

FALKIRK COUNCIL

**Subject: REPORT BACK FROM CONSULTATION ON PROPOSAL TO CHANGE
ADMISSIONS POLICY**
Meeting: EDUCATION COMMITTEE
Date: 11 NOVEMBER 2014
Author: JOINT ACTING DIRECTOR OF EDUCATION

1. INTRODUCTION AND BACKGROUND

- 1.1 Members will recall that the Education Executive on 29 April 2014 approved that a formal public consultation should be undertaken on a proposal to change the Admissions Policy.
- 1.2 The main purpose of this proposal was to introduce firmer controls on denominational school admissions to ensure that capacity can be protected and spaces can be reserved for Catholic pupils where necessary at denominational schools in the Falkirk Council area.
- 1.3 Education Services consulted on a proposed change to the Admissions Policy that would mean that:
- (i) Pupils who can demonstrate affiliation to the RC Church by means of a baptismal certificate would remain entitled to enrol at their catchment denominational school:
 - at the start of Primary 1; or
 - at any year stage if they are moving into the Falkirk Council area.
 - (ii) All other pupils would now be required to submit a placing request to attend a denominational school.
- 1.4 The purpose of this report is to advise Education Executive on the findings of the consultation exercise and to make recommendations on an appropriate way forward.

2. CONSULTATION PROCESS AND LEGISLATIVE FRAMEWORK

- 2.1 Following on from the Education Executive decision of 29 April 2014, a formal public consultation took place over an 8 week period from 6 May to 27 June 2014.
- 2.2 The consultation exercise undertaken is governed by the Schools Consultation (Scotland) Act 2010.
- 2.3 To initiate the consultation process, and in accordance with the regulations, a notice was placed in the Falkirk Herald, the Falkirk Advertiser and the Bo'ness Journal, and over 6,000 consultative documents with pro forma response forms were issued to:
- parents of all pre-school pupils at Falkirk Council and partner nurseries
 - parents of pupils at all denominational schools

- the parent councils of all Falkirk Council denominational schools and St Modan's High School in Stirling
- all community councils
- all elected members
- the Roman Catholic church
- Education Scotland
- denominational school staff (by e-mail) and EIS (trade union)
- Stirling and Clackmannanshire Councils.

These documents were also made available at the council offices, libraries and one-stop shops and could be read on the council's website.

- 2.4 A total of 3 public meetings were held at St Patrick's Primary School (Denny), St Mary's Primary School (Bo'ness), and St Mungo's High School.
- 2.5 At the end of the consultation period, Education Scotland were sent copies of all responses received together with minutes from the public meetings. They considered these, met with key stakeholders, and responded back with a report concentrating on the educational aspects of the proposal. The involvement of Education Scotland is a requirement of the Schools (Consultation) (Scotland) Act 2010.
- 2.6 As required under the above Act Education Services must publish the consultation report three weeks in advance of a final decision being made. In this instance the consultation report was published on the Council's website on 10 October 2014. This detailed all responses to the consultation and included:
 - extracts containing the response to the proposal from all letters and e-mails received
 - a summary of pro forma responses
 - minutes of the public meetings
 - a response to the main issues raised
 - the report from Education Scotland and a response to the main points they raise.

This detailed and full consultation report is attached as [Appendix 1](#).

3. SUMMARY OF RESPONSES TO CONSULTATION

- 3.1 The responses to the consultation are summarised and fully detailed in the consultation report which can be read in [Appendix 1](#).
- 3.2 A summary and analysis of the number of responses received and from whom is shown as follows:

Table 1: Total number of respondents by category

Type of Respondent	Number
Individuals	104
Groups and Organisations	10
TOTAL	114

Analysis of Organisation Respondents	
Types of Organisation	Number
Parent Councils	3
Community Council	2
Roman Catholic Church	2
Trade Unions	1
Councils	1
Other	1
TOTAL	10

Analysis of Individual Respondents	
Types of Individual	Number
Parents and Carers	73
School Staff	17
Others	14
TOTAL	114

3.3 Responses from Individuals

63% of individual responses were in agreement with the proposals, and 37% were not. The table below summarises the responses from individuals:

Table 2: Summary of Responses from Individuals

Group	Agree		Disagree		Total	
	No.	%	No.	%	No.	%
Parents	41	56%	32	44%	73	100%
Staff	17	100%	0	0%	17	100%
Others	8	57%	6	43%	14	100%
All individual responses	66	63%	38	37%	104	100%

Main Issues Raised

The issues raised mainly came from some of those who were not in favour of the proposal and can be summarised as follows:

- The proposed change will be unfair on families with non-RC baptised children that enrolled at denominational schools under current rules, but whose younger siblings will be required to submit placing requests.
- These siblings may not get a place at the same school and if they do, they will not be entitled to free school transport.
- The proposed timetable does not provide enough notice for families to prepare for the changes that will affect them.
- The proposal is discriminatory and divisive.
- The proposed change is unfair on families from other faiths (or mixed faith) that choose denominational schools for their children based on the religious ethos of these schools.
- The proposed change will resolve potential problems for families moving into the area at the expense of those that already live here.
- There are other ways of controlling intake to St Mungo's High School.
- People should be entitled to choose to send their children to their local school regardless of religion.

3.4 Responses from Groups and Organisations

Most of the organisations responding to the consultation support the proposal. Their responses are detailed in the Consultation Report in Appendix 1 and can be summarised as follows:

- Parent Councils

Responses were received from the parent councils at St Modan's High School and St Patricks and St Francis Xavier's Primary Schools. All 3 responses were in favour of the proposal. St Modan's High School Parent Council did express concern that the numbers going to the school may reduce over time as a result. St Francis Xavier's Primary School Parent Council asked the Authority to give sympathetic consideration to the younger siblings of pupils already enrolled and they stressed the importance of maintaining diversity at the school.

- Community Councils

Larbert, Torwood and Stenhousemuir Community Council replied in support of the proposal on the basis it has legislative grounds and will benefit RC pupils. Shieldhill and California Community Council were opposed to the proposed change which they considered discriminatory.

- Roman Catholic Church

The RC Church fully support the proposal whilst emphasising the importance of fair and equitable treatment of all in the provision of places, particularly those with older siblings already at denominational schools. They had concerns, however, that the change in policy could lead to a reduction in denominational school rolls, particularly those with large geographic catchments that rely on school transport provision. They requested that the policy be reviewed at a future date if it leads to a detrimental reduction in denominational school rolls.

- Stirling Council

Stirling Council acknowledged that the proposed change would result in an assimilation of admissions criteria for denominational schools between Stirling and Falkirk and this would create clarity for parents of pupils at St Modan's High School in Stirling, which is operated by Stirling Council and attended by pupils from the Falkirk Council area.

- Scottish Secular Society

The Scottish Secular Society objected to the proposal which they believe to be divisive and discriminatory. They point out that schools elsewhere deal with over-subscription without changing their policy as proposed and that such a change will be unfair to parents who, they believe, should be entitled to choose a local, publicly funded school regardless of denomination.

3.5 Public Meetings

The 3 public meetings held provided a good opportunity for dialogue with those that attended, many of whom would be directly affected by the proposals. The minutes from these meetings can be read in the Consultation Report in Appendix 1.

4. **AUTHORITY RESPONSE TO THE MAIN ISSUES RAISED DURING THE CONSULTATION RESPONSE**

4.1 A number of issues relevant to the proposal were raised in the written responses and at the public meetings. The main issues of concern are listed below with the response of Education Services.

4.2 The proposed change will be unfair on families with non-RC baptised children that enrolled at denominational schools under current rules, but whose younger siblings will be required to submit placing requests.

These siblings may not get a place at the same school and if they do, they will not be entitled to free school transport.

It is not possible to guarantee a space for younger siblings, even under the existing policy, as this will depend on the level of demand for available spaces. These pupils will however have the highest priority for places once demand from RC baptised pupils living within the catchment has been met. Siblings do have the highest priority as placing requests, particularly those living within the geographic catchment of a denominational school and it is unlikely that they will not secure a place.

It should also be noted that there is a right of appeal against a placing request refusal which is supported by an established and legally binding appeals framework. This option does not currently exist for catchment pupils who are refused places due to high demand and the capping of primary 1 intake.

In recognition of this concern a transitional arrangement concerning transport entitlement is now also being proposed to ensure, that once the policy changes, these families, who live in the catchment area of denominational schools, are not geographically or financially disadvantaged by the choices that they have already made under the current admissions criteria. The details of these transitional arrangements are as follows:

- Siblings of pupils currently enrolled at denominational schools, that are not RC baptised and must enrol by means of a placing request, will be entitled to free school transport if they are eligible according to the normal distance or safety criteria.
- This arrangement will remain in place to ease the transition for these families for the next 5 years.
- These pupils will also be entitled to secondary school transport if they are eligible and choose to progress to the associated denominational secondary school with their peers by means of a placing request.

It should be noted that this proposed transitional arrangement will not apply to:

- (i) pupils enrolling in Primary 1 for school session 2020/2021 onwards
- (ii) younger siblings of pupils, living within the geographic catchment of a denominational school, but who are currently enrolled as “change of stream” placing requests
- (iii) pupils who live outwith the geographic catchment of a denominational school.

4.3 The proposal is discriminatory and divisive.

Denominational schools would continue to welcome pupils from all faiths and none. This policy change would permit the Council to reserve spaces at these schools for RC baptised pupils in recognition that this is the denomination in whose interests these schools are managed. The Equality Act 2010 recognises that education authorities can prioritise the admission of young people of the denomination of the school, in this case Roman Catholic.

4.4 The proposed change is unfair on families from other faiths (or mixed faith) that choose denominational schools for their children based on the religious ethos of these schools.

The Council is entitled to prioritise admissions and has given priority to RC baptised children in denominational schools for many years in recognition that the denominational schools are primarily intended to benefit RC pupils. However, apart from the retention of some “reserved places” at denominational schools, the number of places available for non-RC baptised pupils will not change. Parents of all faiths will still be able to choose these schools. It is also possible that there will be a small drop in the overall demand for places at denominational schools following the proposed policy change, and this could see an increase the number of spaces available for non-RC pupils.

4.5 The proposed change will resolve potential problems for families moving into the area at the expense of those that already live here.

In the short-term, the transitional measures outlined above would be put into place to address some of the potential problems faced by families that are affected by this policy change. In the medium to long term, parents would be making choices based on the revised policy, so would not encounter these particular problems.

4.6 There are other ways of controlling intake to St Mungo's High School.

Attempts to control St Mungo's intake long-term to protect its capacity will only succeed if the intake at the feeder primary schools can be controlled. This proposed change would take control of this problem at its root and resolve it in the long-term, whilst also protecting places for Catholic pupils at all denominational schools.

4.7 People should be entitled to choose to send their children to their local school regardless of religion.

The proposed change in policy would not remove that choice. Subject to the availability of places and the level of demand, parents and carers would still be able to choose a denominational school for their children if they are not RC baptised. That would not change.

4.8 Will this policy change affect “Circular 33” pupils.

The transfer of pupils under “Circular 33” arrangements is an arrangement between schools to move pupils, often on a trial basis, who are experiencing difficulty at their current school. These arrangements are unaffected by the Admissions Policy and only constrained by the absolute limit on places that are defined by the class size maxima. This policy change will not affect Circular 33 arrangements.

5. REPORT ON THE CONSULTATION BY EDUCATION SCOTLAND

5.1 Education Scotland prepared a report considering the educational aspects of the proposal. Before preparing the report they:

- attended the public meetings at St Mary's Primary School and St Mungo's High School
- considered all of the documentation and written responses to the consultation
- met with the chair persons of 2 parent councils, and
- met with representatives of the RC Church

- 5.2 The Education Scotland report was supportive of the proposal and their report can be read in full in the Appendix 3 of the Consultation Document, which is attached to this report as [Appendix 1](#).

Their summary conclusion, taken directly from this report was as follows:

"Overall, the council's proposal is of educational benefit. The majority of stakeholders who submitted responses are positive about the proposal. The council's proposal may reduce the risk of high occupancy rates in denominational schools and ensure that it is able to meet its legislative requirements in relation to denominational education.

However, the proposal does not set out some of these benefits in sufficient detail. In its final consultation report the council needs to provide more detailed information about the educational benefits of removing overcrowding and timetabling constraints.

The proposal will also ensure children who are baptised into the Roman Catholic Church and moving into the area will not need to be placed in a school outwith their local community and prevent unnecessary transitions from school to school. It will help the council to meet its duty to secure best value in the delivery of its services."

The response of Education Services to the main points that they raise and the request for further information can be read in Section 6 of the Consultation Report in [Appendix 1](#).

6. CONCLUSION AND PROPOSED WAY FORWARD

- 6.1 The majority of those responding to the consultation were in favour of the proposal. It is therefore recommended that the policy is changed as originally proposed, with the transitional arrangements detailed below.

- 6.2 [Proposed Change to the Admissions Policy](#)
The proposed changes to the wording of the Admissions Policy can be read in [Appendix 2](#), and these changes are summarised as follows:

Current Policy

Pupils can currently enrol at their catchment denominational or non-denominational school when they:

- start in Primary 1
- move into the Falkirk Council area (at any year stage)

If a pupil moves between the denominational and non-denominational stream at any other year stage, a placing request is required.

Proposed Policy

Pupils who can demonstrate affiliation to the RC Church by means of a baptismal certificate would remain entitled to enrol at their catchment denominational school:

- at the start of Primary 1; or
- at any year stage if they are moving into the Falkirk Council area.

All other pupils would now be required to submit a placing request to attend a denominational school.

6.3 Equality and Poverty Impact Assessment (EPIA)

An EPIA was carried out to assess the impact that this policy change would have on communities in the Falkirk Council area.

The assessment identified that the main impact to consider is the geographic and financial disadvantage that would arise for non-Catholic families that have made choices under the current rules, already have older children in denominational schools, and who live in areas that rely on denominational school transport.

The transitional arrangements proposed in section 6.3 would mitigate this and allow these families to continue with the stream of education that they have chosen for their children without financial and geographic disadvantage.

6.4 Proposed Transitional Arrangements

The proposed arrangement would ensure that transport entitlement is retained for a period of 5 years for younger siblings of pupils that are currently enrolled at denominational primaries even though they will be required to enrol as placing requests once the policy changes as proposed. This will ensure that families, who live in the catchment area of denominational schools, are not geographically or financially disadvantaged by the choices that they have already made under the current admissions criteria. The transitional arrangement would apply to all children that have been born when the policy changes.

The details of these transitional arrangements are as follows:

- Younger siblings of pupils currently enrolled at denominational schools (at the date the policy changes), that are not RC baptised and must now enrol by means of a placing request will be entitled to free school transport if they are eligible according to the normal distance or safety criteria.
- This arrangement will remain in place to ease the transition for these families for the next 5 years (ie for all school sessions up to and including session 2019/2020).
- These pupils will also be entitled to secondary school transport if they are eligible according to the normal distance or safety criteria, and they progress to the associated denominational secondary school with their peers by means of a placing request.

This proposed transitional arrangement will not apply to:

- (i) pupils enrolling in Primary 1 for school session 2020/2021 onwards
- (ii) younger siblings of pupils, living within the geographic catchment of a denominational school, but who are currently enrolled as “change of stream” placing requests
- (iii) pupils who live outwith the geographic catchment of a denominational school.

7. **EFFECTIVE DATE**

7.1 If approved, it is planned to implement all proposed changes:

- with immediate effect for pupils moving into the Falkirk Council area
- from August 2015 for pupils enrolling into Primary 1

Note: Current pupils will not be affected by these proposed changes.

7.2 If approved, the proposed transitional arrangements regarding transport entitlement for placing request pupils with siblings currently enrolled at denominational schools will no longer apply to pupils that enrol after the school session 2019/2020.

8. RECOMMENDATIONS

8.1 Education Committee is asked to:

- (i) note the response to the consultation; and**
- (ii) agree the proposed changes to the Admissions Policy**
- (iii) agree the proposed transitional arrangements for non-RC baptised pupils that have siblings currently enrolled at denominational schools**

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Joint Acting Director of Education

Date: 31 October 2014

Contact Officer: Richard Teed, ext 6621

LIST OF BACKGROUND PAPERS

NIL

- APPENDIX 1 - Proposal for a Change in the Schools Admissions Policy - A Report of the Consultation from 6th May to 27th June 2014
- APPENDIX 2 - Proposed Changes to the Admissions Policy

APPENDIX 1

Falkirk Council

Education Services



consultation report

PROPOSAL FOR A CHANGE IN THE SCHOOLS ADMISSIONS POLICY

A REPORT OF THE CONSULTATION

6th MAY TO 27th JUNE 2014



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1 INTRODUCTION

Background

In recent years, Falkirk Council has made a considerable investment to increase denominational school capacity to meet an increasing demand for places. Despite this, the demand for places at a number of denominational schools has increased to a level that can no longer be met.

A new single stream denominational primary school (St Bernadette's in Stenhousemuir) was opened in August 2012 and this additional capacity, in association with a major rezoning of several school catchments, was intended to reduce the pressure on St Andrew's and St Francis Xavier's Primary schools. In actual fact, all available spaces have been filled at St Bernadette's and demand has remained very high at St Andrew's, St Francis Xavier's and other denominational primary schools.

In August 2013 it was necessary to cap intake at all of the St Mungo's High School feeder schools to protect capacity at several of these schools and to prevent over-subscription at St Mungo's High School longer term. Across the Council area, nearly 40 pupils were refused enrolment to these schools. It was not possible to reserve any places for pupils likely to move into the area because the demand came from pupils that live in the catchment areas of these schools. As a consequence, there are no places available in Primary 1 at several denominational primary schools for Catholic pupils that move into the area, and this has resulted in a growing waiting list for places at denominational schools from Catholic pupils moving into or around the Falkirk Council area.

Falkirk Council has a legal duty to offer a denominational education to Roman Catholic families and this proposal to change the Admissions Policy aims to ensure that this is possible.

Proposal

Currently all pupils can choose to enrol at their catchment denominational school when they:

- start in Primary 1
- move into the Falkirk Council area at any year stage.

It is proposed that the Council's Admissions Policy is changed so that pupils that can demonstrate affiliation to the RC church by means of a baptismal certificate would remain entitled to enrol at their catchment denominational school in these circumstances, but all other pupils would be required to submit a placing request.

Purpose of Consultation

A change in the admission procedure affecting placing requests requires a formal consultation to be carried out in accordance with the Schools (Consultation) (Scotland) Act 2010. This report documents the formal consultation undertaken on this proposal between 6th May and 27th June 2014.

Timelines

- The Consultation was undertaken over an 8 week period from 6th May to 27th June 2014
 - Education Scotland reported back on the educational aspects of the proposal on 3rd October 2014.
 - This Consultation Report was published online on 10th October 2014.
 - Falkirk Council Education Executive discuss the proposal on 11th November 2014.
 - If changes to the Admissions Policy (as proposed or amended) are approved by the
-

Education Executive they will take immediate effect and will affect:

- (i) Pupils moving into the Falkirk Council area that wish to enrol at denominational schools.
- (ii) Pupils submitting Placing requests to denominational schools for Primary 1 in August 2015 (accepted from December 4th 2014 onwards).
- (iii) Pupils enrolling at denominational schools for Primary 1 in August 2015 from January 2015 onwards.

Consultees

During the consultation period, views were sought from a range of stakeholders and interested parties as follows:

- Parents of all pre-school children attending Falkirk Council nurseries and all pupils attending denominational schools
 - The Parent Councils of all denominational schools
 - Denominational school staff and trade unions
 - Community Councils
 - Elected members
 - Education Scotland
 - The Roman Catholic Church
 - Stirling and Clackmannanshire Councils
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2 RESPONSE TO CONSULTATION

Summary

There were 112 written responses to the consultation from 103 individuals and 9 groups and organisations. These are summarised in this report and can be read in full in [Appendix A](#).

