



T: 0131 244 0132
E: sam.anson@gov.scot

Kelly McIntosh
Angus Council
Director of Education and Lifelong Learning
Orchardbank Business Park
Orchardbank
Forfar
Angus
DD8 1AN

17 May 2024

Dear Kelly McIntosh,

SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010: HAYSHEAD NURSERY AND ST THOMAS NURSERY CLASSES

I refer to your email of 27 March 2024 notifying Scottish Ministers of Angus Council's decision of 26 March 2024 to implement the proposal to close Hayshead Nursery and St Thomas Nursery. Ministers have considered this proposal in line with the requirements set out in the Schools (Consultation) (Scotland) Act 2010 ("the 2010 Act").

Under section 17 of the 2010 Act, Ministers may only issue a call-in notice if it appears to them that the education authority may have failed:

- (a) in a significant regard to comply with the requirements imposed on it by (or under) the Act so far as they are relevant in relation to the closure proposal, or
- (b) to take proper account of a material consideration relevant to its decision to implement the proposal.

Section 15(2) of the 2010 Act requires an education authority to provide a copy of the proposal paper and the consultation report prepared under the Act to Ministers when notifying them of a closure proposal.

Section 15(4) of the 2010 Act requires Ministers to take into account any relevant representations made to them by any person during the three-week period from the date that a closure decision is made. In relation to this closure proposal, the three week period began on 14 March 2024 and expired on 3 April 2024. No representations were received.



Having reviewed the documents provided by Angus Council under section 15(2) and considered all relevant representations made under section 15(4), Ministers consider that Angus Council has fulfilled its obligations under the 2010 Act and do not intend to issue a call-in notice for this proposal.

Angus Council may now implement its decision to close Hayshead Nursery and St Thomas Nursery in line with the timescales set out in its proposal paper. As noted in Education Scotland's report on the proposal, Angus Council should ensure that important relationships between parents and nursery staff are maintained.

Yours sincerely,



Sam Anson
Deputy Director, Workforce, Infrastructure and Digital
Learning Directorate