



**EDUCATION, LIFELONG LEARNING AND CULTURE  
COMMITTEE**

# **SCHOOLS (CONSULTATION) (SCOTLAND) BILL**

**ATL SCOTLAND'S EVIDENCE**

**9 APRIL 2009**

### **ATL – leading education union**

1. ATL, as a leading education union, recognises the link between education policy and our members' conditions of employment. Our evidence-based policy making enables us to campaign and negotiate from a position of strength. We champion good practice and achieve better working lives for our members. We help our members, as their careers develop, through first-rate research, advice, information and legal support. Our 160,000 members – teachers, lecturers, headteachers and support staff – are empowered to get active locally and nationally. We are affiliated to the TUC, and work with government and employers by lobbying and through social partnership.

### **Introduction**

2. The Association of Teachers and Lecturers (ATL) welcomes the opportunity to provide written evidence to the Education, Lifelong Learning and Culture Committee of the Scottish Parliament on the general principles of the *Schools (Consultation) (Scotland) Bill*. We will follow the structure of the provisions of the Bill and comment on each of the three parts, each of which fulfil a particular policy objective, as stated in the *Policy Memorandum*, and when considered together achieve the aims of the Bill. We will also offer brief comment on some specific items within the Bill.

### **Aims of the Bill**

3. ATL supports the aim of the Bill as proposed by the Scottish Government. We agree that the consultation process must be 'coherent, easy to understand, fair, workable, open and transparent and...command[s] the trust and confidence of the public'. We would wish to explore some elements of the proposals of the Bill:

#### **Educational Benefits Statement**

4. We welcome the proposals to introduce an Educational Benefits Statement which we believe will increase transparency and openness. In our response to the consultation document *Safeguarding our rural schools and improving school consultation procedures* we also suggested introducing an Equality Impact Assessment in addition to the statement. We would reiterate our call for the Assessment to be introduced. Under the existing public sector duties, state-maintained schools and local authorities have an obligation to both tackle discrimination and promote gender, disability and race equality. The closure of a local school might disproportionately affect the life chances of, for example, disabled and/or black and minority ethnic pupils in the community, particularly if it is a rural school.

#### **HMIe Role**

5. Further information on the role of HMIe would be welcomed. What will the content of the report on the educational aspects of proposal to close a school contain? Without further details we can only cautiously support HMIe ability to act as an independent scrutiniser of the local authority's proposal.

### **The Consultation Process for all schools**

6. ATL welcomes the stated intention within the *Policy Memorandum* that the 'Bill particularly seeks to establish a more open and participative approach to public consultation processes than is currently the case'. We particularly welcome the proposal to hold a public meeting to discuss the proposal whereby the local authority must be represented. The proposal to consult with pupils at affected schools is also a positive step which should be welcomed. School Councils, where they exist, could be an effective way of engaging with pupils.

### **Rural school closures**

7. We are pleased to see the policy objective of the Bill is to 'ensure that a decision on a closure proposal would not be made until the local authority had explored all possible alternatives and assessed the likely implications of closure'. ATL calls for a rural impact assessment for all policies we therefore welcome the introduction of three factors to which the local authority must have special regard when considering a rural school closure:
  - ***Any viable alternative to closure***
8. ATL would encourage the scoping of initiatives which offered alternatives to closure such as the potential for federation with another school to increase the school's viability, 'extended services' or 'childcare centre' or equivalent status to provide local community services and facilities e.g. child care facilities, family and adult learning, healthcare, community internet access.
  - ***The likely effect on the local community if the school were to close***
9. ATL has found from our experience elsewhere in the UK that rural schools often provide community embedded learning and support structures that mitigate some of the disadvantages due to socio-economic background.
  - ***The likely effect of different travel arrangements occasioned by the closure***
10. ATL believes that local authorities should have regard to: the welfare and safety of children; quality and availability of transport links to the alternative provision; effects of road congestion; environmental costs of pupils travelling further to schools and the recurrent costs to the local authority of transporting pupils to schools further away.
11. Travel to after-school activities is also worthy of consideration at this juncture. Participation in such activities has been shown to raise attainment of pupils from disadvantaged backgrounds. The ability to attend such activities should not be minimised when considering travel patterns and school transport provision.

### **Ministerial involvement in the process**

12. ATL is content with the proposal for Ministers to call-in a closure decision after the local authority has taken its final decision if failures in the consultation or decision making processes are suspected.

### **Other issues**

#### ***Guidance***

13. ATL welcomes the Scottish Government's intention to publish statutory guidance on the content of the educational benefits statements.

#### ***Rural Schools Fund***

14. We understand the Scottish Government's position that the creation of a rural schools fund would run counter to the Concordat and that the closure of rural schools is not solely a funding issue. That said we retain our own belief, first expressed in our response to the consultation document *Safeguarding our rural schools and improving school consultation procedures* that the creation of a Rural Schools Fund would be a positive move for students, teachers, parents and local communities alike. We request further consideration is given to the creation of a rural schools fund whilst seeking to retain the integrity of the principles of the Concordat.

### **Questions**

*How helpful did you find the policy memorandum and financial memorandum accompanying the Bill?*

15. We found the accompanying policy and financial memorandum to be extremely helpful when considering the principles and details of the published Bill.

*Do you have any comments on the consultation the Scottish Government carried out prior to the introduction of the Bill?*

16. ATL is content with the consultation the Scottish Government carried out prior to the introduction of the Bill and has no specific comments to make. We welcome all opportunities to engage with the Scottish Government and the Education, Lifelong Learning and Culture Committee in policy discussions.

### **Conclusion**

17. ATL supports the stated policy principles of the Bill and welcomes much of the provisions contained therein. We would like to see further clarity on the role of HMIe within the closure process and reiterate our desire for further consideration of a Rural Schools Fund.

**This submission was prepared by:**

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