



**FALKIRK COUNCIL**  
*Children's Services*

**Admissions Policy**

November 2014

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## **A. INTRODUCTION**

### **1. BACKGROUND**

1.1 This document replaces Falkirk Council's previous Admissions Policy approved in November 2012.

1.2 This policy underpins Falkirk Council's goals and values:

- Public Service;
- Performance;
- Partnership.

1.3 Under the Education (Scotland) Act 1980 as amended (which will be referred to as 'the Act' throughout this document), it is the duty of Children's Services to provide an adequate and efficient school education for all children living within the Falkirk Council area.

### **2. AIMS OF THE POLICY**

2.1 This document details Falkirk Council's policy with regard to admissions to all schools (excluding nursery schools) under the management of Falkirk Council Children's Services.

2.2 There is a separate policy for Early Years (Falkirk Council Early Years Admission Policy) which details procedures for entry to nursery provision.

2.3 Falkirk Council will endeavour to inform parents of their rights and the duties of Children's Services in the provision of education.

## **B. ENROLMENT POLICY**

### **3. SCHOOL AGE**

3.1 Under Section 30 of the Act, it is the duty of every parent who has a child of school age, to provide that child with an education which is suitable to their age, aptitude and ability. Every parent must do this either by ensuring their child attends a public school regularly (or by any other means, for example by home education).

3.2 There are corresponding duties on the local authority to provide appropriate school education for all school age children.

3.3 The Education (Scotland) Act 1980 states that:

"A parent includes a guardian and any person who is liable to maintain or has parental responsibilities in relation to, or has care of, a child or young person".

3.4 After divorce or separation, both parents will retain parental responsibilities, unless the court has specifically removed those responsibilities. In relation to placing requests, both parents will normally have equal rights. However, for the purposes of making a placing request, the application form must be completed with the details of the parent with whom the child is ordinarily resident (see section 7).

3.5 The Act describes who a person of school age is - that is a child or young person who has reached the age of five years, but has not yet reached the age of sixteen years.

### **4. ENTRY INTO PRIMARY SCHOOL**

4.1 Under Section 32 of the Act, Children's Services must set a date each year for the commencement of children's attendance at primary school. The school term start date is usually between the second and third week of August, but normally no later than the fourth week of August in any given year.

4.2 Any child who reaches the age of five years on or before the school term start date in the same year shall be deemed to be of school age, and must start attending their primary one class in that year.

4.3 Under the Act, Children's Services must set a second date known as the 'appropriate latest date'. This is the date on or before which a child must reach the age of five years in order to come within the category of children whom Children's Services considers to be of sufficient age to start their attendance at primary school on the school term start date. Children's Services appropriate latest date is normally the last day in February. Examples of how this applies in practice are given below.

<b>When is a child aged 5?</b>	<b>When should a child start school?</b>
Aged 5 years on or between 1 March and the school term start date	Must start school on the school term start date
Aged 5 years on or between the day after the school term start date and the appropriate last date which is usually the last day of February following the school term start date	May start school on the school term start date
Aged 5 years after the appropriate last date in February	Cannot start school until the following year

- 4.4 Parents should be aware that it is their choice whether or not their child starts their primary one class whilst they are still four years of age.
- 4.5 Where parents do choose to exercise that choice, and then at any time during the academic year wish to withdraw their child for any reason, they are free to do so. However, their child must start attending their primary one class in the following academic year, that is once they have reached the age of five years.

## **5. EARLY ENTRY TO SCHOOL**

- 5.1 If a child has not reached the age of five years either on or before the school term start date (eg 22 August in a given year) or on or before the next following appropriate latest date (eg 28 February in the following year), then a parent is still able to request that their child start their primary education whilst they are still four years of age or younger. This is known as an 'early entry request'.
- 5.2 The early entry request will result in an assessment of the age, ability and aptitude of a child in order to determine whether or not education normally provided would be suitable for the needs of the child. This assessment would be carried out by the Pupil Support Resources Group for early years.
- 5.3 If a child is assessed as being suitable for early entry to school, the child will be accepted onto the school roll except when there are any adverse staffing or accommodation implications.
- 5.4 An early entry request is different from a placing request. In particular, decisions in relation to such requests are not appealable.
- 5.5 Requests for early entry to school should be made in writing to the Director of Children's Services.

