

Agenda Item	13.
Report No	CLH 69/19

## HIGHLAND COUNCIL

**Committee:** Care, Learning and Housing

**Date:** 10 October 2019

**Report Title:** Highland Council School Admissions Policy

**Report By:** Chief Executive

### 1. Purpose/Executive Summary

- 1.1 This report proposes the adoption of a formal Highland Council policy statement on the criteria for school admissions, that policy refining current practice and existing information and guidance, and providing clarity to parents at enrolment time.

### 2. Recommendations

- 2.1 Members are asked to:
- i. Approve the Policy at Appendix A.
  - ii. Note the content of the updated leaflet for parents at Appendix B.

### 3. Implications

- 3.1 Resource – None.
- 3.2 Legal – S.1 of the Education (Scotland) Act 1980 specifies that it is the duty of every local authority to secure adequate and efficient provision of education in their area. S.28B of the same Act requires local authorities to formulate guidelines to be followed by them as respect placing in schools, and to publish those arrangements. S.28A of the 1980 Act also requires local authorities to comply with a written request from a parent to place their child in the school specified in the request, except in certain defined circumstances. Such requests are referred to “placing requests”.
- 3.3 Community (Equality, Poverty and Rural) – None.
- 3.4 Climate Change / Carbon Clever - None
- 3.5 Risk - None
- 3.6 Gaelic – The policy statement covers the placing of children in Gaelic Medium Education.

## **4. Background**

4.1 The Council's current arrangements around school enrolment are set out on the website in the document "Enrolling Your Child for School", which provides information on enrolment dates, enrolment methods, deferred entry and other issues. Additionally, the document "Parental Choice – School Placing Requests" provides advice on our criteria for school admissions. The proposed Policy statement consolidates the above guidance and recommends some limited revision to the current criteria for admissions and the granting of placing requests.

4.2 Currently the admissions criteria set out in the Placing Requests Leaflet are as follows:

Deciding on an admission takes into account the following issues in order of priority:

1. Pupils living within the Highland Area
2. Pupils living within the geographical catchment of the school concerned
3. Certified medical reasons or additional support needs which could best be served in that school
4. Siblings of pupils currently in attendance at the school
5. Religious belief (denominational schools only)
6. Educational courses not available at catchment area school
7. Attendance at associated primary school. (S1 requests only)
8. Proximity of home to school
9. Road safety/ease of travel

## **5. Proposed Revisions**

5.1 In common with other Scottish local authorities, school enrolment in Highland is based on the principle of catchment areas. In the context of Placing Requests, point 2 of the criteria set out in paragraph 4.2 above can safely be removed, since a child attending their catchment school does not need to make a placing request. Furthermore, point 1 of the current criteria is not required alongside point 2, since a child living within the catchment of the school concerned will by definition also be living within Highland.

## **6. Policy Statement and Revised Advice to Parents**

6.1 The draft Policy statement at Appendix A makes it clear that school enrolment in Highland is based on the principle of residence within the geographical catchment of the school concerned. In the case of pupils attending Gaelic Medium education, this will be the defined Gaelic Medium catchment area.

6.2 Additional arrangements are made for the 3 special schools and 3 denominational schools in Highland. None of these schools have defined catchment areas.

6.3 School enrolments not covered by the criteria set out above will be subject to the placing requests process. Decisions on precedence amongst placing requests will follow the criteria set out at paragraph 1.2 of Appendix A.

6.4 The remainder of the draft Policy at Appendix A covers the reasons for refusing a placing request, timescales, the appeals process, and other detailed matters.

6.5 A revised version of the advice to parents has also been prepared to reflect the Policy, and this is attached at Appendix B.

