLEGED OMISSIONS OF RELEVANT INFORMATION AND ALLEGED INACCURACIES CONTAINED WITHIN THE PROPOSAL DOCUMENT**

No responses asserting allegations of omissions or inaccuracies within the Proposal Document were received during the consultation period.

### **5. COMPLIANCE WITH SECTION 9(1) OF THE SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010 AND CONSIDERATION OF THE PROPOSALS**

Following the conclusion of the consultation period, Section 9(1) of the Schools (Consultation) (Scotland) Act 2010, requires the Council to review the relevant proposal, having had regard to the written representations that have been received by it during the consultation period; oral representations made to it at the public meeting held on 20 May 2014 and Education Scotland's report.

In terms of Section 10(2) (e) of the said Schools (Consultation) (Scotland) Act 2010 the Consultation Report requires to contain a statement explaining how the Council complied with its duty under the above Section 9(1) of the Act.

With relation to Section 9(1) of the 2010 Act and having considered all of the information received during the consultation process, officers are satisfied that no comments have been received which would have caused them to review the merits of the proposal to rezone the Hanover Street School zone from that of the St Machar Academy Associated School Group to that of Harlaw Academy Associated School Group, with effect from August 2015.

### **6. RECOMMENDATION**

It is recommended that the Education, Culture and Sport Committee agree:

- (ii) To implement the proposed rezoning of the Hanover Street School zone from that of the St Machar Academy Associated School Group to that of Harlaw Academy Associated School Group, with effect from August 2015.

**Gayle Gorman**  
**Director of Education, Culture and Sport**  
**July 2014**

## **REPORT FROM EDUCATION SCOTLAND**

### **Consultation proposal by Aberdeen City Council**

Report by Education Scotland addressing educational aspects of the proposal by Aberdeen City Council to re-zone the Hanover Street Primary School catchment area from St Machar Academy to Harlaw Academy.

#### **Context**

This report from Education Scotland is required under the terms of the Schools (Consultation) (Scotland) Act 2010. It has been prepared by HM Inspectors in accordance with the terms of the Act. The purpose of this report is to provide an independent and impartial consideration of the council's consultation proposal. Section 2 of this report sets out the views expressed by consultees during the initial consultation process. Section 3 sets out HM Inspectors' consideration of the educational aspects of the proposal and the 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 a copy of this report and must contain an explanation of how it has reviewed the initial proposal, including a summary of points raised during the consultation and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision.

#### **1. Introduction**

1.1 Aberdeen City Council proposes to re-zone the Hanover Street Primary School catchment area from St Machar Academy to Harlaw Academy.

1.2 The report from Education Scotland is required under the terms of the Schools (Consultation) (Scotland) Act 2010. It has been prepared by HM Inspectors in accordance with the terms of the Act.

1.3 HM Inspectors undertook the following activities in considering the educational aspects of the proposal:

- attendance at the public meeting held on Tuesday 20 May 2014 in connection with the council's proposal;
- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, a written submission from parents; and
- visits to the site of Hanover Street Primary School, St Machar Academy and Harlaw Academy, including discussion with relevant consultees.

1.4 HM Inspectors considered:

- the likely effects of the proposal, and the benefits which the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

## **2. Consultation process**

- 2.1 Aberdeen City Council undertook the initial consultation on its proposals with reference to the Schools (Consultation) (Scotland) Act 2010 between Tuesday 6 May and Wednesday 18 June 2014. It held a public meeting on Tuesday 20 May 2014. The council received one response to the proposal. This response supported the proposal.
- 2.2 HM Inspectors met with representative groups of parents, children, young people and staff across the three schools, including all children in P5 and P6 at Hanover Street Primary School. All consultees who responded to the proposal and who met with HM Inspectors supported the proposal. They felt it was a sensible option. They felt that Harlaw Academy was closer to where most children who attend Hanover Street Primary School live. They also felt that Harlaw Academy was also easier for children to walk to and was on a direct bus route.

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

- 3.1 The proposal to re-zone the Hanover Street Primary School catchment area from St Machar Academy to Harlaw Academy to take effect from August 2015 is reasonable and of clear merit. There are currently 97 young people of secondary age who are resident in the Hanover Street Primary School catchment area. Of these young people, 30 attend St Machar Academy. Twenty-seven of them attend Harlaw Academy as the result of parental placing requests. The remaining children attend other secondary schools within the city boundary. If the proposal is implemented, most children who live in the catchment area of Hanover Street Primary School will have a reduced journey time to school. Parents, children, young people and staff also feel that the walking route to school will be safer than the current walking route to St Machar Academy. Children will also have access to direct bus routes to school that are not available for the journey to St Machar Academy.
- 3.2 The current roll of Harlaw Academy is just over 900. Almost half of those who attend the school do so as the result of placing requests from parents for places for young people who do not live within the school's catchment area. Staff at Harlaw Academy believe implementation of the proposal will increase the proportion of young people on the roll from the school's extended catchment area.
- 3.3 Harlaw Academy is currently associated with three primary schools. These schools form an Associated Schools Group (ASG). The ASG plans transition events such as music and science mornings and health and wellbeing events for children in the associated primary schools. If the proposal is implemented, Hanover Street Primary School will become part of the Harlaw Academy ASG. As a result, the children who will transfer to Harlaw Academy at the end of P7 will benefit from participation in these transition activities. Creating formal links between Harlaw Academy and Hanover Street Primary School also has the potential to enhance the planning of

