

EAST RENFREWSHIRE COUNCILEDUCATION COMMITTEE3 February 2022Report by Director of EducationGAELIC MEDIUM EDUCATION: OUTCOME OF A REQUEST FOR AN ASSESSMENT**PURPOSE OF THE REPORT**

1. To inform Education Committee of the outcome of a request for an assessment of the demand for Gaelic Medium Primary Education in East Renfrewshire and seek approval for the proposed approach to the full assessment.

RECOMMENDATIONS

2. Education Committee is asked to:
- a. note and comment on the contents of the report and the outcome of the initial assessment; and,
 - b. following completion of the full assessment and in line with the statutory guidance, delegate to the Director of Education the decision to establish Gaelic Medium Primary Education in August 2023.

BACKGROUND

3. Gaelic Medium Primary Education (GMPE) takes the form of immersion, i.e. children experience all their learning in the early years of primary school (Pr. 1 - 3) through the Gaelic language. Thereafter, immersion continues but in Pr. 4 – 7 English is introduced, while Gaelic remains the predominant language of the classroom.

4. At present East Renfrewshire Council does not make such a provision but supports families who wish such an experience for their children, and are successful in being granted a placing request to schools in neighbouring local authorities, through provision of transport. We do likewise for children or young people who wish to access specialist provision such as The Dance School of Scotland in Knightswood Secondary in Glasgow.

5. The Education (Scotland) Act 2016 places a duty on education authorities to promote and support Gaelic Medium Education (GME) and Gaelic Learner Education (GLE) and establishes a process by which parents can request Gaelic Medium Primary Education (GMPE) from their education authority.

6. [Statutory guidance](#), issued by the Bòrd na Gàidhlig came into force on 1 February 2017, Part 1 of which sets out the steps education authorities must take to assess demand on receipt of a request for GME.

7. Under the legislation and statutory guidance parents of children under school age, and who have not yet started to attend a primary school, have the right to request an assessment of the need for GMPE from the education authority in which the family resides. Any request

must also set out or be accompanied by evidence of demand for GMPE from parents of other children resident in the same education authority area and who will commence primary school in the same year group as the specified child. An initial assessment should be completed within a 6 week window; a full assessment allows 10 weeks for the local authority to undertake and report on the exercise.

8. A parental request may also contain evidence that there is demand for GMPE from parents of other children under school age, who are resident in the same education authority area and have not yet begun to attend a primary school, but who will commence primary school in a different year group to the specified child.

9. When an education authority receives a parental request made under the 2016 Act, it must designate the geographical area in relation to which it will undertake its assessment of the need for GMPE referred to as a 'GMPE assessment area'.

10. The threshold for an obligatory full assessment under the 2016 Act is that an education authority is satisfied that there is demand in the GMPE assessment area from the parents of at least five children who are resident in the GMPE assessment area and all in the same pre-school year group; the specified child should be counted in this total.

11. In April 2017, the Education Department received a request from a parent resident in East Renfrewshire seeking an assessment of the demand for GMPE in East Renfrewshire for her child. After carrying out the initial assessment, the department concluded that there was not the potential need for GMPE as the threshold for a full assessment had not been met. As a result no further action was taken.

REPORT

12. On 27 October 2021 the department received a request from a parent resident in East Renfrewshire seeking an assessment of the demand for GMPE in East Renfrewshire for her child, known as the 'lead child', who is due to start primary school in August 2023. Included in the request were the names of a further 13 children across a range of year groups, whose parents had expressed an interest in GMPE for their children.

13. The department wrote to each parent included in the request for assessment, inviting them to complete a proforma confirming their wish for GMPE for their child. Given the Council's small geographical area, the designated GMPE assessment area was defined as the whole of the geographical area of East Renfrewshire.

14. The department received 11 positive responses, including that of the lead child, by the deadline of 8 December 2021. The breakdown of numbers for each year group is as follows:

Year Group P1 Starting	Number of Positive Responses
2023 - 24	5
2024 - 25	2
2025 - 26	3
2026 - 27	1

15. As such the threshold of five children in any one year group is met. The demand for 2023-24 is higher than the previous request in 2017 and above the current existing demand i.e. around 2 per stage.

