

**Schools, Learning and Education
Review of Placing Request Policy
Schools (Consultation) (Scotland) Act 2010
Report on consultation – August 2022**

1. Introduction

1.1 This is a consultation report prepared in compliance with the Schools (Consultation) (Scotland) Act 2010 following consultation on the Council's proposal to amend the Placing Request Policy for mainstream schools (primary and secondary).

1.2 The purpose of this report is to:

- Provide a record of the total number of responses received during the Statutory Consultation period;
- Provide summary of the written responses;
- Provide a full transcript of the public consultation meeting held on Wednesday 10th November as an Appendix to this report and a summary of the oral representations made during that meeting within the main text of this report
- Provide the full text of Education Scotland's report;
- State how the Council reviewed the above proposal following the representations received during the Statutory Consultation period and the report from Education Scotland;
- State how the Council has complied with Section 9(1) of the Schools (Consultation) (Scotland) Act 2010 when reviewing the above proposals.

2. Background

2.1 On 30 September 2021, Children and Young People Committee agreed to commence formal consultation on a proposal to vary the placing request criteria in respect of handling placing requests for primary and secondary schools in accordance with the (Schools) (Consultation) Act 2010.

3. The Consultation Process

3.1 In accordance with the proposal paper and with the (Schools) (Consultation) Act 2010, the consultation was carried out as summarised in the table below:

Process	Date
Consultation document issued to: <ul style="list-style-type: none"> a) the Parent Council or Combined Parent Council of any affected school, b) the parents of the pupils at any affected school, c) the parents of any children expected by the education authority to attend any affected school within two years of the date of publication of the proposal paper, d) the pupils at any affected school (in so far as the education authority considers them to be of a suitable age and maturity), e) the staff (teaching and other) at any affected school, f) any trade union which appears to the education authority to be representative of the persons mentioned in sub-paragraph (e), g) the community council (if any), 	18 October 2021

h) the community planning partnership (within the meaning of section 4(5) of the Community Empowerment (Scotland) Act 2015) for the area of the local authority in which any affected school is situated, ha) any other community planning partnership that the education authority considers relevant i) any other education authority that the education authority considers relevant.	
Consultation begins through the Engage platform.	18 October 2021
Promotion advising the public of the consultation and date of the public meeting.	w/c 18 October 2021
Virtual public consultation meeting.	10 November 2021
Public consultation ends (6 weeks after public consultation meeting, excluding school holidays).	22 December 2021
Report to Education Scotland on outcome of consultation.	January 2022
Response from Education Scotland on outcome of consultation.	February 2022
Consultation response report submitted to the relevant Committee or full Council as appropriate with final recommendations for consideration.	September 2022

3.2 This Consultation Report is the Council's response to the issues raised during the consultation period on the Proposal Paper. The report will be published on the Council's website for a period of no less than 3 weeks prior to final consideration by Education Services Committee on 22 September 2021

4. The Public Meeting

4.1 A Public Meeting was held as part of the consultation on 10 November 2021 at 6.30pm on Microsoft Teams, with promotion for this meeting being issues from 18 October 2021 onwards. One member of the public, who was a parent of a Stirling Council area school pupil, attended the meeting, along with officers from the Council and a representative of Education Scotland.

4.2 The full transcript of the public meeting is included in this report – Appendix A. This transcript details the issues raised and the responses provided by the Council.

5. Responses to the consultation exercise

5.1 In total, 78 responses were received to the online consultation survey. Of these, 90% indicated they were Stirling Council area residents, with 10% residing outwith Stirling Council area. In relation to the question around the capacity in which they were responding to the survey, 87% of respondents indicated they were parents/carers, 10% indicated they were Stirling Council staff and the remaining responses were from other members of the public.

5.2 The table below provides a summary of the responses to the questions contained in the online survey:

Do you agree or disagree with the amendment?	Agree	Neither agree nor disagree	Disagree	Not sure	Did not answer
1. To split placing requests into 2 groups as follows: Group A: Pupils resident within the Stirling Council Area or; Pupils resident outwith the	51 (65%)	10 (13%)	12 (15%)	4 (5%)	1 (1%)

Stirling Council area with a sibling attending the same establishment for the session the application is being made Group B: All other pupils resident outwith the Stirling Council area					
2. To extend the medical grounds criteria to include Additional Support Needs (ASN) as follows: Medical/ASN grounds relating to the child making the application, such that the chosen school is the only school that could provide for the child. These must be supported by documentary evidence from the family doctor and a local health practitioner. The Service Manager with responsibility for ASN will assess all applications seeking to receive recognition under this category.	57 (73%)	10 (13%)	4 (5%)	3 (4%)	4 (5%)
3. To clarify that Placing Request applications received on 15th March would be given a response by 30th April.	64 (82%)	7 (9%)	1 (1%)	1 (1%)	5 (6%)
4. To clarify that placing requests made from outwith Scotland will only be considered if suitable proof of imminent residency in Scotland and outwith the school catchment area is provided.	56 (72%)	8 (10%)	6 (8%)	3 (4%)	5 (6%)
5. To introduce a waiting list system where it is not possible to approve all placing requests, with placing requests on the waiting list ranked as detailed in the amended Placing Request Policy.	51 (65%)	6 (8%)	11 (14%)	5 (6%)	5 (6%)
6. To automatically withdraw allocated spaces at catchment schools for pupils resident in Stirling Council, where placing requests to other Stirling Council schools are granted. Any parent/carer who wished to withdraw their Placing Request after the request had been granted would be required to submit a catchment enrolment application.	53 (68%)	12 (15%)	6 (8%)	2 (3%)	5 (6%)

5.3 In addition, 24 respondents provided further comments to the online survey. The comments and the Council's response to those comments are included in this report as Appendix 2.

5.4 Within these comments, 2 main themes emerged:

- Respondents felt that Stirling Council residents should be prioritised above all others, whether others had siblings or not (6 comments)
- Respondents felt that far fewer placing requests should be accepted overall (4 comments). Concerns were raised in particular over a 2-tier system with the most popular schools being oversubscribed to the detriment of less popular schools, and 2 respondents raised concerns around the environmental impact of granting placing requests, as parents/carers need to drive much further to get their children to school.

5.5 In addition, 2 emails were received with further comments on the proposal. The content of these emails is also included in Appendix 2. It is noted that both emails were received from the same respondent, who was also the person who attended the public consultation meeting.

6. Education Scotland Report

6.1 In accordance with the (Schools) (Consultation) Act 2010, a report was produced by Education Scotland on the educational aspects of the proposal.

6.2 The purpose of the report is to provide an independent and impartial consideration of Stirling Council's proposal to amend the Placing Request Policy.

- 6.3 A representative from Education Scotland attended the public consultation meeting of 10 November 2021. Education also held 2 follow-up meetings, respectively with Chairs of Parent Councils and Headteachers during the course of February 2022.
- 6.4 The Education Scotland Report is attached in full as Appendix 3 to this paper. The section below is the summary of the report.
- 6.5 Education Scotland found that, overall, stakeholders were supportive of the Council's proposals. They welcomed the additional clarity provided by the amendments to the existing policy.
- 6.6 Education Scotland further recommended that Stirling Council include some information about Gaelic Medium Education in its placing request policy, and that Falkirk Council and Clackmannanshire Council be consulted due to the broad catchment of St Modan's High School, which includes parts of Falkirk Council and Clackmannanshire Council area, before preparing the final report.
- 6.7 Parents, pupils and staff at St Modan's High School were included in the consultation process as detailed in section 2 of this report in the same manner as those of all other Stirling Council area schools, including those who are resident in Clackmannanshire and Falkirk Council areas.
- 6.8 In light of the recommendations from Education Scotland, Stirling Council approached Clackmannanshire Council and Falkirk Council in February 2022. At this time, Stirling Council indicated that it would welcome Clackmannanshire Council and Falkirk Council sharing the proposal document with all relevant stakeholders in their areas, and provided assurance that any feedback submitted by those stakeholders would be included in this report. No response was received from Clackmannanshire Council. A partial response was received from Falkirk Council, which was in support of Stirling Council's proposal, particularly in relation to prioritising the sibling relationships of pupils outwith Stirling Council area.
- 6.9 Information on how to access Gaelic Medium Education (GME) is included in Stirling Council's Admissions to Schools Policy, a review of which was brought to this Committee today. The Council decided that the best way of meeting Education Scotland's recommendation in this respect was to include more detail into the Admissions to Schools Policy, rather than the Placing Request Policy.

