

Developing a Strategic Approach to the Learning Estate - Moray



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1 BACKGROUND

- 1.1 Moray's Local Outcome Improvement Plan (LOIP) has a partnership vision of raising aspirations and our priorities include:
 - Growing, a diverse and sustainable economy
 - Building a better future for our children and young people in Moray:

In terms of outcomes this translates to Moray being:

- A place where children and young people thrive
- A place where they have a voice, have opportunities to learn and get around
- A place where they have a home, feel secure, healthy and nurtured
- A place where they are able to reach their full potential

There is evidence that attainment and post-school destinations vary across Moray communities and in some areas are below average.

Any learning estate strategy must help to achieve these ambitions along with those in the Corporate plan which link directly to the outcomes for our children and young people:

Provide a sustainable education service aiming for excellence

To achieve this, a learning estate strategy is required which will provide our learners with the best learning environments and ensure that there is sufficient capacity as Moray grows as an economy. It is therefore vital that the strategy for Moray's learning estate takes the following factors into consideration.

- school catchment areas
- schools in communities
- condition, suitability and financing of the school estate
- management of schools or groups of schools
- delivery of learning experience
- distances between schools
- educational provision in small schools
- projected school rolls
- early years strategy

The strategic principles are detailed at 3.1 below.

- 1.2 Leadership in Education is a key aspect of raising attainment and addressing variances in outcomes across Moray. In parallel with a review of the learning estate and in order to provide the best possible educational environment, officers in conjunction with Local Negotiating Committee for Teachers (LNCT), taking recent Education reform expectations and local restructure of the Council into consideration will review and update policies in order to improve arrangements for the deployment of senior staff in schools.
- 1.3 Whilst looking at the learning estate and where recruitment of senior leaders is a challenge, we will consider opportunities for 2-18 campus leadership and other models.

1.4 Working with Head Teachers and LNCT, we will consider alternative leadership models in the full spirit of empowerment. Paired headships in Primary have been established to provide more stable leadership in smaller primary schools. There will be consideration of career pathways seeking national consistency of multi headships and the roles of paired and joint headships being formally recognised.

There is scope to further develop this approach and consider alternative Federation models in line with current policy as well as alternatives. The ambition has always been to have Head Teachers non class committed to allow them to lead and manage their school(s) as well as allowing them to improve learning and teaching and the curriculum on offer.

2. NATIONAL POSITION

2.1 Scotland's Learning Estate Strategy 2019

This document produced sets out a strategy for improving the school estate across Scotland to better meet the needs of young people and the wider community.

The shared vision, aspiration for the school estate and guiding principles and objectives (Appendix 1) remain valid and a good basis for developing our approach within Moray.

Indeed, these principles are utilised by Scottish Government/Scottish Futures Trust as objectives that underpin national investment decisions.

2.2 Schools (Consultation) (Scotland) Act 2010

The Act establishes a consultation process in respect of school closures and other major changes that affect schools. The 2010 Act was amended by the Children and Young People (Scotland) Act 2014, and the final part of those amendments with a presumption against closure for rural schools, relating to the School Closure Review Panels, came into force on 30 March 2015.

It provides for Scottish Ministers to 'call in' a local authority decision; special safeguards for rural schools and sets out a five stage consultation process, including the preparation of an Educational Benefit Statement.

Scottish Government has provided further guidance for Local Authorities on the Act. This guidance sets out the requirement to thoroughly prepare before undertaking any consultation exercise. Local Authorities will need to undertake significant preparation, have robust information and ensure any proposal demonstrates educational benefits before consulting on any changes. For example, in the case of rural schools if the reason for a proposal to close a school is a falling roll, the authority should demonstrate what it has done to tackle this within any proposals. The authority must also identify other reasonable alternatives, and full consideration should be given to maintaining the current school. The authority is required to invite representations on these alternatives, as well as requesting suggestions regarding other reasonable alternatives.

A copy of the Guidance for School consultation is available here.

The 2010 Act makes special arrangements in regard to rural schools, establishing a procedural presumption against the closure of rural schools. Appendix 3 details the geographical classification of all Moray Schools as adopted by the Scottish Government.

Education Scotland has developed complementary guidance which provides details on the role of HMIe.

Another aspect to consider is changing a school status to mothballed:

In considering alternatives to closure, authorities may choose to consider "mothballing" a school (or a stage of education or a nursery class at a school). This is a temporary closure which does not lead to a consultation under the 2010 Act. It is only appropriate in very restricted circumstances. When a school roll falls very low, the authority and/or community may consider that the school is not presently viable but do not wish to close it immediately because there is a reasonable prospect that the number of pupils in the area will increase such that it should be re-opened in the future.

2.3 Capacity Guidance

The Scottish Government has also developed guidance on how to determine the capacity for primary schools (this was one of the recommendations from the Commission on the Delivery of Rural Education). The aim is to improve consistency and transparency across authorities, improve benchmarking and assist in discussions with housing developers regarding contributions to improve/extend the school estate.

Planning/Physical capacity in a primary school is the theoretical maximum number of children that could be accommodated in a school based on the number of teaching spaces, size of teaching spaces and class sizes. It provides a consistent methodology for the school estate across Scotland and is used for long term forecasting of school rolls.

Working/Functional capacity is more dynamic and reflects the varying pupil numbers in classes from year to year and is used to inform placement requests and operation of the school year to year, this allows some flexibility in the space allowance per pupil.

Working/functional Capacity is intended to provide the flexibility for limited increase in numbers over and above Planning/Physical capacity.

2.4 Educational Benefits

The Schools (Consultation) Scotland Act 2010 Act requires that educational benefits should be at the heart of any proposal to make a significant change to schools. It specifies that the local authority must, for all consultations, prepare an Educational Benefits Statement and publish it within the proposal paper. The statement must consider current and future pupils of any affected school, current users of its facilities, and the pupils of other schools in the authority's area; and also to explain how the authority intends to minimise or avoid any adverse effects of the proposal.

3. MORAY COUNCIL POSITION

3.1 Strategic Principles

The Council must have regard to the occupancy levels of its schools, principally in terms of educational provision, affordability and Best Value, but also in the context of the ongoing monitoring of occupancy levels.

An excessively high level of occupancy could very easily lead to over-crowding and impact on the educational experience, whilst an excessively low level is unlikely to be sustainable, affordable or generally to offer Best Value. An ideal occupancy level would be approximately 85%, but a target occupancy band of between 75% and 90% is a reasonable aspiration – across the Council as a whole, across any given Associated Group of schools, across any settlement/town.

Looking at a growing Moray, the strategy will initially focus on three key settlement areas – Elgin, Buckie and Forres as the areas of greatest pressure on school capacities.

