

## Bun-sgoil Taobh na Pàirce Comhairle nam Pàrant/Parent Council

20th March 2016

The Education, Children & Families Committee (“EC&F committee”) was scheduled to discuss a report on the *Strategic Management of School Places: P1 and S1 Intakes for August 2016* (“the Placing Report”) at its meeting on 1st March 2016.

The Placing Report included proposals for significant changes to the transfer arrangements between primary and secondary school of children in Gaelic-medium education (“GME”) in Edinburgh. The current catchment secondary school for children in GME is James Gillespie’s High School (“JGHS”).

The report contained no such proposals. It identified an issue with the capacity of JGHS to accommodate the anticipated S1 intake for August 2016 for eligible pupils and that a maximum intake of 220 was possible (in other words the intake would require to be capped at that level). By applying a cap, existing transfer arrangements could not be applied which is very different to suggesting (incorrectly) that the Council was proposing that they be changed. This was certainly not the case. What the report did include was details of an *entirely discretionary* alternative option for those pupils from Taobh na Pàirce who might not be able to attend JGHS.

The capacity of any school is not unlimited. Therefore the Council was faced with a very real and significant issue regarding a lack of available capacity at JGHS, the *potential* consequences of which *could* have affected some of those pupils wishing to transfer from Taobh na Pàirce. An alternative *option* for GME pupils to attend a different secondary school if they wished was identified specifically due to the fact that it was acknowledged that the circumstances relating to any GME pupils who *might* be affected by the intake cap required an approach to be taken that recognised their particular educational needs. Simply referring those pupils back to their mainstream catchment schools would neither acknowledge nor meet these needs. Consideration of an *option* at Tynecastle High School was a means to provide pupils with a possibility to still pursue Gaelic learning at secondary level, albeit at a different school. Tynecastle had been the focus of discussion for GME in 2010/11.

Although the Placing Report was withdrawn prior to its discussion at the EC&F committee meeting, parents of children in GME at the Gaelic primary school, Bun-sgoil Taobh na Pàirce, have a number of questions about the Placing Report itself, and about the process of its issue at such a late stage in the school year.

In the Placing Report members of the Education, Children and Families Committee were being asked to note the position. This was the latest regular annual report to Committee which explains the expected position regarding P1 and S1 intakes for the forthcoming August and any issues arising. This report is taken to Committee in March each year following the conclusion of the main part of the annual admissions process.

This annual report ordinarily includes reference to those schools regarding which an intake limit (or cap) has had to be set to ensure that the S1 cohort is appropriate to the overall capacity of the school. For August 2016 an intake limit of 220 was identified as being necessary for JGHS due to an entirely unprecedented and unexpected high level of catchment S1 intake requests into the school. The issue at JGHS was, and remains, one of a lack of sufficient capacity at the school. Having identified it as a *potential* issue once the anticipated intake position was determined in January, it was considered appropriate to advise parents and Committee at the earliest opportunity.

Rather than pose these queries verbally to Edinburgh Council officers at a meeting of the Parent Council, the Parent Council has provided questions in writing to allow for more considered and informed responses.

The list of queries below is not an exhaustive list of all the questions posed by parents, but provides a summary of some of the frequently asked questions. Please note that these questions were gathered from parents prior to the issue of the *GME Working Group Terms of Reference* document of 18th March (“the GME Working Group document”). It is disappointing that Council officers have issued a further report without first investigating the issues surrounding the Placing Report, and have again authored a report without any input from GME experts.

It is unclear what issues surrounding the Placing Report the Parent Council believe remain to be investigated and which would have a bearing on the reports which have been subsequently issued for the first meeting of the Gaelic Medium Education Working Group.

The suggestion of a lack of input from GME experts is incorrect. As was the case with the ‘Strategic Management of School Places: P1 and S1 Intakes for August 2016’ report, the reports to the Working Group were produced in consultation with, and incorporated contributions from, those key personnel within the Schools and Lifelong Learning team within Communities and Families who are responsible for GME, particularly the Senior Education Manager (Schools, Quality & Curriculum), the Quality Improvement Manager: Secondary, the Quality Improvement Officer for Literacy and Languages and the Gaelic Development Officer.

The process that led to the Placing Report being issued has raised serious questions. We would therefore be grateful if time could be taken to respond to these questions as soon as possible, and prior to the first proposed meeting of the proposed GME Working Group on 31st March.

