



Midlothian Council
Children, Young People and Partnerships Directorate

Statutory Consultation Report

Report on the outcome of the consultation on the Proposal to clarify the catchment area of St David's Roman Catholic High School and to vary the Admissions Arrangements to Denominational Secondary Education.

August 2026

This Consultation Proposal has been issued by Midlothian Council in accordance with the Schools (Consultation) (Scotland) Act 2010.

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Midlothian Council

Children, Young People and Partnerships Directorate

This report has been prepared following a statutory consultation on the following proposal:

Proposed clarification of the catchment area of St David's Roman Catholic High School and to vary the Admissions Arrangements to Denominational Secondary Education.

Subject to the outcome of the consultation:

- Clarify the catchment area of St. David's Roman Catholic High School with implementation from August 2027.
- Variation to the 'Education Policy Admission to Primary and Secondary Schools', in relation to entry to denominational primary and secondary schools will be implemented from August 2027 or as soon as possible thereafter.

The following schools are directly affected by this proposal:

- Sacred Heart Roman Catholic (RC) Primary School
- St. Andrew's Roman Catholic (RC) Primary School
- St. David's Roman Catholic (RC) Primary School
- St. Luke's Roman Catholic (RC) Primary School
- St. Mary's Roman Catholic (RC) Primary School
- St. Matthew's Roman Catholic (RC) Primary School
- All Midlothian non-denominational schools, excluding Saltersgate School

The following East Lothian Council school is affected and considered in this Proposal Document:

- Loretto Roman Catholic (RC) Primary School

Having had regard (in particular) to:

- a) Relevant written representations received by the Council (from any person) during the consultation period
- b) Oral representations made to it (by any person) at the two public meetings which were held on 19 May 2026 and 1 June 2026.
- c) Any representations made to it by Parent Councils
- d) Digital representations made to it by pupils
- e) His Majesty's Inspectorate of Education in Scotland's report on the proposal

1 Introduction

- 1.1 At a meeting of Midlothian Council elected members on 12 November 2024, the Executive Director Children, Young People and Partnerships was instructed to undertake a consultation to update Midlothian Council's Education Policy Admission to Primary and Secondary Schools for all schools (excluding Early Learning and Childcare and Saltersgate).
- 1.2 A separate consultation on the wider School Admission Policy was undertaken between 2 April 2025 and 2 June 2025 with a paper presented to a full meeting of Council on 9 September 2025. Council decided to:

Agree that the revised School Admission Policy will take effect from September 2025.

- i. Agree to maintain the current arrangements as set out in paragraph 11 for the admission of pupils attending Loretto RC Primary School which entitles them to
- ii. attend St David's RC High School as their catchment denominational high school. Subject to recommendation iii being agreed with East Lothian Council and subject to consultation.
- iii. Instruct the Executive Director, Children, Young People and Partnerships to take steps to recover the costs of school education and any ancillary costs on an ongoing basis from East Lothian Council for former Loretto RC Primary School pupils attending St David's RC High School from August 2025.
- iv. Instruct the Executive Director, Children, Young People and Partnerships to take forward a) as set out below and any legally required steps, including carrying out any necessary statutory consultation (Ensuring that any statutory consultation provides clarity i) as to the catchment area of St David's RC High School and ii) the basis of admission to St David's RC High School) in order to either:
 - a) set aside any existing agreements or arrangements, and enter into a new agreement with East Lothian Council setting out the basis of admission, including any priority given within the School Admission Policy for pupils of Loretto RC Primary School who wish to attend St David's RC High School; with the instruction that any arrangement/agreement does not disadvantage Midlothian Catholic children and promotes the Roman Catholic ethos of St David's RC High School;
 - b) Remit to the CPWG and co-opt the Religious Representative to CPWG to

develop the detail of the consultation and bring back to the next Council for approval.

1.3 Following work by the Cross-Party Working Group (CWPG). Council, at a meeting of 16th December 2025, decided to:

- Agree to the revised admission to primary and secondary school priority groups for denominational schools as set out in paragraph 3.3 of this report; ([Midlothian School Admission Policy Report](#))
- Agree to carry out a statutory consultation on Midlothian Council's Admission Policy for Primary and Secondary Schools based on the above priority groups to commence early 2026; and
- Agree that all of the above recommendations are subject to the outcome of engagement with East Lothian Council with regard to the additional and quantifiable education costs associated with Loretto RC Primary School pupils accessing St David's RC High School for secondary denominational education.

1.4 Midlothian Council has a legislative duty to provide suitable educational opportunities for children and young people within its boundaries. Midlothian Council's approach to pupil placement is to ensure a place for every pupil at their catchment schools and to review and grant placing requests whenever possible. The impact of parental choice and the demand for places at specific schools have highlighted the need to review the current School Admission Policy to ensure it remains effective and relevant.

1.5 This is a Consultation Report prepared in compliance with the Schools (Consultation) (Scotland) Act 2010 on the above proposal.

1.6 The purpose of this report is to:

- Provide a record of the total number of written responses made during the Statutory Consultation period
- Provide a summary of the written responses
- Provide a summary of the oral representations made at the two public meetings which were held on 19 May 2026 and 1 June 2026
- Provide a statement of the Council's response to those written and oral representations

- Provide the full text of His Majesty's Inspectorate of Education in Scotland's report and a statement of the Council's response to this report
- State how the Council reviewed the above proposal following the representations received during the Statutory Consultation period and the report from His Majesty's Inspectorate of Education in Scotland
- Provide details of any alleged omission from, or inaccuracy in, the Consultation Proposal Document and state how the Council acted upon it; and
- State how the Council has complied with Section 12 of the *Schools (Consultation) (Scotland) Act 2010* when reviewing the above proposal

2 Background

2.1 *The Education (Scotland) Act 1980* places a legislative duty on the Council to make adequate and efficient provision of school education across its area. This duty applies in respect of both the current school population and anticipated pattern of demand.

2.2 *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.

2.3 The Learning Estate Strategy seeks to provide improved, flexible and adaptable learning environments to deliver 21st century education as part of a wider place making agenda. This vision is key to meet the principles of Scotland's Learning Estate Strategy and to address the three key national education and skills priorities:

- Getting it Right for Every Child (GIRFEC)
- Curriculum for Excellence (CfE)
- Developing the Young Workforce (DYW)

2.4 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.

2.5 The Council has a number of statutory duties relating to the provision of education in its area. These include carrying out a statutory consultation when proposing a permanent change to any of their schools, including Nursery Schools, such as closure, relocation or change of catchment area.

2.6 The principal purpose of the Schools (Consultation) (Scotland) Act 2010 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.”

2.7 The requirement to vary the Midlothian Council School Admission Policy for all schools was identified in the Midlothian Learning Estate Strategy 2017 – 2047 and reaffirmed in the 2022 update.

2.8 This report has been prepared in accordance with the [Schools \(Consultation\) \(Scotland\) Act 2010](#), having regard to the [statutory guidance for local authorities](#) published by the Scottish Government on 14 May 2015 and updated in 2026, and the [complementary guidance for local authorities](#) published by His Majesty’s Inspectorate of Education in Scotland (revised February 2026).

2.9 The following information has also been used to prepare this report:

- Relevant written representations received by the Council (from any person) during the consultation period
- Oral representations made to it (by any person) at the two public meetings which were held on 21 May 2026 and 1 June 2026
- Digital representations made to it by pupils
- Any representations made to the Council by Parent Councils
- His Majesty’s Inspectorate of Education in Scotland (HMIES) report on the proposal

3 Midlothian’s Vision for Education

- 3.1 As a local authority, Midlothian Council has a legislative duty in respect of admissions to provide suitable education opportunities for children and young people. The requirement to vary the Midlothian Council School Admission Policy for all schools was identified in the Midlothian Learning Estate Strategy 2017 – 2047 and reaffirmed in the 2022 update.
- 3.2 Each home address in Midlothian is assigned two catchment schools for both primary and secondary education, one denominational and one non-denominational. The designated catchment schools are determined based on the pupil's home address. While Midlothian Council strives to ensure there are sufficient places for all children within a catchment area to attend their designated school, residing within a catchment area does not guarantee a child a place at that school. Where catchment schools are over-subscribed, Pupil Placement seeks to allocate places at neighbouring schools to ensure every pupil is afforded the opportunity to attend a local school.
- 3.3 All parents and carers have the right to request a place for their child at a school outside their designated catchment area; this is known as a placing request. It is Midlothian Council's statutory duty to approve placing requests when there are available places, except in specific circumstances outlined in The Education (Scotland) Act 1980 and the Education (Additional Support for Learning) (Scotland) Act 2004. Midlothian Council's current school admission policy can be found on: [Pupil registration and placing requests | Admission to Primary and Secondary Schools policy](#).
- 3.4 The increasing population and housing developments within Midlothian continue to generate growth in pupil numbers. There is a significant risk that Midlothian Council will not have a place for every pupil at their catchment school and Midlothian Council's Learning Estate Strategy considers this from a strategic perspective. In the short term this risk is mitigated by the application of limits on pupil intake, in the case of denominational schools, by giving priority to those with exceptional circumstance followed by those who are baptised Roman Catholic and reviews of placing requests.

3.5 The proposal uses the term “baptised Roman Catholic” as the standard evidence of Roman Catholic faith. For the purposes of this definition, the following are included:

- Individuals baptised in the Roman Catholic Church;
- Individuals who have received the Sacrament of First Holy Communion within the Roman Catholic Church;
- Individuals baptised in another Christian denomination who are now practising within a Roman Catholic parish and can provide both a valid baptismal certificate and a supporting letter from their parish priest.

3.6 Following the consultation that took place in 2025 Midlothian Council took legal advice from a King’s Counsel who advised that regardless of the outcome of the consultation, Midlothian Council would need to consult on the catchment area of St David’s RC High School. If approved, the uncertainty as to the catchment area for St David’s RC High School is removed by confirming that the catchment area of St. David’s RC High School will be defined as the Midlothian Council area. Accordingly, all addresses within the Midlothian Council area would be in the St. David’s RC High School catchment area.

3.7 As directed by the decisions taken at Council in September 2025, Midlothian’s Education and Children’s Services Cross Party Working group created a new proposed priority list for admission to denominational schools in discussion with the Council’s Religious Representative. On 16th December 2025, the Executive Director Children, Young People and Partnerships (Acting) presented the revised admission to secondary school priority groups for denominational schools, which was approved. These priority groups formed the proposals contained within this consultation. The priority groups are subject to the outcome of engagement with East Lothian Council, with regards to the additional and quantifiable education costs associated with Loretto RC Primary School pupils accessing St David’s RC High School for secondary denominational education.

3.8 If Midlothian Council establishes a new agreement with East Lothian Council regarding children who both attend and reside in the Loretto RC Primary School catchment area to attend St. David’s RC High School, the proposed priority groups outlined in the consultation will apply and offers will be issued on that basis.

4 Considerations

4.1 The main considerations relating to the proposal to clarify the catchment area of St David's Roman Catholic High School and to vary the Admissions Arrangements to Denominational Secondary Education are fully explained in the consultation proposal document. The main points are highlighted below:

- 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

5 The Consultation Process

- 5.1 The Council has met the requirements set out in the Schools (Consultation) (Scotland) Act 2010 with regards to ensuring the views of the community were listened to and their views are included in this report. To further ensure compliance with the Act, an independent consultant was engaged to chair all public meetings to ensure impartiality.
- 5.2 The Council believes that this report accurately reflects the views of the community, which have been gathered through a range of engagement events and response mechanisms.
- 5.3 It is for elected members of Midlothian Council to decide to adopt the proposal, withdraw it or seek to consult on another proposal.
- 5.4 Notification of the consultation was given to all statutory consultees prior to the commencement of the consultation.

5.5 The Consultation Proposal Document was published on Midlothian Council's website on 21 April 2026 and paper copies distributed on 21 April 2026 to:

- Danderhall Library & Leisure Centre, 59 Edmonstone Road, Danderhall, EH22 1QL
- Gorebridge Library, 98 Hunterfield Road, Gorebridge, EH23 4TT
- Fairfield House, 8 Lothian Road, Dalkeith, EH22 3ZG
- Lasswade Library, 19 Eskdale Drive, Bonnyrigg, EH19 2LA
- Loanhead Library, The Loanhead Centre, George Avenue, Loanhead, EH20 9LA
- Newbattle Library, 1 Newbattle Way, Easthouses, Dalkeith, EH22 4SX
- Newtongrange Library, St Davids, Newtongrange, EH22 4LG
- Penicuik Library, Carlops Road, Penicuik, EH26 9EP
- Roslin Library, 9a Main Street, Roslin, EH25 9LD

5.6 Copies of an information leaflet on the consultation were emailed to affected consultees (see list below) and schools and others on 2 April 2026.

5.7 In accordance with statutory requirements, the following persons, including those indirectly affected, were consulted:

- The parents and carers of the children at the affected schools;
- The Parent Councils of the affected schools;
- Parents and carers of children expected to attend an affected school within 2 years of the date of publication of this Proposal document;
- The pupils, deemed to be of suitable age and maturity to be able to communicate a view on the proposal, at the affected schools;
- The teaching and ancillary staff at the affected schools;
- The trade unions and professional association representatives of the above staff;
- Midlothian Councillors;
- Community Councils;
- Community Planning Partnership;
- Relevant users of the affected schools;
- Constituency MP and MSP;
- His Majesty's Inspectorate of Education Scotland
- Archdiocese of St. Andrews & Edinburgh

5.8 The following Midlothian Council school is directly affected and considered in this Proposal Document:

- St. David's Roman Catholic (RC) High School

5.9 The following Midlothian Council schools are affected by the proposals:

- Sacred Heart Roman Catholic (RC) Primary School
- St. Andrew's Roman Catholic (RC) Primary School
- St. David's Roman Catholic (RC) Primary School
- St. Luke's Roman Catholic (RC) Primary School
- St. Mary's Roman Catholic (RC) Primary School
- St. Matthew's Roman Catholic (RC) Primary School
- All Midlothian non-denominational schools, excluding Saltersgate School

5.10 The following East Lothian Council school is affected and considered in this Proposal Document:

- Loretto Roman Catholic (RC) Primary School

5.11 The consultation period commenced on Tuesday 21 April 2026 and lasted until Thursday 4 June 2026 being a period of six weeks, which also included the statutory minimum 30 school days.

5.12 The proposal on which the consultation took place was:

- to clarify the catchment area of St David's Roman Catholic High School and to vary the Admissions Arrangements to Denominational Secondary Education. The requirements for consulting on a relevant proposal relating to schools are set out in the *Schools (Consultation) (Scotland) Act 2010*.

5.13 An information leaflet setting out details about the proposal and consultation meetings was issued to the consultees listed in the Consultation Proposal Document. Advice on where the complete Consultation Proposal Document could be obtained was included and was published on Midlothian Council's Consultation Hub: [Midlothian Council Citizen Space](#)

5.14 If requested, copies of the proposal would have been made available in alternative formats or translated for readers whose first language is not English. One member of the public used this service. A Polish translation of the proposal document was provided as requested.