The Council must agree guiding principles for the learning estate to achieve optimal educational and community benefit: This should include:

- Learning environments should support and facilitate excellent joined up learning and teaching to meet the needs of all learners;
- 2. Learning environments should support the wellbeing of all learners, meet varying needs to support inclusion and support transitions for all learners;
- 3. The learning estate should be well-managed and maintained, making the best of existing resources, maximising occupancy and representing and delivering best value;
- The condition and suitability of learning environments should support and enhance their function;
- 5. Learning environments should serve the wider community and where appropriate be integrated with the delivery of other public services in line with the place principle;
- Learning environments should be greener, more sustainable, allow safe and accessible routes and be digitally enabled;
- 7. Outdoor learning and the use of outdoor learning environments should be maximised;
- 8. Good consultation about learning environments, direct engagement with learners and communities about their needs and experiences, and an involvement in decision making processes should lead to better outcomes for all;
- Collaboration across the learning estate, and collaboration with partners in localities, should support maximising its full potential;
- **10.** Investment in Moray's learning estate should contribute towards improving learning outcomes and support sustainable and inclusive economic growth.

The above principles set out an ambition for A condition and A suitability for new schools, extensions and those that are subject to major refurbishment. The Council had a policy to maintain a school at a B condition and B suitability standard and this should be reinstated where larger scale investment is not proposed.

3.2 Objectives for the Moray Learning Estate Strategy

- Identifying and assessing the current Learning Estate capacity, suitability and condition.
- Identifying the need for educational facilities, which are attributable to proposed housing developments and quantifying the Developer Obligation contributions required meeting the need.
- Ensuring that the Local Development Plan takes full account of the needs of the Education and Children's Services.
- Advising the Planning Service of the areas in which school capacity is available to meet the demand arising from new housing.
- Matching demand to capacity, retaining only a prudent margin for potential roll increases.
- Restricting the use of temporary accommodation to the solution of short-term capacity problems.
- Phasing out the use of existing temporary accommodation as soon as is reasonably possible.
- Actively managing Out of Zone Placing Requests in support of the above principles.
- Identifying facilities that do not meet the standards set out in 3.1 above and assessing against business for future service delivery.
- Ongoing review of school zones in relation to the changing demographic and school rolls
- Investigating solutions to address spare capacity in schools and falling school rolls
- Identifying the staffing resource and governance processes for continuous review and delivery
 of the Strategy.
- Aligning Early Years investment, additional support needs and Learning Estate strategies and seeking opportunities for collaboration and community hubs
- Prioritising the learning estate programme to address areas that require significant financial investment in the next 10 years.

3.3 Moray Council - Children and Young People's Services Committee

A key task for the Council is to determine, identify and consider options to provide a sustainable learning estate in more detail. In particular, the Council must consider the appropriateness, or otherwise, of current configuration of early years, schools and additional support needs provision. Opportunities to improve and/or rationalise accommodation, within the context of significant changes in demographic situations across the Council and the principals established for the Learning Estate.

3.4 Overview of Current School Estate Condition/Suitability

Competing priorities over the last 10 years has resulted in less investment in the learning estate. Condition driven replacement/refurbishment of schools has occurred where Scottish Government monies has been available. School design and delivery has been inconsistent with buildings sometimes restricting practice across schools and early learning establishments highlighting the need for a more strategic approach and a more consistent use of school provision. Buildings for the 21st Century provide more flexible learning spaces where learners and practitioners are not restricted by traditional classrooms. A lack of strategy hides the true building condition and suitability issues being faced by those responsible for inspiring our Children and enabling them to achieve their full potential.

Where investment has been in place in recent years this has significantly enhanced the school estate and has provided learning and teaching benefits (particularly in the context of Curriculum for Excellence) for pupils and staff and related improvements in the services for the wider community. The University of Salfords publication clever classrooms 2015 states that "Differences in the physical characteristics of classrooms explain 16% of the variation in learning progress over a year" with "light, temperature and air quality most influential, accounting for half the learning impact".

The Condition and Suitability Core Facts (2018) has been submitted to Scottish Government for each Moray school and is summarised in Appendix 2. It should be noted that it would require investment in the region of £110 million to bring the existing learning estate up to B condition, B suitability standard.

The Public Sector Building Assessment Sub Group, as part of the Scottish Heads of Property Services, was tasked with updating the processes for assessing both the condition and suitability of buildings. This was as a result of the issues with school buildings in Edinburgh. This new approach was launched in November 2017 following trials in Authorities across Scotland. Moray property officers, would like to participate in this group but this would be subject to availability of resource.

3.5 Developer Obligations

The Council needs to generate obligations to offset the cost of new school construction or school extensions (as a result of pupils generated from new housing). However, the level of obligations can vary depending on development viability. To maximise obligations received, it is essential that the council maintains a robust evidence base on school capacities and school roll projections. These must then inform an approved strategy for the provision of the learning estate in Moray. This requires appropriate levels of staffing to maintain, review and deliver on the Learning Estate Strategy to ensure the evidence base is current and applied consistently.

3.6 Business Planning & Revenue Budget

It is important to consider revenue consequences of investment in the school estate. Given the reduction in revenue budget in the medium term, it is essential that the school estate is fit for purpose and provides best value.

3.7 Summary of Pupil Numbers

The 2018 pupil census shows that there are 7040 primary pupils in 46 schools in Moray. The forecasts indicate that by 2026 this will have increased to 7650 primary pupils. This represents a 8.7% increase in primary aged children.

The September 2018 census indicated there are 5016 pupils in the 8 secondary schools. The forecasts indicate that by 2026 this will have increased to 5942 secondary pupils. This represents a 18.5% increase in secondary school pupils.

School roll figures for each school are shown in Appendix 5

3.8 Ethos and Aspiration

The vision for Children and Young People will be established through our work with the Community Planning Partnership and the Local Outcome Improvement Plan and associated strategies. Community engagement, empowerment and partnership are at the heart of the ethos of Learning Estate Strategy. The learning estate should be seeking opportunities to be community hubs. The estate should be multifunctional and facilitate not only the delivery of education but support the aspirations of the wider community.

4. LESSONS LEARNED FROM ACROSS SCOTLAND

Moray Council is not alone in facing the challenges outlined in this paper.

69 schools have been closed in Scotland since 2016; 6 were previously mothballed, 16 were mergers.

