



## **Educational Services**

### **A PROPOSAL DOCUMENT**

#### **Proposed amendments to Placing Requests arrangements**

**The following schools are affected by this proposal document;**

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

**March 2015**

This document has been issued by South Ayrshire Council's Leadership Panel for consultation under the Schools (Consultation) (Scotland) Act 2010

## 1.0 Purpose of the Paper

- 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 relating to placing requests for primary and secondary schools within South Ayrshire Council.
- 1.2 The proposal document does not seek to change the present catchment areas for schools and children and young people within a catchment area will continue to be given priority in the allocation of spaces.

## 2.0 Background

- 2.1 Under the Education (Scotland) Act 1980 the Council is required to publicise its arrangements for admitting children and young people to its schools. The Act also gives parents the right to express a preference for which school they wish their child to attend. This is known as a placing request. The Council must also publish its arrangements for the management of placing requests. These are advertised annually in the local press and are on the Council's website. They are also contained in the application form which parents are required to complete if they are considering making a placing request for their child.

Where there are more requests than places available for a particular school, a Local Attendance Council will be set up to consider the requests using agreed criteria. This arrangement is not a statutory requirement but was established under the previous Regional Council to introduce a degree of impartiality in the initial stages of the placing request process.

- 2.2 At present that part of the policy which covers placing requests is applied generally, regardless of whether the child or young person is a South Ayrshire resident or not, and all placing requests are considered on an equal basis according to the priorities of the policy. Under the Local Government etc.(Scotland) Act 1994, when considering placing requests the Council cannot discriminate between siblings who are resident within South Ayrshire and siblings resident in another Council area.
- 2.3 Using data from the September 2014 schools staffing and budget exercise, there are approximately 2600 children and young people in South Ayrshire who are not attending their catchment school. Each year there are around 600 placing request applications received of which approximately 80 are for children and young people who reside outwith South Ayrshire.
- 2.4 There are a number of schools within South Ayrshire which are particularly popular with placing requests and this can result in the accommodation in those schools being put under considerable pressure. Belmont Academy and Kyle Academy are particularly affected by placing requests from outwith the Council which are presently considered on an equal basis with all other placing requests.
- 2.5 The Council's Local Plan contains land supply for approximately 10,000 new houses. This will increase the demand for school places and is also likely to result in an increased number of placing requests for popular schools. The management of the school population is a key component in planning for new housing and particularly the timing of any additional school accommodation. Matching demand for school places arising from new housing is further complicated by the rights of parents to make a placing request to a school of their choice.

2.6 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.

### **3.0 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 year's provision is delivered through 4 nursery schools, 31 nursery classes and a number of partnership nurseries.

3.2 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".

### **4.0 Details of Existing Arrangements for Placing Requests**

4.1 The priority criteria contained in the existing Admissions Policy which relates to placing requests are as follows:

Where there are more requests than places available for a particular school (after all catchment children and young people have been placed) the Local Attendance Council and Educational Services work to the guidelines below in reaching decisions on placing requests during the Primary 1 intake and S1 transfer period.

- (i) Those cases which include medical grounds supported by the family doctor or other medical specialist;
- (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.

There are also other factors which the Local Attendance Council may wish to take into account.

- (iv) Single parent families, where, for example, proximity of the school to the parent's place of work would be advantageous for the care and well-being of the child;
- (v) Distance between home and school;
- (vi) The suitability of particular teaching methods to the child's needs or the availability of subjects which he/she was previously studying.

Where it is impossible to identify applications which meet the criteria, the Local Attendance Council have been advised that the only reasonable solution is to carry out a ballot.

Under the present arrangements a Local Attendance Council may consider the applications using the criteria above and will pass their recommendations to the Director of Educational Services for consideration and a final decision. In considering (iv) – (vi) above, there is significant potential for inconsistency in the decision making process.

## **5.0 Details of the Proposal**

The proposed amendments that are being consulted on include a change in the criteria for determining placing requests and to discontinue the role of the Local Attendance Council. The proposal document however does not seek to change the present catchment areas for schools and children and young people within a catchment area will continue to be given priority in the allocation of spaces.

### **5.1 Placing Requests**

The proposed amendments that are being consulted on include a change in the criteria for determining placing requests and to discontinue the role of the Local Attendance Council.

- 5.1.1 The proposed changes to the criteria for determining successful placing requests will ensure a consistent approach to its application. They will also ensure that the Council is better placed to accommodate the wishes of parents who reside within South Ayrshire. The revised criteria are as follows:

Where there are more placing request applications than there are places available the following amended priority criteria will be used to determine the allocation of places;

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

In applying (iv) above, it is proposed that priority will be given to placing requests for children and young people who reside within South Ayrshire, after which any remaining spaces will be allocated by a further ballot.