GME parents remain committed to working constructively with the Council to determine the best development option for GME in Edinburgh. We look forward to reading your responses to our questions.

## Questions

### 1. Wellbeing of Children – general issues

1.1. The Placing Report proposed relocating children from their catchment secondary school to another secondary school. Was there any consultation with educational experts during the production of the Placing Report to determine whether there would be a negative effect upon the wellbeing of the children (educational and / or emotional) as a result of this decision being taken so far into the process of transition between primary and secondary? Has such a decision ever been made before in relation to any other group of pupils?

The Placing Report did not propose to relocate children from their catchment secondary school to another secondary school. The report identified an issue with the capacity of JGHS to accommodate the anticipated S1 intake for August 2016 for eligible pupils and that a maximum intake of 220 was possible; in other words the S1 intake would require to be capped at that level. The Placing Report set out what the consequences would be if the capacity of JGHS did prove to be insufficient to accommodate all eligible S1 pupils. This approach is the same as would apply for any other schools; there have been several instances in recent years where places have had to be prioritised in denominational secondary schools. This has resulted in pupils being placed at other secondary schools resulting in different transition arrangements.

The report then went on, in paragraph 3.60, to advise that “should it be necessary to consider prioritisation of places within catchment pupils, as the Gaelic Medium Education (GME) catchment area covers the entire city and the Lothians it is anticipated that the pupils unsuccessful in gaining a place at JGHS are *likely* to be some of those transferring from Taobh na Pàirce”. It then, in paragraph 3.61, stated “GME pupils unsuccessful in gaining a place at JGHS would be *offered* a place at Tynecastle High School which also offers some Gaelic provision or *may choose* instead to attend their mainstream catchment school”.

This *option* was identified in specific acknowledgement that the circumstances relating to any GME pupils who *might* be affected by the intake cap required a different approach to be taken than simply referring those pupils back to either of their mainstream catchment schools. This option would have allowed such pupils to still pursue Gaelic education at secondary level, albeit at a different school.

The Placing Report was produced in consultation with, and incorporated contributions from, those key personnel within the Schools and Lifelong Learning team within Communities and Families who are responsible for GME, particularly the Senior Education Manager (Schools, Quality & Curriculum); the Quality Improvement Manager: Secondary, the Quality Improvement Officer for Literacy and Languages and the Gaelic Development Officer.

1.2. Subsequent to the withdrawal of the Placing Report, has there been any consideration of the potential issues around child wellbeing of the GME children being effectively, and incorrectly, blamed for the over-capacity issue at JGHS (see 2.1 below)? Has there been any discussion with the school around managing potential victimisation of these children as a result of the publicity around the over-capacity issue?

It has never been suggested that GME children were to “blame” for the capacity issue at JGHS. Whilst it is sincerely hoped that no such perceptions would be drawn by non-GME pupils at JGHS, in the event that any issues did arise these should be brought to the attention of the head teacher to deal with accordingly.

## **2. Secondary School Capacity in Edinburgh – general issues**

2.1. On the basis that the Placing Report indicated that there were 243 catchment children who had provisionally been granted a place at JGHS for August 2016, and 24 catchment area children in primary 7 at Taobh na Pàirce, do officers accept that the issue of JGHS capacity is wider than a GME issue?

Council officers have never either suggested or stated anything to the contrary.

2.2. Have there been adjustments made to school capacity projection models to take account of: changing demographics within the JGHS school catchment, rising rolls in all of its other cluster primaries, the possibility of fewer families choosing private education since the financial collapse of 2008, the likely higher transfer rate due to the new build, and any other factors other than the increase in the number of GME pupils?

Work is currently underway to determine the future roll projections for all secondary schools in the city and the projection model has been developed to take account of trends in S1 intakes. Therefore increases in S1 intakes caused by rising rolls, changing demographics, reductions in uptake of private education and the popularity of new schools will be reflected in future projections.

2.3. Are there other secondary schools in Edinburgh where the projected number of catchment pupils exceeds the capacity of the school within the next five years? We understand that projected roll figures for all schools have been provided to councillors, and we would appreciate if copy of these could be provided.