Classifications of these schools were as follows:

- 21 Large Urban
- 23 Other Urban
- 4 Accessible Towns
- 3 Accessible Rural
- 2 Remote Small Towns
- 1 Remote Rural
- 4 Very Remote Small Towns
- 5 Very Remote Rural

Work has been carried out across Scotland to consider experiences of local authorities' progress in modernising the learning estate and ensuring it is fit for purpose and sustainable. It is noted that four other authorities have recently consulted on the principles of school closures and each has decided not to proceed or to be less ambitious. There are lessons within the process to note including:

- Authority reverting to the status quo due to being challenged
- Not being able to demonstrate Educational Benefit of the estate changes
- Role of national elected members and organisations (including Rural School Network) in challenging the process of the consultation.
- The need for an appropriate staffing resource to meet the rigorous demand of the consultation process.

As a result of this, a national officer working group have proceeded to organise meetings with Scottish Futures Trust given their aim of promoting estates changes and separately the Rural Schools Network to establish the best way forward.

It should also be noted that following a statutory consultation regarding school closure, which is not implemented, there is then a five year period during which time no alternatives can be considered.

MORAY PROPOSED APPROACH

5.1 Guiding Principles

Moray Council will adopt the Guiding Principles set out in paragraph 3.1 to provide a learning estate that supports excellence and equity for all, aligns with the national and local strategic plans and policies associated with children and education and considers, placemaking, construction quality, low carbon and digital in designing the most appropriate investment for education in Moray.

5.2 Management

Moray Council recognise that the most significant factor in raising attainment is the Leadership within Education to deliver Curriculum for Excellence and the quality of the learning, teaching and childcare provided. Individual establishments will have a clear vision for their curriculum, underpinned by a shared set of values and taking into consideration the local context. Establishments will offer a range of curricular choices and experiences including using the outdoors.

At a time where greater autonomy in the operation of a school is being placed on the Head Teacher it is critical that the vision for children and young people in Moray, the standards of leadership and the quality of teaching are agreed locally and applied consistently across the learning estate. Schools may offer different curriculum choices, but the quality of educational experience and opportunity must remain high in every school to raise attainment.

Strategic documents which establish the framework of governance and Leadership for Education in Moray.

For Morays Children - Education Vision and Strategy (will be updated 2020)
Getting it Right for Every Child
Curriculum for Excellence
Moray Raising Attainment Strategy 2019
Our Moray Standard - Learning and Teaching

Moray Council Approach – The vision for our Children and Young People, Standards of Leadership learning and teaching quality is set by the Council through a framework of policies and strategy and applied by staff across the whole learning estate and in return the Council will provide an estate that is fit for purpose.

5.3 Learning Estate

The Learning Estate is simply an asset that enables the teaching of our children, it should provide an environment that is fit for purpose, well maintained and equipped for modern standards of teaching meeting the Strategic Principles set out in para 3.1.

The Scottish Government standard categorisation for schools allows for consistent evaluation, monitoring and reporting on the suitability and condition of the school estate across Scotland. This sets out the following standards that are calculated using weighted measure of numerous suitability and condition factors across the property.

Good – Performing well and operating effectively
 Satisfactory – Performing well but with minor problems
 Poor - Showing major problems that impede the delivery of activities
 Bad –Does not support the delivery of services to children and the community

The current assessments for the Learning Estate are shown in appendix 2. It should be noted that the methodology means that even in a school showing a B/B rating there can still be elements of the school that are performing below that level and in some cases these are significant and carry high risk of failure and cost resulting in disruption to the school. For example Greenwards primary has an overall B/B rating but this masks the fact that the roof condition is rated D.

The Council previously had a policy to maintain Schools at a standard of B suitability and B condition. More recently a make do and mend policy has prevented investment in the school estate with the associated deterioration of standards. This ended in June 2019 a new programme for maintenance needs to be developed together with financial provision.

To meet the principles established in para 3.1 any new build or major refurbishment should aspire to deliver an A/A standard for condition and suitability.

In terms of maintenance of the Learning Estate this should provide for maintaining a B standard for suitability and B standard for condition as a minimum as anything lower can reduce flexibility in teaching approaches. Head Teachers and Teachers are held accountable for the leadership and quality of teaching in our schools the Council must therefore provide them with the tools necessary to teach in order to ensure quality of teaching.

Moray Council Approach – New builds and major refurbishment will aspire to achieve a standard of A for Suitability and Condition and we will maintain the Learning Estate at no lower than a B standard for Suitability and Condition across all elements. The Suitability and Condition standard will be measured using the standard Scottish Government methodology which requires appropriate investment.

Monitoring and evaluation of suitability and condition in each school will be undertaken on a 5 year rolling programme (20% per annum).

5.4 School Roll Evidence Base

School roll projections are produced and published 6 monthly. They assist with long term planning and monitoring of school rolls and impacts on the learning estate and can be used to enable action to be taken to address capacity issues.

The current methodology for School roll projections for primary and secondary schools was approved in October 2006, for primary schools capacity is calculated by taking the teaching provision space in the school, removes the space taken up by fixed furniture and divides the space by $1.5 \, \mathrm{m}^2$ to give a max pupil number per classroom. This gives the Physical capacity of the school. This capacity is then reviewed annually to take account of actual pupils and their age groups and maximum class sizes for P1, P2 and composite classes which would normally result in a lower functional capacity figure for the year. New schools are assessed to the new 2014 guidance.

In 2014 the Scottish Government produced new guidance to standardise capacity calculation across Scotland. This guidance suggest taking teaching space and dividing by 1.7m² and providing the class size maxima to provide a Planning Capacity which can be used for the medium to long term planning of the Learning Estate. It goes on to provide for a Working Capacity to be calculated each year to give the necessary flexibility to deal with fluctuations in numbers and age groups and maximum class sizes, this allows the 1.7m² to be reduced to 1.5m² which provides for increased numbers over the planning capacity in any given year. For many of our schools the class size maximum is the determining factor for Planning/Physical capacity with many rooms theoretically having greater than the maximum class size allowed.

The current class size maxima is:

 Primary 1
 25

 Primary 2 and 3
 30

 Primary 4 – 7
 33

 Composite class
 25

Special schools and units **6-10** (dependent on need)

The secondary school methodology is more complex and remains unchanged, capacities can be adjusted through timetabling as well as more traditional methods of rezoning, reconfiguration, extension and capping placement requests.

Our school roll and school capacity figures have been used to plan for rezoning, new schools and extensions and also as a justification for reviewing schools with under occupancy. The result of the change to the methodology would be to lower the Physical/Planning Capacity figure in some schools which would give an earlier indication of schools facing over capacity issues allowing them to be addressed timeously and it would also increase the occupancy levels for some of those schools facing falling school rolls. Due to class size maximum numbers the overall impact is not likely to be significant as in many schools the space available exceeds the maximum class size, but it allows for consistent and standard methodology across the school estate.

The Commission on the Delivery of Rural Education recommended in 2013 that a standardised approach to school capacity calculation should be introduced and noted that low school occupancy or capacity figures had little place in the assessment of viability of small rural schools and where real spare capacity in terms of building space occurs it would be better to find alternative service or community uses for the space.