7. Compliance with Section 9(1) of the Schools (Consultation) (Scotland) Act 2010

- 7.1 Section 9(1) of the Schools (Consultation) (Scotland) Act 2010 states that:

After the Education Authority has received Education Scotland's report, the Authority is to review the relevant proposal having regard (in particular) to:

- written representations received by the Authority (from any person) during the consultation period;
- oral representations made to it (by any person) at the public Meeting; and
- Education Scotland's report.

- 7.2 Following receipt of the Education Scotland report, 78 online representations, 2 further written representations and one oral representation during the public consultation meeting, officers reviewed the proposal.
- 7.3 The feedback from the consultation was considered by officers where all the questions and comments raised were considered in detail. This ensured that the Council met the requirements to review the proposal under section 9(1) and 13(5) of the 2010 Act.
- 7.4 The proposal was reviewed to consider whether any of the representations led to the Council to reconsider other reasonable alternatives to the proposal.
- 7.5 As a result of this review, officers decided to remove the amendment to create a waiting list for placing requests from the proposal. As stated in one of the written representations,

officers felt that being on a waiting list would prevent pupils from integrating into their current school and result in pupils and families being in a state of high alert, potentially for months or even years in the case of a long waiting list for limited spaces. It was felt that this would be detrimental to the child's wellbeing.

- 7.6 There were no factors included in the Education Scotland report or representations made requiring any aspect of the educational benefits to be reconsidered.
- 7.7 Having reviewed the Education Scotland report and feedback from consultees, officers concluded that the proposal continues to be the most appropriate variation to refine the Placing Request Policy, with the exclusion of the amendment to create a waiting list for placing requests.

8. Legal considerations

- 8.1 The Council has complied in full with the requirements of the Schools (Consultation) (Scotland) Act 2010 throughout this statutory consultation.
- 8.2 Under the terms of the Schools (Scotland) (Consultation) Act 2010, it is a legal requirement that the Council should not reach any formal decision without waiting until a period of three weeks starting on the day on which this Consultation Report is published in electronic and printed form has expired.
- 8.3 As it is the intention that this Consultation Report should be published, both electronically and in written form, if required, on 15 August 2022, this meets the statutory requirement to publish this report for more than three weeks before consideration of the proposal by Children and Young People Committee on 22 September 2022.

9. Conclusion

- 8.1 The Council now has 4 broad options to consider, namely:
- (a) adopt the proposal;
 - (b) withdraw the proposal;
 - (c) amend the proposal in some way which allows the proposal to proceed; or
 - (d) amend the proposal significantly and undertake a further consultation exercise on a new proposal.
- 8.2 The key points that have been highlighted during the consultation period are as follows:
- The report from Education Scotland acknowledges that the proposal has educational benefits and will allow parents to make informed decisions about their child's education and ensure places are allocated in a fair, transparent and consistent manner.
 - Stakeholders who responded to the consultation were generally positive about the Council's proposals and the vast majority of those consulted have raised no issues or opposition to the proposal. Issues raised were fully considered.
 - Stakeholders welcome the increased clarity that the proposals bring.

10. Recommendations

- 10.1 On the basis of the feedback received, it is concluded that the proposal be submitted based on the proposed changes, with the exclusion of the amendment to create a waiting list for placing requests. It is recommended that the Council approves the proposed changes to the Placing Request Policy for Stirling Council Schools to be implemented from 22 September 2022.

11. Appendices

Appendix 1 – Public Consultation Meeting Transcript

Appendix 2 – Written representations and Council Response

Appendix 3 – Further written representations and Council Response

Appendix 4 – Education Scotland Report

Appendix 1
Placing Requests Public Consultation Meeting – Wednesday 10 November 2021,
6.30pm
(Microsoft Teams meeting)

Bryony Monaghan	That was very quick sometimes it takes a wee while for the recording to start so that has happened right away which is excellent. Thank you Moyra. Ok, so first of all I will just say I am Bryony Monaghan, Interim Head of Education. I am just going to help with introductions and so on of the people who are here from the Council who will help us out today with the process and I think we can probably do full introductions given that we have got quite a limited attendance at the moment. So using the names in the chat bar if people are able to see that, the names are in the as well we will just go down in order
Isabelle Smit	Hi, I'm Isabelle Smit, I am the Forward Planning Officer for Stirling Council and placing request policy falls within my remit.
Moyra McLaren	I am Moyra McLaren and I am the Acting Forward Planning Officer or at least I was while Isabelle was off on maternity leave.
Aileen More	I am Aileen More and I am the Team Leader in the Resource and Business Team within Schools, Learning & Education of which Forward Planning and this type of thing falls under my remit.
Ally McLeod	Hi, Ally McLeod, Service Manager, Senior Phase and Youth Participation
Carolyn McDaid	Evening, I am Carolyn McDaid, I'm a Service Manager within Education as well
Parent	Should I introduce myself?
Bryony Monaghan	Hang on a minute sorry yes please but in a moment, sorry we've also got Joyce here. Joyce?
Joyce Campbell	Hi. I'm Joyce Campbell. I do the admin for the placing requests.
Bryony Monaghan	Great thank you very much. Ok, yes, I think that would be great, if you didn't mind.
Member of the public	Yes sure so I'm [name redacted]. I've got a Primary 2 son. I'll try not to say which school because it doesn't matter really, but the year he is in is at absolutely full capacity, maximum class size which is part of what has motivated me to come along tonight.
Bryony Monaghan	Good thank you very much and Gary?
Gary Johnstone	Hi, good evening, Gary Johnstone from HMIE from Education Scotland. Thank you I was just getting a wee bit of sustenance delivered there.
Bryony Monaghan	Good, well done. Good. Ok, thank you so that is our full set of introductions if anybody joins given the low numbers we'll maybe pause and allow them to introduce themselves as well and catch them up slightly with where we are up to in the process but we all know who is here and I'm handing over now to I think Isabelle.
Isabelle Smit	Yes, thank you Bryony. So I am just going to give a little summary and a little bit of background into why we are making these changes to the policy. So the right for a parent or carer to choose where their child or young person in their care gets educated which school they go to is set in law in the Education Act Scotland 1980 and as per that Act local authorities are required to have arrangements in place to manage the process for placing requests. We have a placing request policy at the moment and this consultation, of which this meeting is a part, is to look at 5 specific changes to that policy and those changes, the reasons why we are making them is to make sure that we are compliant with the Act in a legal sense and also just there are a few very, very small changes and they are just to provide further clarity for the people who use the

