

People Directorate

A PROPOSAL DOCUMENT

Proposed Amendments to South Ayrshire Council's Arrangements for Primary School Admissions, P7-S1 Secondary School Transfers and Placing Requests

The following schools are affected by this proposal document;

**All Primary and Secondary Schools in South Ayrshire Council
All Denominational Schools in South Ayrshire Council**

April 2018

1. Purpose

- 1.1 This proposal paper is being published in accordance with the requirements of the Schools (Consultation) (Scotland) Act 2010. The proposals contained in this document seek to amend the current arrangements for primary school admissions into P1, P7-S1 transfers and for placing requests in South Ayrshire Council.

2. Background

- 2.1 Under the Education (Scotland) Act 1980 the Council is required to publicise its arrangements for primary school admissions into P1, P7-S1 transfers and for placing requests. Any changes to these arrangements require statutory consultation with parents.

Details of the Council's arrangements for primary school admissions, P7-S1 transfers and placing requests are published annually on the Council's web-site at www.south-ayrshire.gov.uk. Details of the arrangements are shown in Appendix 1.

- 2.2 A number of schools are operating near capacity for incoming P1 catchment children (Alloway Primary, Forehill Primary, Holmston Primary, Struthers Primary and Sacred Heart Primary) and there is potential that these schools could become oversubscribed.
- 2.3 Parents can choose to send their child to a denominational or non-denominational school. No priority is currently given to denominational children in the allocation of places in a denominational school. In addition, there are no agreed criteria for allocating places to a school for catchment children should a school find that they have more catchment children than they have spaces available. Such a situation has not arisen to date although as indicated above a number of schools are operating near their capacity.
- 2.4 The Council has a statutory duty to secure for its area adequate and efficient provision of school education under the terms of the Education (Scotland) Act 1980. The efficient management of school accommodation and allocation of school places is essential to achieve this and also contributes to the Council's duty to secure Best Value.

3. Education in South Ayrshire Council

- 3.1 Education provision within South Ayrshire is currently delivered through 8 secondary schools, 41 primary schools, 2 special schools and integrated specialist provision at a number of schools for children and young people with additional support needs. Early Years provision is delivered through 35 early years centres and a number of partnership centres.

The quality of learning and teaching in South Ayrshire is very good and has been highlighted in many school inspections carried out by Education Scotland. In its Assurance and Improvement Plan for 2013-16, Audit Scotland commented that 'The Education service performs well and displays a high level of engagement with national initiatives. Almost all primary school children are attaining expected levels and young people at S4, S5 and S6 perform strongly in SQA examinations'.

- 3.2 There are 14,000 children and young people attending South Ayrshire Council Schools and there is significant new housing planned within South Ayrshire and there is an expectation that the number of children and young people in some area will rise in coming years. Occupancy levels vary across the Council and some schools such as Alloway Primary, Forehill Primary, Holmston Primary, Sacred Heart Primary and Struthers Primary are operating near their capacity limit.

4. Details of Existing Arrangements for Primary School Admissions and Secondary School Transfer Arrangements

- 4.1 South Ayrshire Council's current school provision and arrangements for admissions and P7- S1 transfers are underpinned by legislative requirements and guidance associated with the management of school places including:
- i. the duty to provide adequate and efficient provision of school education for their area and by implication to ensure sufficient pupil places for their resident population;
 - ii. the requirement that 'every public school and every grant-aided school shall be open to pupils of all denominations';
 - iii. the general principle that children should be educated in line with the parents' wishes;
 - iv. the requirement that all admissions must comply with class size legislation and national staffing agreements;
 - v. the right of parents to express a preference for a particular school that they want their child to attend by submitting a placing request, which an authority must grant if places are available in the school unless there is a valid legal reason not to do so;
 - vi. maintaining denominational (Roman Catholic) school provision; and
 - vii. the Technical Guidance for Schools in Scotland produced by the Equality and Human Rights Commission to accompany the Equality Act 2010 which explicitly provides that 'The only area where education authorities can discriminate on religious grounds in relation to pupil admission is in their criteria for accepting placing requests.' (para 2.33).
- 4.2 South Ayrshire Council operates a catchment policy where every address in the authority is associated with a primary and secondary school in both the denominational and non-denominational sectors. At present parents/ carers are asked to commit to the denominational or non-denominational sector on entry to primary school and secondary school and any further move between the sectors is managed through the placing request process. Full details of the Council's admissions policy are attached as Appendix 1.
- 4.3 Placing requests are only considered for any remaining available places after catchment pupils are accommodated and are granted unless there is a valid legal reason not to do so. Full details of the Council's Placing Request Arrangements are attached as Appendix 1.

