

PERTH AND KINROSS COUNCIL

31 March 2021

RESERVED PLACES IN SCHOOLS 2021/2022 AND MAXIMISING CAPACITIES UPDATE

Report by Executive Director (Education and Children's Services)
(Report No. 21/39)

PURPOSE OF REPORT

This report proposes the number of reserved places for session 2021/2022, within primary and secondary schools, in accordance with Section 28A of the Education (Scotland) Act 1980, as amended. This allows places to be protected for local children to attend their catchment school. This report also informs Council where primary class capacities have been maximised during school session 2020/2021.

1. BACKGROUND/MAIN ISSUES

- 1.1 Reserved places refer to the number of places which, in the opinion of the Education Authority, are reasonably required to accommodate pupils likely to become resident within the catchment area of a school during the period of considering placing requests and during that school year.
- 1.2 This allows the Education Authority to calculate and retain a certain number of places for children from families likely to move into the catchment area of schools which have classes with a limited number of spaces in some or all stages. The legislation allows the Education Authority to refuse some or all placing requests made for a particular school on the grounds that children from within the catchment area may become resident during the year. The purpose of Reserved Places in Schools is to support the Council's [School Admission Policy](#).

Places are reserved to try to accommodate these children, where possible, in their catchment school, allowing the Education Authority to take positive steps to protect places in schools for catchment pupils.
- 1.3 The strategy for the implementation of reserved places within Perth and Kinross Council was approved by Committee in March 1997 for session 1997/98 (Report No 97/145 refers). Further annual reports to Lifelong Learning Committee have been approved for each subsequent session.
- 1.4 The criteria used for the number of reserved places within schools for the current session is:
 - a) Schools which have classes with a limited number of spaces at specific stages;
 - b) Historical or anticipated patterns of migration, information about known movements of families in to (or out of) an area and any current residential development in the area; and

- c) The possible pattern of movement indicated by the current session's trends and roll projections for 2021/2022.

The scheme needs to be justifiable and operated fairly, particularly as parents can appeal to the relevant Education Appeal Committee and thereafter to the Sheriff Court.

2. OPERATION OF CRITERIA

- 2.1 The operation of the criteria for session 2020/2021, to date, has ensured that only 6 primary pupils have moved into an area and have been unable to attend their catchment primary school as their first choice of school. In respect of secondary schools, no secondary school pupil has moved into an area and has been unable to be granted a place in their catchment secondary school.

- 2.2 The application of reserved places is most commonly utilised during the process for managing the new P1 and S1 intakes each year where parents may choose to have their child attend a school other than their catchment school. For session 2020/2021, 268 placing requests were made for P1 places in primary schools and 189 of these requests were granted and 79 were refused. 24 of the refusals related to children who live outwith Perth and Kinross. This represents a positive outcome for 70.5% of P1 parents who made a placing request for their child to attend the primary school of their choice outwith their catchment area.

In respect of S1 places, 130 placing requests were submitted and 111 of these requests were granted and 19 were refused. 16 of the refusals related to children who live outwith Perth and Kinross. This represents a positive outcome for 85.4% of parents who made a placing request for their child to attend the secondary school of their choice outwith their catchment area.

- 2.3 Where a placing request is refused, parents have a statutory right of appeal to the Education Appeal Committee and, thereafter, the Sheriff Court. For session 2020/2021, 42 appeals were considered by the Education Appeal Committee and 1 appeal was considered by the Sheriff Court. The Council was successful in opposing that appeal.
- 2.4 The historical pattern of migration and house building continues to be monitored to ensure as accurate information as possible when considering the annual requirement for reserved places.
- 2.5 For session 2021/2022, there are some fluctuations in the reserved places from the previous school session. There are a number of schools whose reserved places have been altered in light of experience in administering placements throughout session 2020/2021. In addition, where additional building work has been undertaken in schools or reconfiguration of class structures, this can lead to the reduction in the requirement for reserved places. Reserved places may be increased where residential build has taken place or is planned within school catchment areas. Reserved places have

also been altered where school rolls have increased or decreased.

- 2.6 On 22 January 2020, Lifelong Learning Committee approved the report School Estate Transformation Programme - Strategic Sites North West/North Perth Options Appraisal ([Report No. 20/18 refers](#)).

This report approved the proposal to build a new primary school to provide capacity for pupils from the strategic sites being progressed to the north/north west of Perth and approved Bertha Park as the preferred location for a new primary school. It was also agreed that options appraisals, which include informal consultation, are undertaken in relation to the catchment for the new school. This is planned to commence in April 2021.

Until such time as the new primary school is built and operational, pupils from the strategic sites of Perth West and Bertha Park require to be able to attend the current primary schools of Ruthvenfield Primary School and Pitcairn Primary School which are the catchment schools serving these areas. Therefore, it is necessary for Education and Children's Services to take steps to ensure that these schools retain capacity to ensure, as far as is practicably possible, that pupils from these strategic sites can attend their local catchment schools until the new school opens. The position taken in session 2020/2021 was to only admit catchment pupils into these schools which reduced the numbers of placing requests in these schools. It was agreed that this arrangement was to be subject to review on an annual basis.

