

**PROPOSAL TO RELOCATE KIRKHILL NURSERY SCHOOL TO KIRKHILL
PRIMARY SCHOOL AND CLOSE KIRKHILL NURSERY SCHOOL.**

FINAL REPORT OF THE STATUTORY CONSULTATION

Monday 30 January 2023 until Friday 24 March 2023

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1. INTRODUCTION

1.1 PURPOSE OF THE REPORT

The purpose of this report is to give information on:

- West Lothian Council's proposals in relation to Kirkhill Nursery School.
- the Consultation Process
- Consultee Responses
- Notes of Public Meeting

1.2 SUMMARY OF PROPOSALS

West Lothian Council, Education Services propose:

- To relocate Kirkhill Nursery School to Kirkhill Primary School and retain its name Kirkhill Nursery Class.
- Close Kirkhill Nursery School with the establishment of Kirkhill Nursery Class.
- The relocation of Kirkhill Nursery School to Kirkhill Primary School will take effect from September 2023, or as soon as possible thereafter.

1.3 BACKGROUND TO THE PROPOSAL

Kirkhill Nursery School currently occupies a standalone building within the grounds of Kirkhill Primary School.

Kirkhill Nursery School has reached its limitations as a nursery setting and doesn't lend itself to modern early years pedagogy and practice.

In August 2010 the Head Teacher of Kirkhill Primary School assumed the role of Head Teacher of Kirkhill Nursery School.

A new purpose-built nursery facility located within the existing Kirkhill Primary School building will be completed in September 2023.

The new facility will be included in the Council's strategic planning for the delivery of 1140 hours of high-quality Early Learning and Childcare for all 3 & 4-year olds and eligible 2-year olds.

1.4 TIMELINE

The following timeline was established and incorporates the organisation of a public meeting, Education Scotland involvement, the preparation and publication of the report on the outcomes of the consultation and subsequent submission to West Lothian Council Education Executive for its decision in June 2023.

Date	Event	Description
23 August 2022	Education PDSP Meeting	To seek Panel recommendation for submission to Education Executive on proposal to commence formal public consultation.
06 September 2022	Education Executive Meeting	Meeting to discuss proposal and agree continuation to statutory consultation phase
30 January 2023	Start of Consultation	Beginning of formal public consultation (min 6 continuous weeks consultation period including min of 30 school days)
14 March 2023	Public Meeting	Public Meetings to discuss proposal
24 March 2023	End of Consultation	End of Public Consultation
17 April 2023	Submit report to Education Scotland*Dates to be agreed in advance with Education Scotland	West Lothian Council Education Services relays report on proposal and consultation findings to Education Scotland
08 May 2023	Deadline for Education Scotland three-week period for reporting back to Education Services	Education Scotland response to West Lothian Council submission
22 May 2023	Give Education Scotland at least 5 days' notice prior to publishing final report	Upon receipt of response from Education Scotland Authority will prepare and publish final consultation report
29 May 2023	Publication of final consultation report	A minimum of three weeks after publication of consultation report Authority will make final decision
20 June 2023	Education Executive Meeting	Decision made

1.5 CONSULTEES

In terms of the Schools (Consultation) (Scotland) Act 2010, any proposal to make amendments to the school estate in this case, relocate and close an establishment, requires a formal consultation.

The Schools (Consultation) (Scotland) Act 2010, as amended by the Children and Young People (Scotland) Act 2014, sets out the statutory consultation requirements.

The statutory consultees for a proposal to relocate and close an education establishment are prescribed as follows:

- the Parent Council or Combined Parent Council of any affected school
- the parents of the pupils at any affected school
- the parents of any children expected by the education authority to attend any affected school within two years of the date of publication of the proposal paper
- the pupils at any affected school (in so far as the education authority considers them to be of a suitable age and maturity)
- the staff (teaching and other) at any affected school
- any trade union which appears to the education authority to be representative of the persons mentioned in bullet point above
- the community council (if any)
- the Community Planning Partnership (within the meaning of section 4(5) of the Community Empowerment (Scotland) Act 2015 for the area of the local authority in which affected school is situated.
- any other community planning partnerships considered relevant by the Authority.
- any other education authority that the education authority considers relevant
- any other users of any affected school that the education authority considers relevant
- in relation to any relevant proposal which affects a denominational school, the Church, Denominational Body or Scottish Hierarchy of the Roman Catholic Church

1.6 CONSULTATION PROCESS

The consultation period incorporated a period of 30 school days (excluding any school holiday) from Monday 30th January 2023 until Friday 24th March 2023. This timescale adheres to the statutory consultation period for such circumstances which is a minimum of 6 consecutive weeks and include at least 30 school days.