A further factor in the evidence base is the growth rate predicted from housing new builds, these figures come from the annual Housing Land Audit, analysis of trends show that the first two years of prediction are accurate, but that in Elgin and Forres predictions for years 3 and beyond tend to be overestimated and it would be better to take a prediction of 75% of the housing growth rate beyond year 2 in these areas for school planning purposes to provide a greater confidence level in school roll prediction.

It can be useful to forecast beyond the current 7 years, however the accuracy of forecast beyond year 7 becomes less reliable and sensitivity analysis would be needed to give levels of confidence in any projections.

The Moray Approach – The methodology from the 2014 guidance on determining primary school capacity will be adopted across the learning estate, secondary school capacities will continue with the current methodology.

Housing Land Audit and trends will be assessed annually by Planning with recommendations on the figures to be used for the purposes of School roll projections based on trends and market analysis.

School roll forecast will continue to be produced 6 monthly providing an evidence base for strategic planning of the school estate, ensuring efficient operation and delivery of functions and for the collection of developer obligations.

Sensitivity analysis on longer term projections will be carried out to give greater confidence in forecast levels to enable long term planning through the local development plan and wider community infrastructure provision.

Maximum class sizes in Moray will be 25 for P1 and composite classes, 30 for P2 and P3 and 33 for P4 to P7

5.5 Prioritisation

25 Primary Schools fall below the B/B standard for suitability and condition, 6 Secondary Schools fall below the B/B standard for suitability and condition, there is an identified need for new primary schools to accommodate growth over the next ten years.

53.64% of our pupils currently learn in premises that fall below B/B standard. The current backlog in maintenance required to bring all premises to a B/B standard is £110 million (based on 2013/14 condition surveys), the Council financial forecasts (10 year Capital Plan) only allows for £78 million to be spent over the next ten years to address this plus £40 million for two new primary schools to provide for growth.

There will be within the 10 year timeframe a need for additional capacity in Forres and Buckie for Primary pupils and additional capacity for secondary pupils in Elgin that does not form part of the current Capital Plan and therefore not yet accounted for in the Councils financial forecast and planning.

Addressing the backlog of maintenance and providing for new school capacity has to be resourced. Scottish Government have announced a new funding round and model of funding that will become available and may assist in addressing the financial challenge being faced.

This funding seeks to ensure a B/B standard is maintained over a 25 year period for any school funded and looks to take a more strategic approach to the Learning Estate and working with partners to provide greater community use and facilities at these sites.

Staffing resources for the strategic planning of the learning estate have been inadequate and require to be funded. However when faced with financial challenges it is not possible to move forward with all options for the school estate at one time and therefore the strategy must be prioritised.

The area of the Learning Estate that must be delivered by the Council to ensure education provision is the delivery of new schools, extensions, re-zoning etc to ensure we have sufficient capacity to teach the Pupils in the areas of growth.

This means that the initial focus must be in the areas Elgin, Buckie and Forres where there is a need for new build capacity. This must include full consideration of the existing school estate in the areas, school roll, growth rates, school condition and suitability, timing of development and opportunities for Community hubs and 3-18 Campus development etc.

There is a need for a lifetime maintenance plan for every Learning Estate property and this should inform the strategic option appraisals for all new development allowing consideration of ongoing maintenance and operation costs of the existing estate to be considered alongside options for new build and major refurbishments.

There will be ongoing maintenance issues given the backlog of investment, this will result in some properties failing and forcing immediate consideration of alternative options. This must not become part of the Councils planning process to allow schools to fail to force a review and would be avoided with a lifetime maintenance plan and appropriate investment. Head Teachers can use Devolved School Management Budgets for the purposes of building improvement and repair or replacement of fixtures and fittings but this must be done with the approval of Property Services to ensure work carried out is compliant and does not jeopardise the occupants or the estate.

The lifetime maintenance plan must be informed by longer term strategic planning on the Learning Estate to avoid unnecessary maintenance spend, we cannot afford to maintain schools to a high standard if they are to be replaced within a seven year timeframe and maintenance plans should be adjusted to reflect the strategic plans of the Council. However in doing so the strategic plans have to become more robust with greater certainty of process and delivery.

The Moray Approach – We will prioritise reviews in the areas where there is a need for significant financial investment to ensure value for money and appropriate planning, consultation, project management and delivery.

A lifetime maintenance plan will be developed by Property Services for all Learning Estate properties to maintain them at a B/B minimum standard and to reflect the strategic plan and ensure best value. This is a standard that aims to deliver a minimum B standard across all building elements for suitability and condition. (note: financial implications for Capital Plan)

The Capital Plan must reflect the policy for a minimum B/B standard.

The programme to achieve B/B standard will reflect financial and staffing capacity and may take 10 years or longer to achieve.

Head Teachers may use Devolved School Management budgets for the purposes of estate improvement and repair to buildings, but all such works will be instructed through Property Services.

5.6 Methodology

Decisions on the school estate will be based on robust evidence that is maintained, evaluated and analysed and will include, school roll forecasts, housing land audit, developer obligations, whole life costing, maintenance costs, budgets, quality assurance data including attainment levels, suitability and condition.

At a time of significant change within the Council it is important that the staff and processes that inform this evidence base are retained and the capability and expertise is not lost. This includes the staffing resource in Education, Strategic Planning and Development, Research Information Officer and Housing and Property. A reduction in the quality or availability of the evidence base will undermine the strategy and the ability to obtain income from Developer Obligations.

The rigour required to comply with the consultation processes stipulated under the Schools (Consultation) Act 2010 should not be underestimated and requires to be resourced and maintained within the Council as part of the Learning Estate Strategy delivery team.

Consultation is required wherever proposals:

- discontinue permanently a school (this includes special schools and nursery schools) or a stage
 of education in a school (this includes years in a secondary school or a special class in a
 mainstream school or where the council proposes to discontinue Gaelic medium provision);
- establish a new school or stage of education in a school;
- relocate a school or nursery class;
- vary the catchment area or modify the guidelines for placing requests for a school;
- vary the arrangements for the transfer of pupils from a primary school to secondary school;
- change the school commencement date of a primary school;
- vary arrangements for the constitution of a special class in a school other than a special school;
- discontinue arrangements for the provision of transport by the council for pupils attending a denominational school;
- change a denominational school into a non-denominational school; and
- discontinue a further education centre which is managed by the council.

The Consultation process can take up to 18 months, the project planning and delivery for a new school can take 5 years to allow for full option appraisal, business case, procurement, construction and commissioning. If you add to this the complexity of Scottish Government funding and the timing and availability of funds it is essential that resources to identify the need, appraise options, consult and commission are in place to allow early development to the point of being shovel ready to maximise any funding options from Government or Developer Obligations.

