

Motion by Councillor Boulton

“That Aberdeen City Council writes to Mike Russell, the Cabinet Secretary for Education and Lifelong Learning, asking for a review of ‘The Parent’s Charter’.” 23/02/11. At its meeting of 24 March 2011, the Committee requested a background report to include references to school transport costs. Head of Schools and Educational Establishments 2/6/11

Education, Culture and Sport has undertaken to answer the following in respect of the above motion.

- 1) A Summary of the current policy, to include reference to the relevant legislation**
- 2) A Summary of the current position in school session 2010-11, to include the number of requests received, number accommodated, number refused, number of appeals (successful and unsuccessful) and an indication of the general trends.**
- 3) Transport Costs - statement of position regarding costs of providing transport as a result of placing requests.**

School Placements – Current Term 2010-2011

1) A Summary of the current policy, to include reference to the relevant legislation

Placing Requests/Out of Zone Admissions

Placing requests may only be made for children who are of school age or eligible to attend school because they will be five by the February cut-off date.

Parents have a right (with no obligation to give reasons, although these allow the request to be prioritised) to make a request to the Education Service to have his/her child enrolled in the school of his/her choice. A young person (ie someone over school age but less than eighteen years of age) has the same rights relating to Placing Requests in place of his/her parents. This right can be exercised at any time and not just at the time of admission to school or transfer from one school to another.

Except for the transition between primary and secondary school when transfer schedules apply, parents should make a placing request if their child is in attendance at a school outwith the zone in which they live and they wish the child to attend the zoned school. There is no guarantee that siblings of children attending a primary school for which they are not zoned will be granted a place at that school (see criteria 2).

Placing request forms can be found on the Council's website www.aberdeencity.gov.uk. Completed forms can be returned by email to: schoolplacings@aberdeencity.gov.uk. School Placing Request (SPR) Forms can also be obtained from any school, or contact 01224 522753 or 01224 522609.

Guidelines for Placing Requests for children and young people with additional support needs can be found in the ASL Implementation Guide. Copies of this Guide are available in all schools. Placing request forms should be submitted to the Head of Schools and Educational Establishments. (see contacts page 44).

Information provided in all written placing requests will be thoroughly checked for accuracy including validating the parental address.

Where a school's capacity is likely to be exceeded, the following list of priorities will be applied in granting places.

1 Residence within Zone

This applies to children who:

- (a) move into a zone after 15 March in a given year; and
- (b) are already in the zone but not attending their zoned school.

2 Family

Where either an older brother or a sister is already in attendance at the specified school, and will be in continuing education at the school at the time of admission.

3 Childcare

Where parent(s) are working and have to transport the child outwith the school zone in which they are resident in order that the child can be cared for by a responsible adult other than their parents outwith normal school hours (that is, at the beginning and end of the school day). This must be on the basis that there is existing, ongoing childcare in the zone relating to the school applied for at the time of application and the name and address of the carer can be verified as a bona fide carer or childminder.

4 Others

Where none of the above applies e.g friendship groups, transport arrangements, and family employment circumstances, precedence is given to pupils within each priority who are ordinarily resident within the zone

of a school that lies within the boundaries of the city. Ranking within a priority grouping will be on the basis of direct distance between home (ordinary place of residence) and school, except where the parents of a child living within zone have to apply for a place in the school as they fall into the categories indicated in 1 (a) or 1 (b) above. Here, precedence will be determined by the date of taking up ordinary residence in the zone.

The above guidelines will normally apply. However, placing requests may be granted where exceptional circumstances exist.

Placing request decisions

The Authority is bound by legislation to inform a parent in writing of its decision on the placing request within statutory timescales. This is currently 2 months from the date that the request is received. Where the Authority decides to refuse the request, it must give written reasons for its decision and inform the parent of his/her right to refer the matter to an appeals committee.

If the decision is not made within the statutory timescales it is deemed to have been refused and the parent has the right to refer the deemed refusal to an appeals committee.

Where a place is granted parents will receive a letter directly from the school and should reply accepting or declining the place within fourteen days. When no reply is received within fourteen days a further letter will be issued with a final seven days to reply, after which the offer of a place will be withdrawn.

When accepting a place, parents should immediately notify their zoned school in writing to inform them that they will not be taking up their place in August of that year.

Placing request timescales

Where the application is for entry in August the Authority is required to give an answer to the placing requests received by the 15 March by the 30th April. In cases where the time of entry requested is other than August, the Authority has two months to give a decision from the date of the request. In each case, if the parent has not received a decision within the timescale above the placing request is deemed to have been refused.

All placing requests made on or after 16 March, for admission in August of that year will be considered and decided after the requests made before 15 March have been decided and notified.

Reasons for placing request refusals

The legislation states that the Authority can refuse a placing request in terms of the Education (Scotland) Act 1980 as amended, if placing the child in a requested 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 connection with, the school;
- 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 the pupils attending the school;
- 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; and
- even if neither of the tests set out in sub-paragraphs 1 and 2 above is satisfied, have the consequence that the capacity of the school would be exceeded in terms of pupil numbers.

Reasons for placing request refusals cont.d/..

The Authority may also refuse a placing request if:

- the education normally provided at the specified school is not suited to the age, ability or aptitude of the child;
- the Authority has already required the child to discontinue his/her attendance at the specified school;
- the specified school is a special school, the child does not have additional support needs requiring the special educational facilities normally provided at the school.