These written responses were received by post, e-mail and hand-delivered. They are summarised by category in the following table 1 below:

Table 1 - Total number of respondents by category

Type of Respondent	Number of Responses
Individuals	104
Groups and Organisations	10
TOTAL	114

Analysis of All Individual Respondents		
Type of Respondents	Number of Responses	%
Parents	73	71%
Staff	17	16%
Others	14	13%
TOTAL	104	100%

Analysis of All Organisation Respondents		
Type of Organisations	Number of Responses	%
Parent Councils	3	30%
Community Councils	2	20%
RC Church	2	20%
Trade Unions	1	10%
Councils	1	10%
Other	1	10%
TOTAL	10	100%

Response Analysis

Responses from Individuals

The number of responses to the consultation in favour or not in favour of the proposal are shown in Table 2 below:

Table 2: Responses from Individuals to Proposal

	Agree		Disagree		Total	
	No.	%	No.	%	No.	%
Parents	41	56%	32	44%	73	100%
Staff	17	100%	0	0%	17	100%
Others	8	57%	6	43%	14	100%
All individual responses	66	63%	38	37%	104	100%

Responses from Groups and Organisations

There were 10 responses from groups and organisations that were all in support of the proposals apart from 2. The full response from each group or organisation can be read in [Appendix A](#) and are summarised below.

Parent Councils

Formal responses were received from 3 Parent Councils in support of the proposals. The main points raised in their written responses were as follows:

- **St Patrick's PS Parent Council** wrote in support of the proposal, stressing the importance of denominational provision for the Roman Catholic community and society in general
- **St Modan's HS Parent Council** had no objections, although they expressed concern that the number of pupils attending St Modan's High School would reduce.
- **St Francis Xavier's PS Parent Council** wrote in support of the proposal but requested sympathetic consideration of those families affected adversely by the change during the transitional period, particularly the younger siblings of pupils already enrolled. They also stressed the importance of maintaining the diversity of pupils at the school so that it remains accessible to those that choose the school for its Christian ethos.

Roman Catholic Church

Two letters were received from the Roman Catholic Church:

- The **Archdiocese of St Andrew's and Edinburgh** wrote in support of the proposed policy change as a "fair and necessary initiative which will protect the rights of Catholic families to a Catholic education". Their response also emphasised the importance of allocating available places at denominational schools in a fair and equitable manner, with particular regard to non-Catholic children with siblings already at a school. It was suggested that there should be the facility to review this change at a future date if there is a marked decline in numbers at denominational schools.
- The **local RC Church Representative** expanded on these points in his response, supporting the proposed policy change and welcoming the recent investment and commitment to denominational schools in the Falkirk Council area. He expressed concern, however, that demand for denominational schools from families in outlying areas that are reliant on school transport would drop over time if non-Catholic pupils are no longer entitled to free school transport. He felt that this should be monitored and the policy reviewed if this leads to a detrimental reduction in the roll at denominational schools.

Community Councils

Two responses were received from community councils:

- **Larbert, Torwood and Stenhousemuir Community Council** gave its tacit support to the proposal on the basis that it has legislative grounds and will be of benefit to RC pupils. However, they also felt that the impact would be marginal and that measures are required to tackle over-crowding at all schools in the area, not just denominational schools.
- **Shieldhill and California Community Council** were opposed to the proposed change. They expressed concern that it was discriminatory and did not agree that pupils would, potentially be unable to attend their nearest school and may even need to be transported to a school further afield.

Trade Unions

A response was received from **EIS**, the teacher's union, who took a neutral position.

Local Authorities

A response was received from the Head of Education at **Stirling Council** who acknowledged that the proposed change would result in an assimilation of admissions criteria for denominational schools between Stirling and Falkirk and this would create clarity for parents of pupils at St Modan's High School in Stirling, which is operated by Stirling Council and attended by pupils from the Falkirk Council area.

Scottish Secular Society (SSS)

The Scottish Secular Society objected to the proposal which they believe to be divisive and discriminatory. They point out that schools elsewhere deal with over-subscription without changing their policy as proposed and that such a change will be unfair to parents who, they believe, should be entitled to choose a local, publicly funded school regardless of denomination.

**Public
Meetings**

Three public meetings were held during the consultation period as follows:

St Patrick's Primary School (20th May 2014)

9 parents, the St Patrick's Primary School Headteacher and the local RC Church representative attended this meeting.

(The full minutes from this meeting can be read in [Appendix B](#))

St Mary's Primary School (27th May 2014)

8 parents, the St Mary's Primary School Headteacher and the local RC Church representative attended this meeting.

(The full minutes from this meeting can be read in [Appendix B](#))

St Mungo's High School (9th June 2014)

8 parents, the local RC Church representative and an Education Scotland representative attended this meeting.

(The full minutes from this meeting can be read in [Appendix B](#))

3 SUPPORT FOR THE PROPOSAL

Overall Response

63% of individual respondents (66 responses) to the consultation were in favour of the proposed change in the Admissions Policy. The full text of all responses received can be read in [Appendix A](#).

8 of the 10 groups and organisations that responded were in favour of the proposal.

Summary of Responses in Favour

Some of the main points coming out of the individual responses in favour of the proposal were as follows:

- The current situation is creating real difficulties for Catholic families and this proposal would resolve these
 - It may reduce overcrowding at denominational schools
 - RC baptised pupils should have priority for denominational school places and this policy change would ensure that this is the case
 - All pupils at RC Primaries should have the opportunity to move up to their denominational secondary school with their peers
 - Siblings affected by this policy change should have a very high priority for a place
-

4 OPPOSITION TO THE PROPOSAL

Overall Response

37% of individual respondents (38 responses) to the consultation were not in favour of the proposed change in the Admissions Policy. The full text of all responses received can be read in [Appendix A](#).

2 of the 10 groups or organisations that responded were opposed to the proposal.

Summary of Responses not in Favour

The main issues raised in these responses were as follows:

- The proposed change will be unfair on families with non-RC baptised children that enrolled at denominational schools under current rules, but whose younger siblings will be required to submit placing requests.
 - These siblings may not get a place at the same school and if they do, they will not be entitled to free school transport.
 - The proposed timetable does not provide enough notice for families to prepare for the changes that will affect them.
 - The proposal is discriminatory and divisive.
 - The proposed change is unfair on families from other faiths (or mixed faith) that choose denominational schools for their children based on the religious ethos of these schools.
 - The proposed change will resolve potential problems for families moving into the area at the expense of those that already live here.
 - There are other ways of controlling intake to St Mungo's High School.
 - People should be entitled to choose to send their children to their local school regardless of religion.
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5 RESPONSE TO THE MAIN ISSUES RAISED

Main Issues Raised

A number of issues relevant to the proposal were raised in the written responses and at the public meetings. The main issues of concern are listed below with the response of Education Services.

- **The proposed change will be unfair on families with non-RC baptised children that enrolled at denominational schools under current rules, but whose younger siblings will be required to submit placing requests.**
- **These siblings may not get a place at the same school and if they do, they will not be entitled to free school transport.**

It is not possible to guarantee a space for younger siblings, even under the existing policy, as this will depend on the level of demand for limited spaces, but these pupils will have the highest priority for places once demand from RC baptised pupils living within the catchment has been met. However, siblings do have the highest priority as placing requests, particularly those living within the geographic catchment of a denominational school and it is unlikely that they will not secure a place.

It should also be noted that there is a right of appeal against a placing request refusal which is supported by an established and legally binding appeals framework. This option does not currently exist for catchment pupils who are refused places due to high demand and the capping of primary 1 intake.

However, in recognition of this concern a transitional arrangement concerning transport entitlement is now also being proposed to ensure, that once the policy changes, these families are not geographically or financially disadvantaged by the choices that they have already made. The details of these transitional arrangements are as follows:

- Siblings of pupils currently enrolled at denominational schools, that are not RC baptised and must enrol by means of a placing request, will be entitled to free school transport if they are eligible according to the normal distance or safety criteria.
- This arrangement will remain in place to ease the transition for these families for the next 5 years
- These pupils will also be entitled to secondary school transport if they are eligible and choose to progress to the associated denominational secondary school with their peers by means of a placing request.

It should be noted that this proposed transitional arrangement will not apply to:

- (iv) pupils enrolling Primary 1 for school session 2020/2021 onwards
- (v) younger siblings of pupils that have enrolled after this policy change (proposed to take effect in November 2014)
- (vi) younger siblings of pupils currently enrolled as “change of stream” placing requests
- (vii) pupils that live outwith the geographic catchment of a school.

- **The proposed timetable does not provide enough notice for families to prepare for the changes that will affect them.**

It is hoped that the transitional arrangements regarding transport (see above) will help families that are affected by these changes, particularly those that have already chosen a denominational primary school for their older children, and who have younger pre-school siblings following them.

- **The proposal is discriminatory and divisive.**

Denominational schools would continue to welcome pupils from all faiths and none. This policy change would permit the Council to safeguard a few spaces at these schools for RC baptised pupils in recognition that this is the denomination in whose interests these schools are managed. The Equality Act 2010 recognises that education authorities can prioritise the admission of young people of the denomination of the school, in this case Roman Catholic.

- **The proposed change is unfair on families from other faiths (or mixed faith) that choose denominational schools for their children based on the religious ethos of these schools.**

Apart from the retention of a few “reserved places” at denominational schools, the number of places available for non-RC baptised pupils will not change. Parents of all faiths will still be able to choose these schools. It is also possible that there will be a small drop in the overall demand for places at denominational schools following the proposed policy change, and this could see an increase the number of spaces available for non-RC pupils.

- **The proposed change will resolve potential problems for families moving into the area at the expense of those that already live here.**

In the short-term, the transitional measures outlined above would be put into place to address some of the potential problems faced by families that are affected by this policy change. In the medium to long term, parents would be making choices based on the revised policy, so would not encounter these particular problems.

- **There are other ways of controlling intake to St Mungo’s High School.**

Attempts to control St Mungo’s intake long-term to protect its capacity will only succeed if the intake at the feeder primary schools can be controlled. This proposed change would take control of this problem at its root and resolve it in the long-term, whilst also protecting places for Catholic pupils at all denominational schools.

- **People should be entitled to choose to send their children to their local school regardless of religion.**

The proposed change in policy would not remove that choice. Subject to the availability of places and the level of demand, parents and carers would still be able to choose a denominational school for their children if they are not RC baptised. That would not change.

- **Will this policy change affect “Circular 33” pupils.**

The transfer of pupils under “Circular 33” arrangements is an arrangement between schools to move pupil, often on a trial basis, who are experiencing difficulty at their



current school. These arrangements are unaffected by the Admissions Policy and only constrained by the absolute limit on places that are defined by the class size maxima. This policy change will not affect Circular 33 arrangements.

6 REPORT BY EDUCATION SCOTLAND

Legislative Duty

Under the terms of the Schools (Consultation) (Scotland) Act 2010, Education Scotland (formerly Her Majesty's Inspectorate of Education) must prepare a report on the educational aspects of the proposal out to consultation.

Summary of Report

The report can be read in full at [Appendix 4](#). Section 4 of the Education Report summarises their findings and conclusions as follows:

“Overall, the council’s proposal is of educational benefit. The majority of stakeholders who submitted responses are positive about the proposal. The council’s proposal may reduce the risk of high occupancy rates in denominational schools and ensure that it is able to meet its legislative requirements in relation to denominational education. However, the proposal does not set out some of these benefits in sufficient detail. In its final consultation report the council needs to provide more detailed information about the educational benefits of removing overcrowding and timetabling constraints. The proposal will also ensure children who are baptised into the Roman Catholic Church and moving into the area will not need to be placed in a school outwith their local community and prevent unnecessary transitions from school to school. It will help the council to meet its duty to secure best value in the delivery of its services.”

Education Authority Response to Main Points Raised

The main points for further consideration and clarification are as follows:

“The proposal may have implications for younger siblings who may wish to attend the same denominational school as their brother or sister, but who do not have a baptismal certificate. The council need to consider the potential impact for children, young people and their families if they require to be educated in different schools across the council should the proposal go ahead.”

In recognition of this concern the details of the proposal have been changed to ensure that:

- Siblings of pupils currently enrolled at denominational schools, that are not RC baptised and must enrol by means of a placing request, will be entitled to free school transport if they are eligible according to the normal distance or safety criteria.
- This arrangement will remain in place to ease the transition for these families for the next 5 years
- These pupils will also be entitled to secondary school transport if they are eligible and choose to progress to the associated denominational secondary school with their peers by means of a placing request.

This transitional arrangement will not apply to:

- (viii) pupils enrolling for school session 2020/2021 onwards
- (ix) younger siblings of pupils that have enrolled after this policy change (proposed to take effect in November 2014)
- (x) younger siblings of pupils currently enrolled as “change of stream” placing requests
- (xi) pupils that live outwith the geographic catchment of a school

It is not possible to guarantee a space for younger siblings, and this has even been the case under current arrangements due to the very high demand in recent years which has resulted in capped intake. However, siblings do have the highest priority as placing requests, particularly those living within the geographic catchment of a denominational

school and it is unlikely that they will not secure a place. The proposed transitional arrangement regarding transport entitlement would also ensure, that once the policy changes, these families are not geographically or financially disadvantaged by the choices that they have already made.

“..the council needs to specify more clearly the educational benefits for pupils in reducing overcrowding and timetabling constraints.”

It has been difficult to maintain the capped intake at some denominational primary schools in the last few years, particularly at St Bernadette's and St Andrew's. If this continues there will be consequences for these schools and it will become increasingly difficult to protect capacity at St Mungo's High School without separating pupils from their peer group when they transfer to secondary school.

Very high occupancy levels of 95% are already expected at St Mungo's High School. If the intake at its feeder primaries cannot be controlled effectively, then occupancies of 100% or greater are possible longer term. Secondary school capacity allows for 30% flexibility for timetabling and varying class sizes. A school at 100% occupancy will have none of this flexibility which can constrain the options available to timetablers. It also means that all classrooms must be filled, reducing the opportunity for smaller classes.

“The council needs to provide more information about projected rolls, current capacity of the schools affected by the proposal, current and projected size of waiting lists for denominational schools and any impact of the proposal on non-denominational schools.”

St Mungo's High School

The capacity of St Mungo's High School is 1416 pupils and there are currently 1288 pupils enrolled (91% occupancy). The school roll and occupancy levels are projected to increase as shown in the 10 year forecast below. These projections are based on capped intake at the feeder primary schools from August 2013 onwards.

School Session	15/16	16/17	17/18	18/19	19/20	20/21	21/22	23/24	24/25	25/26
Roll	1255	1262	1273	1290	1315	1342	1359	1359	1359	1359
Capacity	1433	1433	1433	1433	1433	1433	1433	1433	1433	1433
Occupancy	88%	88%	89%	90%	92%	94%	95%	95%	95%	95%

Current projections indicate that Secondary 1 intake will reach the capped level of 240 pupils in August 2017 and remain at this level going forward. Reserved places will be of particular importance from this date onwards in ensuring that there are places available for Catholic pupils moving into the area.

Sacred Heart Primary School

The capacity of Sacred Heart Primary School is 342 pupils and there are currently 197 pupils enrolled (58% occupancy). The school roll and occupancy levels are not projected to increase or cause concern (see below), but intake has been capped at 30 pupils from August 2013 onwards and there is currently one pupil on the waiting list for Primary 1.

School Session	15/16	16/17	17/18	18/19	19/20
Roll	203	200	200	202	202
Capacity	342	342	342	342	342
Occupancy	59%	58%	58%	59%	59%

St Andrew's Primary School

The capacity of St Andrew's Primary School is 434 pupils and there are currently 417

pupils enrolled (96% occupancy). Intake has been capped at 60 pupils from August 2013 onwards and the school roll and occupancy levels are projected to decrease a little over the next 5 years as a result of this and reducing birth rates (see below). It should be noted, however, that continued high demand for places could see occupancy remain at current levels. This is hard to predict. There are currently 9 catchment pupils on the waiting list for various year stages attending alternative schools.

School Session	15/16	16/17	17/18	18/19	19/20
Roll	406	406	400	396	399
Capacity	434	434	434	434	434
Occupancy	94%	94%	92%	91%	91%

St Bernadette's Primary School

The capacity of St Bernadette's Primary School, which opened in August 2012, is 217 pupils and there are already 188 pupils enrolled (87% occupancy). Intake was capped at 30 pupils in August 2013, but 43 pupils were enrolled in August 2014 due to the high level of demand from RC baptised pupils. If intake can be capped at 30 from August 2015 onwards and the school will still be full by August 2018 (see below). There are currently 4 catchment pupils on the waiting list for Primary 2 places who are attending alternative schools.

School Session	15/16	16/17	17/18	18/19	19/20
Roll	182	196	204	210	210
Capacity	217	217	217	217	217
Occupancy	84%	90%	94%	97%	97%

St Francis Xavier's Primary School

The capacity of St Francis Xavier's Primary School is 454 pupils and there are currently 414 pupils enrolled (91% occupancy). Intake has been capped at 60 pupils from August 2013 onwards and the school roll and occupancy levels are projected to decrease a little over the next 5 years as a result of this (see below). There are currently 2 catchment pupils on the waiting list who are attending alternative schools.

School Session	15/16	16/17	17/18	18/19	19/20
Roll	409	412	414	416	419
Capacity	454	454	454	454	454
Occupancy	90%	91%	91%	92%	92%

St Joseph's Primary School

The capacity of St Joseph's Primary School is 150 pupils and there are currently 170 pupils enrolled (113% occupancy). The operational capacity has been increased to 217 pupils using modular accommodation and there is a permanent extension planned for completion by August 2016. Intake has been capped at 30 pupils from August 2013 onwards and the school roll is projected to remain at similar levels going forward (see below).

School Session	15/16	16/17	17/18	18/19	19/20
Roll	165	167	161	158	163
Capacity	150	217	217	217	217
Occupancy	110%	77%	74%	73%	75%

St Mary's Primary School

The capacity of St Mary's Primary School is 317 pupils and there are currently 193 pupils enrolled (61% occupancy). Intake has been capped at 30 pupils from August 2013 onwards and the school roll and occupancy levels are projected to remain at similar levels over the next 5 years (see below).

School Session	15/16	16/17	17/18	18/19	19/20
Roll	180	196	194	199	201
Capacity	317	317	317	317	317
Occupancy	57%	62%	61%	63%	63%

St Patrick's Primary School

The capacity of St Mary's Primary School is 434 pupils and there are currently 331 pupils enrolled (76% occupancy). St Patrick's PS is a feeder school for St Modan's High School in Stirling. The school roll and occupancy levels are projected to increase a little over the next 5 years due to recent high birth rates and anticipated house building (see below).

School Session	15/16	16/17	17/18	18/19	19/20
Roll	342	348	362	363	367
Capacity	434	434	434	434	434
Occupancy	79%	80%	83%	84%	85%

Non-Denominational Schools

The change in policy could lead to a small reduction in parental demand for denominational schools from non-Catholic families. This is not expected to be concentrated in any particular area and should not lead to any capacity pressures at non-denominational schools.

APPENDIX A: WRITTEN RESPONSES

Responses from those in support of the proposal

The written comments included with those responses received that were in favour of the proposal are shown below:

From groups and organisations:

Parent Councils

- “St Patrick's Parent Council welcome this change to the admissions policy. We fully understand the rationale for this change and we thank the Education Service Team for their clear and transparent communication. We thank Falkirk Council for supporting the Charter for Catholic Schools in Scotland and safeguarding this for the many families in Falkirk Council.

