

**REPORT TO EDUCATION AND CHILDREN'S SERVICES COMMITTEE – 31 AUGUST 2017****ABERDEENSHIRE IMPLEMENTATION OF STATUTORY GUIDANCE ON GAELIC EDUCATION****1 Recommendations**

The Committee is recommended to:

- 1.1 Note and comment on the actions taken to date.**
- 1.2 Agree to the proposals to ensure that legislative requirements relating to the provision and promotion of Gaelic Medium Education and Gaelic Learner Education are met.**

2 Background / Discussion

- 2.1 To support implementation of the Education (Scotland) Act 2016, Statutory Guidance for Gaelic Education was prepared. The document explains the different elements that constitute Gaelic education in Scotland and establishes a consistent approach and a clear expectation of what Gaelic medium education (GME) is and how it should be delivered. It provides guidance for local authorities relating to their obligations under the act and for parents relating to the process for requesting a GME placement.
- 2.2 Local authorities are required to provide clear and easily accessible information relating to the process for parents and carers. The information relating to school admissions on the Aberdeenshire Council website has been amended to include this [information](#). This is considered the minimum requirement of the local authority duty to promote and support Gaelic Education and Learning. Next steps include:
 - Preparation of printed materials for publicity purposes in libraries and schools.
 - Review and revise as necessary the national flow charts for parents to clarify procedure and contacts in Aberdeenshire.
- 2.3 Parents of children under school age, and who have not yet started to attend a primary school, have a right to request an assessment of the need for Gaelic Medium Primary Education (GMPE) from the education authority in whose area their child lives. The assessment process has two phases, initial and full assessment. While the initial assessment will establish potential need for GMPE, the full assessment will consider a range of mandatory factors when reaching a decision regarding provision of GMPE. It should be noted that there is a presumption in favour of provision being established unless it can be determined that it would be unreasonable to do so. A summary of the processes including timelines is clarified in the flow chart in Appendix 2.
- 2.4 In Aberdeenshire this process will be managed by the officer with responsibility for Gaelic in Education and Children's Services for the purposes of the Initial

Assessment. Should potential need for GMPE provision be established then the Full Assessment will be carried out involving the Learning Estates team and Heads of Service as appropriate.

The process will be managed by:

- Enhancing the current database to include all information required as part of the new provision for GME. This will include timelines to ensure that requests are responded to within the legally binding timescales; 6 weeks from receipt of request for the initial assessment, an additional 10 weeks for the publication of the full assessment report, giving a maximum timeframe of 16 weeks for the complete assessment process.
- Determining the GMPE Assessment areas only with reference to the demand evidenced in the request. It should be noted that catchment areas for GME provision will normally overlay a number of school catchment areas.
- Monitoring the demand for GMPE and the geographical spread of requests to ensure that advanced planning takes place. The Learning Estates team will be consulted regularly to ensure that any capacity issues and new builds take into account the demand for GMPE and any potential need to establish a GMPE unit.
- Continuing to work with our neighbouring authorities with regard to the provision of GMPE as the number of requests in neighbouring authorities may also impact our obligations to establish provision. This could work in a reciprocal basis.

- 2.5 The provisions of the Education (Scotland) Act 2016 relating to Gaelic Medium Primary Education (GMPE) came into force on 1 February 2017. Since that date we have had no enquiries requesting an assessment of need for GMPE in Aberdeenshire.

To contextualise further there are currently seven learners living in Aberdeenshire and accessing GME in Aberdeen City; four at Hazlehead Academy and three at Gilcomston Primary. There are an additional two children accessing a Gaelic medium nursery placement at Gilcomston Nursery. Transport costs for the school age learners are met by Aberdeenshire and are outlined below.

2014/15	2015/16	2016/17	2017/18 (projection)
£34574	£36529	£37570	£39000

All learners currently accessing GME in Aberdeen reside in the Portlethen, Stonehaven or Inverurie catchment areas.