Work is currently underway to determine the future roll projections for all secondary schools in the city, taking into consideration factors such as the impact of rising school rolls, increased stay on rates and the significant level of projected housing development in the future. Projected roll figures for all schools have not been provided to councillors

2.4. The Council has been aware of potential difficulties with numbers entering JGHS in 2016 for a number of years. Why did it not address these issues long before February 2016, and why did it not do so in consultation with Parent Councils and schools?

The capacity issue at JGHS has been known about for some time and, indeed, a proposal to consult on a change to the existing GME arrangements was approved by Council in December 2010 but was never progressed - had it been implemented at that time the recent situation would not have arisen.

One of the significant contributory factors to a statutory consultation to relocate GME from JGHS to Tynecastle High School not having been progressed several years ago was concern expressed by stakeholders. They suggested that the timing of the proposed consultation was premature and that the (then suggested) timing of a capacity issue arising was sooner than they believed would have been the case. The recent issue was triggered by exceptionally and entirely unexpectedly high level of S1 placement registrations for JGHS for August 2016.

Detailed analysis regarding the impact of rising rolls in the secondary sector has been progressed in the last six months by the School Estate Planning team and the intention is for a report on the issue to be taken back to the Education, Children and Families Committee later this year. This report will include proposals to address expected capacity issues at several secondary schools across the city which have been identified as potentially not being able to accommodate expected catchment pupil numbers in future years. JGHS is one of the schools involved in this process. However, as has been explained above, the actual number of S1 registrations which became known in January 2016 was much higher than had been expected and therefore the placing report identified an immediate issue with JGHS not being able to accommodate the anticipated S1 intake for August 2016.

### **3. Process of Placing Report Completion and Issue**

3.1. There is considerable concern that the specific requirements relevant to GME have been overlooked in the preparation of this report and the question has been raised as to consultation procedures. Did the authors consider the needs of GME when preparing the report, or consult with relevant experts in this area, and in what way? In particular, what consideration was given to the need for immersion in the language, and for pupils to have interaction with as large a group of peers as possible?

The Placing Report was produced in consultation with, and incorporated contributions from, those key personnel within the Schools and Lifelong Learning team within Communities and Families who are responsible for GME, particularly the Senior Education Manager (Schools, Quality & Curriculum); the Quality Improvement Manager: Secondary, the Quality Improvement Officer for Literacy and Languages and the Gaelic Development Officer.

These officers work closely with Taobh na Pàirce, JGHS and its cluster schools and Tynecastle and its cluster schools. Both GME and GLE are fully understood, as are the distinctions between them. All planning is based on guidance from Education Scotland which includes officer discussions with the lead Education Scotland inspector. The principle of immersion in the language as a central component of GME is clearly stated. This is stated in the background report to the Gaelic Medium Education Working Group.

3.2. The Council has itself established a working group to consider how best to develop the Gaelic language and Gaelic education in the City of Edinburgh. The Gaelic Language Plan Implementation Group (“GIG”) is led by the Council and includes GME parent representatives. Do officers and councillors agree that parents have engaged in constructive discussions within this group and shown willingness to work with the Council to take forward Gaelic development? Why did the Council fail to organise any meetings of GIG between October 2015 and February 2016? Why was there no response to requests for meetings made by parents?

The primary reasons for the delay in organising a GIG meeting after October 2015 are (i) further information gathering and editing work was required with regard to the GLP statutory progress report, the main agenda item at the GIG; (ii) a new group of staff was identified to support the GIG and the implementation of the Plan; this handover of responsibilities took longer than expected; (iii) as the main items of concern at the GIG related to the future of GME at pre-school, primary and secondary, there was little merit in organising a GIG meeting until such issues were addressed. Council officers involved in supporting the GIG would like to reiterate their apologies to GIG members for failing to organise a meeting between October 2015 and February 2016.

3.3. Correspondence between parents and elected members of the EC&F committee indicated that a number of committee members believed the contents of the Placing Report had been agreed with the schools and with the affected parents well in advance of its completion. Schools and parents were first made aware of these significant changes on Wednesday 24th February 2016. How did this confusion arise?

This question would require to be addressed to the relevant elected members.

3.4. What consideration did the authors of the report give to the Schools (Consultation) (Scotland) Act 2010? Were the elected members of the EC&F committee made aware of the statutory requirement to consult widely when significant changes are made to transfer arrangements between primary and secondary?