5.15 In addition, the consultation was publicised and received engagement in the following ways:

- There were eight Facebook posts: Best performing Facebook post was viewed 22,034 times and 818 people engaged with the post.
- There were four X posts (formerly known as Twitter): The best performing X post achieved 488 impressions with 57 engagements
- There were eight LinkedIn posts: Best performing post achieved 389 impressions with 16 engagements
- Midlothian Council website consultation page had 45 views.
- The consultation was pushed during Council news slots on a local radio station and was advertised in one local print newspaper and two online news sites.

5.16 A generic email account was set up by the Council to receive representations and enquiries on the proposal.

5.17 Two public meetings were held. One public meeting was held at Woodburn Primary School on 19 May 2026 at 6:30pm, and one public meeting was held at Sacred Heart Primary School on 1 June 2026 at 6.30pm.

5.18 In addition, virtual drop-in sessions via MS Teams were offered on 12 May 2026 and 14 May 2026, which members of the public and staff were welcome to attend. No members of the public attended these sessions.

5.19 Representations were sought from statutory consultees and the wider public in the following ways:

- An online questionnaire on Midlothian Council's Citizen Space Consultation Page. The questionnaire asked specific questions and enabled general comments and views to be entered.
- Digital leaflets, Council web and social media announcements linked to the Consultation Page. These detailed a specific Education Consultations email inbox, to which any queries could be submitted during the consultation period.

- Midlothian Council Head Teachers used established methods of communication to engage/remind parents about the consultation.
- The Council consulted with children and young people potentially affected by this proposal by digital survey. Head Teachers were asked to meet with pupils to discuss the proposal and provide a collective response to the survey questions.

5.20 The Consultation Report is the Council's response to the points raised during the consultation period on the Consultation Proposal Document.

5.21 This Consultation Report will be published for a period of three weeks before a final decision is taken by Midlothian Council on 10 November 2026.

6 Responses to the Consultation Exercise

5.8 As part of the consultation process, the Council sought the views of a wide range of stakeholders. The Council provided stakeholders with a short online or paper questionnaire and arranged to receive additional written responses. The Council received 416 responses to its questionnaire during the consultation period, 409 were from individuals and seven were from organisations. Additionally, several responses and communications were received via email. All representations that had been made during the consultation period were submitted to His Majesty's Inspectorate of Education in Scotland and any issues or concerns raised are also subject to the Council's response in this Consultation Proposal.

5.9 The questionnaire responses are summarised by category in the following tables:

Table 1 – Number of respondents by type of respondent

	Parent (Current/Future)	Pupil	Staff	Community Member	Other
Total	307	13	40	103	80

** Respondents were able to select multiple categories; therefore, the combined total across categories exceeds the total number of respondents.*

Table 2 – Number of responses by Local Authority Area

Local Authority	Total Responses
East Lothian	187
Edinburgh	11
Midlothian	212
Not Known	2
Other LA	4
Total	416

Table 3 – Responses to the proposal to clarify the school catchment area for St David's Roman Catholic High School

	<i>'To what extent do you agree or disagree with the proposal to clarify the school catchment area for St David's Roman Catholic High School?'</i>		
	Support <i>(i.e. 'Agree' or 'Strongly Agree')</i>	Neutral <i>(i.e. 'No Opinion')</i>	Oppose <i>(i.e. 'Disagree' or 'Strongly Disagree')</i>
East Lothian	34%	2%	64%
Edinburgh	27%	18%	55%
Midlothian	56%	6%	38%
Not Known	50%	0%	50%
Other LA	25%	0%	75%
Total	187 (45%)	17 (4%)	212 (51%)

5.10 To the question 'To what extent do you agree or disagree with the proposal to clarify the school catchment area for St David's Roman Catholic High School?' a majority of respondents from Midlothian (56%) supported the proposal, a minority of East Lothian respondent's (34%) supported the proposal, and a minority of Edinburgh respondents (27%) supported the proposal. A total of 45% of all respondents supported the proposal, while 51% of all respondents opposed the proposal.

Table 4 – Responses to the proposal to vary the Education Policy Admission to Primary and Secondary Schools in relation to entry to denominational secondary school

	<i>‘To what extent do you agree or disagree with the proposal to vary the ‘Education Policy Admission to Primary and Secondary Schools’ in relation to entry to denominational secondary school?’</i>		
	Support <i>(i.e. ‘Agree’ or ‘Strongly Agree’)</i>	Neutral <i>(i.e. ‘No Opinion’)</i>	Oppose <i>(i.e. ‘Disagree’ or ‘Strongly Disagree’)</i>
East Lothian	62%	3%	35%
Edinburgh	64%	18%	18%
Midlothian	51%	9%	40%
Not Known	50%	0%	50%
Other LA	50%	0%	50%
Total	235 (56%)	28 (7%)	153 (37%)

5.11 To the question “To what extent do you agree or disagree with the proposal to vary the ‘Education Policy Admission to Primary and Secondary Schools’ in relation to entry to denominational secondary school?”, A majority of Midlothian respondents (51%), East Lothian respondents (62%) and Edinburgh respondents (64%) supported the proposal.

Table 5 – Responses to the proposed prioritisation of ‘Midlothian resident catchment children, who are not baptised in the Roman Catholic faith and will have siblings attending St David’s RC secondary school at the same time should not have priority over RC baptised children from Loretto RC primary School’

	<i>‘To what extent do you agree or disagree that Midlothian resident catchment children, who are not baptised in the Roman Catholic faith and will have siblings attending St David’s RC secondary school at the same time should not have priority over RC baptised children from Loretto RC primary School?’</i>		
	Support <i>(i.e. ‘Agree’ or ‘Strongly Agree’)</i>	Neutral <i>(i.e. ‘No Opinion’)</i>	Oppose <i>(i.e. ‘Disagree’ or ‘Strongly Disagree’)</i>
East Lothian	83%	3%	14%
Edinburgh	82%	0%	18%
Midlothian	51%	3%	46%
Not Known	100%	0%	0%
Other LA	75%	25%	0%
Total	280 (68%)	10 (2%)	126 (30%)

5.12 To the question ‘To what extent do you agree or disagree that Midlothian resident catchment children, who are not baptised in the Roman Catholic faith and will have siblings attending St David’s RC secondary school at the same time should not have priority over RC baptised children from Loretto RC primary School?’, a majority of Midlothian respondents (51%), East Lothian respondents (83%), and Edinburgh respondents (82%) supported this prioritisation.

Table 6 - Responses to the proposed prioritisation that ‘children who attend a Midlothian denominational primary school but are not baptised RC and will not have a sibling attending St David's RC secondary school at the same time should not get any priority over children from Loretto RC Primary School who are baptised RC, or who are not baptised RC but have a sibling attending the school’

	<i>‘To what extent do you agree or disagree that children who attend a Midlothian denominational primary school but are not baptised RC and will not have a sibling attending St David's RC secondary school at the same time should not get any priority over children from Loretto RC Primary School who are baptised RC, or who are not baptised RC but have a sibling attending the school?’</i>		
	Support <i>(i.e. ‘Agree’ or ‘Strongly Agree’)</i>	Neutral <i>(i.e. ‘No Opinion’)</i>	Oppose <i>(i.e. ‘Disagree’ or ‘Strongly Disagree’)</i>
East Lothian	88%	4%	8%
Edinburgh	100%	0%	0%
Midlothian	58%	3%	39%
Not Known	100%	0%	0%
Other LA	100%	0%	0%
Total	305 (74%)	14 (3%)	97 (23%)

5.13 To the question ‘To what extent do you agree or disagree that children who attend a Midlothian denominational primary school but are not baptised RC and will not have a sibling attending St David's RC secondary school at the same time should not get any priority over children from Loretto RC Primary School who are baptised RC, or who are not baptised RC but have a sibling attending the school?’, a majority 58% of Midlothian respondents, 100% of Edinburgh respondents, and 88% of East Lothian respondents supported the prioritisation.

Table 7 - Responses to the proposed prioritisation that ‘that all remaining Midlothian resident catchment children who wish to attend their catchment denominational secondary school, which is St David's RC High School should not get any priority over children from Loretto RC Primary School (apart from those Loretto children who are not baptised RC and do not have a sibling attending the school)’

	<i>‘To what extent do you agree or disagree that all remaining Midlothian resident catchment children who wish to attend their catchment denominational secondary school, which is St David's RC High School should not get any priority over children from Loretto RC Primary School (apart from those Loretto children who are not baptised RC and do not have a sibling attending the school)?’</i>		
	Support <i>(i.e. ‘Agree’ or ‘Strongly Agree’)</i>	Neutral <i>(i.e. ‘No Opinion’)</i>	Oppose <i>(i.e. ‘Disagree’ or ‘Strongly Disagree’)</i>
East Lothian	89%	3%	8%
Edinburgh	91%	9%	0%
Midlothian	50%	4%	46%
Not Known	100%	0%	0%
Other LA	100%	0%	0%
Total	290 (70%)	14 (3%)	112 (27%)

5.14 To the question ‘To what extent do you agree or disagree that all remaining Midlothian resident catchment children who wish to attend their catchment denominational secondary school, which is St David's RC High School should not get any priority over children from Loretto RC Primary School (apart from those Loretto children who are not baptised RC and do not have a sibling attending the school)?’, half of all Midlothian respondents supported the proposal. A majority 89% of East Lothian respondents supported the proposal, and a majority 91% Edinburgh respondents supported the prioritisation.

5.15 The full text of all responses received can be read in Appendix 1, apart from submissions which consultees did not wish Midlothian Council to share publicly. Even if a submission is not shared publicly, it has still been included in the collation of stakeholder’s views and informed the Education Authority’s response as detailed in Section 9 of this report.

7 Public Meeting

- 7.1 41 individuals attended the public meeting held at Woodburn Primary School on 19 May 2026. 12 individuals attended the public meeting held at Sacred Heart Primary School on 1 June 2026.
- 7.2 Minutes of both meetings can be found in Appendix 3.
- 7.3 Additionally, virtual drop-in sessions were arranged for 13 May 2026 and 1 June 2026, enabling any member of the public and staff to ask questions and discuss the proposal, the consultation process and how they could make representations. No members of the public attended the drop-in sessions.

8 Pupils and Staff Consultation

- 8.1 During the consultation period, Council officers invited pupils from all Midlothian denominational schools to undertake a digital survey on the proposals to clarify the catchment area for St David's RC High School and to vary the admissions arrangements to denominational secondary schools. A Google Form survey was jointly developed by officers from the Education team and the Digital Inclusion and Learning Team. The survey and an accompanying discussion points presentation that outlined the proposals was provided to Head Teachers. Head Teachers were asked to convene a session with a group of pupils to collectively respond to the survey. Loretto RC Primary School in Musselburgh, East Lothian, was also included due to the current historical arrangement in place. The same Pupil Voice questionnaire and presentation were sent via email to the Head of Education at East Lothian to provide to the school's Headteacher.
- 8.2 A copy of the information leaflet and a link to the consultation page was sent to all staff, inviting them to respond to the consultation via the online survey and highlighting the consultation mailbox for any queries.

9 Education Authority Response to the Main Issues Raised

9.1 If Loretto pupils have previously transferred to St David's without placing requests, why is the need for a placing request now being introduced?

The education authority obtained legal advice from a King's Counsel who advised that the informal arrangements for admission of Loretto RC Primary School pupils to St David's RC High School could not continue. In addition to the legal advice,

the rapid population growth in Midlothian means that there may, in the future, be capacity issues in St. David's RC High School. It is, therefore, necessary to ensure fairness in the procedure and provide a clear set of guidelines as to how places will be allocated. Education authorities have a statutory duty to have a School Admission Policy in place when determining school placing requests in terms of Section 28B Education (Scotland) Act 1980 as amended. These proposals therefore seek to ensure that any arrangements for the transfer of the pupils of Loretto RC Primary School is reflected within the School Admission Policy.

9.2 Was Loretto RC Primary School ever formally removed from the St David's RC High School catchment area?

The Council's review of historical records, including records relating to the disaggregation of Lothian Regional Council in 1996 has not identified evidence that Loretto RC Primary School formed part of the formal catchment area of St David's RC High School. On that basis, the proposal seeks to clarify the catchment position rather than remove an existing formal catchment designation.

9.3 Where is the evidence that Loretto RC Primary School was not historically in the St David's RC High School catchment area and is there a report detailing this?

As stated in the consultation proposal document, a search of archival records from Midlothian County Council and Lothian Regional Council held by Democratic Services, education department archives, the National Records of Scotland, and the City of Edinburgh Council archives was conducted. In addition, the Archdiocese of St Andrew's and Edinburgh were contacted to request any relevant documentation.

No information confirming the status of Loretto RC Primary School as a catchment school of St David's RC High School was found therefore no report was produced.

9.4 If Loretto pupils are no longer treated as catchment to St David's, what alternative transition arrangements will be put in place?

Pupils from outwith Midlothian who wish to attend a Midlothian school should attend transition for their catchment school in line with their Local Authorities arrangements, until the outcome of their Placing Request is confirmed.

9.5 Some children are not baptised and go to Catholic primary school for the faith-based education. If baptised children and those within catchment are prioritised, how will non-baptised children who are out of catchment access denominational secondary school to continue their faith-based education?

The prioritisation criteria apply to all children because there must be a fair, transparent and equitable method of allocating school places where demand exceeds capacity. Clear criteria help ensure that decisions are consistent and can be understood by parents and carers. Prioritising baptised Roman Catholic children for places in Roman Catholic schools is a long-established and common practice across Scotland. In addition, giving priority to children who live within a school's catchment area provides access to education for families within their communities. Non-baptised children can and do attend Roman Catholic schools however where applications exceed the number of places available, some groups of applicants will be prioritised ahead of others. All schools have a broad Religious, Moral and Philosophical studies curriculum therefore allowing students to continue to explore faith-based education.

9.6 How will pupils from Loretto RC Primary School access Catholic secondary education if they are not guaranteed or prioritised for places at St David's RC High School?

Midlothian Council recognises the importance that many families place on access to denominational education. As decisions regarding educational provision within East Lothian fall within the responsibility of East Lothian Council, Midlothian Council cannot comment on alternative denominational options that may be available. The purpose of this proposal is to establish a framework for determining applications to St David's RC High School.

9.7 Is St David's RC High School the only denominational secondary school Loretto RC pupils can go to?

While East Lothian Council area does not have a denominational secondary school families are able to apply for a place at any Scottish school via the Placing Request process.

9.8 Why haven't East Lothian Council built their own Catholic secondary school?

Decisions regarding future education provision within East Lothian Council are matters for that authority. Midlothian Council's role within this consultation is limited to considering arrangements relating to St David's RC High School and the implications of the proposed admissions arrangements.

9.9 Midlothian Council should provide a second denominational secondary school.

The proposals put forward by Midlothian Council aim to ensure Midlothian catchment children retain access to their local denominational school and the process remains fair and sustainable for all children who wish to attend St David's RC High School, whilst also securing best value. Having taken account of future house building and pupil roll projections, Midlothian Council have identified that the capacity created by a new denominational high school would not be required in the long term.

9.10 Why aren't Midlothian pupils who attend Roman Catholic feeder primary schools prioritised over pupils from Loretto RC Primary School?