Whilst there has been opposition from small groups in society, we would stress the importance of denominational education not only for our children but for the greater good of society.

It is narrow-minded to think that because you attend a denominational school that it makes you antithetic or sectarian. What a denominational education provides a strong moral direction and clear values, all of which contribute to a harmonious society.”

(ST PATRICK'S PS PARENT COUNCIL)

- “It will possibly mean a few less pupils arriving at St Modan's High School. However if it enhances Catholic Education in Falkirk we could not object.”

(ST MODAN'S HS PARENT COUNCIL)

- “Q1. As a Parent Council we do agree with the proposed change.

Q2. We ask that where possible, some degree of sensitivity is given to the needs of families affected adversely by the change, i.e. those who have older children already attending the school but whose younger siblings will no longer be entitled to do so. We envisage that this issue would eventually become obsolete.

We are also aware that such a change in policy will narrow the diversity of backgrounds of the children attending the school and feel that this may need to be addressed in the long run i.e. capacity issues to include these families once more. This diversity creates a positive atmosphere for all children attending the school. We feel that all who choose to do so should have access to schooling within a Catholic Christian ethos.”

(ST FRANCIS XAVIER'S PS PARENT COUNCIL)

Roman Catholic Church

- “I refer to the ongoing Consultation process on the proposal to change the Falkirk Council Schools Admissions Policy. This Consultation was proposed and agreed at the Education Executive meeting on 29th April 2014. I was in attendance at that meeting.

Firstly, I would wish to compliment Falkirk Council on the very extensive and thorough nature of the Consultation process.

This process involved, among other things, three public meetings at St Patrick's Primary School, Denny, St Mary's Primary School, Bo'ness and St Mungo's High School, Falkirk. I attended each of these meetings which were led by the Joint Acting Directors of Education, Forward Planning Officers and the Education Convener. There was an issue that arose at two of these meetings that I would wish to comment on later in this report.

The present proposal follows on from a change to the Admissions Policy in 2012. This was a necessary and successful amendment to the Policy to deal with over subscription of pupils who could transfer from any P7 class in Falkirk District has been that these six Catholic feeder primary schools are generally markedly over-subscribed at P1. While Falkirk Council work very well to ensure that Catholic children are able to be enrolled at Catholic schools the high number of non-Catholic children

applying means that most of the schools are full and unable to accommodate Catholic families moving into Falkirk area. Although the amendment is designed to address this specific point I think it is also necessary that Education Officers have as many means at their disposal to help them manage this situation now and in future.

Falkirk Council are also to be complimented on the substantial investment they have made in all schools in Falkirk District but, from my point of view, particularly in the Catholic sector. This was very clearly illustrated in the PowerPoint demonstration at the public meetings. The recent opening of the new primary school, St Bernadette's is an excellent example of this commitment.

I fully support the Amendment as laid out in the Consultation Document submitted to the Education Executive on 29th April 2014. There are however two points that I would like to make.

- 1) The amendment is designed to ensure that there are places at Catholic schools for Catholic children, particularly those from Catholic families moving into Falkirk District. My concern is that the changed Policy may have an adverse impact in two ways.
 - a) In a school such as St Mary's Primary School in Bo'ness the prospect for non-Catholic children that they may eventually have to pay for transport to St Mungo's High School may dissuade them from enrolling in St Mary's in the first place.
 - b) St Andrew's Primary School has an extensive catchment area and many children travel by bus from rural areas. Although St Andrew's is full and over-subscribed my concern is that there could be a substantial fall in the numbers of non-Catholic children due to the costs of travel to St Andrew's and subsequently to St Mungo's. Clearly we cannot forecast what decision parents will make in this situation. Also it is possible that any reduction in places will be taken up by incoming Catholic families. However, what I would suggest is that if these risk factors begin to materialise to the extent that they may impact on teaching staff numbers that we have the facility to re-examine the Policy in regard to any particular school.
- 2) An issue that arose at two of the public meetings was from non-Catholic families concerned that, already having children in a Catholic primary school they may not be able to enrol subsequent children due to the need for placing requests. Although delighted at the efforts that Falkirk Council make to safeguard Catholic Education for Catholic children it is a matter of regret that people of other Faiths or none cannot enrol their children at a Catholic school when they wish to do so. Of course this is due to the fact that there are only a limited number of places available in each school. It seems to me however that this proposed change of Policy really does not impact on this particular issue. Priority is always, rightly given to baptised Catholic children so in any given year it is possible that a non-Catholic child may not be able to be enrolled. I note however that for those non-Catholic children applying, priority is given to children with siblings in the school. Also the changed Policy brings with it a right of Appeal that did not exist previously.

In conclusion I would wish to emphasise that I fully support the proposed amendment to the Admissions Policy."

(LOCAL RC CHURCH REPRESENTATIVE)

- "Having been briefed by the Church Representative on Falkirk Education Executive (*see response above*), I would offer the following comment in relation to the Consultation process presently ongoing regarding a proposed Amendment to the School Admissions Policy.

I am very pleased to hear of the popularity of our Catholic schools in Falkirk District and also of the considerable support given to the schools by the Council and in particular the Education Officers. I understand that this popularity has created problems with the over subscription of applications for enrolment in Catholic schools. I am informed that this was first addressed by an Amendment to the Admissions Policy in 2012 and then again by the further Amendment that is presently the subject of a Consultation process.

The proposed Amendment seems to me to be a fair and necessary initiative which will protect the rights of Catholic families to a Catholic Education, particularly those families who may move into the Falkirk area in the future. I regret that a situation exists where families of other faiths, or none may be unable to enrol their children in a Catholic school when they may wish to do so. However, there are clearly only a limited number of places available in the schools. I am satisfied from the assurances I have received from my Church Representative that where over subscription takes place enrolments

will continue to be allocated by Falkirk Council in a fair and equitable manner, particularly having regard to non-Catholic children who already have siblings in the school.

I support my Representative's proposal that we include a facility to review the Policy if any particular Catholic schools shows a marked decline in numbers of pupils which may have an impact on the level of teaching staff in that school. Clearly the Amendment to the Policy is designed to support Catholic Education and in particular Catholic families moving into the area so I am confident that any outcome of the Policy which could possibly have an adverse effect on any particular Catholic school is something that would be subject to review by Falkirk Council.

I wish to reiterate my gratitude for the support Falkirk Council have given to Catholic Education and confirm that I am happy to support the proposed Amendment to the Admissions Policy that was presented to Falkirk Education Executive on 29 April 2014.

(ARCHDIOCESE OF ST ANDREW'S & EDINBURGH)

Trade Unions

- "Neutral position. We have been kept informed of the proposals."
(EIS)

Local Authorities

- "The proposal outlined in the consultation document represents an assimilation of the denominational policies of the three education authorities within Forth Valley. From an operational perspective this will create clarity for parents in all local authorities' admission and transport policies in relation to denominational education policy. In particular this will lead to a similar policy being applied to all the pupils within St Modan's High School irrespective of the local authority that they reside within.

As potential changes in enrolment levels of catchment denominational children have the potential to impact future numbers of pupils at St Modan's High School, we could be grateful if you could keep us informed of the impact of these proposals in relation to St Patricks Primary School when the proposals are adopted."
(HEAD OF EDUCATION, STIRLING COUNCIL)

Community Councils

- "
 - a. Reference your consultation letter dated 8 May 2014. Thank you for the opportunity to respond on the proposed changes to the admissions policy. Larbert, Stenhousemuir & Torwood Community Council (LSTCC) has taken the opportunity to consult widely regarding the proposal through our monthly meeting and through the medium of Facebook and our website.
 - b. Our understanding has been that historically the Education Act 1918 created denominational schools when Roman Catholic schools were handed over to the State. There were specific legal provisions in the Act promoting Roman Catholicism. There is a considerable body of opinion that suggests that denominational schools should not still be available. That opinion itself took up a considerable amount of time in discussion, and was very much a majority opinion. However, having raised awareness of that matter, it is clearly a political issue and is not one for this forum.
 - c. Denominational schools are required by law to be open to all pupils of all faiths and none, and each local Council can manage the intake for those schools in different ways. It is our understanding that guidance to schools by the Scottish Government states that denominational schools can take account of religious beliefs when considering a placing request and give preference to pupils of that particular faith. Falkirk Council's Admission Policy identifies denomination as number one on the list of priorities.
 - d. Given the above circumstances, clearly Falkirk Council is not proposing to do anything in contravention of any rules or regulations. The proposal will provide more control over RC intake and will no doubt satisfy any concerns the RC church may have that RC children cannot get in to an RC school.
 - e. Clearly the proposals will allow for better management at denominational schools which is what the proposals set out to do. We are aware there continues to be pressure on schools across the area and we are frankly surprised that there are not proposals regarding the increasing problems for non-denominational schools at a time many are already at, or over capacity. The school roll projections

and risk analysis kindly provided by the Acting Director of Education at a recent meeting of LSTCC clearly shows the problems for school rolls, particularly in the immediate future. What is not wanted by residents is the bussing of pupils to schools in outlying areas.

- f. Furthermore, the proposals only affect Primary intake. There appears to be little or no effect on Secondary intake, certainly in the immediate future. Longer term, LSTCC is not convinced that the proposals will assist overcrowding issues at Larbert High or St Mungo's Secondary Schools.
- g. Accordingly while there are a number of differing opinions about the proposals, LSTCC is of the opinion that the proposals are not contrary to any over-riding legislation and may be of benefit to RC pupils. However, the longer term impact would seem to be marginal and it is thought that the proposals should be introduced along with other measures to tackle overcrowding in all schools in the area."

(LARBERT, STENHOUSEMUIR & TORWOOD COMMUNITY COUNCIL)

From individuals:

- "I completely agree with this proposal. I found it a trying time while waiting to find out if my daughter, who was baptised, would be accepted to St Andrew's. I believe there are far too many Catholic children not at Catholic Schools because all spaces have been taken up by non-Catholics." (PARENT)
- "I fully support the proposed changes that Falkirk Council are making." (PARENT)
- "Both of my children are baptised Catholics. My eldest is in P1 at St Francis (our old catchment) and we moved house at the end of 2013. We spoke with the education department immediately about moving her to St Andrew's (new catchment) and we were told she would have to join the waiting list and that it was likely that she wouldn't get a space in the school until P3 or P4 (2 to 3 years away)

I am not prepared to rip her away from her established school ties/social group at that late stage so I agreed with the education department to keep her at St Francis.

This however causes problems for my youngest child who has just turned 3 and is due to start her ante pre-school year at nursery in August this year. As it stands St Francis Nursery turned down our application straight away because we were outwith the catchment so she has gained a place at St Andrew's Nursery. This means ferrying my children between 2 locations for the next 2 years and also means that this is what we would have to do if my youngest was refused a placing request at St Francis Primary as we are outwith the catchment.

I feel all of this is totally unacceptable. I have done everything I can as a parent to ensure my children attend their catchment denominational school with no success. I feel that it is unfair and unrealistic to ask a parent to move their child in 2 to 3 years' time when a space might become available. I also feel it is unfair that my youngest then faces going to a different school purely because of poor planning on Falkirk Council's part. I know that a large percentage of children currently in St Francis and St Andrew's are not affiliated with the catholic faith and that means that families like mine face being split across schools.

I fully support this consultation as it is the only real hope I have of my children attending the same school. It will be my intention to keep my eldest at St Francis and put in a placing request for my youngest to also attend there in 2016." (PARENT)

- "In response to your proposal, I fully support the change. I have a son in P4 at St Andrew's in a class of 33. It is over-crowded with an intake of 75 into his P1 year. Approx. only a third of his P4 class are RC." (STAFF)
- "I strongly agree with the proposed changes to Falkirk Council school admissions policy. Our children attend/will attend St Patrick's Primary, Denny." (PARENT)
- "I agree with the proposed admission policy changes in Falkirk Council." (PARENT)
- "I fully support the proposed changes that Falkirk Council are making." (STAFF)
- "I do not practice any faith but I respect those who do. I also believe that those who are RC should have priority to attend an RC school over those who are not. I think it would be unfair for a child whose family practice their faith and their child is denied the chance to attend an RC school because another family wanted their child to attend." (OTHER)

consultation report

- "I agree with the proposed change in the Falkirk Council Admissions policy to require a placing request for non-RC baptised pupils to attend denominational schools." (OTHER)
 - "Yes. I think this still won't address future over-crowding at St Bernadette's. It is currently meant to be capped at 30, however this can't cope with the amount of RC P1's enrolling. As the area is still growing, I think that the boundaries for RC schools needs to be changed. Perhaps Carron/Carronshore go to Sacred Heart or St Francis? I would like to know the feasibility of this." (PARENT)
 - "I think that pupils who have had a placing request granted and have gone to a RC primary school should be able to transfer to high school with their peer group so a placing request should last for Primary and Secondary phase of education." (PARENT)
 - "Provision must be made for children who have been baptised and who intend to continue their spiritual journey through education." (PARENT)
 - "I agree with the proposal, it means for my son that he will definitely get place in catholic school that we have chosen for him" (PARENT)
 - "I don't see how education and religion should be separate. All the children are the same and should be treated the same but I do not want my daughter missing out going to the same school as her brother and sister next august when she is due because there are no spaces." (PARENT)
 - "Although I am Catholic, my two children are not christened Catholic so I would not take up a space in the school and don't think any non-Catholics should. Both my children attend Beancross. Priority must be given to those children christened Catholic." (PARENT)
 - "I think that this will ensure future RC families will be guaranteed an RC education." (PARENT)
 - "As a parent I find it deeply concerning that Falkirk Council does not appear to have adequate space in denominational schools. As a parent of a baptised RC children, I feel that Falkirk Council MUST change the admissions policy as every RC child has the right to be educated in a denominational school and should be given priority." (PARENT)
 - "Due to increasing demand and limited spaces, I am happy to see this problem being addressed. Although this may be unpopular with some parents, I feel it is the only way forward. It is difficult that you cannot move house, into a different catchment and be guaranteed a place in your preferred denominational school because of a lack of spaces." (PARENT)
 - "I have 2 children, one at St Mungo's and one at St Francis, both of whom are RC baptised and I strongly agree that a placing request should be required for non-RC baptised pupils to attend denominational schools." (PARENT)
 - "I fully support and agree with the proposal. Children who are baptised Roman Catholic and live in specific catchment area should be given top priority and access to Catholic school." (PARENT)
 - "Falkirk Council has a legal duty to offer denominational education to Catholic children. To build new schools and then not be able to offer places to Catholic children is nothing short of disgraceful. Roman Catholic parents show commitment and integrity from the moment their children are born. This in itself entitles their children to have an education that goes hand in hand with their beliefs and faith." (PARENT)
 - "What happens about pupils on Circular 33's? Does that mean we cannot take non-RC pupils who have been excluded from other schools?" (STAFF)
 - "Due to the issue with siblings, I do think there should be a sibling policy in place. The criteria should be RC first, then siblings on placing request second, and lastly any other placing requests." (OTHER)
 - "This should only be necessary where spaces are in short supply. All school should be comprehensive and inclusive as far as possible" (OTHER)
-

Responses from those who are not in favour of the proposal

The comments made in the responses that were not in favour of the proposal are shown below.
(Note: For the purposes of this report names have been removed).

From groups and organisations:

Community Councils

- "There are five Shieldhill & California Community Council (SCCC) members (out of seven) who have expressed their disapproval to the changes planned.

This disapproval had several reasons for rejecting the proposed change which included discrimination, segregation, prejudice and sectarianism. Below however, is the main reason for rejecting this proposal.

The view of the five members is that any child should be able to attend the nearest school to where they live if this is their first choice of school. The rule change could conceivably have the absurd situation where a child lives next door to an RC denominational school and would like to attend this school, but if denied will need to be transported to another school for seven years. At a time when the education authority is trying to make savings, this multiplied many pupils over will inadvertently take money away from schools which could be far better spent on the schools themselves.

As mentioned above this is the opinion of five CC members and constitutes a majority view."
(SHIELDHILL AND CALIFORNIA COMMUNITY COUNCIL)

Scottish Secular Society

- "As Chair of the Scottish Secular Society (SSS) I am writing to you on behalf of our members who have expressed serious concerns surrounding Falkirk Council's current consultation for proposed changes to the school admissions policy.

We understand the council are seeking to potentially exercise legislation from the Education (Scotland) Act 1980 that allows for legal discrimination on religious grounds.

It is our understanding that denominational schools in the Falkirk Council area are currently open to pupils of all faiths and none, in the same way that non-denominational schools are, thus reflecting the duties outlined for education authorities in the Act. However, we are also aware that this legislation also offers education authorities the right to manage pupil intake for schools and in the case of Falkirk Council, priority can be given to pupils baptised as Roman Catholic when demand exceeds available places at a denominational school.

The SSS believe Falkirk Council should be more disposed and attentive to the Equality Act 2010 when considering school admission reviews, rather than seeking to pursue the "default" direct discrimination of children who are not of Roman Catholic faith - as permitted by the aforementioned 1980 Act.

We believe that discriminatory admissions policies operated by Roman Catholic schools, in addition to being unfair, encourage social segregation and are antithetical to community cohesion. At a time when Scotland is endeavouring to eradicate religious bigotry, segregating children on the basis of parents' religious is clearly divisive. Implementing divisive policies in school admissions does not convey an encouraging message to other Scottish Roman Catholic schools which are also facing similar problems with oversubscription and are electing not to discriminate against non-Catholic children within their locality and official catchment area. The SSS are unhappy with Falkirk Council's undertaking in the pursuit of this potential change. Catholic schools receive funding from the state because they agree to accept pupils from all faith traditions. Parents wish to send their child to a Catholic school for reasons other than faith, such as good academic achievements. Introducing this policy would in effect present difficult obstructions to non-Catholic parents wishing to gain placement for their children into a local school. We feel this is discrimination on grounds of religion. In addition, there are other issues such as unfair financial burdens that parents may incur through the forfeit of entitlement to free transportation, as children may find themselves no longer in the catchment area for eligibility.

The SSS implore Falkirk Council not to pursue the implementation of these measures. This segregate fragment of the Act is over 34 years old and we believe it to be incompatible with Scotland's dynamic and modernising society. Local authorities should not be seeking to expedite religious discrimination because a child's parents have differing faiths or indeed, no faith.