	<p>placing request service. So I'll just very briefly go through those 5 specific changes. So the first one is a proposal to amend the criteria that we use to rank placing requests. Up until now we have always had group A which is people who are resident within the Stirling Council area and Group B which is people who are not resident in Stirling Council. However, the Act says that arrangements which give priority to siblings of pupils already attending the desired school shall not discriminate between siblings belonging to the area of that Education Authority and siblings belonging to the area of another Education Authority. So at the moment within our the criteria Group A, which is Stirling Council pupils, takes precedence and within that there is some sub criteria and one of those is whether or not a pupil has got a sibling at that school. So because we do use that criteria, to be compliant we need to not discriminate against everyone and the proposal is therefore for pupils who have a sibling at the school even if they live out with the area to go into Group A so those that are considered as a priority. So that was the first change. The second change is that we are looking to extend the medical grounds criteria to include exceptional ASN requirements such that the chosen, sorry ASN - Additional</p>
Bryony Monaghan	Support Needs
Isabelle Smit	<p>Thank you, I actually just had a wee blank. Apologies we say ASN so often and then I thought I don't want to go with the jargon. Thank you Bryony. So exceptional ASN requirements such that the chosen school is the only school that can provide for the child. So the reason that we are doing this is where a parent or carer feels that there is one specific school that for reasons or the way the school is laid out or for any reason the staff for whatever reason that their child needs to go to that school so that those specific additional support needs can be met. The third reason is to clarify that placing requests made from out with Scotland would only be considered if we can get suitable proof of imminent residency in Scotland and again that is to be compliant. We can only start processing them once the pupil is in Scotland or if they are about to be in Scotland very soon. To introduce a waiting list system where it is not possible to approve all placing requests and the waiting list system would go along the same criteria as we have already mentioned and finally to automatically withdraw allocated spaces at catchment schools for Stirling Council pupils where placing requests to other Stirling schools are granted. That again is just to make the process smoother and fairer to all pupils and just to ensure that the places are all suitably allocated to the people who need them. So those really are the 5 changes that have been made to the policy and so those are the ones that we are consulting on tonight and in the wider consultation that is happening around this.</p>
Bryony Monaghan	<p>Thank you Isabelle. So I suppose it is just to clarify that they are are the changes that are proposed to be made and yeah the views we receive in the consultation are informing that process as we go. Ok, thank you very much Isabelle, so at this point then we would be opening the floor to views and any questions and having a bit of a conversation from here perhaps about the points that people would like to ask about or share their view about in terms of these 5 areas of change and the Placing Request policy. So this is where you are on the floor and maybe make the point again that you made before we started amongst other views that you would like to share with us.</p> <p>Dearie me.....ok, so</p>

Member of the public	Apologies, I lost bandwidth but I am back on now so apologies
Bryony Monaghan	Good, I'm not sure how much you missed but we were just opening the floor to views and questions and I was just saying, suggesting that you might like to make again the one you made because that would be a relevant one for us to have recorded as part of this process.
Member of the public	So first of all my motivation for being on the call is that my son is in a class that is absolute maximum class size due to a volume of placing requests. So his class has I think at least 5 placing requests and from my perspective I'm interested in what is the hurdle or criteria for somebody to be granted a placing request. It feels like the requests continue to be granted and the only deterrent for saying no is once you reach a maximum class size. So that is my motivation for being here tonight. In terms of the initial proposal it talks about sibling and within broken Britain it might be worth being careful you are not discriminating there. So, I think a sibling is someone that shares at least one parent but you have got all sorts of complex scenarios so I don't know whether sibling might be discriminatory to certain children so it is worth thinking what that means and whether you want to define that as I think the legal interpretation is someone that has at least one parent but that can mean different things in Broken Britain. The extreme scenario I gave was if you had an emergency refugee who was put into a catchment area for housing but that school was at full capacity, now if I interpret your proposals literally they have not indicated in advance, they can confirm residency but they are not confirmed that they want to attend a different school in a different catchment area and if they apply before whatever date in March you will let them know by some date in April but I am sure there are other protocols there and I'm sure the child will be educated so that is one point.
Isabelle Smit	I'm happy to answer that point now and then maybe move onto the other points that you had asked around the grounds that we can refuse a placing request. So for your first point specifically with refugees, actually we do have protocols in place in the council where we have an officer who works with all of the refugees and actually this person does a lot of work ahead of time before they are due to arrive so they are in a known scheme and we would do our absolute utmost for them to be educated in their catchment primary school if that is what they wanted and the onus is absolutely on us as a Council should there be any lack of space at the catchment school the onus is on us to find an alternative to which we would transport the child in question and we would make those arrangements. We do have an extensive scheme in place and we do hear about all of these cases ahead of time and as I say we do quite a lot of work sort of preparing that because we do understand how important it is for them to have that certainty and to know that when they arrive where they will be going and to sort of get that sense of security. So that answers very much specific to the refugee case but it would not be the case that any refugee would not receive education from as soon as they arrive in the country because of any catchment being full we would ensure ahead of time that they were placed suitably in one of our schools.
Member of the public	Ok, placing requests typically result in a lot more travel by car. You know, they are often beyond walking distance. The school that my son goes to there is a level crossing nearby and a lot of the placing requests result in the parent who is doing drop offs and pickups crossing a level crossing, the most dangerous car junction, 4 times and there is also queuing of traffic at the level crossing which creates pollution which isn't good for asthmatic children. What I'm witnessing first hand is children

	<p>given placing requests from the off, that don't already have a sibling in the school for reasons as simple as my child happened to attend a private nursery and some of their friends are going to this school. So that seems to be criteria as simple as that in practice can give you a place and what it is doing is generating a lot of traffic. A lot more car journeys rather than journeys on foot. It creates traffic pinch points, there is a lot more pollution around the school as a result and more dangerous car crossing points. So it is just to flag that point.</p>
Isabelle Smit	Ok, so
Bryony Monaghan	Can I just
Isabelle Smit	Of course
Bryony Monaghan	<p>I'll come in briefly first if that is ok just to really say that as kind of explained at the beginning there is legislation around the placing request process so that you know every child has a right to request to attend any school and then it comes down to the criteria and consideration of whether a place can be provided. So I'll maybe ask then Isabelle to come in to say a little bit more about that criteria and what we are hoping to do alongside this change to policy as well</p>
Isabelle Smit	<p>Exactly so as Bryony is saying actually you don't need to give a reason at all in order to put a placing request in. You mentioned some reasons such as being with friends or so on. The Scottish Government says that no parent needs to provide a reason at all it is purely about where they wish, parent or carer my apologies, about where they wish their child or young person in their care to be educated so that right to choose is enshrined in law. I completely take your point about the additional transport. In Stirling Council we do try and work with parents, not so much to encourage because we absolutely do respect the right to choose, but where a parent may feel uncomfortable with their catchment school for whatever reason we do try and work through that. We encourage families to meet the catchment school headteacher and so on. We very much encourage that just to make sure that they are not putting a placing request that may make things harder for them as a family in terms of transport and so on for a reasons that could be solvable but it absolutely does remain their right to choose. And then I'm just going to touch on the grounds for refusal which you have asked about so the grounds for refusal are formalised in law. So they are written down you know word for word in law which grounds we are able to use. As you have mentioned one of them is you know reaching class size maxima or breaching capacity at school so we are able to refuse the placing request if accepting that placing request meant that we needed to create an additional class or employ an additional teacher so then we would refuse a placing request. There are actually a number of other grounds on which we have to refuse placing requests and as I say those are you know available and are determined in law by Scottish Government and I think you are right to say that they are fairly limited and the reason that they are limited is again to support the right to choose from the parent where their child is educated wherever possible.</p>
Member of the public	<p>So it sounds like the main kind of binding criteria one of them is maximum class size so that could be a trigger. The maximum class size is the same as it was pre-Covid so children are behind. If all things are equal if you have got a class size of 30 versus 25 that one sixth of a difference is a big difference in terms of the learning environment and the amount of one to one teaching that their lead teacher can provide. If a school is more popular for whatever reason and people are wanting to do placing requests that school will inevitably be at full capacity, the school neighbouring in a different catchment area might have more</p>

