

**EAST LOTHIAN COUNCIL
DEPARTMENT OF RESOURCES AND PEOPLE SERVICES**

THIS IS A PROPOSAL DOCUMENT

This consultation is on the following proposal:

To establish a new Additional Support Needs (ASN) provision at Law Primary School

Subject to the outcome of this consultation exercise, East Lothian Council proposes that:

- A new Additional Support Needs (ASN) provision for children and young people with severe, complex and enduring needs will be established at Law Primary School and
- The ASN provision will be under the leadership of the Head Teacher of Law Primary School, with additional support from a dedicated Depute Head Teacher.

The following school is directly affected by the proposal:

- Law Primary School

In accordance with the Schools (Consultation) (Scotland) Act 2010, East Lothian Council wants to hear your views on the proposal to establish a new dedicated Additional Support Needs (ASN) provision at Law Primary School

Within this Proposal Document you will find information about the proposal, the reasons behind it, the likely impact and how you can tell us what you think about it. A short questionnaire is included as Appendix 1 of this proposal.

East Lothian Council encourages as many of you as possible to complete this questionnaire in writing or online and would like to thank you in advance for taking the time to share your views as they are extremely important to us.

We would like to be as open as possible with the results of this consultation so please note that your response will be anonymised and made public at the end of the consultation period. You may wish to ensure that you do not give any identifying details in your response. If you don't wish your response to be made public, you can specify this in the questionnaire and within any written response.

Distribution

A copy of this document is available on the East Lothian Council Consultation Hub:

<https://eastlothianconsultations.co.uk/education/asn-law>

A summary of this proposal will be provided to:

- The Parent Council of the affected school
- The parents / carers of the pupils at the affected school
- Parents / carers of pupils expected to attend an affected school within two years of the date of publication of this proposal document
- The pupils, deemed to be of suitable age and capacity to be able to communicate a view on the proposal, at the affected school.
- The teaching and support staff at the affected school
- The trade union representatives of the above staff
- East Lothian Councillors
- Community Council
- Community Planning Partnership
- Relevant users of the affected school
- Constituency MP and MSP
- His Majesty's Inspectorate of Education in Scotland (HMIE)

A copy of this document is also available from:

- Law Primary School, Haddington Road, North Berwick, EH39 4QZ
- North Berwick Library, The Old School, School Road, North Berwick, EH39 4JU
- John Muir House, Brewery Park, Haddington EH41 3HA

This document can be made available in alternative formats or translated for readers whose first language is not English.

If you would like this document in another language or format, or if you require the services of an interpreter, please call 01620 827 827 or email educationconsultations@eastlothian.gov.uk

To be taken into consideration, responses to the consultation must be received by 5 May 2026. These can be made electronically through the **online consultation questionnaire at <https://eastlothianconsultations.co.uk/education/asn-law>**,

By email to educationconsultations@eastlothian.gov.uk

Written responses can be returned to: Law ASN Consultation, East Lothian Council, Resources and People Services, John Muir House, Haddington, EH41 3HA.

The affected consultees are:

The pupils attending Law Primary School

The parents / carers of pupils attending Law Primary School

The parents / carers of pupils expected to attend Law Primary School within two years of the date of publication of the proposal paper

The Parent Council of Law Primary School

The staff employed by the Council and based at Law Primary School

The Trade Union and Professional Associations Representatives of the above staff

Consultation with Children and Young People

Children in the directly affected school will be consulted on this proposal in accordance with the Children's Commissioner Guidance and further information will be provided to parents/carers via their child's school.

CONTENTS	PAGE
SECTION A: SUMMARY OF PROCESS FOR THIS PROPOSAL DOCUMENT	4
SECTION B: PROPOSAL FOR CONSULTATION	7
SECTION C: EDUCATIONAL BENEFITS STATEMENT	15
SECTION D: CONSIDERATION OF OPTIONS AND OTHER IMPLICATIONS	17
SECTION E: CONCLUSION	20
APPENDIX 1: ASN PROVISION STATUTORY CONSULTATION TIMELINE	21
APPENDIX 2: CONSULTATION RESPONSE FORM	22

Section A: Summary of Process for this Proposal Document

The Schools (Consultation) (Scotland) Act 2010

1. The Council has a number of statutory duties relating to the provision of education in its area including the statutory consultation that must be undertaken when proposing a permanent change to any of its schools, including Nursery Schools, such as closure, relocation or change of catchment area or establish a new stage of education in a school whereby a stage of education includes a special class in a school which is not itself a special school. The Schools (Consultation) (Scotland) Act 2010 principle purpose is:

“...to provide strong, accountable statutory consultation practices and procedures that local authorities must apply to their handling of all proposals for school closures and other major changes to schools.”