There were no matters within the Placing Report which fell within the scope of the Schools (Consultation) (Scotland) Act 2010 as amended by the Children and Young People (Scotland) Act 2014 and which would have necessitated a statutory consultation to have been undertaken. There were no proposed changes to the catchment, admission or primary to secondary transfer arrangements. The policy, procedure and arrangements for admissions remained the same. What changed was that the anticipated number of pupils who wished to enter S1 at JGHS meant that, if the final number of pupils had exceeded 220, it would not have been possible to accommodate all eligible pupils within the capacity of the school. The change therefore was in the demand and the capacity of JGHS to deal with it, not in the arrangements themselves.

This is not a unique situation and is one which the City of Edinburgh Council (and we are sure many other local authorities) face regularly when there is insufficient capacity in our denominational schools to accommodate demand from non-denominational catchment pupils. In such

circumstances no statutory consultation is undertaken when intake limits are capped as there is no necessity to do so. There was therefore no contravention of the Schools (Consultation) (Scotland) Act 2010 as amended by the Children and Young People (Scotland) Act 2014. It would be inconceivable that a local authority did not have the ability, without the requirement to follow a lengthy statutory consultation process, to exercise any controls to limit the intake into one of its schools in exceptional circumstances where there was insufficient capacity to accommodate all pupils who wished to attend.

3.5. A councillor made a television appearance on the evening of Friday 26th February 2016 and made statements which implied that a decision had already been taken to deliver GME at Tynecastle High School. This occurred without consultation with parents or the schools affected and in advance of the EC&F committee meeting on Tuesday 1st March. In light of this, will the Council review its use of the press and its manner of communicating decisions? Was it the case that a decision had been taken by 26th February? If so, who had taken this decision?

It should be noted that the Placing Report, which itself was published on 24 February 2016 but subsequently withdrawn on 29 February 2016, contained no proposal, or made reference to any decision, to deliver GME at Tynecastle High School.

It is understood that the interview referred to was carried out in response to BBC Alba looking for a Council position however Council officers do not have a copy of BBC Alba interview therefore we have no way of establishing what was said. In preparation for this interview, Councillor Howat, our then Gaelic Champion, was provided with the following advice regarding what was reflected in the Placing Report which was the *potential* use of Tynecastle High School as an alternative option for any pupils from Taobh na Pairce who *might* be unable to secure a place at JGHS.

“It was always anticipated that with the opening of Bun-sgoil Taobh na Pairce and the significant increase in GME provision in Edinburgh that we would encounter capacity issues at JGHS, that is why in 2010-11 the Council looked at expanding Gaelic provision to Tynecastle High Schools. There has been continued collaboration between Gillespie’s and Tynecastle and that is why Tynecastle could provide an alternative for pupils unable to secure a place within JGHS. As such any pupils from Bun-sgoil Taobh na Pairce unable to get into JGHS will be offered the option of going to either Tynecastle High School or their mainstream denominational or non-denominational catchment school. The Council continues to provide a significant commitment to Gaelic education in the city as shown by the opening of the dedicated primary school in 2013 and increased provision at Tynecastle High School and its cluster primaries.”

3.6. Subsequent to the withdrawal of the Placing Report, councillors have made public comments implying that the threat of legal action prevented an open and democratic discussion about the issue. Does the Council accept that the short timescale between the Placing Report’s issue and the EC&F meeting, the failure to consult schools, parents and other stakeholders, and the failure to inform all EC&F committee members of the consequences of the Placing Report are the key factors which prevented an open and democratic (and well-informed) discussion about this issue?

At 3pm on 29 February 2016 the Council received a letter from Anderson Strathearn (acting on behalf of Bòrd na Gàidhlig) stating the intention to raise judicial review proceedings against it regarding the Placing Report. Following legal advice and under the threat of interim interdict, that evening the Acting Director of Communities and Families took the decision for the Placing Report not to be considered at Committee the following day and therefore it was withdrawn. What

prevented members of the Education, Children and Families Committee having the opportunity to discuss and debate the issue was the threat of legal action by Bòrd na Gàidhlig.

3.7. The Placing Report asked EC&F committee members to “note” the proposed changes which would have prevented P7 children attending their catchment school. Is it the case that EC&F committee members would have been permitted a debate, but not permitted a vote on this proposal?