## **6. CHOOSING A SCHOOL**

- 6.1 Under the Act, parents are able to make a choice of the school their child attends:

### **A. Catchment Area Schools - Non-Denominational**

Within the Falkirk Council area, each school has a defined 'catchment area'. This is an area designated by Falkirk Council to each school. Most children living within that area will attend their designated primary and secondary school.

Each secondary school's catchment area is made up from a number of associated primary schools. Most children will attend the designated secondary school for their home address once they have completed their primary school education.

### **B. Catchment Area Schools - Denominational**

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

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).

### **C. Parental Choice**

The Act provides for an element of parental choice by allowing parents the right to request that their child attend a school of their choice. Parents may request a school other than the designated school in the catchment area where the child is ordinarily resident.

Under Section 28(1) of the Act, when exercising and performing their duties and powers, Falkirk Council's Children's Services shall educate pupils within the Falkirk Council area in accordance with the wishes of their parents where the parents' wishes do not involve unreasonable public expenditure on behalf of the Children's Services, and those wishes are compatible with the suitable instruction and training of pupils.

### **D. Additional Support Needs**

A small number of children who have additional support needs may require specialist provision. There are specific procedures for entry to these specialist provisions.

## **7. ENROLMENT AT CATCHMENT AREA SCHOOL**

- 7.1 Parents of children who reside within the catchment area of a school and parents of children identified by the education authority as being in need of educational provision at that school are entitled to make a request to enrol at that school by completing an enrolment form and submitting it directly to the school concerned on the school enrolment day.
- 7.2 Parents of children who reside outwith the catchment area of the school will require to make a placing request. Further information about placing requests is found in section C.
- 7.3 A child's residence for the purpose of admission to school, either by enrolment or by Placing Request is deemed to be the address at which the child is ordinarily resident. Ordinary residence is the address at which the child lives and sleeps on a permanent basis. Only one such address can be accepted by Children's Services. Day care arrangements at another's home do not constitute ordinary residence.
- 7.4 Children's Services reserve the right to carry out checks to verify the residence of pupils and where false information has been submitted then the offer of a place at a particular school may be withdrawn. The information sought may include Child Benefit details, GP registration records or court orders.

- 7.5 For Primary 1 enrolments, Children's Services will place an advertisement in the local press and advertise in schools and other education/council facilities around early December each year to advise parents of the relevant timescales to be followed in respect of enrolments.
- 7.6 Children who are 5 years of age before the school start date the following August must enrol in school in the January or February before school starts.
- 7.7 Children who are 5 years of age between the start of school and the last day of the following February may enrol in the January or February before school starts.
- 7.8 Each individual school will advertise the exact date in January or February when enrolments will take place.

## **8. PRIORITISING REQUESTS FOR ENROLMENT TO SCHOOL**

- 8.1 If Children's Services receive more requests for enrolment to a particular school than it is able to meet within the accommodation and staffing available at that school, those requests will be dealt with in accordance with the priorities listed A-B below.

Where the application of those priorities results in unresolved competition for places, the competing requests shall be determined by the application of the sub-criteria shown below.

- 8.2 Where a request is made for enrolment to enter P1 or S1 at the start of a school term, the following prioritisation and sub-criteria will apply (ie children in category A will have priority over children in category B etc).

### **A. Children identified as being in need of educational provision available at a particular school**

This includes both children with Co-ordinated Support Plans and children who require to attend specific Falkirk Council education provision to meet their additional support needs.

### **B. Children resident within the catchment area**

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 school.

