**Document A supporting an Application for Review of Decision Relating to an Island Community Impact Assessment**

1. **Summary of the process under review**

The Head Teacher of Tiree High School resigned at the end of 2018. The Education Authority then appointed Peter Bain as Interim Executive Head Teacher of Tiree and Oban High Schools. This was before the Islands (Scotland) Act 2018 came into force.

A review of this interim leadership arrangement was postponed because of the pandemic, but was completed in the first six months of 2022. This led to the appointment of Peter Bain as the Executive Head Teacher of Tiree and Oban High Schools in June 2022.

It is the argument of Tiree Community Council and the Tiree High School Parent Council that there should be an Island Community Impact Assessment of this appointment.

1. **The applicants**

Tiree Community Council (TCC) has been set up under the Local Government (Scotland) Act 1973. Section 2.1 of the Scheme for the Establishment of Community Councils in Argyll and Bute 2018 contains the passage: ‘The general purpose of a community council shall be to ascertain, co-ordinate and express to the local authorities for its area, and to public authorities, the views of the community which it represents, in relation to matters for which those authorities are responsible, and to take such action in the interests of that community as appears to it to be expedient and practicable.’

TCC has agreed that the reversal of population decline on Tiree is its number one objective. The success of THS is an absolutely critical driver of this.

Tiree High School (THS) Parent Council has been set up under Scottish Schools (Parental Involvement) Act 2006. Its function is to ‘ascertain the views of the members of the Parent Forum as regards … the quality of education which the school provides’ and to ‘collate those views and report them to … the education authority’ (section 8).

1. **Applicability of Islands (Scotland) Act 2018**

Tiree is an ‘island community’ and Argyll and Bute Council (ABC) is a ‘Relevant Authority’ under the Islands (Scotland) Act 2018.

The Education Authority (‘the Authority’) for THS is Argyll and Bute Council.

1. **The duty of the Education Authority to do an Island Community Impact Assessment**

The Islands (Scotland) Act 2018 (‘Islands Act’) lays down a duty for Relevant Authorities to prepare Island Communities Impact Assessments (ICIAs) ‘in relation to … a service … which, in the authority’s opinion, is likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities) in the area in which the authority exercises its functions’ (Part 3, Section 8.1).

This ‘applies to the development, delivery and redevelopment of the policy, strategy or service (as the case may be).’ (Part 3, Section 8.2)

1. **The history of this application and arguments used by the Authority to refuse to do an ICIA**

TCC, along with Mull and Iona Community Councils, met with the Scottish Government Islands Team on 19 March 2021 to discuss the Islands Act and ICIAs.

On 29 March 2022 TCC asked the Authority’s Education Manager – Transformation whether an ICIA was being considered: ‘It would also be helpful to know whether Argyll and Bute Council intends to write an island community impact assessment on the proposed change [the creation of a new, dual-campus headship post involving THS].’

On 30 March the Education Manager wrote to TCC: ‘An Island Impact assessment is not required in this instance.’ This decision appears to have been taken by this officer acting alone.

On 15 April TCC asked the Education Manager to review both her decision and the process by which she had made it (see below).

On 8 June (eight weeks later), the Legal Department of ABC provided this opinion: ‘Recruitment of staff is an operational matter for the Council, as Education Authority, and not a matter of strategy or policy. As such, the Council maintains its view that an ICIA is not required in this particular case on the basis that the recruitment of staff by the Education Authority is a matter which is purely operational in nature for the Education Authority and not a matter of policy or strategy. For this reason, we hold the view that the relevant provisions of the Islands (Scotland) Act 2018 do not apply in this particular instance.’

1. **Arguments in favour of the need to do an ICIA in this situation**

The arguments that the appointment of an Executive Head Teacher to run this new dual-campus school are merely a ‘recruitment of staff’ and ‘purely operational’ cannot be sustained.

The reality is that the model of service delivery in THS over the last three years of shared headship has fundamentally changed.

There are several factors that need to be considered:

1. **The isolation of the Tiree campus**

The travel time by public transport between the Oban and Tiree campuses is 4½ hours each way. This is the geographical equivalent of managing schools in Oban and Edinburgh under a shared headship. The Authority’s own consultation on the Interim Shared Headship found a ‘Disadvantage and Limitation’ of the ‘Head Teacher’s split time between schools.’ This isolation also has implications for the long-term sustainability of the arrangement, a fact that the Authority has acknowledged by announcing that the shared headship will be reviewed when the present Head Teacher leaves his post.

1. **Differences between the schools**

Oban High School is a six-year secondary school in the centre of Oban with a roll of over 900. THS is described by ABC as being ‘unique in providing education for the community of Tiree from Early Learning Centre/*Sgoil Araich* to 18 years of age and beyond’. The secondary school has a roll of around 35-40. THS takes in Early Learning and the Primary School including a Gaelic Medium Unit, as well as the Secondary School.