The Placing Report drew the attention of the Committee to the necessity to cap the S1 intake at JGHS as that was the maximum capacity which (as was understood at that time) the school could accommodate. In such circumstances some P7 children *might* not have been able to attend because of insufficient capacity at JGHS to accommodate them, rather than a change having been made to prevent them from attending.

Had the threat of legal action against the Council not necessitated the withdrawal of the report, members of the Education, Children and Families Committee would have had the opportunity to debate the report and to introduce (for consideration by the Committee) any amendments to the recommendations in the report which they considered appropriate in the circumstances.

As noted in responses to other questions, the only factor which *might* have resulted in all eligible S1 pupils who wished to attend the school not being able to do so was the implementation of an S1 intake cap at 220, this being a decision which had been agreed with the head teacher of JGHS in advance of the Placing Report being published. The head teacher subsequently suggested that an S1 intake of 240 was possible. How to achieve that higher intake limit, which is 20% higher than the standard intake limit of 200, has only recently been determined by the school.

3.8. Given that the Placing Report contained a number of basic errors of understanding regarding GME, will the Council commit to ensuring that future reports are authored by officers who have been given the opportunity to learn the meaning of GME? Does the Council agree that at the very minimum, all Council employees and councillors involved in development discussions about GME should visit Bun-sgoil Taobh na Pàirce on a normal school day; and in addition should visit Sgoil Ghàidhlig Ghlaschu?

We disagree that there are basic errors in the understanding of GME in the Placing Report. The Report was produced in consultation with, and incorporated contributions from, those key personnel within the Schools and Lifelong Learning team within Communities and Families who are responsible for GME. Please refer to the response to question 3.1.

#### **4. Specific Queries relating to the Placing Report**

4.1. Paragraphs 3.60 and 3.66 refer to the JGHS catchment area in the context of GME. Do officers and EC&F committee members understand that JGHS is a two stream school with two separate catchment areas? Is it understood that it is incorrect to apply the geographical policies of the mainstream catchment area to the GME catchment which is not based on a geographical segment of the city?

JGHS is not, as has been incorrectly suggested, a two stream school and the overall capacity of the school is not disaggregated between GME and non-GME which is why any prioritisation of applications against the overall capacity must be determined across the entire school cohort.

It should also be noted that there is no catchment area for secondary GME in Edinburgh; it is not possible for a pupil to enter S1 in JGHS (or at any year stage) on the basis of GME without them

having first attended, and wishing to transfer from, Taobh na Pàirce. Pupils attending Taobh na Pàirce have the right to attend JGHS regardless of their secondary school catchment.

4.2. The Placing Report contains a statement that there is no evidence of a need for expansion of primary GME (para 3.69). What research has been completed to evidence this statement? The establishment of Taobh na Pàirce met significant demand for GME in Edinburgh, and it is very likely that were a second GME primary school to be established, that it would meet increasing demand for Gaelic education (as evidenced by current applications to Taobh na Pàirce and by Glasgow's experience of GME).

The City of Edinburgh Council has already made a very significant commitment to the development and delivery of Gaelic Medium primary education through the establishment of Taobh na Pàirce, a double-stream school with an annual intake limit of 60. This could be increased by exception to 66 should circumstances require it.

There is currently no evidence which the Council has either established directly, or which has been provided to it, to suggest that the demand for GME would require any expansion of the existing capacity at primary level. However, this will be kept under review. Should there prove to be a growth in demand in the Council area which would exceed the level of existing provision and capacity then the Council will consider its response to that demand in accordance with the provisions set out in the Education (Scotland) Act 2016.

4.3. The Placing Report indicates that the current Gaelic provision at JGHS could be "relatively easily replicated" (para 3.75). What evidence exists for this statement? What research was completed with Gaelic experts and the Gaelic medium staff of JGHS to evidence the view that it is easy to replicate GME in another school? Given the difficulty in recruiting teachers, how would this replication be resourced and how much would it cost?

What paragraph 3.75 of the Placing Report actually states is "The level of current Gaelic provision at JGHS is not significant and could be relatively easily replicated, **at least in part.**" The very important last part of that statement within the Placing Report was omitted from the quotation included within the question. The level of Gaelic provision which is currently provided at JGHS, GME and otherwise, was detailed in paragraph 3.78 of the Placing Report.