- (vi) Where all the above criteria have been applied and there is still unresolved competition amongst placing requests, a ballot will take place.
- 8.3 Where a request for enrolment to school is made during the school term, that request will be granted where a place exists.
- 8.4 Parents may wish to be aware that class capacities at different stages of education are limited to 25, 30 or 33 pupils with certain exceptions (see sections 10.3 to 10.10). This may impact on a school's ability to accommodate parental requests for enrolment.
- 8.5 If no places are available at the specified school at the time of application, requests for children who live within the catchment area shall be recorded on the waiting list for that school in date of receipt order and treated as an alternative placement.
- 8.6 An alternative placement is when there is unresolved competition for enrolment places or if a child moves into a school catchment area during the school term and no place is available in their year stage. Such a child will be placed in a school specified by Children's Services which will be an alternative placement and entered on a waiting list for the catchment area school.
- 8.7 Children's Services will specify the alternative school placement they consider appropriate and transport costs will be met if the child is distance entitled or if there are exceptional circumstances (subject to the discretion of the Director of Children's Services). Parents may nonetheless make a placing request to another school. This will be dealt with under the normal placing request arrangements and if the child is so placed travelling expenses will not be payable.
- 8.8 Parents who make a successful placing request after an alternative placement has been specified will be taken off the waiting list for the catchment school.
- 8.9 Priority on the waiting list will be based on the date of application/enrolment following confirmation of permanent residence in the catchment area. Where priority remains unresolved after this process has been applied the prioritisation criteria as indicated above will be applied.
- 8.10 In the event of a ballot being carried out to determine priority of admission, three persons from Falkirk Council including a representative independent of Falkirk Council Children's Services will oversee the ballot process.

## **9. TRANSFER FROM PRIMARY TO SECONDARY SCHOOL**

- 9.1 Most children will attend the designated secondary school for their home address once they have completed their primary school education.
- 9.2 Where a child attends a primary school as a result of a successful placing request to a non-catchment school, that child will not automatically transfer to the associated secondary school for that primary school unless they also live within the area designated by Falkirk Council to that secondary school. If they do not live within that designated area, a further placing request will have to be made. The primary school

currently attended will be able to confirm the designated secondary school.

There is no catchment denominational primary school within 5 miles of Airth, Letham, Dunmore, South Alloa, Slamannan, Limerigg, Avonbridge, Standburn and Whitecross. For this reason, families may choose to send their children to the local non-denominational primary school because of the travelling distance to their nearest denominational primary school.

In these circumstances, children that are attending their catchment non-denominational primary school, that can demonstrate affiliation to the denomination in whose interests the school is managed by means of a baptismal certificate, will have the choice in Primary 7 to transfer to the catchment denominational secondary school without the requirement for a placing request.

- 9.3 Where a child attends a primary school as a result of a successful placing request to move between denominational/non-denominational schools, that child will not automatically transfer to the associated secondary school, and a further placing request will have to be made.
- 9.4 Where a child attends a denominational primary school as a result of a successful placing request, that child will be entitled to transfer to the associated denominational secondary school for that primary school, without the requirement for a placing request, if they can demonstrate affiliation to the denomination in whose interests the school is managed by means of a baptismal certificate, and they live in the catchment area.

## **10. FURTHER INFORMATION ON ENROLMENT**

- 10.1 It is acknowledged that children moving into a school from previous provision as outlined above, may be at a different stage of curriculum than the year group they would normally enter. The decision as to which year group they should join should be assessed by the headteacher and senior teaching staff, in consultation with the child and the parents/carers, at the school at which they have enrolled.
- 10.2 In primary schools, where an 'ordinary teaching session' is conducted by a single qualified teacher, the following class size limits apply:
- 25 pupils in Primary 1 (The Education (Lower Primary Class Sizes) (Scotland) Amendment Regulations 2010)
  - 30 pupils in Primary 2 and 3 (The Education (Lower Primary Class Sizes) (Scotland) Regulations 1999)
  - 33 pupils in Primary 4 to 7
  - 25 pupils in a composite class
- 10.3 Exceptions

The regulations allow for exceptions in limited circumstances which allow the number of pupils in an individual class to be more than 25/30 up to a maximum of 33 where an 'ordinary teaching session' is conducted by a single qualified teacher.

Pupils who are treated as 'excepted pupils' for the purpose of the regulations do not count towards the limit of 25/30. The exceptions are primarily intended to address problems that arise in placing pupils during the academic year.