5. Details of the Proposal

It is proposed to amend the arrangements for primary school admissions, P7-S1 transfers and placing requests to include the following:

5.1 *Proposed Changes to the Admissions and P7-S1 Transfer Arrangements*

5.1.1 A school is oversubscribed in terms of catchment demand for P1 or S1 when the number of children exceeds the places available. In such instances all such applications will be deemed placing requests. These placing requests will then be processed according to the proposed priority order shown in section 5.2. Those placing requests which have priority over others will be granted up to the number of available places and those child(ren) given a place and will be entitled to enrol in the school.

5.1.2/

5.1.2 In addition to the above it is proposed to amend the placing request priority criteria in section 5.2 to include criteria which gives priority to denominational children who wish to attend their denominational catchment school. To be considered for a place in their denominational catchment school, evidence of a Roman Catholic baptismal certificate will be used to show that the child is considered as having met the criteria. It is only in a case of over-subscription from within the delineated area that denominational children will be given priority to their catchment denominational school. Children not allocated a P1 place at the denominational primary will be offered a place at an alternative school nearby in accordance with the agreed redirection arrangements.

5.2 **Proposed Placing Request Criteria**

5.2.1 Where there are more placing requests for a school than there are spaces available the following criteria will be used in the first instance to allocate places to children or young people who live **within** the school's delineated area after which the criteria will be used to allocate places to children or young people who live **outwith** the school's delineated area:

- (i) those cases where the medical needs of the child or young person can only be met in the school requested;
- (ii) those children who do not live in the delineated area of a secondary school but attend an associated primary school;
- (iii) to denominational children and young people who have a Roman Catholic baptismal certificate and who wish to attend their catchment denominational school;
- (iv) the presence of older brothers or sisters in the school requested; and/or
- (v) allocation by ballot.

In relation to (i) to (iv) above, if there are more applications being considered than there are places available as each stage of priority criteria is being applied, a ballot will be held to determine the successful applications.

In applying (v) priority will be given to placing requests for children and young people who live in South Ayrshire, after which any remaining spaces will be allocated by a further ballot.

When a ballot is required it will be carried out by South Ayrshire Council's People Directorate.

5.2.2 Any children and young people who are not allocated a space at their catchment school will be offered an alternative school nearby in accordance with the agreed redirection arrangements.

5.2.3 The proposed changes will be implemented immediately following a decision by the Council and will be incorporated into the 2019/20 primary registration and secondary school transfer arrangements which will begin in January 2019.

5.3 **Educational Benefits Statement of the Proposal**

The educational benefits of the proposal are explained below.