	<p>manageable numbers so my observation to feed up the chain: the law is the law we aren't going to change that here tonight but there has to be some recognition that post COVID you need to try and flatten and level out the educational opportunities so certain people might have a preference for a particular school who don't live anywhere near and you have to honour that legally but it sounds like you do have some refusal reasons but there has to be recognition we are in exceptional times. I have a young child and his class is absolutely full and those children have quite a wide range of input because so much of their education has been at home and not in a classroom environment that the disparities have grown. The maximum class size stands but the criteria that you are applying is we need to be letting people in here until we reach 30. Until it reaches a maximum we can't say no whereas you have got another school where the numbers are more manageable so that is my main motivation for being on tonight. I can't change the law but I think it is worth feeding that up the chain, you guys are better connected than I am.</p>
Bryony Monaghan	<p>Thank you very much, and there are, you know, it is a challenging legislation in some ways but it's purpose has always been to give parental choice a maximum priority but perhaps it would be helpful to say a little bit more about reserved places and other aspects of this. I don't know who is best placed, Aileen or, to say a bit about that.</p>
Isabelle Smit	<p>I'm happy to do it unless you want to Aileen but I am also happy for you to.</p>
Aileen More	<p>No, on you go Isabelle</p>
Bryony Monaghan	<p>Thank you</p>
Isabelle Smit	<p>So yeah I'll just touch on a mechanism that we do have to I think it is to try and ensure that catchment pupils get a place at their catchment school and that is through reserved places so that is something that we can use legally which is great and very useful. So we do analysis every year and we try and get an understanding of, for every school catchment, is it very popular, do lots of families tend to move in during the course of the school year and if that is the case and if we know of you know particular house builds that are happening in a catchment we are in a position where we are able to reserve spaces and refuse placing requests on that basis. So if let's say a P2 class was sitting at 26 or 27 in a school where we were aware that there is high demand, you mentioned some schools are extremely popular and you are certainly right about that, we are able to reserve those 3 or 4 last spaces and refuse any placing requests that come in on top of that and the reason we are reserving those is in order for any catchment pupil that moves into the area to get that space. But actually we are reserving those for the whole school year and we fully know that maybe no one is going to move into the catchment until April and that is a very useful way of giving ourselves a bit of breathing space and just for those classes not to be completely full right from the start of the year. What I am also going to say, I know you have been saying you have got a pupil in P2 but I think he also has an older brother, or this will be relevant maybe further down the line but we are looking as well to try and manage sort of excessive migration through placing requests from some of our Stirling High Schools to others which is something we are aware of and to sort of manage that on the longer term. We are looking to start capping the number of S1 pupils at different high schools and that is exactly what you are saying to just try and level the playing field and try and make sure that there aren't schools which really are bursting to the point where that creates problems later on and prevents us from giving the best</p>

	education we can to those young people. So I guess what I'm trying to say is we certainly are aware of some of the points that you were making and within the legislative powers that we have we are trying our best to respond to that and to put things in place to continue to provide a great education for everyone.
Member of the public	It's fantastic about this reserved places. I've yet to see to see it. So my son is in maximum class size in Primary 1 and then Primary 2 if there had been some hypothetical reserved places that might have given him some slack at least from the start of the year. Ok what about funding. So if somebody decides late in the process I don't know what date it was in March so somebody says on the 10 th March I'm going to submit a placing request and then that is approved in April, in terms of funding that person's move from their catchment area into another, does the funding move with them reliably in terms of paying for that school place and the extra resource that goes to that school that the child is actually attending?
Bryony Monaghan	That's quite, Aileen thank you, that's
Aileen More	So the funding around about education is not based on, not based on 15 th March. We do a pupil census in September every year all authorities do that and that is what our funding is based on so the number of pupils that we have in the school in September census.
Member of the public	And that's based on the catchment, that's based on on how many children
Aileen More	No, that's based on who we have got regardless of whether they are catchment or placing request
Member of the public	Ok, so I think you are talking about pupils on the school roll. So let's say its nursery, aged 4, somebody going into P1 which is where a lot of the placing requests start to kick off. For that one year, somebody puts in a placing request late in the day but meets your criteria for P1 does the funding follow them into P1?
Bryony Monaghan	Census takes place in September after they have started in P1 to inform the funding formula by the number of actual pupils attending the school and obviously from time to time someone will move into the school mid-year but that doesn't happen at such a level that it causes a specific problem around what you are describing.
Member of the public	Ok, it sounds like the schools that are the most popular, if a school takes on a placing request in P1 they may not get funding for that, it might be recognised in P2 because your census the following year will sweep up the school roll.
Aileen More	Yeah, so the census is funding for the year ahead so there have been placing requests the year before in a school that was popular then the numbers will have been taken account at that point in time so the funding, you know, isn't exactly on, it's on a moment in time in September is when our funding is based. It's not based on, you know like we don't update it every 6 months or every term or anything like that. It is done for the whole of the year.
Member of the public	Ok, the law is the law and I need to deal with that. In terms of things that are within your control, catchment boundary areas could be. So in my written submission I've named a street which I believe its catchment school is not the nearest school, so there is a school nearer to it. The children also have to cross a level crossing to get to the catchment school. So the school my son attends is absolutely bursting. All the class sizes are maximum to the limit but within the catchment area there are streets where there are schools that are nearer and those schools are not as busy and also it is a safer journey. Does that make sense? It will maybe be clearer in the written submission. Catchment area could

	<p>be within your control. Now changing catchment area is contentious but if a boundary change applied to children yet to be born within that street, it is more manageable. It might be a mechanism by which to help flatten the peaks in class sizes in some schools relative to neighbouring schools if that makes sense.</p>
Isabelle Smit	<p>Yeah, that a good point you are making. We are aware of the catchments and you are right most of the time you know, 90% of cases your nearest school is your catchment school geographically speaking. There are certainly anomalies to this where the way the catchments have been formed historically you happen to be going to a catchment school that is slightly further away than your nearest school so that absolutely does happen. You are right re-catchment schools is a fairly contentious matter that does involve a full public consultation and obviously gathering the views of everyone involved. It is something that we do consider as part of the measures I was talking about in my previous response as part of our awareness of different pressure points and there is a lot of house build that is going to be happening over the next 10 years in certain specific catchment areas and as part of that we are absolutely not averse to looking at catchments and re-zoning those so you are correct it is in our arsenal of mitigation methods that we can use. Obviously there is whole range of factors that will come into play in some schools that you mention may not be busy yet but we are aware that there could be capacity pressures there further down the line because of that house build that I was mentioning but we do look ahead you know we do forward planning projections for 10 years and sometimes 40 years believe it or not so we certainly do try and keep an awareness of that and where that might help.</p>
Member of the public	Ok
Bryony Monaghan	Thank you Isabelle
Member of the public	I just want to look over my e-mail
Bryony Monaghan	You do that, take your time
Member of the public	Yeah, whatever way you package it up my child is got absolute maximum class size and it looks like that will be the case for the foreseeable future because you need to keep allowing placing requests until that maximum is reached. But that's fine, you do planning. Ok
Bryony Monaghan	It might be helpful, I don't know it might be helpful just to say a little bit more about how we do plan staffing etc around schools. Carlyne might be able to come in with some information around that. I suppose we have a responsibility to be also efficient in our planning and make sure that we are delivering good value for the public pound if you like as well as considering all the other matters you have talked about so there is really a great deal of work goes on in terms of planning classes each year in our schools as well. Carlyne if there is anything you could add?
Carolyne McDaid	It is interesting. I've just been sitting thinking while you have been talking there. So, I am a former primary school headteacher and my school was a school that had a lot of placing requests and many classes that were nearer capacity shall we say. And I used to consider us a sort of busy thriving school and actually the fact that we had lots of people want to come to our school was a real positive and I suppose, and research will demonstrate this too, or tends to demonstrate this too, it is actually about the quality of learning and teaching that is most important, the size of the class, while we are hearing what you are saying, the quality of learning and teaching, the ethos of the school, the activities

