

# PERTH AND KINROSS COUNCIL

## Lifelong Learning Committee

4 September 2019

### STATUTORY CONSULTATION – SCHOOL ADMISSION POLICY

Report by Executive Director (Education and Children's Services)  
(Report No. 19/243)

#### PURPOSE OF REPORT

This report seeks approval of the Lifelong Learning Committee for the Executive Director (Education and Children's Services) to engage in formal consultation to review and vary the School Admission Policy for Perth and Kinross Council.

#### 1. BACKGROUND/MAIN ISSUES

1.1 In terms of the Education (Scotland) Act 1980, the Council is obliged to publish its arrangements for the placing of children in schools in its area. Within Perth and Kinross these arrangements are contained within the School Admission Policy which has been operational since January 2009 when it was last reviewed. The School Admission Policy sets out the arrangements for the placing of catchment pupils and handling of placing requests.

1.2 The policy of Perth & Kinross Council is to assign to each school a defined zone known as a catchment area. Each home address has a catchment school for both primary and secondary education. The designated catchment schools are dependent on pupils' home address. Although the Council endeavours to provide enough places for all children in a catchment area to attend the catchment school, living within a catchment area does not guarantee a child a place at that school.

In accordance with the provisions of the legislation, parents have a right to make a request that their child be placed in a school of their choice other than the school which normally serves the catchment area in which they reside. Parents' wishes are to be met wherever possible. If the number of places in any particular school is limited, priority for admissions shall be determined by the priorities as set out in the School Admission Policy.

1.3 Appendix 1 shows Perth and Kinross Council's current School Admission Policy.

1.4 The arrangements for admission for Primary 1 and Secondary 1 pupils for August 2019 resulted in 181 pupils being refused places for the school of their

choice. This subsequently resulted in an unprecedented number of statutory appeals to the Education Appeal Committee.

Education and Children's Services managed the primary and secondary intakes for August 2019 in accordance with the priority categories as set out within the current Perth and Kinross School Admission Policy.

- 1.5 However, the sole criterion of distance being used to determine the priority between children within each category of Priority 2 and Priority 3 has identified that in some cases in schools where intakes were oversubscribed, children resident within Perth and Kinross were not being afforded the appropriate priority to have their placing request for another school in Perth and Kinross considered. In some cases, pupils from outwith Perth and Kinross were prioritised above Perth and Kinross pupils on the waiting list for an available place.
- 1.6 In addition, using the sole criterion of distance to determine the priority between children within each category of Priority 2 and Priority 3 has identified that in some cases in secondary schools where intakes were oversubscribed, children who were attending a feeder primary school as a result of a successful placing request, were not being afforded the appropriate priority to have their placing request considered to allow transition to secondary school with their peer group. In some cases, a small number of P7 pupils were not able to transition to secondary school with their peer group as a result of the criterion of distance being the determining factor in prioritisation of placing requests.
- 1.7 Whilst it has not been an issue in previous years, the number of placing request refusals for August 2019 has now identified that the School Admission Policy requires to be revised in order to ensure that it continues to be fit for purpose and provide flexibility to allow appropriate priority to be provided to pupils living in Perth and Kinross and to those pupils transitioning to secondary school who are attending feeder primary schools.
- 1.8 In varying the current School Admission Policy to include specific priority for pupils who are resident within Perth and Kinross, and for pupils transitioning to secondary school from a feeder primary school, it is important to note that this proposal will not result in any more or any fewer placing requests being able to be granted. In the majority of cases, the only consequence of this change would be the pupil's position on the waiting list.

In schools where the intake is not oversubscribed, there would be no change to the ability to grant placing requests of all priorities. However, in schools where the intake is oversubscribed, places would continue to be granted in accordance with the agreed capacity and refused placing requests would be maintained on a waiting list in priority determined by the School Admission Policy.

- 1.9 Any proposal to make changes to the School Admission Policy must be subject to a statutory consultation exercise as the varying of any admission arrangements for schools is a relevant proposal in terms of legislation.

## **2. PROPOSALS**

- 2.1 The Council proposes to review the existing School Admission Policy to vary the admission arrangements in respect of the handling of catchment enrolments and placing requests for primary and secondary schools
- 2.2 The Schools (Consultation) (Scotland) Act 2010 sets out the process which must be followed in undertaking a statutory consultation on a relevant proposal affecting a school.
- 2.3 A formal Proposal Paper containing an Educational Benefits Statement will be prepared for publication.
- 2.4 The statutory consultation period will run for a period of no less than 30 school days.
- 2.5 A public meeting will be arranged within the consultation period.
- 2.6 Following this exercise, a report will be submitted to a future Lifelong Learning Committee detailing the outcome of the statutory consultation.

