

Pupil Admissions – Review of Policy and Process

Report by Fiona Robertson, Executive Director Children, Young People and Partnerships

1. Report for approval

This report seeks Council approval to the revisions made to the *Admission to Primary and Secondary Schools policy*.

2. Purpose of Report/Executive Summary

Following the conclusion of the 2022/23 P1 and S1 intake, the Children, Young People and Partnerships Business Support Team have been working to review, update and improve the admissions process. This report provides the updated revisions to the admissions policy. The main areas for approval are:

- The inclusion of the explanation around reserved places.
- The process for late placing requests, including those with exceptional circumstances.
- An explanation of what constitutes exceptional circumstances and how this is incorporated into the waiting list criteria.

3. Update

The admission of pupils to both primary and secondary schools is defined in terms of the Education (Scotland) Act 1980. Key points to note are:

- Parents/carers have the right to request admission to the school of their choice;
- Such a request must be in writing and is known as a placing request;
- The Council has a duty to accede to this request, except in certain circumstances specified in the Act;
- The Council has a duty to inform parents/carers of their right to make a placing request and to provide certain prescribed information in order to assist parents/carers in making their choice of school.

The Midlothian Council admissions policy outlines how we comply with the points outlined above and the procedures that parents/carers must follow when making a placing request to a non-catchment school. It was clear from this year's intake and the subsequent appeals that there was a need to update and provide more clarity in certain areas.

The grounds refusing a placing request are set out in the Education (Scotland) Act 1980, section 28A (3) (a) to (e) and section 28(3A) of the Act. The duty to give effect to a placing request does not apply if placing a child would:

- make it necessary for the authority to take an additional teacher into employment (section 28A(3)(a)(i));
- give rise to significant expenditure on extending or otherwise altering the accommodation at or facilities provided in connection with the school (s.28A(3)(a)(ii));

- though neither of the tests set out in sub-paragraphs (i) and (ii) above is satisfied, have the consequence that the capacity of the school would be exceeded in terms of pupil numbers(s.28A(3)(a)(vii));
- be seriously detrimental to the continuity of the child’s education (s.28A(3)(a)(iii));
- be likely to be seriously detrimental to order and discipline in the school (s.28A(3)(a)(iv));
- be likely to be seriously detrimental to the educational well-being of pupils attending the school (s.28A(3)(a)(v)).
- assuming that pupil numbers remain constant, make it necessary, at the commencement of a future stage of the child’s primary education, for the authority to elect either to create an additional class (or an additional composite class) in the specified school or to take an additional teacher into employment at that school (s.28A(3)(a)(vi)); or
- if the education normally provided at the specified school is not suited to the age, ability or aptitude of the child (s.28A(3)(b)).
- the acceptance of a placing request in respect of a child who is resident outwith the catchment area of the specified school would prevent the education authority from retaining reserved places at the specified school or in relation to any particular stage of education at the school; (s.28A(3A)).

The updated policy recognises the need to outline the above more clearly and encourage parents/carers to provide as much detail as possible at the time of the placing request to better inform decisions. The policy is attached at [Appendix B](#) and the table below provides a summary of changes for your note or approval.

Pg.	Update	Note/approve?
6	<p>ADD: an explanation of how Education determines reserved places – this was highlighted as a gap in the appeals information. While there is a need to apply a consistent approach, we also need to be able to consider other factors, such as house building. Proposed:</p> <p>1.9 Reserved places</p> <p>The Education (Scotland) Act 1996, as amended by the Standards in Scotland’s Schools etc. Act 2000, gives Education Authorities the power to reserve places at schools for children who move into the catchment areas after enrolment has completed.</p> <p>With the level of house building and migration into the authority, Midlothian Council continues to experience pressure on schools rolls. After the allocation of places, in accordance with Section 2.8 and 3.6, places will be reserved for children moving into catchment.</p> <p>In the Primary 1 year group, one place per class (and one place per teacher, where team teaching is in place) is reserved for incoming catchment children for the entire school year.</p> <p>In the Secondary 1 year group, one place per 40 pupils is reserved for incoming catchment children for the entire school year.</p> <p>Where there are other considerations, such as house building in certain catchment areas, the number of reserved places may be increased beyond the above ratios.</p> <p>For Roman Catholic schools, reserved places will only be granted to catchment baptised Roman Catholic children.</p>	<p>APPROVE:</p> <ol style="list-style-type: none"> 1. Reserved places explanation 2. Reserving places at RC schools for RC children