5.3.1 What will be the likely effect on children and young people in the Council area?

- a. The proposals are likely to have a positive impact on the delivery of learning and teaching and the learning environment as they remove the risk of schools being overcrowded.
- b. All South Ayrshire schools will remain open to all children and young people and will continue to have an inclusive, supportive, tolerant and respectful ethos with a drive to help every child achieve and attain their very best.
- c. The proposals provide clarity on the arrangements to be put in place by South Ayrshire Council in the event of oversubscription to any school through the use of a consistent process.
- d. Parents of children from all faiths can apply for their child(ren) to be enrolled at a denominational school. There are only a limited number of places available in each school and only when a denominational school is oversubscribed by catchment pupils will priority be given to those children who have a Roman Catholic Baptismal Certificate. In these circumstances those children not in possession of a Roman Catholic Baptismal Certificate will be placed in an alternative school.
- e. The proposals will establish a process to manage potential overcrowding and will ensure that South Ayrshire is able to meet its legislative requirements in relation to education provision. Overcrowded schools are potentially detrimental to children's education as they could result in specialist resources becoming stretched and, for example, schools losing general purpose areas (support rooms, etc.) which would require to become classroom space to accommodate larger intakes.
- f. The proposals will enable the Council to ensure best value in managing its school estate. Financial resources are unavoidably tighter in the current economic climate and the proposal minimises the extent of any necessary capital investment recognising that there are adequate school places to meet demand across the Authority.
- g. The proposals will ensure that the process for managing entry into primary and secondary schools in South Ayrshire remains open, transparent and fair. They will also ensure that schools do not become overcrowded.
- h. The proposals will enable the Council to meet its legislative duties to secure for its area adequate and efficient provision of school education under the terms of the Education (Scotland) Act 1980. It will also help the Council meet its duties to secure Best Value in the delivery of services as set out in the Local Government in Scotland Act 2003.

5.3.2 Are there any other likely effects of the proposal?

- a. It is not anticipated that there will be any other effects of the proposal.

5.3.3 How will the proposals affect other school users?

- a. The proposals do not affect the use of schools by local communities or groups.

5.3.4 How does the Council intend to minimise or avoid any adverse effects that may arise from the proposal?

- a. If approved, the changes contained in the proposal document will be advertised at an early date to ensure that parents are aware of the Council's priority criteria when considering placing their child in a school. All forms for admission to primary schools and transfers to secondary schools will be updated to ensure that parents are fully informed of the arrangements at the time of registration and transfer. The Council will also support parents who are unsuccessful in getting their child in to their catchment school and help them identify an alternative school place.

5.3.5 Summary of benefits which the authority believes will result from implementation of the proposal:

- a. The proposals will ensure that the Council is better placed to avoid overcrowding in any of its schools.
- b. Some priority will be given to denominational children who wish to attend their catchment denominational school.
- c. There will be no impact on the learning and teaching arrangements for children.

6. Transport

6.1 The present transport arrangements for children and young people attending South Ayrshire's school are not affected by this proposal.

7. Staff

7.1 There are no implications for employees arising from this proposal.

8. Financial Implications

8.1 School budgets within South Ayrshire Council are calculated in accordance with the Council's framework for devolved school management set out in the Scheme of Delegation for Schools. The proposed changes to the primary admissions and secondary transfer arrangements do not affect the school funding arrangements.

9. Consultation Process

This proposal is being issued for consideration under the Schools (Consultation)(Scotland) Act 2010 and the following stages are covered by the Act.

9.1 *Consideration by the Leadership Panel with the Responsibility for Education*

The decision to publish this proposal document and follow the consultation procedures set out in the Schools (Consultation)(Scotland) Act 2010 was taken by the Council's Leadership Panel on 24 April 2018.

9.2 *Consultees and Distribution of the Proposal Document*

The proposal document will be placed on the Council's web site at www.south-ayrshire.gov.uk/consultations and copies of the proposal document will be made available to the consultees listed below, free of charge, as prescribed by the Act. Copies of the document will also be placed in the County Buildings, Ayr, all South Ayrshire Schools, Libraries and Customer Contact Centres.

- The Parent Councils of all schools
- The parents of children and young people at all schools

- Parents of children expected to attend an affected school within 2 years of the date of publication of this proposal document
- Children and young people attending schools
- Teaching and support staff at schools
- The trade union representatives of the above staff
- Community Councils
- Religious bodies represented on the Council's Education Leadership Panel

9.3 ***Length of Consultation Period***

The consultation process will begin with a publication on the Council's website on Monday 30 April 2018 and will cease on Friday 15 June 2018. This allows for a consultation period in excess of the 30 school days required by statute.

9.4 ***Public Meetings***

The following public meeting has been arranged at which officers from the Council will be available to explain the proposal and offer an opportunity to attendees to ask any questions, state their views or raise points of clarification.

Wednesday 23 May 2018 at 7.00 pm
County Hall,
County Buildings,
Wellington Square,
Ayr
KA7 1DR

A note of the views expressed at the public meeting will be recorded as part of the consultation process.