The Education (Scotland) Act 1980 as amended allows Authorities to reserve places in certain schools if it anticipates those places will be required for families moving into an area. At the time of publication this applies only to specified secondary and primary schools.

Appealing against a decision

Parents have the right to appeal against refusals and deemed refusals of placing requests. Appeals should be lodged within 28 days of receipt of the letter of refusal or the timescale for making a decision has expired. Parents should bear in mind the following:

- they cannot appeal against the refusal of a place in a nursery class;
- they can only appeal once a year for each of your children;
- they should lodge the appeal no later than 28 days after you receive the Authority's letter of refusal or the timescale for making a decision has expired; and
- they can only appeal against refusal or deemed refusal of a place in your first choice school, if you have submitted a Placing Request in relation to more than one school.

Lodging an appeal

Appeals can be made by sending a letter of appeal to the Director of Corporate Governance (Placing Request Appeal) Town House, Broad Street, Aberdeen AB10 1AQ giving the child's full name, the school you wish him/her to attend and your reasons for appealing against the decision.

Consideration of Appeals

Appeals against placing refusals are heard by an Appeals Committee, which comprises members of the Council and external members with experience of education in the city.

Further details on appeals can be obtained from calling (01224) 522753 and requesting a Choosing A School booklet produced by The Scottish Government this document is also available on the Scottish Government website: www.scotland.gov.uk

2) A Summary of the current position in school session 2010-11, to include the number of requests received, number accommodated, number refused, number of appeals (successful and unsuccessful) and an indication of the general trends.

As of 7 May 2011, the current term 2010-2011, there has been 2052 Placing Requests Received. Number of Parents who appealed was 46.

Placing Requests Received for Current Term 2010-2011

Status of Applications	No.'s of Applications
Accepted	1436
Offered but declined	169
Refused	273
Withdrawn	74
Late Applications – still pending	100 (of these 58 are in zone awaiting a place, 30 applications for Primary and 28 Applications for Secondary.)
TOTAL	2052

Appeals Received for Current Term 2010-2011

Status of Appeal	Nos. of Appeals
Appeals Refused	13
Appeals Upheld	2
Appeals – Offered before Appeal	29
Appeals – Withdrawn	2
Total	46

Breakdown of Placing Requests Received for Current Term 2010-2011

Breakdown of Placing Requests – Term 2010-2011	
Priority 1 – Families moved in zone	436
Priority 2 – Older Sibling already attending school applied for	277
Priority 3 – Childcare – Where parents are working and have to transport the child ouwith the school zone in which they are resident. Childcare current and ongoing.	107
Priority 4 – Other reasons (see separate list)	1231
Total	2052

Breakdown of Placing Requests Received for Current Term 2010-2011

Trends found in Priority 4 - Others

1.	Friendship
2.	Preferred school
3.	Transport
4.	Near parents work
5.	Family looking to move to area
6.	Child unhappy at current school/ claims of child being bullied
7.	Expect better education
8.	Subject choices (Senior Students)
9.	Where parents have claimed childcare, however childcare found to be not current or non existing.

3) Transport Costs - statement of position regarding costs of providing transport as a result of placing requests.

Secondary School – Only children who applied for Cults Academy were given transport help, as the local authority were unable to place them at zoned school.

Transport

The Authority provides free school transport in the following situations:

- where a child is enrolled in his/her zoned primary school, and lives two miles or more from that school.
- where a child is enrolled at his/her zoned secondary school, and lives three or more miles from that school.

The only exceptions to this policy are:

- where a child lives less than the prescribed distance from his/her zoned school (that is, less than the two or three miles indicated above) but cannot reach that school either by an available transport service or by an available safe walking route accompanied if necessary by an adult.
- where a child lives less than the prescribed distance from his/her zoned primary or secondary school (that is, less than the two or three miles indicated above), does not have access to a transport service, and is unable to walk the prescribed safe route due to his/her own medical condition or to the medical condition of the adult who would normally accompany him/her on the walking route to school.

The Authority will take expert advice from qualified road safety practitioners and Family General Practitioner or School Medical staff, as appropriate before any final decision to support a request is made.

- where a child lives less than the prescribed (two or three miles) from his/her zoned school on the Contract (ie School) Bus route to that school, and there exist(s) space(s) on the existing Contract (ie School) Bus Service. In such cases, a child may be granted free transport on a privilege basis, only for as long as there is a space and it is not required by an entitled child.

It is at the discretion of the Authority whether or not to grant free transport for children who are accepted for an out of zone school. Only in exceptional circumstances (such as medical reasons) will the Authority exercise this discretion. Where the Local Authority has placed a child in a school which is not his/her zoned

school, transport will be provided to the school if it is more than two miles from the address at which the child is ordinarily resident (primary) or more than three miles (secondary).

Free transport may be provided in various ways, either by the provision of season tickets on buses or trains or by direct provision of contract transport from the permanent home address to the school. The Authority does not guarantee to provide door to door transport.

Requests for transport where children have medical problems or where problems of safety arise, an approach by the parent to the Head of Service, If free transport is approved, a copy of the Transport Handbook for Parents, Guardians & Children will be sent to the address stated on the transport application.