transitional arrangements for children who require additional support with their learning.

- 3.4 If the proposal is implemented, the catchment area of Harlaw Academy will be extended to include the Aberdeen harbour area. This area includes a number of commercial and energy based companies and industries. This has the potential to improve the curriculum and enhance the opportunities available for young people by extending the breadth and range of the school's partnership working with these businesses.
- 3.5 Aberdeen City Council has undertaken strategic reviews of secondary and primary education. These reviews were approved by the Education, Culture and Sport Committee in 2010 and 2013 respectively. The proposal to re-zone Hanover Street Primary School catchment area to Harlaw Academy is part of the longer term strategy to manage the school rolls, not only in St Machar Academy and Harlaw Academy, but more widely in other schools across the city. This strategy will help the council meet its duty to secure best value along with its statutory obligations under the Education (Scotland) Act 1980 to secure efficient provision of school education and to provide sufficient school accommodation.

#### **4. Summary**

The proposal to re-zone the Hanover Street Primary School catchment area from St Machar Academy to Harlaw Academy has a number of benefits. It is seen as a common sense solution by consultees and has their full support. The inclusion of Hanover Street Primary School within the Harlaw Academy ASG will enable children to benefit from the transition activities undertaken by the ASG. The extension of the catchment area of Harlaw Academy to include the Aberdeen harbour area has the potential to improve the curriculum and enhance opportunities for young people by extending the school's range of business partnerships in the commercial and energy sectors. The proposal is also part of a strategic and coordinated approach to the management of the school estate across the city of Aberdeen. This approach has the potential to help Aberdeen City Council meet its duty to secure best value in the delivery of its services.

HM Inspectors  
Education Scotland  
June 2014



# Equality and Human Rights Impact Assessment - the Form

There are separate guidance notes to accompany this form – “Equality and Human Rights Impact Assessment – the Guide.” Please use these guidance notes as you complete this form. Throughout the form, **proposal** should be understood broadly to include the full range of our activities and could refer to a decision, policy, strategy, plan, procedure, report or business case, embracing a range of different actions such as setting budgets, developing high level strategies and organisational practices such as internal restructuring. Essentially everything we do!

## STEP 1: Identify essential information

1. Committee Report No.

2. Name of proposal.

Statutory Consultation – Consultation Reports for:

- (i) The proposal to rezone the former Victoria Road School zone and remove the dual zoning arrangement for Tullos School and Walker Road School, with effect from August 2015
- (ii) The proposal to rezone the Hanover Street School zone from that of the St Machar Academy Associated School Group to that of the Harlaw Academy Associated School Group, with effect from August 2015.

3. Officer(s) completing this form.

Name	Designation	Service	Directorate
Euan Couperwhite	Infrastructure and Assets Programme Manager	Educational Development, Policy and Performance	Education, Culture and Sport

4. Date of Impact Assessment.

5. When is the proposal next due for review?

6. Committee Name.

7. Date the Committee is due to meet.

8. Identify the Lead Council Service and who else is involved in delivering this proposal (for example other Council services or partner agencies).

9. Please summarise this Equality and Human Rights Impact Assessment (EHRIA). This must include any practical actions you intend to take or have taken to reduce, justify or remove any adverse negative impacts. This must also include a summary of how this proposal complies with the public sector equality duty for people with protected characteristics - see Step 2. **Please return to this question after completing the EHRIA.**

10. Where will you publish the results of the Equality and Human Rights Impact Assessment? Tick which applies.

- Para 9 of EHRIA will be published in committee report in Section 6 "Impact"
- Full EHRIA will be attached to the committee report as an appendix
- Copied to Equalities Team to publish on the Council website

**STEP 2: Outline the aims of the proposal**

11. What are the main aims of the proposal?

12. Who will benefit most from the proposal?

of these proposals.

13. You should assess the impact of your proposal on equality groups and tell us how implementing this proposal will impact on the needs of the public sector equality duty to: eliminate discrimination, harassment and victimisation; advance equality of opportunity; and foster good relations.

