

## SCHOOLS ADMISSIONS POLICY – OCTOBER 2010

### 1.0 PURPOSE OF POLICY

- 1.1 This document comprises Scottish Borders Council's formal policy on admission to its pre school classes, primary and secondary schools, and includes information on the context in which placing requests will be considered.
- 1.2 This policy has been written in plain English. Extracts from the relevant Education Acts, are available upon request from the Education Department or can be downloaded from the Council website: [www.scotborders.gov.uk](http://www.scotborders.gov.uk).
- 1.3 An impact assessment to ensure all aspects of equalities legislation and principles are upheld within this policy has been undertaken.

### 2.0 INTRODUCTION

- 2.1 The Authority's legal duty in respect of admissions can be summarised as:
  - a) To provide suitable education opportunities for children and young people.
  - b) To give parents and pupils information on their local schools. Basic details on all schools are included on the Council website and detailed information is available directly from individual schools.
  - c) To give parents information on admission arrangements for children to the Authority's pre school classes, primary and secondary schools.
  - d) To advise parents of their right to choose an alternative school (not their local catchment school) for their child by making a placing request.
  - e) To accept placing requests, except where the Authority has the right to refuse a request and chooses to exercise this right.
  - f) To advise parents of their rights to appeal if a placing request is refused.
- 2.2 The Authority will try to provide a place for each pupil in their local catchment school and to meet requests from parents for a place at an alternative (non catchment) school but there may be occasions when this is not possible - if for example the school is operating at or beyond capacity.

Appendix 2 sets out how capacities are calculated in both primary and secondary schools.
- 2.3 The capacity for nursery classes is set by Care Commission standards based on School Premises regulations.

2.4 As at August 2010, the class limits for primary schools are:

- Composite classes (a class with more than one age group) - a maximum of 25 pupils
- P1 single year groups – a maximum class size of 25 pupils
- P2 to P3 single year groups - a maximum class size of 30 pupils
- P4 to P7 single year groups - a maximum class size of 33 pupils

2.5 As at August 2010, the class limits for secondary schools are:

- S 1 and S2 year groups - a maximum class size in non practical subjects of 33 pupils.
- S3 - S6 year groups - a maximum class size of 30 pupils in non practical subjects
- Practical subjects - a maximum class size of 20 pupils

2.6 This policy will be updated to reflect changes in national legislation or any local agreements on maximum class sizes or pupil /teacher ratios.

### **3.0 SCHOOL CATCHMENT AREAS AND PROOF OF IDENTITY/HOME ADDRESS**

3.1 There are no defined catchment areas for pre school settings and a parent can choose whichever setting is most appropriate for their child. There is a separate pre-school education admissions policy.

3.2 The Authority has identified a catchment area for each of its non-denominational primary schools and secondary schools. While this is primarily to facilitate transport arrangements, catchment areas are also used as a tool to address capacity issues in schools.

A catchment area can be changed to reflect movement in school rolls or to take into account significant new housing developments but before the change can be implemented a statutory consultation must be undertaken and any proposed change would need to be approved by the Council as Education Authority. In certain circumstances approval of Scottish Ministers may also be required.

3.3 For any pupil to qualify for admission to their local catchment primary school parents must satisfy the Authority that they will ordinarily reside within the catchment area at the time the child will start school. Appropriate evidence of parent(s) home address will be required to support all admissions.

3.4 As almost all pupils entering a secondary school will transfer from one of the local Authority's primary schools, proof of home address is not generally required as the child will be known to the Authority. If however a pupil joins a secondary school from another local Authority, appropriate proof of residence will be required.

3.5 A place may be removed if it is found that the offer was based on false information supplied by a parent.

3.6 The Authority operates four Roman Catholic (denominational) primary schools for which there are designated catchment areas. For Roman Catholic children admission to one of these schools requires proof of entitlement in the form of a certificate of baptism. Admission should be discussed with the chosen school's head teacher during the usual enrolment week. Admission of a non-Roman Catholic child to a denominational school will be considered on the basis of a placing request.

