

**South Ayrshire Council**

**Report by Depute Chief Executive and Director of Education  
to Cabinet  
of 25 September 2024**

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**Subject: Parameters for Considering Consultation on the  
Mothballing of Primary Schools**

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**1. Purpose**

- 1.1 The purpose of this report is to seek the Cabinet's approval on setting operational parameters for Educational Services to progress consultation on the 'mothballing' of a primary school, when the number of catchment area pupils has fallen below an agreed level.

**2. Recommendation**

**2.1 It is recommended that the Cabinet:**

- 2.1.1 approves the criteria and parameters for primary schools to be considered for mothballing (as outlined at item 4.1); and**
- 2.1.2 approves the proposed management process to be followed by Educational Services when schools are being considered for mothballing (as outlined at item 4.2).**

**3. Background**

- 3.1 'Future Activity Proposals' approved at Council on 29 February 2024, within the [Administration Budget Proposals](#), include a commitment from Educational Services to undertake a review of the school estate, in order to improve educational provision.
- 3.2 Over the next three years Educational Services will look to review the current school estate with a view to improving the educational provision and realising efficiency savings. This will include consideration of school mergers, closures or mothballing.
- 3.3 The term 'mothballing' is used within Scottish Government guidelines, when referring to a temporary decision to close a school, where the roll has fallen to either a 'very low level,' or zero. Rather than closing a school, mothballing provides local authorities some flexibility, and the opportunity to reopen the school, should circumstances change. There is no legal process for mothballing.
- 3.4 The Scottish Government has issued [Statutory Guidance](#) under the Schools (Consultation) (Scotland) Act 2010, which deals with the issue of mothballing:

- 3.4.1 **Para 63.** *'In considering alternatives to closure, authorities may choose to consider 'mothballing' a school (or a stage of education or a nursery class at a school). This is a temporary closure which does not lead to a consultation under the 2010 Act. It is only appropriate in very restricted circumstances. When a school roll falls very low, the authority and/or community may consider that the school is not presently viable but do not wish to close it immediately because there is a reasonable prospect that the number of pupils in the area will increase such that it should be re-opened in the future.'*
- 3.4.2 **Para 64.** *'It is vital that this flexibility to close a school for a temporary period is not used to undermine the requirements under the 2010 Act to consult on all school closure proposals. Mothballing is only appropriate for a temporary period and should be subject to regular review, at least annually, against the same requirements which led to the original decision to mothball the school (or stage of education). The maximum length of its duration is likely to depend on the location of the school and the desirability of maintaining capacity to re-open a school there, but it is unlikely that it should exceed 3 years in areas that are not very remote. The condition of the school building and cost of maintaining the mothballed provision will also be relevant.'*
- 3.4.3 **Para 65.** *'A school can be mothballed where the school roll has fallen to zero and continues to be zero. It may also be appropriate where the roll or potential roll is very low and the authority considers the only other option to be closure. However, in circumstances where a school is mothballed rather than closed and some children and young people remain in the catchment area, this decision should be taken in consultation with the parents involved, and the possibility should be raised as early as possible, in order to ensure that families can understand the options open to them. Mothballing should not be a way of denying parents' access to the statutory consultation process required under the 2010 Act and if the majority of parents oppose mothballing, it would be appropriate to move to statutory consultation on closure as soon as possible.'*

3.5 In considering the mothballing of primary schools with very low rolls, educational concerns are as relevant as any financial efficiencies taken into account. While it may seem that having fewer pupils in a class would allow a teacher to provide more one-to-one attention with learners, when it comes to our young people's learning experiences, classes with low pupil numbers can have disadvantages. These disadvantages are further compounded when we have a single class school, potentially with only one or two children at each year stage. Some of the problems commonly associated with teaching a small group of pupils are:

- 3.5.1 **Fewer Activity Options.** Some curricular activities require a minimum number of participants. Activities such as small group projects, group discussions, or peer to peer learning activities, are much harder to implement in a small class because there are fewer pupils to divide into groups, limiting options for our young people. Other options, such as large-scale games, may be impossible in single small settings because there are not enough pupils to allow for game play, or due to the wide variation in the age and physical development of the pupils, potentially making an activity unsafe;