	<p>that are going on are much, for me, more important than the actual number of children in the class. So that is just a wee perspective from a former Headteacher.</p>
<p>Member of the public</p>	<p>I think I guess you might have been a headteacher maybe pre-Covid. We are in an exceptional time here. The classroom teacher has to wear a facemask throughout the day and that doesn't help children that are struggling, that are maybe looking at their mouth in terms of you know communication so for certain years the teacher has to wear a mask all day which isn't great for their breathlessness over the course of the day in terms of managing 30 lively children. There are a lot more controls and constraints as a result of COVID. There is a lot less movement throughout the school so younger children can become more kind of boisterous. The maximum class size stands, it is what it is. The divergence in ability has never been as marked as now because as a result of Covid my son, who is in Primary 2, has missed a big percentage of his classroom based education. The maximum class size stands and there are huge placing requests and there is probably a queue as well. The neighbouring school doesn't have the same class size. I agree with what you are saying, the culture, the ethos but actually what it is it is the parent perception of what might be happening which may or may not be true. It is the parent's perception and they have got the right to request and that is what is driving this. But you are right, the culture, ethos is all good. All things being equal you have to accept that a bigger class size is not in anybody's advantage. You know a class size of 25 is better than a class size of 30, if all things are equal. There comes a point where it becomes more unmanageable and what I'm trying to flag is with COVID there are all sorts of disconnects. Some parents were able to give more input than others. There are more children that need extra support. The funding is the same though, it's unchanged, the maximum is unchanged. And, so all I'm doing is flagging is that you have got a lot of placing requests on journeys that aren't safe, based on parent perception. That's the law that's their right and whilst you talked about having a reserved place thing, I'm not seeing that in practice but there could be other things. I don't doubt the sophistication of your modelling of housebuilding etc. So, I guess my question then is. I've been clear about my circumstances. These proposals that you are making, are they making it any less likely or more likely that in future years that placing requests are going to keep applying to my sons' school with the only deterrent being a maximum class size?</p>
<p>Bryony Monaghan</p>	<p>I'll maybe just come in a bit there and rather than go straight to your question which we will get to, it was just to come in on a few of the other things you had said. You are absolutely right again, of course COVID has had and is having an impact on our schools. I mean, first of all I would say it has an impact right now on how we are carrying out our business and there are a number of different ways in which we will work differentially to support children who are impacted by that COVID challenge the most and to support all children in terms of the work that we do. There is additional funding that we have and are using to full effect that has come in because of COVID so that is a different question from the one about does funding follow that child who comes in immediately or does it follow later but funding does follow the COVID challenge and does enable us to carry out a lot of work and we are doing that absolutely with good clear data emerging at the moment about where and how we can best tackle that. So there is that aspect so you know to address some of the concerns that you are expressing. I guess, in terms of your actual question, the reserved places and the forward planning we are talking about I hope in some ways we have reassured</p>

	<p>you that we are on top of the aspects of this that we have got influence over and that it does come to the front of our thinking in terms of long term plans etc and encouraging as we have described, Isabelle put that quite carefully, it's not a discouragement it is an encouragement to consider the benefits of catchment school attendance but without removing that right in any way for pupils to make choice if the spaces are available. So what I would say is that the changes that we are making to the placing request policy at the moment wouldn't directly have an effect or otherwise on how many placing requests come to a specific school, what they do is clarify the policy, make sure that it is aligned to the law but what is very helpful to us is to hear this parent perspective which is encouraging of a number of different strands of activity that we have ongoing to try to plan for the future and make sure that all of our policy and our approaches are working to the best of their effect to manage that balance.</p>
Member of the public	<p>I wasn't aware of this additional COVID funding that you referred to, which is fantastic. I've not seen it firsthand with my own child. So, I've got a child in a class with no support learning, maximum class size. The only support learning is to allow, I don't know if you call it McCrone time or whatever the teacher has a right to, which is fantastic. I'm not personally seeing what this funding is going on. If that funding were perhaps used to cap the maximum class size in recognition of the disparities that are emerging in terms of abilities, in terms of the challenges of a teacher with young children, who have more controls over their movement, full of energy, teacher's wearing a face mask. I'm not sure, Ok, I'm going off topic now but this additional COVID funding, what is that actually being spent on cause I'm not seeing it firsthand being spent on my child?</p>
Bryony Monaghan	<p>Carolyne? Do you want to speak a bit about primary?</p>
Carolyne McDaid	<p>So, across schools, schools have their own plans and their own arrangements around that. Generally it will be additionality of staffing that could be teaching staff, that could be support staff, they could be deployed across the school, working to support classes, groups or individuals in different ways and there might be some of that funding as well supporting some resources within the school. Probably the best, you know without knowing what school it is, and actually we wouldn't have the detail even if we did not what school it was, could be through discussion with the Headteacher and she might be, he or she, might be reporting that back to the parent council for example, to get a clearer understanding of how that allocation is being spent in that school.</p>
Member of the public	<p>Ok, I don't doubt that there is additional technology needs that were there for lock down etc so, ok. I'm out of ideas. I guess good luck with your consultation. All I can do is pass on, I've got a young child, class full of energy, controls over movements, maximum class size as a result of placing requests. The kind of most popular journey is via a level crossing, parents are doing 4 journeys across level crossings. I happen to have asthma, I happen to walk to school with my son, I'm breathing in a lot of fumes. That parent has got a right to choose to go to that school but I'm also exposed to more dangers crossing the road and I think you do, I've named the level crossing in my written submission. I think you do want to look at the traffic problems there. Is health and safety a factor? Is that an issue as well? Because you seem to be, the current process seems to be, let's just keep allowing, let's wave in the placing requests, we are at the maximum, maximum class size is the same maximum as was there pre-COVID. I wonder if you would consider where there is scope to reduce the maximum class size within the</p>

	<p>parameters of the placing request framework. So the maximum class size for P2 is I think 30, let's say we'll keep a reserve of 2, we will make it 28 unless we absolutely have to because at the moment you are waving them through until it gets to maximum. All the classes are at maximum size and I think the quality. I went to a poor state school myself but I think my son's education is worse than I could possibly have imagined because COVID is still prevalent, we have got a maximum class size the same as pre-COVID, the education abilities has never been so diverse, there is no support for learning for that. There are for certain you know special requirements and that's fantastic but just there is not additional funding to support the discrepancy in abilities reflecting the huge proportion of time that children in P2 have spent at home in P1. So it is just to relay that. I've become a bit disillusioned. I don't have any other concerns with your changes but I think you are kind of tinkering at the edges, I think there is a bigger problem here. What placing requests do is they result in popular schools being full at a level that is not appropriate in a COVID environment and result in other schools not being as full. Now, it sounds like it's the right is on the parent to pick which ever school they please but let's think about the children, let's think about the right of the child to have a class size that is more manageable, to be able to walk to school without a higher, increased volume of car journeys because of your placing request policy, to be exposed to more pollution because people with placing requests are not cycling, they are not walking, they are driving that is the reality, the stark reality so that is my main concerns. Anyway, good luck with your changes.</p>
Bryony Monaghan	Thank you very much for all your views and for tolerating the fact you were the focus of everybody's attentions this evening but thank you.
Member of the public	I don't normally get this much attention. Anyway I was just joking, right good luck, catch you later
Bryony Monaghan	Thank you so much, thank you.

Appendix 2 – Further comments to the online survey and Council response to those comments

1. **Comment:** Children out with Stirling council area but with siblings at a Stirling council school, cannot possibly be given preference over children residing in Stirling council. Living outwith Stirling council, but making placement requests to schools in Stirling council, (particularly living in Clackmannanshire) is done to avoid more expensive houses and council tax and then access better schools and freeloading on Stirling council taxpayers. These people should move local authority if they want better schools and pay the same taxes as the residents. Stirling council residents should be given priority. I can imagine if a Stirling resident is refused a placement request because of a Clackmannanshire resident then there would be serious questions about why that person should pay their council tax. I would imagine Stirling council will get a lot of foi requests on this, if this proposal is accepted.