#### **4.0 RESERVED PLACES**

- 4.1 In order to maintain some capacity to accept pupils who move into a catchment area during the school year, reserved places are established for each primary and secondary school based on projected rolls. Reserved places are created by reducing the capacity of each school. Reserved places are not maintained for the Authority's pre school classes.
- 4.2 There is no requirement to agree to a placing request which would result in the loss of a reserved place.
- 4.3 For primary schools reserved places will be calculated on the basis of one pupil per class based on the current class size limits as set out in paragraph 2.4 of this policy document.
- 4.4 For secondary schools the critical years in terms of over capacity are S1 and S2. It is therefore proposed to reserve places in these year groups for new pupils moving into the catchment area. One place will be reserved for every 30 pupils (rounded to the nearest 30) in the S1 and S2 year groups.
- 4.5 On occasion because of a demand for places for pupils from within the catchment area, it may not always be possible to maintain a reserved place and therefore a pupil who moves into the catchment area may be re-directed to the nearest alternative school.
- 4.6 Where a 'reserved' place is offered to a child who intends to move into the catchment, this must be taken up within six term-time weeks from the date of offer (this offer will only be made on production of evidence of address).

#### **5.0 PROCESS AND PRIORITIES FOR ADMISSIONS TO PRE SCHOOL EDUCATION**

- 5.1 In the Scottish Borders free pre school education is available to all children in a variety of settings for up to five sessions a week, each lasting 2½ hours during the normal school term. Funded places are available at the beginning of the term after a child's third birthday – the ante pre school year. Terms are scheduled each year to commence in August, January and April. On occasion if an Authority setting has space then a head teacher may accept a child upon its third birthday but this is at the discretion of the head teacher. A private or voluntary body setting may accept children prior to their third birthday but a parent would be required to meet the cost.  
  
(\*Settings is used to describe all pre school education. A setting can be an Authority pre school/nursery class attached to a primary school, or a playgroup or nursery school run by a voluntary or private body.)
- 5.2 Scottish Borders Council places an advertisement in the local press each year, with details of all pre school settings. Parents are advised to get an application form from their preferred setting and return the completed application form to their preferred setting during enrolment week.
- 5.3 In the event that there are insufficient spaces to accommodate all the requests for admission to a local authority setting, then the Authority will allocate places in line with the Nursery Admissions policy.
- 5.4 Admission to a pre school setting, out with the child's home catchment area, does not mean the child has an automatic right or priority status to transfer from the nursery class to that school's P1 class.

- 5.5 If a child attends a pre school class that is not attached to their normal catchment school, and the parents wishes them to continue at a non catchment primary school, then a placing request must be made.

## **6.0 PROCESS FOR ADMISSION TO PRIMARY ONE**

- 6.1 There is a legal requirement on parents to ensure that a child attends school from the start of the session in August following the child's fifth birthday, unless suitable alternative arrangements for education have been made.
- 6.2 Attendance at a private school or a decision to educate a child at home may replace registration at one of the Authority's primary schools. Parents are requested to notify the Authority in advance of enrolling their child in a private school or of starting to educate their child at home.
- 6.3 Any child whose fifth birthday falls after the 28 February would normally start school in August of that year. Early admission may be possible if a parent requests it and if it is considered appropriate to the aptitude and ability of the child. Early admission will be at the discretion of the Local Authority in discussion with the relevant headteacher.
- 6.4 Early admission must also be subject to there being sufficient space in the P1 or composite class, taking into account any reserved places.
- 6.5 Each year the Authority will advertise details of its enrolment process for parents considering enrolment for their child in the following August.
- 6.6 If a child presented for admission has specific additional support needs, the school should refer the admission request to the Education and Lifelong Learning Department and Integrated Children's Services to ensure that the most appropriate packages are put in place to support that child in the school. In some cases an alternative establishment may be recommended.

## **7.0 PRIORITIES FOR ADMISSION TO A CATCHMENT PRIMARY SCHOOL**

- 7.1 On occasion a school may receive more applications for children within the catchment area to be admitted than its capacity allows. In this case the following priority order will be used to allocate places:
- 1 Recommendations from the Authority's Additional Support Needs Service or for certified medical, social or emotional reasons,
  - 2 Children with brothers or sisters already attending the school,
  - 3 Children living furthest from their nearest alternative school with a place available. Distances will be determined by the School Transport Team within Technical Services.