The Placing Report was produced in consultation with, and incorporated contributions from, those key personnel within the Schools and Lifelong Learning team within Communities and Families who are responsible for GME, particularly the Senior Education Manager (Schools, Quality & Curriculum); the Quality Improvement Manager: Secondary, the Quality Improvement Officer for Literacy and Languages and the Gaelic Development Officer.

The difficulty in recruiting teachers will be a challenge for any model for the development of future GME and GLE provision and costs would be dependent on any agreed model.

4.4. What GME provision would have been on offer to those pupils who would have been sent to another school?

The position is as stated in paragraph 3.80 of the Placing Report: "In addition to the Gaelic provision which already exists at Tynecastle High School, consideration will be given **to ways in which this can be further expanded**, perhaps using consortium or peripatetic arrangements for the **delivery of certain subjects**. In this way, the Gaelic experience will be enhanced for those progressing to the school from Taobh na Pàirce and an opportunity would be created to more fully establish Tynecastle



High School as an additional secondary school in the city offering an improved Gaelic experience which would be available to pupils within the school catchment and those who may wish to seek a placing request into the school.”

The decision was subsequently taken to give a guarantee that all catchment P7 pupils, including those from Taobh na Pàirce, who are registered for the start of the August 2016/17 school session, would be able to attend JGHS. That being the case, the detail regarding what additional Gaelic provision, including staffing, would have been provided at Tynecastle High School did not require to be fully explored at this time.

4.5. If the intention was to resource GME in the other school by diverting GME staff from JGHS, what impact would this have had on provision at JGHS, noting that Scottish Government funding for one member of GME staff at JGHS is for the purpose of increasing the number of fluent speakers of Gaelic?

The decision was subsequently taken to give a guarantee that all catchment P7 pupils, including those from Taobh na Pàirce, who are registered for the start of the August 2016/17 school session, would be able to attend JGHS. That being the case, the detail regarding what additional Gaelic provision would have been provided at Tynecastle High School did not require to be fully explored at this time. The impact, if any, on the provision at JGHS therefore did not require further discussion at this stage.

4.6. What consideration was given to the provision of clàrsach tuition for the children who are taught the instrument at Taobh na Pàirce, and have a legitimate expectation of continuing with that tuition after transfer to secondary school? If their tuition were to be split between locations, what would be the additional financial cost?

The decision was subsequently taken to give a guarantee that all catchment P7 pupils, including those from Taobh na Pàirce, who are registered for the start of the August 2016/17 school session, would be able to attend JGHS. That being the case, the detail regarding what the impact, if any, would have been to the provision of clàrsach tuition therefore did not require to be fully explored at this time.

4.7. What options other than the option set out in the Placing Report did the Council consider for resolving the capacity issue?

No other options were identified for consideration.

4.8. We are concerned that the Placing Report shows a lack of understanding of the differences between immersion learning (GME) and a taught second language (GLE). What steps were taken to redress this lack of knowledge? Which Gaelic educationalists and language experts were consulted? Was the difference between immersion learning (GME) and a taught second language (GLE) explicitly considered when forming the proposal? Did the officials preparing this report believe that the Gaelic education offering at Tynecastle HS was comparable with the experience currently offered at JGHS?

This is addressed in the answers to questions 3.1 and 3.8.

## **5. Consideration of pupils resident outside CEC Local Authority**

5.1. Historically, families living in the Lothians and Fife have been able to access GME in Edinburgh. Has consideration been given to how primary pupils from outside the local authority area will be able to continue their Gaelic education through to secondary level given the capacity issues in

Edinburgh schools? Have Council officers investigated receiving remuneration from surrounding local authorities to cover the cost of educating these pupils?

As a legacy from the time of the former Lothian Regional Council the catchment area for pupils wishing to attend the relevant Edinburgh Primary School for GME currently also extends to the three Lothian authorities. This previously applied to Tollcross Primary School and, more recently, to the dedicated Gaelic medium primary school Taobh na Pàirce. All pupils attending Taobh na Pàirce have the right to attend JGHS regardless of their secondary school catchment. There is no catchment area for secondary GME in Edinburgh; it is not possible for a pupil to enter S1 in JGHS (or at any year stage) on the basis of GME without having first attended, and wishing to transfer from, Taobh na Pàirce. Fife has never been within the catchment area for the relevant Edinburgh Primary School for GME.