The SSS expect the consultation process to rightly consider the concerns of all parents affected and that fairness, equality and reason prevail through impartial, inclusive and considered dialogue between the authority, educators and parents in the best interests of children"

(SCOTTISH SECULAR SOCIETY)

From individuals:

- "This proposal will only encourage non-Roman Catholic families to have their children baptised so they can attend the RC school. Many of the non-RC pupils attending RC primary schools have no intention of sending their children to the RC High School. They simply want their children to attend the "local" school. You cannot build a new school (St. Bernadette's) and not expect children who live in the same street not to attend." (PARENT)
- "My husband is a member of the Catholic Church but I am not. Although we were married in the Catholic Church we have not baptised our children as we would like them to choose their own faith when they are older. Ben currently attends St Francis PS but I am concerned that if the proposed changes go ahead, his younger sister (aged 2) would not be able to attend and it would be very difficult for us. (PARENT)
- "Regarding the new p1 intake, I find it disgusting as a parent with both children who are not Roman Catholic, attending St Bernadette's RC Primary, that the primary 1 intake for 2015, will be prioritised only for those who are baptised. Sectarianism is a massive problem within our society and I feel that by segregating those who are not RC, especially young children, this does not say much with regards to the professionalism of the so called "intelligent" people who have come to this disgusting decision. My son at present has another year in nursery, and if he is not permitted to enrol in the p1 class, I will take this matter further, my daughter is already in p2 at St Bernadette's, and it would be totally ridiculous to separate the two children, we should be uniting our children and different religions, but by doing this you are creating a bigger divide, contradicting our fight against religious discrimination." (PARENT)
- "I believe this would have a detrimental effect on the positive messages about sectarianism in Scotland. It would be taking a backwards step to a time when the divisions caused by denominational schools would return. I fully appreciate the over-population problems facing St. Mungo's, however Falkirk Council have had many years to recognise that parents of non-baptised catholic children have been actively selecting denominational schools for their children in preference to non-denominational schools and there must be significant concerns which have prompted this. Those are concerns that should be addressed in order to restore proper balance to the schools rolls in Falkirk Council. My 21 year old son was in primary school when I first raised this issue with education services." (PARENT)
- "I am from a church going Christian family, albeit not Catholic. It is important to me that my child attends a school with a Christian ethos. Both my children have been dedicated into the Salvation Army and we attend weekly. I feel it is unfair that my toddler may not gain a place at the school where my 10 year old has attended because he is not catholic - even though those who can prove they are catholic may not be practicing. I would be deeply upset if my son didn't gain a place at Sacred Heart." (PARENT)
- "It appears that Falkirk Council has already decided and awaits approval only, mainly based on finances. By re-introduction of segregation, it just re-enforces the nonsense and bigotry of Catholic and non-Catholic. With more and more families moving into the areas where housing is on the increase but amenities are not, schools will not be able to continue intake whatever their denomination is." (PARENT)
- "I am very surprised that our choice of schools would be restricted by the measure of whether a RC baptism has taken place. It's obviously a complex issue. Scotland/UK has a Christian heritage and I believe all schools here should reflect/teach Christian values, alongside providing information about the other religions and the large amount they all have in common! Treating baptised RC children differently to protestants, for example, seems crazy and more likely to create divisions than what we should be doing - embracing our similarities. This whole situation seems to have resulted from the underlying legislation - which I don't quite understand either = quote "Falkirk Council has a legal duty to offer denominational education to RC families" -

what other faith related legal duties do Falkirk Council have to fulfil in respect of the rest of us? I appreciate I'm probably straying off topic but this all seems a bit archaic for this day and age." (PARENT)

- "I disagree with this proposal as discrimination of any kind, especially aimed towards children will always have adverse results. In a country such as Scotland where many years of hard work have gone into eradicating bigotry and sectarianism, to start the ball rolling towards separating children educationally depending on religion would effectively be undoing any positive change already achieved. Furthermore I note in the Consultative Document that an educational benefit for Catholic pupils would be "they will not need to travel to an alternative school in a different area and possibly a different school to their sibling(s)". I have 4 grandchildren at St Joseph's PS, Bonnybridge and 1 currently at Nursery. If this proposal goes ahead, there is a very real chance that my family will indeed end up with siblings travelling to different schools.

There is also the question if St Joseph's cannot grant a placing request to my grandson currently attending Nursery, is there in fact any guarantee that the 2 other primary schools in Bonnybridge will have spaces available in their P1 class given that their numbers are capped at 25." (PARENT)

- "I feel children should be able to attend their catchment area school, regardless of religion, especially if they already attend the nursery. Young children will have built up years of relationships/affiliation with the school and it seems unfair to move them after this." (PARENT)
- "I attended the meeting in St Mary's on Tuesday 27th May regarding the proposed changes to the Admissions Policy from August 2015 and I was advised to put my concerns in writing.

Neither myself or my husband are religious so my sons have not been baptised. My youngest son who is currently at St Mary's Nursery is due to start school in August 2015, his older brother has attended St Mary's since 2010 from nursery through to Primary 3. He will be starting Primary 5 when his brother is due to start school.

As you can appreciate I want to have both my sons at the same school, it would not be possible for me to have my sons at two different schools for 9.00a.m. The reason I decided to send my eldest to St Mary's is because the school is a five minute walk from my home.

There is absolutely no way I want to move my eldest to another school when he is doing so well at St Mary's, but I would have no choice if his brother did not get a place. How would I explain this situation to my eldest child? I strongly disagree with the proposed changes to the Admissions Policy and I really hope someone will look into my concerns.

Myself and my husband like to do things with our sons as a family and get involved with their school, to have them at two different schools is not an option. If I had been aware of this situation in 2010 I would not have sent my eldest child to St Mary's.

Please can you look into my letter, I really feel if your child already has a sibling at a school they should be automatically guaranteed a place at the same school." (PARENT)

- "My daughter is currently in Primary 2 at St Francis and my other daughter attends their nursery class 5 days per week. If these changes take place there is a likelihood that my youngest will not get a place in Primary 1 in August 2015. I do not want to take my elder daughter out of the school as I feel she is receiving the best education possible and she has made strong friendships since her time at Nursery and in Primary 1 and 2. However if my younger daughter doesn't get a placement next year I may have no choice as I cannot be in two places at once. I feel this would be unfair on both girls as she has also made strong friendships and has also thrived since starting Nursery in August 2013." (PARENT)
- "Would it not be beneficial to the children not being prevented from moving up with their nursery class to maintain their friendships that have been built in the 2 years at pre-school, and provide parents with an opt-out to progress to the high school?

For all the good work that has been done to date expanding the current primary schools and building of new schools, was there not the thought that there are too few secondary schools in the area and this might have been a better investment to deal with the expected increase in numbers? (PARENT)

- "While I understand the need to limit numbers for a High School reaching capacity, my concern is that I have a son at St Mary's who is entering P4 after the summer and a daughter who is entering her pre-school year at nursery. If I have to enter a placing request for her to St Mary's which is refused, what do I do about my son? I cannot be at two schools at 9am, so do I have to make arrangements for my son to be transferred to

another school too? I am sure you agree this will be stressful for all concerned waiting to find out whether a place has been granted and then what the next step will be if not. We are extremely happy with the education our son is receiving at St Mary's and have no desire to move him unnecessarily." (PARENT)

- "My youngest daughter starts St Bernadette's Nursery in August 2014. Her 2 older sisters currently attend the primary school (P2 and P3 as of August 2014). When enrolling my oldest we were assured that although St Bernadette's is an RC school, it was to be a school for all. When application for planning permission was put in, this was a stipulation for building to go ahead. Less than 2 years later it is being ignored.

If in fact this proposal goes ahead my youngest daughter is instantly denied an education along with her sisters and is being segregated to another school. I also have to figure out school runs as a single parent! The alternative is I disrupt my older children's education by having them moved.

I am incredibly unhappy about this as it seems in a day and age where everything is so multi-cultural and inclusional, this strikes as very sectarian and elitist." (PARENT)

- "Both my daughters attend St Francis Primary. One is going into P3 after the summer and the other into P1. We live 10 minutes' walk from the school. It is our closest school. Both my children are christened and attend church regularly. They are Christians but Church of Scotland, not Catholic. However, their dad and his family are Catholic and I am keen for them to have an understanding of both faiths and have strong Christian values. My son is 18 months and if the above policy is altered, I am doubtful he will gain a place. On a wider note and less personal, I am concerned this change will re-ignite sectarianism." (PARENT)
- The proposed change in policy is one that only effectively works if the parents are of the same faith. This clearly cannot be said to be the case for every family.

In my family's circumstances my husband is Roman Catholic and I was brought up in the Church of Ireland faith. To try and accommodate both our families' cultures we have had our children christened in the Church of Ireland. We have, however, decided that our children should attend a Roman Catholic school with the intention that if they choose to do so they can then go on to take the sacraments etc. which is possible as they have been christened.

The proposed policy means that whilst our children have been christened that our youngest son, who will start school in August 2016, will not be eligible to enrol at St Patrick's Primary School in Denny without a placing request being made. The upshot of this is that if the placing request is not granted we will be in the position where two of our children are brought up in the Roman Catholic faith with the youngest effectively being excluded as he will have to attend the local non-denominational primary school.

Furthermore this would also create the inconvenience of us having children at different schools which could potentially involve having to have two separate providers of out of school care. Accordingly whilst the new policy may resolve issues for those moving into the area it will create new issues for those already living within Falkirk Council." (PARENT)

- "I would like this opportunity to respond to the proposed change in the schools admissions policy in the Falkirk Council area.

First of all I do not agree with the proposed change which states that a placing request is required for non-RC baptised pupils to attend denominational schools.

I also do not agree with other aspects of the Education (Scotland) Act regarding the provision of denominational schooling. We are potentially at the dawn of a new era in Scotland with the independence referendum fast approaching. I believe it is high time that there was a national debate in Scotland about amending the Education (Scotland) Act and to deal with the question of whether denominational schooling should continue to be state funded. Should the children of Scotland, Scotland's future, not be moving forward confidently together instead of being subject to an education system which allows for discrimination on religious grounds?

There are various areas of concern in the current system and these can be categorised as follows: Transport, Environmental, Financial and Discrimination.

Due to RC primary and secondary schools serving large catchment areas there is a great demand to transport pupils either by bus or by car, rather than pupils making their way to school either on foot or by bicycle. There are also occasions where the nearest non-denominational school will be further away than a denominational school and again pupils of that school will need to rely on bus or car to transport them to

school.

This has implication not only potentially pupil health, but increased traffic also causes damage to the environment and leads to increased congestion on Falkirk District roads. There is also a financial argument to be addressed. The provision of free school transport to Falkirk district's denominational schools will far outweigh that of the district's non-denominational schools. In these times of austerity it must make sense to have children attend their nearest school rather than their nearest denominational or non-denominational school, therefore cutting the costs to the local authority of providing free transport to and from school.

The admissions policy is also discriminatory. The provision of free school transport is based on religious grounds. Non Roman Catholics will require to complete a placing request if they wish to attend a denominational school. Pupils who require a placing request are not eligible for free school transport, i.e. non RC's are not entitled to free school transport regardless of how far the pupil lives from the school. This is highly discriminatory and blatantly unfair.

The changes to the admission policy are also an attempt to lessen the risk of denominational schools operating at full capacity. Non-denominational schools are being discriminated against as they are not being afforded this privilege. Places will be reserved at denominational schools for RC pupils who may move into the area. This would suggest that there is a higher likelihood of class sizes in denominational schools being kept lower than their non-denominational counterparts in order to accommodate pupils that they may not even receive. Lower class sizes have been shown to benefit pupils. This will give pupils at denominational schools an unfair advantage over pupils at non-denominational schools who will receive no such special treatment. There is no mechanism for preventing non-denominational schools from operating at maximum capacity. This again highlights the discriminatory nature of the admissions policy.

Falkirk district and the children of Falkirk district deserve a fair and just education system. Both the implementation of this admission policy and the continuation of state funded denominational education is denying our children that right." (PARENT)

- "I have three children who currently attend St Andrew's RC Primary. None of my children are baptised although I myself are Catholic. My youngest daughter is due to start school August 2016 and I would be most disappointed if she couldn't attend the same school as siblings." (PARENT)
- "A change in the admission for St Bernadette's would affect my family hugely. My daughter joined the school in primary 1 when one school opened. We live round the corner so was perfect placing. My daughter has to cross no roads to go to school, she has friends from school in the surrounding area and attends clubs at the school as well. By not admitting my son in August 2015 would create so much upset and distress not only for my daughter but for everyone in the family.

My son attending different school would mean his sister would have to be taken out of St Bernadette's as she moves into Primary 4. Which is completely unfair on her as she would have to leave her friends that she has built up since the beginning. This would be completely disruptive and very unsettling. This does not follow the Education Department's Curriculum for Excellence and is definitely not child-centred.

This would have to happen if my son didn't attend St Bernadette's as I am a one parent family and I cannot be 2 places at once.

If the school hadn't allowed non-denominational children in when it first opened then I would understand this proposal. However, the disruption and upset this would cause, to not only my children, but every non-denominational child's family in the school is completely unjustified.

The non-Catholic children would be attending Larbert High School, therefore do not affect the problem at St Mungo's so I also don't believe that is a reasonable argument for this.

If this goes ahead, it would appear that the needs of Roman Catholic children are being put in front of non-Catholic children, is this the intent?

My children are both baptised Episcopalian and attend sunday school. They should not be penalised." (PARENT)

- "I received a consultation document about the proposed changes to the Admissions Policy through my daughter's nursery. As a mum of two (my second child will be starting in P1 in August 2015), a Catholic who has been baptised, confirmed and has grown up in the Catholic education system over 20 years ago, I am absolutely appalled at this proposal. I feel strongly that it will have a derisory effect on our communities. This



is the 21st century and to discriminate on the grounds of religion is morally wrong and I would have thought contradicted your equalities policy. I am saddened that the Catholic Church would not be welcoming open and share its beliefs and teaching. I'm even more saddened that my local council would give such discriminatory practice consideration, which if it goes ahead, verges on institutional bigotry (def: person who refuses to accept members of a particular group). This is made even worse by the reality that the other 100 primary schools are creaking at the seams. All at the taxpayer's expense. The rights of Catholic school children should NOT be given precedent over other school children. I am astounded that someone living down the road from St Bernadette's in Larbert would not automatically get a place if they weren't baptised in a Catholic Church. I hope the decision makers will think carefully about the wider community and the impact on community relations and the quality of education for every child when considering this proposal. Unfortunately I am unable to attend any of the consultation events. I find it strange that you are not having a consultation even in Larbert despite us having St Bernadette's and a looming admissions crisis. I will be writing to all my local MPs, MSPs, Mike Russell and the first Minister expressing these concerns." (PARENT)

- "Whilst I appreciate there is a capacity problem at a number of primary schools, I do not agree that the proposed changes are a fair or ethical way to solve them. Children starting school are too young to choose a religion. Whether or not they are baptised a Roman Catholic is entirely down to their parents religious views. The proposals therefore seek to discriminate against children within the relevant catchment areas on the basis of their parents religion, by creating a two tier entry system predicated on their parents' religious choices. I strongly believe that my child should not be given preferential treatment, or discriminated against, on the basis of my considered views on religion. All children should be given equal educational choices, regardless of their religious upbringing. I believe the current proposals, should they be enacted, will only serve to create and reinforce religious division within the community." (PARENT)
- "My family's circumstances and how adversely this proposed change will affect us. I have two daughters aged 9 and 7 who are not RC baptised but have enjoyed going to St Joseph's RC Primary from nursery age until present. At the moment I understand they will be unaffected by this proposed change. However they have a younger brother who currently attends St Joseph's Nursery. He is due to start P1 in the August 2015 term. If this proposal is accepted my children will be almost certainly attending different schools, which is very impractical and will create immense emotional difficulties for my son who has taken a number of months to settle into nursery life and has only recently been able to form positive bonds with both teachers and other children in his class. To now have the stress of knowing that he will not be able to be part of the class he has formed bonds with, and also have the difficulty of explaining that he will have to attend a different school from his siblings I find upsetting, unfair and ultimately unacceptable in an era when we are supposedly trying to eradicate discrimination of all kinds. My son is now being discriminated against because he does not have a RC Baptismal Certificate. Will non-denominational schools in the district now ask that anyone with an RC baptismal certificate submit a placing request to attend their school?

I also understand that the proposed change would mean that if spaces are limited at a denominational school, placing requests could be refused to reserve places for Catholic pupils LIKELY to move into a schools catchment area during the school year. I have lived in Bonnybridge my whole life and find it hard to accept that my child may not get to attend the same school as his sisters on the off chance that someone moving into the area MIGHT want to send their child to that school. On this occasion, it would seem my family's needs are being superseded by Catholic families that might not even move to the area that might not even exist!!

Another point in the proposal that I wholeheartedly disagree with is that free school transport will not be offered to pupils enrolling through a placing request, regardless of home to school distance. I am lucky enough to have my own transport, however how disappointing that some kids will be getting straight on to the bus with their free passes whilst others will be having to explain that they don't have a RC baptismal certificate and so have to pay. Yet another example of the "them and us" thinking that runs throughout this proposal.

You also have as one of your bullet points that Catholic children moving into the area will benefit as "they will not need to travel to an alternative school in a different area and possibly a different school to their siblings". The question I ask is "how do you see this proposal affecting me and any other families in my position?" My children will most definitely NOT benefit, but will be adversely affected by the very same issues that you are trying to help alleviate in Catholic children moving to the area.

consultation report

I sincerely hope that my issues will be taken seriously and that due consideration will be taken in answering them. I will be attending the upcoming meetings and will submit questions for these in due course.” (PARENT)

- “Further to the meeting held at St Mungo's School on Monday 9th June 2014 to which I attended, I would like to comment further as requested.

Whilst I fully appreciate the situation Falkirk Council finds itself to be in, I do not believe the current proposal to a possible solution has been fully thought through. I cannot understand the logic behind the criteria for selection of places and was quite horrified to be told it came down to a ballot.

Surely if there are siblings already attending the school in question that must be taken into account as a priority - as we heard at the meeting families are suffering as a result and not to mention the logistical nightmare of dropping and collecting children at different schools for the same time.

Also, I personally felt that the cover of the Equality Act as a reason to "positively discriminate" was rather poor and would hope that common sense would prevail to resolve issues that should arise. Discriminate is a horrible word and I would not like to be on the receiving end of this either positively or negatively and that this totally contradicts the values we are in fact trying to teach our children.

I also thought that if you are trying to relieve the impact on St Mungo's High School "at source" with reviewing the primary intake then possibly this could be taken a step further with nursery intake. Why send a 3 year old to nursery at one school where they become familiar with their surroundings, teachers and peers for them not to be given a P1 place at the same school. It can be traumatic enough starting school - let alone a different school from the one known to them with no big brothers or sisters for reassurance.

Lastly, the difficult situation of catchment areas. Again, from personal experience I know families decide where to live based on the school they would like their children to attend regardless of religion. Why hold places back for children that "may" move into the area and need a place when there is obviously a demand for those places now. It is all very well saying families will move into the area however families will also move away and it is impossible to pre-empt every scenario so why not deal with what we know to be happening now?

I may not find myself directly affected by these changes for another couple of years but I would like to know that any decisions made regarding my child's education will be assessed fairly. Again, whilst I fully appreciate the position the Council finds itself to be in I also request that they appreciate that as parents, we want what is best for our own children.” (PARENT)

- “I'm shocked and appalled by these proposed changes. This consultation has actually resulted in several children at my children's denominational primary school being singled out and picked on because they are not baptised. These children were very upset and worried that they were going to have to leave their friends and go to a different school. Of course this was apparently the result of parents (and children) misunderstanding the proposal, but it gives an indication of the harm that these changes will do. I understand that something needs to be done about the headcount at St Mungo's, but this is not the way. We have come a long way with attitudes to religious differences in this country and I feel very strongly that this kind of policy will set us back decades.” (PARENT)
- “Although this document states that my children will be unaffected by these changes, I refer back to the previous consultation where you addressed concerns regarding the need for diversity in denominational schools by saying that the feeder schools contain this diversity which will feed up into St Mungo's. I feel that this new proposal goes against this statement. Also, I think that encouraging this kind of segregation and discrimination will do more harm than good. (PARENT)
- “We do not agree with the proposed change in the Falkirk Council Admissions Policy to require a placing request for non-RC baptised pupils to attend denominational schools.

Having attended a public meeting and considered all aspects of the proposed change, it is evident that the over-riding problem is the current and projected demand for places at St Mungo's High School (where capacity cannot be increased). We do not believe that the proposed change addresses this for the following reasons:

- a. In August 2013 changes were made to the admissions policy to try to reduce demand at St Mungo's. The knock on effect on this change has been to increase demand on the denominational primary schools, at



least in the short-term.

