

ABERDEEN CITY COUNCIL

COMMITTEE	Education and Children's Services
DATE	2 July 2024
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Consultation Reports: Proposed Catchment Area Changes for Hazlehead Academy, Greenbrae School and Scotstown School
REPORT NUMBER	F&C/24/196
EXECUTIVE DIRECTOR	Eleanor Sheppard
CHIEF OFFICER	Stephen Booth
REPORT AUTHOR	Andrew Jones
TERMS OF REFERENCE	1.1.1, 1.1.2

1. PURPOSE OF REPORT

- 1.1 To report to the Committee on the outcomes of two recent statutory public consultations, on proposals to make changes to the school catchment areas for (1) Hazlehead Academy and (2) Greenbrae School and Scotstown School.

2. RECOMMENDATIONS

That the Committee:-

- 2.1 Notes the decision of Council on 13 December 2023, to construct a new 1600 pupil campus on the current Hazlehead Academy playing fields to provide secondary school provision for the Hazlehead and Countesswells Associated School Groups;
- 2.2 Agrees to implement changes to the existing Countesswells and Hazlehead secondary school catchment areas, as defined within Map 2 in the consultation report at Appendix 1 of this report, to create a new catchment area which will be served by the new Hazlehead Academy, with effect from 1 August 2027; and
- 2.3 Agrees to implement changes to the catchment areas for Greenbrae School and Scotstown School, as defined within Map 2 in the consultation report at Appendix 2 of this report, with effect from 1 August 2024;

3. CURRENT SITUATION

Hazlehead Academy Consultation

- 3.1 At its meeting of 21 November 2023, the Education and Children's Services Committee instructed the Chief Officer – Corporate Landlord to carry out a statutory public consultation on the proposal to establish a new campus on the Hazlehead Academy playing fields, and on proposed changes to the existing Countesswells and Hazlehead secondary school catchment areas, to create a

new catchment area which would be served by the proposed new school provision.

- 3.2 At its meeting of 13 December 2023, Council approved in principle the recommended option within an outline business case to construct a new 1600 pupil campus on the current Hazlehead Academy playing fields, to provide secondary school provision for Hazlehead and Countesswells ASGs (Associated School Groups), subject to the outcome of a statutory consultation.
- 3.3 To fulfil the committee instruction, a public consultation was carried out from 26 February to 22 April 2024.
- 3.4 A full summary of the responses received during the consultation, along with officers' responses to the issues raised, are contained within the Consultation Report at Appendix 1. The report also contains a copy of Education Scotland's response to the proposal.
- 3.5 With relation to Section 9(1) of the Schools (Consultation) (Scotland) Act 2010, and having considered all of the information received during the consultation process, officers have reviewed the original proposals to merge the existing secondary school catchment areas for Hazlehead, Countesswells and Kingswells, to form a new catchment area to be served by the planned replacement building for Hazlehead Academy, and have concluded that the proposals are appropriate, and that there is no reason to change them.
- 3.6 It is recommended that the proposed changes to the catchment areas should be implemented from 1 August 2027. It is anticipated that the new school building will be open to pupils from the end of 2027, and making the changes to the catchment areas from 1 August that year will ensure that new S1 pupils from Kingswells are able to join the school from the start of the new school session (as this would be their zoned school), and transfer to the new building along with all other pupils as soon as it opens. If necessary, temporary arrangements would be made to ensure there is sufficient additional space in the existing building to accommodate the higher pupil numbers, until the transfer to the new building is complete.
- 3.7 If the proposals for the new catchment area for Hazlehead Academy are accepted, officers will continue to monitor the situation and the numbers of pupils living within Countesswells on a regular basis, and any requirements for additional education provision to be established to serve the needs of the growing community will be brought forward for further consideration as the need arises.
- 3.8 In summary, it is recommended that the decision to establish a new replacement building for Hazlehead Academy is confirmed, and that the existing catchment areas for the Countesswells ASG and Hazlehead ASG should be merged, to form a new single catchment area to be served by the replacement Hazlehead Academy building, with effect from 1 August 2027.

Greenbrae School / Scotstown School Consultation

- 3.9 At its meeting of 12 September 2023, the Education and Children's Services Committee instructed the Chief Officer – Corporate Landlord to carry out a public consultation on a proposal to alter the school catchment areas for Greenbrae School and Scotstown School, so that they aligned with the city boundary and no longer extended beyond it into Aberdeenshire.
- 3.10 To fulfil this instruction, a public consultation was carried out from 19 February to 15 April 2024.
- 3.11 A full summary of the responses received during the consultation, along with officers' responses to the issues raised, are contained within the Consultation Report at Appendix 2. The report also contains a copy of Education Scotland's response to the proposal.
- 3.12 With relation to Section 9(1) of the Schools (Consultation) (Scotland) Act 2010, and having considered all of the information received during the consultation process, officers have reviewed the original proposals to alter the school catchment areas for Greenbrae School and Scotstown School, and have concluded that the proposals are appropriate, and that there is no reason to change them.
- 3.13 In summary, it is recommended that the catchment areas for Greenbrae School and Scotstown School should be changed, so that they align with the city boundary and no longer extend into parts of Aberdeenshire, and that the changes should take effect from 1 August 2024.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from the recommendations in this report.