	If out of catchment places are granted by an Appeal Committee or a Sheriff, this may result in fewer reserved places being available.	
9	<p>ADD: Update around the change to legislation regarding automatic deferrals and funded ELC places.</p> <p>Children in Scotland usually start school between the ages of 4 years 6 months and 5 years 6 months old. All children who are 4 years old at the start of the school year can defer and start primary one the following year.</p> <p>Applications for children with a January or February birthday are automatically approved. From August 2023, Applications for children with a birthday between August and December will also be approved alongside the automatic deferrals.</p> <p>All families will be able to access a further year of funded quality Early Learning and Childcare (ELC) if they want their child to defer entry to primary school. This ensures children who defer have an equal right to funded ELC if their parent or carer feels it is in their best interests.</p>	NOTE
12	<p>ADD: clarification around priority of the waiting list. While the waiting list order is provided on page 14, there is a need to explain that there may be more than one child in each of the list categories. This is also explained further in a later section.</p> <p>Where there are more pupils in one category, the priority will be based on distance.</p>	NOTE
13	<p>ADD: clarification around the process when placing requests are received after 15 March (late requests). We appreciate that some people may struggle to complete the form, so the business support team are offering assistance with this.</p> <p>However, exceptional circumstances can only be considered when a placing request is received by 15 March, it will not be considered with a late placing request. In most cases, where we receive a late placing request, your child will be placed on a waiting list below the requests received on time. It is, therefore, important that placing requests are submitted by 15 March providing all relevant information and supporting documents. Assistance in completing a placing request is available through the pupil placement team.</p>	APPROVE
14	<p>REPLACE: We propose simplifying the wording around completing the placing request form. The original wording includes areas that are not exceptional and is giving parents/carers unfair expectations about their placing request.</p> <p>REMOVE: When there are more placing requests than places available the Pupil Placement Panel will consider all requests along with supporting information and documentation. The Pupil Placement Panel have the authority to prioritise individual applications, therefore it is important that parents/carers provide all relevant information in support of their request. This may include, in no particular order, medical evidence and reports from other services or agencies involved with the child, additional support needs, bullying, racial harassment, child or parental medical conditions.</p> <p>REPLACE:</p>	<p>APPROVE:</p> <ol style="list-style-type: none"> 1. Updated wording 2. Use of exceptional

	<p>Non-catchment placing requests will be granted if there are places available after all catchment children are accommodated and reserved places retained within the agreed intake limit.</p> <p>Additional classes will not be created for non-catchment children.</p>	
15	<p>ADD & REPLACE: this section provides additional information on exceptional circumstances (particularly around bullying and ASN) - this better aligns the policy to the appeals wording. We have also provided additional information of the priority of the waiting list.</p> <p>ADD: Children have additional support needs if they require something which is extra or different to what is normally provided for other children of the same age. Staff in all schools in Midlothian are skilled in meeting the needs of pupils and all can fully support pupils with, a range of additional support needs or those who are experiencing bullying. All schools have transition processes in place to support children starting Primary 1 or Secondary 1, including an enhanced transition programmes for children who need a bit more support. When deciding whether to give a child priority on the grounds of exceptional circumstances, the pupil placement team will consider whether the requested school can better meet their needs than their catchment school.</p> <p>REMOVE: If there is more than one placing request in any of the above groups then the shortest, recommended walking route from home to school is normally used to decide priority within each group.</p> <p>REPLACE: If there is more than one placing request in any of the categories listed above, the shortest, recommended walking distance from each child's home to the nearest school gate is measured. Those living closer to the school are placed above those living further away.</p>	APPROVE

4. Report Implications (Resource, Digital and Risk)

4.1 Resource

There are no resource implications anticipated from the revisions to the admissions policy.

4.2 Digital

There are no digital implications directly arising from this report. However, work continues to improve the online registrations and placing request forms to further streamline the admissions process and create a better experience for parents/carers.

4.3 Risk

The current lack of clarity around exceptional circumstances and reserved places is leading to significant numbers of appeals. With tight deadlines, dictated by legislation, this had led to appeals being undertaken during recess/school holidays. This is making the process extremely stressful for the children and their families.

4.4 Ensuring Equalities (if required a separate IIA must be completed)

There are no groups adversely effected by the proposals presented in this report.

