

Schools (Consultation) (Scotland) Act 2010

Report by HMIE addressing educational aspects of the proposal by East Lothian Council to establish a new Additional Support Needs (ASN) provision at Law Primary School.

May 2026

1. Introduction

1.1 This report from HMIE has been prepared by His Majesty's Inspectors of Education (HM Inspectors) in accordance with the terms of the [Schools \(Consultation\) \(Scotland\) Act 2010](#) ("the 2010 Act"). The purpose of the report is to provide an independent and impartial consideration of a proposal by East Lothian Council to create a new Additional Support Needs (ASN) provision within Law Primary School. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' view. Upon receipt of this report, the Act requires the council to consider it alongside any relevant considerations the council received and then prepare its consultation report. The council's consultation report should include this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its consultation report at least three weeks before it takes its final decision. With all proposals the council needs to follow all statutory obligations set out in the 2010 Act.

1.2 HM Inspectors considered:

- the likely effects of the proposal for children of the school; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children in the council area;
- any other likely effects of the proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

1.3 In preparing this report, HM Inspectors undertook the following activities:

- attendance at the public meeting held on 24 March 2026 in connection with the council's proposals;
- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others; and
- visit to the site of Law Primary School, including discussion with relevant consultees.

2. Consultation process

2.1 East Lothian Council undertook the consultation on its proposal with reference to the [Schools \(Consultation\) \(Scotland\) Act 2010](#).

2.2 The public consultation ran from 3 March until 5 May 2026. Copies of the proposal were made available to stakeholders. A public meeting was held at North Berwick High School, on 24 March 2026. There were 13 stakeholders in attendance. Additional drop-in sessions were also held 30, 31 March and 1 April 2026 to accommodate those who could not attend the public

meeting. One hundred and eighteen survey responses were completed. Almost all stakeholders indicated that they agree with the proposal.

2.3 Representatives from East Lothian council engaged meaningfully with a group of children across all stages in Law Primary School to seek their views in March 2026. Children asked a range of questions around the practicalities of the proposal such as how the use of classrooms, shared spaces and activities, and how integration with mainstream pupils would work.

3. Educational aspects of proposal

3.1 HM Inspectors agree that there are potential education benefits to this proposal. The council state that this proposal will deliver significant educational benefits by providing a high-quality, specialist learning environment with skilled staff, enabling highly individualised support and improved attainment for pupils with severe and complex additional support needs. It outlines that this proposal should enhance wellbeing, social skills and continuity in learning, while enriching the curriculum. That it has the potential to build staff expertise and strengthen inclusive practice. That there will be increased opportunities for training and development for all staff in relation to meeting the needs of children with additional support needs across the school. HM Inspectors agree that access to specialist professional learning and peer support can benefit staff to support all children, including those who have additional support needs.

3.2 HM Inspectors agree that the provision outlined in the proposal has the potential to provide better and more targeted support for children and young people who need additional help in the local area. That the proposal means children with severe and complex needs within the local community could be taught in the same school as their peers. HM Inspectors agree that the impact on the local community should be positive. The children who will use the ASN should benefit from working alongside their peers, accessing purpose-built facilities and mainstream classes where appropriate. That this has the potential to foster stronger collaboration with local families and within the wider school community.

3.3 Overall, stakeholders that met HM Inspectors, accept and understand that there is a need to meet the growing number of children with severe and complex needs within the council, both currently and into the future. They understand that resources within the council need to be expanded to meet the needs of children living in this area. HM Inspectors agree that there is a need for the council to realise its plans and make appropriate provision to meet the increasing level of support needs of children across the council.

3.4 Stakeholders that met HM Inspectors, talked of the potential benefits to the wider school and to the local community. These benefits include making full use of the spaces within the school to sustain the inclusive ethos across the school. Stakeholders appreciate that having this provision housed at Law Primary School will develop further approaches to inclusion. They see the benefits of children living within the local area having access to appropriate educational provision within their own community. Additionally, they appreciate the benefits that additional resources will bring to the existing school facilities, including the increased levels of specialist staff working within the provision.

3.5 Parents who met HM Inspectors, raised concerns about the potential loss of spaces currently available to children attending Law Primary School. They consider that the current

building and grounds will require some upgrading if this proposal is agreed. They are worried about the potential impacts on parking, drop offs and pickups due to increased numbers of children, parents and staff who will require access to the school at pressure points throughout the day. The council have given assurance that timings will be staggered to avoid any serious issues occurring. HM Inspectors agree that the increased provision for children with additional support needs will have an impact on school space and facilities. If the proposal is agreed, it will be important for the council to work with school leaders and staff to adapt facilities to ensure that the needs of all children are met. This includes mitigating any potential negative impacts, such as any reduced access to the sensory room.

3.6 Children who met with HM Inspectors look forward to welcoming new pupils into their school. They look forward to making new friends and learning alongside them. They want to understand what changes may occur. For example, around how this may affect the playground and who plays where. A few parents who met HM Inspectors, raised queries about the safety of the ASN provision. They talked about being unclear about the nature, behaviour profile, and complexities of the needs of the children who will attend. It is the view of HM Inspectors that should the proposal be agreed, school leaders and the council should support all members of the school community to understand the resulting changes. This should include being clear on how any challenges will be met.

4. Summary

HM Inspectors agree that East Lothian Council's proposal to introduce a new ASN provision within Law Primary School has potential education benefits. These include increased opportunities for children with severe and complex needs within the local community to be taught in the same school as their peers. This could increase opportunities for socialisation and access to mainstream classes where appropriate. Implementation of the current plan will benefit staff and pupils as there will be increased opportunities for training and development for all staff. It is the view of HM Inspectors that if the proposal is approved, the council should seek to address the concerns raised by parents. They should also ensure that all stakeholders are kept informed about progress.

HM Inspectors
May 2026

On behalf of His Majesty's Chief Inspector of Education in Scotland