Sufficient staffing resource between Education and Property services for the early identification and planning of proposals is essential to effectively plan for a programme of work in excess of £100 million.

The decision making process and hierarchy associated with schools nearing capacity is shown in Appendix 4 and should be used to identify options for appraisal. Option appraisal should take account of the Principles established in para 3.1 and objectives in para 3.2 when establishing the project objectives.

When a suitable shortlist of options is established for each project information should be gathered on :

- > contribution to the achievement of objectives
- > learning and teaching benefits
- > initial capital expenditure
- > any capital receipts
- > whole life capital and revenue costs
- > any expected income generated over the whole life of the asset
- > likely impacts on day-to-day activities of existing facilities during project implementation
- > design quality issues
- > environmental impacts
- > any other impacts.

This allows assessment against the project objectives and benefits to identify the preferred option, analyses of options and allow consultation and reporting and planning. The process is set out in Option Appraisal: Building our future – Scotlands School Estate 2004 by Scottish Futures Trust and should form the basis of our process for better Strategic planning and delivery of the school estate.

High level options for each Associated School Group based on current information from School roll projections, maintenance costs and growth projections are shown in Appendix 6. These give an indication of the types of options that may form part of an option appraisal process when developing a business case for significant investment in the Learning Estate. As previously stated the priority is for the areas of Elgin, Buckie and Forres where there is a need to provide additional school capacity.

When considering schools with falling school rolls and ongoing costs from a maintenance and value for money perspective particularly in rural areas it is suggested that the decision making chart in Appendix 7 is used to assist in identifying options for consideration in the appraisal process.

The Moray Approach -

Two new posts to be established under the Head of Education and Resources to undertake the work on Strategic Planning of the Learning Estate, Option appraisals, Development of Proposals, Consultation, business case and commissioning, rezoning and participation in the production of the evidence base and provision in the Local Development Plan.

Implementation of the proposed change management plan for property services to take on the School Estate capital and maintenance work and develop lifetime maintenance plans.

We will utilise a programme management process (treasury green book or equivalent) including option appraisal and business case development that will provide early identification of need to inform the capital plan and maintenance programmes for the Learning Estate in a robust manner.

An optimism bias should be used when developing a school estate project.

Moray will develop a standard approach to school design to provide the necessary teaching environment consistently across the area and manage design and construction costs, this will enable optimum teaching methods and use of the buildings ensuring an excellent educational experience and will include consideration of the Placemaking, Construction Quality, Low Carbon and Digital as required by the Scotlands Estate Strategy. The design standard will consider the recommendations and checklist of Salford University - Clever Classrooms (2015) as shown in Appendix 7.

We will seek to address the spare building capacity associated with under occupancy in schools below 60%, by considering options to increase the school roll, Community/Services uses and redesign prior to considering options for merger and closure. (Note:- This does not impact on consideration of closure and merger for reasons other than capacity such as those relating to Educational Benefit.)

We will work with Community Planning Partners and across services through the Infrastructure Planning Group to identify the estate need and opportunities for collaboration and Community Hubs.

We will align the delivery and strategies associated with Early Years and ASN provision with the Learning Estate Strategy.

An annual report on the Learning Estate Strategy will be produced to monitor progress and delivery.

5.7 Next Steps - Stage one

- 1 Briefing to all elected members January/February 2020
- 2 Implement change management plan within property services. December/March 2019/20
- 3 Report to Committee of draft Strategic Approach to a Learning Estate Strategy Document March 2020
- 4 Appropriate Heads of Service meet with Parent Council Chairs February March
- 5 Hold engagement meetings and consultation with head teachers and parent councils, to discuss and present the current situation and approaches to enhance the learning estate. March - June 2020
- 6 Appointment of two Learning Estate Delivery Officers April 2020
- 7 Review Inveravon Primary (currently mothballed)
- 8 Sensitivity analyses on long range forecast April 2020
- 9 Feasibility study on timetabling and reconfiguration at Elgin Academy to increase capacity February/March 2020
- 10 Embed new infrastructure approach across Community Planning Partners to identify opportunities for Community Hubs and inform option appraisals. – March/ April 2020
- 11 Assess Early Years and Additional support needs strategies to align with the Learning Estate. September – April/May 2020

5.8 Stage Two

Option appraisal and business case development for each ASG with the order of priority addressing the critical issues in Elgin, Forres and Buckie, followed by Keith, Milnes, Lossiemouth and Speyside.

This is a significant piece of work that will take two members of staff more than 5 years to complete as it would include option appraisal, assessment and analysis, consultation and business case development. Urgent appraisal is needed to address primary and secondary capacity in Elgin.

This will require consideration of School roll forecasts, educational factors, community involvement, community impacts, placement requests, transport, community planning opportunities and requirements, rural sustainability, development of proposals and consultation.

January 2020 - Ongoing

5.9 Stage Three

As each option appraisal is assessed and a preferred option becomes apparent, this will continue through the appropriate committee reporting structures, proposal development and consultation processes as required.

Ongoing

Scotland's Learning Estate Strategy 2019

SCOTTISH GOVERNMENT VISION -

"Our vision is a Learning Estate which supports Excellence and Equity for All."

The Learning Estate Strategy Guiding Principles are:

- 1. Learning environments should support and facilitate excellent joined up learning and teaching to meet the needs of all learners;
- 2. Learning environments should support the wellbeing of all learners, meet varying needs to support inclusion and support transitions for all learners;
- 3. The learning estate should be well-managed and maintained, making the best of existing resources, maximising occupancy and representing and delivering best value;
- 4. The condition and suitability of learning environments should support and enhance their function;
- 5. Learning environments should serve the wider community and where appropriate be integrated with the delivery of other public services in line with the place principle;
- 6. Learning environments should be greener, more sustainable, allow safe and accessible routes and be digitally enabled;
- 7. Outdoor learning and the use of outdoor learning environments should be maximised;
- 8. Good consultation about learning environments, direct engagement with learners and communities about their needs and experiences, and an involvement in decision making processes should lead to better outcomes for all;
- Collaboration across the learning estate, and collaboration with partners in localities, should support maximising its full potential;
- 10. Investment in Scotland's learning estate should contribute towards improving learning outcomes and support sustainable and inclusive economic growth.

Meeting our Education Policy ambitions

Delivering the Learning Estate Strategy must be firmly aligned to the policy aims set out in the National Improvement Framework (NIF) of achieving excellence and equity for all children and young people and closing the poverty related attainment gap.