Also if you do not currently reside in Scotland and are therefore not a Scottish or Stirling council taxpayer (regardless of imminent proof of residency) you should not be allowed to make a placement request. There are already issues in the Stirling council area with people relocating from large cities particularly London as they are now more able to work from home. This is pushing up property prices and making property unaffordable for local Stirling council residents who already live and pay their council tax here. Until you physically live at the address you should not be able to make a placing request.

Council response: Stirling Council are residents are given precedence over pupils who do not reside in Stirling Council area, with the exception of where a pupil residing outwith Stirling already has a sibling attending the school which they are requesting to attend, in compliance with Section 23 of the Education (Scotland) Act (1980) which states:

Where an education authority's arrangements for the placing of children in schools under their management give any priority to siblings of pupils attending such schools, those arrangements shall not discriminate between siblings belonging to the area of that education authority and siblings belonging to the area of another education authority.

Local authorities have a duty to provide adequate and efficient provision of all children residing in their local area, or neighbouring areas. Where a resident of the United Kingdom submits a placing request before being resident in Scotland, this placing request will only be processed if suitable proof of imminent residency in Scotland and outwith the school catchment area is provided, and in view of the pupil taking up their place at the requested school, if the placing request is successful, only at the time when they are ordinarily resident in Scotland.

2. **Comment:** I think Stirling council need to do more to support children with additional support needs in mainstream schools considering you have a presumption of mainstream.

Council response: Stirling Council has a range of supports in place to support children with additional support needs in mainstream schools such as the staged intervention process that includes the ongoing assessment, planning and review of a child's support needs. Where further assessment, support or advice is required the Council has support services such as the ASN Outreach team, an SEBN outreach team and the Educational Psychology Service. The Council is driving forward an increased focus on Inclusion and there has recently been activity liaising with

parents/carers, young people and staff to gather their views on what inclusion means to them. This information is being collated and will inform a position paper.

Comment: I feel information on how to make a placing request should be sent out to parents of all children in P7 automatically ensuring all parents can consider options. Placing request information generally was not known to me before my child transitioned to senior school.

Council response: The Council's Placing Request Policy and Choosing a School Leaflet are available online to all parents/carers, at all times. In addition, hard copies are available in schools. School staff are also able to provide information to parents about submitting placing requests.

3. **Comment:** Would this wording be improved if the word 'and' is dropped?
"4.3 To clarify that placing requests made from outwith Scotland will only be considered if suitable proof of imminent residency in Scotland and outwith the school catchment area is provided."

Council response: The application is required to show proof that they will imminently be resident in Scotland and outwith the catchment area of the school they are requesting. If they plan to reside within the catchment area of this school, they would be able to enrol as a catchment pupil and would not be required to submit a placing request.

4. **Comment:** Might the threshold for allowing placing requests be raised for the following reasons:
- A higher proportion and distance of school journeys for placing requests are by car - given the typically bigger distances involved.
 - Where a school is at near full capacity, and you continue to allow placing requests - this can result in high levels of traffic/congestion around the school which is more dangerous (children crossing roads at congested parking pinch points)/and more polluting e.g. cars driving for longer to find a parking space.
 - Where people are having to travel over a level crossing due to a placement request - this can mean that school pickups and drop offs result in 4 additional journeys over the level crossing per day (for a parent accompanying a child).
 - Aside from the dangers of travelling through level crossings, these additional journeys add further congestion to the level crossing resulting in more queuing traffic/pollution.
 - (A large number of placing requests are in operation from Cornton to Bridge of Allan Primary School (BofAPS) where parents/children are passing through a level crossing – which is now subject to a new procedure which takes longer to clear than the level crossing sequence used to.)
 - Where a school is at near full capacity and the next nearest school is at a lower capacity (as which could be as a result of placing requests) – could a review of the catchment area should be considered?
 - For example the street Forth Park is in the catchment of Bridge of Allan Primary School, yet the street is closer to Cornton Primary, and the journey from Forth Park to (BofAPS) passes through a level crossing. In other words the catchment area the street is

connected to is in respect of i) a busier school (larger class sizes); ii) which is further away; iii) is a more dangerous journey through a level crossing.

- Adjusting catchment areas can be contentious and subject to challenge from home owners, but might be mitigated by saying that the existing catchment would continue to apply to any child who already lives in the street in question.

- Where a school is at near full capacity with higher average class sizes, we should consider more carefully if it is in the interest of a child who needs additional support to join
 - e.g. if we accept that with a full class size any child is realistically less able to get tailored 1-1 teacher time compared with a smaller class size, should the council more carefully weigh up:
 - pros: whatever perceived benefits there are to the child of the requested school vs the school in their catchment area; vs
 - cons: additional travel time, and busier class with less 1-1 teaching time from their lead teacher.

- Whilst a parent has the right to request a placement to a school outside their catchment area, might the Council provide additional information to the parent
 - e.g. what the current class sizes are in the proposed school and school in their catchment area? This might enable more informed choices / help spread the congestion of class sizes.

Observation: despite COVID resulting in children being behind in learning – the maximum classes remain the same. We seem to keep allowing placement requests and only stop once the high maximum class size is reached!

On a separate note, I object to the cover picture of the Placing Request document showing children crowded round a mobile phone in a place of learning placingrequestpolicy.pdf (stirling.gov.uk) some schools have banned mobile phones."

Council response: The grounds for refusal of placing requests are limited and set out by Scottish Government in the Education (Scotland) Act 1980. Where these grounds do not apply, Stirling Council has a duty to grant the request.

5. **Comment:** It is a tense enough time waiting to see if your child will get into a school within Stirling council that is not their catchment school. Opening up placement requests to those outwith Stirling council borders and even the country adds further unnecessary stress. Stirling council residents pay one of the highest council tax rates in the country and if this proposal went ahead it is just putting the residents needs at a disadvantage.

Council response: The Council reviews the Policy and practice around placing requests on an ongoing practice to make the process as easy as possible for families. Stirling Council are residents are given precedence over pupils who do not reside in Stirling Council area, with the exception of where a pupil residing outwith Stirling already has a sibling attending the school which they are requesting to attend, in compliance with Section 23 of the Education (Scotland) Act (1980) which states:

Where an education authority's arrangements for the placing of children in schools under their management give any priority to siblings of pupils attending such schools, those arrangements shall not discriminate between siblings belonging to the area of that education authority and siblings belonging to the area of another education authority.

6. **Comment:** They all sound fair and make sense. I do wonder though if catchment boundary areas should be reconsidered? I live on a street with two different catchments as near as I can tell and we have to make a request to attend the school physically closer to us.

Council response: Stirling Council is not proposing at this time to undertake a review of any specified catchment areas.

7. **Comment:** Stirling residents should always have priority over non-Stirling residents. Unless on medical grounds and irrespective of sibling attending a Stirling school.

Council Response: The Council reviews the Policy and practice around placing requests on an ongoing practice to make the process as easy as possible for families. Stirling Council are residents are given precedence over pupils who do not reside in Stirling Council area, with the exception of where a pupil residing outwith Stirling already has a sibling attending the school which they are requesting to attend, in compliance with Section 23 of the Education (Scotland) Act (1980) which states:

Where an education authority's arrangements for the placing of children in schools under their management give any priority to siblings of pupils attending such schools, those arrangements shall not discriminate between siblings belonging to the area of that education authority and siblings belonging to the area of another education authority.

8. **Comment:** Communication of Stirling Council developments/education related info e.g. Funded childcare hours, should be disseminated more widely including via nurseries, childminders and health visitor appointments. As access to information is ad-hoc and word of mouth currently.

Council response: Information regarding Stirling Council and in particular Schools, Learning and Education is disseminated through a variety of sources, including nurseries and the Stirling Council website and social media accounts.