In considering the proposed prioritisation groups as part of this consultation, Midlothian Council elected members and the Cross-Party Working Group carefully considered the need to maintain the religious character and ethos of denominational schools while also ensuring equitable and transparent access to available school places. The proposed criteria seek to achieve an appropriate balance between preserving the faith-based nature of denominational education and responding to parental demand for places within these schools. The proposed criteria seek to achieve an appropriate balance between preserving the faith-based nature of denominational education and responding to parental demand for places within these schools.

9.11 Could pupils be separated from friendship groups built up during primary school?

The Council recognises that friendships formed during primary school are important to children and young people. However, transitions from primary to secondary education regularly involve pupils entering different classes, friendship groups and social environments. Schools are experienced in supporting pupils through this process and have well-established arrangements in place to promote inclusion, wellbeing and successful transitions.

9.12 *What support will be available to pupils who are not able to attend St David's RC High School despite expecting to transfer there? The proposals could impact children's wellbeing, mental health and sense of security during transition to secondary school.*

All schools have established approaches and procedures to support children and young people experiencing changes in their lives, as well as those facing mental health and wellbeing challenges. School staff work closely with pupils and families to identify needs at an early stage and provide appropriate support within the school environment. This may include pastoral support, wellbeing interventions, staged assessment and planning processes, and collaboration with partner agencies where required. Where a child's needs cannot be fully met through universal school-based support, schools have access to a range of specialist services to provide additional advice, assessment and intervention.

9.13 *How might the proposals impact families if siblings are required to attend different secondary schools?*

The proposal may have an impact on some families where siblings are required to attend different secondary schools. Midlothian Council recognises that, for some families, attending separate schools may cause disappointment where there is an expectation or preference for siblings to attend the same school. Where siblings attend different secondary schools, schools and support services will continue to work with children and families to ensure that appropriate support is available during the transition process and throughout their school experience.

9.14 *How will children with additional support needs or those for whom transition planning is especially important be impacted by the proposals?*

There will be no changes to transition processes for all children, including those with ASN who require enhanced transition arrangements.

9.15 *The proposal could change the faith identity, ethos and community of St David's, which extends across council boundaries. How will the Council protect the school's identity and community if the proposals are passed?*

The proposed prioritisation groups are designed to protect the Roman Catholic ethos of St David's RC High School by prioritising Roman Catholic children. School identity is shaped by a range of factors beyond catchment areas and admission arrangements, including the quality of learning and teaching, relationships between staff and pupils, extracurricular opportunities, community partnerships, school traditions and, in the case of denominational schools, their

faith ethos. These elements will continue to be promoted and strengthened regardless of any changes to admissions criteria.

9.16 How will the Council balance providing places to pupils of all faiths or no faith, with its statutory duty to provide denominational education?

The Council's primary statutory duty is to secure adequate and efficient school education and sufficient school accommodation for children in its area. The Council must ensure that admission arrangements operate fairly, transparently and in accordance with equality legislation. Roman Catholic schools are open to children of all faiths and none. However, where applications exceed available places, priority criteria are required. The proposed arrangements seek to balance access to denominational education, preservation of the Roman Catholic ethos of the school, and the need to provide a clear and equitable admissions process.

9.17 What are the projected pupil numbers over the coming years and how will future house building affect demand for places?

Midlothian Council's full roll projections were published as part of the Learning Estate Update at a meeting of full Council on 12th May 2026 and can be found here: [Midlothian Council > Meetings](#)

Midlothian Council are unable to comment on the Pupil Roll Projections of a different local authority and therefore are unable to provide insight into the pupil numbers and housing coming forward in the Loretto RC Primary School catchment area.

9.18 Why do St David's RC High School and Dalkeith High School appear to have different capacity arrangements if they share a campus?

Both schools were built with identical capacities but the Complex Needs Provision in St. David's RC High School was expanded in 2019. The Complex Needs Provision uses standard sized classrooms but with a lower number of pupils in each class, therefore the overall capacity of the school is reduced.

9.19 Will access for Loretto pupils depend on a financial agreement between the two councils? This could create uncertainty for pupils and families.

The Council has confirmed that arrangements are in place for Loretto RC Primary School pupils who transferred to St David's RC High School for the 2026/27

school year, with East Lothian Council agreeing a financial contribution towards the additional education costs.

Midlothian and East Lothian Councils are continuing to work together to develop a formal long term agreement for future admissions arrangements, as discussed in the minute of Midlothian Council meeting of September 2025.

<https://midlothian.cmis.uk.com/Sept2026> The intention is therefore to provide a clear and sustainable basis for future access rather than create uncertainty for pupils and families.

9.20 Does East Lothian Council currently pay for Loretto RC Primary School pupils to attend St David's RC High School? What is the financial breakdown of how costs are met given the Scottish Government pays a block grant to local authorities to cover the costs of primary and secondary education per pupil attending Midlothian schools, regardless of residency?

Education (Scotland) Act 1980 which allows an education authority providing school education to a child belonging to another area to recover contributions in respect of that provision.

East Lothian Council have not previously paid Midlothian Council for educating Loretto RC Primary School young people at St. David's RC High School. There is an agreement for the 2026/27 academic year that East Lothian Council will pay a total of £60,000 towards the cost of those who previously attended Loretto RC Primary School to be educated at St. David's RC High School.

The cost of educating a secondary pupil in a Midlothian Council school was £8750 per annum as published in the 2023/24 Local Government Benchmarking Framework.

The Grant Aided Expenditure (GAE) as funded by the Scottish Government is a complex calculation as laid out in the Green Book.

The cost of educating a secondary school child in Midlothian is not completely covered by Scottish Government funding through Grant Aided Expenditure (GAE). GAE covers approximately 75% of the costs with Midlothian Council covering the remaining 25% from its own resources, such as Council Tax revenue.

9.21 Legally, can the authority give priority to children based on Roman Catholic baptism?

Schedule 11, paragraph 5 of the Equality Act 2000 provides the legal basis under which a local authority is permitted to give priority to children based on their religion.

9.22 What is the legal basis for the proposal? Does it comply with the Education (Scotland) Act and statutory duties relating to denominational education, and equality legislation?

The requirement for consultation is as set out in this report and the consultation proposal document. The Council have proceeded under the relevant statutory duties.

9.23 Midlothian Council has not sought consent under sections 22C and 22D of the Education (Scotland) Act 1980.

Midlothian Council have sought guidance from the Scottish Government around Sections 22C and 22D of the Education (Scotland) Act 1980 and have been advised that consent should not be sought under these sections until Council have made a final decision on November 10 2026.

9.24 Would any change to Loretto's status require further statutory consultation or approval?

Midlothian Council complies and will continue to comply with its statutory duties to consult on any relevant proposal which affects its schools in terms of the Schools (Consultation) (Scotland) Act 2010.

9.25 Have children's rights, including the best interests of the child and the right to be heard, been fully considered?

Midlothian Council has considered children's rights throughout the development of the proposal and has completed an Integrated Impact Assessment. In line with the principles of GIRFEC and the United Nations Convention on the Rights of the Child (UNCRC), children and young people were provided with opportunities to express their views through dedicated pupil voice activities. Feedback from these sessions has been considered alongside responses received from parents, carers, staff and other stakeholders. The Council has sought to ensure that the best interests of children remain a primary consideration when reviewing the proposal and its potential impacts.

9.26 The wording is overly complicated in these questions to the point of causing confusion and potentially giving false outcomes.

Midlothian Council appreciates feedback that some survey questions could be confusing. These questions were formulated by officers, having taken advice from the legal department and were required to cover complex subject matter.

9.27 This consultation is different to what was agreed by councillors in 2025.

As stated in the consultation proposal document and section 1 of this report Midlothian Council Elected members voted to approve recommendations that included a consultation. This consultation allows Midlothian Council to enter into a new agreement with East Lothian Council on the admission of children from Loretto RC Primary School to St David's RC High School. This was in line with legal advice received by the Council from a King's Counsel which confirmed that the current arrangement was counter to the Council's statutory obligations regarding school admissions.

Council officers have sought and received approval from elected members prior to commencing the consultation process.

9.28 The Council has misinterpreted Loretto RC Primary School pupil priority as not based on residence.

Midlothian Council are provided with the details of pupils who East Lothian Council deem within the historic arrangement parameters. Midlothian Council's understanding is that the list provided consists of pupils who both live in the catchment for and attend Loretto RC Primary School. The list does not include children who live in the catchment area attending a different school, or those who attend the school but live outside of the catchment area.

9.29 I had to clarify the fact that Musselburgh was in Midlothian and when this changed there was a continuation of the pupils from Loretto attending St David's. There appears to be no record of this and it is very important for context which has been lacking in the meetings.

Midlothian Council acknowledges that the burgh of Musselburgh was in Midlothian County Council's area (established 1889) which included not only this part of current day East Lothian, but also parts of West Lothian, City of Edinburgh and Borders. Musselburgh became a part of East Lothian District Council in 1975 under the Lothian Regional Council. In 1996 East Lothian Council replaced East Lothian District Council.

9.30 *Will Loretto pupils who attend St David's receive free school transport?*

All Local Authorities must provide transport for children who live over 2 miles from their catchment school. If a child is admitted due to a placing request, it is the parent/carer's responsibility to transport the child to school. Loretto RC Primary School children are treated as East Lothian residents and East Lothian Council have historically paid transport costs, therefore any questions regarding transportation should be directed to East Lothian Council.

9.31 *Can St David's RC High School be made bigger?*

The St David's High School building could be extended however roll projection data shows that this is currently not a requirement. The learning estate is kept under review and this option will be explored if required in the future.

9.32 *My concern is that the numbers of Catholic children would drop drastically and this could cause closure of Schools.*

Midlothian Council are committed to denominational education, as shown through our recent Learning Estate projects. We have rebuilt or refurbished two of our denominational primary schools and are currently in the final stages of rebuilding a third denominational primary school.

9.33 *Firstly, the document sent by Midlothian Council to Loretto RC Primary school, providing written confirmation of the start of the consultation process (and which was thereafter issued to all Loretto parents and carers) contained weblinks to the Consultation page on Midlothian Council's website, which did not work. Secondly, the webpage containing the Consultation papers and survey form, was not listed on the webpage on Midlothian Council's website which shows ALL, of the current open consultations, for more than two weeks after the Consultation was launched.*

Officers were not made aware of issues with the links sent to Loretto RC Primary School carers and parents until the public meeting held at Woodburn Primary School. The same information document was issued to all schools and interested parties and we received completed responses to the questionnaire on the launch date. The link to the proposal wasn't originally included on the open consultation page of website, however, it was available on our online survey hub, Citizen Space.

10 His Majesty's Inspectorate of Education in Scotland Report

10.1 In accordance with the Schools (Consultation) (Scotland) Act 2010, a report was produced by His Majesty's Inspectorate of Education in Scotland on the educational aspects of the proposal. The purpose of the report is to provide an independent and impartial consideration of a proposal by Midlothian Council to clarify the catchment area of St David's Roman Catholic High School and to vary the Admissions Arrangements to Denominational Secondary Education. The His Majesty's Inspectorate of Education in Scotland report can be read in full at Appendix 6.

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

- attendance at the public meetings held on 19 May and 1 June 2026 and 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;
- visits to the site of St David's RC High School, Sacred Heart, St Andrew's, St David's, St Luke's, St Mary's, and St Mathew's RC Primary Schools, Midlothian and Loretto RC Primary School, East Lothian including discussion with relevant consultees; and
- meeting with Catholic Church representatives from Midlothian, East Lothian and the Archdiocese of St Andrew's and Edinburgh.

10.3 The Summary section of the His Majesty's Inspectorate of Education in Scotland report summarises their findings and conclusions as follows:

HM Inspectors agree that there are some potential educational benefits to this proposal. The proposal should support pupils in Midlothian schools and Loretto RC Primary School to continue their denominational education at the secondary school level. The proposal will also provide clarity as to the defined catchment area for St David's RC High School. Overall, the proposal is not likely to negatively impact Midlothian residents. However, there are some potential negative impacts for East Lothian residents in relation to transition arrangements and school transport, which East Lothian Council will need to consider. Overall, most stakeholders that HM Inspectors met with, and many of those who responded to the consultation, believe that Loretto RC Primary School catchment should be formally included in the St David's RC High School catchment. If the proposal goes ahead, the council should continue to state clearly why the current proposal is the only available option.

In taking forward this proposal, it is important that Midlothian and East Lothian Councils continue to work closely together and set out a clear agreement between them. This will help to provide clarity and assurance to stakeholders. Both councils should continue to work with relevant stakeholders in Midlothian and East Lothian areas as appropriate to address their concerns and to support them to make informed decisions about their choice of school. In its consultation report, the council will need to set out the actions it has taken to address any alleged inaccuracies and omissions notified to it.

Midlothian Council's Response to His Majesty's Inspectorate of Education in Scotland's Report

10.4 Midlothian Council welcomes the report by His Majesty's Inspectorate of Education in Scotland which highlights the benefits of the proposal and the Education Authority accepts its findings. Officers from the Education Authority met to consider the content of the report and the action highlighted in the summary.

10.5 In response to the findings contained within the His Majesty's Inspectorate of Education in Scotland report Midlothian has been asked to address the following points:

In its consultation report, the council will need to set out the actions it has taken to address any alleged inaccuracies and omissions notified to it.

Midlothian Council was notified of two amendments and three corrections during the course of the consultation. Where possible, these were rectified and an Omissions, Corrections and Amendments document was issued. More information on this can be found in Appendix 7 of this report.

11 Transition Arrangements

11.1 The proposed variation to the School Admission Policy will not impact existing transition arrangements for children resident in Midlothian. By affording appropriate priority to pupils transitioning to their catchment school, the proposal promotes a smooth, inclusive and well-supported transition, enabling continuity of education. Pupils who wish to attend a non-catchment school should attend transition for their catchment school until the outcome of their Placing Request is confirmed.

11.2 The proposal to include children from Loretto RC Primary School within the priority groups for transition into S1 at St. David's RC High School provides families with assurance that their preference to continue a denominational education is formally recognised. All children from outwith Midlothian, including those attending Loretto RC Primary School, will be required to submit a placing request for admission to St David's RC High School. Midlothian will treat such requests according to current placing request arrangements. It is envisaged that East Lothian have support mechanisms in place to assist Loretto RC Primary School children who submit placing requests to secondary schools outwith East Lothian.

12 Alleged Omissions or Inaccuracies

12.1 Section (10) (3) of the Schools (Consultation) (Scotland) Act 2010 places a requirement on the Council to provide details of any inaccuracy or omission within the Consultation Proposal Document which has either been identified by the Council or raised by consultees. This section of the 2010 Act also requires the Council to provide a statement on the action taken in respect of the inaccuracy or omission, or, if no action was taken, to state that fact and why.

12.2 Five inaccuracies were identified during the statutory consultation period, the details of which can be found in Appendix 7.

13 Compliance with Section 9(1) of the Schools (Consultation) (Scotland) Act 2010

13.1 Section 9(1) of the *Schools (Consultation) (Scotland) Act 2010* states that:

After the Education Authority has received His Majesty's Inspectorate of Education in Scotland's report, the Authority is to review the relevant proposal having regard (in particular) to:

- (i) written representations received by the Authority (from any person) during the consultation period,
- (ii) oral representations made to it (by any person) at the two public meetings,
- (iii) His Majesty's Inspectorate of Education in Scotland's report.