- b. Parents will have school plans in place several years prior to attendance. Therefore in order to accurately assess if the August 2013 changes will work beyond the short-term this policy should be given time to bed in. To make further changes at this stage with the proposed change could confuse the picture further.
- c. In addition in practical terms to implement this policy without at least 1 year's notice will generate ill feeling and problems for parents who have planned for their children's schooling with career choices, working options, house purchases and nursery care.
- d. Assuming that the August 2013 changes to not work I do not believe that the proposed changes will have the desired effect. Demand at denominational primary schools will continue to be high, even if non RC children need to make placement requests, because ultimately parents wish their children to attend these schools. Therefore the pressure on St Mungo's will continue.
- e. From what we understand places are already being reserved at denominational schools. Given that new house building was mentioned repeatedly (particularly in the zone of St Andrew's) we fail to see what reserving some places will achieve. With the developments under construction and population growth in the Falkirk area this will not provide the necessary capacity.
- f. It is concerning that places be reserved only in denominational schools, if I have understood the policy change correctly.
- g. We would question the change in transport policy, namely free bus passes. To remove these will ultimately mean that more children are dropped at school by parents - this will cause issues with parking, residents' complaints, and the green footprint, will reduce the bus use and ultimately, at some schools, is a major health and safety problem/risk.
- h. Looking at the overall primary schools sizes we believe that a complete review needs to be undertaken of these. It is illogical that our children are zoned for a primary school that is further away from our home than the closest school. This creates problems at many different levels.

Suggested Actions –

- a) No changes to admissions policy is made until the intake of August 2016 - thus giving time for the August 2013 policy to be properly and fully assessed.
- b) If problems continue at St Mungo's the cap system is already in place albeit not thus used.
- c) We believe that a complete review of the zones should be carried out to remedy the current discrepancies.
- d) If demand for St Mungo's is too high the automatic placement when in a feeder primary should be removed.
- e) If the proposal is passed the placing request form should be amended to take into account Christian families that send their children, as in our case, to a denominational school to receive an education based on the religious morals and teachings that we value. Ultimately, a child is baptised Christian and not a Roman Catholic. The sacrament of baptism is the same in any Christian church and this should be recognised. Along with the fact that sadly a large number of Roman Catholics who have their children baptised then have no affiliation with the church after baptism. We believe from Parent Council meetings that the school welcomes the diversity of children that attend and this is what contributes to the success of St Andrew's Primary School.

We would welcome the opportunity to discuss these points further if you feel that it would be helpful.”
(PARENT)

- “I don't agree because of the basic discriminatory nature of this suggested change. It is bad enough that there is any bias toward Roman Catholic pupils AT ALL but to actually enshrine that as council policy is ridiculous. It will encourage an "us and them" attitude along sectarian lines at a time when we should be doing the opposite.

A further kick in the teeth for local people who simply want decent schooling for their children is that there is absolutely no justification for such discrimination - all schools are full paid for by the taxpayer, not by any particular church. Going down the road of having one main religious entry criteria (protestant, Muslim, Catholic or whatever) per school would clearly be even more unmanageable (I am sure you couldn't afford to build new schools for each religion) and even more discriminatory. The only sensible solution is to have no schools with such criteria.

It appears this problem has come about because of overlapping catchment areas. Parents choice of school

will mainly be on what they think is a good school rather than any religious affiliation they may have. I suggest the solution is to re-evaluate catchment areas rather than make a discriminatory change like this.

All children should be treated equally with their schooling. The only way to do that is to have equal choice and no bias at all. I am a parent of 3 children currently in primary school in Falkirk and in St Mungo's catchment and I now have less choice." (PARENT)

- "Question 1 - I do not agree with the proposed change to the admissions policy.

Question 2 - In this day and age this is absolutely disgraceful!! No wonder there is so much sectarianism and trouble caused due to the fact that from an early age children are programmed to think they are different from each other because they go to either the "green" school or the "blue" school. This has been the case for so long that it is bred into families across generations, with no end in sight until these denominational schools are abolished. Religion should be kept out of education. General religious studies are fine, however, all other faith learning should be done at the church/chapel/mosque/wherever. Denominational schools should be a thing of the past. People pay their taxes the same and therefore should receive the same benefits, which should include a place for their children at the closest catchment school or requested school to suit their circumstances.

I will be very interested to hear the outcome of these consultations and hope the government take note of peoples' views." (OTHER)

- "The Council is looking to bring in the proposed change in policy within a very short timeframe - the first that affected families became aware of the proposed change was at the start of May 2014 with the Council looking to implement the change in policy prior to December 2014. However, this timeframe fails to recognise that for non-Catholic families who already have a strong connection with a denominational school by virtue of having an older sibling there, attendance at the school's nursery and steps towards integrating the younger sibling with that school are already firmly in place. In these situations families have made choices based on the Council's current admission policy. The school nursery puts a lot of emphasis on making the nursery children feel part of the school as a whole to make the transition from nursery to school a smooth one. It is fundamentally unfair to "move the goalposts" at this late stage and undoubtedly at least some of those families would have made different choices if they had been given earlier notice of what is proposed.

Furthermore it is undesirable to have families with siblings at different schools particularly when the younger sibling ends up being enrolled at a school with which they have absolutely no connection because families have worked towards preparing the younger sibling to attend the same school as their older sibling by virtue of choice of nursery etc. based on the current Council policy. Additionally, it is hard enough for both parents to be able to go to work and organise school drop offs and pick-ups and parents nights etc. without having to work around two different schools in entirely different parts of towns.

It is unfair to split siblings up, particularly when the reason for this is as a direct result of a change in Council policy at the time the older sibling was enrolled at school, non-Catholic families who chose to enrol their child at their catchment denominational school were simply exercising a choice which was open to them as to which school to send their child to in accordance with the Council policy at the time. The older sibling is not at the denominational school by virtue of a placing request such that the parents knew or should at least have had it in their contemplation that they were effectively going to have to "take their chances" by virtue of having to submit a placing request for the younger sibling.

In summary, the time-frame for implementing the proposed change of policy is fundamentally unfair to non-Catholic families who already have siblings at a denominational school with younger siblings yet to start school since it seeks to "move the goalposts" midway through that family's progress through the education system. The Council needs to consider the impact the change will have on families as a whole rather than on individual children. To address this unfairness I would suggest that either:-

1. The proposed changes do not take effect until the August 2016 intake so that affected families have ample opportunity to make an informed choice about what to do in relation to younger siblings pre-schooling and whether to see to integrate them with their catchment non-denominational school prior to them starting. Alternatively,
2. Non-Catholic families with siblings already at affected schools should be treated as forming a special category for a transitional period of time whereby they do not require to submit a placing request and they are entitled to enrol at the school as would have been the case under the current schools admission

policy. They would then be in no worse a position as a result of the change in policy which is far fairer than moving the goalposts where these families are already strongly connected with the school.

If concerns exist about the impact this would have on the space available at St Mungo's High School this could be dealt with by non-Catholic families at denominational primary schools requiring to submit a placing request if they wished to attend St Mungo's High School with those families being given priority over non-Catholic families who have not attended a feeder primary school." (OTHER)

- "This is a discriminatory policy, should retain equal access to all schools regardless of religion." (OTHER)
 - "All children should be allowed to access their closest school be it denominational or non-denominational. Is the same procedure being undertaken to ensure availability in non-denominational secondary schools? For example, due to the increasing population of Larbert, there is going to be an issue at Larbert High School." (OTHER)
 - "All children with a faith or with no faith should be entitled to a place in any catchment school in Falkirk Council. We disagree with denominational schools full stop." (OTHER)
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APPENDIX B: MINUTES

Public Meeting at St Patrick's Primary School on 20th May 2014

In attendance from the Council:

Nigel Fletcher (Joint Acting Director of Education) (NF)
 Gary Greenhorn (Joint Acting Director of Education) (GG)
 Richard Teed (Senior Forward Planning Officer) (RT)
 Jennifer Anderson (Forward Planning Officer, taking the minutes) (JA)

Further attendees:

9 members of the public, including representation from St Patricks PS Parent Council
 Hector Cairns (Local RC Church representative on the Council's Education Executive)
 Anne O'Donnell (Headteacher, St Patrick's Primary School)

A "questions and answer" session followed a short presentation from Gary and Richard at the start of the meeting.

Question

I would like to ask you a question about the two year gap to get things right. You said that children who are in primary 5 just now, obviously this is more focused on St Mungo's as opposed to us, what if you find in 4 years' time (with) children who are (now) in primary 3 that the gap has actually hit a critical level. Are you then going to go back and change things? My concern is for pupils who are already in the school.

Answer

GG: If approval is given for it, we are happy that it will meet the requirements of firstly the RC pupils in Falkirk primary schools as it will ensure there will be space to get into St Mungo's. For those other pupils who are in RC schools via placing request, there will be space at St Mungo's for them also.

We have tried other options in the past with a view to getting it balanced and it didn't quite work. If house building or the population of Falkirk continues to rise in future years we may want to look at it (again) but that would be driven by us having the need to rebuild another RC primary school in the first place or extend one. With our projections for population growth we are comfortable that up until the 2020's (with this change) everything should be resolved in the RC sector. Beyond that we are subject to possible further house building and the Council's policy around economic growth.

We give priority to RC children in the catchment then other children in the same catchment can automatically get into a school until it is full. We have no legal challenge to that. If we get this agreed we will be allowed to hold reserved places which no one can get automatically. With reserved places we can reserve 1 or 2 at every stage depending on the school. Some RC schools don't have a lot of growth in the area, whereas others such as St Bernadette's and St Joseph's there is a lot of house building planned for the area so we have to look at the reserved place policy. We can't enforce the policy now because of the current Admissions policy which trumps it every time. If this changes we can hold and protect places for any RC children or families that move into the area which is one of the concerns we have. Some of the RC children moving into the area have to be transported to other schools which is not ideal and is marginalising our ability to meet the legislative requirement to provide denominational education for these families.

Question

Can I ask about spaces that are reserved and how they are managed and if this will have an effect on (the number of) places approved?

Answer

GG: No. For example we may reserve just 1 or 2 places in each year group - it is not going to be a lot. The only time we would increase this slightly is if there is large scale house building going on. Another factor we have is class size legislation that limits the maximum class size. At the moment the maximum class size at P1 is 25 which we must stick to, whereas P2 & P3 goes up to 30 and then further up the school it is 33. There is a range of

limiting factors in managing the process so our reserved places would be geared towards these class sizes.

Question

How many reserved places are there at St Mungo's High School?

Answer

RT: We reserve 5 spaces in year groups S1 – S4. We are very protective of reserved spaces as there are a few cohorts at St Mungo's HS which are almost full now.

Question

Do you see the impact on St Mungo's?

Answer

RT: That is only 20 places across the whole school. We are not reserving places in S5 & S6 because of the nature of the way the curriculum is delivered which can be quite flexible there but in S1 to S4 we are talking about fixed timetabling groups. 20 reserved spaces over a school roll of 1350 doesn't really amount to much. The same timetabling groups will still be available so where we might have 5 reserved places across the school but you are talking about 8 non practical and 12 practical groups so it doesn't affect the curriculum at all. It just means that those spaces are available if anyone moves in.

Question

This has been a long time in coming but I believe there are some classes that can't run with less than 10 children which affects course choices. Is this not going to limit children in the long term?

Answer

GG: We have ways of managing varying demand for courses at our secondary schools. If for example, the demand at St Mungo's is 6 for a certain class, that would be an uneconomic number for a class so we run consortia arrangements where secondary head teachers look at overall demand to determine if we should amalgamate secondary classes for pupils at different schools and they decide which school will host the course. That often means that on Tuesday and Thursday afternoon pupils in S4, S5 and S6 get transported to other schools. We set the cap at St Mungo's at 240 because this is divisible by 20 and 30 which is the class sets for timetabling.

NF: St Mungo's is quite a big school and has the capacity to offer a wide range of subject choices. It is the smaller schools where there are constraints. Where a school has 700 or 800 (pupils) they often cannot offer the full range of choices but St Mungo's is a big school. We are lucky in Falkirk that there are several large schools.

Question

What if a child at St Patrick's wants to go to St Mungo's? What is the placement request criteria? I understand just now that we would need to fund our own transport but what if 10 kids who are RC baptised, in primary 7, at St Patrick's want to go to St Mungo's?

Answer

RT: They would have to put a placing request in as they are out of catchment and so they are considered amongst all the other placing requests. All the pupils that are in the St Mungo's catchment area, so that is the wider Falkirk area, will have a higher priority than the pupils that live in the Denny area, regardless of RC baptism. If you want to enrol at St Mungo's, it is out of your catchment area. However every parent in this area has access to St Modan's.

Statement

For Catholic children, whether or not you are coming into the area. That is positive discrimination as we are Falkirk Council residents.

Response

GG: It is because you are outside the St Mungo's catchment area as St Patrick's is aligned

to St Modan's, however this is a consultation and if you want to put forward an alternative suggestion you can submit this. If you wanted this view to be considered we would be happy to take your view on that to Elected members and all the members of the Education Executive and feed it back.

Hector Cairns: Hector Cairns. There were two major changes to the 1918 Education Act that both came from this area. One was back in the 1930's when St Joseph's in Bonnybridge campaigned to include all newly built Catholic schools in State ownership. Prior to that only schools built by 1918 were transferred to State ownership. The second change to the legislation actually affected St Modan's and its catchment area. The creation of the new unitary authorities meant that Catholic children from the Alloa area couldn't go to St Modan's and Catholic children from Denny could no longer go to St Modan's because they now lived in Clackmannan and Falkirk Council areas. There was a deputation from the church here to Michael Forsyth MP and they managed to persuade him that St Modan's should be able to take catchment area children from the other two Authorities. The other side to that is the situation that you are now describing where pupils want to go to St Mungo's. Add to that the issue of people moving into the area and moving between catchment areas. I have been the Church representative for the last two years and by far the biggest problem I have is from people who have moved catchment areas. Some have had families split with children in different catchment area schools due to moving house. It is by far the biggest problem I can see in relation to catchment areas and this change will help to protect places.

NF: There is only one secondary school so wherever you move within Falkirk, except for the Denny area, you will always go to St Mungo's.

GG: Around 200 pupils are transported every day from Denny to St Modan's and probably make up about 25-30% of the overall roll.

Question

My understanding is that the St Patrick's nursery is non-denominational so this change won't affect it, or will it for the children who come to this school? Will they get priority?

Answer

GG: All of our nurseries are non-denominational although they are attached to primary schools. The nursery admissions policy is based on catchment areas also. One of the criteria for placing requests is being in the nursery class within the school. Effectively this means that parents have to make an informed choice before enrolling children.

RT: The only real effect of that is as Gary said, if a child has to make a placing request to attend St Patrick's they have a higher priority if they are in the nursery than a child who is not.

Statement

I have an issue with that because what you are going to do is potentially victimise or affect parents who are working full time who can't accommodate putting their child into a 9-12 morning place or afternoon place. They need the extended hours. One parent sent their child to Denny nursery and would find that quite difficult. If the criteria, where we go down the route of two children competing where there is a space and both are RC baptised, both having siblings already in the school and one comes to the nursery because the parent can manage it, and one doesn't come to the nursery because mum and dad are working full time – I think that is quite discriminatory to parents.

Response

NF: If you are RC baptised you have priority any way. That is just the general placing request criteria but what we are changing is making sure that those who are RC baptised get first shot before anyone else is considered.

GG: The aim of the consultation is for individuals or bodies to write in and draw our attention to matters if you think of a better way to do it. Please write in and tell us. What I would say however is that the hierarchical order to prioritise is common place. Our whole policy is driven by the legislative need to provide denominational education. By default we must stick with this.

Question

Why do you think so many people want to go to a denominational school? What is the general feeling on it - is it because a school is the closest to where they live, is it the standard of education?

Answer

NF: I think most people look at schools and although they offer you RC, they like a school that has got clear values and though they may not identify with those exact values, the fact that there are values at all can mean a lot to them as a family. They would rather have a child in a denominational school than in a non-denominational school. That seems to be very common today and we are seeing an increase in the non-denominational children going to denominational schools. The reasons will be individual to that family but that seems to be one of the reasons that there is a value system. At one stage it was felt that discipline was stronger. I think that is a myth but there was certainly a perception of that.

GG: Migrant families moving into the area, such as Polish or Hungarian are often Catholic. And many Muslim families also prefer to send their children to RC schools.

RT: There are some geographical factors. There are certain localities as well in Falkirk which have a very high proportion of children going to St Andrew's or St Francis so it is a local thing as well where there is a pattern of choice in that area. It is a mixture of preferences with families who have got some sort of other religious reasons other than being RC and also some local variations in parental choice.

Statement

There is something going through Parliament at the moment questioning our right to have Catholic education. What you are saying is very interesting.

Response

GG: If you are strongly in favour or strongly not in favour write and tell – do not sit on the fence. Let us know what you think. It is better to have your vote cast if you want the chance to have us take stock of what your opinion is and influence the members of the Education Executive. As a collective body please write in and tell us if you agree or disagree.

NF: Don't assume it is going to happen and therefore you don't need to bother. Say it so that the vote is registered.

GG: If you email us or write in, we have to have it in writing. Anything that you do write in will be publicised. Rather than publish the whole document in a Committee paper we sometimes summarise the main points that people have raised. It depends on the volume but all the main points will be shown in the document. Where questions are raised we will respond.

Question

One of the main reasons I am here is my sister-in-law. She is a non-Roman Catholic but she tried to get her children enrolled into a Catholic primary. She is Church of Scotland so she had wanted the Catholic and Christian ethos. Would there be a criteria put forward for this?

Answer

NF: I can see the point that you are making here. If you are a Christian or a religious person and you are not baptised RC, but that would be hard to build into the process. Is there a non RC version of the baptismal certificate?

Yes, the Church of Scotland certificate.

GG: I am aware of cases where pupils have been baptised and want to change status so that they are RC, they cannot be baptised again as one baptism is sufficient. It is a Christian baptism. In that particular case, the priest cannot perform another baptism and issue another certificate. If the feeling is that they can't baptise because they have already been baptised then write to us and tell us. There are other church representatives on the Education Executive so if you write in and ask this question as I am sure this will come up.

NF: Please put this in to your response.

RT: The RC baptism certificate is a very tangible thing and Christianity is a very broad church. It is not just Church of Scotland as there are lots of different areas of Christianity. It

would be very hard to pin down exactly what evidence we would require because with the best will in the world people will try it on if they think there is a way of getting in and we have to be very fair in requiring evidence.

Question

Following up from the gentleman's point, if you have a child who is baptised in the Church of Scotland who attends Sunday school and has a very strong family faith, why would it not be possible for them to be further up the criteria list with RC pupils first and foremost?

Answer

GG: Our Admissions Policy does not recognise that. I am not aware of any other councils in Scotland which have that. We get asked that question now and again. Again, if you write in and we can certainly look at it.

Question

I am interested to know what the Church stance on this is.

Answer

Hector Cairns: In cases which I am aware of, you can't be baptised twice. The Catholic Church recognises Church of Scotland baptisms. There have been cases of children practicing the Catholic religion but baptised Church of Scotland. What will generally happen is that the family seeks to become Catholic and the child will then take their sacraments.

GG: That is exactly what has happened and the priest has written to say they can't be baptised but here is confirmation that they have gone through the sacraments.

NF: If something crops up after you have gone away and you want it clarified don't hesitate to email, phone in or write in. Whatever you want to do, we will do our best to clarify and we will certainly include as part of the consultation. This is not a one off meeting as there are two other meetings scheduled.

Question

Can I go back to the Admissions Policy as I am not quite clear on some of the criteria? How will it differ from the present criteria? I am wondering as my own child is RC and at St Andrew's. I moved out of the catchment area of St Andrew's and am now in the catchment for St Francis. It is going to present a dilemma obviously with my 2nd child to be enrolled next year. From my own personal point of view, what are the chances of getting my 2nd child into St Andrew's?