Our learning estate should support the three key national education and skills priorities:

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

Our learning estate should also support the following strategies and priorities:

- Learner Participation in Education Settings
- Scottish Attainment Challenge
- STEM strategy
- Digital Learning and Teaching Strategy for Scotland
- Skills based learning
- Educational and vocational pathways
- 15-24 Learner Journey Programme
- Gaelic Education Development
- Learning for Sustainability
- Out of School Care development
- Community Learning and Development
- Learning Together
- Long Term Vision for Active Travel in Scotland
- The National Walking Strategy
- Cycling Action Plan for Scotland
- A Connected Scotland
- The Climate Change Plan / The Scottish Climate Change Adaptation Programme support sustainable and inclusive economic growth.

Enhancing Quality in the Learning Estate

In addition to improving the quality of internal spaces, there are opportunities to further enhance the quality of the learning estate.

Placemaking

Investment in the learning estate offers the opportunity for a place based approach to improve local outcomes, co-ordinating and integrating local services to support communities and progress the public sector reform agenda. The Place Principle (adopted by the Scottish Government in March 2019) which promotes a shared understanding of place and the need to take a more joined up collaborative approach to services and assets within a place to achieve better outcomes. The lens of place supports a more coherent approach across portfolios to ensure strategies and policies are aligned and helps us consider the impact of policies, interventions and investments as a whole. For capital budgets this means identifying and prioritising the right projects to achieve the goals of the principle and other government objectives. The Place Principle is an enabler which helps us, our partners and local communities unlock the National Performance Framework and make it applicable to where and how we live and work.

Construction Quality

In recent years there have been some examples of poor quality construction in the school estate. The heavily publicised incident at Oxgangs Primary School in Edinburgh placed a focus on the quality of the built environment.

It is essential that any new investment in the learning estate must be of the highest quality in terms of both design and construction. We will work with our partners including Scottish Building Standards and across the construction industry to support a focus on improvement.

The recommendations from the Independent Inquiry into the Construction of Edinburgh Schools (Cole Report), the Scottish Parliament Education and Skills Committee's Report on School Infrastructure and the Construction Procurement Review should be incorporated into planned investment.

Low Carbon

The Scottish Government has an ambitious climate change policy target for all buildings in Scotland to be near zero carbon by 2050. Reaching this target will require a change in attitude towards energy, particularly in relation to new buildings. Increasing energy efficiency in building performance must be amongst the core objectives of all new infrastructure projects for these ambitious targets to be achieved. Achievement of these core objectives needs strategic level support and should be incorporated into planned investment.

Digital

New forms of service delivery, and new and agile forms of learning enabled by digital technology allow integration of learning experiences and the creation of new and diverse skills. The use of digital as part of the planning of the future estate, and future strategies for learning and community use should be incorporated into planned investment.

There are a number of drivers for developing our digital ambitions including increasing digital content and approach to the learning environment along with a desire for developing opportunities for remote learning and helping to widen access to learners in rural areas. Children and young people have to be exposed to a high standard of digital technology to prepare them for work.

SUMMARY OF CONDITION AND SUITABILITY

C B A B B B B B B B B B B B B B B B B B	ВСССАС
A B A B B B B B B	С С В С В С С
B A B B B B B B	С В С В С С
A B B B B B	В С В С С
B B B B	С В С С
B B B	B C C
B B A B	C C A C
B A B B	C A C
A B B	A C
B B	С
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A	А
В	В
Α	A
В	В
В	В
В	С
В	С
В	С
Α	В
В	С
В	С
В	В
	С
В	С
	B B B B B B B B B B B B B

School	Suitability	Condition
Keith Grammar	В	С
Botriphnie Primary School	В	В
Crossroads Primary School	В	С
Keith Primary School	A	A
Newmill Primary School	В	В
Rothiemay Primary School	В	В
St Thomas Primary School	В	С
Lossiemouth High School	A	А
Burghead Primary School	В	С
Hopeman Primary School	В	В
Hythehill Primary School	В	С
St Gerardines Primary School	В	В
Milnes High School	В	С
Lhanbryde Primary School	В	В
Milnes Primary School	В	В
Mosstodloch Primary School	В	С
Speyside High School	В	С
Aberlour Primary School	В	В
Craigellachie Primary School	В	В
Glenlivet Primary School	В	С
Inveravon Primary School	В	С
Knockando Primary School	В	С
Mortlach Primary School	В	С
Rothes Primary School	В	В
Tomintoul Primary School	В	С

GEOGRAPHICAL CLASSIFICATION OF PRIMARY SCHOOLS AS ADOPTED BY THE SCOTTISH GOVERNMENT

Classification by SEED	Application Within Moray
"Large Urban Areas" (settlements over 125,000)	
"Other Urban Areas" (settlements of 10,000 to 125,000)	Andersons Primary School Applegrove Primary School Bishopmill Primary School East End Primary School Elgin Academy Elgin High School Forres Academy Greenward Primary Linkwood Primary New Elgin Primary Pilmuir Primary Seafield Primary St Sylvesters Primary RC West End Primary
"Accessible small towns" (settlements of between 3,000 and 10,000 and within 30 mins drive of a settlement of 10,000 or over)	Hythehill Primary St Gerardine Primary
Accessible Rural Areas" (settlements of less than 3,000 and within 30 mins drive of a settlement of 10,000 or more)	Aberlour Primary Alves Primary Burghead Primary Craigellachie Primary Dallas Primary Dyke Primary Gordonstoun School Hopeman Primary Kinloss Primary Lhanbryde Primary Logie Primary Lossiemouth High School Milnes High School Milnes Primary Mosstodloch Primary Portgordon Primary Rothes Primary Speyside High School

"Remote Small Towns"

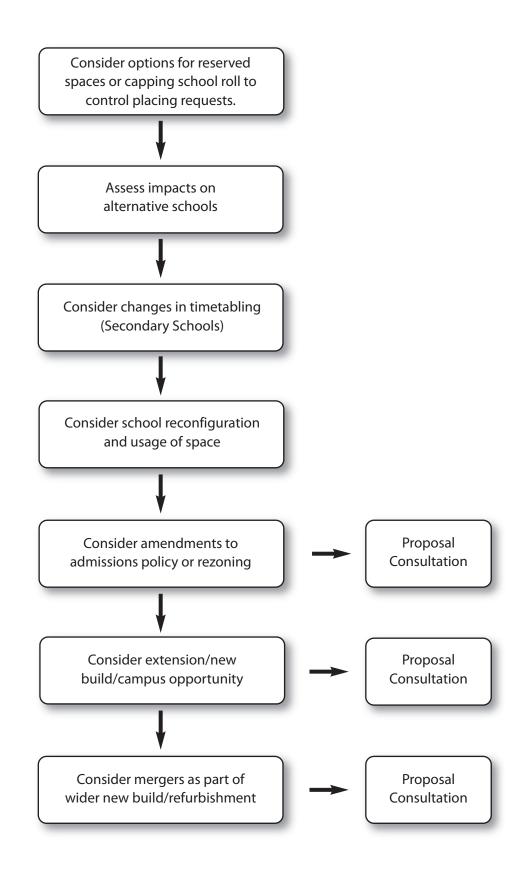
- Remote small town (settlements with population between 3,000 and 9,999 and more than 30 minutes drive from a settlement with a population of 10,000 or more) Buckie High School
Cluny Primary School
Keith Grammar School
Keith Primary School
Millbank Primary School
Portessie Primary School
St Peter's RC Primary School
St Thomas RC Primary School

