

# North Lanarkshire Council Report

## Education, Children and Families Committee

Does this report require to be approved?  Yes  No

Ref GMcL/MD

Date 28/02/23

## Proposals for statutory public consultation on the proposed relocation of Mavisbank School to the existing Carnbroe Primary

**From** Gerard McLaughlin, Chief Officer (Education - North)

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### Executive Summary

This report outlines proposals for statutory public consultations on the proposed relocation of Mavisbank School to 'existing' Carnbroe Primary within North Lanarkshire.

If approved, a statutory consultation will take place involving all statutory consultees, other stakeholders and interested parties.

The key reason for this proposal is:

- To build upon the councils strategic approach regarding the reconfiguration of the intensive ASN systems and services to support children and young people with intensive social and emotional needs.

Revision of ASN provision is a key programme of work within the revised Plan for North Lanarkshire (March 2020).

### Recommendations

The Education and Families Committee is recommended to:

- (1) Endorse the contents of the report;
- (2) Agree that a formal consultation take place on the proposed change of location for Mavisbank Primary;
- (3) Agree the timeline for consultation outlined in appendix 2 of this report.

### The Plan for North Lanarkshire

Priority	Improve North Lanarkshire's resource base
Ambition statement	(22) Facilitate a North Lanarkshire wide approach to asset rationalisation, including with communities and partners

### Background

1.1 Schools (Consultation) (Scotland) Act 2010

The provisions of the above Act place a statutory duty on education authorities to carry out formal consultations on new build proposals for schools when the proposal is to build the school out with its current curtilage or when a joint campus is proposed involving a non-denominational and a denominational primary school.

- 1.2 The Act requires education authorities prepare an educational benefits statement, to prepare (and publish) a proposal paper in respect of any proposal which falls within the terms of the Act, give notice of the proposal to the relevant consultees (and invite representations) in accordance with the Act, to hold (and give notice of) a public meeting, involve Education Scotland.
- 1.3 Following the period of consultation, the education authority must review the proposal in accordance with the Act and prepare (and publish) a consultation report in accordance with relevant sections of the Act.
- 1.4 After publication of the education authority report, HMIE publish a report on the consultation taking account of the previously published education authority report before a final decision is made by the Council.
- 1.5 The Service will undertake a statutory consultation on the proposed relocation of Mavisbank School (Secondary) to the existing Cambroe Primary site. Appendix 1.
- 1.6 In September 2019, the Education and Families Committee approved a review of Additional Support Needs services which established twelve key recommendations for action. Two key recommendations are cited here, which underpin the intentions of the strategic recommendations in this paper.

Recommendation 8: 'Partnership working will be strengthened in a revised Support Around the School model, which will enable greater empowerment of staff to meet the needs of young people and enable a greater connection between needs and the partnership response to them. A more holistic approach to supporting families will underpin this.'

Recommendation 11: 'A clear plan for the future of the ASN estate, which creates Cluster ASN Hubs and specialist provision around the envisaged campus model of the future will be established as part of the Community Investment Fund and developed as part of the ongoing work to prioritise community hub investment proposals.'

- 1.7 Proposals outlined in this paper have been developed by Education and Families inclusion team and Procurement and Corporate Finance. Key considerations derived from these meetings have been incorporated into the models proposed, which include:
  - Quality and condition of the fabric of school buildings
  - Possible savings/costs associated with estate re-purposing and school relocation
  - Impact assessment and improvement planning for the ASN sector.
- 1.8 The Service has adopted a formal project management governance structure to lead and monitor the delivery of the overarching ASN strategy which will encompass the achievement of the programme and the savings.
- 1.9 In addition, the Service is committed to cost reductions relating to the repatriation of children to North Lanarkshire Council, both from educational day placements and joint education and social work residential placements as part of the Closer to Home agenda. The development of more appropriate local ASN educational provision will support the achievement of this ambition.
- 1.10 The final decision of the education authority is subject to review and possible call in by the Scottish government which must operate to a strict timeline set out in Appendix 2.