4.4 Additional Report Implications (See Appendix A)

See Appendix A

Appendices

Appendix A – Additional Report Implications

APPENDIX A – Report Implications

A.1 Key Priorities within the Single Midlothian Plan

Reducing the gap in learning outcomes
Reducing the gap in economic circumstances

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
- None of the above

A.4 Delivering Best Value

Every decision involved in preparing this policy is considered from a Best Value perspective.

A.5 Involving Communities and Other Stakeholders

The development of this policy is driven by the needs of our schools and the expanding populations in some of our communities and we need to ensure there are enough places available for our catchment children.

A.6 Impact on Performance and Outcomes

The revisions to the policy and the wider improvements to the admissions process will have a positive impact on performance.

A.7 Adopting a Preventative Approach

This policy provides clarity to the users of the policy, which is preventative in terms of time spent on queries and placing requests.

A.8 Supporting Sustainable Development

Not applicable.



CHILDREN, YOUNG PEOPLE AND PARTNERSHIPS

EDUCATION POLICY

Admission to Primary and Secondary Schools

This Policy is authorised by:
This Policy supersedes:
This Policy was circulated to:
Date of circulation:
For further Information:
Review Date:

Council
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Public

Pupil.Placement@midlothian.gov.uk
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1.0 PLACING IN SCHOOLS

1.1 Legal background

The admission of pupils to both primary and secondary schools is defined in terms of the Education (Scotland) Act 1980. Key points to note are:

- Parents/carers have the right to request admission to the school of their choice;
- Such a request must be in writing and is known as a placing request;
- The Council has a duty to accede to this request, except in certain circumstances specified in the Act;
- The Council has a duty to inform parents/carers of their right to make a placing request and to provide certain prescribed information in order to assist parents/carers in making their choice of school.

Catchment areas have been designated for all Midlothian primary and secondary schools. Every residential address has a catchment denominational school and a catchment non-denominational school for both primary and secondary education. The parents/carers of all children known to the Council to be due to enrol for the first time in a primary school or transfer from a primary to a secondary school shall be given information about their catchment school options and notified of their right to request an alternative school.

For all other stages, the onus is on the parent to make enquiries regarding alternative school placement for their child(ren). A parent may submit a placing request for her/his child in a school at any stage.

1.2 Denominational Education

In Midlothian all denominational schools are Roman Catholic.

A child does not need to be Catholic to enrol in one of our Roman Catholic primary schools or secondary school, but a place is not guaranteed for those not baptised Roman Catholic. Where a Roman Catholic school is oversubscribed priority is given to catchment Roman Catholic children who are baptised, and where parents have provided the baptismal certificate. ADD: We do not create additional classes for other children if all baptised Roman Catholic children can be placed.

1.3 Parents wishing a Gaelic Medium Education

Gaelic medium education for Midlothian resident pupils is currently provided by the City of Edinburgh Council. Midlothian Council will provide home to school transport for pupils enrolled in Gaelic medium education. Currently parents wishing to have their child/ren educated in the Gaelic medium should make a placing request for the Gaelic medium primary school, Bun-sgoil Taobh na Pàirce or the Gaelic Medium Unit at James Gillespie High School in Edinburgh. To apply for a place in either school parents should complete a placing request form available on the City of Edinburgh Council website. Further information can be found at:

<https://www.edinburgh.gov.uk/school-places/gaelic-schools-1/1>

Parents can request that the Council carries out an assessment for the need for Gaelic medium primary education to be provided within the Council area. Further information and an assessment request form are available from the following website: www.gov.scot/Publications/2017/02/1442/downloads

1.4 Children with Additional Support Needs

In line with legislation we have a policy of including children with additional support needs in mainstream schools where possible. Some children may be educated in specialist schools/classes.

Further information about additional support needs is available from the Additional Support for Learning Officer, whose contact details are given at the end of this document.

1.5 Home to School Transport

A pupil may receive free transport if they attend their catchment school and their home address is more than two miles from the school based on the shortest recommended walking route. A pupil may also receive free transport if the Council has placed them in a non-catchment school due to a catchment school being full. From August 2017 pupils resident in Loanhead who make a successful placing request for S1 at Beeslack High School will also be eligible for free transport.

A pupil will not receive free transport if they attend a non-catchment school as a result of a placing request being granted.

1.6 Composite Classes

Composite classes are part of the normal organisation in many primary schools and can have a maximum of 25 pupils. Age is the main criterion for selecting pupils for composite classes. Normally composite classes will have a minimum of four pupils from each year stage.

Please refer to Professional Practice Paper 7 for further guidance.