9.5 ***Involvement of Education Scotland***

A copy of the proposal paper and the date of the public meeting have been sent to Education Scotland, who is responsible for the inspection and review of schools. Education Scotland will also receive a copy of any relevant written representations that are received by the Council from any person during the consultation period or, if Education Scotland agree, a summary of them. Education Scotland will also receive a summary of any points made to the Council at the public meeting that will be held and, as available (and so far as otherwise practicable), a copy of any other relevant documentation. Education Scotland will then prepare a report on the educational aspects of the proposal not later than 3 weeks after the Council has sent them all representations and documents mentioned above. However, for the avoidance of doubt, the 3 week period will not start until after the consultation period has ended. In preparing their report, Education Scotland may visit the affected schools and speak to staff, children and young people, parents and other people as they consider appropriate.

All Education Scotland/ Care Commission reports relating to schools in South Ayrshire are available at www.educationscotland.gov.uk.

9.6 ***Note on Corrections***

If any inaccuracy or omission is discovered in this proposal document either by the Council or any person, the Council will determine if relevant information has been omitted or, there has been an inaccuracy. It will then take appropriate action which may include the issue of a correction or the reissuing of the proposal paper or the revision of the timescale for the consultation period if appropriate. In that event, relevant consultees and Education Scotland will be advised.

9.7 **Preparation of the Consultation Report**

After following the consultation process described above the proposal will then be reviewed by the Educational Services directorate, taking into account the Education Scotland report, written representations received and oral representations made by any person at the public meeting. A consultation report containing the information required by Section 10 of the 2010 Act will be prepared. The report will include a record of the total number of written representations made during the consultation period, a summary of the written representations, a summary of the oral representations made at the public meeting, the Council's response to the Education Scotland report as well as any written or oral representations it has received, together with a copy of the Education Scotland Report and any other relevant information, including details of any alleged inaccuracies or omissions and how these have been dealt with. The report will also contain a statement explaining how it complies with the requirement to review the proposal in light of the Education Scotland report and representations (both written and oral) that the Council received.

The consultation report will be published on the Council's website and made available for further consideration for a period of 3 weeks. The publication of this report is required under the consultation legislation but is not available for comment or further response.

9.8 **Decision**

This report will be submitted to the Leadership Panel at their meeting on 18 September 2018 for consideration and a decision on whether or not to implement the proposal in whole or in part. The decision may be subject to the Council's scrutiny process.

10. **Responding to the Proposal**

10.1 Interested parties are invited to complete the online survey form which can be accessed at www.south-ayrshire.gov.uk/consultations no later than **Friday, 15 June 2018**. Alternatively individuals can complete the form in Appendix 1 and send it to the Director of People, South Ayrshire Council, Wellington Square, Ayr KA7 1DR.

10.2 **Data Protection Act 1998**

Those sending in a response, whether by letter or electronically should note that personal information i.e. name, address and contact details will not be made available publicly. Only staff involved in the management and administration of the consultation exercise, including Education Scotland and the Elected Members of the Council will be given access to that information. An anonymised summary of the responses will be published on the Council's website for information.

11. **Other Languages**

This document can also be made available in other formats languages (see overleaf).

Text only versions of this publication are available in Polish, Chinese and Urdu.

For further Information please contact:

0300 123 0900

Dostępna jest wersja tej publikacji w języku polskim, zawierająca wyłącznie tekst.

Aby uzyskać więcej informacji, proszę skontaktować się z:

0300 123 0900

本出版物還有純文字中文版。

有關更多資訊，請聯絡：

0300 123 0900

اس اشاعت کے نسخہ کا صرف متن اردو زبان میں دستیاب ہے۔

مزید جانکاری کے لیے براہ کرم درج ذیل پر رابطہ قائم کریں:

0300 123 0900

Do you know anyone who is registered blind or has a visual impairment?