1.11 The timeline mentioned above may be subject to review due to unforeseen circumstances.

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## **2. Report**

2.1. This report establishes the methodology by which the services redesign was envisaged by officers, in response to the Council's priorities. A core team of officers in Education and Families assessed a range of propositions to establish their viability, using a RAG status approach to highlight most promising options for implementation.

2.2. A number of factors were used to establish an approach to prioritising potential rationalisation activities. These are described in the following section.

### **2.3. Alignment with the ASN Review: Achievability of Propositions;**

2.3.1 In the ASN Review (2019) there were a number of key recommendations made for officers to implement. These recommendations set a policy direction for North Lanarkshire Council. Indeed, Recommendation 11 of the ASN Review supports this approach (Section 1.2).

2.3.2 A key test of the propositions is related to the extent to which they aided the achievability of the policy intentions of the ASN Review.

### **2.4 Efficient Use of Resources and Affordability of Proposals**

2.4.1 The historic ASN estate provision of North Lanarkshire has meant that there are a number of smaller, more isolated ASN schools which can be more susceptible to staffing shortages and therefore less sustainable as a result. Consideration has been given to allowing these smaller establishments to become incorporated into some of the more modern campus facilities which have been established, and in which there is capacity for them to be relocated. This will release a possible net saving to the council in relation to capital receipts from the vacated facilities.

### **2.5 Location, Suitability and Condition of Buildings; and Value for Money**

2.5.1 In each case the condition and suitability of the buildings was considered. This was particularly true in relation to our ASN estate, which requires significant investment, this may take some years to fully realise through the actions being brought forward through the Community Investment Fund. Risks of community impact, travel and school location status have been identified for all proposals, as well as local knowledge where appropriate.

### **2.6 Educational Benefits Statement**

2.6.1 Through the planned proposals it is expected that a number of educational benefits will be achieved on behalf of children and young people with the requirement for intensive services to meet their additional support needs. These points were clearly established in the findings of the ASN Review and include:

- Improved access to an enhanced outdoor environment which will support a range of vocational and outdoor learning opportunities for the secondary pupils at Mavisbank.
- Enhanced, innovative, opportunities for vocational and life skills work within the school building.
- Greater scope for multi-agency and family engagement work within the school building, including health professionals.
- Wider access to sensory and therapeutic spaces within the school building
- Carefully planned and designed use of technology will support learners with significant support needs.

2.6.2 This proposal will provide opportunities for children and young people to learn and work within, between and beyond a range of establishments and services. It will facilitate increased collaboration to make more effective use of existing expertise in a new environment.

- 2.6.3 A key feature of this work will be Inclusion and Equity and officers will work in close partnership with the Virtual School Lead, Digital School Lead and Equity and Improvement Lead Officers.
- 2.6.4 Education provision within the proposed Cambroë campus will also continue to be linked with this portfolio, enhancing the ability to provide tailored support to those young people experiencing a range of adversities who may benefit from an alternative setting.
- 2.6.5 It should be noted that there is already existing work progressing to establish ASN senior phase provision as part of the campus plan for young people in Cumbernauld Theatre and Cinema complex on the Cumbernauld Academy site. This is to involve Redburn and Glencryan jointly in a venture under the working title of Glenburn College. This is separate to the planning for the proposed Carnbroë campus at this stage but will be linked as the projects progress.
- 2.6.6 It is also expected that there can be a rationalisation of assets in this work, with a focus on building around the existing Carnbroë site to develop outdoor spaces and strengthening vocational provision and bespoke programmes within existing school (and future town and community) campuses.
- 2.6.7 All of the elements of the relocation will benefit from the integrated approach to service and support planning which underlies the wider new operating model within Education and Families, ensuring support is delivered holistically in partnership with children, young people and their families. To support this, we will also seek to maximise opportunities for involvement in service and support planning (in line with the Voice strand of The Promise).

## **2.7 Relocation of Existing Establishments within Alternative/Higher Quality Facilities**

- 2.7.1 In line with the policy established in the Plan for North Lanarkshire to ensure that young people are catered for within high-quality facilities, it is also proposed that consultation takes place to strengthen the provision experienced by pupils in Mavisbank School. Each of these propositions is outlined in what follows.