To communicate, the Education Service proposal information was delivered through the undernoted media avenues:

- West Lothian Council Website:
- <https://www.westlothian.gov.uk/article/77093/Proposal-to-Relocate-Kirkhill-Nursery-School>
- West Lothian Council digital media products
- Available in hard copy via central locations within West Lothian
- Hard copy available for postal distribution on request

In order to ensure all parties had the same opportunity to access the consultation information, facilities were put in place to communicate the proposal in a manner best suited to the needs of the individual. To this regard, the Consultation Document was made available through the following means as and when requested:

- Translation Services
- Provision for deaf and hearing impaired, blind and visually impaired

A copy of the Consultation Document is attached as Appendix B.

A public meeting was held at:

Kirkhill Primary School on Tuesday 7th March 2023 at 7.00pm

Council officers outlined the key elements of the proposal and answered questions from meeting attendees. Minutes of the public meeting are detailed in Section 3 of this report.

During the consultation period views on the proposal were welcomed in writing to the address given below:

Catherine Campbell, Education Services, Civic Centre, Howden Road South, EH54 6FF

Responses by e-mail were directed to Education.Consultation@westlothian.gov.uk

All interested parties were invited to submit their comments by close of business Friday 24th March 2023.

2 CONSULTEE RESPONSES TO PROPOSAL

West Lothian Council Education Services noted comments made through a variety of means however only those official representations submitted in the terms of the **Consultation Document SECTION 5: Consultation Process and How to Have Your Say (Appendix B)** have been recorded for reporting purposes.

No hard copy written representations were received during the consultation period. All responses from consultees were received by oral representation at the statutory public meeting.

2.1 RESPONSES RECEIVED

No written or email responses were received during the consultation period regarding the proposals.

3 NOTE OF PUBLIC MEETING

**MINUTE OF PUBLIC MEETING HELD AT
KIRKHILL PRIMARY SCHOOL ON TUESDAY 7TH MARCH 2023 AT 7.00PM
TO DISCUSS PUBLIC CONSULTATION DOCUMENT:**

**“PROPOSED RELOCATION OF KIRKHILL NURSERY TO
KIRKHILL PRIMARY SCHOOL”**

In attendance from West Lothian Council:

Andrew Maguire	Executive Councillor for Education
Catherine Campbell	Senior Education Development Officer

Meeting attendees: 4 members of staff.

- Cllr Maguire opened the meeting with introductions and the agenda.
- Catherine Campbell delivered a PowerPoint presentation to the attendees.



Kirkhill ELC
Statutory Consultati

- Link to Education Services Presentation here:

Additional Comments During the Education Presentation:

The Council Officer explained three nursery schools in the authority built some time ago to the same design have been identified as having similar issues:

- not conducive for a modern early child care learning environment.
- standalone building that doesn't lend itself to modernising or peer working.
- not suitable for eligible 2-year olds.

Discussion Opportunity – Cllr Maguire opened the floor to comments and questions:

Attendee Comments
Discussion took place around the plans for the new nursery layout. A consultee asked about the construction programme.
WLC Response:
The Contractor, Maxi Construction Ltd, has confirmed a start on site date of March 20 th and a planned completion for September 2023.
Attendee Comments
A question was asked about the new nursery class capacity.
WLC Response:
Current Care Inspectorate registration is for 40 children. The new nursery has a planned capacity of 70 including 10 places for eligible 2-year olds. The new capacity would be subject to CI registration.
Attendee Comments
Discussion took place around the Early Years Child Care model that is currently offered at Kirkhill Nursery School.
WLC Response:
The authority is undertaking a review of the Early Years Child Care offer within each community 'Your Council Your Say' to ensure that as much as possible the provision offered meets family's requirements. The authority requires an overview of the number of children that would provide a balance of eligible 2s, 3- and 4-year olds as well as attendance patterns. WLC early years team will also consult with staff on this. However, at this stage the planned model is the same as currently in place.
Attendee Comment:
A question was asked regarding the SEED code of the new nursery.
WLC Response:
Council Officers confirmed that the primary school and nursery facility would come under the same SEED code.
Attendee Comment:
An attendee asked what will happen to the standalone facility once the nursery has vacated the premises.
WLC Response:
Officers explained that Property Services own the building and any change to its function will go through Council Executive. There were no plans for its future use at the moment. Any proposals would be challenging with the building located within school grounds.
Attendee Comment:
Discussion took place around the transition of staff and children to the new facility.

Meeting Close:

Cllr Maguire thanked everyone for their attendance and participation in discussions.