- 3.5.2 **Lack of Diversity.** A smaller class is less likely to represent a diverse cross section of society. Pupils benefit from being members of diverse classes because they have the opportunity to hear viewpoints that differ greatly from their own. While some small classes do have a diverse array of members, many are relatively homogeneous in nature and, as such, do not offer our young people the opportunity to learn in a diverse setting;
- 3.5.3 **Attendance Issues.** While one or two pupils being absent from a large class does not pose a significant problem, having several absent pupils can be challenging in a small class. If there are only three or four pupils in a class, two missing pupils represent a much larger percentage of the class population, making it more difficult for the teacher to continue with planned lessons. This will also significantly impact on the class dynamics and learning experiences of children in the single class setting, with the likely consequence that a learner may be the only pupil at a particular stage. Thereby having no other pupil to share their learning experience with and benefit from those interactions; and
- 3.5.4 **Pupil Anxiety.** Some pupils enjoy the support of peers associated with being a member of a large class, without the pressure of being the focus of learning and teaching. These pupils can be uncomfortable in the spotlight and may prefer to blend in with their classmates as they move through the process of learning. For pupils of this nature, small classes can be challenging as, with the reduced pupil numbers, they do not have the same opportunity to mix in with a peer group.

#### **4. Proposals**

- 4.1 Educational Services propose the following criteria and parameters for considering the mothballing of a primary school. Where a primary school roll has **15** or less catchment area pupils, as reported in the annual pupil census (September), the Depute Chief Executive and Director of Education can consider this school for mothballing, subject to an assessment that confirms that the number of catchment area pupils is unlikely to increase above 15 within the next 2 years.
- 4.2 Although a statutory consultation is not required, as mothballing is deemed to be a temporary closure of a school, Educational Services propose that, following the annual pupil census, when a primary school roll falls into this category, and prior to the enrolment exercise for the next academic session taking place, the Depute Chief Executive and Director of Education will arrange to:
- 4.2.1 consult with affected parents, parent councils (if established) and other families who reside within the defined primary school catchment area, to discuss the position with them;
- 4.2.2 discuss the position with those staff who work in the primary school being considered for mothballing;
- 4.2.3 identify an alternative catchment school which will subsume the mothballed school's catchment area on a temporary basis; and
- 4.2.4 prepare a report for Cabinet on the outcome of the consultation exercise and to make recommendations.

- 4.3 Educational Services propose that, following consultation on the mothballing of a school, should any decision be taken to progress with mothballing, this would take place from the start of the next academic session. Support will be provided, however, to those parents who may wish to move their children to the alternative catchment school earlier than the start of the next school year, including with regards to assessing school transport entitlement.
- 4.4 In the circumstance that the mothballing of a school is approved by Cabinet, and to achieve efficiency savings on building maintenance, insurance and utilities, Educational Services propose that mothballed primary schools will be maintained on a 'wind and watertight' basis only, pending their future outcome.
- 4.5 Educational Services propose that, prior to the annual enrolment exercise, where a primary school has previously been mothballed and is currently, temporarily closed, targeted emails will be sent to all families living in the catchment area, supported by Council communications, providing parents and carers with the opportunity to register young people into P1 of the mothballed school, or transfer any P2-P7 pupils.
- 4.6 Educational Services propose that to re-open a mothballed school, the school must enrol a minimum of **16** pupils, through the annual registrations exercise, before a re-opening would be considered.
- 4.7 Regarding the future outcome of any mothballed primary school, Educational Services propose that the Depute Chief Executive and Director of Education will prepare a report for Cabinet on the future options for any school that has been mothballed for a period of 2 years. Where, in this circumstance, Educational Services are considering permanent closure of a mothballed school, Cabinet approval will be sought in the same report, on undertaking the required Statutory Consultation.

## **5. Legal and Procurement Implications**

- 5.1 There are no legal implications arising from this report.
- 5.2 There are no procurement implications arising from this report.