## **2.8 Project Planning**

- 2.8.1 The work relating to this area will be overseen by a Programme Board, in accordance with North Lanarkshire's Project Management protocols, for the Reconfiguration of Intensive ASN Systems and Services. This is serviced by a Senior Responsible Officer (SRO) and a Responsible Officer (RO) and a project team, which will ensure all aspects of the programme plan, including the statutory consultation, are accomplished successfully and timeously, in relation to the planned critical path for developments.

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## **3. Measures of success**

- 3.1 Stakeholder support for the options brought forward.
- 3.2 Successful implementation of planned proposals.
- 3.3 Achievement of budget savings target in line with approved budget savings agreed by Council March 2020
- 3.4 Improved quality of service and provision to effectively meet the needs of children, young people and families

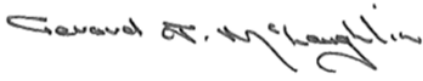
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## **4. Supporting documentation**

- 4.1 Appendix 1 Statutory Consultation Mavisbank School

4.2 Appendix 2 Statutory Consultation Timeline

4.3 Appendix 3 ASN Review – link to report  
<https://mars.northlanarkshire.gov.uk/egenda/images/att92041.pdf>



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**Gerard McLaughlin**  
Chief Officer (Education - North)

**5. Impacts ( <http://connect/report-template-guidance> )**

**5.1 Public Sector Equality Duty and Fairer Scotland Duty**

Does the report contain information that has an impact as a result of the Public Sector Equality Duty and/or Fairer Scotland Duty?

Yes  No

If Yes, please provide a brief summary of the impact?

An Equality Impact Assessment has been completed and will underpin planning for these proposals, since a number of the young people involved are considered as being from a protected group, due to disability.

If Yes, has an assessment been carried out and published on the council's website? <https://www.northlanarkshire.gov.uk/your-community/equalities/equality-and-fairer-scotland-duty-impact-assessments>

Yes  No

**5.2 Financial impact**

Does the report contain any financial impacts?

Yes  No

If Yes, have all relevant financial impacts have been discussed and agreed with Finance?

Yes  No

If Yes, please provide a brief summary of the impact?

At this stage there is no financial impact linked to this consultation.

The Service is currently assessing the value of this capital investment with support from colleagues in Asset and Procurement Solutions.

**5.3 HR policy impact**

Does the report contain any HR policy or procedure impacts?

Yes  No

If Yes, have all relevant HR impacts have been discussed and agreed with People Resources?

Yes  No

If Yes, please provide a brief summary of the impact?

Affected staff will be managed in accordance with the appropriate Workforce Change Policies and in with the signatory trades unions. Considerations would include Compulsory Transfer, Premature/Early Retirement, Redundancy/Redeployment.

The Service would be required to follow the requirements for consulting as set out in the Schools (Consultation) (Scotland) Act 2010. Further stakeholder, community and parental consultation would be required in the event that the Service proceeds with any of the recommendations. An indicative timeline for the consultation process is outlined in Appendix 1.

**5.4 Legal impact**

Does the report contain any legal impacts (such as general legal matters, statutory considerations (including employment law considerations), or new legislation)?

Yes  No

If Yes, have all relevant legal impacts have been discussed and agreed with Legal and Democratic?

Yes  No

If Yes, please provide a brief summary of the impact?

**5.5 Data protection impact**

Does the report / project / practice contain or involve the processing of personal data?

Yes  No

If Yes, is the processing of this personal data likely to result in a high risk to the data subject?

Yes  No

If Yes, has a Data Protection Impact Assessment (DPIA) been carried out and e-mailed to [dataprotection@northlan.gov.uk](mailto:dataprotection@northlan.gov.uk)

Yes  No

**5.6 Technology / Digital impact**

Does the report contain information that has an impact on either technology, digital transformation, service redesign / business change processes, data management, or connectivity / broadband / Wi-Fi?

Yes  No

If Yes, please provide a brief summary of the impact?