2. This Proposal Document has been prepared in accordance with the Schools (Consultation) (Scotland) Act 2010, having regard to the statutory guidance published by the Scottish Government on 14 May 2015 (revised December 2025), both of which are available for reference at the following websites:

Schools (Consultation) (Scotland) Act 2010

<https://www.legislation.gov.uk/asp/2010/2/contents>

Statutory Guidance <https://www.gov.scot/publications/schools-consultation-scotland-act-2010-statutory-guidance/>

3. The process for consultation, summarised in this section, details how the Council is undertaking this consultation.

Consideration by Council

4. On 17 February 2026 East Lothian Council authorised officers to undertake a statutory consultation on this proposal to establish a Specialist Additional Support Needs (ASN) provision at Law Primary School.
5. This Proposal Document has been issued to seek views on the proposals in this paper and report back to East Lothian Council on the outcome of the consultation in order that the Council can make a decision on any proposed changes.

Proposal Issued to Consultees and Published on East Lothian Consultation Hub

6. An information leaflet setting out details about the proposal and consultation meetings will be issued to the consultees listed on page 3. Advice on where the complete Proposal Document can be obtained will be included and published on <https://eastlothianconsultations.co.uk/education/asn-law>
7. If requested, copies of the Proposal Document will also be made available in alternative formats or translated for readers whose first language is not English.

8. A “Frequently Asked Questions” (FAQs) document has also been prepared which is also available on <https://eastlothianconsultations.co.uk/education/asn-law>

Publication of Advertisement

9. An announcement will be made on the Council’s website and social media platforms on 17th February 2026 and again on 3rd March 2026 when the consultation opens.

Length of Consultation Period.

10. The consultation period will commence on 3 March 2026 and will last until 5 May 2026 being a period of 9 weeks, which also includes the minimum 30 school days.

Format of Public Meetings

11. A public meeting will be held at North Berwick High School on Tuesday 24th March 2026 at 6pm – 8pm, the details of which are set out below in paragraphs 18-22.

Involvement of HMle

12. When the Proposal Document is published, a copy will be sent to HMle by East Lothian Council. HMle will also receive a copy of any relevant written representations that are received by the Council from any person during the consultation period, or if HMle agree, a summary of them. Additionally, HMle will receive a summary of any oral representations made to the Council at the public meetings and drop-in sessions that will be held and, as available, a copy of any other relevant documentation.
13. HMle require three weeks within which to prepare a report on the educational aspects of the proposal after the Council has sent them all the representations and documents as mentioned above. The three-week period will not start until after the consultation period has ended. In preparing their report, HMle may visit the affected schools and make such reasonable enquiries of such people there as they consider appropriate.

Preparation of the Consultation Report

14. The Council will review the proposal considering: the HMle report, written representations that it has received, and oral representations made to it by any person at the public meeting and drop-in session. It will then prepare a final Consultation Report. The report will be published in electronic and printed formats and will be advertised on social media, the Council website and press release. It will be available on the Council website, from the affected school and by request from Council Offices, John Muir House, Brewery Park, Haddington. Anyone who has made written representations during the consultation period will also be informed about the report. The Consultation Report will include a record of the total number of written representations made at the public meetings and drop-in sessions, the Council’s response to the HMle report as well as any written or oral representations it has received, together with the HMle report and other relevant information. It will also set out the actions the Council has taken to address any alleged inaccuracies and omissions notified to it. The Consultation Report will also contain a statement explaining how it complied with the requirement to review the proposal in light of the

HMle Report and representations (both written and oral) that it received. The Consultation Report will be published and be available for further consideration for a period of three weeks.

Decision

15. The Consultation Report together with any other documentation will be considered after the end of the three-week period, by the Council who will come to a final decision on this matter.

Scottish Ministers Call-in

16. This proposal does not concern a school closure and as such does not require the Council to notify Scottish Ministers after the Council takes its final decision.

Note on Corrections

17. If any inaccuracy or omission is discovered in this Proposal Document either by the Council or any person, the Council will determine if relevant information has been omitted or there has been an inaccuracy. It may then take appropriate action which may include the issue of a correction or the reissuing of a Proposal Paper or the revision of the timescale for the consultation period if appropriate. In that event, relevant consultees and HMle will be advised. The person, or persons who have raised concerns will receive an individual response to their submission.

Public Meeting and Drop-In Session

18. A formal in person public meeting will be held to discuss the proposal. Anyone wishing to attend the public meeting is invited to do so. The public meeting, which will be convened by East Lothian Council, will be addressed by the Head of Education and other senior officers of the Council.
19. The public meeting will be an opportunity to:
 - hear more about the proposal.
 - ask questions about the proposal and,
 - have your views minuted so that they can be taken into account as part of the consultation process.
20. The public meeting will be held in person at North Berwick High School on Tuesday 24th March 2026 from 6pm - 8pm.
21. Virtual drop-in sessions will be held on:
 - Monday 30th March 2026 from 2pm – 5pm
 - Tuesday 31st March 2026 from 9am -12pm
 - Wednesday 1st April from 2026 4pm-6pm.

There will be 20-minute time slots available, please contact educationconsultations@eastlothian.gov.uk to book a time.