- 13.2 Following receipt of the His Majesty's Inspectorate of Education in Scotland report, 416 questionnaire responses, consideration of written representations received during the consultation period, oral representations made at the two public meetings and digital pupil voice sessions held during the consultation period, officers reviewed the proposal.
- 13.3 The feedback from the consultation was considered by relevant officers within the Council's Children, Young People and Partnership Directorate. Data and factual information was checked where required and advice and input sought from other Council Services, where needed, to consider the issues raised. This ensured that the Council met the requirements of sections 9(1), 12 and 13(3) (b) of the 2010 Act.

14 Legal Issues

- 14.1 The Council has complied in full with the requirements of the *Schools (Consultation) (Scotland) Act 2010* throughout this statutory consultation.
- 14.2 The Council is mindful of its duties in respect of equality under the *Equality Act 2010*, the *Public Sector Equality Duty 2011*, and the *Fairer Scotland Duty (Part one of the Equality Act)*.
- 14.3 Under the terms of the *Schools (Consultation) (Scotland) Act 2010*, it is a legal requirement that the Council should not reach any formal decision without having reviewed the relevant proposal having regard to:
- a) relevant written representations received from any person during the consultation period;
 - b) oral representation made to it by any person at the two public meetings held on 19 May 2026 and 1 June 2026;
 - c) the His Majesty's Inspectorate of Education in Scotland report;
 - d) preparing a Consultation Proposal; and
 - e) waiting until a period of three weeks starting on the day on which this Consultation Report is published in electronic and printed form has expired.
- 14.4 As it is the intention that this Consultation Report should be published, both electronically and in paper form, if required, on 31 August 2026. This meets the statutory requirement to publish this report for more than three weeks before consideration of the proposal by Midlothian Council.

15 Staffing Implications

- 15.1 There will be no implications for teaching or support staff, nor any impact on school management arrangements in any of the affected schools.

16 Environmental Issues

- 16.1 Overall, there are no anticipated adverse environmental impacts as a result of this proposal.

17 Conclusions

- 17.1 On the basis of the feedback received and taking account of the educational and social benefits of the proposal, it is concluded that having considered all written representations, questionnaire responses, pupil voice feedback, oral representations made at public meetings and the report of His Majesty's Inspectorate of Education in Scotland, the Council concludes that the proposal provides a lawful, transparent and sustainable framework for admissions to denominational secondary education.
- 17.2 The proposal clarifies the catchment area of St David's RC High School and establishes a clear priority structure for the allocation of places where demand exceeds available capacity. The Council considers that the proposal supports continued access to denominational education, protects the Roman Catholic ethos of St David's RC High School and assists the Council in meeting its statutory duties relating to school admissions, educational provision and best value.
- 17.3 While recognising the concerns raised by a number of consultees, particularly in relation to the historic relationship between Loretto RC Primary School and St David's RC High School, the Council considers that the proposal represents the most appropriate and legally robust approach for future admissions arrangements.
- a) The Council believes that the measures proposed in this document will enhance denominational secondary education in Midlothian.
 - b) It is proposed that the catchment area of St David's RC High School will be clarified and implemented from August 2027.

- c) It is further proposed that the 'Education Policy Admission to Primary and Secondary Schools' will be varied in relation to entry to denominational primary and secondary schools will be implemented from August 2027 or as soon as possible thereafter.
- d) This proposal will bring educational benefits to the present and future users of the affected schools and assist in ensuring that capacity pressures are managed to improve learning experiences.
- e) This proposal will provide certainty for parents/carers and pupils by ensuring the school catchment area for St David's RC High School give pupils the best opportunity to attend their local denominational catchment school as Midlothian continues to grow.
- f) Overall, there are strong educational arguments in favour of this proposal.

18 Recommendations

18.1 It is recommended that the Council approves the clarification of the catchment area of St David's Roman Catholic High School and the variation to the 'Education Policy Admission to Primary and Secondary Schools', in relation to entry to denominational primary and secondary schools.

Appendix 1 - Comments from Questionnaire Responses

Of the 416 total responses, 226 contained comments of which 198 declined permission to make their comments publicly available. However, their representations have been taken account of and responded to in Section 9 of the Consultation Report. The summary of comments below, were made from the remaining 28 responses who did not choose the option to decline permission to make their comments publicly available.

	Comments
1	The way these questions are worded, as well as the consultation document, suggests that Loretto Primary children are taking away spaces from Midlothian children that have the right to go to St David's High School. This is, however, incorrect. For many years, regardless of the councillors and officers calling this an 'informal agreement' or 'historic arrangement', Loretto children have been allowed automatic admission to St David's high school. Headteacher from St David's would contact the headteacher of Loretto and request numbers of pupils likely to go to St David's. No placing requests were made. I actively participated in the consultation last year and all we asked for was to formalise the current status. This is what was promised by the councillors but unfortunately is not what is being presented in the consultation document or in the questions. I am not sure whether the document is deliberately written to confuse the public, or to ensure residents of Midlothian feel like something is being taken away from them by a few pupils from East Lothian. We were told there are enough spaces on the school roll for St David's. There are shared resources between St David's and Dalkeith High but limiting places for Catholic children at St David's is not a solution. With building of Shawfair campus, pressure on Dalkeith Campus will ease down. I would also like to point out that the consultation states that if it doesn't go ahead, the priority status for admission will 'revert back to what it was', again, incorrectly stated, as what it currently is that Loretto children get automatic admission - which can only be referred to as being catchment school.
2	The Equality Act 2010 makes it illegal to discriminate against a person on the basis of certain protected characteristics, one of which is religion or belief. Using a child's religion, or lack thereof, to place them higher or lower on a priority list is discrimination, regardless of Schedule 11, Part 1. Engraining religious bias in education in this way is detrimental to Scottish society. From a purely geographical standpoint, if St David's High School is a Midlothian school, presumably Midlothian are paying for the teachers, ground staff, building maintenance, etc. It is unlikely that East Lothian would accept a similar cohort of

	Midlothian children to attend the new campus at Wallyford each year. This agreement seems one sided in favour of East Lothian and needs to be formalised.
3	I agree that baptised children should always get priority. However if a non baptised sibling is already at the school then that child should get priority. You cannot have siblings attending different school unless this is a request from the parents. Should you change this policy, there needs to be a phasing out of this across 5 years to prevent siblings being forced into separate schools.
4	I feel strongly that children who are in a catholic primary school should have the right to go to st David high school with their friends. Parents choose these schools not only on religious basis the choose them as they are better for what the child needs.
5	In order to formalise the agreement between Midlothian and East Lothian Councils, Loretto RC Primary should be included in the catchment area, as it has been since 1940s. Loretto RC primary pupils have gone to St David's High School in big numbers since 1948 and Loretto is among the largest associated primary schools. The pupils play a big part in the St David's High School community and have played a huge role in the school life over the years, contributing to the school's education reputation and denominational status. If this proposal is accepted as laid out, then Loretto RC Primary pupils would have to request a place in St David's, making transitions impossible, and giving uncertainty to pupils and parents.
6	I want to go to St David's High School as all my friends and everyone else in Loretto school has been able to do for many years. I want to continue in Catholic education and this is the only school that can give me that.
7	I want to go to the same school as my brother. I don't want to worry that we might go to different high schools.
8	The consultation has not been clearly written and is not what was discussed and agreed during the last consultation in 2025. Loretto RC is a catchment school and this agreement should be made formal. The consultation document suggests that Loretto RC pupils will be taking away spaces from Midlothian children, whereas no children have ever been turned away from attending St David's High School. If this proposal is accepted as written, then Loretto RC pupils will have to submit placing requests and will undoubtedly be turned away from St David's. Those spaces will then be given to Dalkeith High as that school is oversubscribed, or could be oversubscribed if Shawfair is not built soon.

9	Loretto children have attended St David's for a very long time probably since Musselburgh was part of Midlothian and I am sure that the campus was built to accommodate them. If the building of new homes in Dalkeith is increasing the demands for places at St David's or indeed Dalkeith High School this should have been considered at planning stage and additional infrastructure put in place and funded by the construction companies. We should not be discriminating against children who should have the right to attend a denominational school.
10	I strongly disagree with the proposal to "clarify" the St David's RC High School catchment area if the effect is to remove or downgrade Loretto RC Primary School from the established St David's RC High School pathway. This is not simply a neutral clarification. In practical terms, it is a significant change to a long-standing arrangement relied upon by generations of Loretto RC Primary families. For over 80 years, pupils from Loretto RC Primary have progressed to St David's RC High School and have played an important part in the life of the school. They have not been outsiders to the St David's community; they have helped shape it, contributed to it, and often taken leading roles within the school community. There is also no equivalent Roman Catholic secondary school in East Lothian identified as an alternative pathway for Loretto pupils. For families seeking continuity of Catholic education, St David's RC High School has historically been the natural and established secondary school. The 1996 local government reorganisation should not be used as a reason to weaken this pathway. Before reorganisation, these arrangements sat within the wider Lothian Regional Council education structure. The creation of separate Midlothian and East Lothian council boundaries should not be treated as proof that the Loretto RC Primary to St David's RC High School pathway automatically ended. The law allowed cross-boundary education arrangements to continue where they already existed. Therefore, the key issue is whether this long-standing pathway was ever properly and formally changed, not simply whether Loretto now sits within East Lothian. The proposal document accepts that there are differing views about the historic position of Loretto RC Primary and that the arrangement has operated for many years. The Council's inability to locate historic documentation should not be used as a reason to weaken this pathway. At most, it shows uncertainty about the paperwork. It does not erase decades of established practice, family reliance, and the clear educational relationship between the two schools. Families have relied on this pathway in good faith for many years, particularly those

	seeking continuity of Roman Catholic education from primary to secondary school. The fair approach would be to formally protect and codify the existing Loretto RC Primary to St David's RC High School pathway, not weaken it. For these reasons, I strongly oppose the proposal as drafted and ask the Council to amend it so that Loretto RC Primary retains formal recognition within the St David's RC High School denominational secondary pathway.
11	I strongly disagree with removing Loretto RC Primary School from the St David's catchment, as Loretto has historically been treated as an associated primary and has never been formally removed from the catchment. This long-standing pathway should be retained. I agree with the proposal to vary the Admissions Arrangements, provided that the final policy protects Catholic education and ensures fairness for Loretto pupils. I ask the Council to confirm that Loretto children will receive the same enhanced transition support as Midlothian catchment pupils, that the need for placing requests can be removed or simplified, and that free school transport will be guaranteed. These measures are essential to ensure equity, continuity, and the wellbeing of children who have always progressed from Loretto to St David's.
12	- Values of the Catholic Faith are explicitly at the core of Catholic Education in both Primary and secondary schools. These are appreciated of parents/carers of all faiths and none. - Historical connections from Our Lady of Loretto to St David's many of you may have been pupils of Loretto and St David's yourself - Loretto RC Primary has been acting as a feeder primary school for St David's High School since the late 1940s. This is a long-standing custom and has been evident in continuous practice for nearly 80 years. It has thus always been in the "catchment" of St David's High School. - The definition of a Catchment School may have varied over the years with the passing of different acts of parliament, but the practice and custom of students from Loretto RC Primary moving onto their nearest denominational High School automatically without the requirement to make a placement request, has been long standing and is not in dispute. - Midlothian Council have confirmed no formal process to remove Loretto RC Primary from St David's Catchment as taken place previously at Midlothian's instigation. - The default position of Loretto RC Primary MUST therefore be that it is still considered to be in Catchment of St David's High School, and thus going forward, it must be included in any such definition and catchment maps. - St David's High School is the only viable denominational High School that children from Loretto RC Primary can attend in order to continue with their faith-based learning in secondary school. - Support for the proposal to vary the Education Policy Admission to Primary and

	Secondary schools is only on the basis that it is NOT conditional upon an agreement being reached between East Lothian Council and Midlothian Council on a costs agreement being finalised. Such a conditional agreement is completely unfair to the children involved when they have no electoral vote on this matter, and when Scottish Govt pays a block grant to local authorities to cover the costs of secondary education per pupil attending the local authority's schools, regardless of their residency. - Great uncertainty of the status of free pupil travel to and from St David's for ex Loretto RC Primary students if all of these proposals as currently draft are approved by Midlothian Council. - Impact on Midlothian provision of Catholic Education as the pupils of Our Lady of Loretto support this. - St David's is the only Catholic High school in the area. With this being withdrawn the access to Catholic Secondary Education will be removed.
13	This should have been sorted long ago when musselburgh became east Lothian. St David's shouldn't be picking up the shortfall for typical council short term planning. Expand dalkeith high or I'm sure Midlothian kids could make use of the much newer and hopefully expanded lasswade high
14	St David's is a denominational high school. The admissions priority order should protect and enshrine the RC nature of the school and not enable the school to be used as an overspill for non-Catholic pupils if Dalkeith High School is at capacity and is unable to fulfil all requests for places from within its catchment area. St David's has served the wider catholic community for many decades and has an important role in ensuring denominational education.
15	- Loretto RC Primary has been acting as a feeder primary school for St David's High School since the late 1940s. This is a long-standing custom and has been evident in continuous practice for nearly 80 years. It has thus always been in the "catchment" of St David's High School. - The definition of a Catchment School may have varied over the years with the passing of different acts of parliament, but the practice and custom of students from Loretto RC Primary moving onto their nearest denominational High School automatically without the requirement to make a placement request, has been long standing and is not in dispute. - Midlothian Council have confirmed no formal process to remove Loretto RC Primary from St David's Catchment as taken place previously at Midlothian's instigation. - The default position of Loretto RC Primary MUST therefore be that it is still considered to be in Catchment of St David's High School, and thus going forward, it must be included in any such definition and catchment maps.