	<p>Where the impact identifies a requirement for significant technology change, has an assessment been carried out (or is scheduled to be carried out) by the Enterprise Architecture Governance Group (EAGG)?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
<b>5.7</b>	<p><b>Environmental / Carbon impact</b> Does the report / project / practice contain information that has an impact on any environmental or carbon matters?</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>The carbon footprint will reduce if the numbers of establishments operating was reduced and pupils were catered for in our newer and more energy efficient campuses.</p>
<b>5.8</b>	<p><b>Communications impact</b> Does the report contain any information that has an impact on the council's communications activities?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, please provide a brief summary of the impact?</p>
<b>5.9</b>	<p><b>Risk impact</b> Is there a risk impact?</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>A Programme Board has been established for the Implementation of the ASN Review.</p>
<b>5.10</b>	<p><b>Armed Forces Covenant Duty</b> Does the report require to take due regard of the Armed Forces Covenant Duty (i.e. does it relate to healthcare, housing, or education services for in-Service or ex-Service personnel, or their families, or widow(er)s)?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, please provide a brief summary of the provision which has been made to ensure there has been appropriate consideration of the particular needs of the Armed Forces community to make sure that they do not face disadvantage compared to other citizens in the provision of public services.</p>

## Appendix 1

### Statutory Consultation

### Proposal to relocate Mavisbank School to the existing Carnbroe Primary School

**EDUCATION AND FAMILIES**





# **NORTH LANARKSHIRE COUNCIL: EDUCATION & FAMILIES**

## **Proposal to relocate Mavisbank School to the existing Carnbroe Primary School**

### **1 INTRODUCTION**

Mavisbank School is located at Mitchell Street in Airdrie and caters for secondary pupils from across the central area of North Lanarkshire. Pupils have complex additional support and significant medical needs. The school capacity is 24 with a current roll of 22 pupils.

It is recommended that Mavisbank School pupils are relocated to the existing Carnbroe Primary School that will facilitate and enhance provision for pupils with complex needs within the Central locality. Carnbroe Primary School is located at Kirkton Crescent in Coatbridge.

Within the overarching planning for Education and Families, there is a focus on providing universal, additional and intensive services, with the universal provided by schools, the additional supported by the Integrated Cluster Wellbeing Teams and Bases. Intensive level support is normally delivered through ASN schools with appropriate support from social work or other services as part of an integrated child's plan. This latter category is also supported by additional services. It is the intensive elements that this paper focuses on.

### **2 CONSULTATION REQUIREMENTS**

- 2.1 In terms of the Schools (Consultation) (Scotland) Act 2010, the Education Authority is required to publish details of, and consult on any proposal to establish a new school and on any proposal to establish, terminate or otherwise alter the catchment area of a school.
- 2.2 North Lanarkshire Council will not make any decision, or put any changes into effect, until the consultation period has been concluded in line with statutory requirements.
- 2.3 The consultation period will be a minimum of 57 days, which include 30 school days. It begins on 1 March 2023 and finishes on 27 April 2023.
- 2.4 The consultation will involve pupils, parent/carers, Parent Councils and staff of the schools involved, as well as other associated stakeholder and statutory consultees.
- 2.5 A public meeting will be held on week beginning 6<sup>th</sup> March 2023.
- 2.6 Council officers will be present at the public meeting to discuss the proposal. There will be limited time at the meeting to discuss all issues fully. To ensure that all issues are covered and that those who may be uncomfortable with speaking publicly are heard, advance notice of specific questions or issues to be raised will be accepted in writing up to two days in advance of the meeting – see contact details at 2.9.
- 2.7 At the end of the consultation process, a report will be prepared for North Lanarkshire Council detailing all responses received, summaries of their content and a statement from Education Scotland on the educational aspects of the proposal. Responses to the issues raised through the consultation will also be incorporated in the report. Copies of the report will be available, prior to consideration by the council, in the affected schools and online. It is envisaged that the report will be published on 29 June 2023.
- 2.8 An online version of the document and other items related to the consultation can be found online at [www.northlanarkshire.gov.uk/mavisbank-consultation](http://www.northlanarkshire.gov.uk/mavisbank-consultation)

2.9 Further information on the proposal can be obtained by sending an email to [mavisbankconsultation@northlan.gov.uk](mailto:mavisbankconsultation@northlan.gov.uk)

2.10 All interested parties are invited to submit their comments on or before 27 April 2023.

### **3. PROPOSAL**

3.1 The proposal is that Mavisbank pupils relocate to the existing Carnbroe Primary School.

The reasons for this proposal are:

- To ensure that there is highly appropriate provision for young people with significant additional support needs within this area of North Lanarkshire.
- To facilitate a wide range of vocational and outdoor learning activities for young people with significant additional support needs.
- To create real-life, work-related opportunities to support young people in their pathway to potential future employment.
- To enable the on-going repatriation of North Lanarkshire's young people who are currently in out of authority placements.