## **6. Financial Implications**

- 6.1 While there are no financial implications from agreeing parameters for considering the mothballing of primary schools, should the recommendations of this report be approved, and should the outcome of any future pupil census result in a mothballing consultation taking place, the subsequent report to Cabinet on the outcome of that consultation (as per 4.2.4 above), will include full details of the efficiency savings that could be achieved, relating to staffing and property costs.

## **7. Human Resources Implications**

- 7.1 While there are no human resources implications from agreeing parameters for considering the mothballing of primary schools, should the recommendations of this report be approved, and should the outcome of any future pupil census result in a mothballing consultation taking place, the subsequent report to Cabinet on the outcome of that consultation (as per 4.2.4 above), will include full details of any required relocation of staff, and that those relocations will be implemented in

accordance with agreed SNCT/JNCT circulars (teaching staff) or the Council's Framework for Managing Workforce Change (School Assistants and Support Staff).

## **8. Risk**

### **8.1 *Risk Implications of Adopting the Recommendations***

8.1.1 There are no risks associated with adopting the recommendations.

### **8.2 *Risk Implications of Rejecting the Recommendations***

8.2.1 The risks associated with rejecting the recommendations are that Educational Services 'Future Activity Proposals,' approved in the [Administration Budget Proposals](#) at Council on 29 February 2024, will not be achieved.

## **9. Equalities**

9.1 The proposals in this report have been assessed through the Equality Impact Assessment Scoping process. There are no significant potential positive or negative equality impacts of agreeing the recommendations and therefore an Equalities Impact Assessment is not required. A copy of the Equalities Scoping Assessment is attached as [Appendix 1](#).

9.2 The report requests approval only on setting operational parameters and a management process for consultations on the mothballing of a primary school. Should the recommendations of this report be approved, and should the outcome of any future pupil census result in a mothballing consultation taking place, the subsequent report to Cabinet will include a full Equalities Impact Assessment.

## **10. Sustainable Development Implications**

10.1 ***Considering Strategic Environmental Assessment (SEA)*** - This report does not propose or seek approval for a plan, policy, programme or strategy or document otherwise described which could be considered to constitute a plan, programme, policy or strategy.

## **11. Options Appraisal**

11.1 An options appraisal has not been carried out in relation to the subject matter of this report.

## **12. Link to Council Plan**

12.1 The matters referred to in this report contribute to Priority Two of the Council Plan: Live, Work, Learn and Outcome One: Education and lifelong learning.

## **13. Results of Consultation**

13.2 Consultation has taken place with Councillor William Grant, Portfolio Holder for Education, and the contents of this report reflect any feedback provided.

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## 14. Next Steps for Decision Tracking Purposes

- 14.1 If the recommendations above are approved by Members, the Depute Chief Executive and Director of Education will ensure that all necessary steps are taken to ensure full implementation of the decision within the following timescales, with the completion status reported to the Cabinet in the 'Council and Cabinet Decision Log' at each of its meetings until such time as the decision is fully implemented:

<i>Implementation</i>	<i>Due date</i>	<i>Managed by</i>
Follow the proposed management process, in advance of the annual enrolment exercise, if any schools are being considered for mothballing	31 December 2024 (for the 2025/26 school session)	Depute Chief Executive and Director of Education

**Background Papers**     [South Ayrshire Council – 29 February 2024 – General Services Revenue Budget 2024-25 and Capital Investment Programme 2024-25 to 2035-36 – Proposals of the Conservative and Independent Members](#)

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**Date:** 17 September 2024

## South Ayrshire Council Equality Impact Assessment Scoping Template

Equality Impact Assessment is a legal requirement under the Public Sector Duty to promote equality of the Equality Act 2010. Separate guidance has been developed on Equality Impact Assessment's which will guide you through the process and is available to view here: <https://www.south-ayrshire.gov.uk/equalities/impact-assessment.aspx>

Further guidance is available here: <https://www.equalityhumanrights.com/en/publication-download/assessing-impact-and-public-sector-equality-duty-guide-public-authorities/>