4 ANALYSIS OF CONSULTATION RESPONSES

No expressions of opposition to the proposals were received during the consultation period.

The 4 attendees at the Statutory Consultation meeting, all members of staff unanimously supported the consultation proposals. Although the number of attendees was small this was not unexpected with the current roll at Kirkhill Nursery School and no parents raised any concerns regarding the proposals to staff.

5.0 REPORT BY EDUCATION SCOTLAND

Report by Education Scotland addressing educational aspects of the proposal by West Lothian Council to relocate Kirkhill Nursery School to Kirkhill Primary School. April 2023.

Summary

HM Inspectors agree that the proposal for the move of the existing nursery into Kirkhill Primary School has the potential to bring clear educational benefits for the children attending. The move to the new nursery could help to enhance transition arrangements and improve learning experiences for children.

6.0 COUNCIL OFFICER REVIEW AND RECOMMENDATION

6.1 REVIEW OF PROPOSAL

Feedback from consultee submissions and the report from Education Scotland have been analysed in order that any issues highlighted were given cognisance and responded to. As a result of this analysis officers conclude the undernoted factors:

Identified Key Benefits:

- The new provision will offer children the opportunity to play, learn and develop within a modern facility which will benefit from up-to-date design and materials.
- The new facility will provide an opportunity to increase the capacity of the nursery including eligible 2-year olds.

6.2 RECOMMENDATION

With regard to the 2010 Act and having considered all of the information received during the consultation process, officers of West Lothian Council are satisfied that no comments have been received which would have caused them to review the merits of the proposal.

Based on these findings, it is recommended that West Lothian Council Education Executive agree to implement the proposal to relocate Kirkhill Nursery School to Kirkhill Primary School. If agreed the changes would be implemented on completion of the new facility.

Appendix A – Letter to Consultees

West Lothian Civic Centre
Howden South Road
Livingston
West Lothian
EH54 6FF

January 2023

Dear Consultee

West Lothian Council Education Services Proposal to Relocate Kirkhill Nursery School.

West Lothian Council's Education Executive at its meeting on 06 September 2022, authorised Education Services to commence statutory consultation on the proposal to:

- Relocate Kirkhill Nursery School to a new facility within Kirkhill Primary School
- Close Kirkhill Nursery School with the establishment of Kirkhill Nursery Class

The consultation document outlining the proposal is available online from 30th January 2023 on the following webpage:

<https://www.westlothian.gov.uk/article/77093/Proposal-to-Relocate-Kirkhill-Nursery-School>

Hard copies of the consultation document are also available for uplift from the Civic Centre, Howden South Road, Livingston, EH54 6FF or can be requested in writing from:

Catherine Campbell, Project Officer, West Lothian Council Education Services, Civic Centre, Howden South Road, Livingston, EH54 6FF.

The consultation period is from Monday 30th January 2023 until Friday 24th March 2023. A public meeting to discuss the consultation document will be held in Kirkhill Primary School, Rashierigg, Broxburn, EH52 6AW on Tuesday 7th March 2023 at 7.00pm – 8.00pm.

You are also invited to submit your comments on the consultation in writing to Catherine Campbell at the above address or by e-mail to Education.Consultation@westlothian.gov.uk For written representations to be considered they must be received no later than 5pm on Friday 24th March 2023.

A decision on the proposal is planned to be made in June 2023 by the Council's Education Executive. This decision will be based on feedback received from all stakeholders through written responses and through information gathered from public meetings. Feedback received from Education Scotland will also be offered due regard.

Yours sincerely

Greg Welsh

Head of Education (Primary, Early Learning and Resources)

Appendix B – Consultation Document

**WEST LOTHIAN COUNCIL
EDUCATION SERVICES CONSULTATION**

**PROPOSED RELOCATION OF KIRKHILL NURSERY
TO KIRKHILL PRIMARY SCHOOL**

CONSULTATION DOCUMENT

SECTION 1: Purpose of this Document

SECTION 2: The Proposal

SECTION 3: The Educational Benefit Statement

SECTION 4: Integrated Impact Assessment

SECTION 5: Consultation Process and How To Have Your Say

SECTION 1: PURPOSE OF THE DOCUMENT

The purpose of this document is to give information on:

- West Lothian Council's proposal to relocate Kirkhill Nursery School to Kirkhill Primary School leading to closure of Kirkhill Nursery School.
- The educational benefits to be gained through the implementation of this proposal; and
- How you can give your views and take part in the consultation process.

West Lothian Council believes that thorough and effective consultation will support better outcomes for pupils and their families and will enable the vast majority of children.