Designation: Chief Executive

Date: 13 September 2019

Author: Brian Porter, Head of Resource and Ian Jackson, Education Officer

Background Papers: Appendix A – Draft Policy  
Appendix B – Draft Advice to Parents on Placing Requests

## HIGHLAND COUNCIL – POLICY ON CRITERIA FOR SCHOOL ADMISSIONS

### 1. How Decisions on Admissions are Made

- 1.1. A decision on admission takes into account the following issues in order of priority:
- i. Pupils living within the geographical catchment of the school concerned, or pupils seeking Gaelic medium education living within the Gaelic Medium catchment of the school concerned.\*
  - ii. A local authority placement for any reason (e.g. certified medical reasons or recognised additional support needs which could best be served in that school; or because of capping of intake in the catchment school).
  - iii. Religious belief (denominational schools only).
- 1.2 School enrolments not covered by the above criteria will be subject to the placing request process. Decisions on precedence amongst placing requests takes into account the following issues in order of priority:
- iv. Pupils living within the Highland area.
  - v. Certified medical reasons or recognised additional support needs which could best be served in that school.
  - vi. Siblings of pupils currently in attendance at the school.
  - vii. Pupils living within the catchment area of a school which is not the subject of the placing request where the intake is capped.
  - viii. Attendance at associated primary school. (S1 requests only)
  - ix. Proximity of home to school.
  - x. Road safety/ease of travel.

\*Pupils seeking Gaelic Medium education (GME), who are not yet within a defined GM catchment area, should contact their Area Office about enrolling in the appropriate school offering GME.

### 2. Additional Information

- 2.1 Once a child from outwith the school catchment area has secured a place they will not be asked to move to allow a child into the school who has moved into the school's catchment area.
- 2.2 A place will be reserved in the catchment area school for children whose parents have requested a place in another school until the outcome of the request is known.
- 2.3 A placing request that is granted for the start of a new school session should be taken up within a month of the start of that session. Similarly a placing request for a transfer of schools within the school year should be taken up within one month of the date the request is granted. Any placing requests granted but not taken up within these periods will be deemed as no longer required. If the place is still wanted, a further placing request application must then be made.

- 2.4 A successful request for a placement in a primary school will not automatically place the child in its associated secondary school if this differs from the child's catchment secondary school. A further placing request will be required.

### **3. Reasons for refusing a Placing Request**

- 3.1 The Highland Council may refuse to allow a child to be admitted to the school requested by the parent in order to retain places for school age children of incoming families who reside in the school catchments area concerned, or for any one of the following reasons.

- 3.2 If placing the child in the school would:

- make it necessary for the authority to take an additional teacher into employment;
- give rise to significant expenditure on extending or otherwise altering accommodation or facilities provided in connection with the school;
- be seriously detrimental to the continuity of the child's education;
- be likely to be seriously detrimental to order and discipline in the school;
- likely to be seriously detrimental to the educational wellbeing of the pupils there;
- will result in the need for an additional class or the employment of an additional teacher at a future stage of the child's education in primary school even if pupil numbers remain constant;
- exceed the overall capacity of the school even if space in a class is available and additional resources are not required;

- 3.3 If the education normally provided at the school is not suited to the age, ability or aptitude of the child.

- 3.4 If the Education Authority has already required the child to discontinue his attendance at the school.

### **4. Timescale for Making Decisions**

The timescales for making decisions on placing requests are outlined below:

A placing request made for the beginning of the school year in August must be submitted by 15 March. A decision must be made by 30 April.

An application made after 15 March must be replied to within 2 months receipt of application.

An application for a child to move school during the school year will be replied to within two months of receipt of application.

Any failure to reply by the above timescales is a deemed refusal subject to appeal.

If a placing request is refused the decision letter will outline how to make an appeal.

### **5. Appeals**

Where a placing request is refused there is a right to appeal to an appeal committee. In the case of a refusal for a child or young person who has a co-ordinated support plan or a plan in

the process of being prepared, or if the school which is the subject of a placing request is a special school then the Appeal is made to the First Tier Tribunal:

<https://www.healthandeducationchamber.scot/contact-us>

If the appeal is refused there is a right to a further appeal to the Sheriff. Where a child has Additional Support Needs, if the Tribunal refuses an appeal, there is a right of appeal on a point of law to the Court of Session.