"Remote Rural Areas"

- Remote rural (areas with a population of less than 3,000 and more than 30 minutes drive from a settlement with a population of 10,00 or more)

Botriphnie Primary School Crossroads Primary School Cullen Primary School Findochty Primary School Glenlivet Primary School Knockando Primary School Mortlach Primary School Newmill Primary School Portknockie Primary School Rothiemay Primary School Tomintoul Primary School

School roll forecast exceeding capacity.



School Roll-2019 Forecast

School	Capacity (Functional for Primary Schools)	2019 numbers	Occupancy %
Buckie High	944	755	80%
Cluny	399	360	90%
Cullen	177	115	65%
Findochty	150	72	48%
Millbank	409	228	56%
Portessie	160	111	69%
Portgordon	125	44	35%
Portknockie	150	71	47%
St Peters	125	122	98%
Elgin Academy	1,224	1,036	85%
Bishopmill	404	388	96%
East End	256	172	67%
Seafield	477	354	74%
St Sylvesters	242	144	60%
West End	267	222	83%
Elgin High	899	682	76%
Greenwards	434	352	81%
Linkwood	375	154	40%
Mosstowie	75	65	87%
New Elgin	578	480	83%
Forres Academy	1,121	797	71%
Alves	100	74	74%
Applegrove	436	279	64%
Andersons	325	246	76%
Dallas	50	26	52%
Dyke	100	69	69%
Kinloss	276	243	88%
Logie	75	28	37%
Pilmuir	242	161	67`%

School	Capacity (Functional for Primary Schools)	2019 numbers	Occupancy %
Keith Grammar	553	406	73%
Botriphnie	50	22	44%
Crossroads	50	16	32%
Keith Primary	400	308	77%
Newmill	75	72	96%
Rothiemay	75	62	83%
St Thomas	75	60	80%
Lossiemouth High	694	485	70%
Burghead	157	119	76%
Hopeman	286	156	55%
Hythehill	365	321	88%
St Gerardine's	347	312	90%
Milnes High	625	408	65%
Lhanbryde	284	179	63%
Milnes Primary	272	184	68%
Mosstodloch	276	159	58%
Speyside High	562	390	69%
Aberlour	182	129	71%
Craigellachie	75	38	51%
Glenlivet	42	18	43%
Knockando	75	47	63%
Mortlach	183	135	74%
Rothes	175	91	52%
Tomintoul	75	29	39%

Indicative options for appraisal

1 Buckie ASG

Buckie ASG is expected to experience growth in the South West of the town between now and 2035, Cluny primary is expected to hit capacity issues by 2022 and solutions would need to be in place to cope with growth. Buckie High School is B condition and C suitability although an overall B suitability could be achieved with some refurbishment, opportunities surrounding new build, shared hub facilities and potential Campus solution need to be considered in conjunction with the option appraisals for Cluny and St Peters primaries. Option appraisals for schools need to consider increase in capacity requirements, rezoning, refurbishment, new build, potential for merging and campus models.to address these issues and meet the objectives of the strategy.

2 Elgin Academy ASG

Elgin Academy ASG is expected to experience growth in the North at Findrassie between now and 2035, Bishopmill primary is already at capacity with restrictions on placement requests. Elgin Academy is a PPP school and is in good condition and does not experience the same recruitment issues as other schools as a result, there is a need to provide for increased primary capacity and increased secondary capacity with a new school planned for Findrassie in 2023. Option appraisals for schools need to consider increase in capacity requirements, rezoning, refurbishment, new build, potential for merging and campus models to address these issues and meet the objectives of the strategy. There also needs to be a review of the capacity calculation formula for secondary schools.

3 Elgin High ASG

Elgin High ASG is expected to experience growth in the South and West at Bilbohall between now and 2035. The new school at Linkwood is in the process of being developed for 2019/20 which will relieve capacity pressures at New Elgin. Elgin high is expected to need an extension by 2025 along with Elgin Academy, and Greenwards capacity requires solutions prior to a new school at Glassgreen being built in 2028 and may require Glassgreen to be brought forward. Option appraisals for schools need to consider increase in capacity requirements, rezoning, refurbishment, new build, potential for merging and campus models to address these issues and meet the objectives of the strategy

4 Forres ASG

Forres ASG is expected to experience growth in the East of the town between now and 2035. Forres Academy is not predicted to have capacity issues or major change and could be prioritised in terms of delivery with an option of a 2-18 campus. Kinloss is experiencing capacity issues now and requires review, Pilmuir is expected to need an extension in 2023 and requires significant refurbishment. Option appraisals for schools need to consider increase in capacity requirements, rezoning, refurbishment, new build, potential for merging and campus models to address these issues and meet the objectives of the strategy.

5 Keith ASG

Keith ASG is not predicted to experience capacity issues but a number of schools are operating significantly under capacity. Option appraisals for schools need to consider rezoning, refurbishment, new build, potential for merging and campus models to address these issues and meet the objectives of the strategy.

6 Lossiemouth ASG

Lossiemouth ASG is not predicted to experience capacity issues. Option appraisals for schools need to consider refurbishment, and new build.

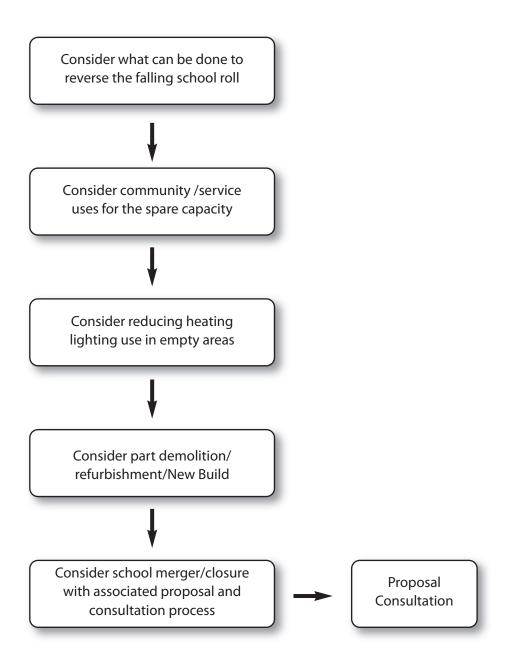
7 Milnes ASG

Milnes ASG is not predicted to experience capacity issues although we do expect small scale growth in Mosstodloch, Fochabers and Lhanbryde. Option appraisals for schools need to consider refurbishment, new build, potential for merging and campus models.