Public consultations are necessary when a local authority is proposing to make a significant change to its school estate, in this case the relocation of a school. To carry out a public consultation West Lothian Council requires to follow the statutory guidance outlined in the Schools (Consultation) (Scotland) Act 2010. With this in mind, this document is further organised into the following sections:

Section 2 details the proposal and gives the background and rationale.

Section 3 contains the educational benefits statement in relation to the proposal and provides an assessment of the effects of this proposal on the children/young people and their families of the affected nursery and school.

Section 4 provides information on the Integrated Impact Assessment undertaken in reference to the proposal. An Integrated Impact Assessment (IIA)) is undertaken to ensure that the Council meets its statutory requirement to assess policies and practices and ensure that they meet the legislative requirements in relation to its equality, human rights and socioeconomic obligations.

Section 5 details how West Lothian Council has organised the consultation process to meet the requirements of the legislation and how you can take part and give your views.

SECTION 2: PROPOSAL AND BACKGROUND TO THE PROPOSAL

2.1. THE PROPOSAL: -

Kirkhill Nursery School will be relocated to Kirkhill Primary School and retain its name as Kirkhill Nursery Class.

The relocation of Kirkhill Nursery School to Kirkhill Primary School will take effect from August 2023.

Children attending Kirkhill Nursery School will transfer to a new facility within Kirkhill Primary School from August 2023, or as soon as possible thereafter.

2.2 BACKGROUND TO THE PROPOSAL

Kirkhill Nursery School currently occupies a standalone building within the grounds of Kirkhill Primary School.

Kirkhill Nursery School has reached its limitations as a nursery setting and doesn't lend itself to modern early years pedagogy and practice. The building will be replaced during the school refurbishment programme with additional external play space.

In August 2010 the Head Teacher of Kirkhill Primary School assumed the role of Head Teacher of Kirkhill Nursery School.

A new purpose-built nursery facility located within the existing Kirkhill Primary School building.

The new facility will be included in the Council's strategic planning for the delivery of 1140 hours of high-quality Early Learning and Childcare for all 3 and 4-year olds and eligible 2-year olds.

2.3 SITE LOCATION

The nursery will be re-located to a new purpose-built nursery class facility within the Kirkhill Primary School building.

Kirkhill Nursery School will permanently relocate from its original building, identified in red '1' on 'Map 1 – map of locations' in Appendix 1, to Kirkhill Primary School, identified in blue '2' on Map 1;

2.4 ADMISSION CRITERIA

There will be no amendment to criteria for admission to Kirkhill nursery class.

Admission will continue to be in accordance with West Lothian Council's current admission arrangements details of which are outlined via the attached link, <https://www.westlothian.gov.uk/apply-for-elc-3-or-4-year-old>

2.5 OTHER FACTORS CONSIDERED

The need to address the permanent re-provision of Kirkhill Nursery School;

The condition and suitability of the current establishment to facilitate high quality Early Learning and Childcare;

The need to develop inspirational learning environments which raise the aspirations of children and young people, staff and the wider community;

The need to address early learning & childcare provision for the local area and create a sustainable school estate for future generations; and

To meet the requirements for extended access to Early Learning and Childcare.

SECTION 3: THE EDUCATIONAL BENEFIT STATEMENT

The Educational Benefits Statement, for the proposal, has been prepared having regard to the Guidance and Explanatory Notes published by the Scottish Government in association with the Schools (Consultation) (Scotland) Act, 2010. The specific educational benefits of the proposal are outlined below in terms of the following:

- 3.1 Curriculum
- 3.2 Transition
- 3.3 School Management
- 3.4 Staff Teams
- 3.5 Accommodation
- 3.6 Outdoor Learning
- 3.7 Capacity

CURRICULUM

In Scotland, we have the benefit of curriculum guidance which spans both the ELC sector and the early stages of primary school. Curriculum for Excellence 'early level' supports the implementation of a responsive, continuous play-based curriculum for children aged three to six. Through responsive and intentional planning, staff will provide, a blend of child-initiated and adult-initiated learning experiences. The emphasis will be on child-centred play pedagogy to ensure continuity in children's curriculum experiences.

The re-designation of Kirkhill Nursery School as a nursery class within the school building will support continuity and progression in children's learning and further develop and enhance the current staffing and leadership model.

The new facility will help develop a flexible, enabling and creative child-centred curriculum that is responsive to the uniqueness of each child and their family.

Additionally, the new facility will provide the opportunity to develop consistent learning and teaching experiences for children within the existing school and provide smooth pastoral and curricular transitions.

