



School Admissions Policy Consultation

Report by Executive Director, Children, Young People and Partnerships

Report for Decision

1 Recommendations

Council is requested to:

- Authorise the Executive Director, Children, Young People and Partnerships to undertake a review, followed by a statutory consultation, to update Midlothian Council's admission policy for all schools (excluding Early Learning and Childcare) in line with the *Schools (Consultation) (Scotland) Act 2010*;
- Agree that a report on the outcome of the consultation and recommendations will be brought back to Council for consideration.

2 Purpose of Report/Executive Summary

The purpose of this report is to seek approval to undertake a review, followed by a statutory consultation, to update Midlothian Council's admission policy for all schools (excluding Early Learning and Childcare) in line with the *Schools (Consultation) (Scotland) Act 2010*

Date: 18 October 2024

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3 Background

- 3.1** The *Education (Scotland) Act 1980* places a legislative duty on the Council to make adequate and efficient provision of school education across its area. This duty applies in respect of both the current school population and anticipated pattern of demand.

Section 3D of the *Standards in Scotland's Schools etc. Act 2000* (as inserted by Section 2 of the *Education (Scotland) Act 2016*) introduces a requirement on education authorities to carry out their duty to ensure the delivery of improvement in the quality of school education which is provided in the schools they manage, with a view to achieving the strategic priorities of the National Improvement Framework. It is, therefore, the duty of the education authority to ensure that the education it provides is directed to the development of the personality, talents and the mental and physical abilities of the children to their fullest potential.

In addition, Councils have a statutory duty to secure best value in terms of the *Local Government in Scotland Act 2003* by continuous improvement in performance of the local authority's functions, while maintaining an appropriate balance between quality and cost and having regard to economy, efficiency, effectiveness, equal opportunities, and the achievement of sustainable development.

- 3.2** As a local authority, Midlothian Council has a legislative duty in respect of admissions to provide suitable education opportunities for children and young people. Midlothian Council's approach to pupil placement is to provide a place for every pupil at one of their catchment schools and to review/grant placing requests whenever this is possible. Where catchment schools are over-subscribed, Pupil Placement seeks to allocate places at neighbouring schools to ensure every pupil is afforded the opportunity to attend a local school.
- 3.3** A review of the current admissions policy will reflect and incorporate any recent changes to legislation, policies and procedures as well as schools' circumstances. This will ensure that the admissions process remains effective, clear and consistent to meet the enrolment requirements of the children and young people of Midlothian fairly and effectively.
- 3.4** The statutory consultation is anticipated to be undertaken in the Spring/Summer term 2025 and will run for period of at least 6 weeks, to include 30 school days during term time. Education Scotland will then undertake their own consultation lasting a period of 3 weeks. This will not start until after the consultation period has ended. In preparing their report, Education Scotland may visit some schools and make such reasonable enquiries of such people there as they consider appropriate.

- 3.5** A full report will be published detailing the outcome of the statutory consultation, including the proposals and recommendations. This will be presented for consideration by Council in June 2025. Subject to the outcome and the decision taken by Council on the proposals, the new policy will take effect from August 2026. The changes will apply to the registration enrolment/placing requests process commencing in November 2025.
- 3.6** As part of our legislative duties, Midlothian Council is required to give all statutory consultees advanced notice of the proposals and engagement events. In line with national legislation and guidance, all consultees will be consulted on the proposals within the consultation documents. This includes a wide range of stakeholders as well as the wider public. A communication on the consultation and engagement events will be sent to all affected consultees prior to the consultation commencing, as well as an announcement being made on the Council's website and social media platforms.
- 3.7** Council is requested to authorise the Executive Director, Children, Young People and Partnerships to undertake a review, followed by a statutory consultation on the proposal:
- To update Midlothian Council's admission policy for all schools (excluding Early Learning and Childcare) in line with the *Schools (Consultation) (Scotland) Act 2010*;

4 Report Implications (Resource, Digital, Risk and Equalities)

4.1 Resource

Conducting this statutory consultation will require collaborative working with officers from various teams across Midlothian Council.

4.2 Digital

None

4.3 Risk

An updated policy will ensure that the admissions process remains effective, clear and consistent to meet the enrolment requirements of the children and young people of Midlothian fairly and effectively. This will reflect and incorporate any recent changes to legislation, policies and procedures as well as schools' circumstances.

4.4 Ensuring Equalities

Should changes to the admissions policy require an Equalities Impact Assessment, this will be carried out and published as part of the consultation process.

4.5 Additional Report Implications (See Appendix A)

Appendices

Appendix A – Additional Report Implications

A.1 Key Priorities within the Single Midlothian Plan

Not Applicable

A.2 Key Drivers for Change

Key drivers addressed in this report:

- Holistic Working
- Hub and Spoke
- Modern
- Sustainable
- Transformational
- Preventative
- Asset-based
- Continuous Improvement
- One size fits one
- None of the above

A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- One Council Working with you, for you
- Preventative and Sustainable
- Efficient and Modern
- Innovative and Ambitious

A.4 Delivering Best Value

The implementation of the recommendation of this report will enhance best value in the delivery of Council services.

A.5 Involving Communities and Other Stakeholders

This report recommends undertaking a statutory consultation with all communities and stakeholders.

A.6 Impact on Performance and Outcomes

The report does not directly impact upon Midlothian Council's performance and outcomes.

A.7 Adopting a Preventative Approach

The Council's approach to pupil placement adopts a preventative approach by maximising the opportunities for pupils to attend school in their local community.

A.8 Supporting Sustainable Development

Not applicable