### PARENTAL CHOICE - SCHOOL PLACING REQUESTS

As a parent you have the right to ask for your child(ren) to be educated in a school other than your catchment area school. This applies only to primary and secondary schools and not to early learning and childcare provision. This request is called a placing request.

Where your child has Additional Support Needs you also have the right to make a placing request to a local special school or to specialist provision outwith the Council area.

If you wish to make a placing request for your child to more than one school, the authority will only consider the first-named school. This duty is defined by the Education (Scotland) Act and Additional Support for Learning Act (as amended) 2009.

There are sound educational reasons for trying to ensure that the transfer or admission of children to a new school takes place at the start of the school session. We strongly advise all parents who are considering making a request (other than those who are moving home to a new area) to do this.

Every effort will be made to try and meet parental wishes but it is not always possible to grant every placing request made to a particular school. There is no automatic progression from early learning and childcare to a P1 class for a child who has attended nursery at a school which is not his or her catchment school, nor is there automatic progression from primary school to secondary school. A further placing request would be required.

#### 1 How to Make a Placing Request

If you wish to make a placing request you must complete a placing request application form which is available from your Area Care and Learning Office or by clicking [here](#).

Your child must first be enrolled in your catchment area or Gaelic Medium catchment area school in order for the placing request to be assessed. If your child is not already enrolled please complete an enrolment form prior to making a placing request.

##### 1.1 Siblings

If your child has a sibling attending the requested school at the time the placing request takes effect, e.g. the school start date in August if you are applying for a place for a new school session, please tell us about this on the placing request application form.

##### 1.2 How Decisions on school admissions are made:

A decision on admission takes into account the following issues in order of priority:

1. Pupils living within the geographical catchment of the school concerned, or pupils seeking Gaelic medium education living within the Gaelic Medium catchment of the school concerned.\*

- Pupils seeking Gaelic Medium education (GME), who are not yet within a defined GM catchment area, should contact their Area Office about enrolling in the appropriate school offering GME.

2. A local authority placement for any reason (e.g. certified medical reasons or recognised additional support needs which could best be served in that school; or because of capping of intake in the catchment school).
3. Religious belief (denominational schools only).

\*Pupils seeking Gaelic Medium education (GME), who are not yet within a defined GM catchment area, should contact their Area Office about enrolling in the appropriate school offering GME.

School enrolments not covered by the above criteria will be subject to the placing request process. Decisions on precedence amongst placing requests takes into account the following issues in order of priority:

4. Pupils living within the Highland area.
5. Certified medical reasons or recognised additional support needs which could best be served in that school.
6. Siblings of pupils currently in attendance at the school.
7. Pupils living within the catchment area of a school which is not the subject of the placing request where the intake is capped.
8. Attendance at associated primary school. (S1 requests only)
9. Proximity of home to school.
10. Road safety/ease of travel.

Once a child from outwith the school catchment area has secured a place they will not be asked to move to allow a child into the school who has moved into the school's catchment area.

A place will be reserved in the catchment area school for children whose parents have requested a place in another school until the outcome of the request is known.

A placing request that is granted for the start of a new school session should be taken up within a month of the start of that session. Similarly a placing request for a transfer of schools within the school year should be taken up within one month of the date the request is granted. Any placing requests granted but not taken up within these periods will be deemed as no longer required. If the place is still wanted, a further placing request application must then be made.

A successful request for a placement in a primary school will not automatically place the child in its associated secondary school if this differs from the child's catchment secondary school. A further placing request will be required.

Parents submitting a placing Request for their child in a school outside their catchment, are not entitled to transport. If a placing request is granted, transport is the responsibility of parents. They may, however, complete a transport request form for transport on a concessionary basis. If available, this will normally be subject to a charge.