#### 10.4 Excepted Pupils

A child may only be treated as an 'excepted pupil' if:

- (a) he/she cannot be educated at the school in a class in which the class size limit is not exceeded without measures being taken which would prejudice efficient education or the efficient use of resources, and
- (b) he/she falls into one of the five categories set out below.

10.5 The five categories of 'excepted pupils' fall into two groupings eg those who are placed outside a 'normal placing round' and those who have additional support needs, but receive part of their education in a non-special environment.

#### 10.6 Excepted Pupils - Group 1 (those who are placed outside a 'normal placing round')

The first three categories all relate to pupils placed outside the 'normal placing round' (eg after 30 April, explained further below).

- A. Children whose Co-ordinated Support Plan specifies that they should be educated at the school concerned or children for whom the education authority has recommended an alternative placement.
- B. Children initially refused a place at the school but subsequently on appeal offered a place or because the education authority recognises that an error was made in implementing their placing arrangements for the school.
- C. Children who cannot gain a place at any other suitable school within a reasonable distance of their home when they first move into the area.

10.7 For the purposes of the regulations a child is placed in a school (whether by a request or otherwise), outside the normal placing arrangements if the decision to place him/her at the school is taken after 30 April in the year in which he/she is to start attending school.

10.8 For each of the categories A,B and C the exception is only valid for the year in which the pupil joins the school. This means that although a class is allowed to exceed 25/30 for a particular year, corrective action may have to be taken to comply with the regulations in future years.

10.9 The 'exception' only applies to the class limit of 25/30 for a single stage class and does not affect arrangements for composite classes.

#### 10.10 Excepted Pupils - Group 2 (those who have additional support needs).

The second category of 'exceptions' relates to pupils with additional support needs who receive part of their education in a mainstream class. There are two circumstances in this category:

- (i) Pupils who are enrolled at special schools but who receive part of their education at a mainstream school.

- (ii) Children with additional support needs who are normally educated in a special unit in a mainstream school but who receive part of their lessons in a non-special class.

- 10.11 These pupils can be considered 'excepted pupils' in relation to their mainstream or non-special education, both in the year in which they are placed in the school (whether voluntary or otherwise), and in subsequent years covered by the regulations ie P1 to P3 stages.
- 10.12 In line with Falkirk Council's policy on 'Inclusive Education' it is not anticipated that any child from either category in paragraph 10.10 above will be 'excepted'. These children will be included in classes of no more than 25/30 for stages P1 to P3.
- 10.13 If a child is assessed by the Director of Children's Services to satisfy the 'excepted pupil' criteria a letter confirming the position will be issued to the parent/carer and the headteacher of the receiving school.
- 10.14 If a child is deemed not to satisfy the 'excepted pupil' criteria, the child will be classed as an alternative placement. The child will then be placed on the waiting list and placed in a local school in accordance with the requirements of the alternative placement waiting list.

## **11. TRANSFERRING PUPIL DATA INFORMATION**

- 11.1 When a child enrolls at either primary or secondary school, regardless of which stage, the receiving school is entitled to request that the pupil data information be transferred. This data can be in paper or electronic format.

## **C. PLACING REQUEST POLICY**

### **12. ELIGIBILITY TO MAKE A PLACING REQUEST**

- 12.1 Parents of pupils who are of school age are eligible to make a placing request for their child.
- 12.2 Pupils who are over the school age of 16 are eligible to make their own placing requests.
- 12.3 Parents of pupils who are currently excluded from school are not entitled to make a placing request until the exclusion has been resolved.

### **13. PLACING REQUEST PROCESS**

- 13.1 A placing request must be made in writing. To make a placing request, a parent must complete the placing request application form and return the form to the Director of Children's Services, Children's Services, Sealock House, Inchyra Road, Grangemouth, FK3 9XB. The application form identifies all the relevant details that are required for assessment of the priority of placing requests.
- 13.2 A placing request can be submitted at any stage of a child's education.
- 13.3 With regard to placing requests for Primary 1 and Secondary 1 stages, Children's Services will place an advertisement in the local press and advertise in schools and other education/council facilities on the first Thursday in December each year to advise parents of the relevant timescales to be followed in respect of placing requests for places in P1 and S1 years. The timescale for the submission of placing request application forms will state that the final date that applications will be included in the current round of requests will be 15 March each year. 15 March is referred to as the 'cut-off' date for applications to be submitted.
- 13.4 A parent making a placing request for P1 and S1 prior to the 'cut-off' date, 15 March, will be notified of the outcome of their placing request in writing by 30 April. Parents making placing requests for P1 and S1 received after the 'cut-off' date (15 March) will be notified within two months of the date of their request. Requests for P1 and S1 received after the 'cut-off' date will be prioritised after those submitted from the first Thursday in December to 15 March.