If you do and you think that they would like a larger print version or an

audio cassette version of the text contact Council staff on:

0300 123 0900

1. Placing Requests and Admissions to School

There are eight secondary schools, 41 primary schools, and two special schools managed by South Ayrshire Council. View information about your catchment school and other educational establishments.

We provide free transport for all primary pupils who live more than two miles from their catchment school (by the recognised shortest acceptable walking route) and to secondary pupils who live more than three miles from their catchment school (by the recognised shortest acceptable walking route). We do not provide transport for those pupils who attend a school other than their catchment school as the result of a successful placing request.

The responsibility for decisions on a placing request lies with South Ayrshire Council's Education Services and not with individual schools.

Placing requests can be made to any mainstream school, special school or learning support base managed by South Ayrshire Council.

Placing requests can only be made to independent special schools by residents of South Ayrshire.

2. Starting Primary 1

Your child will automatically be accepted for primary education in August if their fifth birthday falls between 1 March of the same year and the last day of February the following year. You can, however, make a request for early entry to school for a child whose fifth birthday falls after the above period.

Entry to primary school in South Ayrshire is on a once a year basis at the start of the new session in August. Normally, your child will attend their catchment primary school. If your child is due to start in August, they should be registered in your catchment primary school before the end of the preceding January. Adverts will be placed in local newspapers during December informing parents of the arrangements for registering their child at school. Where there are sufficient places available, and you have not submitted a placing request for another school, your child will normally be enrolled. Where there are not enough places available for catchment pupils the South Ayrshire Council will determine which children should be enrolled and you will be notified of the procedures for doing this in advance of any decision being made.

Denominational schools in South Ayrshire Council serve a defined area. You can choose to enrol your child at either the catchment denominational or non-denominational primary school. Once this choice has been made, any future move within the primary sector will require a placing request to be submitted.

3. Placing requests at the start of primary 1

Your child will normally attend their catchment primary school. However, as a parent/ carer, you have the right to make a placing request for your child to attend a school of your choice. If you choose to make a placing request you should remember that your child will no longer automatically be considered for a place at their catchment school.

4. Starting secondary school

Primary schools are usually associated with a single secondary school. All primary seven pupils will have an automatic right to transfer to their catchment secondary school. Your primary school will be able to tell you the name of your catchment secondary school.

All parents/ carers will have a choice at P7/ S1 transfer stage of choosing their denominational or non-denominational catchment secondary school. Once this choice has been made, any future move within the secondary sector will require a placing request to be submitted.

In some cases there is a choice of more than two catchment schools. Once the choice has been made to attend a particular school any future changes will require a placing request to be submitted.

5. Placing requests at the start of S1

Your child will normally attend their catchment secondary school. However, as a parent/ carer, you have the right to make a placing request for your child to attend a school of your choice. If you choose to make a placing request you should remember that your child will no longer automatically be considered for a place at their catchment school.

If a pupil is attending a primary school as a result of a successful placing request you must make a further placing request for your child to attend the associated secondary school. However, if your child already lives in the catchment area of the secondary school no placing request is required.

6. How decisions are made for placing requests at the start of Primary 1 and S1

The responsibility for decisions on placing requests lies with South Ayrshire Council's Educational Services. Parents/ carers will be informed of the outcome of the placing request by 30 April. Where there are more requests for a particular school than there are places available the following criteria will be used:

- (i) those cases where the medical needs of the child or young person can only be met in the school requested
- (ii) those children who do not live in the delineated area of a secondary school but attend an associated primary school
- (iii) the presence of older brothers or sisters in the school requested
- (iv) allocation by ballot

In relation to (i) to (iii) above, if there are more applications being considered than there are places available as each stage of priority criteria is being applied, a ballot will be held to determine the successful applications.

In applying (iv) priority will be given to placing requests for children and young people who live in South Ayrshire, after which any remaining spaces will be allocated by a further ballot.

When a ballot is required it will be carried out by South Ayrshire Council's Educational Services.

7. Placing requests made other than at the start of primary or secondary school

There are times when parents/ carers may wish their child to move schools during their primary or secondary education. There are sound educational reasons for trying to ensure these moves take place at the start of a new school session - ie August. However, at times parents/ carers may wish to submit a mid-session placing request.