3.2 TRANSITION

The transition and continuity in learning between nursery and primary is enhanced by strong, consistent leadership across the Early Level. Children will benefit from seamless transition between pre-school and primary with staff and management who know them well - located within the same physical building.

High on the list of priorities for staff will be the development of a comprehensive transition programme to support children's transition into the new facility and to explore increased learning opportunities between early years and P1.

3.3 SCHOOL MANAGEMENT

While Kirkhill Nursery School is registered as a stand-alone nursery school, the current staffing, budget and management operation is in line with the nursery class model in operation across all authority managed nursery establishments.

No change to the current management structure is proposed although the management responsibility would transfer back to the Headteacher of Kirkhill Primary School.

3.4 STAFF TEAMS

All early year's practitioners and support staff in post at the point of movement will transfer into the new facility.

Staffing arrangements will be consistent with West Lothian Council's local agreements. Detailed consultation will be undertaken with members of staff, Trade Unions and Professional Associations for staffing the relocated nursery school.

3.5 ACCOMMODATION

The provision of a new modern facility will make a clear statement about the value the Council places on investing in education and lifelong learning, and provide a new vibrant learning community. The new early learning and childcare provision will offer children the opportunity to play, learn and develop within a state-of-the-art facility which will benefit from modern design and materials and consider good practice learned through collaborative working with other Councils and through experience and good practice developed within West Lothian. The new facility will be sustainable and energy efficient.

The new facility will be flexible and allow the creative and multiple-use of spaces by the staff and children, and also by the community. Experience in our other new school buildings has demonstrated that a new and flexible learning environment can inspire children and have a positive impact on the general health and wellbeing of children, increase aspirations, attainment, achievement and positive destinations beyond school.

The new facility will signal to the whole community how West Lothian Council values 21st century learning. This new nursery class facility will represent best value through the effective and efficient use of Council resources. By locating the new facility at the heart of the existing community, it will provide a hub for learning, activities and

facilities that will contribute to improving people's health and wellbeing, adding to the strength and vibrancy of its community.

The nursery class facility will provide an opportunity to increase the capacity of the nursery in line with the projected population increase in a high-quality learning environment with direct access to a secure dedicated outdoor play area.

The provision of high-quality technology for learning will provide the potential to transform ways of learning and teaching by giving children and staff flexible and ubiquitous access to a fully digital learning environment.

3.6 OUTDOOR LEARNING

Daily, high quality outdoor play experiences have a direct and positive impact on children's physical, cognitive, social, mental health and emotional development.

The new setting will make good use of access to the outdoors, not only through the immediate outdoor space but also through ensuring access to local woodlands, parks and green spaces.

The outdoor environment will contain more opportunity and stimulate children's curiosity and wonder for learning. Natural play will be a key feature of this space allowing children to interact with natural elements of the environment in an imaginative way including activities such as mud kitchens, den making and safe climbing.

3.7 CAPACITY

The current registered capacity at Kirkhill Nursery Class is 40 children aged 3 and 4 years old. There's no current capacity for eligible 2-year olds.

The planned capacity at the new Kirkhill nursery class facility is 70 children aged 3 and 4 years old and includes 10 places for eligible 2-year olds. This capacity is subject to Care Inspectorate certification and confirmation by West Lothian Council.

The nursery class facility will provide an opportunity to increase the capacity of the nursery in line with the projected community requirements.

SECTION 4: INTEGRATED IMPACT ASSESSMENT

To meet statutory equality duties, the Council conducts an Integrated Impact Assessment (IIA) to critically assess policies and practices and ensure compliance with all legislative requirements.

The aim of an IIA is to examine policies and practices in a structured way taking account of equality, human rights and socioeconomic disadvantage (poverty) implications when making decisions, ensuring the impact within the community is recognised and addressed accordingly.

IIA screening is completed using the Council's Integrated Impact Assessment Toolkit and allows the Authority to recognise positive steps it can take to promote fairness and equality of opportunity for all.

As part of the consultation process the Council will consult with a wide range of stakeholders, staff, parents/carers and young people and will welcome and address comments on the IIA process.

The outcome of the Integrated Impact Assessment will inform the Final Consultation Report and the Council's consideration of the proposed changes prior to reaching a decision on whether they should be implemented.

SECTION 5: CONSULTATION PROCESS: HAVE YOUR SAY

This section provides information on how West Lothian Council has organised the consultation process for the proposal contained within this document. It also provides information on how you can take part and give your views

In terms of the Schools (Consultation) (Scotland) Act 2010, any proposal to relocate a school requires a formal consultation process.

The Schools (Consultation) (Scotland) Act 2010, as amended by the Children and Young People (Scotland) Act 2014, sets out the statutory consultation requirements.