By way of example, if a placing request is received after the 'cut-off' date (15 March), regardless of the content of the application ie whether the child has a sibling at the school requested, or attended the requested school nursery, the application will be prioritised below those received prior to 15 March and only on the basis of date and time of application.

- 13.5 Children's Services will then assess all the placing requests made for each school within the Falkirk Council area. If there are more requests made for places at a school than there are places available, then Children's Services will apply its prioritisation process.

## **14. PRIORITISING PLACING REQUESTS**

- 14.1 Placing requests must be submitted in writing to the Director of Children's Services. This is done by completing a placing request application form.
- 14.2 If Children's Services receives more requests for admission to a particular school than it is able to meet within the accommodation and staffing available at that school, those requests will be dealt with in accordance with the priorities listed A-D below. Where at any stage the application of those priorities results in unresolved competition for places, those competing requests shall be determined by the application of the sub-criteria shown.
- 14.2 Where a request is made for admission to enter P1 or S1 at the start of a school term, the following prioritisation and sub-criteria will apply (ie children in category A will have priority over children in category B etc).

**A. Children identified as being in need of educational provision available at a particular school.**

This includes both children with a Co-ordinated Support Plan and children who require to attend specific Falkirk Council education provision to meet their additional support needs.

**B. Children resident within the catchment area.**

**C. Children resident outwith the catchment area but within the Falkirk Council area.**

**D. Children outwith the Falkirk Council area**

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 primary school or attending a feeder primary school for the specified secondary school.
- (vi) Date and time of receipt of placing requests at Children's Services, Sealock House, 2 Inchyra Road, Grangemouth, FK3 9XB.
- (vii) Where all the above criteria have been applied and there is still unresolved competition amongst placing requests, a ballot will take place.

- 14.3 Parents may wish to be aware that class capacities at different stages of education are limited to 25, 30 or 33 pupils with certain exceptions (see sections 10.3 to 10.10).

This may impact on a school's ability to accommodate parental requests for enrolment.

## **15. DECISIONS ON PLACING REQUESTS**

- 15.1 Where a placing request is received by Children's Services prior to 15 March in any year, relating to a request to start a school in the following August, then the Education Authority will provide parents with a written decision by 30 April.
- 15.2 In any other case, the Education Authority has a period of two months from the date of receipt of the request to provide parents with a written decision about the placing request.
- 15.3 If the Education Authority refuses to grant the request, reasons will be given in the written decision.
- 15.4 While it is Falkirk Council's policy to provide a written decision, the law states that if a parent has not received written notification of the Education Authority's decision by 30 April in the case of requests received on or before 15 March, or within two months of receipt in other cases, the request is deemed to have been refused.

## **16. HOLDING A PLACING REQUEST**

- 16.1 Once a placing request has been granted the child must commence attendance within two months of offer or it will be withdrawn, as it is unlawful for an Authority to reserve places other than in accordance with the circumstances outlined in Paragraph 16.3. The two months limit will not apply to placing requests granted following the annual advertisement procedures for enrolment in P1 and S1.
- 16.2 If a placing request has been offered to a child who has yet to attend the chosen school (within the two month period), any subsequent placing requests from siblings will only be given sibling priority for the two month holding period.
- 16.3 For pupils currently attending school, and who wish to transfer to their chosen school at the beginning of the new session in August, a placing request can be submitted four months prior to the commencement of the new session in August. The place must be taken up within 2 months of being granted. Where the 2 month period expires during the summer holidays then the place must be taken up immediately after the school summer holidays.