22. A minute will be taken at the public meetings of comments, questions and officer responses. A summary of the points raised and responded to will be added to the FAQs published on the Council website. The minute will be forwarded to HMIE along with all other submissions and comments that are received by the Council during the consultation process as explained above.

Section B: Proposal for Consultation

Introduction

1. The Education (Scotland) Act 1980 places a legislative duty on the Council to ensure the adequate and efficient provision of school education in their area. This duty applies in respect of both the current school population and anticipated pattern of demand.
2. Section 3D of the Standards in Scotland's Schools etc. Act 2000 (as inserted by Section 2 of the Education (Scotland) Act 2016) introduces a requirement on education authorities to carry out their duty to ensure the delivery of improvement in the quality of school education, which is provided in the schools they manage, with a view to achieving the strategic priorities of the National Improvement Framework. It is, therefore, the duty of the education authority to ensure that the education it provides is directed to the development of the personality, talents and the mental and physical abilities of the children to their fullest potential.
3. The Education (Additional Support for Learning) (Scotland) Act 2004 places a legal duty on local authorities to identify and assess additional support needs and to make adequate and efficient provision tailored to meet individual needs.
4. In addition, Councils have a statutory duty to secure best value in terms of the Local Government in Scotland Act 2003 by continuous improvement in performance of the local authority's functions, while maintaining an appropriate balance between quality and cost and having regard to economy, efficiency, effectiveness, equal opportunities and the achievement of sustainable development. To achieve best value and optimum efficiency, the organisation of the school estate is therefore kept under regular review, including the need for school provision and other factors, such as altering catchment areas.

East Lothian Education Vision

5. Across East Lothian we are ambitious for our children and young people and working together, we will support them to be confident, resilient and to achieve within their schools and wider communities. Within the Children and Communities directorate working in partnership with Children's Services, Communities and Housing, we aim to ensure everything we do starts with the child and family and builds the right support and services around them.
6. Working together, we:
 - share common values, approaches, behaviour and a strong commitment to do the very best for East Lothian's children and young people.
 - are ambitious for our children and young people.

- promote and prioritise early intervention and prevention.
 - take a relationship-based approach with each other, our children, young people and their families promote creativity and innovation and,
 - want East Lothian to be an inclusive place to live and learn.
7. Our approaches will ensure that we support our children and families to have the very best start in life and that they can go on to have fulfilling lives, better health and living longer.
8. Our vision and values also align closely with the Key Priorities in the National Improvement Framework for Scottish Education 'Achieving Excellence and Equity' ([Scottish Government, December 2025](#)) and the 2026 National Improvement Framework Improvement Plan ([December 2025](#)) These are:
- Placing the human rights and needs of every child and young person at the centre of education.
 - Improvements in children and young people's health and wellbeing.
 - Closing the attainment gap between the most and least disadvantaged children and young people.
 - Improvements in skills and sustained, positive school-leaver destinations for all young people and,
 - Improvements in achievement, particularly in literacy and numeracy.
9. We continue to have a relentless focus on equity and excellence. We all work together to Get it Right for Every Child and to ensure that all our children and young people are Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible and Included.

Background and Context

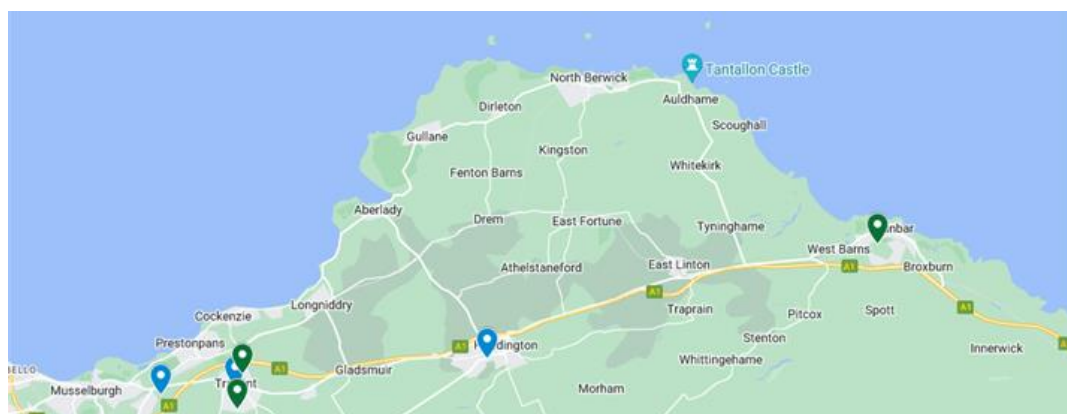
East Lothian Population

10. The mid-year 2024 population estimates published by the National Records of Scotland (NRS) in August 2025, show East Lothian had an estimated population of 115,180, a further 1.2% increase on the previous year, and an increase of 12% since 2014. This is the second highest percentage change in Scotland over that period with Scotland's overall population increasing by 4.0%.
11. The Under 15 age group accounted for 17.6% of the overall population in East Lothian and has increased by 7.1% since 2014 with the school rolls in East Lothian increasing by 11.1% from 13,716 in 2014/15 to 15,239 in 2025/26.
12. East Lothian's population is projected to increase by 15.8% (Data Source: 2022 population based NRS projections) to 130,206 in 2035, compared to a projected increase of 4.9% for Scotland as a whole.
13. In addition, the number of children and young people with ASN is rising. Nationally 43% of children and young people in 2025 have Additional Support Needs (ASN), this has increased from 22.5% in 2015. In East Lothian, this figure is 40.5% in 2025.