	- St David's High School is the only viable denominational High School that children from Loretto RC Primary can attend in order to continue with their faith-based learning in secondary school. - Support for the proposal to vary the Education Policy Admission to Primary and Secondary schools is only on the basis that it is NOT conditional upon an agreement being reached between East Lothian Council and Midlothian Council on a costs agreement being finalised. Such a conditional agreement is completely unfair to the children involved when they have no electoral vote on this matter, and when Scottish Govt pays a block grant to local authorities to cover the costs of secondary education per pupil attending the local authority's schools, regardless of their residency. - Great uncertainty of the status of free pupil travel to and from St David's for ex Loretto RC Primary students if all of these proposals as currently draft are approved by Midlothian Council. - Impact on Midlothian provision of Catholic Education as the pupils of Our Lady of Loretto support this. - St David's is the only Catholic High school in the area. With this being withdrawn the access to Catholic Secondary Education will be removed. - Catholic community is wider than council boundaries, linking both school and Parish. - Loretto pupils' attainment levels at St David's have had a very positive impact on raising the success of the school. Removal of this could have an impact on St David's standing regarding exam pass rates and therefore wider Midlothian Council standings. - Values of the Catholic Faith are explicitly at the core of Catholic Education in both Primary and secondary schools. These are appreciated of parents/carers of all faiths and none. - Historical connections from Our Lady of Loretto to St David's many of you may have been pupils of Loretto and St David's yourself. - The fundraising efforts of St David's pupils and families that have taken place in the parish. - Loretto Pupils have always been heavily involved within the pupil leadership of the school as well as the parents of pupils from Our Lady of Loretto in the Parent Council. - No Catholic Provision in East Lothian. - Cause of anxiety to parents and careers to have their children be placed on a waiting list to attend that could take years to be admitted if ever
16	All baptised catholic children including Loretto should have priority
17	I have a child who attends a denominational primary school in Midlothian who's sibling may or may not be at St David's High School who could leave at 5th year before the other starts the following year. Midlothian non baptised children who attend a catholic primary school especially from Nursey should also get priority over

	Loretto non baptised children as they attend the Midlothian catchment school for St David's
18	I was very proud to attend Loretto RC and St David's RC high school and both my parents and grandparents and wider family all attended Loretto and St David's (from as far back as the 1940s). I did very well at school achieving several A pass highs and an Advanced Higher qualification. I was Depute Head Girl at school. I went on to university aged 17 and studied Primary education and also qualified in an additional certificate in Catholic Education. I work in a Catholic school in a different local authority. I strongly disagree with the proposals and urge you to look at what Loretto children have contributed to St David's community over the years. To remove the long standing agreement that children from Loretto can attend St David's (based on previous boundaries), would take away from not only attainment levels but the history and character that builds a school community. It is imperative that the rights of these children are considered and that Catholic education is available for all who wish to access it.
19	If you are brought up baptized in the Catholic faith you need to know the teachings of the faith . ie holy Communion . Confirmation / confession. Years ago every district that children went to St David's their priest would come on a Friday and we would attend the class for hour and learn about our our religion
20	We (LDCC) would like the status quo to continue to be applied taking pupil numbers into account. There doesn't seem to be a need to a change to the present set up.
21	The above questions are disingenuous but not any different than All local Councils who consult but do not listen. Scottish education has a responsibility to give parents and pupils choice. This is within the Education Act. Would you do this if it was a Jewish school or a Muslim school? It is well known that parents of other religious beliefs choose a Catholic school because of the moral and ethical ethos of the school promoted within the school by the teaching staff and communities. The fundamental caring for each other to become responsible citizens is essential. The state of the world is evidence of lack of moral responsibility and robotic teaching is not Education.
22	There should be absolutely no discussion on this as anyone with two brain cells can figure out that no child from any East Lothian school including Loretto should have priority over any Midlothian child baptised or not. The placing of Loretto children should be only considered if there are still places available after all Midlothian children wishing to attend St David's are filled! It is entirely unfair that a Midlothian child should miss out on placement in a school within there own 'catchment area' where their families council tax goes towards the school and a Lorreto child gets a place when their family has paid no council tax. The schooling of Loretto children is

	entirely an East Lothian problem and if Midlothian children end up suffering due to being lower prioritised than an East Lothian child it will be highly unjust!
23	School catchment areas exist for a reason. The councils have drawn boundary lines and are responsible for the provision of facilities and services for their residents - this includes education. Midlothian residents should not be penalised in favour of non Midlothian residents. The fact that they are closer geographically is irrelevant. The fact that there used to be an agreement is irrelevant. This is undocumented so has no basis to stand. Furthermore, changing the rules for this exception sets a dangerous precedent which may impact future council decisions around funding, provision and boundaries. If the argument is that we should be fair to baptised East Lothian children, then how would the proposal be fair to baptised east lothian children outside of loretto? This creates-exacerbates an existing lack of parity. Lastly, the fact that loretto children have been prioritised before is not a valid reason to continue acting against the standard. If “it has always been like this” was a valid argument, many conventions related to race and gender equality would not be in place today. The fact is, the agreement was put in place in a different time. Population changes mean the likelihood is that St David’s will reach capacity soon, and so Midlothian applicants will need their council to advocate for them. Setting a correct and standardised approach NOW forces East Lothian to do what they should have done decades ago, and invest in building their own denominational secondary school.
24	Midlothian schools should be for midlothian students! There are too many students now. New families in Midlothian who will need the schools to go. The places should go to Midlothian students. That isn’t even us making the rules, those ARE the rules - we shouldn’t be changing them due to East Lothian’s inability to provide for their students and families.
25	• Impact on Midlothian provision of Catholic Education as the pupils of Our Lady of Loretto support this. • St David’s is the only Catholic High school in the area. With this being withdrawn the access to Catholic Secondary Education will be removed. • Catholic community is wider than council boundaries, linking both school and Parish. • Loretto pupils’ attainment levels at St David’s have had a very positive impact on raising the success of the school. Removal of this could have an impact on St

	David's standing regarding exam pass rates and therefore wider Midlothian Council standings. • Values of the Catholic Faith are explicitly at the core of Catholic Education in both Primary and secondary schools. These are appreciated of parents/carers of all faiths and none. • Historical connections from Our Lady of Loretto to St David's many of you may have been pupils of Loretto and St David's yourself. • The fundraising efforts of St David's pupils and families that have taken place in the parish. • Loretto Pupils have always been heavily involved within the pupil leadership of the school as well as the parents of pupils from Our Lady of Loretto in the Parent Council. • No Catholic Provision in East Lothian. • Cause of anxiety to parents and carers to have their children be placed on a waiting list to attend that could take years to be admitted if ever.
26	Thank you setting out this Proposal with considered compassion and diligence (in stark contrast to the previous attempt). I support the Priority Groups proposed. I do not support the intention to exclude Loretto RC Children from the Catchment definition. As Loretto RC Children are currently included in the St David's intake, and as noted in the Proposal "...no definitive records have been identified that demonstrate when or how the catchment area for St. David's RC High School may have been formally altered" following the disaggregation of Lothian Regional Council in 1996, this should not present an opportunity to remove Loretto RC Children from the de facto Catchment area. Rather, it provides the opportunity to formalise this historic position. The implications of NOT formally including Loretto RC Children in the re-stated Catchment include: • Placing unnecessary secondary-tier status and reduced sense of self-worth on Loretto RC pupils and associated stigma. • A negative outcome for the UNCRC Article 28 effort to reduce dropout rates as an unintended consequence. • Needlessly discriminating against Parents by introducing the additional burden of a Placement request process. • Actively removing certainty and creating unnecessary uncertainty and concerns for Parents and Children due to the late confirmation of placings. • The practical implications of Transition visits should Children need to go through a Placement request process.

	• The damaging consequences of Children not able to fulfil Transition visits timeously and at the same time as other schools. • Creating uncertainty and concerns as to travel provision without the protection afforded by Catchment area status. • Needlessly creating an administrative burden on Midlothian Council by introducing the need for a Placement request process. • Needlessly crating an administrative burden on East Lothian Council by introducing the need for a Placement request process. • Needlessly crating an administrative burden on St David's by introducing the need for a Placement request process. • Creating future uncertainly without the protection afforded by Catchment area status.
27	We are emailing over a formal written response to the consultation document which outlines our full views and comments on the proposals as the parent council of Loretto RC Primary School.
28	The numbering of the questions differs in this on-line response from those asked in the paper copy. This could lead to some confusion or even errors in data entry. Within the paper document, on page 3, at point 4, there is reference to a Table 1 on page 3. I could not find such an item. On page 9 of the paper document, at point 23 there is a breakdown by sector but at point 24 there is no breakdown by sector. This diminishes the efficacy of that data. There are many factors affecting this proposed admission policy and more scenarios could have been used to cover more cases, and in a more logical manner. In a similar vein the questions asked do not cover all combinations of circumstances. There are actually 16 possibilities. The use of double negatives within this survey is confusing. It may distort the feedback you receive. That could lead to invalidating important decisions. It certainly prolongs problem-solving. Surely there was a more accessible way to frame your questions, I appreciate that you wanted to have as few questions as possible but I believe that this brevity masks some of the complexities of the issues involved. For example, in the on-line question 9, I think that having a sibling attending St David's RC High School deserves more weight, regardless of whether the child attending Loretto RC Primary has been baptised RC or not. Likewise in the on-line question 10, I would favour more weight being given to those Midlothian children with a sibling attending St David's RC High School. Regarding the distribution of this consultation document, I would respectfully ask why copies were available from Fairfield House and not from Dalkeith Library, which is a better known location, open to the public for longer hours and on more days. Copies seemed to be available from the other 8 Midlothian libraries. I would also like to draw attention to the fact that on the Midlothian Council web-site, the area dedicated to primary schools has a link to a school virtual tour page which

	still has information about St Margaret's RC primary school on it. Midlothian Council decided to discontinue education provision at St Margaret's RC primary school with effect from 1st July 2022. Finally I would like to ask if any related statutory consultation needs to be undertaken by East Lothian Council.
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Appendix 2 - Pupil Voice Questionnaire Responses

Name of School	Based on the information provided in the slides, tick a box below to tell us what your group thinks about the proposed changes in how children and young people will get into schools in Midlothian:	Could you tell us why you feel this way about the proposed changes?	Is there anything else you would like us to know about the proposed changes?
St Mary's RC Primary School	We are not sure	The children shared the following: They understood why the council was wanting to create a catchment area due to the law. They questioned why ELC couldn't build a Catholic school. They questioned why St David's couldn't be made bigger. They said St David's is a good size for pupils who need to be supported in a smaller school and changing the catchment area might prevent that for some children. They asked by Loretto couldn't just be included in the catchment map. They questioned the order of the priority groups and asked why all Midlothian children couldn't be placed above Loretto.	They had an in depth discussion and seemed to see the case from both sides. They said they understood why Loretto parents might not be happy about the proposed catchment area but they also understood that Midlothian is growing and they want there to be space for Midlothian children to attend St David's should they choose to do so.

St Andrews RC Primary School	We are not sure	The information is confusing and we don't know the difference between point 3 and point 6 in the proposed changes. We don't really understand how this will affect us.	It's important to us to go to the school that links to our primary school. We do all of our transition visits as a class to our feeder high school. If more people were going to go to a different school because of these changes then we think the transition visits should include other schools too. We think it's unfair that if you are an only or oldest child then you might need to go to a different high school.
St Andrew's RC Primary School	The proposed changes do not seem reasonable	P6 felt that the proposed changes were discriminating against pupils already in a denominational school whether or not they were Roman Catholic. They stated that learners may not be baptised Roman Catholic, however, may practise other faiths or have been in a denominational school their whole school life and do not want to be separated from their classmates. P6 do not see that as Equitable, something that they are always encouraged to be. They also think that the learners with no siblings is discriminatory and should be higher up the proposal, because what if they are the eldest in the family?	P6, also felt Loretto children were being discriminated against and were not happy how far down the list these learners were.

Sacred Heart RC Primary School	The proposed changes seem reasonable	It seems fair that people who are baptised get first priority because it's a Catholic school. It makes sense that families stay together where possible however we think that children who attend a Catholic primary school should get a higher priority than those who don't attend a Catholic primary school, even if we are not Catholic.	It's important that Midlothian RC children have a higher priority than Loretto but we still think that we should get to be a priority group because we go to a Catholic school even though we are not catholic.
St Luke's RC Primary School	The proposed changes do not seem reasonable	We feel that Catholic children from Loretto and that n't get into St. David's and children who are not Catholic will get in as they are in the Catchment.	My concern is that the numbers of Catholic number of children would drop drastically and this could cause closure of Schools. Why does it all have to change now as it has been working for years.
St David's RC Primary School	The proposed changes seem reasonable	Making sure everyone has a chance to go to the High School that has been chosen. Children get the chance to go to the High School that is linked with their primary school.	Some of us think the sibling idea is fair but some of us think that it is a bit unfair for only children. I think Catholics should be prioritised because that is the only Catholic school there is in Midlothian. I think they should make another Catholic High School - even a small one would help. 5/6 of our pupil council agreed the changes were reasonable with one saying they felt most of the changes were reasonable.

Appendix 3 – Public Meeting Minutes



Consultation on the proposal to clarify the St David's RC High School Catchment Area and to vary the Admissions Arrangements to Denominational Secondary Education

**Tuesday, 19th May 2026
Woodburn Primary School**

Agenda



- Welcome and Introductions
- Format and purpose of meeting
- Statutory Consultation Process
- The Proposal
- Educational Benefits
- Questions
- Close and Thanks

Introductions



Name	Role
Alastair Delaney	Independent Chair
Michelle Strong	Chief Education Officer
Midlothian Council Officers Children, Young People & Partnerships Directorate	
Education Scotland	Observers

Purpose of the meeting



- Proposal document published
- Council staff will present the proposal
- Opportunity for questions
- All comments and questions are noted

Purpose of the meeting



- Proposal document published
- Council staff will present the proposal
- Opportunity for questions
- All comments and questions are noted

Relevant legislation



- The duties placed on local authorities in relation to the adequate and efficient provision of school education in their area in the *Education (Scotland) Act 1980*.
- The duties placed on local authorities to set out a policy for placing children in school. King's Counsel advised that the current informal arrangement did not comply with Education (Scotland) Act 1980 and could not continue.
- 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 duties placed on local authorities to secure best value in the delivery of services.

Statutory consultation process



- Proposed permanent change –council must follow process contained in national legislation
- Consult for minimum 6 weeks
- Must hold a public meeting
- Must publish its final report

Statutory Consultation Process cont'd



- Statutory Consultation Period: 21 April 2026 to 4 June 2026.
- Representations from interested parties are sought throughout the consultation period.
- Report by Education Scotland within 3 weeks of end consultation .
- Service takes account of all feedback.

Statutory Consultation Process cont'd 2



- Proposal Paper including Educational Benefits Statement published 21 April 2026.
- Preparation of Consultation Report – after 4 June 2026.
- Final consultation report published 31 August 2026.
- Decision by Midlothian Council 21 September 2026.

Background and context



- Midlothian is one of Scotland's fastest-growing local authorities.
- Some Midlothian schools are under place pressure and nearing capacity.
- Significant risk that Midlothian Council will not have a place for every pupil at their catchment school.
- Short term mitigation measures such as pupil intake limits, placing request reviews.
- Pupil enrolment for the 2026/27 school session has concluded, with 1441 Midlothian primary and 1258 Midlothian secondary pupils registered. This includes 270 pupils who intend to defer entry to primary school.

Background & context – 2025 consultation



- Previous admissions consultation undertaken between 2 April 2025 and 2 June 2025.
- Extensive research failed to locate an official St. David's RC High School catchment map showing Loretto RC PS within it.
- Research by Midlothian Council and East Lothian Council did not identify any formal documentation of Loretto RC Primary School as catchment to St. David's RC High School.
- 2025 consultation highlighted differing stakeholder views regarding historical arrangements.

Background & context cont'd



- 9 September 2025 at a full meeting of Council instructed the Executive Director, Children, Young People and Partnerships to consult on:
 - Clarifying the catchment area of St David's RC High School.
 - enter discussions with East Lothian Council to form a new agreement between the councils regarding the admission of Loretto RC Primary School children to St. David's RC High School.
 - Update the Admission to Primary and Secondary Schools policy to **set out any priority to be given to** Loretto RC Primary School pupils, should a new agreement be agreed between the councils.

Proposals



- Clarify the catchment area of St. David's Roman Catholic High School with implementation from August 2027.
- Variation to the 'Education Policy Admission to Primary and Secondary Schools', in relation to entry to denominational primary and secondary schools will be implemented from August 2027 or as soon as possible thereafter.