## **17. REASONS FOR REFUSAL OF A PLACING REQUEST**

- 17.1 The Act states that a placing request must be granted unless any of the following circumstances apply:
  - (a) if placing the child in a specified school would:
    - (i) make it necessary for the Authority to take an additional teacher into employment;
    - (ii) give rise to significant expenditure on extending or otherwise altering the accommodation and/or facilities provided in connection with the school;

- (iii) be seriously detrimental to the continuity of the child's education;
  - (iv) be likely to be seriously detrimental to order and discipline in the school;
  - (v) be likely to be seriously detrimental to the educational well-being of pupils attending the school.
  - (vi) assuming that pupil numbers remain constant, make it necessary, at the commencement of a future stage of the child's primary education, for the authority to elect either to create an additional class (or an additional composite class) in the specified school or to take an additional teacher into employment at that school; or
  - (vii) though neither of the tests set out in sub-paragraphs (i) and (ii) above is satisfied, have the consequence that the capacity of the school would be exceeded in terms of pupil numbers.
- (b) if the education normally provided at the specified school is not suited to the age, ability or aptitude of the child;
  - (c) if the Education Authority have already required the child to discontinue his/her attendance at the specified school;
  - (d) if, where the specified school is a special school, the child does not have additional support needs requiring the education or special facilities normally provided at that school.

## **18. STANDING LIST**

- 18.1 The Standing List is a list of refused placing requests made during the normal round of placing requests.
- 18.2 A child whose placing requests are refused during the normal round of requests from December to 15 March will be entered on a list. This will be held from 30 April or the date of the decision, if earlier, to the last day of the academic year applied for. This list will be called the Standing List. Any places which become available between 30 April and the last day of the new academic year will be offered to those children on the Standing List in priority order.

## **19. APPEALING THE REFUSAL OF A PLACING REQUEST**

- 19.1 Under Section 28C(1) of the Act parents whose placing request has been refused are entitled to appeal the Education Service decision, in the first instance, to the Education Appeals Committee established under the terms of the Act.
- 19.2 This right of appeal only applies to placing requests made to primary and secondary schools. It does not, however, apply to any decision Children's Services makes regarding requests to enrol a child in nursery provision.
- 19.3 A parent may request an informal meeting with an officer of Children's Services at any time, either before or after a placing request is refused or is deemed to be refused. At this meeting the officer will explain the position of Children's Services to the parent. This is entirely without prejudice to parents' statutory rights of appeal.

- 19.4 In the first instance an appeal should be made to the Chief Governance Officer, Municipal Buildings, Falkirk, FK1 5RS. The appeal should take the form of a letter stating that a placing request has been refused and that the parent wishes to appeal the decision stating their grounds of appeal.
- 19.5 An appeal must be made within 28 days of receipt of the refusal, or, in the case of a deemed refusal, within 28 days of either 30 April for requests made during the normal round of placing requests, or the expiry of two months following the date of the request, as the case may be.
- 19.6 Only one appeal, in respect of any particular child, will be considered in any twelve month period, although more than one placing request can be made in that period.
- 19.7 Where an appeal has been submitted to the Education Appeals Committee or the Sheriff Court, available places at school will continue to be allocated based on the criteria for priority in sections 8 and 14.

## **20. ADDITIONAL SUPPORT NEEDS PLACING REQUESTS**

- 20.1 In this Act, 'additional support' means:
- (a) in relation to a prescribed pre-school child, a child of school age or a young person receiving school education, provision which is additional to, or otherwise different from, the educational provision made generally for children or, as the case may be, young persons of the same age in schools (other than special schools) under the management of the education authority for the area to which the child or young person belongs;
  - (b) in relation to a child under school age other than a prescribed pre-school child, such educational provision as is appropriate in the circumstances.
- 20.2 Within Falkirk Council specialist provision is available. Placement in a specialist provision is normally carried out through an assessment process. This process will specify the type of provision considered best to meet the child's needs. The information collated will be considered by the Pupil Support Resource Group and a suitable placement will be nominated.
- 20.3 A placing request may be made by parents of children with additional support needs. In addition to being able to make placing requests to schools managed by education authorities, parents of children with additional support needs may apply to place their child in a special school outwith the local authority sector.
- 20.4 In the case of a placing request made to attend a school outwith the local authority sector relating to a child with additional support needs, the following additional grounds for refusal from the Act apply:
- (i) if the specified school is not a public school;
  - (ii) if the Authority is able to make provision for the additional support needs of the child in a school (whether or not the school is under their management) other than the specified school;
  - (iii) if it is not reasonable, having regard both to the respective suitability and to the respective cost (including necessary incidental expenses) of the provision