9. **Comment:** I find it incredible that this policy does not consider the environmental impact of placement requests.

How many thousands of miles in unnecessary car journeys does this policy generate? What is the impact on road safety outside schools? How many fewer local children don't walk to school because residential streets (such as the one I live on) are unsafe, used as short-cuts by speeding cars heading for the local schools from out of town? What is the impact on pupils' / nursery childrens' health from parents lining the streets in idling cars?

I know of children who do a 25 mile commute, daily - passing a number of primary schools on route.

This is bad for all communities - not just because of the pollution it creates, but because of the loosened ties and fragmentation it causes.

I think that the criteria for placing requests should be made much, much stricter. This should include mileage limits, in line with global goals that are taught so earnestly to our children, but currently ignored in practice.

Council Response: The grounds for refusal of placing requests are limited and set out by Scottish Government in the Education (Scotland) Act 1980. Where these grounds do not apply, Stirling Council has a duty to grant the request.

10. **Comment:** With the introduction of free bus journeys I envisaged en masse requests at Dunblane and Balfron thus creating a 2 tier system - academically able schools and less so.

It is detrimental to all.

Council response: The grounds for refusal of placing requests are limited and set out by Scottish Government in the Education (Scotland) Act 1980. Where these grounds do not apply, Stirling Council has a duty to grant the request.

11. **Comment:** It would appear that the date of placement confirmations, 30 April, does not align with the date for the beginning of P7/high school transition activity which can begin a week or two earlier excluding placement families from the beginning of the formal transition process.

Historically about 50% of Gargunnoch pupils have submitted successful placement requests to Balfron High and indications are with the changes to free bus transport that even more will do so in the future. Parent Council is aware that last year the transition for Balfron cluster schools began prior to the 30 April date so that Gargunnoch parents and pupils who had submitted placement requests were unable to take part. Please could the date for confirmation of placement requests align with the beginning of the timetabled transition so that placement families are not excluded from the beginning of this important process.

Council response: The date for response to placing requests is set by Scottish Government. Apart from where a pupil requires an enhanced transition to secondary school, transition activities at Stirling Council schools begin following that date.

12. **Comment:** Placement requests should not be granted in a denomination school when the school is bursting at the seams.

Council response: The grounds for refusal of placing requests are limited and set out by Scottish Government in the Education (Scotland) Act 1980. These grounds include where the requested school is already at capacity, and takes into account reserved spaces for catchment pupils (in the case of denominational schools, these are pupils who are baptised) moving into the area during the course of the school year.

13. **Comment:** I think those living in Stirlingshire should be given priority. Those living in Stirlingshire should also have access to transport for Stirlingshire schools. As someone who lives And pays council tax in Stirlingshire but catchment is in Falkirk council, I find it ridiculous that I don't receive help with transportation and that I have to complete a placing request at all!

Council response: There are a small number of Stirling Council area properties which fall under an agreement with neighbouring authorities with regards to school catchment areas.

14. **Comment:** If children are able to be removed from the catchment school all children, not just those of a certain faith should be offered transport to and from school where criteria is met regarding school buses. St modans/stirling Council should not be above the law and treat individual differently based on their beliefs.... surely they have to work with the equality act 1990 like the rest of Scotland has too.

Council response: Stirling Council provides home to school transport for all eligible pupils who attend their catchment school. Stirling Council does not provide home to school transport to pupils who attend a school through a placing request.

15. **Comment:** Stirling council teaching staff are currently not given any priority when putting in a placing request for their child to attend the school that they work at. This should also be looked at and amended by way of supporting families flexible working as in some cases it is very difficult to drop off at one school then drive to another or teachers are forced to pay for childcare before/after school as they cannot be in two places at once.

Council response: Stirling Council does not prioritise school staff at this time. However, Stirling Council seeks to grant placing requests wherever possible and at this time, the overwhelming majority of placing requests are granted.

16. **Comment:** I don't think waiting lists are a good idea. If there are no spaces then children/yp need to get on in the school they attend. Thinking they are waiting would be unsettling and reduce a sense of belonging/commitment with where they are.

Council response: Having carefully considered the full implications of a waiting list on pupil and families' wellbeing, the Council is in agreement with this comment and will not seek to operate a waiting list for placing request applicants.

Comment continued: The ASN one worded as 'only school' who can meet a need leaves the door open for expensive placements out with Stirling when that is seen to be 'the only school.' I don't believe there is ever one school who can meet a need - inclusion is about building capacity and making all schools adapt to meet needs. This wording needs careful thought.

Council response continued:

17. **Comment:** I do not believe because a sibling is in a particular school, entitles a further child from same family to be seen as the same as someone in the catchment area- these should be separate categories.

Council response: Stirling Council residents are given precedence over pupils who do not reside in Stirling Council area, with the exception of where a pupil residing outwith Stirling already has a sibling attending the school which they are requesting to attend, in compliance with Section 23 of the Education (Scotland) Act (1980) which states:

Where an education authority's arrangements for the placing of children in schools under their management give any priority to siblings of pupils attending such schools,

those arrangements shall not discriminate between siblings belonging to the area of that education authority and siblings belonging to the area of another education authority.

18. As a parent/teacher, my insider view would be, that unless the particular urgent reason for a placing request is due to siblings being in the school already or said pupil already attends but moved house, placing requests should be categorically denied!

If there is plenty of space within that year group, and space for future pupils moving into the area, then every single school in the Stirlingshire should be held as a school of excellence, without the “popular” school discussion at school gates!

New build areas are made fully aware of their catchment school. Placing requests can make school communities feel alienated, and staff work hard behind the scenes to make their school open and friendly.

Children from other countries moving to Scotland should not have their education questioned, it should be yes, and let them get started.

Waiting Lists should be banned... it just makes new parents think that that school is desirable for whatever reason... school education is a high priority, not the popularity vote! Waiting list info gets spread around like gossip.

The “school” needs to be community-based, so we as teachers can get to know it, who lives in it, and what’s available nearby. And not cherry-picked to fit in with the desirability of the school management.

(Sorry... rant over!)

Council response: The grounds for refusal of placing requests are limited and set out by Scottish Government in the Education (Scotland) Act 1980. Where these grounds do not apply, Stirling Council has a duty to grant the request.

19. **Comment:** It all sounds reasonable and a good move for places to be allocated firstly (and primarily) to Stirling Council residents.

20. **Comment:** Small families with only one child will always be at the bottom of the placing request list under these proposals. I understand that keeping siblings together is very sensible but the knock on implications are that those who don't benefit from older siblings may wait years to go to their closest school.

Council response: Spaces are kept in all schools for catchment pupils, so that all pupils can attend their closest (or catchment) school if they choose to.

21. **Comment:** Schools need to be transparent on what they can offer for children with ASNs - agree a change to a school being able to offer this is good

22. **Comment:** As a parent who has been through this process previously, I can advise that this is an extremely stressful and anxious time for the parents and child. The easier this process is, the better for everyone involved. My family will go through this process again in a couple of years and even now, this issue of repeating this process is in the back of our minds. A school is an extension of the child's family and community. All efforts should be made to ensure that siblings can attend the same school where possible.

Council response: The Council regularly reviews the Placing Request Policy and practice to make sure that it is as easy as possible for families to go through the process. The proposed changes will ensure that all efforts are made to enable siblings to attend the same school where possible.

23. **Comment:** Not on the proposed amendments as such but on the fact you cannot enter childcare/working locations as a reason to support the request. For some families this would be critical. I appreciate there need to be lines drawn under what can be considered and what not, but sometimes there are not other viable options, short of leaving the house each day at 7am to drop children at before-school childcare, then get to work for 8am because your working hours cannot be changed. Firstly finding quality childcare from 7am is very challenging plus I do wonder what impact this would have on children/families. It's all very hard to manage, and with bills to pay to keep a roof over our heads, sometimes family support/childcare, in a town outwith our home town (and even local authority) is the only option to be able to continue to work.

