



## Children & Young People's Services

Information for Parents: Admission to the Authority's Schools

## 1. The Golden Rule

If you want your child to attend your nearest primary school (known as your catchment school) you will need to speak to the school's headteacher during enrolment week to ensure a place is available.

Enrolment week takes place in November each year, and is widely advertised. Evidence will be required that you live in the catchment area of the school in which you wish to enrol your child. In most cases, a place will be available and the headteacher will give you details on start dates, uniforms and a copy of the school's handbook.

In the very unlikely event that the school is full you may be directed to the nearest alternative school with places.

If you wish your child to attend any school other than your catchment school you will need to make a placement request. A placement request is a written request to place your child at a school which you have requested. Details of how to make placement requests are given below and overleaf.

If your child has Additional Support Needs – please go to Section 9 of this guide.

## 2. The Education Authority's Duty

As the Education authority, our duty in respect of admissions can be summarised as:

- To provide suitable education opportunities
- To give parents and pupils basic information on schools (detailed information is available directly from schools)
- To give parents information on admission arrangements for children to the authority's schools
- To advise parents of their right to make placement requests
- To accept requests from parents for placement requests (although the authority has the right to refuse a request within certain parameters)
- To advise parents of their rights to appeal if a placement request is refused.

## 3. How to Make a Placement Request

To make a placement request you should apply directly to your preferred school. But at the same time you are requested to let your catchment school know that you are making a placement request. They will then 'reserve' a space for your child just in case your placement request has to be refused.

You can make a placement request at any time, at any stage of your child's education and at any point in the school year without regard to where you or your child lives.

This placement request should be made in writing using a placement request form which can be obtained from any school or from council headquarters. The form includes a section where you can state your reasons for your choice of school; this will be helpful in deciding how to allocate places in the event of the school being full or unsuitable for your child.

Once a young person reaches school leaving age, they are entitled to make a placement request for themselves.

## 4. Decision on a Placement Request

A decision on any placement request made between the start of the enrolment period (as advertised) and the 11th March will be notified to parents before the 29th April of that year. A decision on any request outside this period will be made within two months (excluding school holidays) from receipt of the request.

Whenever possible we will agree to placement requests, however, in some circumstances this may not be possible and the placement request will be refused.

We will inform you in writing of our decision and if your placement request is refused, you will be given the

reasons for this decision.

If we have not informed you of the decision in writing within the above stated timescale, the authority will be deemed to have refused the placement request. If this happens, you have the right to appeal.

## 5. Attendance at a non-catchment Early Learning & Childcare Setting (ELCC).

Parents are able to send their child to any ELCC setting that is convenient for them. However if you choose to send your child to an ELCC setting that is not within your catchment school and you wish your child to continue at the same primary school, you will need to make a placement request. If there are more requests for admission than places available, places are allocated on the priority order given in point 11. Attendance at a school's ELCC setting is not considered a factor in the priority list.

## 6. Transferring from Primary to Secondary School

Parents of a child who is to transfer from primary education to secondary education in August will receive the details of the relevant secondary school from their primary headteacher. Each school will also arrange a transition programme to assist pupils through the transfer from primary to secondary education. Admission to a primary school, outwith a pupil's home catchment area, does **not** confer rights or priority status to transfer from the placement request school to its catchment secondary school. Should any parent wish their child to continue education at a secondary school outwith their home catchment area, then the appropriate placement request must be made in line with the standard admissions process for secondary schools.

## 7. Grounds for Refusal

The grounds for refusal are governed by legislation and the council's approved admissions policy. A copy of this policy can be downloaded from the council website: [www.scotborders.gov.uk](http://www.scotborders.gov.uk).

A place may be refused if one or more of the following factors are relevant:

- a. If placed the 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 (If refusing a placement request on this basis we will consider our legal obligation under the Disability Discrimination Act 1995 to make 'reasonable adjustments' to school buildings to ensure that physical access is possible for children with disabilities)
  - 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 wellbeing of pupils attending the school.
  - Make it 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 incur additional expenditure
  - Breach the appropriate normal maximum class size as defined in the Conditions of Service for Teaching Staff, which form part of the council's contract of employment with an individual teacher
  - 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 the school
- d. If the child in question, is resident outwith 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
- e. The educational desirability of creating additional composite classes, particularly in mid-session
- f. In addition to the above, there are other reasons for refusal specified in Section 8 if your child has additional support needs.

## 8. Does a parent have the right to appeal?

If you are not satisfied with the decision, you may refer to the council's Appeals Committee. Details of this procedure can be obtained from the Clerk to the Council (address details are on the back page)

of this leaflet).

If you are unhappy with the decision of the Appeals Committee you have a right of appeal to the Sheriff Court. Alternatively you may complain in writing to the Scottish Public Service Ombudsman.

If you wish, you may authorise someone else to complain on your behalf, such as an MSP, your local councillor or another person whom you consider suitable to represent your interests.

Your complaint will only be investigated if the Ombudsman is satisfied that, in the circumstances of your case, it is not reasonable to expect you to take court proceedings.

The Ombudsman only usually investigates complaints if notified within a year of the event or within a year of you becoming aware of the event. If you are not sure whether your complaint is one that the Ombudsman can look at, or if you wish to raise other questions, you can contact the Ombudsman office: Tel: 0800 377 7330, Fax: 0800 377 7331 or Email [ask@spsso.org.uk](mailto:ask@spsso.org.uk).

## 9. Children with Additional Support Needs

If your child has additional support needs and you decide that you do not want to send them to the local catchment area school or the particular school that the education authority is recommending, then you can make a placement request for your child to attend a different school.