The continued inclusion of the Lothian authorities within the catchment for Taobh na Pàirce represents a significant risk of the capacity of the school being exceeded (by requests for places from pupils who live outwith Edinburgh). Whilst cost is a factor, the main concern is capacity. The number of pupils making such requests varies from year to year; there are four registrations for August 2016 but in some previous years the P1 intake from outwith Edinburgh has been as high as nine. With the growing interest in GME it is reasonable to expect that this will increase. For this reason, it is the intention to recommend to the Education, Children and Families Committee that the forthcoming statutory consultation regarding arrangements for GME would also include a proposal to change and restrict the catchment for Taobh na Pàirce to be only the City of Edinburgh Council area. Whilst pupils from outwith Edinburgh would obviously still be able to make placing requests into Taobh na Pàirce, these requests would only be accommodated if sufficient capacity was available in the school.

Obviously this proposal would have an impact on the three Lothian authorities and they would require to consider what arrangements they would have to make for the provision of GME at both primary and secondary level in response to the level of demand which they believe exists; the Education (Scotland) Act 2016 places certain obligations on all local authorities in this regard. This obligation already applies to Fife Council.

5.2. Local authorities surrounding Edinburgh have relied upon places within Edinburgh schools for the education of children requesting GME in their areas. Have officers completed any advisory work or had any correspondence with surrounding local authorities as to how GME might be developed to allow access to families living outwith Edinburgh?

See above. This would be a matter for those local authorities to consider in the future for those children within their area who may wish to request to be educated in GME. The responsibility for this sits with each individual local authority.

5.3. If it were the intention of The City of Edinburgh Council to withdraw the arrangement for GME spaces for secondary pupils from other local authorities - what would they consider to be the reasonable notice they are required to give to those authorities? Are there any agreements or memoranda of understanding between them around the length of notice which would be required? Would that notice period enable another local authority area any opportunity to put alternative provision in place for the pupils directly affected?

There are no agreements or memoranda of understanding between the City of Edinburgh Council and the three Lothian authorities regarding the length of notice which would be required regarding any change.

The Council has now written to each of the Lothian authorities to advise them of its intention in this regard. Whilst the authorities would, of course, have the opportunity to convey their views on the proposal (should it be approved by Committee) through any forthcoming statutory consultation process it was thought that advance notice of the Council's intention would be of assistance to them. The Council has invited feedback from the three authorities in the interim, including on the questions of the timing of any change and the treatment of any children who might already have siblings in Taobh na Pàirce which will require particularly careful consideration.

## **6. Gaelic-medium education and Gaelic community**

6.1. What level of assessment was undertaken to consider the impact on secondary Gaelic education, and the associated cultural network within the Gaelic community, when the proposal was made to split a small group into two locations? What lessons were taken into account from the many years of work developing GME and Gaelic cultural links at primary and secondary level?

There was no proposal to split a small group into two locations. This would have been a consequence of the capacity issue which arose at JGHS as a result of an entirely unprecedented and unexpected high level of S1 intake requests into the school for August 2016 from both local catchment pupils and those wishing to transfer from Taobh na Pàirce.

The capacity of any school is not unlimited. Therefore the Council was faced with a very real and significant issue regarding a lack of available capacity at JGHS, the *potential* consequences of which *could* have affected some of those pupils wishing to transfer from Taobh na Pàirce. An alternative *option* for GME pupils to attend a different secondary school, if they wished, was identified specifically due to the fact that it was acknowledged that the circumstances relating to any GME pupils who *might* be affected by the intake cap required an approach to be taken that recognised their particular educational needs. Simply referring those pupils back to their mainstream catchment schools would neither acknowledge nor readily meet these needs. Consideration of an *option* at Tynecastle High School was a means to provide pupils with a possibility to still pursue Gaelic learning at secondary level, albeit at a different school. Tynecastle had been the focus of discussion for GME in 2010/11.

6.2. The City of Edinburgh Council Edinburgh Gaelic Language Plan 2012-2017 ("the GLP") is a document which the Council was required by law to produce. It is legally enforceable. The GLP speaks of appropriate development for Gaelic education. Please provide an indication of how the Placing Report met the legal requirements of the GLP?

The Placing Report attempted, in light of the unexpected and difficult capacity issues identified above, to provide a practical way forward with regard to the development of Gaelic education across the school estate. The further development of Gaelic education is a key commitment within the GLP.