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Executive Director, Children, Young
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19 August 2024

Dear Fiona,

SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010: MAYFIELD NURSERY SCHOOL AND MAYFIELD SPEECH AND LANGUAGE COMMUNICATION PROVISION

I refer to your email of 25 June 2024 notifying Scottish Ministers of Midlothian Council's decision of 25 June 2024 to implement the proposal to close Mayfield Nursery School and re-establish Mayfield Early Learning Centre and close Mayfield Speech and Language Communication Provision and further extend this into the existing outreach service. 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.

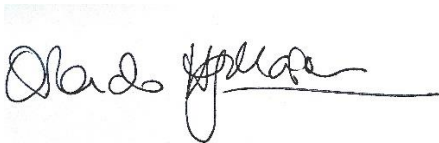
Section 15(2) of the 2010 Act requires an education authority to provide a copy of the proposal paper and the consultation report prepared under the Act to Ministers when notifying them of a closure proposal.

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 25 June 2024 and expired on 15 July 2024. No representations were received.

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

Midlothian Council may now implement its decision to close Mayfield Nursery School and Mayfield Speech and Language Communication Provision in line with the timescales set out in its proposal papers. As noted in Education Scotland's report on the proposal, Midlothian Council should continue to engage with all stakeholders regarding interim arrangements for nursery provision. The Council should further clarify with stakeholders on the model for Speech and Language Communication Provision to be assured that all children will be able to access support if needed.

Yours sincerely,



Orlando Heijmer-Mason
Deputy Director, Workforce, Infrastructure and Digital
Learning Directorate