Current Specialist ASN Provision

14. For children and young people with severe, complex and enduring needs, which cannot be met within a mainstream school setting, East Lothian has six specialist ASN provisions. The geographical position of provisions is illustrated in the map below. Primary is shown in green and secondary in blue:

Image 1: Existing Specialist ASN Provision Locations



15. Existing specialist provisions are attached to mainstream schools and are managed by the Head Teacher with support of a Depute Head Teacher designated for the provision.
16. Specialist ASN provisions are for children and young people who are considered to have severe, complex and enduring needs. Learning is delivered through individualised and highly adapted approaches which often requires multi-agency supports. The classroom environments have a higher ratio of staff, teaching and support. There is often more flexibility across stages, meaning children and young people may be placed broadly according to their level of functioning and needs, rather than age.
17. There has been a significant growth in demand for specialist ASN provision in East Lothian. Between 2020 and 2025 this has increased by 132%. By way of illustration:

Table 1: Referrals for ASN Specialist Provision in East Lothian

Year	New Referrals for ASN Specialist Provision
2020-21	37
2021-22	63
2022-23	71
2023-24	82
2024-25	86

18. Being unable to provide a suitable specialist place for a child or young person is a significant risk to East Lothian. It was noted in the internal audit of ASN in September 2024: "The Council has appropriate arrangements in place for the provision of ASN services, however priority requires to be given to ensuring sufficient capacity within the school estate for 2025/26 and beyond."

19. Since 2023, steps have been taken to increase the capacity of the existing Specialist ASN estate. This has resulted in the following increase in spaces:

Table 2: Current ASN Provision Capacity

Provision	Capacity 2023	Capacity 2025	Increase in Spaces %
The Cove, Dunbar Primary	30	52	22 (73%)
The Hub, Sanderson's Wynd Primary	24	33	9 (38%)
Woodside Windygoul Primary	18	27	9 (50%)
Meadowpark Knox Academy	49	58	9 (18%)
The Brae Rosehill High	16	44	28 (175%)
Ross High ASN	34	34	0
Total	171	248	77 (45%)

ASN Roll Projections

20. The Specialist ASN estate is now at capacity and in recognition of the increasing need for spaces and East Lothian's position as the second fastest growing local authority in Scotland, authority wide ASN specialist provision roll projection modelling has been undertaken. This is in line with the primary and secondary school roll forecasting methodology, taking into account referrals for specialist provision places and number of pupils enrolled in specialist provisions, tracked since 2020/21.
21. The shortfall in specialist ASN provision spaces has been calculated for the next five years, detailed within table 3 below:

Table 3: Projected Year on Year Increase of ASN Provision Roll

Year	2027	2028	2029	2030	2031
Primary Spaces Shortfall	47	49	50	46	27
Secondary Spaces Shortfall	36	22	0	17	50

22. It should be noted that these figures are indicative. Given the size of the population, complexity and unpredictability of needs, and limited availability of historical data to date. Work will be undertaken annually to review, refine and moderate.

Learning Estate Strategy 2022-2032

23. In East Lothian, we have a relentless focus on inclusion, achievement, ambition and progress for all. We aspire to create environments where all children and young people are supported to live, learn and achieve within their community, wherever possible and appropriate.

24. The Learning Estate plays a vital role in providing high quality, inspiring and nurturing environments to support this work. We aim to create a fully inclusive learning estate that enhances learning, teaching, attainment and achievement, community involvement, partnership, collaboration and employability skills development.
25. It is our aspiration that the East Lothian Council Learning Estate is accessible, in good condition, well maintained and suitable. This context will enable East Lothian Council to meet its statutory obligations, whilst providing high quality, modern public services, which meet the current and future needs of communities.
26. We seek to provide facilities that help children and young people with Additional Support Needs (ASN) to feel calm, safe, supported and ready to learn. All environments should enable a nurture-based approach and create opportunities for health, wellbeing, inclusion, active learning

Right Respecting Schools (RRS)

27. East Lothian Education Service puts the UN Convention on the Rights of the Child at the heart of its ethos and culture. The service strives to improve wellbeing and develop every child's talent and ability to their full potential.
28. East Lothian schools embed the UN Convention on the Rights of the Child in their school improvement plans, promoting children's rights on a daily basis.
29. Every child has the right to grow up fully included in their learning experience and to be treated with respect. A positive school ethos and culture is essential to developing good relationships and positive behaviour in the classroom, playground and wider community.
30. These principles will be integral to the values of the establishment of an ASN provision within Law Primary School.