### **4. EDUCATION BENEFITS STATEMENT**

4.1 Through the planned proposals it is expected that several educational benefits will be achieved on behalf of children and young people with the requirement for intensive services to meet their additional support needs:

- Improved access to an enhanced outdoor environment which will support a range of vocational and outdoor learning opportunities for the secondary pupils at Mavisbank.
- Enhanced, innovative, opportunities for vocational and life skills work within the school building.
- Greater scope for multi-agency and family engagement work within the school building, including health professionals.
- Wider access to sensory and therapeutic spaces within the school building
- Carefully planned and designed use of technology will support learners with significant support needs.

### **5. COMMUNITY IMPACT**

5.1 Mavisbank School is not being considered for closure or service cessation.

5.2 Work will now be done between Education and Families and Enterprise and Communities to:

- Assess the impact on community use
- Assess the budget implications income streams
- Engage effectively/co-producing the approach with communities/users
- Sight the CLNL Board on the proposals and impact as required.

## **6. IMPLICATIONS OF THE PROPOSAL**

### **6.1 Transitions**

It is recognised that the change of location for some Mavisbank pupils may be challenging, and consideration has been given to how best to support pupils to make the transition as seamless as possible. Staff will work collaboratively with parents and pupils to support pupils in preparing for the transition to the new learning spaces within Carnbroe Primary School. Each pupil will be offered individualised support, as required, to ensure they are completely comfortable to complete the transition. This may involve visits during and after school.

### **6.2 Transport**

Pupils will continue to be transported from home to school. Transport contracts will be updated to reflect the different drop off and pick up point. As a result, there is no anticipated negative impact on pupils in relation to transport.

### **6.3 Financial Implications**

At this stage there is no financial impact linked to this consultation.

### **6.4 HR Implications**

Affected staff will be managed in accordance with the appropriate Workforce Change Policies of the Council, and in consultation with the signatory trades unions. Considerations would include Compulsory Transfer, Premature/Early Retirement, Redundancy/ Redeployment.

## **7. EQUALITY IMPACT ASSESSMENT**

An Equality Impact Assessment has been completed and will underpin planning for these proposals, since a number of the young people involved are considered as being from a protected group, due to disability.

## **8. INACCURACIES OR OMISSIONS**

8.1 There is a statutory requirement for the Council to consider any allegation of an inaccuracy or omission in the proposal paper and determine whether the allegation has foundation. Where inaccuracies or omissions are notified to, or discovered by, the Council within this proposal document, the Council will determine if relevant information has, in its opinion been omitted or whether there is in fact an inaccuracy.

Notifiers of any omissions or inaccuracies will be informed of the Council's decision and the reasons for that decision. Notifiers will also be informed of any action. The Council will invite the notifiers to make further representations to the Council should they disagree with the Council's determination or its decision as to whether to take action.

8.2 If the Council has found, either itself or through a concern being raised, that there is an inaccuracy or omission in the proposal paper, it must decide whether this relates to a material consideration relevant to the proposal.

Where the confirmed inaccuracy or omission relates to a material consideration, there is a duty on the Council to correct it.

- 8.3 Appropriate action will then be taken by the Council depending on whether the inaccuracy or omission relates to a material consideration.

Such action may include withdrawing the proposal and issuing a revised proposal paper for the whole consultation period, or issuing a corrected proposal paper with, if, an extension of the consultation period. In any of these eventualities, all relevant consultees (and, where applicable, the notifier(s) of any omissions or inaccuracies) and HMIE (Education Scotland) will be advised of the action.