1.7 Team Teaching

Team teaching is where two teachers teach a class that has more than the maximum number of pupils per teacher for that particular stage.

The maximum size of a P1 class size is 25, a P2 or P3 class is 30 and a P4, P5, P6 and P7 class is 33 pupils.

1.8 Children living under shared care

Where parents are separated the address of the parent with whom the child resides for the majority of their time per week and is in receipt of child benefit for the child, is used to determine the catchment area. If the shared care arrangement is a 50/50 split between the parents, the parents will be asked to provide proof such as a legal

agreement. If the Council is satisfied that the care is equally shared, the parents will be given the opportunity to choose which of the catchment schools at which to register.

ADD:

1.9 Reserved places

The Education (Scotland) Act 1996, as amended by the Standards in Scotland's Schools etc. Act 2000, gives Education Authorities the power to reserve places at schools for children who move into the catchment areas after enrolment has completed.

With the level of house building and migration into the authority, Midlothian Council continues to experience pressure on schools rolls. After the allocation of places, in accordance with Section 2.8 and 3.6, places will be reserved for children moving into catchment.

In the Primary 1 year group, one place per class (and one place per teacher, where team teaching is in place) is reserved for incoming catchment children for the entire school year.

In the Secondary 1 year group, one place per 40 pupils is reserved for incoming catchment children for the entire school year.

Where there are other considerations, such as house building in certain catchment areas, the number of reserved places may be increased beyond the above ratios.

For Roman Catholic schools, reserved places will only be granted to catchment baptised Roman Catholic children.

If out of catchment places are granted by an Appeal Committee or a Sheriff, this may result in fewer reserved places being available.

2.0 ARRANGEMENTS FOR PRIMARY SCHOOLS

2.1 Registration procedures for entry to primary school

Registration procedures commence at the beginning of November each year.

If an applicant's catchment primary school is subject to a consultation review they should continue to register their child at that catchment school. As part of the consultation process Pupil Placement will keep applicants informed of the implications for their child and the options available. Further information on school consultations can be found at midlothian.gov.uk/consultations.

2.2 Press advertisements

In October each year Pupil Placement will place an advertisement in the local press, advising parents/carers of any child eligible to begin primary education that they should, by a specified date, register their child at their catchment school. Registering

a child does not automatically ensure that a place will be made available; this will be determined when all information is collated and examined.

Parents/carers will be advised that, even if they wish to make a placing request for a non-catchment school, they must first register their child at the catchment school.

2.3 Contact with parents/carers

At the same time, Pupil Placement will contact by letter the parents/carers of all children eligible to begin primary education and who receive funded early learning and childcare in Midlothian. Head Teachers should ensure that copies of the school handbook are available for any parent requesting one.

2.4 Eligibility

Any child whose fifth birthday falls between 1 March in any year and the last day of the following February can start primary school on the first day of the autumn term, (known as the commencement date).

An exception to these procedures may be where children who have been admitted to primary education by another authority subsequently become resident in Midlothian. In such cases, the Head Teacher should consult their appropriate Schools Group Manager before deciding whether to admit the child.

2.5 Choosing a school

Pupil Placement will issue information informing parents/carers of their rights to choose a school when they write to the parents/carers of eligible children. Any parent/carer wishing to make a placing request should obtain a Placing Request application form. It is not essential that parents/carers use the form but they must make the request in writing to the Pupil Placement Section within Children, Young People and Partnerships. It is essential, however, that parents/carers initially register their child at their catchment school.

See the later section for information on placing requests.

2.6 Access to information

Parents/carers should have access to information about the schools in which they are interested. This will generally be contained in the school prospectus or handbook, copies of which should be available from the school and on the school website. In addition, the Council produces guidelines on admission to Midlothian schools called Placing in Schools, which is available on our website at midlothian.gov.uk/placingbooklet.

2.7 Registration of catchment children

Primary Head Teachers may wish to publicise registration arrangements through their own local channels if they feel this is appropriate so that as many parents/carers as

possible are encouraged to register their children at this time. During the registration period Head Teachers should only register those children who are normally resident in the catchment area.

Head Teachers should ensure that catchment children are correctly identified; a Council Tax bill, Child Benefit letter, recent utility bill or driving licence is normally adequate proof. If the pupil does not attend a Midlothian Council early learning and childcare setting or receive funded ELC from a partnership provider, their birth certificate or passport should be seen as well. It is the address of the parent or carer which is relevant; the address of other family members or a child minder with whom the child may occasionally reside is not relevant.