A review of the position in both schools has been considered for session 2021/2022 based on what might be reasonably expected to materialise within the coming school session and the reserved places have been amended downwards to reflect this.

- 2.7 The total number of reserved places proposed for 2021/2022 has been decreased to reflect the factors outlined in sections 2.5 and 2.6. Reserved places fluctuate on an annual basis and the total number of reserved places each year has varied between 92 and 958 since their introduction in 1997.

3. PROPOSALS

- 3.1 It is proposed that the reserved places required for session 2021/2022 are accepted as outlined in Appendix 1. The Executive Director (Education and Children's Services) will publish the Reserved Places in Schools 2021/2022 and implement this in full for session 2021/2022.
- 3.2 In order to provide accurate and clear information, Education and Children's Services publishes the reserved places required on Perth and Kinross Council's website. The published information shows the reserved places at each individual stage for each school. This format allows parents/carers to clearly understand how many reserved places are being held at each/any stage in the school each session.

4. MAXIMISING CAPACITIES

- 4.1 On 16 May 2018, the Lifelong Learning Committee approved the report Maximising Primary School Capacities ([Report No 18/158 refers](#)). This report gave approval for the Executive Director (Education and Children's Services) to apply the Scottish Government space capacity metric of 1.7m² per pupil for primary schools, if required, to accommodate children living in the catchment area.

This provides an additional mechanism to manage the accommodation available in primary schools where there are challenges in accommodating catchment pupils. It also ensures that teaching staffing budgets are not exceeded while providing pupils with the best opportunity to attend their catchment school.

- 4.2 This report also agreed that the Executive Director (Education and Children's Services) would provide Committee with an annual update on the use of this variation within primary schools.
- 4.3 During session 2020/2021, the capacity of some primary school classrooms was temporarily maximised at the following primary schools to allow catchment pupils to be admitted:

- Community School of Auchterarder (Primary)
- Dunbarney Primary School
- Methven Primary School
- Milnathort Primary School
- Robert Douglas Memorial (RDM) Primary School
- Viewlands Primary School

- 4.4 At the time of this report, it is too early to report whether it will be necessary to apply the space capacity metric of 1.7m² to any classes for session 2021/2022. The allocation of places for the new school session will be concluded by 15 May 2021 in line with the extended statutory timescales for 2021 and will be reported to Lifelong Learning Committee as part of the next annual Reserved Places in Schools report.

5. CONCLUSION AND RECOMMENDATIONS

- 5.1 The reserved places procedure allows children moving into a catchment area of a school a greater likelihood of attending that school. Reliable historical and anticipated patterns have been established as accurate information is collected.

The annual revision of the reserved places procedure ensures that Education and Children's Services stringently manage pupil intakes for each school ensuring, where possible, that local children can attend their catchment school.

5.2 It is recommended that Council:

- (i) Approves the number of reserved places, within schools which have classes with a limited number of spaces at specific stages, for session 2021/2022 as shown in Appendix 1;
- (ii) Requests the Executive Director (Education and Children's Services) to revise these numbers each year to reflect historical or anticipated patterns of migration, information about known movements of families in to (or out of) an area, and any current residential development;
- (iii) Delegates responsibility to the Executive Director (Education and Children's Services) to keep under review the reserved places for all schools in light of any building work in schools and in light of residential development; and
- (iv) Notes the primary schools where class capacities have been maximised during session 2020/2021.

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

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

1. Strategic Implications

Community Plan/Single Outcome Agreement

1.1 This section sets 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 Objective No (ii) Developing educated, responsible and informed citizens.

Corporate Plan

1.2 This section sets out how the proposals relate to the achievement of the Council's Corporate Plan 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 Objective No (ii) Developing educated, responsible and informed citizens.

1.3 The report also links to the Education & Children's Services Vision, Values and Priorities in respect of the following key Priority area:

- Learning and Achievement

2. Resource Implications

Financial

2.1 N/A

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 reserved places procedure presented in this report was considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

Assessed as **relevant** and the following positive outcomes expected following implementation:

- The outcome is not considered to result in an equality issue but has a positive outcome in terms of fairness. A consequence of reserved places is that it will ensure that children can, as far as possible, attend their catchment schools, thus limiting any adverse impact for low income families.

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 The Head of Legal and Governance has been consulted in relation to the reserved places scheme. The scheme complies with the legal framework in relation to reserved places set out in the Education (Scotland) Act 1980, as amended.

.5 N/A

Risk

3.6 N/A

4. Consultation

Internal

4.1 Headteachers have been consulted in the preparation of the report.

External

4.2 N/A

5. Communication

5.1 The Reserved Places for 2021/2022 will be published on the Council website to ensure parents and schools are able to easily access the information. This report also forms part of the appeal information provided to parents where a placing request has been unsuccessful.

2. BACKGROUND PAPERS

2.1 The Reserved Places in Schools supports the application and administration of the Council's [School Admission Policy](#).

3. APPENDICES

3.1 Appendix 1 – Reserved Places 2021/2022