Where inaccuracies or omissions are discovered within the proposal document, the Council will determine whether relevant information has been omitted or if there has been an inaccuracy. action will then be taken by the Council, which may include issuing corrections, issuing a corrected proposal document, or an extension of the consultation period. In any of these eventualities, all relevant consultees (and where applicable, the notifiers(s) of any action) will be advised.

- 8.4 Notifiers of any omissions or inaccuracies will also be given the opportunity to make representations if they disagree with the Council's determination of any action on the matter, which may result in the Council making a further determination/decision on the matter.

## **9. THE STATUTORY CONSULTATION PROCESS – ADDITIONAL INFORMATION**

- 9.1 The current requirements for consulting are set out in the Schools (Consultation) (Scotland) Act 2010. This consultation will be carried out in accordance with the Act.

- 9.2 This consultation has been planned in order to meet the following statutory requirements:

- 9.2.1 The consultation document sets out the details of the proposal.

- The proposal paper details the educational benefits of the proposal and other relevant information.
- The proposal paper will be published and widely advertised.
- North Lanarkshire Council will seek to determine whether there are inaccuracies or omissions within the proposal paper and take such action as it considers necessary.
- The consultation period will be a period of at least 6 weeks including at least 30 school days.

- 9.3 Prior to the commencement of the consultation period, the authority will give notice of the proposal to the relevant consultees. The relevant consultees are defined in the Schools (Consultation) (Scotland) Act 2010, and are as follows:

- (a) The parent council or combined parent council of any affected school
- (b) The parents of the pupils at any affected school
- (c) The parents of any children expected by the education authority to attend the affected school within two years of the date of publication of the proposed paper
- (d) The pupils at any affected school (in so far as the education authority considers them to be of suitable age and maturity)
- (e) The staff (teaching and other) at any of the affected school(s)

- (f) Any trade union which appears to the education authority to be representative of the persons mentioned above
  - (g) The community council (if any)
  - (h) The community planning partnership (within the meaning of section 4(5) of the Community Empowerments (Scotland) Act 2015 for the area of the local authority in which any affected school is situated
  - (i) Any other community planning partnership that the education authority considers relevant
  - (j) Any other education authority that the education authority considers relevant
  - (k) Any other users of any affected school that the education authority considers relevant.
- 9.4 During the consultation period, the authority will hold and be represented at public meetings on the relevant proposal.
- 9.5 The council will involve Education Scotland in the consultation process. This will culminate in Education Scotland preparing and submitting an independent report on the educational aspects of the proposal.
- 9.6 Following the consultation period, the council will prepare and publish a consultation report. The report will be published at least three weeks before a final decision is taken on the proposal.
- 9.7 The consultation timeline provides further information on the timescales for various stages in the statutory process.

**Please click on the link below to share your views on the proposal (Ctrl + Click to follow link)**

[www.northlanarkshire.gov.uk/mavisbankschool-consultation](http://www.northlanarkshire.gov.uk/mavisbankschool-consultation)

## Appendix 2

### Indicative Timeline for Reconfiguring Intensive ASN Systems and Services

<b>Stages</b>	<b>Timeline</b>	<b>Date</b>
1. Committee Date		Tuesday 28 February 2023
2. Consultation Starts Phase 1	Minimum of 6 weeks To include 30 calendar days	Wednesday 1 March 2023
3. Public Meeting	Mid way through consultation	
4. Consultation Ends	30 Days	Tuesday 11 April 2023
5. Report to Education Scotland Phase2	3 weeks	Tuesday 2 May 2023
6. Education Scotland produce report	3 weeks	Tuesday 23 May 2023
7. Consultation report published Phase 3	No specified timescale	
8. Time for further consideration	3 weeks from publication date	
9. Final Committee Decision		September 2023
10. Implement proposal if approved by Committee	3 weeks	

**28 February 2023**  
Education and  
Families  
Committee

**1 March 2023**  
Consultation Starts

**Midway Through  
Consultation**  
Public Meeting

**11 April 2023**  
Consultation  
Period Closes

**23 May 2023**  
Report from  
Education Scotland

**No Specified  
Timescale**  
Consultation  
Report Published

**September 2023**  
Education and  
Families  
Committee  
Decision