If all other factors are equal a ballot will be used to determine places.

- 7.2 Where there are insufficient places for children living in the catchment, some children, based on the above criteria, will be required to attend the nearest alternative school that has places. In this case they will be given a higher priority than a pupil making a placing request to the alternative school. A child's attendance at the nearest alternative school can be on a permanent or temporary basis as the child can transfer back to their catchment school as soon as a place becomes available.

- 7.3 Free school transport will be provided if the catchment school is full and a pupil from within the catchment area is required to attend an alternative school as long as that school is outside the statutory walking distance. If a place subsequently becomes available at the pupil's catchment school, parents will be responsible for school transport costs if they decide to retain their child at the alternative school. This will commence from the beginning of the subsequent school session.
- 7.4 If a parent chooses to send sibling(s) to the same alternative school then a placing request will be required and free school transport will not be provided,

## **8.0 ADMISSION TO OTHER PRIMARY STAGES**

- 8.1 Children moving into a catchment area may be admitted to other primary stages at any time of the school year if there is a place or reserved place available. If no place is available the child may be refused a place and will be directed to the nearest alternative school that has places to accept them. The same rules as for admission to primary 1.

## **9.0 PROCESS FOR ADMISSION TO A CATCHMENT SECONDARY SCHOOL**

- 9.1 Parents of a child who is to transfer from primary education to secondary education in August will receive from their primary head teacher the name of the relevant secondary school. Each school will also arrange a transition programme to assist pupils through the transfer from primary to secondary education.
- 9.2 In exceptional circumstances due to capacity issues pupils residing within a catchment area may not be able to enrol at that school. In that case they will be directed to the nearest alternative school that has places to accept them.

This may be on a permanent or temporary basis. If a place does become available at the catchment school during the session or at the start of the following session, the child may transfer if they or the parent requests it.

- 9.3 Free school transport will be provided if the catchment school is full and a pupil from within the catchment area is required to attend an alternative school as long as that school is outside the statutory walking distance. If a place subsequently becomes available at the pupil's catchment school, parents will be responsible for school transport costs if they decide to retain their child at the alternative school. This will commence from the beginning of the subsequent school session.

If a parent chooses to send sibling(s) to the same alternative school then a placing request will be required and free school transport will not be provided, although if a seat is available a 'privilege lift' may be offered. It may be withdrawn at short notice however if a child who is entitled to free school transport requires the seat.

- 9.4 If a child attends a primary school through a placing request, the child will be expected to transfer to their appropriate home catchment area high school for secondary education.

Should a parent wish their child to move on to the secondary school linked to the placing primary catchment school (rather than their home catchment school), then a placing request must be made.

- 9.5 Parents who wish to choose an alternative secondary school will need to submit a placing request and should contact the head teacher of both schools before the end of March.

9.6 If a child presented for admission has specific additional support needs, the school should refer the admission request to the Education and Lifelong Learning Department and Integrated Children's Services to ensure that the most appropriate packages are put in place to support that child in the school. In some cases an alternative establishment may be recommended.

## **10.0 PRIORITIES FOR ADMISSION TO SECONDARY SCHOOLS**

10.1 On occasion a school may receive more requests for children to be admitted than its intake capacity allows. To deal with this, there is a legal requirement for the Authority to establish a list of factors that will determine priority admission. The priority order for children living in the catchment area is:

- 1 Recommendations from the Authority's Additional Support Needs Service or for certified medical, social or emotional reasons.
- 2 Children with brothers or sisters already attending the school.
- 3 Children living furthest from their nearest alternative school.  
Distances will be determined by the School Transport Team within Technical Services.

If all other factors are equal a ballot will be used to determine places.

## **11.0 PLACING REQUESTS – (PRIMARY AND SECONDARY SCHOOLS)**

11.1 The Authority has a duty to accept placing requests from parents to facilitate parental choice where and when this is possible. All placing requests should, if possible, be submitted between the enrolment week and 15th March. A decision will be notified to the parent by 30th April.