5. LEGAL IMPLICATIONS

- 5.1 A proposal to make changes to the catchment area of a school is a relevant proposal under the Schools (Consultation) (Scotland) Act 2010. The 2010 Act prescribes the procedural steps the Education Authority must take. This includes:
- preparation of a proposal paper;
 - giving notice of the proposal;
 - ingathering oral and written representations;
 - holding a public meeting;
 - providing Education Scotland with all relevant documentation;
 - reviewing the proposal having regard to the representations received and Education Scotland's report; and
 - thereafter publishing a consultation report containing an explanation of how it has reviewed the proposal and responding to the points raised during the consultation.

5.2 Both public consultations have complied with these requirements of the 2010 Act. As the proposals do not refer to the proposed closure of any school, any decision to implement them by this Committee cannot be called in by Scottish Ministers. A complaint may be made to Scottish Ministers under section 70 of the Education (Scotland) Act 1980 where it is alleged that an Education Authority has failed to comply with obligations placed upon it by the 2010 Act. In such instances, if satisfied the Authority is in default the Scottish Ministers may make an order requiring that the statutory duty be carried out.

5.3 Section 1 of the Education (Scotland) Act 1980 provides that it shall be the duty of every education authority to secure that there is made for their area adequate and efficient provision of school education and further education. Section 28 of the 1980 Act provides that in the exercise and performance of their powers and duties under the Act, education authorities shall have regard to the general principle that, so far as is compatible with the provision of suitable instruction and training and the avoidance of unreasonable public expenditure, pupils are to be educated in accordance with the wishes of their parents.

6. ENVIRONMENTAL IMPLICATIONS

6.1 A decision to combine the catchment areas for the Hazlehead and Countesswells ASGs is likely to result in an increase in the number of children from Countesswells travelling farther distances to reach their school at Hazlehead, compared with their travel distance if a new secondary school at Countesswells was to be established. These increased journey distances and journey times may have a small negative impact on the local environment, although sustainable methods of travel to school will be encouraged and supported where possible.

7. RISK

The assessment of risk contained within the table below is considered to be consistent with the Council's Risk Appetite Statement.

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	No significant risks identified			
Compliance	Risk that the Council is seen to make significant changes to schools	All aspects of the Schools (Consultation) (Scotland) Act 2010 have been complied with. Regard has been had to statutory duties set out in	L	Yes

	<p>without considering the views of stakeholders.</p> <p>Risk of successful legal challenge for failing to comply with statutory duties.</p>	<p>the 2010 Act set out above and the Education (Scotland) Act 1980. Prescribed legal processes have been followed.</p>		
Operational	<p>Risk that citizens' views are not taken into account when introducing changes to catchment areas</p>	<p>All aspects of the Schools (Consultation) (Scotland) Act 2010 as amended have been complied with and stakeholders have had the opportunity to comment on proposals. The consultation reports provide an account of the factors taken into consideration by officers which led to the recommendations to proceed with the implementation of changes to catchment areas.</p>	L	Yes
Financial	<p>No significant risks identified</p>			
Reputational	<p>Risk that citizens' views are not taken into account when introducing changes to catchment areas</p>	<p>All aspects of the Schools (Consultation) (Scotland) Act 2010 as amended have been complied with and stakeholders have had the opportunity to comment on proposals. The consultation reports provide an account of the factors taken into consideration by officers which led to the recommendation to proceed with the implementation of changes to catchment areas.</p>	L	Yes
Environment / Climate	<p>No significant risks identified</p>			

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN 2022-2023</u>	
Impact of Report	
<u>Aberdeen City Local Outcome Improvement Plan 2016-26</u>	
Prosperous People Stretch Outcomes	The proposals within this report support the delivery of the Children & Young People Stretch Outcomes 6 to 8 in the LOIP. Clarifying school catchment areas, and ensuring that pupil rolls at the schools concerned are maintained at manageable levels, will assist in the delivery of quality learning and teaching, which will ultimately lead to improved outcomes for young people.

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	A new Integrated Impact Assessment has been completed
Data Protection Impact Assessment	Not required
Other	No other assessments required

10. BACKGROUND PAPERS

- 10.1 Education Operational Delivery Committee, 21 November 2023 & Finance and Resources Committee, 22 November 2023: *Outline Business Case: New Secondary School Provision for Hazlehead and Countesswells* - RES/23/366
- 10.2 Education Operational Delivery Committee, 12 September 2023: *School Estate Plan Annual Update* - RES/23/282

11. APPENDICES

- 11.1 Appendix 1 – Consultation Report: New Hazlehead Academy Campus and alteration of existing secondary school catchment areas for Hazlehead, Countesswells and Kingswells
- 11.2 Appendix 2 – Consultation Report: Alteration of Catchment Areas for Greenbrae School and Scotstown School

12. REPORT AUTHOR CONTACT DETAILS

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