Answer

GG: What we have just now is an Admissions Policy that gives priority to the catchment area which means that RC baptised and further catchment non RC baptised can fill up the school quite quickly. If there are other spaces, the placing requests can come in. But we often have no space available as it is filled up from children living within the catchment area. With the change it means that priority is for RC baptised children only and means other children in the catchment area have to submit a placing request. We can refuse non-RC pupils who will then have to enrol at their local non-denominational catchment school. We can also refuse placing requests as we have a reserved places policy.

RT: At the moment at St Andrew's, there is more demand for places within the catchment area than there are places available. If that remains the case, which I don't think it will following this policy change as I think the demand from the catchment area children will reduce, but if that remains the same then catchment area pupils will always get priority even if there are placing requests from (Catholic) pupils outwith the catchment. However, if there are spaces available, because you have a child already at the school and your children are RC baptised, you will have a very high priority among placing requests. At the moment we cannot grant placing requests at St Francis or St Andrew's because there are no spaces available at either school when it comes to the primary 1 enrolments. In the future it will become more likely that we can grant placing requests but it is by no means guaranteed. A lot of the demand will become placing requests but it will still be from within the catchment area so in those terms the criteria is broadly the same but we will be able to reserve places.



consultation report

As Gary said, this policy as it is proposed is really aimed at protecting spaces for RC baptised pupils that move into the (catchment) area.

The meeting closed at 8.00pm.

Public Meeting at St Mary's Primary School on 27th May 2014

In attendance from the Council:

Councillor Alan Nimmo (Education Portfolio Holder) (AN)
Gary Greenhorn (Joint Acting Director of Education) (GG)
Richard Teed (Senior Forward Planning Officer) (RT)
Jennifer Anderson (Forward Planning Officer, taking the minutes) (JA)

Further attendees:

8 members of the public
Hector Cairns (Local RC Church representative on the Council's Education Executive)
Julie Hanlon (Headteacher, St Mary's Primary School)

A "questions and answer" session followed a short presentation from Gary and Richard at the start of the meeting.

Question

For the families who have children at the school and they have other children in the nursery, due to start school in 2015, like us with one child in primary 6 and one in primary 7, with the child going into primary 1, if they don't get a placing request approved into St Mary's how would it be to have them at two different schools? What is going to happen then? Do we have to take the older ones out of St Mary's so that they are in the same school.

Answer

RT: All I can say to reassure you is to say that although we cannot guarantee that we will grant all requests, the demand at St Mary's is fairly consistent and at a level that we can accommodate most pupils. All of the RC pupils are easily accommodated then placing requests above that will be prioritised. Where they have siblings at the school and if they have more than one sibling then they have a higher priority. If they have just one sibling then they have a higher priority than someone who does not have a sibling. Then a pupil who attends nursery has a higher priority than someone who does not. Where we can approve a placing request we do. It often comes down to children that are either in the nursery (with no siblings) or have no affiliation to the school. We grant all the places we can up to the level that we have places and then if for example there are another 5 pupils within the next priority level and we can't accommodate them all we would then have a ballot amongst these pupils.

Question

My youngest child is at the nursery just now and I want to enrol them at St Mary's but I have to put in a placing request. I don't get a reply until the end of April. What school is she meant to go to? Surely that other school would be full by then?

Answer

RT: If you put a placing request in you are also required to enrol at your non-denominational catchment school which is the school local to where you live

Question

But then is that not taking up some else's place at that school?

Answer

RT: No. If she is granted the placing request then the enrolment will be freed up at the other school. You have to have a guaranteed place at one school so all pupils are expected to enrol at their catchment school in case the placing request is refused.

Question

The catchment area for St Mary's is the whole of Bo'ness. Where would my child go as it is the nearest school?

Answer

Julie Hanlon (Headteacher): We have 3 children enrolled with us who put in placing

requests at Deanburn primary school. This already happens.

RT: Your catchment school if you are not baptised is your local non-denominational school.

Question

The figures are based on birth rates or is it migration coming into the area. Is it Eastern European (migrants)? Is this what is driving this?

Answer

RT: We did some analysis on this but it is quite a small percentage and does not really affect the rolls hugely. What is affecting it is the combination of increasing population across the as well as the increase in demand from non-denominational primary schools over and above this.

Question

Surely the Council is looking to why families don't want pupils to go their normal school rather than St Mungo's?

Answer

GG: It is a question which we commonly get asked – why do parents want to choose St Mungo's over Bo'ness Academy or any other non-denominational high school we have? We find it hard to answer this question but what we can say is that many families are attracted to St Mungo's or indeed RC schools throughout Scotland mainly because of their (religious) ethos. Parents have the choice, ultimately. We are comfortable with our roll projections and going forward the intake levels for 2014 are the highest point based on known birth rates. The birth rates in Falkirk are high compared to other areas of Scotland. They are dropping so some of the pressures might ease slightly but nonetheless our denominational schools are still filling up which is the problem we have and we have to respond to that. To meet our legislative commitment to those of the RC faith we have to ensure that they have a priority to get in. At the moment, because of the current Admissions Policy, some of these children cannot get into their local schools.

Question

A question was asked about how local schools would cope with the planned new house building in Bo'ness

Answer

GG: If you look at the primary schools we have in Bo'ness, there is overall quite a lot of surplus capacity. There is also supply and demand issues as parents may opt to go to Bo'ness Public rather than their catchment school. Bo'ness is a close small community in terms of the geographic area, parents and families can get to most schools fairly easily compared to some of the other towns we have.

RT: In Bo'ness the placing requests are more important than in other Falkirk Council areas because all the schools are within a mile of each other and everyone can choose whichever school they want and know that they can get their children easily to and from school. St Mary's is no different to that and what we have always been able to do in Bo'ness where we get a huge amount of placing requests to one school is balance resources so that we can accommodate all of these placing requests. It does not cost the Council any extra to put an extra teacher into one school to accommodate placing requests and it is one less teacher in another school. The parental choice in Bo'ness has been accommodated quite easily over the years which is very important and I think that will continue to be important. At the moment if a parent chooses St Mary's for their children but they want to go to Bo'ness Academy further down the line, then they have to put a placing request to transfer them because it is a change from the denominational stream, whereas if the policy goes ahead then they will have put in a placing request to get into St Mary's and won't need to put in a placing request further down the line for Bo'ness Academy. However they would need to put in a placing request to attend St Mungo's.

Question

The problem I have is that my son is in P3 just now and I have a child in nursery who is due to start school in 2015 when my son will be in Primary 5. What if my young child does not get into St Mary's, what do I do? ? I think this has to be looked at. He has been in this school until P5 and is doing really well. Do I move school?

Answer

GG: We are trying look at this alongside the legislative commitments that we have to meet. If we do not meet that them, then we are breaching this as an Education Authority. There is no easy way around it and we cannot guarantee that come August 2015 pupils will get in but the statistics and past history suggest there is a low risk of your child not getting in as long as all the circumstances that we know about remain the same. What I would say to you is that if you have a particular concern that you feed it into the consultation process. What you are suggesting is that we give a higher priority or look at those families who already have siblings in the school. If that is a common theme that comes out, we have to look at it. Education Scotland also come in to make sure that we as an authority conduct the consultation exercise in terms of what the law says and we look at the key questions raised. There have been occasions in the past where several things have happened. We have changed our proposals in view of feedback we have had before it has gone to the Executive. I advise you to put that in writing to us so that we take a note of it.

AN: One other thing I would like to add is about the Parent Council. It is important that if the members of the Parent Council have issues that they feed into the consultation as well. As Gary has just said these meetings are invaluable. We have not agreed anything yet and will to take your views into account before we reach a decision and I think that is very important.

Question

If this does not go ahead what is the alternative?

Answer

AN: It depends what happens with the consultation. The consultation will be a major part of the decisions that we ultimately take.

GG: We are not the first council to propose this. Other councils have adopted the same policy and it has resolved their problem. We are not saying it is right or wrong but we have a duty to make sure we abide by the law and if Falkirk did not have the growing population then we would have no need to change things.

Question

Should you not really start this at nursery level instead of Primary 1 and keep spaces for new people moving in?

Answer

GG: Again, you can feed that in to your response. The problem we have is that all the nurseries are non-denominational, so it is hard to do that. There is nothing to stop you from feeding it in so we can look at it.

JH: Some of our nursery children don't want to come to St Mary's. They want to go to Blackness Primary School where they don't have a nursery class at the school so they come here. We have also got some children that we know right away that are going to Bo'ness Public or Deanburn primary schools. Their granny may stay nearer to us but that would be quite a difficult one to manage.

Question

Q: What I am worried about is my child going to this nursery where she could attend for 2 years and she might not get a place and then having to send her to a different school where she will know nobody. Do I change that just now for August? Do I take her out and put her in a different school now so that she has at least a year with other children or do I wait in the hope that I do get a space here? It is going to have a big impact to the families, not just for kids in the nursery just now but for people that are pregnant now and

intending to have bigger families. It is going to have a big impact if they have already got children at the school.

Answer

GG: It is exactly the same when we change catchment areas of schools, we have the same problems. Sometimes the catchment areas can sub-divide housing schemes but as soon as you start changing procedures there are always winners and losers. We have to make sure that we communicate it to you so that parents can make an informed choice and know the risks. Look at the Admission Policy just now - if you are putting in a placing request in to a school that is not your catchment school, the risk is that if that school fills up with catchment children you may not get other siblings in, so we have this situation just now where that can happen with schools that have a high intake and high levels of occupancy. The legislation is here to give parents a choice and parents make that choice on the information they have. All we are here to do tonight is to try and put the facts across to you. Sometimes the changes that we are making are for the better for some parents because there is certainty of direction but may not suit others.

RT: Can I add a word of reassurance. As Gary said, the peak birth rates were 5 years ago and we are experiencing that now for the August 2014 intake. That has led to problems at quite a few denominational schools. Last year we had nearly 80 enrolments at St Andrew's PS where there was only 60 places so there was a lot of very disappointed families. A lot of the pupils (that didn't get a place) were in the nursery and one or two of them had siblings at the school. At St Francis it was a similar situation and the same thing has happened this year. Slightly lower numbers at St Andrew's but very high again at St Francis. We have also had some problems at St Bernadette's in terms of over-subscription. Last year we had problems at Sacred Heart in Grangemouth but we haven't had problems at Bo'ness yet. We can't predict the demand at St Mary's for future years but we know that the population levels will definitely decrease as the years go by. We have already gone through the peak (school age) population. I suspect that we will be able to accommodate all the placing request demand at St Mary's going forward. As I have said, there is no guarantee because what we can't predict is how patterns of demand changes but we have managed so far. The only difference would be that a proportion of St Mary's roll would put placing requests in rather than coming along in January and enrolling. I suspect we will be able to meet the vast majority of demand and certainly to meet demand from children with siblings and children who are at the nursery. There is a very low risk of not meeting that demand in future years.

Question

Can I ask about St Mungo's? Is there any consideration to increasing the intake at St Mungo's? Given that you were talking about you had already increased (it's capacity) by 200 places in 2010 and then St Bernadette's was opened in 2012. Given the population change in the area is there any increase going to happen at St Mungo's?

Answer

RT: The capped intake at St Mungo's is set at 240 and that is set at a level which the school can just about sustain although it will be full. If we were to increase the intake at St Mungo's then we would have to extend the school.

Question

I think that was the question. Are there any provisions to actually increase the capacity of these places?

Answer

GG: There is not at the moment but that is not to say that if the population of Falkirk grows or economic growth brings inward migration we may do so. What we are trying to do here is mitigate having to do that. We have already extended the capacity at St Mungo's by about 200 and 1400 is quite a big RC secondary school compared to other ones in Scotland. It is not to say that we can't do it but we have no plans to do it. It is an option for the future should rolls continue to rise or should the demographic pressure in Falkirk continue to grow.

RT: We still collect planning gain for large housing developments to cover the risk that we might have to in the future but if we don't need it we will give it back. We collect planning gain to cover that risk because of the uncertainty of rolls and whether those rolls can be managed going forward. This is what we are trying to do with these policies.

GG: Just now our caps are working and making sure that we meet our legislative commitment. They also make sure that schools operate at an efficient level. The primary schools, in terms of their roll and their capacity can operate probably up to about 95% occupancy rate. If they are 95% full they can operate very well. The secondary schools are optimal at around 90% because of the timetabling constraints between practical and subject choice areas which means that secondary schools operating above 90% can be very tight for timetabling. We look at another number of other factors around that - the consortia arrangements where some pupils are transported to other schools to do certain subjects.

Hector Cairns: I have to say that the questions are interesting and there have been some very valid points and things that are our responsibility in the Church. I have been doing this job for two years since the last consultation for the change in the Admissions policy to cap St Mungo's and I can tell you that the consultation was very extensive and all the comments were taken very seriously. I would encourage you put your comments into the consultation as part of the process.

Question

You were talking about the reserved places. Although the numbers are quite small, sometimes they can be the difference between your child getting in or not, you reserving places for someone coming in the area. We know someone that is trying to get into St Francis and they didn't and the first thing they are doing now is looking to move house to get into another catchment. Does that not just encourage that kind of thing where you are reserving for someone else that will just move into the area specifically to get that classroom space.

Answer

AN: I am unsure if Richard is aware of anything like that. I am certainly not.

Statement

I am aware of it from several people that I know who have specifically been trying to move into a catchment area.

Response

GG: In central Falkirk there is a school and that people used to try to get a house in the catchment because at the time it was perceived to be a good school. It is perception and these things change. As Richard said, parents might feel this is their school of choice but 5 years later parents may want to go somewhere else. I think St Francis and St Andrew's is probably another one because it is central Falkirk. People do look to where they buy their houses because of it. That is the way the catchment areas operate in Scotland.

Question

I understand that this happens but my point is that by reserving places does that not encourage it? Unless someone is pregnant or not pregnant moving, that's fine – that's what happened – we lived there but someone coming to school age we may start thinking about our school and move to that area.

Answer

RT: We can only reserve places against placing requests which is why we are proposing to change the policy because at the moment if there were no spaces available in Primary 1 at St Mary's and a Catholic family moved into Bo'ness then the nearest school we might be able to accommodate them would be Sacred Heart in Grangemouth or it might be further afield. We might only have spaces in St Patrick's which is not in the St Mungo's catchment because they have been filled up at every other denominational school. We are not able to provide a denominational education to catholic families that are moving into the area. Similarly there might be a family move from Denny to Bo'ness

or Bo'ness to Denny who are affected. We have a number of families where some siblings were at one school and other siblings were getting transported by taxi to another area because we can't accommodate them in the local school. If someone moves into an area to gain a place, quite often that place is not there anyway because we are not able to reserve spaces. The policy to reserve spaces is so that we can accommodate that demand. If someone does move into an area to get a place at a particular school and it is the denominational school, then if this policy is agreed then that the child would have to be baptised catholic anyway to have a claim on a reserved space so it is not as if a family can move to an area and claim a reserved space because they live in the catchment. Those reserved spaces would only be available for eligible catchment children.

Question

That place you are talking about, that could stop my boy who is at nursery and has a brother who is only in primary 5. That could stop him from getting into St Mary's. I would not have put my older son into St Mary's school if I didn't think my other son would get in. Personally I don't agree with that. That place that you are keeping for someone moving into the area could stop my wee boy from getting into this school where has gone to nursery and his brother has been here for five years. What can I say to my 9 year old? What if it comes to him going into primary and I am told the worst news that my little one who has been in nursery for two full years can't get into the same school as him. I don't bring religion into my son's life. He goes to St Mary's and goes to Sunday school and has learned about it which I am happy with but what do I say to him at 9 years of age? Your brother is not getting into St Mary's because he is not baptised Roman Catholic. Is that what I have to say to a 9 year old? That is my fear. I don't want to move my son who is doing great at St Mary's, which he loves but then if his younger brother doesn't get in how do I have him here and my other son at another school in Bo'ness.

Answer

GG: We have that problem just now with St Andrew's and St Francis. It is always a risk unfortunately when parents choose denominational for a non-baptised child.

Statement

I was not aware of that.

GG: It is part of our Admissions Policy, and the law requires us to give the information to parents to enable them to make an informed choice. The problem is that to a certain extent Bo'ness has been unaffected by this because it is a relatively low risk as the schools we have all operate fairly effectively. I do not know the last time there were any issues with refusing placing requests in Bo'ness. Hopefully that will continue but a few of the St Francis and St Andrew's parents are facing this just now. Some of the places have had to be decided with a ballot this year to get in and this has upset some people. Ultimately, if we do nothing we are going to have more of the same problem and we are going to breach legislation. Hopefully all things being equal then the Bo'ness situation as it has done in the past, will resolve itself but it would be wrong not to point out some of the risks to you. Those risks exist in the current Admissions Policy we have.

Statement

I just stay 5 minutes from St Mary's.

GG: Like all parents we sometimes have got to grapple with these choices and make decisions at a point in time. We are telling people now about it so if you have comments, feed them in so that we can look at it.

Question

Would we be at risk then from children who attend St Francis and St Andrew's if their

children come here?

Answer

GG: I would doubt that any of the central Falkirk children would opt to come here, not because it is Bo'ness but because of the distance from central Falkirk. I am not saying it would not happen but looking over the last 7-8 years it is improbable.

Question

At the end of the Consultation period, if you don't agree to the proposals what is your plan B to deal with this situation?

Answer

GG: That is what we don't know yet until we have listened to all the comments. What we do is we go through the consultation process, listen to the views, think about them and sit down at the end of it and consider everything. I am not saying we can solve everything but what we will certainly look at all the fundamental questions that are asked to see if there is anything we can do.

Question

If there is no plan B, is this not just seen as a done deal anyway?

Answer

GG: No, it is not a done deal. I prefer to say we have an open mind and we will form a Plan B if necessary as we go through the consultation meetings. That is why we are here, to get people's views. We don't know all the answers and in the past we have amended some of our options. We listen to you and as Hector has said, you have raised a number of valid questions tonight which we did not get last week. That is the benefit of different communities having different views and different questions because their local circumstances can be entirely different.

Statement

From the point of view for Bo'ness, non RC children have kept the numbers of this school up and kept it going.

Question

If the schools in Falkirk reach capacity with their intake and there are RC children, are you under an obligation to place in an RC school? Would they then not go to outlying areas such as Bo'ness.

Answer

GG: What we do now is use Sacred Heart in Grangemouth as the overspill RC school when there is space in there.

Question

And is the reserved spaces that they are taking?

Answer

GG: It is not the reserved spaces they are taking as there are spaces at the school as it is not full and it hasn't been full for a number of years. There is also space in that school effectively to grow capacity if need be. That is how we tend to do it but our obligation is only offer them a place. Parents will sometimes say the distance is too great by taxi if we have a youngster who is primary 1 or primary 2. Some take it and some don't.

Question

You are putting this forward as your best plan and what you are proposing so technically all these places could be taken by RC children?

Answer

GG: Technically you are correct and there could be a sudden influx that we haven't

predicted. The reality is that looking back over the last 6 or 7 years there is low risk in Bo'ness.

Question

What I am trying to establish is, what is the likelihood of the nursery children being able to get into a denominational school moving forward?

Answer

GG: If you are in the Bo'ness catchment and all things being equal and demand stays the same, the likelihood is it will be as it is just now where all pupils are being accommodated. It would appear that there is no risk but this policy does create a certain amount of risk. However, looking at the Bo'ness area and looking at the fact that we have had the highest intake level this August, after that it will go down. If some of the families in Bo'ness all suddenly want to go to St Mary's then that is a risk and we can never legislate for that. That is parental choice.

Julie Hanlon: The current primary 1's are 23 and the primary 1's coming in this August is 23 and our primary 3's are 28.