The statutory consultees for a proposal to relocate or close a school or nursery are prescribed as follows:

- the Parent Council or Combined Parent Council of any affected school
- the parents of the pupils at any affected school
- the parents of any children expected by the education authority to attend any affected school within two years of the date of publication of the proposal paper
- the pupils at any affected school (in so far as the education authority considers them to be of a suitable age and maturity)
- the staff (teaching and other) at any affected school
- any trade union which appears to the education authority to be representative of the persons mentioned in bullet point above
- the community council (if any)
- the Community Planning Partnership (within the meaning of section 4(5) of the Community Empowerment (Scotland) Act 2015 for the area of the local authority in which affected school is situated.
- any other community planning partnerships considered relevant by the Authority.
- any other education authority that the education authority considers relevant
- any other users of any affected school that the education authority considers relevant
- in relation to any relevant proposal which affects a denominational school, the Church, Denominational Body or Scottish Hierarchy of the Roman Catholic Church

Council officers will be present at the public meetings to outline the proposals, facilitate discussions and answer questions.

The Consultation meetings will give interested parties a formal opportunity to express their views.

The consultation period will incorporate a period of 30 school days (excluding any school holiday) from **Monday 30th January 2023 until Friday 24th March 2023**. This timescale

adheres to the statutory consultation period for such circumstances which is a minimum of 6 consecutive weeks and include at least 30 school days.

The consultation paper will be made available electronically and in paper format.

Public Meeting

A formal public meeting will be held to discuss the proposal. Anyone wishing to attend the public meeting is invited to do so. The public meeting, which will be convened by West Lothian Council will be addressed by the Head of Education, and other senior officers of the Council, and chaired by an independent person.

The public meeting will be an opportunity to:

- Hear more about the proposal
- Ask questions about the proposal
- Have your views recorded so that they can be considered as part of the consultation process.

The public meeting will be held in **Kirkhill Primary School, Rashierigg Broxburn, West Lothian, EH52 6AW on Tuesday 7th March 2023 at 7.00pm – 8.00pm.**

During the consultation period any views on this proposal should be sent in writing to the address given below:

Catherine Campbell, Senior Education Project Officer, Education Services, Civic Centre, Howden Road South, EH54 6FF

Responses can also be made by e-mail to Education.Consultation@westlothian.gov.uk

All interested parties are invited to submit their comments by close of business **Friday 24th March 2023.**

An on-line version of this document and other items related to the consultation can be found on the West Lothian Council website using this link:

<https://www.westlothian.gov.uk/article/49192/Schools-and-Education-Open-Consultations>

Consultation Timeline:

Following the end of the Consultation period West Lothian Council must provide Education Scotland with a report detailing all findings pertaining to the Consultation period.

All written and oral comments received during the Consultation process are recorded and represented in said report, along with the Council's response to those comments.

Education Scotland will consider the Council submission and advise their response accordingly.

West Lothian Council will ensure that considerations received from Education Scotland are included in the Final Consultation Report. This Final Report will be made available and

notification will be given to those individuals or groups that have made representations during the consultation period.