The Fairer Scotland Duty ('the Duty'), Part 1 of the Equality Act 2010, came into force in Scotland from 1 April 2018. It places a legal responsibility on Councils to actively consider ('pay due regard to') how we can reduce inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions. [FSD Guidance for Public Bodies](#) in respect of the Duty, was published by the Scottish Government in March 2018 and revised in October 2021. See information here: <https://www.gov.scot/publications/fairer-scotland-duty-guidance-public-bodies/>

### 1. Policy details

Policy Title	Parameters for Considering Consultation on the Mothballing of Primary Schools
Lead Officer (Name/Position/Email)	Lyndsay McRoberts, Depute Chief Executive and Director of Education – lyndsay.mcroberts@south-ayrshire.gov.uk

**2. Which communities, groups of people, employees or thematic groups do you think will be, or potentially could be, impacted upon by the implementation of this policy? Please indicate whether these would be positive or negative impacts**

Community or Groups of People	Negative Impacts	Positive impacts
Age – men and women, girls & boys	n/a	n/a
Disability	n/a	n/a
Gender Reassignment (Trans/Transgender Identity)	n/a	n/a
Marriage or Civil Partnership	n/a	n/a
Pregnancy and Maternity	n/a	n/a
Race – people from different racial groups, (BME) ethnic minorities and Gypsy/Travellers	n/a	n/a
Religion or Belief (including lack of belief)	n/a	n/a
Sex – (issues specific to women & men or girls & boys)	n/a	n/a

Community or Groups of People	Negative Impacts	Positive impacts
Sexual Orientation – person’s sexual orientation i.e. LGBT+, lesbian, gay, bi-sexual, heterosexual/straight	n/a	n/a
Thematic Groups: Health, Human Rights & Children’s Rights	n/a	n/a

**3. What likely impact will this policy have on people experiencing different kinds of social disadvantage i.e. The Fairer Scotland Duty (This section to be completed for any Strategic Decisions). Consideration must be given particularly to children and families.**

Socio-Economic Disadvantage	Negative Impacts	Positive impacts
Low Income/Income Poverty – cannot afford to maintain regular payments such as bills, food, clothing	n/a	n/a
Low and/or no wealth – enough money to meet Basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future	n/a	n/a
Material Deprivation – being unable to access basic goods and services i.e. financial products like life insurance, repair/replace broken electrical goods, warm home, leisure/hobbies	n/a	n/a
Area Deprivation – where you live (rural areas), where you work (accessibility of transport)	n/a	n/a
Socio-economic Background – social class i.e. parent’s education, employment and income	n/a	n/a

**4. Do you have evidence or reason to believe that the policy will support the Council to:**

General Duty and other Equality Themes Consider the ‘Three Key Needs’ of the Equality Duty	Level of Negative and/or Positive Impact (High, Medium or Low)
<b>Eliminate unlawful discrimination, harassment and victimisation</b>	Low
<b>Advance equality of opportunity</b> between people who share a protected characteristic and those who do not	Low
<b>Foster good relations</b> between people who share a protected characteristic and those who do not. (Does it tackle prejudice and promote a better understanding of equality issues?)	Low
Increase participation of particular communities or groups in public life	Low
Improve the health and wellbeing of particular communities or groups	Low
Promote the human rights of particular communities or groups	Low
Tackle deprivation faced by particular communities or groups	Low



## 5. Summary Assessment

<b>Is a full Equality Impact Assessment required?</b> (A full Equality Impact Assessment must be carried out if impacts identified as <b>Medium and/or High</b> )	<del>YES</del>  <b>NO</b>
<b>Rationale for decision:</b>  <b>The report requests approval only on setting operational parameters and a management process for consultations on the ‘mothballing’ of a primary school. Should the recommendations of this report be approved, and should the outcome of any future pupil census result in a mothballing consultation taking place, the subsequent report to Cabinet will include a full equalities impact assessment</b>	
<b>Signed :</b> Lyndsay McRoberts  <b>Date:</b> 2 July 2024	<b>Depute Chief Executive/ Director</b>