Registration and placing request forms and the facility to upload evidence:
midlothian.gov.uk/schoolplace.

Please note that registration does not guarantee a place at a catchment school.

See the earlier section for children living under shared care.

2.8 Enrolment of catchment children

The Pupil Placement Team will collate the registration information obtained from each school and use this to determine whether there is sufficient capacity to accommodate all catchment children. Where there is insufficient capacity, priority will be given in the following order:

- children who have been prioritised based on exceptional circumstances;
- children who are baptised Roman Catholic (Roman Catholic schools);
- children who will have siblings attending the school at the same time;
- then all remaining catchment children.

If there are more children than places available in any category, proximity of home to school and/or ease of travel will normally be used. A sibling attending the nursery class at the same time will not be taken into account.

Parents/carers will be advised by letter, sent by the Pupil Placement Team by 30 April, whether they have been granted a place at their catchment school. Those children who have been granted a place will be automatically enrolled at the school.

Once the place is offered it will not be withdrawn unless the place was obtained using false information or the family change address before the start of the school year.

Those who have not been granted a place at their catchment school will have a place allocated at the Midlothian school nearest to their home with places available. They will be given the option to make a placing request to another school, if they so wish. The pupil will be placed on a waiting list for the catchment school in order of priority and, should a place become available, parents/carers will be contacted by Pupil Placement.

2.9 Change of address

Children who move, or are moving before the start of the school year, will have a place reserved in their non-denominational or denominational catchment school based on their address at the start of the school year. This is subject to places being available and where proof of change of address has been received by **15 March**. For families who are renting, acceptable proof of change of address is a signed tenancy agreement. For families who are purchasing, a letter from a solicitor confirming missives have been concluded is not sufficient to enrol a child. The Council will ask for further proof by way of a council tax statement, utility bill e.g. gas, electric, landline telephone bill, HMRC child benefit letter or driving licence to accompany the concluded missives letter following the move. Discretion can be used if the parent/carer is due to move a week prior to the new term commencing.

2.10 Phased entry arrangements

Head Teachers may wish to phase the primary 1 intake over a period. If this is done, all children eligible for admission should be admitted by the second week of the new school session. However, a parent may require the authority to accept a child from the commencement date.

Head Teachers may also choose to limit primary 1 pupils to part day attendance in the early stages but such arrangements should not extend beyond the second week of the new school session. Any request from a parent for a child to be in full time attendance should normally be granted. Certain children may require special consideration to be in full time attendance, for example due to medical or family circumstances. In such cases, Head Teachers should consult their appropriate Schools Group Manager regarding arrangements for these children.

2.11 Deferred entry to primary school

REMOVE:

In Scotland, children usually start primary school in the year during which they have their 5th birthday. This means that in P1 classes, children are usually aged between 4½ and 5½ years. Where a child does not start school at the expected August start date for their year group, it is called deferred entry to primary school.

If a child's 5th birthday falls between mid-August (the day after the school commencement date) and December 31, the parent/carer has a legal right to defer their entry into P1 until the following August when they are nearer 6 years old. However, this does not mean that the child is automatically entitled to a funded early learning and childcare place and parents/carers must apply to the Council for funding. If Midlothian Council agrees that deferring entry into P1 is in the child's best interests and an additional year of early learning and childcare will be of significant educational benefit, it can choose to provide a funded early learning and childcare place. Alternatively, the additional year of early learning and childcare can be funded by the parent.

If a child has their 5th birthday between 1 January and 28/29 February they are also entitled to defer entry to school, should their parents wish it. These children are entitled

to receive a funded early learning and childcare place. Councils receive funding from the Scottish Government for places for these children.

The parent/carer should contact the early learning and childcare setting their child attends for information and advice about deferring their child for both August to December and January and February birthdates. The child should register at one of their catchment area schools even if a deferral is going to be requested. The early learning and childcare setting will, in discussion with parents/carers, provide advice on the best starting date for the child.

REPLACE:

Children in Scotland usually start school between the ages of 4 years 6 months and 5 years 6 months old. All children who are 4 years old at the start of the school year can defer and start primary one the following year.

Applications for children with a January or February birthday are automatically approved. From August 2023, Applications for children with a birthday between August and December will also be approved alongside the automatic deferrals.

All families will be able to access a further year of funded quality Early Learning and Childcare (ELC) if they want their child to defer entry to primary school. This ensures children who defer have an equal right to funded ELC if their parent or carer feels it is in their best interests.