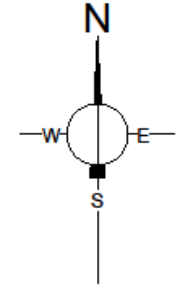
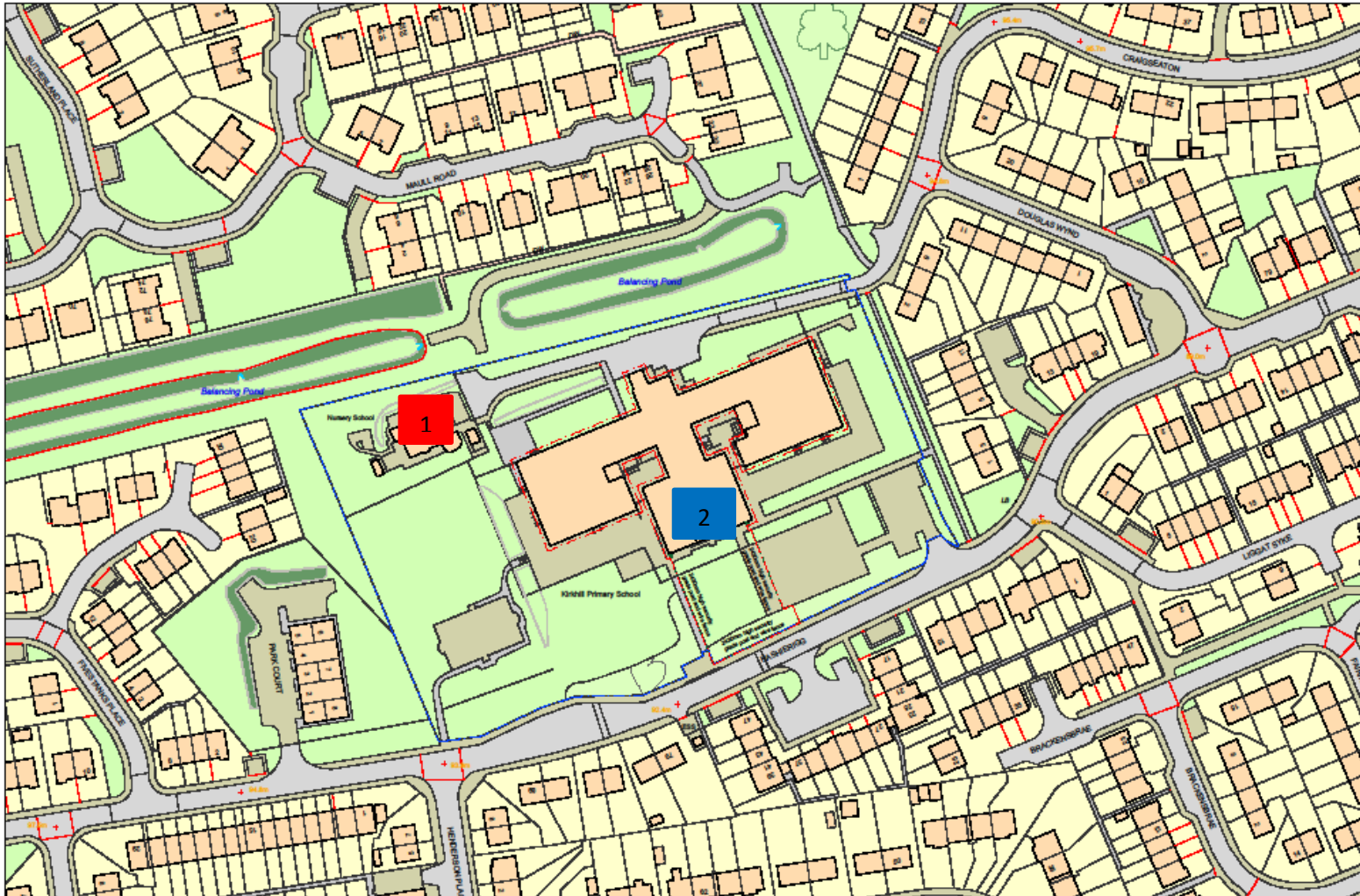
West Lothian Council will not make any decision, or put any changes into effect, until the Final Consultation Report has been concluded, published and subsequently presented to the Education Executive on **20th June 2023**.

The Consultation Timeline below encompasses statutory legislative requirements detailed as per Schools (Consultation) (Scotland) Act 2010.

Statutory Consultation Timeline – Kirkhill Nursery Relocation and Closure

Date	Event	Description
23 August 2022	Education PDSP Meeting	To seek Panel recommendation for submission to Education Executive on proposal to commence formal public consultation
6 September 2022	Education Executive Meeting	Meeting to discuss proposal and agree continuation to statutory consultation phase
30 January 2023	Start of Consultation	Beginning of formal public consultation (min 6 continuous weeks consultation period including min of 30 school days)
7 March 2023	Public Meeting	Public Meetings to discuss proposal
24 March 2023	End of Consultation	End of Public Consultation
17 April 2023	Submit report to Education Scotland*Dates to be agreed in advance with Education Scotland	West Lothian Council Education Services relays report on proposal and consultation findings to Education Scotland
08 May 2023	Deadline for Education Scotland three week period for reporting back to Education Services	Education Scotland response to West Lothian Council submission
15 May 2023	Give Education Scotland at least 5 days notice prior to publishing final report	Upon receipt of response from Education Scotland Authority will prepare and publish final consultation report
22 May 2023	Publication of final consultation report	A minimum of three weeks after publication of consultation report Authority will make final decision
20 June 2023	Education Executive Meeting	Decision made

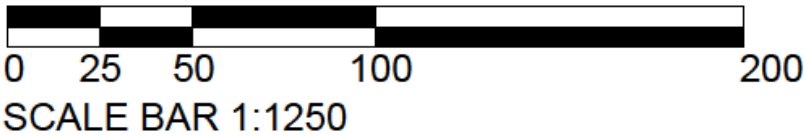
APPENDIX 1



- School Boundary
- Site Boundary
- New Nursery Fence

Map extracted from the Ordnance Survey road plan with the permission of the Ordnance Survey Office. Unauthorised reuse is prohibited. Ordnance Survey copyright. All rights reserved. Licence No. 100037134 2021