16. Where any education authority determines that there is a potential need for GMPE in the GMPE assessment area, it has two possible options, it can:

- carry out a full assessment of the need for GMPE in the GMPE assessment area; or
- without carrying out a full assessment, exercise its discretion to take such steps as are necessary to secure the provision of such GMPE as it considers appropriate in the GMPE assessment area.

17. The department decided to carry out a full assessment of the need for GMPE. The statutory guidance requires that *'when carrying out a full assessment an education authority must have regard to a list of mandatory matters, and must decide to secure the provision of GMPE in the GMPE assessment area unless it would be unreasonable to do so'*.

18. As part of the full assessment process the department has notified and sought the views of Education Scotland, Bòrd na Gàidhlig, Comann nam Pàrant and the National Parent Forum of Scotland.

19. In addition as part of the full assessment the department needs to take account of the statutory guidance on Gaelic education and will consider the following factors:

- Views provided by statutory consultees (listed in paragraph 18);
- Initial assessment information in relation to demand;
- Existing GMPE provision in adjacent authorities and the availability of access;
- Access to GMPE in East Renfrewshire from children in other Local Authorities;
- Accommodation;
- Costs;
- Teachers – including potential availability within East Renfrewshire and the potential to recruit; and,
- The East Renfrewshire Gaelic Language Plan.

20. The department has written to all parents whose names were provided as part of the request and indicated that we are carrying out a full assessment. We have also posted the outcome of the initial assessment on the Council's website as per the statutory guidance.

21. The full assessment must be completed by 16 February 2022. There is an expectation that the education authority publishes this report on its website within this timeframe. This report must set out the reasons for any decision with reference to the mandatory factors set out in paragraph 19.

22. There is a presumption, described in the guidance as *'an effective entitlement to GMPE'*, that if there is sufficient demand an education authority will *'secure the provision GMPE unless it is unreasonable to do so'*. The guidance is clear that an education authority cannot take or justify a decision not to provide GMPE on the basis of a single factor, for example, accommodation.

23. Where an education authority decides to secure the provision of GMPE in the GMPE assessment area, it must take the necessary steps to secure the provision as it considers appropriate and within reasonable timescales. Should the department decide to progress with the provision of GMPE it would then undertake a statutory consultation regarding admission arrangements.

24. The full assessment process will allow the Education Department to seek views from statutory consultees, consider the statutory factors set out paragraph 19 and determine

whether there is sufficient demand for GMPE. Should the statutory consultees be in favour of establishing GMPE provision and there be sufficient evidence of demand, then the authority would be required by The Education (Scotland) Act 2016 to progress with the establishment of GMPE from August 2023. Should the Education Department not proceed at that stage and the decision was challenged, then advice from legal services has indicated that we would be unsuccessful if we tried to defend this position.

25. As the next meeting of the committee will not be until after the full assessment process is completed and a decision required, it is proposed that Education Committee delegate to the Director of Education the decision regarding whether to establish GMPE in August 2023. This decision would need to take account of the full assessment process, evidence of demand and the statutory guidance.

CONSULTATION

26. As set out in paragraphs 18 and 19 the full assessment will reflect the views of the statutory consultees.

FINANCIAL AND EFFICIENCY IMPLICATIONS

27. The financial and efficiency matters relating to this paper will be taken into account when carrying out the full assessment.

CONCLUSION

28. The education department has received a second request for Gaelic Medium Primary Education under the 2016 legislation and statutory guidance. The response from parents met the nationally set threshold of five preschool children per year group. The department is now undertaking a full assessment of the potential need for GMPE in East Renfrewshire.

RECOMMENDATIONS

29. Education Committee is asked to:

- a. note and comment on the contents of the report and the outcome of the initial assessment; and,
- b. following completion of the full assessment and in line with the statutory guidance, delegate to the Director of Education the decision to establish Gaelic Medium Primary Education in August 2023.

Mark Ratter
Director of Education
3 February 2022

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Background Papers

Gaelic Medium Education: Outcome of a request for an assessment; Education Committee Report 21 June 2017

https://eastrenfrewshire.gov.uk/media/3348/Education-Committee-Item-04-21-June-2017/pdf/Education_Committee_-_Item_04_-_21_June_2017.pdf?m=637387236221730000

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