2.12 Early admission

Parents/carers may make a request for early admission to primary school. The Council does not have a duty to educate a child who is not of school age and it is the professional view of the authority is that early learning and childcare is the most appropriate form of education for children.

The Council has delegated the responsibility of granting early admission to the Executive Director, Children, Young People and Partnerships, but this will only be considered if it can be established that refusal would harm a child's education in the long term.

When applying for early admission, parents/carers should provide evidence to support their case, including written evidence wherever possible. Members of staff should not provide letters of support to parents/carers.

There is no right of appeal once a decision has been reached on requests for early admission as the child is not of school age.

3.0 ARRANGEMENTS FOR SECONDARY SCHOOLS

3.1 Eligibility

Pupils will normally transfer to secondary school at the end of a seven year course of primary education. If, in the opinion of the Head Teacher or other professional advice,

there are exceptional circumstances which would make it inadvisable to transfer a child, the appropriate Schools Group Manager should be consulted before a final decision is made.

Pupils attending a non-denominational primary school will be allocated a place at their catchment non-denominational secondary school. Pupils attending a denominational primary school will be allocated a place at St David's Roman Catholic High School. If the parents/carers wish to request their other catchment secondary school they should complete a placing request form and return it to the Pupil Placement section.

3.2 Transfer between primary and secondary schools

Pupil Placement will provide Head Teachers with details of which school each child will be transferring from/to.

Head Teachers of primary schools should ensure that detailed information on each pupil is forwarded to the appropriate secondary school. This information will normally include:

- an assessment of the pupil's attainment in mathematics and language;
- comments on ability and attainment in other curricular areas, e.g. science, art, music;
- comments on special interests and aptitudes;
- an indication of the pupil's personal attributes and information about their background which may influence their attitude and performance in school work;
- the Pupil Progress Records (PPR), updated to the end of the last session of primary education;
- the Pupil Profile, which is completed by the pupil.

3.3 Primary-secondary liaison

Secondary schools will normally have an established liaison programme with their associated primary schools which will include other initiatives to ease the transition between primary and secondary stages.

3.4 Induction programmes

Primary schools and their associated and neighbouring secondary schools have established procedures to ensure a smooth transition for all children. This includes transfer of information about each child's progress.

Secondary Head Teachers should also arrange for parents/carers and incoming pupils to visit their school at an appropriate time, prior to transfer. Full information on the school should be sent at the start of the summer term to all parents/carers of pupils transferring to the school.

3.5 Registration procedures

All parents/carers of P7 pupils resident in Midlothian, who attend a primary school in Midlothian, will receive written confirmation from Pupil Placement in November that their child has been registered for a place at their catchment secondary school, based on their home address. Places at secondary schools may be limited, so registration does not guarantee a place. Parents/carers will also be advised of their right to make a placing request.

See later section for information on placing requests.

Midlothian pupils are enrolled in their catchment secondary schools through the transfer of their details from their associated primary schools. Secondary schools need to enrol those pupils whose placing requests have been granted and who do not attend a Midlothian primary school.

3.6 Allocation of Catchment Secondary School Places

The Council will normally give the highest priority to children living in the catchment area of a school. In the event of a school having more catchment children than places available, priority will be given in the following order:

- children who have been prioritised based on exceptional circumstances;
- children who are baptised Roman Catholic (Roman Catholic schools only);
- children who will have siblings attending the school at the same time;
- children who attend an associated primary school;
- all remaining catchment children.

If there are more children than places available in any category, proximity of home to school and/or ease of travel will normally be used.

If a place at a catchment school is not available, parents/carers will be offered a place at the nearest Midlothian secondary school to their home address with places available. They will be given the option to make a placing request to another school, if they so wish. The pupil will be placed on a waiting list for the catchment school in order of priority and, should a place become available, parents/carers will be contacted by Pupil Placement. **ADD: Where there are more pupils in one category, the priority will be based on distance.**

Once the place is offered it will not be withdrawn unless the place was obtained using false information or the family change address before the start of the school year. Children who are offered a place at their preferred catchment school will be enrolled automatically.

3.7 Intake numbers

Pupil Placement will inform secondary school Head Teachers of the number of catchment pupils that will be transferred from primary schools and any intake limits that may apply. They will also be informed on a regular basis of numbers of any non-

catchment requests which have been received and catchment requests out to other schools.

Throughout this period, secondary school Head Teachers should discuss with the Pupil Placement Section any factors that may affect the school's ability to accommodate the projected S1 intake.