- 2.6 The promotion of Gaelic Learners Education is incorporated into strategic planning for the implementation of the 1+2 Approach to Languages. Session 2017-18 will see the further promotion of Gaelic as an L3 option in schools. Collaboration with other authorities in the Northern Alliance continues with regards to this work.
- 2.7 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and they have no comments to

make and are satisfied that the report complies with the Scheme of Governance and relevant legislation.

3 Scheme of Governance

- 3.1 The Committee is able to take a decision on this item in terms of Section E.1.1b of the List of Committee Powers in Part 2A of the Scheme of Governance as it relates to the implementation of provisions relating to the Education (Scotland) Act 2016.

4 Equalities, Staffing and Financial Implications

- 4.1 An equality impact assessment has been carried out as part of the development of the proposals set out above. It is included as Appendix 1 and there is a positive impact as the revised procedure increase transparency of decision making regarding provision of Gaelic Medium Education and may improve access to such provision for younger learners in Aberdeenshire.
- 4.2 Should it be necessary to establish a Gaelic Medium unit in Aberdeenshire there would be staffing and financial implications. It is not possible to determine what these will be in advance of a positive outcome from a GMPE full assessment. There will be minimum staffing implications for each Gaelic Medium unit required and financial implications relating to learning and teaching resources, professional development and other aspects relating to the creation of a specialist unit. It should be noted that funding may be available through the Gaelic Specific Grant or the Gaelic Schools Capital Fund towards associated costs.

Maria Walker
Director of Education & Children's Services

Report prepared by Deborah Masson, Quality Improvement Officer
Date 20 July 2017

EQUALITY IMPACT ASSESSMENT

Stage 1: Title and aims of the activity (“activity” is an umbrella term covering policies, procedures, guidance and decisions).	
Service	Education & Children’s Services
Section	Primary Education
Title of the activity etc.	Implementation of assessment procedures for provision of Gaelic Medium Primary Education
Aims of the activity	<ul style="list-style-type: none"> To fulfil the legislative requirements placed on local authorities by the Education (Scotland) Act 2016 relating to Gaelic Medium Primary Education.
Author(s) & Title(s)	Deborah Masson, Quality Improvement Officer

Stage 2: List the evidence that has been used in this assessment.	
Internal data (customer satisfaction surveys; equality monitoring data; customer complaints).	Parental Requests for GME up to February 2017 including gender and age monitoring.
Internal consultation with staff and other services affected.	Parent Involvement Officer Learning Estates Team
External consultation (partner organisations, community groups, and councils).	Bòrd na Gàidhlig
External data (census, available statistics).	
Other (general information as appropriate).	

Stage 3: Evidence Gaps.	
Are there any gaps in the information you currently hold?	No.

Stage 4: Measures to fill the evidence gaps.		
What measures will be taken to fill the information gaps before the activity is implemented? These should be included in the action plan at the back of this form.	Measures:	Timescale:

Stage 5: Are there potential impacts on protected groups? Please complete for each protected group by inserting "yes" in the applicable box/boxes below.				
	Positive	Negative	Neutral	Unknown
Age – Younger	Yes			
Age – Older			Yes	
Disability			Yes	
Race – (includes Gypsy Travellers)			Yes	
Religion or Belief			Yes	
Gender – male/female			Yes	
Pregnancy and maternity			Yes	
Sexual orientation – (includes Lesbian/ Gay/Bisexual)			Yes	
Gender reassignment – (includes Transgender)			Yes	

Marriage and Civil Partnership			Yes	
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Stage 6: What are the positive and negative impacts?

Impacts.	Positive (describe the impact for each of the protected characteristics affected)	Negative (describe the impact for each of the protected characteristics affected)
Please detail the potential positive and/or negative impacts on those with protected characteristics you have highlighted above. Detail the impacts and describe those affected.	Age – Younger A clear process for the requesting of Gaelic Medium Education for primary age pupils has now been established. The revised procedure increase transparency of decision making regarding provision of Gaelic Medium Education and may improve access to such provision for younger learners in Aberdeenshire over time.	

Stage 7: Have any of the affected groups been consulted?