If you wish your child to move schools in August you should submit a placing request no later than 10 June, as any applications received after this date may not be considered until schools return at the beginning of the new session. Your child must return to their current school until you receive a decision on your placing request application.

When a placing request is received during a child or young person's primary or secondary education South Ayrshire Council's Educational Services will contact the requested school and the current school for further information to allow them to consider the impact a move of school will have on the child/ young person.

A number of factors will be considered when determining whether to accept or refuse a placing request:

- Does the child/ young person have Additional Support Needs and provision is being made for these in the current school?
- Does the child/ young person have poor attendance which is being managed by the current school using South Ayrshire Council's guidelines on managing pupil attendance and absence?
- Has the child/ young person previously attended more than one school as the result of a successful placing request?
- Normally you will be advised of the outcome of your placing request no later than two months after submission. However, placing requests received after the 10 June may not be considered until schools return in August.

If following a successful placing request you wish your child to return to their catchment school you will require to complete a new placing request application form.

8. Why placing requests are sometimes not granted

There are a number of reasons why South Ayrshire Council's Educational Services may not grant a placing request. These are summarised below, where granting the request would:

- make it necessary for South Ayrshire Council to take additional teaching staff into employment;
- give rise to significant expenditure in extending or altering the school's accommodation or facilities;
- be seriously detrimental to the continuity of the child's education;
- be likely to be seriously detrimental to order and discipline in the school;
- be likely to be seriously detrimental to the educational wellbeing of pupils attending the school;
- require the formation of an additional class or appointment of an additional teacher at a future stage of the child's education at primary school;
- have the consequence that the capacity of the school would be exceeded in terms of pupil numbers;
- mean that the education is not suited to the child;
- the authority had already decided that the child should no longer attend the school;
- in the case of special schools, the child does not have additional support needs requiring the education or facilities available;
- prevent the authority from reserving places for pupils moving in to the catchment area;
- in the case of mainstream schools, the education provided would not be suited to the child or would cause unreasonable expenditure.

9. What to do if your placing request is not granted

You may lodge an appeal and your appeal will be heard by the independent Education Appeal Committee. The Committee will decide whether South Ayrshire Council have applied the priorities for granting placing requests for the particular school correctly. If you are not provided with a decision on your placing request by 30 April, (or no later than two months for requests made at other times of the year), you may also appeal. However if you decide to appeal you will not be able to make another placing request until the appeal is heard or you withdraw your appeal.

Full details on how to appeal can be downloaded from the Council website at www.south-ayrshire.gov.uk. It will also be contained in your letter informing you of the decision.

Douglas Hutchison
 Director of People
 People Directorate
 County Buildings
 Wellington square
 Ayr
 KA7 1DR

Appendix 2



Proposed Amendments to South Ayrshire Council’s Arrangements for Primary School Admissions and Secondary School Transfers and Placing Requests

RESPONSE FORM

This form can be completed online at www.south-ayrshire.gov.uk/consultations or sent to the above address no later than 15 June 2018.

Name		Address	
-------------	--	----------------	--

Please place an X in the appropriate box below which indicates your preferred response.

Are you resident in South Ayrshire Parent/ Carer Staff Young person Other

Yes No Other (please state) _____

Summary of proposal *(Please refer to the proposal document for full details)*

It is proposed that where there are more catchment children entering Primary school at P1 or S1 in a secondary school the placing request criteria will be used to determine which children are allocated a space. In addition to this it is also proposed to amend the placing request criteria to give priority to denominational children who wish to attend their catchment denominational school.

Do you agree with the proposal in section 5.1 to use the placing request criteria to allocate spaces in a school for P1 if the school has more P1 catchment children than there are places available?	Yes <input type="checkbox"/> No <input type="checkbox"/> No preference <input type="checkbox"/>
Do you agree with amended placing request criteria set out in section 5.2 which includes priority for denominational children who wish to attend their catchment denominational primary school?	Yes <input type="checkbox"/> No <input type="checkbox"/> No preference <input type="checkbox"/>

Please use the following box for additional comments