Proposed Denominational High School Priority Groups



Midlothian resident children who have been offered a place in the school's Complex Needs Provision class by the Education Resource Group (ERG)
Midlothian resident catchment children who have been prioritised based on exceptional circumstances
Midlothian resident catchment children who are baptised in the Roman Catholic faith and will have siblings attending the school at the same time.
Midlothian resident catchment children who are baptised in the Roman Catholic faith and will not have siblings attending the school at the same time.
Loretto RC PS registered catchment children who are baptised in the Roman Catholic faith and will have siblings attending the school at the same time. (for entry to S1 at St. David's RC High School only)
Loretto RC PS registered catchment children who are baptised in the Roman Catholic faith and will not have siblings attending the school at the same time. (for entry to S1 at St. David's RC High School only)
Midlothian resident catchment children, who are not baptised in the Roman Catholic faith and will have siblings attending the school at the same time.
Loretto RC PS registered catchment children who are not baptised in the Roman Catholic faith with a sibling attending the school at the same time. (for entry to S1 at St. David's RC High School only)
All remaining Midlothian resident catchment children
All remaining Loretto RC PS registered catchment children. (for entry to S1 at St. David's RC High School only)
Any remaining unreserved places will be available to Placing Requests, in line with the Admission Policy Placing Request priority list.

Educational Benefits Overview



- **Transition Programmes**

Existing transition arrangements for children resident in Midlothian not impacted. Priority for pupils transitioning to their catchment school promotes a smooth, inclusive and well-supported transition, enabling continuity of education.

- **Denominational Schools**

Baptised Roman Catholic children attending Midlothian denominational schools are given appropriate priority to attend the only denominational secondary school in Midlothian. This supports pupils seeking to continue their denominational education at the secondary level.

Clarifying the St. David's RC High School catchment area enables families to understand the implications of living within or outside the catchment area may have on their application for a school place.

The proposal to include children from Loretto RC Primary School within the priority groups for transition into S1 at St. David's RC High School provides families with assurance that their preference to continue a denominational education is formally recognised.

Educational Benefits Overview



- **Local Communities**

Local children and young people will benefit from the agreed curriculum for their local school, reflecting the local community and opportunities available to all young people.

- **Travel Arrangements**

The limited variation to the School Admission Policy will not affect travelling arrangements for Midlothian pupils or staff.

- **Effects on Staff and School Management**

There will be no implications for teaching or support staff, nor any impact on school management arrangements. The proposal will allow for greater continuity of staffing across local schools benefiting each child and young person.

- **Inclusion**

The proposals will ensure that local children attend their local catchment school, growing up as part of their community.

- **Learning, Teaching and Assessment**

All Midlothian children follow the national Curriculum for Excellence. The proposals will allow local children to benefit from the agreed local curriculum arrangements, reflecting the local community and opportunities available to all young people.

- **Health & Wellbeing**

The proposals will prioritise local children for local schools, keeping young people close to their parents, carers, and local healthcare facilities.

Outcomes



If the decision is taken to vary the admissions arrangements to primary and secondary education:

- Subject to the decision by Midlothian Council elected members in September 2026, the proposed St David's RC High School catchment area would take effect from August 2027, or as soon as possible thereafter.
- The variation to the Schools Admission Policy would take effect from August 2027, or as soon as possible thereafter.
- Midlothian Council will share the outcome of the decision made by elected members on our website, social media platforms and with the Head Teachers.
- A new revised Midlothian Council Children, Young People and Partnerships education policy for admission to Primary and Secondary Schools will be available.

Project Timeline



	Date Beginning	Date Ending	Duration
Statutory Consultation Period	21/04/2026	04/06/2026	30 school days
His Majesty's Inspectorate of Education Scotland (HMIE) Engagement Period	08/06/2026	28/06/2026	3 weeks
Publication of Consultation Report	31/08/2026	31/08/2026	1 day
Further Consideration after publication of report	31/08/2026	21/09/2026	3 weeks
Consideration of Consultation Report by Midlothian Council	22/09/2026	22/09/2026	1 day
Referral to Scottish ministers if a decision is made to proceed under which the terms of section 22C or 22D of the Education (Scotland) Act 1980 apply,	23/09/2026		No defined timescale

Questions?



For any further or more specific questions please email
educationconsultation@midlothian.gov.uk

or any further or more specific questions regarding East
Lothian Council, please email
educationenquiries@eastlothian.gov.uk

To complete the online questionnaire please visit:
<https://midlothiancouncil.citizenspace.com/education/demonstrational-admissions-policy-consultation>

Public Meeting Minutes

Statutory Public Consultation

Proposal to clarify the catchment area of St David's Roman Catholic High School and to vary

the Admissions Arrangements to Denominational Secondary Education.

Held at Woodburn Primary School on 19 May 2026

Present:

Alastair Delaney, Independent Chair

Michelle Strong, Education Chief Operating Officer

Julie Fox, Quality Improvement Manager

Magnus Inglis, Service Manager – Acting Up

Rachel Tulloch, Principal Officer – Acting Up, Workforce, Policy and Pupil Placements

Mary Noone, Business Support Officer, Workforce, Policy and Pupil Placements

Catherine Jackson, Head Teacher, St David's Roman Catholic High School

Peter Jeans, Deputy Head Teacher, St David's Roman Catholic High School

His Majesty's Inspectorate of Education, Scotland Representative

Public attendees: 41 members of the public

Alastair Delaney (AD) welcomed everyone to the meeting and introduced the Council Officers.

AD Introduced himself and outlined the purpose of the meeting.

AD explained the statutory consultation process and the work that would need to be undertaken by

the Council in order to adhere to the schools (Consultation) (Scotland) Act 2010.

Michelle Strong (MS) welcomed everyone to the meeting and then outlined the proposals and spoke

through the presentation slides.

Q: Will the transcript of this meeting be made available?

AD: Yes, it will be uploaded to the website and include your questions.

Q: The presentation says the Council decision will be on 21 September but the report says 22 September. And is the date of publication 21st April?

AD: Council has until 4th of June for the consultation.

Q: Although Midlothian pupil numbers are increasing, at the moment St David's is undercapacity. So, can you guarantee that in three years' time you won't take places from St David's, and reduce its capacity, to ease pressure on Dalkeith High School or to meet capacity needs elsewhere?

MS: Dalkeith High School is almost at capacity, and we are currently consulting on the introduction of a new school at Shawfair. There is short-term pressure on Danderhall Primary School and

Dalkeith High School due to the scale of new housing in the area. The long-term plan is that the new school will deliver a two-stage primary school and 900 pupil secondary school by August 2028. In the short term we're looking at creative solutions within our current learning estate to mitigate capacity issues at the St David's / Dalkeith High campus without having a negative impact on St David's over the next two years until Shawfair opens.

Q: The previous consultation felt like removing places for Catholic children from St David's was the aim.

MS: Midlothian Council remains committed to denominational education, as shown by our recent investment in our denomination school buildings.

Q: The catchment map should include Musselburgh as part of Midlothian.

MS: During the previous consultation, we and the surrounding local authority areas, researched historical catchment arrangements for St David's without success. We got advice from Kings Counsel, and the advice was that what we are doing at the moment doesn't comply with legislation, so we have to formalise the arrangement to meet our legislative obligations.

Q: Is there data on the number of pupils in each priority group, or future forecasts?

RT: We have projections for all our schools and year groups. These are not necessarily broken down into priority group detail. The projections are complex and result in different figures each year.

There are not always clear explanations behind the figures. As part of the current arrangement for Loretto RC Primary School families we are provided with a list of eligible children by East Lothian Council, this data does not include a breakdown of faith or details of any siblings.

Q: Have you asked East Lothian for Loretto Roman Catholic children data?

RT: East Lothian don't provide that detail. We asked last year for the first time so we had an

indication of numbers. We don't, however, anticipate running out of spaces in the near future. The only priority group there may not be space for is the final priority group.

Q: Can you figure out the numbers within 2 or 3 years?

MS: It's complex. We have a 16.9% growth in population. East Lothian is also one of the fastest growing Local Authorities and has significant growth plans within the Loretto area. Historically our numbers of children from Loretto are between 20 and 25 each year and that number may increase in future. The picture is unclear regarding the numbers.

Comment: It's quite reassuring St David's won't be impacted by Dalkeith High School capacity issue in the short term. It's important to acknowledge that people feel strongly about the 1918 education act and levelling of opportunities for catholic families. Prior to that schools were run by council's and there was a lot of discrimination. Loretto children have been attending St David's for a long time and it's had a big impact on their faith journey. It's important it continues. History means a lot. Musselburgh was part of Midlothian before.

Q: We need to acknowledge that St David's is a denominational school. Data show only 2% of children are moving to St David's? It's a problem that Loretto children are so low in the priority grouping.

MS: The grouping includes Loretto pupils. Historically, between 20 and 30 pupils have joined from Loretto in part because there is no secondary provision in East Lothian. This proposal attempts to formalise the arrangement with East Lothian.

Q: We could have a situation where Loretto children don't have access to St David's.

MS: The proposal attempts to clarify for families what the priority order would be if places are limited and we had to make decisions based on groupings. And we need to have clear arrangements in place so that we're compliant with legislation.

RT: As can be seen from the proposed priority groups, faith is an important part of the proposals, with Roman Catholic children being prioritised over those who are not Roman Catholic for denominational schools. We also acknowledge that being Roman Catholic has a wider definition than in the past, therefore we have included a broader definition in the proposal document. For example, it includes being baptised in a different Christian church but now attending a Roman Catholic church.

Q: I understand the priority groupings and they're fine. I'm surprised that Loretto hasn't been included in the catchment map. Kings Counsel said the previous catchment map should be the default. The meeting on 9th September 2025 gave a mandate to maintain Loretto as a catchment school. The 1980 act defines priority area based on residence – this doesn't align with the catchment map excluding Loretto. If an agreement is not reached with East Lothian, or if an agreement is

reached and either council decides in future they want to end the agreement, what happens? The catchment map could provide protection in law. Why not just accept Loretto as catchment conditional on council agreement?

MS: Our understanding is that there is no evidence of Loretto being part of the catchment area for St David's.

MI: We were provided with a list of children from Loretto that did not include children that transitioned to other High Schools so the current arrangement is not based on residence.

MS: East Lothian provide a list of children they believe to be eligible and Midlothian accept the list.

Q: How is that not a geographical list?

MI: The list of children have not been chosen from a catchment area.

RT: We have examples of children who are Roman Catholic, live in Musselburgh but don't attend Loretto RC Primary School, therefore they didn't fall under the historical arrangement.

Q: You mention extensive research for the previous consultation. Will a report of the research be made available?

MS: We don't have detailed documentation of the research we conducted, and no evidence was found of a formal historical arrangement. East Lothian Council, and City of Edinburgh Council also conducted research and failed to find any evidence. We sought Kings Counsel advice to help with the historic arrangement as supporting documentation wasn't found.

Q: The prior Education Act defines catchment based on primary schools admitting children to High schools rather than using a map.

MS: We've been through committee reports and archives and haven't found evidence to support a formal arrangement based on admittance or catchment area.

Q: Lots of anecdotal talk about agreements but there's no concrete evidence. Some Midlothian Roman Catholic children are further away from St David's than Loretto and therefore there is a risk they may not get a place in the school.

MS: Work continues between the two councils regarding future agreement. Midlothian elected members have tasked officers to reach a formal agreement and these discussions are ongoing. We hope that any agreement will help families understand where they fall in the School Admission Policy, therefore they'll be able to plan for their child(ren)'s future with more certainty. Any agreement will include exit requirements, which would require an Education Consultation before any change could be made.

Q: If an arrangement is agreed between the two council's will Loretto then be part of the catchment area?

MS: At the moment we're consulting on a variation to policy and the prioritisation order. The decision is for elected members and will be made in September.

Q: Why is the catchment area narrower instead of larger to include Loretto?

MI: It's the boundary of Midlothian council. There are other areas that have been excluded, and historically it didn't include Loretto.

Q: The 1980 act says Loretto can be included.

MS: The difficulty is that we don't have evidence that Loretto was catchment.

Q: The default is that there's a process of Loretto children going to St Davids. It was in the same council area historically so default position should be to remain in catchment. Proposal has got the situation wrong and it should include Loretto as current catchment. Can we have a detailed report of what research was undertaken so it can be included in our responses? It's unfair not to let us see that.

MS: Our research was noted in the 2025 report.

Q: What was the terms of reference for the Kings Counsel question you asked? Do you agree it was accepted as catchment in 1996?

MS: The purpose of tonight is to provide detail of proposal and what consultation process is. I understand it's a complex and emotive topic. Important that we find a way forward that we give clarity to families both now and in future regarding St David's catchment. Any Legal advice is privilege so I am unable to discuss the specifics further.

Q: Why are some Midlothian Roman Catholic children unable to get place at St David's if the school is under capacity?

MI: the Admissions policy sets out priority groups for placements. Priority groups depend on distance. If, in future, there are capacity issues we place children depending on the priority grouping. So, if a Roman Catholic child that lives in the Loretto catchment and a child that is in the Sacred Heart catchment there may be a situation where the Loretto child is placed ahead of the Sacred Heart child due to distance from the school.

Q: (Comment) There is 80 years of history of Loretto children attending St David's. Are you willing to risk that as it's a positive influence.

Q: The consultation document wasn't originally available on the consultation page so will there be an extension to the consultation?

RT: The link was included in the information provided and on our social media pages.

Q: Information sent to Loretto was incorrect and didn't link to the page. Our parents have not been able to access it.

RT: No one made us aware of an issue with any links in published documents. The proposal and questionnaire have been available since the launch date. We received responses to the questionnaire on launch date, so it was live and available for completion.

MI: The link to the proposal wasn't originally included on the open consultation page of website. It was available on our online survey hub, Citizen Space.

Q: The questions were confusing. Could you clarify the catchment would exclude Loretto?

MS: We have no evidence that Loretto was ever part of the catchment. As it stands, the catchment area is the Midlothian council area.

Q: The responses last time were to include Loretto. This proposal seems misleading. Would proposal 2 include Loretto?

MI: The first proposal is to define catchment of St David's. The second is to set the priority groups.

Q: By right and traditions unbroken for 80 yrs Loretto pupils had a right to attend St David's. You're changing that. Elected members were clear about clarifying the catchment area and entering into discussion with East Lothian for a new agreement and updating the policy.

AD: The question regarding the catchment area has been answered.

Q: the council meeting paper for 9th September says the council agreed for admission of Loretto children to attend as their catchment High School.

MS: We will check the paper. We assured that the current arrangement would continue for 2026 which would allow us time to reach a new agreement with East Lothian.

Q: The paper says we expect Loretto to go to St David's as catchment. So, we expected that to be the consultation.

MS: Loretto children are included in the proposed priority groups. Not all Midlothian children would be placed ahead of Loretto children, only baptised Midlothian children, then Loretto children, and remaining Midlothian.

AD: The council paper will have to be checked.

Q: The presentation to ratify the historic agreement?

MS: We have no historic agreement. The legal advice we received is to formalise the agreement.

Q: From one KC, why only one?

MS: We don't have an agreement, just an arrangement. I appreciate for 80 years it's been the practice. We were told we need to formalise the agreement. We've taken internal and external advice regarding what we need to consult on and that's why we're here this evening.