Getting It Right For Every Child

31. Getting it right for every child (GIRFEC) is the national approach to improving outcomes and supporting the wellbeing of children and young people by offering the right help at the right time from the right people – so that every child and young person in Scotland can reach their full potential.
32. GIRFEC as a strengths-based approach seeks to realise children's rights on a day-to-day basis and is therefore underpinned by key values and principles:
 - Placing the child or young person and their family at the heart, and promoting choice, with full participation in decisions that affect them.
 - Working together with families to enable a rights-respecting, strengths-based, inclusive approach.
 - Understanding wellbeing as being about all areas of life including family, community and society.
 - Valuing difference and ensuring everyone is treated fairly.
 - Considering and addressing inequalities

- Providing support for children, young people and families when they need it, until things get better, to help them to reach their full potential.

33. Approaches to GIRFEC are met in East Lothian via the Child Planning Framework.

34. Creating a Specialist ASN Provision within Law Primary School, will not only provide the additional capacity for children who need specialised ASN support, but also specialist staff which can benefit the whole school community.

Local Development Plan 2 (LDP2)

35. East Lothian Council is in the process of developing a new LDP which will be based on four key themes Climate Emergency, Nature Emergency, Health, and Infrastructure Delivery.

36. These themes include protection of environmental assets including soils, greater use of existing infrastructure and increased focus on the availability of local services to encourage sustainable lifestyles

37. Relevant actions for the proposed LDP2 include reducing the need to travel by locating education close to where people live and to make use of existing capacity before considering the need for new facilities.

Determining Capacity for Specialist Provision – Roll Projections

38. Following analysis of Learning Estate data, Law Primary School was identified as a potential location for a specialist provision.

39. The current planning capacity of Law Primary School is 849 with 29 classrooms available within the school.

40. The current roll is well below the planning capacity and is projected to continue to fall:

	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Law Primary School Projected Roll	587	567	507	493	486	488	481	435	412	397

41. The number of classrooms required for mainstream education has been projected as follows:

	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Law Primary School Projected Classes	25	23	20	20	19	20	20	18	17	16

42. Analysis of room availability is as follows:

Rooms Currently – Law Primary School	
Mainstream classrooms	29
General purpose rooms	16
Total rooms	45

Rooms Post Opening of ASN Provision – Law Primary School	
ASN classrooms	4
ASN General purpose	2
Mainstream classrooms	29
General purpose rooms	10
Total rooms	45

Proposed New Specialist Provision at Law Primary School

43. East Lothian Council proposes to establish a Specialist Provision for primary aged children with severe, complex and enduring additional support needs (ASN) within Law Primary School. This initiative aims to create a dedicated and nurturing environment where children and young people can receive tailored support to meet their individual needs. The proposed provision will offer high-quality educational experiences, ensuring the opportunities to thrive academically, socially, and emotionally.
44. Under the leadership of the Head Teacher at Law Primary School, the ASN provision will promote the principles of the United Nations Convention on the Rights of the Child (UNCRC). This ensures that children's rights to education, protection, and development are upheld, fostering an inclusive atmosphere that promotes their overall wellbeing and educational achievement and attainment.
45. The provision will include the required facilities and resources to support children with severe, complex and enduring additional support needs. These enhancements will ensure that children have access to the necessary tools and environments to facilitate their learning and growth. By integrating this provision within Law Primary School, East Lothian Council aims to provide consistent, high-quality support that aligns with best practices in inclusive education.
46. The establishment of this provision will address the increasing demand for specialist ASN services within the community. It will offer a stable and supportive setting where children and young people can build meaningful relationships, develop essential skills, and achieve their full potential. East Lothian Council's dedication to this initiative reflects its ongoing commitment to improving educational outcomes for all children, particularly those with additional support needs.
47. The additional support needs provision will be located on the ground floor within Law Primary School within 4 classes with access to a secure outside space, social and multipurpose areas, hygiene / toilet facilities and wellbeing facilities.

48. The proposed ASN provision will be led by the Head Teacher at Law Primary School with management support from a dedicated Depute Head Teacher.

49. The establishment of a new ASN provision at Law Primary School will directly affect the following schools and is considered in this Proposal Document:

- Law Primary School

50. The factors which have been considered in the development of this Proposal Document are:

- The responsibilities associated with the National Improvement Framework and the new duties imposed on Education Authorities by the Standards in Scotland's Schools etc. Act 2000 as amended by the 2016 Act.
- The agreed principles underpinning the development of an empowered school led system set out in the 'Education Bill Policy Ambition- Joint Agreement', June 2018 <https://www.gov.scot/Publications/2018/06/8745/downloads>
- The duties placed on local authorities in relation to the adequate and efficient provision of school education in their area.
- The duties placed on local authorities to secure best value in the delivery of services.
- The Education (Additional Support for Learning) (Scotland) Act 2004 places a legal duty on local authorities to identify and assess additional support needs and to make adequate and efficient provision tailored to meet individual needs.