1 PROPOSED SITE LOCATION PLAN
Scale: 1:1250



File	Date	Details	AS sheet
PLANNING			
 West Lothian Council			
<small>All information is for illustrative purposes only. It is not to be used for any other purpose without the prior written consent of the Council.</small>			
Property Services West Lothian Civic Centre Howden South Road, Livingston EH54 6FF			
Project Kinnell PS Raithergg Broxburn Nursery School, New Fences			
Drawing Location Plan			
Date	15/02/22	Scale	1/1250
Project No.	CS10380	Drawing No.	L_90_07
<small>Issue Number: © M.C.C. 2021</small>			

Schools (Consultation) (Scotland) Act 2010

Report by Education Scotland addressing educational aspects of the proposal by West Lothian Council to relocate Kirkhill Nursery School to Kirkhill Primary School and close Kirkhill Nursery School.

April 2023

1. Introduction

1.1 This report from Education Scotland has been prepared by His Majesty’s Inspectors of Education (HM Inspectors) in accordance with the terms of the [Schools \(Consultation\) \(Scotland\) Act 2010](#) (“the 2010 Act”). The purpose of the report is to provide an independent and impartial consideration of West Lothian Council’s proposal to relocate Kirkhill Nursery School to Kirkhill Primary School and close Kirkhill Nursery School. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors’ consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors’ overall view of the proposal. Upon receipt of this report, the Act requires the council to consider it and then prepare its final consultation report. The council’s final consultation report should include this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council’s response to them. The council has to publish its final consultation report three weeks before it takes its final decision. Where a council is proposing to close a school, it needs to follow all statutory obligations set out in the 2010 Act, including notifying Ministers within six working days of making its final decision and explaining to consultees the opportunity they have to make representations to Ministers.

1.2 HM Inspectors considered:

- the likely effects of the proposal for children of the setting; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children and their families in the council area;
- any other likely effects of the proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council’s reasons for coming to these beliefs.

1.3 In preparing this 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 and others; and
- visits to the site of Kirkhill Primary School and Kirkhill Nursery School, including discussion with relevant consultees.

2. Consultation process

2.1 West Lothian Council undertook the consultation on its proposal(s) with reference to the [Schools \(Consultation\) \(Scotland\) Act 2010](#).

2.2 The consultation period organised by the council took place between 30 January and 24 March 2023. The proposal was communicated to stakeholders via the council website, digital media outlets and local press. West Lothian Council held a public meeting at Kirkhill Primary School on 7 March 2023 which was attended by four members of staff.

2.3 The council received no responses to the public consultation. All four attendees at the public meeting were in favour of the proposal.

3. Educational aspects of proposal

3.1 The council outlines the educational benefits of its proposal in terms of supporting continuity of progression for children transitioning to Kirkhill Primary School from the nursery. They believe that the new purpose-built facility will create a more flexible space for learning which will improve children's learning experiences. High on the list of staff priorities will be the development of a comprehensive transition programme from nursery to primary one. They also state that the new setting will make good use of access to the outdoors which will enhance the positive play experiences in the current nursery building. In addition, the new nursery will have the capacity to increase the number of places on offer to local families including provision for two years olds. HM Inspectors agree that the move to the new facility should help children transition smoothly into Kirkhill Primary School and may improve their learning experience.

3.2 HM Inspectors met with a number of stakeholders including staff and parents. All stakeholders are in favour of the proposal. The current nursery building is outdated and the move to a new facility is welcomed. Staff at the nursery and the primary school are very positive about the move to the new facility. They see the benefits of closer working and the enhanced arrangements for transition into primary one. They also feel that those children with additional support needs can be better supported in the new nursery.

3.3 Parents of nursery children that met with HM Inspectors agree that the new facility presents positive opportunities for their children. They feel that transition will be easier if children are in the same building. This should help reduce some of the anxiety that a few children experience when moving between the two buildings. Although the distance between the two buildings is small, parents believe that safety should be improved to avoid nursery children having to cross a car park to access the primary school. They also note that opportunities for working with older primary school children, for example through the buddying programme, should be enhanced.

4. Summary

HM Inspectors agree that the proposal for the move of the existing nursery into Kirkhill Primary School has the potential to bring clear educational benefits for the children attending. The move to the new nursery could help to enhance transition arrangements and improve learning experiences for children.

HM Inspectors

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