If yes, please give details of how this was done and what the results were. If no, how have you ensured that you can make an informed decision about mitigating steps?	<p>The consultation has taken place at a national level to ensure that the views of all stakeholders were incorporated into the detail of the Statutory Guidance. This activity relates to the local implementation of national approaches.</p> <p>Parents and pupils are regularly communicated with through Parent Councils and Forums, as well as specific engagement sessions, the use of assessment frameworks, parent complaints, compliments and placing requests. Quality Improvement Officers attend various meetings, on an infrequent or needs based approach, to address issues or advise as appropriate.</p>
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Stage 8: What mitigating steps will be taken to remove or reduce negative impacts?

These should be included in any action plan at the	Mitigating Steps	Timescale

back of this form.		

Stage 9: What steps can be taken to promote good relations between various groups?

These should be included in the action plan.	<p>Improve the availability of information relating to the request process and procedure.</p> <p>Ensure that the fixed timelines for completion of the assessment process are adhered to.</p> <p>Continue with collaborative work with external partners.</p>
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Stage 10: How does the policy/activity create opportunities for advancing equality of opportunity?

<p>The revised procedure increase transparency of decision making regarding provision of Gaelic Medium Education in Aberdeenshire and may improve access to such provision for younger learners in Aberdeenshire over time for families who wish their child/ren to be educated through the medium of Gaelic.</p>

Stage 11: What equality monitoring arrangements will be put in place?

These should be included in any action plan (for example customer satisfaction questionnaires).	Monitoring of age and gender requests through the comprehensive database relating to requests for GME.
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Stage 12: What is the outcome of the Assessment?

Please complete the appropriate box/boxes	1	No negative impacts have been identified –please explain.
	<p>No impact against major positives</p> <ul style="list-style-type: none"> The revised procedure is clear and transparent with clearly identified timelines. It ensures that where potential demand exists full assessment procedures are carried out taking account of all mandatory factors. The new approach may over time increase accessibility to Gaelic Medium Education in Aberdeenshire. 	
	2	<p>Negative Impacts have been identified, these can be mitigated - please explain.</p> <p>* Please fill in Stage 13 if this option is chosen.</p>

	3	The activity will have negative impacts which cannot be mitigated fully – please explain. * Please fill in Stage 13 if this option is chosen

* Stage 13: Set out the justification that the activity can and should go ahead despite the negative impact.