51. If approved, implementation of the proposal will mean:

- A new ASN provision will be established at Law Primary School;
- The ASN provision will be under the leadership of the Headteacher of Law Primary School with management support from a dedicated Depute Head Teacher.

Section C: Educational Benefits Statement

Assessment of Likely Educational Benefits on Pupils

- A. The Educational Benefits Statement for this proposal has been prepared having regard to the guidance and explanatory notes published by the Scottish Government in association with the Schools (Consultation) (Scotland) Act 2010 and which are available at the following websites respectively:

[Statutory Guidance: Schools \(Consultation\) \(Scotland\) Act 2010](#)
[Schools \(Consultation\) \(Scotland\) Act 2010 \(Legislation.gov.uk\)](#)

‘An education authority shall endeavour to secure improvement in the quality of school education which is provided in the schools managed by them; and they shall exercise their functions in relation to such provision with a view to raising standards of education.’
(Standards in Scotland’s Schools etc. Act 2000)

- B. As required by the Schools (Consultation) (Scotland) Act 2010 this educational benefits Statement is written from the perspective of benefits, should the proposal be implemented. Additionally, the self-evaluation tool provided by HMIE is used to ensure compliance with the amended procedures now in place from the Act.
- C. If this proposal is implemented, the Council believes that there will be considerable educational benefits arising from this. These centre around:
- Learning environment
 - Inclusion
 - Learning Teaching and Achievement
 - Health and Wellbeing
 - Curriculum
 - Local Community
 - Staffing

Learning Environment

- D. The proposed additional support needs provision will provide a nurturing high quality learning environment designed to support the specific additional support needs of the learners through a highly individualised and differentiated curriculum including life skills and therapeutic approaches.
- E. It will also provide environments resourced with specialist staff to ensure the development of the personality, talents and mental and physical abilities of learners to their fullest potential. It will increase the number of available specialist placements for learners with severe, complex and enduring additional support needs living in East Lothian.

Inclusion

- F. East Lothian Council's continued commitment to inclusion focuses on the provision of high-quality support that leads to positive outcomes for all children and young people. The practice of inclusion within our schools continues to sit alongside the principles of key national drivers. The Education (Additional Support for Learning) (Scotland) Act 2004 as amended (2009) remains the principal legal framework for driving practice.
- G. The proposed layout of the additional support needs provision at Law Primary School is not only conducive to the creation of a specialist provision but also the integration of this specialist provision into the whole school community. This allows opportunities for collaboration, accessing shared resources and building capacity in our educational staff to meet the needs of all children and young people.
- H. The proposed provision, where appropriate and planned, will provide children and young people with opportunities to access learning experiences in the mainstream setting alongside their peers. There will also be the opportunity for children and young people in mainstream classes to access the provision, as appropriate and planned. This has the potential to improve continuity and progression in learning and to develop wellbeing, social and other life skills.

Learning, Teaching and Achievement

- I. The proposed provision will enhance the accommodation and resources in the wider school, and this is likely to have a positive impact on the whole school community.
- J. The additional support needs provision will be located on the ground floor of Law Primary School within 4 classes each with access to a secure outside space, social and multipurpose areas, and wellbeing facilities.
- K. At all stages, children and young people benefit from resources and pedagogy related to their additional needs.
- L. Spaces, including outdoor space, are designed to be used flexibly and will encourage the planning of a wide range of learning experiences to meet children and young people's needs.

Health and Wellbeing

- M. Previous experience and knowledge of our established specialist ASN provision within our learning estate has demonstrated that a modern and flexible learning environment inspires and motivates children and young people and has a positive impact on the general health and wellbeing of learners.
- N. The ASN provision environment provides social and flexible spaces to promote positive engagement with peers. This, along with the dedicated outdoor learning spaces and access to the wider school facilities will encourage children with

additional needs to develop their social and motor skills and improve their health and wellbeing.

Curriculum

- O. Curriculum for Excellence (CfE) is central to East Lothian Council's commitment to raising attainment and achievement and improving educational outcomes for all children and young people in mainstream and provision settings.
- P. The principles of CfE recognise the professionalism of teachers with broader guidance. This means that schools are able to design their curriculum to meet the specific needs of all children and young people whilst delivering their curricular entitlements.
- Q. Through CfE the ethos and life of the school community is structured to enable all children and young people to practise key life skills as part of their daily routines. Provisions are central to the ethos and life of the school community.

Local Community

- R. Through establishing an additional support needs provision at Law Primary School, approaches to inclusion and valuing diversity will be further strengthened within the community.
- S. There will be spaces for families and the wider Team Around the Child to meet to ensure the sharing of best practice and meeting needs.