Question

For us, we are trying to get our child into St Francis and we are not sure if we will go to the meeting at St Mungo's, but work commitments might mean that I am unable to attend that meeting which is why I have come here. You wouldn't have any comment about St Francis in relation to a non-denominational child getting access and the current numbers? I know this is all off the wall but we are just obviously concerned.

Answer

RT: This year it was 77 but a number had put in placing requests but the (catchment enrolment) demand was for 70 places at St Francis this year. We can only accommodate 60 pupils. First of all we prioritise pupils that are RC baptised of which there were about 40; then we prioritise the children who have siblings at the school, perhaps another dozen pupils and then we look at the pupils who are attending the nursery. Because there were 6 or 7 spaces available but demand from 18 nursery pupils who didn't have siblings or weren't RC baptised, we had a ballot and we allocated the places to the first 6 or 7 pupils picked. There were about another half a dozen pupils that don't attend the nursery and don't have siblings, aren't RC baptised that were not offered a place (or balloted). We had to write to quite a lot of families this year at St Francis and it was the same the year before. Even although the St Francis catchment has been massively reduced with St Bernadette's taking the whole of Larbert and Stenhousemuir, Carron and Carronshore, the demand has actually increased at St Francis or stayed at about the same level.

Question

You are talking long term so if the demand affected St Mungo's then you know what is going to happen it is going to increase the primaries as well. It sounds as if there is no provision for RC children if the schools are looking to aim to keep spaces for baptised children then it sounds as if there is not going to be enough for that.

Answer

RT: There is. We can comfortably accommodate Catholic pupils within denominational schools. What we can't accommodate is all the demand that we have had in recent years over and above that. This is why we changed the policy back in 2012 about choosing denominational at primary 1 and this is what this proposal is about as well, to try and reduce that demand.

Question

You are talking about accommodating that (demand) across the whole of the area?

Answer

GG: In the main we have enough spaces within the RC school catchment areas. There will always be peaks and troughs but what we do is we try to manage it and because we

have a cap at St Mungo's we can manage things. We can look to sometimes varying the cap at the feeder schools if there is less demand at some schools than others. There are certain things we can do within what we have as long as we maintain the 240 cap at St Mungo's for the time being. It is not an exact science but we are quite good at managing what we have as we have two good officers working on this. It is not an easy job because sometimes parents get upset, but in the main the vast majority of parents get what they want.

Question

Is it possible to get a copy of the PowerPoint presentation?

Answer

GG: Yes, if you leave your name and email address we can mail it to you.

Meeting closed at 8.10 pm. Councillor Nimmo thanked everyone for attending and confirmed publication of the Consultation document and recommendation to the Executive on taking this forward.

Public Meeting at St Mungo's High School on 9th June 2014

In attendance from the Council:

Nigel Fletcher (Joint Acting Director of Education) (NF)
Gary Greenhorn (Joint Acting Director of Education) (GG)
Richard Teed (Senior Forward Planning Officer) (RT)
Jennifer Anderson (Forward Planning Officer, taking the minutes) (JA)

Further attendees:

8 members of the public
Hector Cairns (Local RC Church representative on the Council's Education Executive)
Ken McAra (Education Scotland)

A "questions and answer" session followed a short presentation from Gary and Richard at the start of the meeting.

Question

What you have already done (*referring to policy changes*) – has that achieved what you intended it to do as that was only a year and a half ago (*November 2012*). Surely this needs to run for 3 years before making more changes.

Answer

GG: The Policy we have doesn't give us any legal basis to defend reserved places at these schools. We do have a Reserved Places policy but we have been unable to reserve places at denominational schools in favour of RC families that may move into the catchment area during the year because the schools are filling up completely in the August intake with catchment pupils.

Question

The issue from what I have understood, is with St Mungo's, the admissions here rather than at primary schools, but there is a cap on at St Mungo's of 240 so don't you already have, effectively, a line in the sand at that point.

Answer

GG: What we have to address with the Admissions Policy is our ability to hold reserved places because the priority in August is to always give a place to catchment children and then placing requests where a place exists. If we change the Admissions Policy it will allow us to use our Reserved Place policy so that we can hold places. For example, in P1 if we can say we will only allow 24 in because we will have a Reserved Place of 1 in P1. This change would allow us to defend that legally whereas just now we can't because of the current Admissions Policy.

Question

But really there are two separate issues here – the first one is you wanting to have reserved places and the second one is the numbers in St Mungo's and really they separate issues because there are quite a lot of people coming from non-denominational and choosing denominational at secondary level what you (*are proposing*) doesn't deal with that – the St Mungo's issue could be dealt with in a different way – and surely that is a separate issue from what you are looking to do.

Answer

GG: it's not really because current Policy says that the children who are in denominational primaries will get into St Mungo's

Response

But there is a cap so they can't all go straight through.

Answer

GG: The problem here is that in we don't want get a lot of children to P7 and then say we have to draw lots to see who gets into St Mungo's.

Response

That then presumably would then be an Admissions Policy so that that RC children would get in first then after that then draw lots.

Answer

GG: We do have experience of doing that for P1 admissions. We have never really had to do that for the P7 to S1 transfers because when we've got children that have been in a cohort with their friends from P1 to P7, ideally we would want them to continue with their friends into secondary school, unless the family wants to opt for a different school. So that is what we are trying to prevent because we don't think that would be very good practice. Certainly we do draw lots for example at St Francis fairly recently, where the demand is higher than the places we have got for P1. We certainly do not want to have to do that.

Response

What does a ballot involve?

Answer

GG: Drawing names out of a hat witnessed by a lawyer and by the Headteacher.

Question

What about the criteria of having a sibling at that school living in the catchment area, does that count for anything or if they go to nursery.

Answer

RT: *(answering the first lady's question and saying he would come back to this current question)* Yes – referring to previous question - we have just finished the second intake for this August at St Mungo's since that Policy was changed and the number of pupils transferring from non-denominational primaries has halved. We were getting about 35 to 40 – they weren't placing requests before the policy changed but they were pupils from non-denominational schools rather than from the feeder denominational primaries – so that number has actually halved since the change in policy

Question

What percentage of children are coming through the denominational primary schools are then opting at the end of primary school to move to a non-denominational secondary.

Answer

RT: That's not something that we have really monitored – have you got a handle on that Jennifer?

JA: There has been little change – the main school we have where that happens is Bo'ness Academy where they choose St Mary's as their local school because it is local in the community but a few pupils go on to Bo'ness Academy, but in general we have very pupils come from the RC primary sector into the non-denominational high school – a few – a handful. It is certainly not a large number but Richard is correct in saying we had an average over 40 pupils each year, who came from the non-denominational schools *(to St Mungo's)* and that has halved this year.

Question

Where have they gone then, if they haven't gone to the other schools?

Answer

JA: They have gone to their catchment denominational school. A lot of it is very much geographic so because a lot of parents choose to go from the non-denominational primary schools, we tend to find that it is local so the centre of Falkirk, Bantaskin, Comely Park did feed into St Mungo's and they will continue to put in placing requests because it is at no cost to themselves. Whereas if you live up the Braes or further afield and you choose to change stream, you have to put in a placing request and you have to take responsibility for transport. That is one of the biggest impacts and that has helped to resolve the problem.

RT: Going back to what I was saying earlier on, at the moment the denominational primaries feed about 200 children a year into St Mungo's and the rest comes from the non-denominational primaries. We do know that in 2017 onwards we're going to be at

that capped level of demand from the denominational primaries alone, so there isn't going to be much opportunity to satisfy any extra demand for placing requests from outwith denominational schools. What we want to do is safeguard capacity at St Mungo's and that's why we changed the policy 2 years ago so that pupils at denominational feeder primaries will be guaranteed a place when they go forward to St Mungo's.

Question:

Is there another possible way to deal with this through primary school admissions, because in the primary schools there are a lot of non-denominational children? Is there a way to deal with the St Mungo's side of things differently by making it such that denominational children have a pass into St Mungo's regardless of primary school attended?

Answer

RT: I suppose what we are proposing in this Policy change, in this Consultation, is a refinement of what we did a few years ago. What we've seen, rolling back 10 or 15 years, is that the demand for denominational schools in Falkirk area went up significantly. We've also seen a population rise and demographic changes over the last 10 years as well which has also increased demand and the popularity for St Andrews and St Francis in particular, from some of the local new housing developments. So we have seen that rise in demand but what we saw last year, and on reflection when we looked underneath the figures it was also the year before at St Francis, when St Bernadette's opened, there was another step change in demand for denominational primaries. Now as Gary said, we've invested very heavily in the school estate, we've extended capacity at St Mungo's with the new-build, we've built St Bernadette's and re-zoned the Falkirk RC primaries to accommodate that, and really what we should have seen was a reduction in the pressure on all the schools, but what we have actually seen last year and this year, is another increase in pressure, so we have to manage that somehow. What we are finding is, since the capped intake last year, where we had to turn away so many families at St Andrew's, St Francis, St Bernadette's and Sacred Heart, we have seen an increase in waiting lists in that cohort from Catholic families that are moving into the area either within the Falkirk Council area from a different area, like Denny into Larbert, or from somewhere completely outwith Council area of Catholic families who can't get into their local primary and what we are having to do is offer them a place in a far-flung primary or perhaps a non-denominational primary locally until a space becomes available and we've seen that waiting list grow quite a lot over the year. We don't have much of a waiting list in other (*non-denominational*) schools, there are small pockets of pressure, but with the denominational schools, we've seen these waiting lists increase very quickly over the last year and the reason they've increased is because when everybody's entitled to go to either the catchment denominational or non-denominational school, and we have to fill every available space. If there are 60 places we have fill every one of those 60 places. And as we were saying earlier, they all get filled ultimately by ballot and that means that there are no spare spaces available for children moving in. We can refuse placing requests to protect reserved places but we've not even got to satisfy placing request demand because we can't satisfy the demand for pupils within the catchment so really this Policy is about trying to address that problem and by doing so we are also increasing the resilience of St Mungo's to reserve places as well for pupils moving into the area because although the placing request demand has decreased, it is really halved in S1 with the transfers. Placing requests continue to come in from pupils who want to move school in the Falkirk Council area and so on, and although we reserve 5 places, sometimes those places aren't available. S2 and S3 are pretty much full at St Mungo's and the other years are filling up very fast. So there is a risk that our only Catholic High School, the only denominational High School in the Falkirk Council area won't have spaces in 2 year groups for families moving in, who are requesting denominational education.

Question

Surely with the geographical size of the catchment areas for the RC primary schools, should be looked at then, because you've got 3 RC schools in Falkirk which take in the full area. Now you have various other non-denominational schools in Falkirk which have geographical smaller catchment areas. So anybody moving into that area, that's your catchment school, but anyone moving in to the Falkirk area at all, in 3 locations, can then pick and choose the RC school or the school that is next to their house. Why can we not reduce the catchment area for the RC schools to the same size as any other school in the area, but then have a wider area for denominational children outwith that zone?

Answer

RT: The catchments are sized to the populations that they serve so denominational schools serve a much larger population, so I am not quite sure what you mean.

Response

What is the percentage rate denominational to non-denominational at any of the non-denomination schools? Do we know that?

Answer

RT: yes we know that for all of the schools – I do that analysis regularly.

Response

I mean this isn't being about bigotry or preferential treatment or whatever, it is about fairness and we are getting to the point where we have unpopular schools in the area that people don't want to send their children to for whatever reason, that's entirely their choice but there is a fall-back to the RC schools and that fall-back is causing an issue with over-subscription of these schools and it's taking away parental choice from RC parents.

Answer

RT: This Policy that we are proposing is actually aiming to address that particular problem by keeping that choice there for people so that the pupils who are RC baptised have a right to enrolment at the denominational schools but if you are not RC baptised, you need to put in a placing request which means that we can reserve places against placing requests so that some places can be held in each year group for RC baptised pupils that move into the area and may require a place.

GG: For us to change a catchment area is very difficult - it can split communities – so Richard is correct – our catchment areas serve roughly the population and serve the size of the school.

Response

What you are looking at doing just now is already dividing communities.

Answer

GG: Changing catchment areas is a very difficult thing to do because some communities can be divided by such catchment changes. We have undertaken a number of catchment area reviews and changes that have required a significant Consultation effort. Not that we are against this, but our catchment areas just now do reflect the population of the area and they do reflect the capacity of the school. Where there is a variation in demand, if it is short term, we may try to sort that with some modular accommodation. But if there is a huge influx of population in one particular area and if the only way to address it is by a catchment review then that is what we would have to do. We did a review to set the catchment boundary for St Bernadette's PS which also altered in part the catchment for St Francis and St Andrews and that caused quite a lot of concern for some families. So we try to avoid it.

Response

Again it is the lack of foresight by the local authority to actually look at that as well, just to put you in the picture, I have 2 children attending an RC school which was their catchment and another child who has been denied a place beside his siblings. Now we did not move outwith the catchment, the catchment was changed around us. Now if there was a bit of foresight there should have been something put into current policies to protect parents who were going to be affected by the catchment change, but there wasn't. So we have found ourselves in an absolutely intolerable position. You need to

be doing something now to protect people going forward in the future because what I am experiencing just now is absolutely terrible in my view, and although this is a personal point of view there's lots of parents being put through this as well. You need to do something now and something that is fair to protect everybody's right of choice because at the moment not everybody has got the same right of choice.

Answer

GG: I think that is a hard thing to achieve because what some perceive to be fair. Others may argue that it isn't fair so there is a balance to be had. Unfortunately we have to sometimes draw a red line which divides certain families and causes animosity. What we try to do is minimise the impact on families. But with catchment reviews there are always winners and losers.

Response

But surely splitting up a family like that must be taken into consideration as part of your decision-making criteria.

Answer

GG: We do because one of the (*enrolment*) priorities is for children that have siblings in the school. The problem is that demand in that catchment can be so great that the catchment area families will always come first. Hopefully this change may impact on that.

Response 1

To me it strikes, the Policy back in 2012 effectively is going to put more stress upon P1 intake and RC denomination schools. Because effectively what you as a Council have now changed, is to say to get into St Mungo's, which is the school that a lot of parents want their kids to come to, you now need to go into denominational schools in P1 so demand has just gone up another level because of that. So effectively what we are now talking is about a policy change by Falkirk Council to correct the mistake of the previous policy change which hasn't actually had a chance to bed in yet.

Response 2

I bet it's a knock on effect of that so that the issue here is that St Mungo's is where effectively the demand is and it's now working its way back down the chain.

Response 3

I was assured by the Local Authority in 2012 not to worry St Andrew's has not refused a placing request yet. And for the next 2 years placing requests have been refused.

Response 4

So surely the issue that you need to address as a Council is how to stop parents wanting to send their kids to St Mungo's either by making the other schools better or making it more difficult to get in to St Mungo's and then that way it has a knock on effect all the way back down the chain. It's dead easy for me to say, to make it sound simple – I am sure it is more complex

Answer

GG: Looking at our legislative commitment, we have to try and provide an Admissions Policy that meets the demographic pressures we have in particular areas, and I think this change should help to reduce some of the risks for RC families getting into denominational primary schools. The wider issue with schools being seen as better than others is something that we always try to strive to tackle. All Councils face this issue.

Response

Other than making it slightly more difficult to get RC kids into RC schools, I don't see how this policy achieves anything because it's not going to stop demand at St Mungo's which ultimately means that it will fill up.

Answer

It will allow us to protect reserved places that we can hold.

Question

Why then 2 weeks ago, at St Andrews Primary School, which was capped at 60 to protect St Mungo's was it then decided to change it to 66? Which allowed 2 placing requests submitted, but one placing request wasn't granted because there are still 3

places being reserved. So if you have no right to do that, why then is one of these children being refused a place already?

Answer

RT: The decision was made to lift the cap in Primary 2 at St Andrew's (to 66). We looked across the board at all the schools and we were comfortably within the St Mungo's cap. Over the year things change so because there was a waiting list of Catholic families living in the area, and there has been for a year. From August we have lifted the cap (*in P2 at St Andrew's PS*) to 66 and there was no longer any grounds to refuse some of the P1 placing requests. It is complex because it is about possible class configurations as a result of increasing the P2 year group to 66. There are only grounds to refuse placing requests is if it is going to cause the school additional expenditure at the school now or in a future year. Any future expenditure at St Mungo's High School is not relevant for placing requests decisions in primary school so we have to accommodate placing requests up to the capped limit of 66. We had to first offer places, where available, to catchment enrolments that we had turned down through the ballot. After that process of 61 catchment places being allocated at St Andrew's we can reserve 3 spaces

Response

You have just said that you had no legal right to do that.

Answer

RT: No, this is for catchment pupils, we can't reserve places against catchment pupils but we can reserve places

Response

Sorry, two pupils that were just granted a place at St Andrews to take it to the 63, weren't catchment.

Answer

RT: No they weren't catchment but they were first and second in the queue of placing requests because of priorities and we had to grant those placing requests because we had no legal grounds not to.

Response

I thought the whole point of this policy change was that you could reserve places and defend yourselves to do so. Effectively what we are saying just now is that is already happening.

Answer

RT: This is a very peculiar situation concerned with the legal grounds for (*placing request*) refusal and the same thing happened at St Bernadette's as well.

Response

I am outwith catchment so, and 2 other people outwith the catchment were granted places, but you just stated that you had no legal right to keep reserved places.

Answer

RT: The catchment demand last year for St Andrews was 78, so if we had gone up to 66 last year, we would have had to accommodate all 66 pupils and that would have been the school full until P7 give or take people leaving and people coming in. We capped it at 60 because right across the board we had the 2 stream schools capped and full at 60, and single stream schools at 30 and it amounted to 240 – that's the amount we can take into St Mungo's in 7 years' time. Since then the numbers have changed and we had this waiting list to deal with and we made the decision to accommodate the catchment children on the waiting list because it didn't affect the numbers going through to St Mungo's. But, as a consequence of that, it became apparent, that once this decision had been made the picture had changed with regards placing requests that we had refused in primary 1 and could no longer defend a cap of so we had to go up to 66.

Response

But what about the 2 children who were just enrolled at the school?

Answer

RT: They took the 62nd and 63rd place, with the remaining 3 places in reserve, because they are the only spaces we've got until that cohort reaches P7. Those 3 spaces are

reserved.

Response

So they are reserved for RC families moving into the catchment area?

Answer

They are for catchment pupils, whether they're RC or not. The policy change we are proposing is that only RC pupils will have automatic right of enrolment so we can then reserve places for catchment pupils moving in who are Catholic.

Response

So the policy change is that those reserved places would be for specifically RC children?

Answer

RT: Yes, because they become the defined catchment for that school and everybody else has to make a placing request.

Question

My concern personally is that this could be me 2 years down the line. I've got a daughter in P3 at the moment and my younger daughter is to start nursery. We stay 200 yards from St Andrews school so we are in the catchment, sibling at the school, youngest going to nursery, but the vital one is we are not RC. So my concern would be if there was one place at St Andrews, would it be an RC family from outwith the catchment that would get that place or my daughter a mere 200 yards from the school with a sibling, and she has been to Nursery?

Answer

RT: you would have priority because you live in the catchment so anyone that lives in the catchment has priority over people who don't live in the catchment regardless of if you are RC or not.

Response

That is my concern, if the catchment counts for something in that regard.

Answer

GG: In your case if there was a Placing Request from an RC family outwith the catchment, because you are in the catchment, you would have priority for that place.

Response

And then further down the line, it would make sense go to Graeme High, so surely there will be other families in the area where I live, with that same situation and that must have an impact down the line as well.

Response

That is what I've heard, that a lot of children from St Andrew's will be going to Graeme High. That is why I'm asking if the current Policy has not had enough time to bed-in?