Requests received after 15th March will be dealt with in order of receipt. Requests made after 15 March should be determined within two months of the date of receipt. If the Authority fails to determine the request within two months then the request is deemed to have been refused.

11.2 Even where a placing request is to be made, parents must also register pupils with their catchment school. This is to ensure that should a placing request be refused the child will have an allocated place at their catchment school. If a parent does not do this it is possible that a place at their catchment school will not be available. The initial registration for the catchment school and the placing request should be made at the same time.

11.3 If, during the course of a school session, a family moves house to another catchment area a formal placement request must be made if they wish their child/children to remain at their original school.

11.4 A placing request form can be obtained from any of the Authority's schools or downloaded from the Council website.

11.5 Once a pupil has been offered a place, the place will not be withdrawn unless the Authority becomes aware that granting a place was based on false information. The Authority will investigate all allegations of places gained on the basis of false information.

11.6 The Authority is entitled to refuse a placing request under the legislation only where one or more of the grounds of refusal summarised below would apply:

**a) If placing a 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 the accommodation at, or facilities provided in conjunction with, the school. The authority will not refuse a request for this reason without first considering, where appropriate, its legal obligation under the Disability Discrimination Act 1995 to make 'reasonable adjustments' to ensure that a disabled pupil is not at a substantial disadvantage
- 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 well being of pupils attending the school
- If it becomes necessary (assuming that pupil numbers remain constant) at the commencement of a future stage of the child's primary education, for the Authority to create either an additional class or to take an additional teacher into employment at the school
- If as a consequence of acceptance the capacity of the school would be exceeded in terms of pupil numbers

**b) If the education normally provided at the school is not suited to the age, ability or aptitude of the child**

**c) If the Education Authority has already required the child to discontinue his/her attendance at a school**

**d) If the school is a special school, the child does not have additional support needs requiring the education or special facilities normally provided at that school**

**e) If the child in question is resident out with the school's catchment area, and the acceptance of that child would entail using one of the places reserved for pupils moving into the catchment area on a permanent basis.**

11.7 There are strict guidelines on the conduct for considering placing requests, in summary these are:

- Each request must be granted if there is space within each class or year - but this does not apply to the school's reserved place(s). Pupils from out with the catchment area have no automatic right to take a place reserved for children likely to move into the catchment area.
- Where there has been a shortage of places in a particular year group, Headteachers must first check their outstanding waiting list for admission and discuss this with the Local Authority.
- A decision on all requests received on or before 15th March will be notified to the parent by 30th April.
- Any placing request received after 15th March should be determined within two months of the date of receipt..
- If a request cannot be granted, the parent will be notified in writing of the decision, the grounds for refusal , and their right to appeal

- Upon refusal or a deemed refusal the parent has the right of appeal to the Council's Appeal Committee.

## **12.0 PLACING REQUESTS: NON DENOMINATIONAL PRIMARY SCHOOLS AND SECONDARY SCHOOLS**

12.1 For non denominational primary schools and secondary schools the factors and priority order which will be considered to determine priorities are:

- 1 Pupils having being refused a place at their local catchment school because it is at capacity.
- 2 Recommendations from the Authority's Additional Support Needs Service or for certified medical, social or emotional reasons.
- 3 Children with brothers or sisters already attending the school.
- 4 Children living furthest from their nearest alternative school. Distances will be determined by the School Transport Team within Technical Services.

## **13.0 PLACING REQUESTS: DENOMINATIONAL (ROMAN CATHOLIC) PRIMARY SCHOOLS**

13.1 For denominational primary schools the factors which will be considered to determine priorities for non Roman Catholic pupils are:

- 1 Recommendations from the Authority's Additional Support Needs Service or for certified medical, social or emotional reasons.
- 2 Children with brothers or sisters already attending the school .
- 3 Children living furthest from their nearest alternative school. Distances will be determined by the School Transport Team within Technical Services.
- 4 Pupils having being refused a place at their local catchment school because it is at capacity.
- 5 Non-Roman Catholic parents who can demonstrate an affinity with the aims, philosophy and/or religious beliefs of the school.