for the additional support needs of the child in the specified school and in the school referred to in paragraph (ii), to place the child in the specified school; and

- (iv) if the Authority has offered to place the child in the school referred to in subparagraph (ii).

20.5 Parents should note that in reaching decisions on the appropriate placement for pupils with additional support needs, the authority requires to comply with the duty to provide school education in mainstream schools except where certain circumstances arise. The authority requires to presume that the circumstances will arise only exceptionally. The circumstances are that to provide education for the child in a school other than a special school:

- (a) would not be suited to the ability and aptitude of the child;
- (b) would be incompatible with the provision of efficient education for the children with whom the child would be educated; or
- (c) would result in unreasonable public expenditure being incurred which would not ordinarily be incurred.

These provisions are contained in section 15 of the Standards in Scotland's Schools etc Act 2000.

20.6 A child or young person has additional support needs for the purposes of this Act where, for whatever reason, the child or young person is, or is likely to be, unable without the provision of additional support to benefit from school education provided or to be provided for the child or young person.

## **D. OTHER ISSUES**

### **21. FALSE INFORMATION**

- 21.1 Information supplied by a parent/carer for the purposes of admission or placement at a school may be subject to verification checks and further investigation by Children's Services.
- 21.2 Children's Services may require parents/carers to provide supporting evidence to confirm residence arrangements.
- 21.3 Any information supplied by a parent/carer that is found to be false or misleading, may result in the withdrawal of the place granted at school.

### **22. CONTINUED ATTENDANCE**

- 22.1 Once a child has secured a place at their catchment area school, they are entitled to continue to attend that school even if their family moves outwith the catchment area but remains within Falkirk Council boundaries. Transport is not normally provided for children living outwith their catchment area, except where a child is at secondary school and has commenced courses towards their national qualifications. This will be in S4 and both subsequent years (S5 and S6), and is generally from the Start of June when the child is still technically in S3, but has started their S4 studies. These stages at school are considered by Falkirk Council to be essential to the continuity of the child's education and transport may be provided in this circumstance to minimise disruption. Transport entitlement to assist continued attendance is not provided for children moving outwith the Falkirk Council boundary. Distance entitlement and safety criteria apply in these cases.

### **23. TRANSPORT**

- 23.1 A full outline of the Council's policy in relation to transportation issues can be found in Children's Services Transport Policy. Copies of this document are available from Children's Services, Sealock House, 2 Inchyra Road, Grangemouth, FK3 9XB.
- 23.2 Under the Act, an education authority has a discretionary power rather than a duty to provide school transport for pupils attending schools as a direct result of a successful placing request. Accordingly, Falkirk Council does not normally provide school transport in such circumstances.
- 23.3 Placing requests made in circumstances where Children's Services are satisfied that a change of school is necessary to protect the emotional, physical or educational well-being of the child may be considered for transport costs at the discretion of the Director of Children's Services.
- 23.4 In considering whether or not to provide transport, Falkirk Council will take safety issues into account.

## **24. RESERVED PLACES**

- 24.1 The Act (as amended) states that the duty to accept a placing request in respect of a child who is resident outwith the catchment area of the specified school does not apply where this would prevent the education authority from retaining reserved places at the specified school or in relation to a particular stage of education at the school.
- 24.2 Reserved places means the number of places, in the opinion of the education authority, which are reasonably required to accommodate pupils likely to become resident in the catchment area of the school.
- 24.3 Reserved places will be defined annually on an individual school basis, taking into account the previous history of enrolments in the school, the history of additional enrolments which occur during the school session and the projected number of new houses to be built in the school's catchment.