Questions

"I would like to ask a question, and it relates to what the gentleman over here said, but I can see myself landing in the same position as him but from a different perspective. We're a non-denominational family, I've got a child already at St Andrews, I've got a younger son who is starting at nursery this year and would be going to the school hopefully next August – but I feel you are really looking to bring in this Policy very, very quickly. The first that I heard was in May when this (*proposal*) was sent out. Now you make think that's plenty of time and there's plenty of notice for people but it's not really because families make decisions about children going back to the nursery stage, from the time that my older son started at the school, we talk about what school the children will go to together. I've got my child a place that I applied for a long time ago at the nursery for his pre-school year, all with a view to that's where he was headed. What I am concerned about is exactly the same as where this other gentleman has landed because of Policy changes due to the re-drawing of the boundary. I am concerned that my youngest son is going to end up at a school that he has no connection with whatsoever and that's a very difficult position to be in so I can empathise with this gentleman's position and I wonder whether there's a possibility that for people who have siblings already at the school, for a period of time, there's a transitional provision that takes place because it really is very unfair on families to change so suddenly. We do not

want to be splitting them and the logistics of it as well for getting to two different schools for 9 a.m. There is absolutely no chance on earth that my wife will be able to take 2 children to one school, one child to another school, all for the same time in the morning. One other child back to the first school to drop off at Nursery. And it's very difficult because, what also has to be appreciated that in terms of changing things, is that you cannot change the older siblings schools - the children are settled at a school and you just wouldn't forgive yourself if you moved them.

Answer

GG: There is no right or wrong time for us to make this change. Whenever we do this there will always be families who are unhappy or affected by it.

Response

But if you were to publicise it, so that you give families 18 months or so to be aware of it, then as a Council you have the defence to be able to say, guys we told you about this 18 months ago.

Response

I totally agree, I realise what the Council is trying to do and I do support what they are trying to do because I don't want other people to find themselves in the position that I am – it is not nice. But there has to be a longer consultation period, there has to be something fair put in place to protect all parents, no matter of race, religion. We need to get it right here because what I am actually noticing now is that this is having a major detrimental effect on my children and their education. I've got 2 children petrified that their brother is not going to the same school as them, they are petrified that I am going to take them out of that school to send them to another school and it's having a hugely detrimental effect. And the other detrimental effect it is having on them is that the school is full to the brim. St Andrews school is full to the brim and we have enlarged the games hall but we still have portacabins. This is the 21st century here and they are teaching kids in portacabins. There is a big picture here that needs to be looked at and it needs to be addressed and it needs to be fair for everyone involved, not just RC, any denomination.

Answer

GG: And it is addressed. What you might view as a negative is a positive because our school estate is in very good condition overall. We do try to change temporary modular accommodation to bricks and mortar at the first opportunity and some of the examples I gave earlier on are examples of what we have done. There is a limit on the financial resources we have so we try to prioritise it in line with demographic pressures and meeting catchment area demand. We try to do that as best we can. It is a challenge for us and I take your point but what I would say is that it is a Consultation period so if you have got any points or suggestions to make about giving a priority to siblings or whatever, please write in and tell us. If you've got an issue or a suggestion to make, and we do listen and we have in the past, changed some of our thinking in light of parents' comments. What I would say is that there are comments from RC families wholly in favour of it as it protects their right to get into a denominational primary school, but equally we have got to listen to other families with catchment kids and other families who potentially may be displaced or have been unhappy with previous policies. Unfortunately it would be a lot easier if Falkirk's population was falling and everyone could get into any school they want, but that's not the situation in Falkirk and it is a challenge for us all.

Response

But you are building all these new houses – that is the thing.

Answer

GG: I know and what I would say to that is that as an Education Authority, we do sometimes object, in fact we object quite a lot to house-building. Back in about 2007, as an Education Authority we objected to house-building in the Braes area and the Council Planners refused quite a substantial housing development, but the housing developer appealed to the then Scottish Executive and who overturned the decision. This led to a rezoning and the decision to extend Wallacestone Primary to a 3 stream

school to cope with this. When we plan a catchment rezoning it is to ensure we have the long term capacity within local schools to meet future local needs. We appreciate that it does affect families but we don't do it to deliberately upset folk. We do it with so that we'll be compliant with the (*Education*) legislation and we do try to minimise the disruption that it has on families. But no matter what we do, we can't unfortunately get it right for everyone.

Question

Is there scope for some transitional provisions as I have suggested or is that not something that the Council could explore? What I am suggesting is that for a period of time, while children have siblings that are at a school which then effectively falls outwith their catchment, or are affected in some other way, that for a period of time those people are treated in a slightly different way.

Answer

GG: If you want to suggest how we would do it, if you have an idea, then we would look at it. In terms of taking anything forward we would then have to take it to the Education Executive for final approval.

RT: The demand for places from Catholic families amounts to about 60-70% of the intake at schools like St Francis and St Andrews and it is lower in some other schools and higher in others like St Bernadette's but that does mean that there is some inherent capacity to accommodate placing requests if we change the policy as proposed and the first priority of any of those placing requests for the siblings living in the catchment, so there is this safeguard.

Question

Can I just ask you where these policies come from as it is my understanding that Clackmannan and Stirling have a similar policy just now but in Clackmannanshire, the population issues are entirely different to Falkirk.

Answer

GG: They do have a policy similar to what we are proposing here that works for them. The population, a couple of years ago was fairly static but I think since they've opened the rail link there has more house building and Clackmannan and Stirling are both experiencing population growth, not to the same extent as Falkirk I have to say but both now are experiencing demographic pressures in some local areas.

Response

Well I know, certainly for Clackmannanshire, the population growth is minimal and Falkirk's population growth is much greater. Fundamentally it just seems to me the wrong policy to say we are going to do something similar to what they're using when they're population growth is much lower. Surely Falkirk Council need to be coming with something different. I think that until you cap something in here, demand will continue to go up.

Answer

GG: What we are proposing will reduce the risk and it will work for Falkirk in the long term protecting the rights of RC families to get places in local denominational schools.

RT: I don't think it is directly related to population growth, there is an upward curve in terms of population growth but I think parental demand is going up a lot steeper and this is what the policy is proposed to address, as Gary said, to try and ensure that we can reserve some spaces so that our only Catholic high school and the denominational primaries which cover quite large areas, don't fill up completely so that we can reserve some places.

Question

In terms of actually reserving places, is there a set policy where you look at the intake

coming in and say how many do we need to reserve on that basis?

Answer

GG: Yes and we have a policy endorsed by our Education Executive to do that. We publish annually what our reserved place numbers are and we review them every year so we do change it every year in light of the previous year's actual and also what we know of house building coming on-stream in the coming year.

RT: Roughly speaking in a single stream school like St Bernadette's we reserve 1 space in each year group and in a 2 stream school such as St Francis or St Andrews we reserve 2 spaces in each year group. Over and above that we look at the level of house building that's happening in the area and then we also reserve places based on the number of children we would expect to come out of that house, so that's why St Andrew's has got 3 reserved spaces because there is quite a large house building programme happening in the St Andrew's catchment area.

Questions

"I totally agree that if you are baptised RC you get priority at an RC school. I totally agree with that. But why does it seem to be that everyone wants to go to all of the RC schools and all the other schools seem to be less favoured? Does that tell you that these schools seem to get either more money or far better teachers or whatever?"

"My children are at an RC school and they are in classes that are maxed out. At St Andrews the classroom sizes are tiny and they have crammed all those kids in. It's got a detrimental effect on the children's education."

"Why is it that everyone - denominational or non-denominational - wants to come to the RC schools?"

Answer

RT: Langlees for example is the catchment school for the new Carron development and St Francis is the alternative catchment school, because it is denominational school but Carron Primary is also popular with that development. People living there have never really associated with Langlees being the catchment, despite it being a very good school and have chosen mainly St Francis and Carron primary schools from that area.

NF: There's been a certain amount of research on the point that you are raising – it's not just a Falkirk area phenomenon – it's happening right across the country and the best explanation that the people who have been doing the research can come up with is that this notion that there are certain people who want to choose a particular type of ethos for their children. They sometimes want a school that's based on faith because of their religious views, sometimes with an ethos that's linked to faith, even if they are not Roman Catholic themselves, their wider notion of a very clear value structure. That would explain for instance why a lot of Muslim families send their children to RC schools because they like that kind of framework. I've talked to quite a number of parents about that – they actually may well be atheists themselves. But they like the notion of values and spiritual values that are aspired to by a school like this. And that runs very strongly through the RC schools, always the emphasis on faith, on community, on family and on church. That's why a lot of parents do like to buy into this.

Response

Lots about community. Would that not be going through the other schools as well?

Answer

NF: Well I would argue that it does but it's much harder to do in a non-denominational school where the community is much more varied and complex and you don't have that unified theme which comes through the Roman Catholic church. Communities are very varied and schools – the non-denominational will try and meet the needs of all those different community interests and it makes it more difficult to have a single unifying ethos in the school. That seems to be the best explanation we can come up with.

Statement

Hector Cairns: In the last 2 years I've been in this school as an invigilator at exams and I meet a lot of people who do invigilating at other schools. The other invigilators

commented on the (*good*) behaviour of the children. The ethos as Nigel says in the school, is quite outstanding. The problem from my point of view, representing the church is, that the Council have taken on and managed the situation and in managing the situation they have another problem – obviously there are also legislative issues that they have to provide Catholic education where there is a need for it. So they've got legislation to consider and in 2012 there was the capping at St Mungo's, which really at that time was absolutely necessary, and yes there were people who were adversely affected. We also desperately needed another Catholic primary school and we got St Bernadette's and although the change in the catchment areas caused problems for people, overall it was a good news story for getting another school which was badly needed. I think the Consultation process is in all honesty, it's as good as you'll get. This is the third meeting I've attended and in different areas you often have different issues raised, sometimes the same issues but I really would encourage you to fill in the response form and get your comments in. I've two reasons for being here, one is I represent the Church and the other one is that I want to consider what people say because I have a response to do on behalf of the Church so I am interested in what people's problems are and what the issues are that they have

The meeting closed at 8.00pm.

APPENDIX C: REPORT BY EDUCATION SCOTLAND

Report by Education Scotland addressing educational aspects of the proposal by Falkirk Council to change their admissions policy for denominational schools from December 2014.

1. Introduction

1.1 This report from Education Scotland has been prepared by HM Inspectors in accordance with the terms of the *Schools (Consultation) (Scotland) Act 2010* and the amendments of the *Children and Young People (Scotland) Act 2014*. The purpose of the report is to provide an independent and impartial consideration of Falkirk Council's proposal to change their admissions policy for denominational schools from December 2014. Section 2 of the report sets out brief details of the consultation process. Section 3 of the report sets out HM Inspectors' consideration of the educational aspects of the proposal, including significant views expressed by consultees. Section 4 summarises HM Inspectors' overall view of the proposal. Upon receipt of this report, the Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include a copy of this report and must contain an explanation of how, in finalising the proposal, it has reviewed the initial proposal, including a summary of points raised during the consultation process and the council's response to them. The council has to publish its final consultation report three weeks before it takes its final decision. Where a council is proposing to close a school, it needs to follow all legislative obligations set out in the 2010 Act, including notifying Ministers within six working days of making its final decision and explaining to consultees the opportunity they have to make representations to Ministers.

1.2 HM Inspectors considered:

- the likely effects of the proposal for children and young people of the schools, any other users; and children likely to become pupils within two years of the date of publication of the proposal paper;
- any other likely effects of the proposal;
- how the council intends to minimise or avoid any adverse effects that may arise from the proposal; and
- the educational benefits the council believes will result from implementation of the proposal, and the council's reasons for coming to these beliefs.

1.3 In preparing this report, HM Inspectors undertook the following activities:

- attendance at the public meetings held on 27 May and 9 June 2014 in connection with the council's proposals;
- consideration of all relevant documentation provided by the council in relation to the proposal, specifically the educational benefits statement and related consultation documents, written and oral submissions from parents and others;
- meeting with chair persons of two Parent Councils; and
- meeting with representatives of the Scottish Catholic Education Service and the Archdiocese of St Andrew's and Edinburgh.

2. Consultation Process

2.1 Falkirk Council undertook the consultation on its proposal with reference to the *Schools (Consultation) (Scotland) Act 2010* and the amendments in the *Children and Young People (Scotland) Act 2014*.

2.2 The consultation process took place over an eight week period between 6 May and 27 June 2014. Three public meetings were held in Denny, Bo'ness and Falkirk on 20 May, 27 May and 9 June 2014, respectively. Views were sought from a wide range of stakeholders such as parents of all pre-school children attending Falkirk Council nurseries and all pupils attending denominational schools, Parent Councils of all denominational schools, Community Councils, and the Roman Catholic Church. All stakeholders were invited to respond to the consultation paper by email, letter and on forms attached to the proposal paper. One hundred and thirteen responses were received, and ten of these were from groups such as those outlined above. Of the responses received, the majority were in favour of the proposal.

3. Educational Aspects of Proposal

3.1 Falkirk Council's consultation proposal affects all children and young people who are baptised into the Roman Catholic Church in the Falkirk area. The council is no longer able to meet the growing demand for pupil places in denominational schools without incurring the risk that children and young people who are baptised into the Roman Catholic Church are unable to obtain a place in their local denominational primary or secondary school. This situation has occurred despite actions to help alleviate the pressure on denominational schools such as building a new denominational school in 2012 and capping the numbers of children in the associated primary schools of St Mungo's High School to prevent overcapacity in the secondary school sector. Across the council, nearly 40 children and young people were unable to gain placements in a denominational school and in addition, children who are baptised into the Roman Catholic Church and moved into the area had to be placed on a waiting list to attend their local school. The proposal to change the admission's policy will allow the council to fulfil its duty to provide education to children and young people who are baptised into the Roman Catholic Church in a denominational school. The proposal may have implications for younger siblings who may wish to attend the same denominational school as their brother or sister, but who do not have a baptismal certificate. The council need to consider the potential impact for children, young people and their families if they require to be educated in different schools across the council should the proposal go ahead. Importantly, the proposal provides a guarantee that children currently attending a denominational primary school who are not baptised into the Roman Catholic Church will retain the right to be educated in St Mungo's High School and be eligible for free transport if this applies under current council policy.

3.2 The council states that there will be a number of educational benefits for children should the proposal go ahead. It indicates that the proposal will reduce the risk of high occupancy rates in denominational schools which it believes can result in overcrowding and timetabling constraints. While these factors have the potential to have a detrimental impact on children and young people's learning, the council needs to specify more clearly the educational benefits for pupils in reducing overcrowding and timetabling constraints.

3.3 The majority of stakeholder responses were in favour of the proposal. They felt that the proposal would ensure that children who are baptised into the Roman Catholic Church would be able to be educated in a denominational school within their local community. As a result, children who are baptised into the Roman Catholic Church would be educated with their siblings, in their local community, and prevent unnecessary transitions from school to school. The proposal will ensure children who are baptised into the Roman Catholic Church will be able to attend their local denominational school rather than being placed in a school outwith their local community while waiting for an available space. The proposal, if implemented, will enable the council to manage its estate more effectively and efficiently to secure best value in the delivery of its services.

3.4 Of those stakeholders not in favour, a few were concerned that the proposal would limit the opportunities for children of other faiths to attend a denominational school. Other stakeholders not in favour were concerned that admission changes to the denominational schools would have implications for non-denominational schools. The council needs to provide more information about projected rolls, current capacity of the schools affected by the proposal, current and projected size of waiting lists for denominational schools and any impact of the proposal on non-denominational schools.

**consultation report**

3.5 The Scottish Catholic Education Service and Archdiocese of St Andrew's and Edinburgh were consulted both before and during the consultation process. Overall, they support the proposal and are pleased that the council has given a high priority to providing places in denominational schools for children who are baptised into the Roman Catholic Church. They have submitted a written response to the council setting out their views.

4. Summary

Overall, the council's proposal is of educational benefit. The majority of stakeholders who submitted responses are positive about the proposal. The council's proposal may reduce the risk of high occupancy rates in denominational schools and ensure that it is able to meet its legislative requirements in relation to denominational education. However, the proposal does not set out some of these benefits in sufficient detail. In its final consultation report the council needs to provide more detailed information about the educational benefits of removing overcrowding and timetabling constraints. The proposal will also ensure children who are baptised into the Roman Catholic Church and moving into the area will not need to be placed in a school outwith their local community and prevent unnecessary transitions from school to school. It will help the council to meet its duty to secure best value in the delivery of its services.

**HM Inspectors
Education Scotland
September 2014**

Denominational School Admissions Criteria - Proposed Changes to the Current Admissions Policy

It is proposed that the following sections are amended as follows:

SECTION 6 - CHOOSING A SCHOOL

Section 6.1(b) – Catchment Area Schools - Denominational

Current wording:

"Similarly each denominational school's catchment area covers a number of associated non-denominational school catchments.

At the outset of the P1 stage of a child's education a parent can choose whether to send their child to their catchment area denominational or non-denominational school regardless of their religion (subject to Admissions Criteria as outlined in 8.2(b)(i)). Subsequently, any movement between denominational/non-denominational schools will require a placing request and distance entitled transport will not normally be provided (subject to exceptions in section 9)."

Proposed wording:

"At the outset of the P1 stage of a child's education, or when they move into the Falkirk Council area a parent can choose whether to send their child to their catchment area denominational school (subject to the Admissions Criteria as outlined in 8.2B(i)) if they can demonstrate that child's affiliation to the denomination in whose interests the school is managed by means of a baptismal certificate, otherwise a placing request is required. Subsequently, any movement between denominational/non-denominational schools will require a placing request and distance entitled transport will not normally be provided (subject to exceptions in section 9)".

SECTION 14 – PRIORITISING PLACING REQUESTS

The reference to prioritising pupils attending the nursery at a requested primary school will be extended to include reference to pupils attending the feeder primary school for a requested secondary school. For example, this would mean that a placing request for St Mungo's High School from a pupil attending a denominational school in the St Mungo's cluster will have a higher priority than a pupil attending a non-denominational primary school.

Section 14.3

Current wording:

"Where at any stage the application of the above priorities results in unresolved competition for places, those competing requests shall be determined by the application of the following criteria in the order shown:

- (i) In the case of denominational schools, children whose parents can demonstrate affiliation to the denomination in whose interests the school is managed by means of a baptismal certificate.
 - (ii) Multiple sets of siblings of the same age: twins, triplets, etc.
 - (iii) The number of siblings a child has at the specified school - the more siblings attending the specified school, the higher the priority.
-

- (iv) The ages of the siblings a child has at the school - the nearer their youngest sibling is to their year group, the higher the priority.
- (v) Child attending the nursery class at the specified school.
- (vi) Date and time of receipt of placing requests at Education Services, Sealock House, Grangemouth.
- (vii) Where all the above criteria have been applied and there is still unresolved competition amongst enrolments, a ballot will take place."

Proposed wording:

"Where the application of the above priorities results in unresolved competition for places, those competing requests shall be determined by the application of the following criteria in the order shown:

- (i) In the case of denominational schools, children whose parents can demonstrate affiliation to the denomination in whose interests the school is managed by means of a baptismal certificate.
 - (ii) Multiple sets of siblings of the same age: twins, triplets, etc.
 - (iii) The number of siblings a child has at the specified school - the more siblings attending the specified school, the higher the priority.
 - (iv) The ages of the siblings a child has at the school - the nearer their youngest sibling is to their year group, the higher the priority.
 - (v) Child attending the nursery class at the specified primary school or attending a feeder primary school for the specified secondary school.
 - (vi) Date and time of receipt of placing requests at Education Services, Sealock House, Grangemouth.
 - (vii) Where all the above criteria have been applied and there is still unresolved competition amongst enrolments, a ballot will take place."
-