1. **The fragility of Tiree’s community and culture**

Tiree has a population of 653 and is geographically isolated. The population is declining long term and fell 15% between 2001 and 2011. In 1981, 74% of the community reported that they could speak Gaelic; in 2011 this was down to 38%.

1. **Tiree’s unique island heritage and traditions**

THS serves a close-knit community and sits in a crofting landscape with Gaelic spoken by over a third of the population. The island is famous for its strong and unique heritage and culture, and its traditional music.

The Authority’s Head of Education has stated that the Collective Leadership Model (CLM) will ‘give the autonomy and the ownership and the leadership back to the school communities’ (CLM promotional video).  The experience from THS over the last three years shows that the very opposite is likely to be true.

There is a serious risk that the loss of a Tiree-based Head Teacher and of Tiree-based decision making power and agency will weaken the ethos, local character and cultural identity of the smaller school.

A survey by TCC in February 2022 reflected these anxieties. One parent told us: ‘Our uniqueness of culture, language and community is not celebrated as it ought to be.’ Another stated: ‘We need our own dedicated Head Teacher to ensure that they focus and prioritise the needs of Tiree’s pupils, understanding that Tiree is unique and may have different requirements and needs than that of mainland schools.’

The risk that THS would be culturally swamped was acknowledged by the Authority in their June presentation to the THS Parent Council: ‘Tiree’s voice not of equal standing in the partnership … Sensitivity to the unique culture and ethos of Tiree could be improved.’

And precisely to mitigate this risk, the Authority is now setting up a ‘working group … regarding the place of the school in the context of the cultural heritage of the Island and the community of Tiree’ (email from Education Manager, 28 July). This is clear evidence that the Authority recognises that managing a mainland secondary school and a small island 3-18 school together could damage the smaller school.

1. **Expansion of virtual classes on Tiree**

Since 2018 there has been curriculum expansion at THS. This has been facilitated by the alignment of timetables between the two schools and an investment in IT. This has led to an increasing proportion of video-conference (VC) classes. This is unpopular with the majority of THS parents and pupils; 80% would like to see less VC classes (TCC survey February 2022). If THS was on the mainland, this expansion of remote learning would not have been so extensive. The island location of THS is key here.

1. **The need for an ICIA has already been accepted**

Over the last nine months, the CLM – a clustering of several schools under one executive head teacher – has been heavily promoted by ABC. As part of this promotion, the Tiree-Oban shared headship has been hailed by the Council as an inspiring example of multi-campus working: ‘[CLM] expands on the success of shared Headship between Oban and Tiree schools’ (Empowering Our Educators FAQs page 1).

ABC has already accepted that an ICIA will be carried out as part of the wider CLM: ‘I think it is important to note that the work which is currently ongoing relates to education across Argyll and Bute, and the report which will go to Councillors next year will have had an appropriate Island Community Impact Assessment’ (correspondence from Pippa Milne 29 October 2021).

1. **Arguments over process**

The Scottish Government’s ICIA guidance and toolkit (<https://www.gov.scot/publications/island-communities-impact-assessments-guidance-toolkit/pages/2/>) recommends that Relevant Authorities base their assessment of whether an ICIA is necessary on meaningful consultation. The decision about whether or not an ICIA is required is not a unilateral, desk-based one; it is required to be evidence-based and consultative. Although this guidance is only a recommendation, it is important to note that it has not been followed in this instance.

1. **Conclusion**

Our argument here is not whether the appointment of a dual-campus Executive Head Teacher is a ‘good’ or a ‘bad’ thing.

Our case is that this appointment represents a substantial change in service. It is reasonable to predict that this will have substantial effects on the service delivered by THS. Indeed, it has been designed to do so.

There is a danger that the new dual-campus model will cause a significant weakening of the Tiree school’s island culture and identity. The Education Department have themselves accepted this by setting up a working group to monitor this risk.

There is also a risk that the new dual-campus model will lead to an out-migration of families with school-age children from the island and job losses This would be an existential problem for the island.

The interim Tiree-Oban Shared Headship was a poster boy for ABC’s Collective Leadership Model. The Council has accepted that an ICIA is required for this. By the same logic, an ICIA is needed for the Tiree-Oban Shared Headship.

We therefore believe that there is a clear and compelling case under the Islands Act for ABC to do an ICIA on the shared headship involving Tiree and Oban High Schools.

We go further. ABC has carried out just three ICIAs in the last twelve months. We argue that only when ABC starts to perform ICIAs frequently, without being asked and with a genuine desire to improve their understanding of their island communities, will they be able to discharge their responsibilities to their twenty-three inhabited islands.

Dr John Holliday, Convenor of Tiree Community Council, on behalf of Tiree Community Council and THS Parent Council