

Citizen Participation and Public Petitions Committee
Wednesday 19 February 2025
3rd Meeting, 2025 (Session 6)

PE2129: Standardise criteria and consultations for assessing demand for denominational schools

Introduction

Petitioner Elizabeth Spencer

Petition summary Calling on the Scottish Parliament to urge the Scottish Government to require education authorities to adopt a uniform set of criteria and a standard consultation for assessing community demand for denominational schools.

Webpage <https://petitions.parliament.scot/petitions/PE2129>

1. This is a new petition that was lodged on 4 December 2024.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
4. Every petition collects signatures while it remains under consideration. At the time of writing, 81 signatures have been received on this petition.
5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered.
6. The Committee has received submissions from the Cabinet Secretary for Education and Skills, and the Petitioner, which are set out in **Annexe C** of this paper.

Action

7. The Committee is invited to consider what action it wishes to take.

Clerks to the Committee
February 2025

Annexe A: Summary of petition

PE2129: Standardise criteria and consultations for assessing demand for denominational schools

Petitioner

Elizabeth Spencer

Date Lodged

4 December 2024

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to require education authorities to adopt a uniform set of criteria and a standard consultation for assessing community demand for denominational schools.

Background information

The Education (Scotland) Act 1918 integrated Catholic schools into the public system, ensuring support for their religious identity. However, the absence of standardised demand assessment and funding support has led to regional inconsistencies in access to Catholic education. Councils like Aberdeen face barriers to establishing Catholic schools despite demand, unlike councils in Glasgow, Edinburgh, and Dundee. This petition calls consistent and equitable standards that ensure access to Catholic education across Scotland.

A set, standardised criteria would provide standards to objectively assess demand, which would help local authorities avoid arbitrary thresholds or inconsistent measures in their decision making. A standardised consultation process would guarantee that all community voices are given equal representation, thus creating a more inclusive process.

Annexe B: SPICe briefing on PE2129



Brief overview of issues raised by the petition

The petition calls on the Scottish Government to:

“require education authorities to adopt a uniform set of criteria and a standard consultation for assessing community demand for denominational schools.”

Denominational schools

Denominational schools in Scotland are run by the local authority. They differ from non-denominational schools in that they reflect the ethos of a particular religion. Most, but not all, denominational schools in Scotland are Roman Catholic.

Not all local authorities have denominational schools. Some local authorities have denominational primary schools but do not have a standalone denominational secondary school.

Denominational schools have played a key role in the development of state education in Scotland. As of 2023, around 15% of state schools are denominational schools and around 18% of pupils are educated in denominational schools.

Education authorities have a duty to secure the provision of adequate and efficient education (section 1 of the Education (Scotland) Act 1980). In doing so the education authority "shall have regard to the general principle that, so far as is compatible with the provision of suitable instruction and training and the avoidance of unreasonable public expenditure, pupils are to be educated in accordance with the wishes of their parents." (section 28 of the 1980 Act).

Section 21 of the 1980 Act sets out some of the specific rights and duties in relation to denominational schools. For example, the local authority “shall appoint as supervisor of religious instruction, without remuneration, a person approved as regards religious belief and character as aforesaid, and the supervisor so appointed shall report to the education authority as to the efficiency of the religious instruction given in such school, and shall be entitled to enter the school at all times set apart for religious instruction or observance.” There is also [an approval process](#) to teach in denominational schools.

Section 17 of the 1980 Act provides a power for education authorities to establish a denominational school, having regard to the religious belief of parents in the education authority’s area.

A proposal by an education authority to establish any school falls under a “relevant proposal” under the Schools (Consultation) (Scotland) Act 2010. The 2010 Act provides for statutory consultation process on a range of relevant proposals to do with changes to the school estate and catchments.

Ned Sharratt
SPICe Researcher

03/1/2025

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

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Annexe C: Written submissions

Cabinet Secretary for Education and Skills written submission, 20 December 2024

PE2129/A: Standardise criteria and consultations for assessing demand for denominational schools

Thank you for writing to the Scottish Government, seeking its view of PE2129. The petition calls on the Scottish Parliament to urge the Scottish Government to require education authorities to adopt a uniform set of criteria and a standard consultation process for assessing community demand for denominational schools.

I would like to make clear from the outset the Scottish Government's strong and continuing support for Catholic education in Scotland and the important role Catholic schools plays in their local communities and wider Scottish society.

Decisions regarding the establishment, closure, or alteration of schools, are the responsibility of local authorities. This reflects their statutory duty to manage the school estate and provide education tailored to the specific needs and contexts of their communities.

Existing legislation takes into account the needs of communities who wish to establish a denominational school. Under Section 17 of the Education (Scotland) Act 1980, local authorities may establish a denominational school for any denomination or faith if they are satisfied that such a school is required, either in response to representations made to them by any church or denominational body acting on behalf of parents, or on their own initiative.

In addition, the statutory consultation process under the Schools (Consultation) (Scotland) Act 2010 for significant changes to the school estate. The legislation aims to ensure that local authorities consult widely with communities when making decisions about school provision, including establishing new denominational schools, and that there is transparency and public involvement in that process.

Therefore, our view is that the current framework for decision making around the establishment of denominational schools is sufficient. We encourage local authorities to engage meaningfully with their communities, uphold transparency, and ensure fairness in decision-making processes.

I hope the Committee finds this letter helpful in setting out the Scottish Government's position on assessing community demand for denominational schools.

Yours sincerely,

JENNY GILRUTH

Petitioner written submission, 16 January 2025

PE2129/B: Standardise criteria and consultations for assessing demand for denominational schools

I'd like to thank the Cabinet Secretary for her letter dated 20 December 2024 regarding Petition PE2129. I appreciate the Scottish Government's position on denominational schooling and the references to current legislation. However, in light of the Committee's invitation to provide *new or clarifying information*, I would like to submit the following points:

1. Ongoing Inconsistency Across Local Authorities

Despite the legal framework, local authorities vary greatly in how they interpret and apply the Education (Scotland) Acts of 1918 and 1980. In areas such as Aberdeen, communities are still encountering significant barriers to establishing new Catholic secondary schools, compared to relatively smoother processes elsewhere (e.g. Glasgow or Edinburgh).

2. Impact of the Recent School Infrastructure Investment

Scotland's multi-billion-pound commitment to school infrastructure—reportedly including up to £2 billion under the Learning Estate Investment Programme—represents a vital opportunity to *rectify such regional disparities*. If harnessed correctly, these funds could support councils whose budgets would otherwise preclude the creation or expansion of denominational schools, ensuring that legitimate community demand does not go unmet.

3. Proposed Amendments to Strengthen the 2010 Act

In addition to endorsing a *uniform consultation and assessment framework* for denominational schools, I continue to recommend targeted amendments to the Education (Scotland) Acts of 1918 and 1980. These would:

- **Standardise Criteria** for evaluating demand, aligning Section 17 of the 1980 Act with the *Schools (Consultation) (Scotland) Act 2010*.
- **Introduce a Dedicated Fund** for denominational school proposals, so areas with limited finances are not disadvantaged.
- **Provide Clear National Guidance**, minimising local biases and holding all authorities equally accountable.

By addressing the above, Scotland can reinforce its commitment to **fairness, inclusivity, and equal opportunity** in education—ensuring that each local authority's approach to denominational schools is both transparent and consistent.

Thank you for your continued attention to this matter. I remain hopeful that, with further review and potential legislative refinement, every Scottish community—regardless of location—will have equitable access to denominational schooling where demand exists.