Staffing

- T. The 4 classes within the ASN provision in Law Primary School will have a high staff to child ratio. Staff will be recruited with the commensurate skills, qualities and experiences. Working together with their mainstream colleagues will enhance the expertise within the school. This will allow the planning and delivery of differentiated curricular pathways that meet the needs of all children and young people with a range of additional support needs.
- U. Staff within our provisions not only benefit from collegiate opportunities with mainstream staff, but there are also professional learning opportunities for staff across East Lothian provisions. Staff will therefore continue to benefit from the strong culture of collaboration, sharing best practice and joint planning.

Section D: Consideration of Options and Other Implications

1. Expansion of existing Specialist Additional Support Needs provision was considered, however it was found that the existing provisions are at full capacity with no natural room for expansion within the existing schools.

2. The proposed establishment of an additional support needs provision at Law Primary School will represent best value through the effective and efficient use of Council resources.
3. Our analysis of referral data shows a dramatic increase in demand for Specialist ASN Provision in recent years. Therefore, the availability of and demand for educational places for children with ASN will continue to be subject to ongoing monitoring and review.

Transition Arrangements

4. There will be no change to the current process for referrals and allocation of Specialist ASN Provision places, more information about this process is available on [East Lothian Council's website](#) and the [Education Resource Group \(ERG\) guidance](#) is available on Eduhub. If you would like a copy, please contact educationconsultations@eastlothian.gov.uk

Transport

5. We provide free home to school transport for East Lothian pupils who live more than two miles away from their catchment primary or secondary school. Where a child or young person is enrolled in a Specialist Provision as a result of a Placing Request, parents are responsible for transporting their child or young person to that school. The Council is not obligated to offer home to school transport except for independent or grant aided schools. Where a child or young person has been placed in any non-catchment school by the local authority, catchment rules apply.
6. Enrolment in a Specialist Provision or the presence of additional support needs does not necessarily mean a child or young person is eligible for home to school transport. Where additional support needs exist and transport is sought, an application for transport should be made by the Named Education Contact to hometoschool@eastlothian.gov.uk. Requests should include the need(s) to be met, such as a harness or provision of a passenger assistant.
7. Transport, if eligible, will be granted to and from one address only. Transport will not be granted to more than one address whether this is the address of a parent, childminder or other relative

Financial Implications

8. Capital funds are required to make the necessary adaptations to form the Specialist ASN Provision at Law Primary School.
9. Additional revenue budget will be required for additional staffing required to operate the Specialist ASN Provision at Law Primary School.

Staffing Implications

10. The proposed Specialist ASN Provision will be led by the Head Teacher of Law Primary School
11. The day-to-day management of the Specialist ASN Provision will be undertaken by a dedicated Depute Head Teacher.
12. The staffing levels will principally be determined by the number of children and young people placed there. The Education Resource Group (ERG) will continue to allocate places to the Specialist Provisions based on assessment of needs and availability of suitable provision.
13. If this proposal is implemented, the Council does not envisage any adverse effects from the proposal in respect of staffing.
14. It is acknowledged that should the proposal be approved and implemented, forward planning will be required from the Education service to ensure the required staffing is in place. Staffing arrangements for the ASN provision will be consistent with East Lothian Council's recruitment policies and other local arrangements.

Integrated Impact Assessment

15. The Council as a public authority has a duty under the Equality Act 2010, the Public Sector Equality Duty 2011, and the Fairer Scotland Duty (Part one of the Equality Act) to have due regard to their provisions when making strategic financial decisions. This is done through assessing the potential impact of the decision on equality through an Equality Impact Assessment. The Council will undertake the process of assessment during the consultation process in respect of this proposal to ensure that due regard is given to such matters in the decision-making process.
16. The result of the Integrated Impact Assessment will be included in the final Consultation Report document.

Equal Opportunities

17. The Council must also consider its duty in respect of socio-economic impact. The new provision should be accessible for those who may be economically disadvantaged
18. As part of the consultation process the Council will consult with a wide range of stakeholders, including staff, parents/carers and children and young people and will address comments about equality during this consultation.
19. Under the Equality Act 2010, education providers must not treat disabled pupils less favourably and should take reasonable steps to avoid putting disabled pupils at a substantial disadvantage. The new additional support needs provision will comply with accessibility requirements and therefore would positively promote equal opportunities for any child who has a disability.

Section E: Conclusion

1. The Council believes that the measures proposed in this document will enhance provision for children and young people with severe, complex and enduring additional support needs (ASN) in East Lothian
2. This proposal of establishing the ASN provision within Law Primary School is educationally beneficial for several compelling reasons. It ensures that children with significant, complex and enduring additional support needs receive consistent, high-quality learning and support in a suitable environment, which is crucial for their academic and emotional development.
3. The integration of ASN provision within Law Primary School fosters inclusivity, allowing children to interact and build relationships with their mainstream peers, promoting social integration and a sense of community. The established leadership team and at Law Primary School is well-equipped to provide tailored support, ensuring that each child's individual needs are met effectively.
4. This proposal will bring educational benefits to both current and future users of the specialist additional support needs provision. It will ensure that children and young people's learning experiences and achievements are consistently assessed and enhanced as needed, fostering continuous improvement and development.
5. Overall, there are strong educational arguments in favour of this proposal.