A placement request for a pupil with additional support needs may be made to the following types of school:

- any local authority school or centre in Scotland
- any special school in England, Wales or Northern Ireland (provided the managers of the school are willing to accept the pupil)
- any independent or grant-aided special school in Scotland (provided the managers of the school are willing to accept the pupil).

You cannot request a place to any independent or grant-aided school that is not a special school.

Reasons a placement request can be refused for a child with Additional Support Needs.

Where a placement request is made, the education authority must grant the request, unless one or more grounds for refusal, as specified in Section 6 above apply. In addition, grounds for refusal in relation to children and young people with additional support needs include:

- placing your child there would cause the education authority to breach its duty to provide mainstream education
- where the school is a special school but your child does not have the additional support needs that require the specialist education or facilities normally provided there
- where the school is not a local authority school in Scotland and the authority is able to meet the pupil's needs in a different school having regard to the respective cost and suitability of both schools it is not reasonable to send the pupil to the parent's choice of school and the authority has offered a place at a different school.

How to make a placement request for a child with Additional Support Needs

- If your chosen school is an education authority-run school in Scotland, you make your request, in writing, to the education authority in which your chosen school is located.
- If your chosen school is an independent or grant-aided special school, you must first make sure that the managers are willing to offer your child a place there. Then you make your request, in writing, to your own education authority – the one that covers the area in which you or your child normally resides.
- This procedure is the same regardless of whether the school is in Scotland, England, Wales or Northern Ireland (or outwith the UK).
- Mediation for children attending a school through a placement request should be provided by the education authority in which you live. However, the education authority in which your child attends school may choose to provide this service for you should you require it.

## Appealing against a refusal for a child with additional support needs

You can appeal against a decision to refuse your placement request. You must appeal to the council's appeal committee unless:

- your child has a co-ordinated support plan
- the education authority has decided that your child needs a co-ordinated support plan
- you are appealing against the education authority's refusal to prepare a co-ordinated support plan.

If any of these apply, then you must make your appeal to the Additional Support Needs (ASN) Tribunal (Details about the ASN Tribunal can be found at [www.asntscotland.gov.uk](http://www.asntscotland.gov.uk) and on the council's web-site at [www.scotborders.gov.uk](http://www.scotborders.gov.uk))

## 10. School Transport

At Scottish Borders Council the following categories of pupils qualify for an entitlement to free school transport:

- Primary school pupils who live more than 2 miles from their catchment school.
- Secondary pupils who live more than 3 miles from their catchment school.

Pupils who attend an alternative school to their catchment school, known as a placing request have no entitlement to free school transport.

If your child has Additional Support Needs, making a placement request can and will affect the availability of transport to school. If your child is educated in any school managed by another local authority as a result of a placement request, the home education authority does **not** have a duty to transport them to school. It has a discretionary power to make transport available but is not legally obliged to do so. It is important that you consider this when making a placement request.

## 11. Priorities for Admission

### Catchment School

In the event of there being more requests than the school can accommodate the following priority order will be used to allocate places:

For children wishing to attend their catchment school priorities will be for:

- a. Pupils who ordinarily reside within the school's catchment area
- b. Children who live the furthest distance from an alternative school (distance from the school will be measured by the School Transport Team within Technical Services)
- c. Recommendations from Integrated Children's Services In the Scottish Borders or Health Board personnel
- d. Children with siblings already attending the school
- e. If all other factors are equal a ballot will be used to determine places

### Placement Request

For children who wish to attend a school through a placement request priorities will be for:

- a. Children with siblings currently attending the requested school
- b. Where there is availability of specially resourced classes or support staff at the requested school for a child with Additional Support Needs
- c. If a pupil has suffered bullying and/or racial harassment (robust evidence will be required to support this)
- d. If pupil has medical reasons certified by the authority's retained NHS paediatrician
- e. If the nature of the parents' employment has a direct effect on the pupil's placement request
- f. The availability or link to after-school care provision

## Denominational Schools

For children wishing to attend a denominational (Catholic) school but are not resident in one of the four catchment areas for denominational schools in the Borders priorities will be for:

1. Catholic pupil
2. Certified medical, social or emotional reasons
3. Children with siblings already attending the school
4. Children living furthest from their nearest alternative school.
5. Pupils having been refused a place at their local catchment school because it is at capacity
6. Non-Roman Catholic parents who can demonstrate an affinity with the aims, philosophy and/or religious beliefs of the school

## 12. Further Information

Further information on admissions to any of the authority's schools is available from your local headteacher or from the schools section at council headquarters. Another excellent general source of information for parents is the Scottish Executive's parent zone website: [www.parentzonescotland.gov.uk](http://www.parentzonescotland.gov.uk).

Information about services for children with Additional Support Needs in the Scottish Borders is available from the Head of Integrated Children's services at the address below.

To make an appeal against a refusal of a placement request you should contact the Clerk to the Council at the address below.

Council Headquarters  
Newtown St Boswells  
Melrose TD6 0SA

Scottish Borders Council  
**Our Scottish Borders**  
Your future

Tel: 01835 824000

[www.scotborders.gov.uk](http://www.scotborders.gov.uk)

Published by Scottish Borders Council, Children & Young People's Services,  
Council Headquarters, Newtown St. Boswells, Melrose, Scottish Borders TD6 0SA.  
Telephone: 01835 824000

If you know of anyone who would like to receive this leaflet in large print or a different language, please call the Schools Team on 01835 825108