Q: Has the maximum capacity of St David's changed since it first opened? Have any places been lost to Dalkeith High School?

PJ: The capacity of St David's RC High School is 890.

MI: No places have been lost to Dalkeith High School. The school capacity has reduced due to the addition of a complex needs provision in the school, which has very different staff to pupil ratios to mainstream classes.

Q: Has the capacity changed?

MS: Not since the complex needs provision was opened.

Q: If it goes ahead, what is the implication for transport for Loretto children?

MS: Loretto children are treated as East Lothian catchment and East Lothian pay transport costs as required.

Q: Will that continue?

MS: All Local Authorities have to provide transport for children who live over 2 miles from their catchment school. If a child is admitted due to a placing request it is the parent's responsibility to transport the child to school. The arrangement being discussed doesn't include placing requests. Ultimately, East Lothian treat Loretto children as their responsibility and pay for transport.

Q: If the proposal goes ahead and Loretto pupils are given priority and not catchment, how easy is it for either council to change in future?

MS: Policy can only be changed by following the correct legal process, including a statutory consultation.

Q: What happens if the agreement is broken?

MS: The ongoing discussions include contingencies for what happens if one party falters.

MI: This process is a statutory consultation, and the legislation sets out which grounds have to go through a statutory consultation. We'd have to consult again if need be.

Q: The Education Act says a loss of denominational education has to be agreed by the Secretary of State. If this proposal goes ahead with no catchment status would we lose that added protection?

MI: We're aware of the provisions and will apply them appropriately.

AD: Thanked participants and concluded the meeting.

Public Meeting Minutes

Statutory Public Consultation

Proposal to clarify the catchment area of St David's Roman Catholic High School and

to vary the Admissions Arrangements to Denominational Secondary Education.

Held at Sacred Heart Primary School on 1 June 2026

Present:

Alastair Delaney, Independent Chair

Michelle Strong, Chief Education Officer

Julie Fox, Quality Improvement Manager

Magnus Inglis, Service Manager – Acting Up

Rachel Tulloch, Principal Officer – Acting Up, Policy, Workforce and Pupil Placements

Katy Maclean, Learning Estate Resource Officer

Mary Noone, Business Support Officer, Workforce, Policy and Pupil Placements

Head Teacher, Sacred Heart Roman Catholic Primary School

Head Teacher, St David's Roman Catholic High School

His Majesty's Inspectorate of Education, Scotland Representative

Public attendees: 12 members of the public

Alastair Delaney (AD) welcomed everyone to the meeting and introduced the Council Officers.

AD Introduced himself and outlined the purpose of the meeting.

AD explained the statutory consultation process and the work that would need to be undertaken by the Council in order to adhere to the schools (Consultation) (Scotland) Act

2010.

Michelle Strong (MS) welcomed everyone to the meeting and then outlined the proposals

and spoke through the presentation slides.

Q: The word 'local' is used a lot. What does it mean in terms of the proposal?

MS: We mean Midlothian and Midlothian children attending local denominational schools. St

David's RC High School is a local school. There is also a long history of children who attend

Loretto RC primary school attending St David's and this is recognised through the proposed

priority groups. I was asked to enter into negotiations with East Lothian to formalise the

arrangement and discussions are ongoing regarding a new agreement.

We've been asked to clarify catchment for St David's and to vary the priority order for entry.

Q: I still don't understand.

MS: In Midlothian we have a number of denominational primary schools that all feed into St

David's, our one denominational High School. We want Midlothian to benefit from wider

community engagement.

Q: Are children from Loretto part of the catchment?

MS: No.

Q: What is the catchment?

MS: During last year's consultation there was no catchment map for St Davids found, so we

sought advice from Kings Counsel. Kings Counsel advice and legislation recommended we

needed to clarify St David's catchment area.

Q: But the arrangement has existed for all those years. Are you excluding East Lothian who

have attended St David's for many years? Do you classify them as catchment?

MS: No. We can't find a catchment map. Currently, East Lothian provide Midlothian with a

list of eligible children for entry to St David's each year, plus their transport requirements.

This indicates that neither Council see Loretto as catchment to St David's (MS recognised

the historic arrangement and the priority order demonstrates the history). However, regarding catchment, we don't have proof that Loretto is catchment to St David's. If I were to

say to East Lothian, we'll redraw the map and Midlothian will take Musselburgh, East Lothian

would be unwilling to allow it.

Q: Is there a map?

MS: Yes.

Q: The proposal seems to rip up the historic arrangement, is that right?

MS: No.

Q: Are you dismissing the history?

MS: No, we are having discussions between the two councils as we were asked to form a

new agreement.

Q: Are discussions happening?

MS: Yes, they are ongoing between the Executive Directors and Legal. Their job is to enter a

new agreement that protects both sides.

Q: Are East Lothian fulfilling their statutory duty to provide secondary education for their

Catholic children?

MS: I can't speak for East Lothian, they have a number of primary schools but they don't

have denominational secondary education provision.

Q: So does that mean that Loretto RC pupils would get in above pupils from other Catholic

primary schools in East Lothian?

MS: Yes, we do not have an arrangement with any other denominational primary school in

East Lothian.

Q: Do they know as a council they should be providing secondary education for Catholic

pupils? I didn't realise East Lothian don't have a Catholic secondary school. We talk about

Loretto as the only catholic school in Musselburgh. And what financial contribution is East

Lothian making over all these years?

MS: There's been a long-standing arrangement. This coming year is the first year there's

been a nominal contribution.

Q: So they haven't paid all these years and don't have a secondary school?

MS: No. To be clear, if there wasn't pressure within our schools we wouldn't be having this

conversation. Midlothian is expanding rapidly. We're trying to protect the future in case we

get to the point where the school is full and the priority order comes in. Part of why we need

a formal agreement, as well as Kings Counsel advice, is that East Lothian is due for extensive housing expansion within the Loretto catchment area.

Q: Will we be accused of discrimination if we can't take any children from Loretto?

MS: No, however we would not want to give a full answer without legal advice.

AD reminded attendees that Midlothian officers cannot speak on behalf of East Lothian.

Public comment: We're a fast-growing community, so some of the burden must fall on East

Lothian.

Q: If the changes are approved, my daughter might not get in to St David's RCHS. Has there

been a conversation about why East Lothian don't have a catholic school? Should Midlothian be building a second denominational secondary school?

MS: I can't comment on East Lothian's provision. Regarding a second denominational high

school, building a new school is incredibly expensive, between 80 and 100 million pounds for

a secondary. We won't build unless we absolutely have to. School numbers are increasing

but there will be a point in Midlothian where populations settle, and house building slows or

stops. We would only build a new denominational school if there was evidence we needed

one in the long term. Short term rapid growth would see us look at short term solutions.

We're not predicting that though. Challenge is rapid growth is also in East Lothian so future

arrangement needs to protect St David's in terms of numbers. For example, we have a Gaelic

medium arrangement with the City of Edinburgh. Our small numbers of Gaelic medium

children mean we don't have enough children for a Gaelic medium school so we wouldn't

build one. We're trying to future proof in case we have to choose who gets in to St David's.

Q: Regarding the priority order, and what is local, some Midlothian children are at the very

bottom of the list. Should they be put higher in the list to protect more Midlothian children? If

St David's is meant to cater for Midlothian children, my logic is Midlothian children should

always be above anyone from East Lothian. East Lothian could extend one of their schools

and find a solution outside of Midlothian.

MS reminded attendees that we're at the consultation stage and a decision is yet to be

reached by elected members. MS advised attendees they can also respond to the survey.

Public Comment: I hear what you're saying and understand everyone is fighting for their own interests.

Q: Regarding a permanent change, how permanent is permanent?

MS: We have to follow the legal process for statutory consultations to make the change.

When a proposal is agreed by elected members, the change is implemented. If, in future, we

need to make a further change, we would need to go through another statutory consultation.

Q: Do you know the current capacity of St David's s and how many Loretto children attend

each year? Are they taking the places of Midlothian children?

MS: Described Dalkeith High School / St Davids campus set up. Caveat is St David's has a

complex needs provision. The provision has smaller classes and that has brought the

capacity down. St David's capacity is currently 890 children and the roll of the school is 750.

I don't have the exact figure to hand but the number of Loretto children at St David's currently is around 120. We have 31 transitioning in August. This year's Loretto cohort is

large, but it fluctuates year on year.

Q: My son is not baptised – where would he fall other than 'all remaining Midlothian children'? Can you add another group of people who attend catholic school but are not

baptised? We chose a Catholic school for its spiritual beliefs, but baptism can be tricky. Has

another grouping been considered?

MS: The priority groupings took a lot of time and thought to pull together. We recognise

families choose a faith-based school for many reasons, and children are not always

baptised. It wasn't possible to have a grouping for every situation. We're trying to respect the

past and look to the future.

MI: There was a lot of discussion about that and we included a couple of questions on the

questionnaire to get your views.

RT: Reiterated the proposal has not yet been agreed and the survey could still be filled in

with any views about the priority groups, which would then be considered.

Q: Can the deadline be extended?

AD: No. We have to follow 6-week consultation period in line with legislation.

Public comment: It seems very unfair that we only have a short time between this meeting

and the end of the consultation if we want to fill survey.

Q: I'm new to the area. The current arrangement doesn't include Loretto – is that because

you couldn't find an agreement?

MS: We don't have evidence that Loretto is part of St David's catchment area. We have a

long-standing arrangement with East Lothian, who provide us with a list of children for

attendance at St David's each year. So, there's been an association but not as a catchment

school.

AD: Midlothian want to formalise the arrangements.

Q: If an East Lothian Roman Catholic family were to send their kids to St David's, do they

have to be in Loretto primary school?

MS: If they were attending Loretto RCPS and eligible for St David's they'd be on the list from

East Lothian. If they were attending another school in East Lothian, they would need to

submit a placing request. There are two ways baptised children can attend St David's if they

live in East Lothian.

RT: The families must attend and live in catchment area for Loretto RC Primary School.

Otherwise, they would need to make a placing request.

Q: My baptised son has non-baptised friends, and they have gone through enhanced transition this year. What happens if they go through all of that and then their placing requests don't succeed? It adds another layer of fear and anxiety for parents and children.

It's very unsettling.

MS: That's why we're going to consultation so we can clarify for people what the future looks

like. We appreciate that it is horrible to not know if you have a place or not. The national

statutory deadline of 15 March is quite late to make decisions but unfortunately that is the

timeline we have to follow.

Q: Which schools do East Lothian children attend currently?

MS: Some will attend denominational primary schools and choose non-denominational

secondary schools. Some will make placing requests for Holyrood in City of Edinburgh or St

David's.

Q: How are the Midlothian Gaelic medium children funded? How does funding work in

general for children's school education in Scotland?

MS: Some finance is from Scottish Government re. Gaelic medium places. We pay transport

costs. Funding is based on census figures. There's a fee per head but it doesn't cover the

total cost, such as for digital devices, or additional support. The allocation of cash is based

on pupil numbers and the Council tops up the additional funding need. Midlothian Council

tops up more than they are given by the government.

Q: Will we get link to submit a response?

MS: Highlighted details on slides.

Public comment: When I first heard about the change, I understood St David's was a progression school for Sacred Heart. My son isn't baptised, but he loves it here. I did some

research and I saw variation in enrolment numbers and a lot of the schools are near capacity

in Midlothian and across the other local authorities. I understand the history of Loretto and I

think the priority order is pretty good based on all my research. It's important to prioritise

Catholic children and Midlothian's children. We chose a catholic school for spiritual reasons.

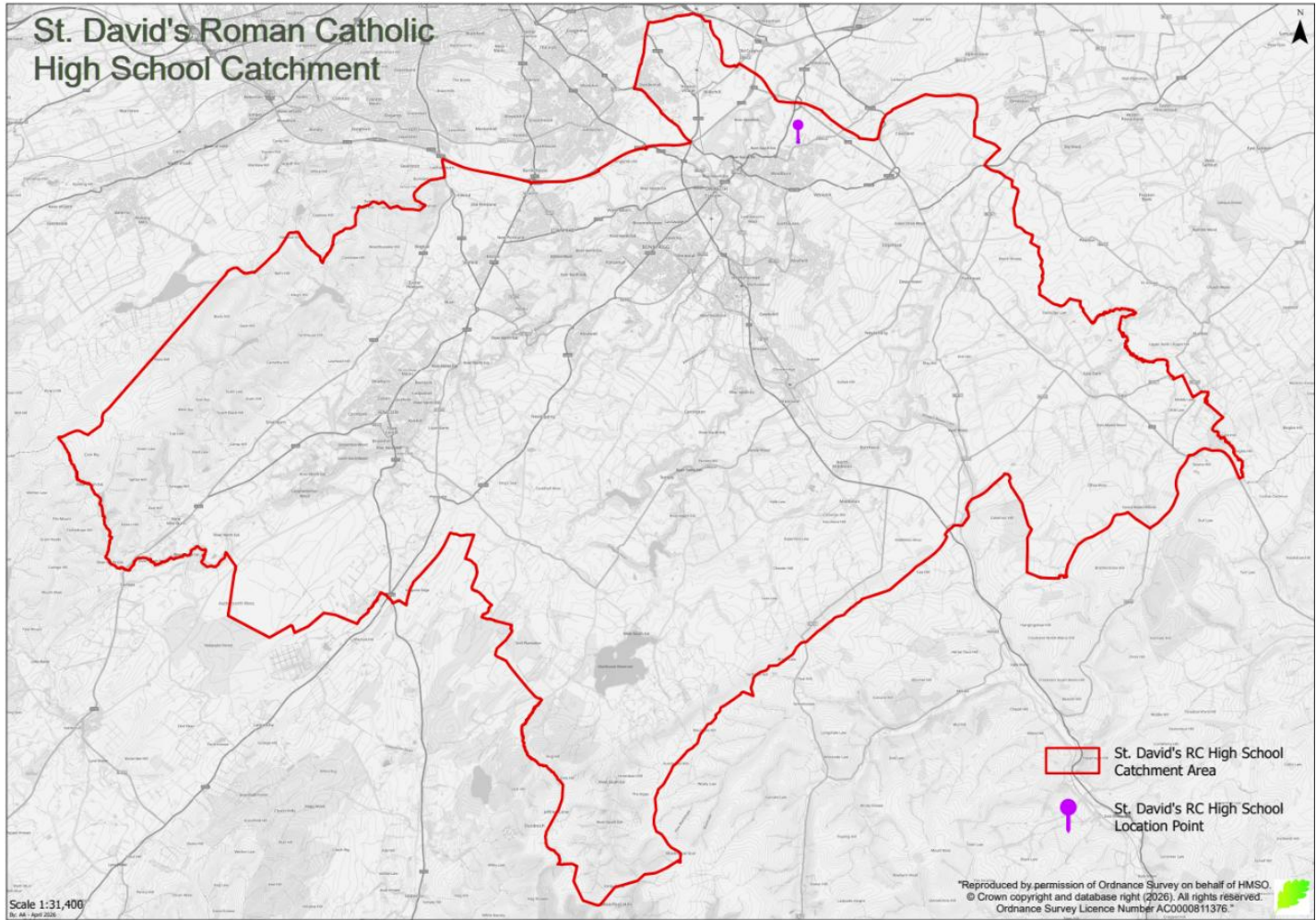
We have mixed families here who have made that choice and I think that's lovely. I found lots

of local authorities don't have Catholic high schools.