The rezoning proposals will have a positive impact on young people attending the affected schools. It will have no impact on the public sector equality duties.

### STEP 3: Gather and consider evidence

15. What **evidence** is there to identify any potential positive or negative impacts in terms of involvement, consultation, research, officer knowledge and experience, equality monitoring data, user feedback and other? You must consider relevant evidence, including evidence from equality groups.

A full public consultation has been undertaken with stakeholders. All responses are then reviewed by officers to determine if there any aspects of the proposal which should be re-assessed. This is in full compliance with the Schools (Consultation) (Scotland) Act 2010.

### STEP 4: Assess likely impacts on people with Protected Characteristics

16. Which, if any, people with protected characteristics and others could be affected positively or negatively by this proposal? Place the symbol in the relevant box. Be aware of cross-cutting issues, such as older women with a disability experiencing poverty and isolation.

(Positive +, neutral 0, - negative)

Protected Characteristics					
Age - Younger	+	Disability	0	Gender Reassignment*	0
Older	0				
Marriage or Civil Partnership	0	Pregnancy and Maternity	0	Race**	0
Religion or Belief	0	Sex (gender)***	0	Sexual orientation****	0
Others e.g. poverty	0				

Notes:

\* Gender Reassignment includes Transsexual

\*\* Race includes Gypsy/Travellers

\*\*\* Sex (gender) i.e. men, women

\*\*\*\* Sexual orientation includes LGB: Lesbian, Gay and Bisexual

17. Please detail the potential positive and/or negative impacts on those with protected characteristics you have highlighted above.

In making the assessment you must consider relevant evidence, including evidence received from individuals and equality groups. Having considered all of these elements, you must take account of the results of such assessments. This requires you to consider taking action to address any issues identified, such as removing or mitigating any negative impacts, where possible, and exploiting any potential for positive impact. If any adverse impact amounts to **unlawful discrimination**, the policy must be amended to avert this. Detail the impacts and describe those affected.

Positive impacts (describe protected characteristics affected)	Negative Impacts (describe protected characteristics affected)
Age Younger – the rezoning proposals will ensure that young people attending the affected primary schools can be taught in schools which have clearly defined school catchment areas and which serve their local communities.	None

**STEP 5: Human Rights - Apply the three key assessment tests for compliance assurance**

18. Does this proposal/policy/procedure have the potential to interfere with an individual's rights as set out in the Human Rights Act 1998? State which rights might be affected by ticking the appropriate box(es) and saying how. **If you answer "no", go straight to question 22.**

**NO**

- Article 3 – Right not to be subjected to torture, inhumane or degrading treatment or punishment
- Article 6 – Right to a fair and public hearing
- Article 8 – Right to respect for private and family life, home and correspondence
- Article 10 – freedom of expression
- Other article not listed above

**How?**

**Legality**



19. Where there is a potential negative impact is there a legal basis in the relevant domestic law?

**Legitimate aim**

20. Is the aim of the policy identified in Steps 1 and 2 a legitimate aim being served in terms of the relevant equality legislation or the Human Rights Act?

**Proportionality**

21. Is the impact of the policy proportionate to the legitimate aim being pursued? Is it the minimum necessary interference to achieve the legitimate aim?

**STEP 6: Monitor and review**

22. How will you monitor the implementation of the proposal? (For example, customer satisfaction questionnaires)

Full public consultations on the Council’s rezoning proposals have been completed. These allow stakeholders to submit comments and views, which under the requirements of the Schools (Consultation) (Scotland) Act 2010 and the Children and Young People’s Act 2014 must be reported to the Council in the follow up Consultation Report which provides a summary of the issues raised and the Council’s response to those issues.

23. How will the results of this impact assessment and any further monitoring be used to develop the proposal?

This impact assessment ensures that public consultations comply with legislation and that the positive Educational Benefits of the proposal can be demonstrated.

## STEP 7 SIGN OFF

The final stage of the EHRIA is formally to sign off the document as being a complete, rigorous and robust assessment.

Person(s) completing the impact assessment.

Name	Date	Signature
Euan Couperwhite	23 July 2014	

Quality check: document has been checked by

Name	Date	Signature
Andrew Jones	24 July 2014	

Head of Service (Sign-off)

Name	Date	Signature
David Anderson	28 July 2014	

### Now –

Please send an electronic copy of your completed EHRIA - without signatures - together with the proposal to:

Equalities Team  
Customer Service and Performance  
Corporate Governance  
Aberdeen City Council  
**Business Hub 13**  
Second Floor North  
Marischal College  
Broad Street  
Aberdeen  
AB10 1AB

Telephone 01224 523039 Email [sandrab@aberdeencity.gov.uk](mailto:sandrab@aberdeencity.gov.uk)