- 5.1.2 It is also proposed to discontinue the role of the Local Attendance Council. The functions relating to the management of the above criteria will be undertaken by the Director of Educational Services.

- 5.1.3 The proposed changes will be implemented immediately following a decision by the Council and will be incorporated into the 2016/17 primary registration and secondary school transfer arrangements which will begin in January 2016.

### **5.2 Educational Benefits Statement of the Proposal**

The educational benefits of the proposal are explained below.

- (1) What will be the likely effect on children and young people in the Council area?

The proposals are unlikely to have any impact on the delivery of learning and teaching or the learning environment.

The proposals will ensure that the process for managing placing requests remains open, transparent and fair. They will also ensure that children and young people

who are resident within South Ayrshire and whose education is the responsibility of the Council are given some priority over placing requests from outwith the boundaries of the Council. This will help minimise the risk to parents resident within South Ayrshire that their placing request could be refused.

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.

- (2) Are there any other likely effects of the proposal?

The proposals are likely to result in an increase in placing requests being refused for children and young people who are not resident within South Ayrshire and who do not have a sibling already attending the school.

- (3) How will the proposals affect other school users?

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

- (4) How does the Council intend to minimise or avoid any adverse effects that may arise from the proposal?

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 requests. The application forms for placing requests will also be updated to ensure that parents are fully informed of the arrangements for making a placing request at the time of application. The Council will also support parents who are unsuccessful with their placing request and help them find an alternative school place should they wish one.

- (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 accommodate the wishes of parents who reside within South Ayrshire.
- (b) Changing the criteria will ensure a consistent approach to the application of the placing request criteria.
- (c) The administration of placing requests will become less onerous and more efficient.

### **5.3 Transport**

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

### **6.0 Staff**

There are no implications for employees arising from this proposal.

## **7.0 Financial Implications**

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 placing requests criteria do not affect the school funding arrangements.

## **8.0 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.

### **8.1 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 28<sup>th</sup> April 2015.

### **8.2 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](http://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

### **8.3 Length of Consultation Period**

The consultation process will begin with an advert being placed in the appropriate local newspapers by Wednesday, 6<sup>th</sup> May 2015 and will cease on Friday 26<sup>th</sup> June 2015. This allows for a consultation period in excess of the 30 school days required by statute.

### **8.4 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 27<sup>th</sup> May 2015 at 7.00pm**  
**County Hall,**  
**County Buildings,**  
**Wellington Sq,**  
**Ayr**  
**KA7 1DR**

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

## **8.5 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](http://www.educationscotland.gov.uk).

## **8.6 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.

## **8.7 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.

## **8.8 Decision**

This report will be submitted to a future meeting of the Council for consideration and the Elected Members will decide whether or not to implement the proposal in whole or in part. The decision may be subject to the Council's scrutiny process.

## **9.0 Responding to the Proposal**

**9.1** Interested parties are invited to respond to the proposal and send any written submissions to the Director of Educational Services, South Ayrshire Council, Wellington Square, Ayr KA7 1DR or e-mail to [placingrequestconsultation@south-ayrshire.gov.uk](mailto:placingrequestconsultation@south-ayrshire.gov.uk), no later than **Friday, 26<sup>th</sup> June 2015**. A response form is attached as Appendix 1 and can also be accessed at [www.south-ayrshire.gov.uk/consultations](http://www.south-ayrshire.gov.uk/consultations) and completed online.

## **9.2 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.

## 10.0 Other Languages

This document can also be made available in other formats languages.

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:

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

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**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**

**Proposed amendments to the arrangements relating to Placing Requests**

**RESPONSE FORM**

This form can be completed online at [www.south-ayrshire.gov.uk/consultations](http://www.south-ayrshire.gov.uk/consultations) or sent to the above address no later than 26<sup>th</sup> June 2015.

<b>Name</b>		<b>Address</b>	
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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 to streamline the priority criteria for placing requests and give priority to applications for children and young people who are resident within South Ayrshire. It is also proposed to remove the requirement to establish a Local Attendance Council

Do you agree with the proposal amend the priority criteria for accepting placing requests?	Yes <input type="checkbox"/> No <input type="checkbox"/> No preference <input type="checkbox"/>
Do you agree with proposal to give priority of applications for children and young people who are resident in South Ayrshire?	Yes <input type="checkbox"/> No <input type="checkbox"/> No preference <input type="checkbox"/>
Do you agree with the proposal to remove the use of a Local Attendance Council to consider placing requests?	Yes <input type="checkbox"/> No <input type="checkbox"/> No preference <input type="checkbox"/>

**Please use this space for any additional comments**

*Data Protection Act 2010. Your response may form part of the report to the Council for consideration and therefore the details of your response may be made available for public inspection. Your personal details (name, address and contact details) will not be made available.*