8 Speyside ASG

Speyside ASG is not predicted to experience capacity issues but a number of schools are operating significantly under capacity. Option appraisals for schools need to consider rezoning, refurbishment, new build, potential for merging and campus models to address these issues and meet the objectives of the strategy.

School roll forecast falling below 60% capacity



University of Salford Clever Classrooms

Checkpoints for Designers

Naturalness	Light	 Advice here is given for UK latitudes but similar considerations will be needed for other locations. Sun glare is more of a problem now because of the use of computer projectors. Large glazing is welcomed when it is towards the North, East or West which receives abundant daylight and has a low risk of glare during the normal hours of occupation. Oversize glazing should be avoided when the room is orientated towards the sun's path and in this situation external shading should be provided. High quality electrical lighting is essential to provide a natural light alternative
	Air Quality	 Big window opening sizes and at different levels, provide varying ventilation options. Controls should be easy to access and use. Where possible, increasing the ceiling height can mitigate air quality issues because of a larger classroom volume, but effective ventilation is still needed. Mechanical ventilation may sometimes be necessary if window options are reduced owing due to noise or security reasons. An air quality monitor in the room can indicate a problem to the occupants. Air cooling (but not renewal) can mask poor air quality and create cold spots.
	Temperature	 Radiators with thermostats in each room give users better opportunities to dynamically maintain the temperature at a comfortable level. Underfloor heating systems have merits, but lack of individual room controls and response lags need very careful consideration. For those classrooms facing towards the sun's path, an external shading device is needed to combat unwanted sun heat.
	Sound	 Schools should be sited away from busy roads or neighbourhoods, or orientated to mitigate problems. Planning measures can integrate site features, such as embankments, to diminish the intrusion of noise. If these are covered with plants, then the noise can be further reduced. Sensitive spaces, such as classrooms can be carefully separated from noisy areas using buffer zones such as toilets, storerooms or corridors.

	Links to Nature (Secondary Factor)	 Where possible, the view through the window should be plentiful, providing a wide-field vision of landscape and green areas. The windows sills need to be at or below the children's eye level. A door directly towards an external play area can give pupils easy access to nature.
Individualisation	Flexibility	 Breakout space attached to the classroom is good for one-to-one and small group support. A widened corridor adjacent to the classroom should be used for storage so releasing valuable classroom space. A more complex floor plan provides options for activity areas for younger children (KS1). A larger area, with a simpler shape, is appropriate / more flexible for older children (KS2). A big wall area (excluding window and door areas) for display is desirable
	Classrooms	Classrooms should have individual distinctive design characteristics; for example a distinctive shape (L shape; T shape), an added design element (embedded shelf for display, low height window), a distinctive ceiling design or a distinct location, (separate buildings).
	Connections (Secondary Factor)	 Wider corridors with distinctive features allow safe and easy movement. Views to the outside from the corridor can improve pupils' orientation around the school. Siting library facilities, in corridors or atria, where they become part of the natural flow of the school, appears to be beneficial for Reading progress.
Stimulation- appropriate level of	Complexity	 Choices in the shape and form of the classroom floor plan can be used to create visual interest. A balance between a space that is too boring and too complex is needed while considering the functionality of the space.
	Colour	 Light walls with a feature wall, highlighted in a brighter colour, create an appropriate level of stimulation. Bright colours on furnishings, e.g. floors/carpets, shading coverings, desk and chairs can be introduced as accents to the overall environment.

Checkpoints for Teachers

	Γ	1
Naturalness	Light	 Keeping glazing clear, by minimizing occlusion of the windows can maximise environmental benefits from natural light. Access and active use of the blinds/curtains is needed to address problems with glare. Careful siting of high power projector to minimise need to close blinds. Shrubs or planters placed outside south-facing windows can reduce glare.
	Air quality	 A typical classroom with thirty pupils will normally need active ventilation within a 1 hour lesson. Avoiding obstructing access the window openings is important. Excess CO2 can cause drowsiness and inattention and a CO2 meter in the classroom can give teachers an indication of an air quality problem.
	Temperature	 If local temperature control is possible (using a thermostat) the classroom should be kept cool, but comfortable, for optimum learning conditions. If sun heat gain is a problem and there is no external shading, then active use of blinds and ventilation is essential to mitigate the problem.
	Sound (Secondary Factor)	 The effect of adding sound-absorbing treatment to rooms is significant. Soft furnishings and posters are good sound absorbers. Rubber feet on movable furniture can buffer any noise generated, if maintained. Small carpeted can make a positive difference to noise attenuation.
	Links to Nature	 Views through windows of green areas, thought to be of benefit, can be hindered by occlusion by window displays and furniture. Natural elements in the classroom such as plants, wooden chairs and /or desks allow pupils to experience natural elements.
Individualisation	Flexibility	 Well-defined and age appropriate learning zones are important to facilitate learning. Younger pupils need several well-defined zones for play-based learning activities. For older pupils simpler space configurations support more formal teaching. Lower height furniture provides more wall area available for varied displays.

	Ownership	 A classroom that includes pupil-created work in displays will provide a sense of ownership. A classroom that is distinctly different (using displays) creates a sense of familiarity. Allowing pupils to personalise aspects of the classroom, such as lockers, coat pegs or drawers, creates a sense of belonging. Quality ergonomic furniture and equipment can be used to create a child centred space.
	Connection (Secondary Factor)	 Ideally corridors should be kept sufficiently clear for ease of circulation. Distinctive displays outside the classrooms or at junctions create orienting landmarks and avoid an institutional-style effect. "Corridor libraries" are both orienting and a good use of wide corridors spaces.
Stimulation – appropriate level of	Complexity	 A mid-level of Complexity is sought for an effective learning environment. Displays should be designed to provide a lively sense to the classroom, but without becoming chaotic. As a rule of thumb 20-50% of the available wall space should be kept clear. In deciding how much extra visual complexity to introduce, the basic characteristics of the room should be taken into account.
	Colour	 A mid-level of stimulation overall is sought for an effective learning environment. First assess the colour elements in place that cannot be readily changed Then decisions can be taken about how much bright colour should be introduced into other aspects The aim is increase stimulation in a dull classroom, or reduce it if it is already too bright.