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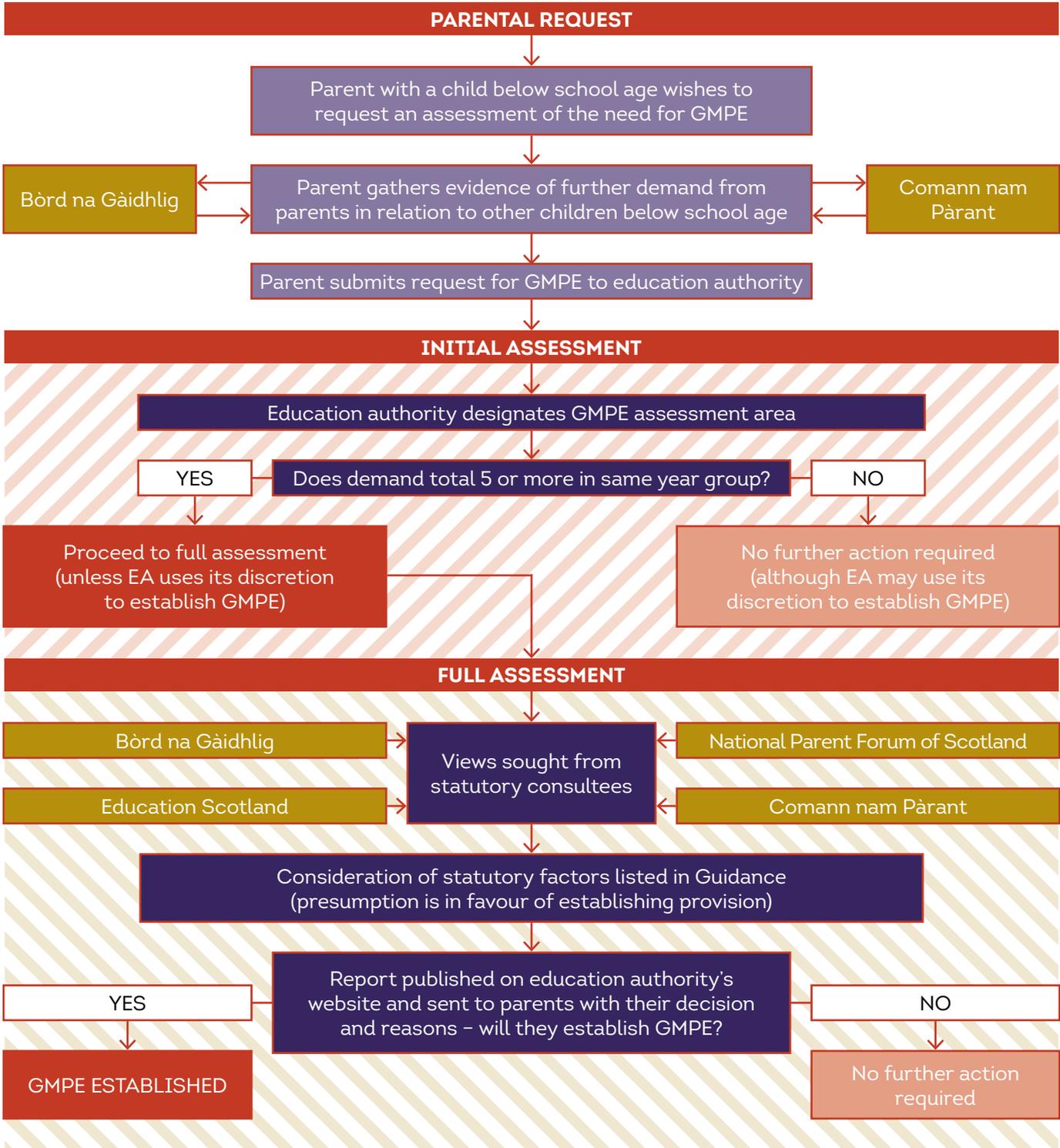
Stage 14: Sign off and authorisation.

Sign off and authorisation.	1) Service and Team	Education & Children's Services		
	2) Title of Policy/Activity	Implementation of assessment procedures for provision of Gaelic Medium Primary Education		
	3) Authors: I/We have completed the equality impact assessment for this policy/activity.	Name: Deborah Masson Position: QIO Date: 21/07/2017 Signature:	Name: Position: Date: Signature:	
		Name: Position: Date: Signature:	Name: Position: Date: Signature:	
	4) Consultation with Service Manager	Name: Date:		
5) Authorisation by Director or Head of Service	Name: Andrew Griffiths Position: Head of Service (Education) Date:	Name: Position: Date:		

	6) If the EIA relates to a matter that has to go before a Committee, Committee report author sends the Committee Report and this form, and any supporting assessment documents, to the Officers responsible for monitoring and the Committee Officer of the relevant Committee. e.g. Communities Committee	Date:
	7) EIA author sends a copy of the finalised form to: eia@abdnshire	Date:
(Equalities team to complete) Has the completed form been published on the website? YES/NO		Date:

Action Plan						
Action	Start	Complete	Lead Officer	Expected Outcome	Resource Implications	
Update website with information relating to the process for requesting GME.	February 2017	March 2017	Deborah Masson QIO	Provision of clear information for parents relating to the request process.	Time.	
Prepare hard copy promotional literature to meet legislative requirements to promote GME and GLE.	August 2017	September 2017	Deborah Masson QIO	Additional format for information to ensure that service users have appropriate access to information.	Time Printing Costs still to be established.	
Collaboration with neighbouring authorities	August 2016	ongoing	Deborah Masson QIO	Knowledge of demand in neighbouring authorities that may impact on potential demand for GMPE in Aberdeenshire.	Potential significant financial implication if GMPE unit has to be established.	

Gaelic Medium Primary Education Assessment Process



Key:

- Parent (Purple box)
- Education Authority (EA) (Dark Blue box)
- Other Organisation (Green box)

6 Weeks (Diagonal red and white stripes)

10 Weeks (Diagonal green and white stripes)