## **3. CONCLUSION**

- 3.1 A review of the School Admission Policy should be undertaken in order to ensure that the policy continues to be fit for purpose and provide flexibility to allow appropriate priority to be provided when considering pupil placements. A Proposal Paper containing an Educational Benefits Statement will be produced and published which will allow for informed consideration to be given to the proposal to vary the School Admission Policy for primary and secondary schools in accordance with legislative requirements.

## **4. RECOMMENDATIONS**

- 4.1 It is recommended that the Committee:
- (i) Agrees, for the purposes of consultation, that:
    - The Council proposes to review the existing School Admission Policy to vary the admission arrangements in respect of the handling of catchment enrolments and placing requests for primary and secondary schools;
  - (ii) Requests the Executive Director (Education and Children's Services) to publish a Proposal Paper and formally consult the appropriate bodies and persons in relation to the proposal to vary the School Admission Policy, in terms of the Schools (Consultation) (Scotland) Act 2010;

- (iii) Delegates authority to the Executive Director (Education and Children’s Services) to investigate and manage any alleged omissions or inaccuracies during the consultation process and to take appropriate action in accordance with The Schools (Consultation) (Scotland) Act 2010; and
- (iv) Requests the Executive Director (Education and Children’s Services) to prepare a report on the results of the consultation and report back to the Committee on the outcome of these consultations at a future meeting of the Lifelong Learning Committee.

**Author**

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**Approved**

<b>Name</b>	<b>Designation</b>	<b>Date</b>
Sheena Devlin	<b>Executive Director (Education and Children’s Services)</b>	<b>21 August 2019</b>

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
<b>Resource Implications</b>	
Financial	No
Workforce	No
Asset Management (land, property, IST)	No
<b>Assessments</b>	
Equality Impact Assessment	No
Strategic Environmental Assessment	No
Sustainability (community, economic, environmental)	No
Legal and Governance	Yes
Risk	No
<b>Consultation</b>	
Internal	Yes
External	Yes
<b>Communication</b>	
Communications Plan	Yes

### 1. Strategic Implications

#### Community Plan / Single Outcome Agreement

1.1 This section should set out how the proposals relate to the delivery of the Perth and Kinross Community Plan/Single Outcome Agreement in terms of the following priorities:

- (i) Giving every child the best start in life
- (ii) Developing educated, responsible and informed citizens
- (iii) Promoting a prosperous, inclusive and sustainable economy
- (iv) Supporting people to lead independent, healthy and active lives
- (v) Creating a safe and sustainable place for future generations

This report relates to all of these objectives.

#### Corporate Plan

1.2 The Perth and Kinross Council Corporate Plan set out five strategic objectives:

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

This report relates to all of these objectives.

1.3 The report also links to the Education & Children's Services Policy Framework in respect of the following key policy area:

- Communication and Consultation

## 2. Resource Implications

### Financial

2.1 Any resource implications arising from the statutory consultation are likely to relate primarily to staff time and will be contained within the existing Education and Children's Services revenue budget.

### Workforce

2.2 N/A

### Asset Management (land, property, IT)

2.3 N/A

## 3. Assessments

### Equality Impact Assessment

3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

The consultation exercise presented in this report was considered under the Corporate Equalities Impact Assessment process (Eq1A) with the following outcome:

- (i) Assessed as **not relevant** for the purposes of Eq1A.

### Strategic Environmental Assessment

3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.

However, no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

### Sustainability

3.3 N/A

## Legal and Governance

- 3.4 Where the Council is proposing to vary any admission arrangements by modifying guidelines in respect of the handling of placing requests, there is a legal requirement to consult on those proposals. The Schools (Consultation) (Scotland) Act 2010 sets out a comprehensive framework for this consultation process. This consultation exercise will be undertaken in accordance with the 2010 Act. Legal Services has been fully consulted in relation to this report and the proposed consultation exercise.

## Risk

- 3.5 N/A

## **4. Consultation**

### Internal

- 4.1 The Head of Legal and Governance has been consulted in the preparation of this report.

### External

- 4.2 Consultation on this proposal will be undertaken with parents, Parent Councils, Headteachers, staff and other key stakeholders as part of the statutory consultation exercise.

## **5. Communication**

- 5.1 A comprehensive communication plan will be prepared as part of the statutory consultation planning process.

## **2. BACKGROUND PAPERS**

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

## **3. APPENDICES**

Appendix A: Current Perth and Kinross School Admission Policy