3.8 Issue of school handbooks

Head Teachers must ensure school handbooks are updated by November. Delays in updating the handbook should be avoided as parents/carers are legally entitled to this information. The handbook should be made available on the school website.

3.9 Press advertisement

In October each year Pupil Placement will place an advertisement in the local press, advising parents/carers of any Midlothian child eligible to begin secondary education that their child will be automatically enrolled in their catchment secondary school, unless a placing request is made for another school.

3.10 Making a Placing Request for a Non-Catchment Primary or Secondary School

All parents/carers have the right to request a place for their child in a non-catchment school; this is called a placing request. It is the Council's statutory duty to grant placing requests where there are places available, except in certain circumstances which are set out in The Education (Scotland) Act 1980.

If the child is starting P1 or S1 in August and the parent/carer wants them to attend a non-catchment school, they may make a request by completing a Placing Request. The placing request form is available online at midlothian.gov.uk/placing, alternatively a paper version of the form is available on Midlothian Council's website or can be obtained from Pupil Placement at pupil.placement@midlothian.gov.uk.

If the child is at any other stage of their education parents/carers should contact the Head Teacher of the school of their choice.

If the child has additional support needs the right to make a non-catchment placing request includes the right to request a special school or special class. Parents/carers who wish to make this kind of placing request should discuss their choice of school with the child's lead professional before making their request.

3.11 What will happen when a placing request is made to Midlothian Council?

The following information applies if a placing request is made for a child to a Midlothian Council school.

The Midlothian closing date for placing requests to start P1 or S1 in August is in the preceding December. The Council will advise parents and carers of the closing date

in the letters sent out. The Council will still consider a request if it arrives after this date but before 15 March, the national cut-off date.

The parent/carer should receive acknowledgement of their application within fourteen days of receipt by Pupil Placement. The Council will notify parents/carers of the outcome of all placing request received before 15 March by the end of April.

Placing requests received after 15 March will be decided within two months of receipt and parents/carers notified. **ADD: However, exceptional circumstances can only be considered when a placing request is received by 15 March, it will not be considered with a late placing request. In most cases, where we receive a late placing request, your child will be placed on a waiting list below the requests received on time. It is, therefore, important that placing requests are submitted by 15 March providing all relevant information and supporting documents. Assistance in completing a placing request is available through the [pupil placement team](#).**

The Placing Request forms for P2 to P7 and S2 to S6 are available to download on Midlothian Council's website or from the schools. These placing requests will be acknowledged within fourteen days of receipt and a decision made within two months.

Members of staff should not provide letters of support to parents/carers.

3.12 Restriction or limitation of places

The Council will give the highest priority to children living in the catchment area of a school. Places remaining after catchment children are enrolled will be available for non-catchment children.

Placing Requests

REMOVE:

When there are more placing requests than places available the Pupil Placement Panel will consider all requests along with supporting information and documentation. The Pupil Placement Panel have the authority to prioritise individual applications, therefore it is important that parents/carers provide all relevant information in support of their request. This may include, in no particular order, medical evidence and reports from other services or agencies involved with the child, additional support needs, bullying, racial harassment, child or parental medical conditions.

REPLACE:

Non-catchment placing requests will be granted if there are places available after all catchment children are accommodated and reserved places retained within the agreed intake limit.

Additional classes will not be created for non-catchment children.

Priority for places

Priority will be given to applicants in the following order (catchment and non-catchment):

- children who have been prioritised based on exceptional circumstances;
- children who are resident in the school's catchment area and are baptised Roman Catholic (Roman Catholic schools only);
- children who are resident in Midlothian and are baptised Roman Catholic (Roman Catholic schools only);
- children who are resident in the school's catchment area who will have siblings attending the school at the same time. A sibling attending the nursery class will not be taken into account;
- children who are resident in the school's catchment area;
- children who are resident in Midlothian who will have siblings attending the school at the same time. A sibling attending the nursery class will not be taken into account;
- children who are resident in Midlothian;
- children who are resident outside Midlothian and are baptised Roman Catholic (Roman Catholic schools only);
- children who are resident outside Midlothian who will have siblings attending the school at the same time. A sibling attending the nursery class will not be taken into account;
- all other applicants.

3.13 Other relevant factors that may be taken into account

Attendance at an associated primary school (for requests in S1) may be taken into account however it does **not** guarantee that a request will receive priority or agreement.

