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3 November 2021

Dear Brian Porter,

**SCHOOLS (CONSULTATION) (SCOTLAND) ACT 2010: HIGHLAND COUNCIL –
UIG PRIMARY SCHOOL**

I refer to your email of 10 September 2021 notifying Scottish Ministers of Highland Council's decision of 9 September 2021 to implement the proposal to close Uig Primary School, a rural school which is currently mothballed. 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 3 week period from the date that a closure decision is made. In relation to this closure proposal, the 3 week period began on 9 September 2021 and expired on 29 September 2021. One representation was received.


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

Highland Council may now implement its decision to close Uig Primary School in line with the timescales set out in its proposal paper.

As you are aware, we had sought further information from Highland Council regarding the length of time that Uig Primary School was mothballed. We note the comments in your letter of 7 October that this was due to Highland Council's desire to allow the local community the opportunity to demonstrate there was demand for the school to reopen. Where a decision is taken to mothball a school rather than proceed to the statutory school closure consultation process, it is important in our view that regular reviews take place to ensure mothballing continues to be justified and that the period that a school is mothballed is kept to a minimum.

We also noted Education Scotland's recommendations in its report on the closure of Uig Primary that Highland Council should work with the community to explore how to make best use of the former Uig Primary School building; and explore with stakeholders how to maintain and improve play facilities in Kilmuir Primary School.

Yours sincerely,



Andy Drought
Deputy Director, Workforce, Infrastructure and Reform
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