
NORTH AYRSHIRE COUNCIL

21 March 2023

Cabinet

Title: **Proposal to close Kilwinning Early Years Centre and incorporate the provision as a new early years' class at Pennyburn Primary School**

Purpose:

- To provide feedback to Cabinet on the outcome of the statutory public consultation.
- To seek approval to close Kilwinning Early Years Centre and incorporate the provision as a new early years class at Pennyburn Primary School.

Recommendation: That Cabinet agrees to:

- Note the content of the Consultation Report at Appendix 1.
- Close Kilwinning Early Years Centre and incorporate the provision as a new early years class at Pennyburn Primary School from August 2023.

1. Executive Summary

- 1.1 On 27 September 2022, Cabinet agreed to commence a Statutory Public Consultation on the proposal to close Kilwinning Early Years Centre and incorporate the provision as a new early years class at Pennyburn Primary School.
- 1.2 The consultation opened on Tuesday 25 October (due to the additional in-service day on Monday 24 October) and closed on Friday 16 December 2022. Thereafter, Education Scotland provided their report, which is included as Appendix 3 of the Council's Consultation Report. The Council's Consultation Report was made available to the public from 6 to 27 February 2023.
- 1.3 Only 2 formal online responses were received, with a further 84 from Pennyburn Primary School pupils. Taking into account all responses received, 93% agreed with the proposal.
- 1.4 Cabinet is asked to approve the report recommendation. If the proposal is approved, the Council is required, in terms of the Schools (Consultation) (Scotland) Act 2010, to notify Scottish Ministers within 6 days of making this decision. The Council is also required to place a notice on its website of the decision and of the opportunity and method for making representations to Scottish Ministers. Scottish Ministers then have a period of 8 weeks following an authority's decision in which to decide to call-in the decision or not. Until the Council has been notified of the outcome, the proposal cannot be implemented.

- 1.5 Taking into account the process outlined above, if approved by NAC Cabinet and Scottish Ministers, the change will come into effect from the start of the new session, August 2023.

2. Background

- 2.1 On 27 September 2022, Cabinet agreed to commence a Statutory Public Consultation on the proposal to close Kilwinning Early Years Centre and incorporate the provision as a new early years class at Pennyburn Primary School.

- 2.2 The Proposal Document was emailed to all statutory consultees by 25 October 2022. The link to the document was also made available to all parents/carers of Kilwinning Early Years Centre and Pennyburn Primary School via email and a hard copy as made available at Cunninghame House.

- 2.3 A total of 2 formal online responses were received, both agreeing with the proposal, with one providing their reason:

“Easier transitions for kids going from the nursery to the school. Also easier for families who have kids in both the nursery and the school when communicating for absences.”.

- 2.4 Children in P4-7 at Pennyburn Primary School were asked to complete an online form to share their thoughts and views on the proposal. In consultation with the Head Teacher, the following questions were asked:

- Do you think it is a good idea that Kilwinning Early Years Centre should be part of our school?
- Why?

A total of 84 responses were received from pupils and the table below provides a breakdown of the answers to question (i):

Yes	78
No	6

- 2.5 Key themes from the primary school pupils who agreed with the proposal can be summarised as follows:

- Working together on joint activities, assemblies and shows;
- Closer contact will help with the move from early years to primary school;
- Sharing a Head Teacher means not too much change for P1;
- Contact with siblings, e.g., for photographs together; and
- One school/early years drop off will make it easier for parents, especially those who work.

- 2.6 The reasons given by the children who did not agree are noted below:

- Consideration of how younger children will feel about being part of a larger provision; and
- Perception that staff may lose their jobs.

- 2.7 The detail on all issues raised and the Council's response to these is contained within the published report at Appendix 1.
- 2.8 The consultation closed on 16 December 2022 and all documents were sent to Education Scotland. The Schools (Consultation) (Scotland) Act 2010 requires that Education Scotland provides an independent and impartial consideration of this proposal.
- 2.9 In preparing that report, HM Inspectors undertook the following activities:
- 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/carers and others; and
 - Visits to the Kilwinning Early Years Centre and Pennyburn Primary School, including discussion with relevant consultees.
- 2.10 Education Scotland agrees with the potential educational benefits of this proposal. Clear opportunities to enhance the provision through improved transitions and joint working were identified. The physical layout of the building was seen to lend itself to this approach and good existing staff relationships were recognised. Implementation of the proposal would provide an opportunity to improve both the relationships with parents and communication across all stages to better support children and families. Education Scotland asked the Council to ensure that stakeholders are kept informed as decisions are made.
- 2.11 Taking all responses into account, 93% were in favour of the proposal to close Kilwinning Early Years Centre and incorporate the provision as a new early years class at Pennyburn Primary School.
- 2.12 If the proposal is approved, the Council is required, in terms of the Schools (Consultation) (Scotland) Act 2010, to notify Scottish Ministers within 6 days of making the decision. The Council is also required to place a notice on its website of the decision and of the opportunity to make representation to Scottish Ministers.
- 2.13 Scottish Ministers then have a period of 8 weeks following an authority's decision in which to decide to call-in the decision or not. The first 3 weeks of this period is to allow stakeholders to make representations either against or in support of the decision. These can be made by emailing schoolclosure@gov.scot, or in writing to:

Scottish Government St Andrew's House Regent Road Edinburgh EH1 3DG

- 2.14 Scottish Ministers then have a further 5 weeks to consider all documents and representations. Until the Council has been notified of the outcome, the proposal document cannot be implemented.

3. Proposals

- 3.1 That Cabinet agrees to:

- Note the content of the Consultation Report at Appendix 1; and
- Close Kilwinning Early Years Centre and incorporate the provision as a new early years class at Pennyburn Primary School from August 2023.

4. Implications/Socio-economic Duty

Financial

- 4.1 If approved following the Statutory Public Consultation, there will be recurring financial savings of £63,286 arising from the deletion of the Head of Centre post. A provisional job sizing review of the leadership team at Pennyburn Primary School has been undertaken to understand the impact of this proposal on the salary levels of this team. If this proposal is approved, it is anticipated there will be additional salary costs in the region of £2,300 leading to an estimated net cost saving of £60,000.

Human Resources

- 4.2 A new Early Years Manager post would be created within existing budgets. Relevant Trade Unions will be engaged in this process.

Legal

- 4.3 Under the terms of the Schools (Consultation) (Scotland) Act 2010 (as amended), statutory public consultation is required where there is a proposal to permanently discontinue a 'school'. The consultation was carried out in accordance with the Schools (Consultation) (Scotland) Act 2010.

Equality/Socio-economic

- 4.4 There will be no negative impacts on the staff or children and families who attend KEYC through this proposal.

Climate Change and Carbon

- 4.5 None.

Key Priorities

- 4.6 This proposal contributes to North Ayrshire Council's Key Priority to ensure children and young people have the best start in life.

Community Wealth Building

- 4.7 None as a direct result of this report.

5. Consultation

- 5.1 In line with the Schools (Consultation) (Scotland) Act 2010, all interested parties have been given the opportunity to express their views on the proposal.

Audrey Sutton
Executive Director (Communities & Education)

For further information please contact **Andrew McClelland, Head of Service (Education)**, on **01294 324413**.

Background Papers

Appendix 1 – Consultation Report