Appendix 1: ASN Provision Statutory Consultation Timeline

	Date Beginning	Date Ending	Duration (in weeks)
Notify HMIE that a school consultation will take place to ensure their officer time is scheduled	11/11/25 or ASAP thereafter	11/11/25	16 weeks left before start of consultation (recommended 6-month notice)
Paper to Council for approval to consult	17/02/2026	17/02/2026	N/A
Advance public announcement	24/02/2026	03/03/2026	1 week
Statutory Consultation Period	03/03/2026	05/05/2026	6 weeks (must be term time)
Collation of Data for HMIE	06/05/2026	20/05/2026	2 weeks
HMIE Engagement Period	10/06/2026	01/07/2026	3 weeks
Preparation of Consultation Report	20/05/2026	23/07/2026	9 weeks (3 reports)
Publication of Consultation Report	24/07/2026	14/08/2026	3 weeks
Consideration of Consultation Report by East Lothian Council	25/08/2026	25/08/2026	N/A (assumed next council date)
Notification of Council Decision to Scottish Ministers	25/08/2026	25/08/2026	N/A
Implementation (No approval from Scottish Ministers required)	25/08/2026	25/08/2026	N/A

Appendix 2: Consultation Response Form

Law Primary School Additional Support Needs (ASN) Specialist Provision Consultation Questionnaire



A Public Meeting will be held to discuss the proposals on Tuesday 24th March 2026 at North Berwick High School from 6pm – 8pm

Please note – the closing date for submission of Consultation Questionnaires is Tuesday 5 May 2026. This questionnaire is also available online:

<https://eastlothianconsultations.co.uk/education/asn-law>

We would like to make all comments made by the public during this consultation available at the end of the consultation period. Those sending in a response, whether by letter or electronically should know that their response will be open to the public once the consultation period ends. If they do **not** wish their response to be publicly available, they should tick the box below:

"I wish my response to be considered as confidential with access restricted to elected members and council officers of East Lothian Council. My comments will not be made available to the public" ☐

1. Are you responding to this questionnaire as an individual or on behalf of an organisation?

Individual ☐

Group / organisation (please give details in the box below) ☐

2. Which category best describes you? (Parents / carers – please tick more than one box if you have children at different schools)

	Law Primary School	Other School
Parent / carer of current pupil(s)	☐	☐
Parent / carer of future pupil(s)	☐	☐
Pupil	☐	☐
Member of staff	☐	☐

Other (please give details in the box below, for example, 'local resident')

3. If you are a pupil, do you consider yourself to have an Additional Support Need (optional)

	Yes	No	Don't Know	Prefer not to say
Pupil with ASN	☐	☐	☐	☐

4. If you are a parent / carer, do you consider your child to have an Additional Support Need (optional)

	Yes	No	Don't Know	Prefer not to say
Parent / Carer of a child with ASN	☐	☐	☐	☐

5. If you are a parent / carer, please indicate which stage of education your child / children currently attends (please tick all that apply)

Not yet in Education	☐	P4 – P7	☐
Pre-school Education (age 2-5)	☐	S1 – S6	☐
P1 – P3	☐	No longer in school Education	☐

6. Please indicate which catchment area you currently live in (please tick just one).

Law Primary School	☐	Dirleton Primary School	☐
Gullane Primary School	☐	Aberlady Primary School	☐
Athelstaneford Primary School	☐		
Other	☐	Don't know	☐

The demand for specialist ASN provision has significantly increased in recent years. The existing specialist provision estate is at capacity and should be distributed further throughout the county. There is a need for more specialist provision spaces and East Lothian Council proposes to establish a new provision within Law Primary School.

Further detailed information can be found in the **Consultation Proposal Document** on

<https://eastlothianconsultations.co.uk/education/asn-law>

7. To what extent do you agree or disagree with the proposal to establish a new Specialist ASN Provision at Law Primary School?

- | | |
|-------------------|--------------------------|
| Strongly agree | ☐ |
| Agree | ☐ |
| Disagree | ☐ |
| Strongly disagree | ☐ |
| No opinion | ☐ |

Please use this box if you wish to give a reason(s) for your view or if you wish to make any further comment on the proposals (if you need to continue on a separate page please attach)

Thank you for completing this Consultation Questionnaire, please note the closing date for submission of completed questionnaires is Tuesday 5 May 2026.

You can return your completed questionnaire by post to:

Law ASN Consultation
East Lothian Council
Resources and People Services
John Muir House
Haddington
EH41 3HA

Or hand in to the following locations (available from Tuesday 3 March – Tuesday 5 May 2026):

- Law Primary School
- John Muir House, Haddington