### **1.3 Reasons for refusing a Placing Request**

- Pupils seeking Gaelic Medium education (GME), who are not yet within a defined GM catchment area, should contact their Area Office about enrolling in the appropriate school offering GME.



The Highland Council may refuse to allow a child to be admitted to the school requested by the parent in order to retain places for school age children of incoming families who reside in the school catchment area concerned, or for any one of the following reasons.

1. If placing the child in the school would:

- make it necessary for the authority to take an additional teacher into employment;
- give rise to significant expenditure on extending or otherwise altering accommodation or facilities provided in connection with the school;
- be seriously detrimental to the continuity of the child's education;
- be likely to be seriously detrimental to order and discipline in the school;
- likely to be seriously detrimental to the educational wellbeing of the pupils there;
- will result in the need for an additional class or the employment of an additional teacher at a future stage of the child's education in primary school even if pupil numbers remain constant;
- exceed the overall capacity of the school even if space in a class is available and additional resources are not required;

2. If the education normally provided at the school is not suited to the age, ability or aptitude of the child

3. If the Education Authority has already required the child to discontinue his attendance at the school.

#### **1.4 Timescale for Making Decisions**

The timescales for making decisions on placing requests are outlined below:

- If you wish your child to start the school of your choice at the beginning of the school year in August your application must be submitted by 15 March. You will be given a decision by 30 April
- If you apply for the new school term after 15 March you will be given an answer within 2 months of receipt of your application
- If you wish your child to move school during the school year, you will be given an answer within two months of receipt of your application.

As soon as a decision is made you will receive a decision letter. If successful, the school will contact you to establish arrangements for enrolment. If unsuccessful the decision letter will outline how to make an appeal should you wish to do so.

#### **1.5 If your Request is Refused – Appeals**

If your request is refused you will have the right to appeal to an appeal committee. If you do not get an answer within the above timescales, your request is treated as a refusal. In the case of a refusal for a child or young person who has a co-ordinated support plan or a plan in the

- Pupils seeking Gaelic Medium education (GME), who are not yet within a defined GM catchment area, should contact their Area Office about enrolling in the appropriate school offering GME.

process of being prepared, or if the school which is the subject of a placing request is a special school then the Appeal should be made to the First Tier Tribunal.

<https://www.healthandeducationchamber.scot/contact-us>

Details of the procedures relating to making an appeal are available from your Area Care and Learning Office (contact information at the end of this document). You will by the time of the appeal, know the reasons why your placing request has been refused and you will be given the opportunity to present your case in person or through a representative, whichever you prefer.

If the appeal is refused you have the right to a further appeal to the Sheriff. Where a child has Additional Support Needs, if the Tribunal refuses your appeal, you have the right of appeal on a point of law to the Court of Session.

## AREA CARE AND LEARNING OFFICES

### **North Area Care and Learning Office**

Drummuie

Golspie

Sutherland

KW10 6TA

Tel: 01408 635346

CL.NorthAdmin@highland.gov.uk

### **Mid Area Care and Learning Office**

County Buildings

Dingwall

IV15 9QN

Tel: 01349 868532

cl.adminmid@highland.gov.uk

### **South Area Care and Learning Office**

Glenurquhart Road

Inverness

IV3 5NX

- Pupils seeking Gaelic Medium education (GME), who are not yet within a defined GM catchment area, should contact their Area Office about enrolling in the appropriate school offering GME.

Tel: 01463 702074

carelearningadmin@highland.gov.uk

**West Area Care and Learning Office**

Fingal Centre

Viewfield Road

Skye,

IV51 9ES

Tel: 01478 613697

CLLochaberAdmin@highland.gov.uk

- Pupils seeking Gaelic Medium education (GME), who are not yet within a defined GM catchment area, should contact their Area Office about enrolling in the appropriate school offering GME.