## **14.0 APPEALS PROCEDURE**

14.1 The Authority has established an Appeals Committee comprising Councillors and representatives from Parent Councils to consider appeals from parents and young people.

14.2 If parents are unhappy with the decision of the Appeals Committee parents have a right of appeal to the Sheriff Court or to the Additional Support Needs Tribunal, depending upon the circumstances.

Parents may, if they do not wish to take court proceedings, complain in writing to the Scottish Public Service Ombudsman. Parents can write themselves or may authorise someone else to complain on their behalf, such as an MSP, Local Councillor or another person considered suitable to represent the parent or child's interests.

A complaint will only be investigated if the Ombudsman is satisfied that, in the circumstances of the case, it is not reasonable to expect the parent to take court proceedings. The Ombudsman only usually investigates complaints if notified within a year of the event or of a parent becoming aware of the event.

Further information is available from the Ombudsman office: Tel: 0800 377 7330 or email [ask@spsso.org.uk](mailto:ask@spsso.org.uk). The website of [www.spsso.org.uk](http://www.spsso.org.uk)



## **15.0 POLICY REVIEWS, MONITORING AND RESPONSIBILITY**

15.1 This policy will be reviewed and monitored on a five yearly cycle

15.2 If you have any comments on the content or implementation of the policy please contact the Policy, Planning and Performance Team at the address below.

## **16.0 ALTERNATIVE FORMAT**

16.1 This document can be made available on tape, in Braille, large print and various computer formats by contacting the address below. The Policy, Planning and Performance Team can also give information on other language translations as well as providing additional copies.

October 2010.

## APPENDIX 2            ADMISSIONS POLICY

### ESTABLISHING THE CAPACITY OF SCHOOLS

#### 1. PRIMARY SCHOOLS

- 1.1. Each primary school's physical capacity is determined by the space available in terms of the number and size of classrooms. . A minimum of 1.75 square metres per pupil is recommended. Spaces which are set aside for other curriculum requirements, such as General Purpose rooms and Support for Learning requirements, do not count towards a schools maximum occupancy calculation.
- 1.2. With a small number of exceptions, classrooms can accommodate either a composite class of up to 25 or a single age-group class of up to 33.
- 1.3. Each primary school's 'intake capacity' is determined by the number of teachers needed for the projected pupil roll determined following the enrolment process in November each year. The roll is finalised in March to enable funding to be identified and devolved to school budgets for the start of the financial year in April.
- 1.4. One reserved place is held in each class for children moving into the catchment area after the roll is agreed in April. These reserved places will normally be held until February each year before being released to placement requests but there are circumstances, such as a rapidly growing in-catchment population, where the reserved places are held for the full year. The decision to hold or release places in February is made by the headteacher in consultation with the relevant Schools Manager.
- 1.5. Class sizes are designated nationally (SNCT web-site) and in primary are as follows:

P1	25
P2-3	30
P4-7	33
Composite classes	25

#### 2. PRIMARY SECTOR ILLUSTRATION

- 2.1. A school with 72 pupils living within the catchment area would be allocated funding for three teachers- resulting in three classes leaving 3 spaces for in catchment area children to move in during the year ( $3 \times 25$  pupils minus 3 reserved places=72). In this case the school's intake capacity would exactly match the number of in-catchment area pupils. Placement requests would therefore be refused in this case even where there was an empty classroom in the school as accepting additional pupils would require funding for an additional teacher.
- 2.2. The exception to this would be where to refuse these placement requests and the pupils were to return to their catchment area school/s would also require an additional teacher. To meet the terms of the Education (Scotland) Act 1980, the education authority seeks to meet requests where overall across schools the total number of teachers required to teach the pupil population does not increase.
- 2.3. A school with 84 pupils living within the catchment area would be allocated funding for four teachers- resulting in four classes. Leaving 4 spaces for in catchment area children to move in during the year (before February 28). Up to 12 placement requests would therefore be accepted as the school's intake capacity would be 96 ( $4 \times 25$  pupils in composite classes minus 4 reserved places = 96) with in catchment children accounting for 84 of these places.