AD: It's difficult to come up with a proposal that suits every individual circumstance.

AD closed the meeting and thanked attendees for their participation

Appendix 4 - St David's RC High School Proposed Catchment Area



Appendix 5 - Priority groups should the proposed agreement be formed between Midlothian Council and East Lothian Council to include entry to S1 for Loretto Roman Catholic School pupils to St David's Roman Catholic High School

Priority Group Number	Denominational High School
1	Midlothian resident children who have been offered a place in the school's Complex Needs Provision class by the Education Resource Group (ERG)
2	Midlothian resident catchment children who have been prioritised based on exceptional circumstances
3	Midlothian resident catchment children who are baptised in the Roman Catholic faith and will have siblings attending the school at the same time.
4	Midlothian resident catchment children who are baptised in the Roman Catholic faith and will not have siblings attending the school at the same time.
5	Loretto RC Primary School registered catchment children who are baptised in the Roman Catholic faith and will have siblings attending the school at the same time. (for entry to S1 at St. David's RC High School only)
6	Loretto RC Primary School registered catchment children who are baptised in the Roman Catholic faith and will not have siblings attending the school at the same time. (for entry to S1 at St. David's RC High School only)
7	Midlothian resident catchment children, who are not baptised in the Roman Catholic faith and will have siblings attending the school at the same time.
8	Loretto RC Primary School registered catchment children who are not baptised in the Roman Catholic faith with a sibling attending the school at the same time. (for entry to S1 at St. David's RC High School only)
9	All remaining Midlothian resident catchment children
10	All remaining Loretto RC Primary School registered catchment children. (for entry to S1 at St. David's RC High School only)
11	Any remaining unreserved places will be available to Placing Requests, in line with the Admission Policy Placing Request priority list.

Appendix 6 - His Majesty's Inspectorate of Education in Scotland Report

Schools (Consultation) (Scotland) Act 2010

Report by HMIE addressing educational aspects of the proposal by Midlothian Council to clarify the catchment area of St David's Roman Catholic (RC) High School and to vary the Admissions Arrangements to Denominational Secondary Education.

June 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 Midlothian Council to clarify the catchment area of St David's Roman Catholic (RC) High School and to vary the Admissions Arrangements to Denominational Secondary Education. 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 10 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 and young people of the schools; any other users; children likely to become pupils within two years of the date of publication of the proposal paper; and other children and young people 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 meetings held on 19 May and 1 June 2026 and 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;
- visits to the site of St David's RC High School, Sacred Heart, St Andrew's, St David's, St Luke's, St Mary's, and St Mathew's RC Primary Schools, Midlothian and Loretto RC Primary School, East Lothian including discussion with relevant consultees; and
- meeting with Catholic Church representatives from Midlothian, East Lothian and the Archdiocese of St Andrew's and Edinburgh.

2. Consultation process

2.1 Midlothian Council undertook the consultation on its proposal(s) with reference to the Schools (Consultation) (Scotland) Act 2010.

2.2 The public consultation ran from 21 April to 4 June 2026. Copies of the proposal were made available to stakeholders and on the council website. Two public meetings were held on 19 May 2026 at Woodburn Primary School and 1 June 2026 at Sacred Heart RC Primary School. Across the two meetings there were 53 attendances. Stakeholders raised a wide range of questions and concerns. These included questions about school roll projections, why changes are necessary, and concerns that children from catchment schools within Midlothian could end up being lower priority than those from outwith. In addition to the survey responses, the council received seven written responses, including from the Parent Council of St David's RC High School, Loretto Parent Partnership and the Archdiocese of St Andrews and Edinburgh. These included the view that Loretto RC Primary School has historically always been a catchment school of St David's RC High School and that changing from the current situation where many children from Loretto RC Primary School go to St David's RC High School would undermine the school community.

2.3 A survey run by the council received 416 responses. Of these, 212 indicated they were from Midlothian, 187 from East Lothian, 11 from Edinburgh, and the remaining six stated other or did not say. These included 101 who stated that they were a parent/carer of Loretto RC Primary School pupils. Eighty-three were from a parent/carer of children at denominational primary schools in Midlothian. Seventy-four were from a parent/carer of pupils at St David's RC High School. The council asked a range of questions related to the proposal. Several respondents noted that

the questions in the survey were confusing. In the responses, it is clear that a few disagreed who shared the same views as those that agreed and vice versa. Respondents were split on whether they agree or disagree with the proposal to clarify the catchment of St David's RC High School with 187 agreeing and 212 disagreeing.

2.4 There was strong support from those living in Midlothian to prioritise their children over children from East Lothian. In regards to the admission arrangements, those living in East Lothian and Edinburgh were more positive about including children from outwith Midlothian. In general, respondents focused on the benefits to the children of continuing their faith-based education in a denominational school. They also highlighted the long-standing history and relationship between the Loretto and St David's RC schools. Those in disagreement raised concerns such as the need to ensure children living in Midlothian, and attending a catchment RC primary school, should be able to move to secondary school alongside their classmates.

2.5 The council held sessions with children in St Mary's, St Andrews, Sacred Heart, St Luke's and St David's RC Primary Schools. Children expressed some confusion about the proposals being presented but were able to share their views. They consider that children should be able to go to the secondary school of their choice and importantly alongside their friends. However, they had mixed views about whether those who are Roman Catholic and live in Midlothian should get priority or not. A few queried the priority for those with siblings already at St David's RC High School as they feel this could be unfair for those who are an only child.

3 Educational aspects of the proposal

3.1 The council set out the educational benefits that it believes will be achieved as a result of the proposal. HM Inspectors agree that there are some potential educational benefits. In particular that it will support pupils in both Midlothian and Loretto RC Primary School, East Lothian to continue their denominational education at the secondary school level. Defining the catchment area for St David's RC High School will provide clarity to families to determine whether their residence falls within the designated boundary, and to understand the implications this may have on their application for a school place. However, the proposal is not what a few families understood to be the agreed position at a council meeting in September 2025. Whilst the proposed priority groups will affect families in particular circumstances differently, this is set out clearly within the proposal.

3.2 HM Inspectors agree that the proposed variation to the School Admission Policy will not impact existing transition arrangements for children resident in Midlothian. However, the proposal is likely to have a less favourable impact on pupils from Loretto RC Primary School. Ending the previous informal historical arrangement with East Lothian Council may result in pupils being unable to start their transition to St

David's RC High School until the outcome of their Placing Request is confirmed. As a result, children who may previously have benefited from well-planned enhanced transitions may be unable to begin their transition until the last term of primary school. HM Inspectors recommend that East Lothian Council work with Midlothian Council to consider how they might address this.

3.3 HM Inspectors agree that the limited variation to the School Admission Policy will not affect existing travelling arrangements for Midlothian pupils or staff. Both councils will continue to have a responsibility to provide transport for eligible children in line with their school transport policies. If the proposal goes ahead, this will result in Loretto RC Primary School catchment pupils being formally recognised as outwith the St David's RC High School catchment area. Parents of Loretto RC Primary School children would be required to submit a placing request in order to attend St David's RC High School. This has the potential to impact on school travel arrangements. If the proposal goes ahead, HM Inspectors recommend that East Lothian Council provides clarity for families from Loretto RC Primary School regarding school transport arrangements.

3.4 The proposal sets out the financial implications and the ongoing discussions between Midlothian and East Lothian Councils. HM Inspectors recommend that if this or any alternative proposal is approved, the two councils should, as suggested, consider entering into a formal agreement. This should help to provide reassurance and greater certainty to stakeholders who have expressed concerns about the proposal and any implications for future years.

3.5 HM Inspectors met with a wide range of stakeholders including children and young people, staff and parents. Most stakeholders that chose to meet with HM Inspectors believe that Loretto RC Primary School catchment should be included in the St David's RC High School catchment. This strongly held view is not weighted towards those from East Lothian but more widely held across most of the schools that HM Inspectors visited. Stakeholders consider pupils from Loretto RC Primary School to be a valued and integral part of the secondary school faith community. These stakeholders would prefer this history and tradition to be formalised as part of the St David's RC High School catchment. HM Inspectors note that formalising the catchment could provide additional reassurance to stakeholders and greater clarity around transition arrangements for Loretto RC Primary School children.

3.6 Overall, a majority of stakeholders who met with HM Inspectors agree that the proposed order of the priority groups is fair. Most stakeholders welcome the priority given to Midlothian residents and are strongly in favour of the priority given to children who are baptised in the Roman Catholic faith. A few stakeholders would prefer for Midlothian and Loretto RC Primary School resident catchment children who are baptised in the Roman Catholic faith to have equal priority. Children who met with HM Inspectors told us that it was important that siblings could attend school

together. However, they were worried that friends from their year group could be split up if some are baptised in the Roman Catholic faith and others are not. A few parents are concerned that giving priority to Loretto RC Primary School pupils could reduce the likelihood that families in Midlothian who chose a denominational primary for different reasons may not secure a place at St David's RC High School in the future.

3.7 Data provided at one of the council meetings suggests that there may be sufficient capacity at St David's RC High School for everyone who wishes to attend in the short term. Although HM Inspectors note that given the local context, in terms of significant population growth, this is hard to predict. Whilst the proposed priority groups may not currently have any impact on those wishing to continue their education at St David's RC High School, they may do so in the future. Should the proposal be approved, it will be important for the council to ensure that families continue to be provided with relevant information to make informed decisions about their choice of school.

3.8 As this proposal includes denominational schools, HM Inspectors consulted with church representatives from Midlothian, East Lothian and the Archdiocese of St Andrew's and Edinburgh. They highlighted the importance and benefit of children being able to continue their faith journey from primary school through to secondary school. They strongly believe that the long history and tradition of Loretto RC Primary School pupils going to St David's RC High School should continue. Whilst they understand why the council wishes to formally clarify the secondary school catchment, these church representatives feel that the current proposal does not formalise a long standing arrangement but instead changes it. They are also concerned that rather than fostering a welcoming and inclusive Roman Catholic ethos, the proposed catchment and admission arrangements seek to exclude people. The church representatives who met with HM Inspectors also raised some concerns about the consultation being overcomplicated and confusing.

3.9 During the consultation period the council was notified of alleged inaccuracies or omissions in the proposal. The council has published an omissions, corrections and amendments document on its website. In its consultation report, the council will need to set out the actions it has taken to address any alleged inaccuracies and omissions notified to it.

Summary

HM Inspectors agree that there are some potential educational benefits to this proposal. The proposal should support pupils in Midlothian schools and Loretto RC Primary School to continue their denominational education at the secondary school level. The proposal will also provide clarity as to the defined catchment area for St David's RC High School. Overall, the proposal is not likely to negatively impact Midlothian residents. However, there are some potential negative impacts for East

Lothian residents in relation to transition arrangements and school transport, which East Lothian Council will need to consider. Overall, most stakeholders that HM Inspectors met with, and many of those who responded to the consultation, believe that Loretto RC Primary School catchment should be formally included in the St David's RC High School catchment. If the proposal goes ahead, the council should continue to state clearly why the current proposal is the only available option.

In taking forward this proposal, it is important that Midlothian and East Lothian Councils continue to work closely together and set out a clear agreement between them. This will help to provide clarity and assurance to stakeholders. Both councils should continue to work with relevant stakeholders in Midlothian and East Lothian areas as appropriate to address their concerns and to support them to make informed decisions about their choice of school. In its consultation report, the council will need to set out the actions it has taken to address any alleged inaccuracies and omissions notified to it.

HM Inspectors

June 2026

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

Appendix 7 - Omissions, Corrections & Amendments

Consultation on the proposal to clarify the catchment area of St David's Roman Catholic High School and to vary the Admissions Arrangements to Denominational Secondary Education.

Omissions, Corrections & Amendments

- Version 1.0, (1-2) 22 April 2026

- Version 2.0, (3-4) 04 May 2026

- Version 3.0 (5) 06 May 2026

This document highlights specific omissions, corrections and amendments regarding the published documentation relating to the above consultation. These have been identified after the documentation has been published so cannot be retrospectively included.

The document version number and date can be found at the top of this document to help establish the most recent omissions, corrections and amendments that have been made.

- 1) **Amendment: Question 8, Appendix 7, 'Consultation Questionnaire'**, of the Statutory Consultation Proposal was amended to provide further clarity of the priority group order referenced in the question. The equivalent question of the online statutory consultation questionnaire (question 9) was similarly amended

<https://midlothiancouncil.citizenspace.com/education/denominational-admissions-policy-consulta>

Question 8, Appendix 7, 'Consultation Questionnaire', and the equivalent Question 9 of the online questionnaire were amended prior to the completion of any online questionnaire responses and receipt of any paper-based questionnaire responses. The question was amended as follows:

The original question read 'To what extent do you agree or disagree that children who attend a Midlothian denominational primary school but are not baptised RC and will not have a sibling attending St David's RC secondary school at the same time should not get any priority over children from Loretto RC Primary School?'

The question was amended to read 'To what extent do you agree or disagree that children who attend a Midlothian denominational primary school but are not baptised RC and will not have a sibling attending St David's RC secondary school at the same time should not get any priority over children from Loretto RC Primary School **who are baptised RC, or who are not baptised RC but have a sibling attending the school?**'

- 2) **Amendment: Question 9, Appendix 7, 'Consultation Questionnaire'**, of the Statutory Consultation Proposal was amended to provide further clarity of the priority group order referenced in the question. The equivalent question of the online statutory consultation questionnaire (question 10) was similarly amended

<https://midlothiancouncil.citizenspace.com/education/denominational-admissions-policy-consulta>

Question 9, Appendix 7, 'Consultation Questionnaire', and the equivalent question 10 of the online questionnaire were amended prior to the completion of any online survey responses. The question was amended as follows:

The original question read 'To what extent do you agree or disagree that all remaining Midlothian resident catchment children who wish to attend their catchment denominational secondary school, which is St David's RC HS, should not get any priority over children from Loretto RC Primary School?'

The question was amended to read 'To what extent do you agree or disagree that all remaining Midlothian resident catchment children who wish to attend their catchment denominational secondary school, which is St David's RC HS, should not get any priority over children from Loretto RC Primary School **(apart from those Loretto children who are not baptised RC and do not have a sibling attending the school)?'**

- 3) **Correction: the date of the first virtual drop-in session was incorrectly published on Midlothian Council's website [Consultations - St David's RC High School Catchment and Admissions Consultation | Midlothian Council](#)**

The date for the session was incorrectly stated as Tuesday 13 May 2026.

The date for the session was corrected to **Wednesday** 13 May 2026.

- 4) **Correction: the date of the first public meeting was incorrectly published on Midlothian Council's website [Consultations - St David's RC High School Catchment and Admissions Consultation | Midlothian Council](#)**

The date of the meeting was incorrectly stated as Monday 19 May 2026.

The date of the meeting was corrected to **Tuesday** 19 May 2026.

- 5) **Correction: Page 3, section no.4 of the proposal document** - there is a typo which reads "page 3" while it should read "Appendix 3".

The proposal document was translated into Polish at the request of the consultee.
The Polish version included the correction to Page 3, section no.4 noted above.