ADD:

Children have additional support needs if they require something which is extra or different to what is normally provided for other children of the same age. Staff in all schools in Midlothian are skilled in meeting the needs of pupils and all can fully support pupils with a range of additional support needs or those who are experiencing bullying. All schools have transition processes in place to support children starting Primary 1 or Secondary 1, including an enhanced transition programmes for children who need a bit more support. When deciding whether to give a child priority on the grounds of exceptional circumstances, the pupil placement team will consider whether the requested school can better meet their needs than their catchment school.

REMOVE:

If there is more than one placing request in any of the above groups then the shortest, recommended walking route from home to school is normally used to decide priority within each group.

REPLACE:

If there is more than one placing request in any of the categories listed above, the shortest, recommended walking distance from each child's home to the nearest school gate is measured. Those living closer to the school are placed above those living further away.

Once a pupil has completed a proper admission to the school they will not be asked to transfer to another school against the wishes of their parents/carers in order to admit a pupil who has moved into the catchment area.

A proper admission is one made under the policy of the Council based on correct information from the parents/carers.

Please note that, if a placing request is successful, the child's place at their catchment school may be allocated to another child. If a parent/carer then changes their mind and wishes their child to attend their preferred catchment school, a place may not be available.

3.14 Refusing a placing request

If the Council refuses a placing request a letter will be sent to the parent/carer which gives the reasons for the decision. The Education (Scotland) Act 1980 sets out the reasons why a placing request may be refused.

The main reasons are:

- an extra teacher would have to be employed;
- the Council would have to spend a significant amount to extend or alter the accommodation at, or facilities provided in connection with, the school;
- an extra teacher would have to be employed, or additional class formed, at a future stage of the child's education;
- the number of children at the school would exceed the school's capacity.
- to reserve places at the school for children moving into the catchment area;
- the order and discipline in the school would be seriously affected i.e. through overcrowding;
- the educational wellbeing of pupils at the school would be seriously affected i.e. through overcrowding or exceeding the relevant maximum class size;
- the child's education would be affected because the education at the school requested is unsuitable.

3.15 What happens if the Council refuses a request?

If a placing request is refused, the parent/carer has the right of appeal. Appeals must be lodged, in writing, no later than 28 days after the refusal letter being sent. Details of how to make an appeal will be in the refusal letter sent to the parent/carer.

In Midlothian appeals are heard by the Education Appeals Committee. The Education Appeals Committee is independent of the Children, Young People and Partnerships

Directorate. This is a formal legal process and further information will be sent on receipt of the appeal.

3.16 Primary school placing request

If a place at the requested primary school is not available, a place will be reserved at the preferred catchment primary school that the child has been registered at. However if no place is available at the preferred catchment school, then a place will be allocated at the nearest school with places available (if the preferred school was a denominational school then a place will be allocated at a denominational school if possible). A waiting list will be formed for the requested school and/or catchment school and, should a place become available, the parent/carer be contacted.

3.17 Secondary school placing request

If a place at the requested secondary school is not available, a place will be reserved at the catchment secondary school. However if no place is available at the catchment secondary school, then a place will be allocated at the nearest school with places available. A waiting list will be formed for the requested school and/or catchment school and, should a place become available, the parent/carer will be contacted.

3.18 Placing Requests for Children with Additional Support Needs

The parents/carers of children recorded as having additional support needs also have the right to make a placing request. If the Council refuses the request, parents/carers are given a statement of the reasons for the decision and have the same rights of appeal as those previously mentioned.

Under the terms of the Education (Additional Support for Learning) (Scotland) Act 2009, if parents/carers have been refused a placing request for a child with a coordinated support plan (CSP) or to a special school, a mediation service is available to families of children with additional support needs and they have the right to appeal the decision. Appeals are dealt with by the Additional Support Needs Tribunal for Scotland. Details of who to send your appeal to will be in the refusal letter we send you.

Contact Details

Pupil Placement
Midlothian Council
Children, Young People and Partnerships
Fairfield House
8 Lothian Road
Dalkeith
EH22 3ZG

Email: pupil.placement@midlothian.gov.uk

Additional Support for Learning Officer
Midlothian Council
Children, Young People and Partnerships

Fairfield House
8 Lothian Road
Dalkeith
EH22 3ZG

Email: education.services@midlothian.gov.uk

Useful Websites

Midlothian Council Website: www.midlothian.gov.uk

Parent Zone Scotland: education.gov.scot/parentzone/

Education Scotland: www.education.gov.scot