### 3. SECONDARY SCHOOLS

- 3.1. Each secondary school's physical capacity is determined by the space available. A raw figure of 'notional' capacity is first calculated on the basis of the number of general and practical classrooms available and their capacities – normally 30 in the case of general classrooms and 20 for practical classrooms. Spaces designed for other curricular requirements such as learning support and spaces designed for pupil social purposes are not relevant to these calculations. It is not realistic, however, to timetable every classroom for every period in the week and, mainly because of the wide range of course choice accorded to students in S3 to S6, it is impossible to have every class in every room full every period. Timetabling experience takes 72% of the notional capacity to re-calculate the actual capacity of the school. It is this figure of actual capacity which determines that a secondary school is or will become physically full.
- 3.2. The capacity to receive pupils is determined only to an extent by the physical capacity. Teaching hours are devolved to schools based largely on the catchment area population. To meet the terms of the Education (Scotland) Act 1980, the education authority seeks to meet requests where overall *across schools* the total number of teachers required to teach the pupil population does not increase.
- 3.3. Each secondary school's 'intake capacity' is determined by the number of teachers the school needs to teach the pupils living in the catchment area each year. The roll is finalised in March to enable the timetabling exercise to be finalised and for funding to be identified and devolved to school budgets for the start of the financial year in April.
- 3.4. Determining a secondary school's intake capacity is a complicated process linked to complex timetabling of subjects across the whole school population. This includes ensuring that there are sufficient subject teachers to cover all sets of pupils in the designated class sizes.
- 3.5. Spaces are held in each year group for pupils moving into the catchment area as outlined in the Admissions policy. These reserved places will normally be held until February each year before being released to placement requests but there are circumstances, such as a rapidly growing in-catchment population, where the reserved places are held for the full year. The decision to hold or release places in February is made by the headteacher in consultation with the relevant Schools Manager.
- 3.6. Class sizes are designated nationally and in secondary are as follows:

3.6.1. S1-2	33
3.6.2. S3-6	30
3.6.3. Practical classes	20

### 4. SECONDARY SECTOR ILLUSTRATIONS

4.1 Each secondary school organises their timetable and staffing differently to match local needs and requirements while all meeting national standards. However it may be useful to illustrate one school's way of managing their teaching resources and how placing requests are then accepted or refused.

4.2 If a secondary school has an S1 intake of 180 pupils from its catchment area, it is necessary to timetable a minimum 9 classes for practical subjects since regulations make it impossible to have more than 20 pupils in a practical class. For general (non-practical) subjects, 180 pupils would normally be timetabled into 6 classes. If the intake is even one more (that is, 181), it will be necessary to create 10 classes instead of 9 for practical subjects – with implications for staffing and rooms - although the number of general classes can remain at 6 (since these classes may contain up to 33 pupils).

4.3 It is impractical to timetable all teachers up to their contract maximum since this would leave the school unable to provide internal supply to cover classes for absent colleagues. This

need for internal cover is expected and factored into the level of additional funding devolved to schools for absence cover.

4.4 Where a school has spare places within a year group, a number of reserved places for pupils moving into the catchment area during the year will be created before placing requests are considered. The number of reserved places will be on the basis of one place for every 30 pupils (rounded to the nearest 30) in S1 and S2. For example, a school with an S1 intake of 170 pupils in its catchment area must timetable for 9 practical classes which means a potential maximum intake of 180. 6 reserved places require to be left on the basis of 1 place per 30 pupils. There will therefore be only 4 places available for placing requests. If, however, the number of catchment pupils in the above example were 175, all 5 remaining places would be reserved and no placing requests could be considered.

#### **4. SECONDARY SCHOOLS INTAKE CAPACITY**

- 4.1. As the secondary school intake capacity is critical in determining the number of pupils that can be admitted to the school in any year, this roll number will be agreed between the head teacher and Head of Schools Service for the area on 15 March or on the first working day thereafter.
- 4.2. This is the roll number that will apply in accepting or refusing placing requests in the secondary sector and will be available to parents on request.