Council response: It is indeed not possible to specifically enter childcare/working locations to support a request. Parents are under no obligation to give supporting grounds for their application as the Scottish Government supports parental choice with regards to school. All placing requests are therefore considered in the same way, and Stirling Council has a duty to grant the request wherever possible.

24. **Comment:** Ensure that places are kept for children who actually live within the catchment area as more children from outwith are now attending our school leaving anyone moving into the area limited options.

Council response: The Council reserves spaces in school for pupils moving into the catchment area during the course of the school year.

25. **Comment:** All schools in Stirling should be treated equal. Pupils at St Mary's in Dunblane should not be discriminated on grounds of disability because they have chosen to attend that school.

Council response:

Appendix 3 – Further written representations received by email

1. Email:

Would this wording be improved if the word 'and' is dropped?

4.3 To clarify that placing requests made from outwith Scotland will only be considered if suitable proof of imminent residency in Scotland and outwith the school catchment area is provided.

Might the threshold for allowing placing requests be raised for the following reasons:

- A higher proportion and distance of school journeys for placing requests are by car - given the typically bigger distances involved.
- Where a school is at near full capacity, and you continue to allow placing requests - this can result in high levels of traffic/congestion around the school which is more dangerous (children crossing roads at congested parking pinch points)/and more polluting e.g. cars driving for longer to find a parking space.
- Where people are having to travel over a level crossing due to a placement request - this can mean that school pickups and drop offs result in 4 additional journeys over the level crossing per day (for a parent accompanying a child).
- Aside from the dangers of travelling through level crossings, these additional journeys add further congestion to the level crossing resulting in more queuing traffic/pollution.

(A large number of placing requests are in operation from Cornton to Bridge of Allan Primary School (BofAPS) where parents/children are passing through a level crossing – which is now subject to a new procedure which takes longer to clear than the level crossing sequence used to.)

- Where a school is at near full capacity and the next nearest school is at a lower capacity (as which could be as a result of placing requests) – could a review of the catchment area should be considered?

For example the street Forth Park is in the catchment of Bridge of Allan Primary School, yet the street is closer to Cornton Primary, and the journey from Forth Park to (BofAPS) passes through a level crossing.

Adjusting catchment areas can be contentious and subject to challenge from home owners, but might be mitigated by saying that the existing catchment would continue to apply to any child who already lives in the street in question.

- Where a school is at near full capacity with higher average class sizes, we should consider more carefully if it is in the interest of a child who needs additional support to join

e.g. if we accept that with a full class size any child is realistically less able to get tailored 1-1 teacher time compared with a smaller class size, should the council more carefully weigh up:

pros: whatever perceived benefits there are to the child of the requested school vs the school in their catchment area; vs

cons: additional travel time, and busier class with less 1-1 teaching time from their lead teacher.

Whilst a parent has the right to request a placement to a school outside their catchment area, might the Council provide additional information to the parent

e.g. what the current class sizes are in the proposed school and school in their catchment area? This might enable more informed choices / help spread the congestion of class sizes.

Obsevation: despite COVID resulting in children being beind in learning – the maximum classes remain the same.

On a separate note, I object to the cover picture of the Placing Request document showing children crowded round a mobile phone in a place of learning [placingrequestpolicy.pdf \(stirling.gov.uk\)](#) some schools have banned mobile phones.

Council response: This email is a replication of a comment submitted to the online survey, which has been responded to in Appendix 2.

2. Email:

The current placing request system, and indeed the proposed placing request system ultimately results in popular schools being filled until they reach maximum class size.

Within a COVID/respiratory pandemic this is not ideal since:

- Following lockdown, the gap in development in children in the same year group has never been so wide, so the pre-existing max class size is being pushed to its educational limits
- The teachers need to wear face masks – this is not good for the development of children with borderline hearing issue e.g. glue ear – there are children who would benefit from seeing the mouth of the teacher when they speak to help reinforce learning of new topics with vocabulary they are unfamiliar with - and so all things equal having 30 children in the class means more background noise in early years.
- Placing requests result in more movement of children/parents between different neighbourhoods – which can help to spread a respiratory virus
- Placement request children are more likely to spend more lengthy car journeys where they are in a confined breathing space with an adult who is driving / more likely to result in cross-transmission.
- Having a maximum class size (e.g. 30 children + teacher = 31 households in a single room all day) regardless of the area of the class room does not seem ideal.

Consider the basic scenario of one school catchment with 15 children in P2, but with 5 placing requests in to a different catchment which now has 30 children in P2. Might the viral load be less likely to result in classroom transmission if the numbers had been smoothed at say 20 in one class and 25 in another class? (with the benefits of less cross-neighbourhood transmission, and extensive car journeys?)

Ideally Stirling Council could consider strategies to help mitigate having maximum class sizes.

I appreciate you need to comply within the law - but the laws you refer to existed pre-COVID, and various rules/parent liberties have been overridden in these exceptional times.

The placing request update was a chance to fix a broken system. The only lever you seem to have which might help is more prudent application of the reserved places – as a control to help reduce the likelihood of having maximum class sizes.

I was disappointed that the placing request update seems to make no adjustment/allowance for a nationwide pandemic, and no reference to the right of the child.

Just to expand on the placing request brochure showing children with a mobile phone – I'm absolutely perplexed about what the message is – but either way it is normalising smartphone usage which some parents simply cannot afford – especially in these difficult times. (For avoidance of doubt I think letting schoolchildren use smartphones with unrestricted internet access add little value to schools which have an information superhighway - the library).

Council response: The points raised in this email were covered within the public consultation meeting on 10 November 2021.

Schools (Consultation) (Scotland) Act 2010

Report by HM Inspectors of Education addressing educational aspects of the proposal by Stirling Council to amend the current Placing Request Policy.

February 2022

1. Introduction

1.1 This report from Education Scotland has been prepared by Her Majesty's Inspectors of Education (HM Inspectors) in accordance with the terms of the [Schools \(Consultation\) \(Scotland\) Act 2010](#) ("the 2010 Act"). The purpose of the report is to provide an independent and impartial consideration of Stirling Council's proposal to amend the current Placing Request Policy. 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 2010 Act requires the council to consider it and then prepare its final consultation report. The council's final consultation report should include 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.

1.2 HM Inspectors considered:

- the likely effects of the proposal for children and young people of the schools; children likely to become pupils within two years of the date of publication of the proposal paper; and other children and young people in the council area;
- 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 virtual public meeting held on 10 November 2021 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;
- virtual visits to Stirling Council, including discussions with relevant consultees; and
- discussion with representatives of the Archdiocese of St Andrews and Edinburgh.

2. Consultation process

2.1 Stirling Council undertook the consultation on its proposal(s) with reference to the [Schools \(Consultation\) \(Scotland\) Act 2010](#).

2.2 The consultation ran from 18 October until 22 December 2021. A public meeting was held on 10 November 2021 which was attended by one stakeholder. The consultation process allowed stakeholders to respond online to a number of questions set by the council. Between 73 and 78 stakeholders answered each of the questions. In all cases, well over the majority (50%) or most (75%) of the stakeholders agreed with the council's proposed change. Smaller numbers for all questions disagreed, neither agreed or disagreed or were not sure.

3. Educational aspects of proposal

3.1 Stirling Council plans to revise its placing request policy and introduce its updated criteria from August 2022. This is to allow the council to comply with an aspect of the Education (Scotland) Act 1980; to widen the definition and grounds for parents to make a request for a specific school; and to rectify administrative procedures including an anomaly regarding requests received on 15 March. The proposal will help the council to fulfil its obligation to manage efficiently the school estate and to ensure best value. However, it would be helpful in its final report if the council makes clear arrangements for Gaelic Medium Education (GME) as well as English Medium Education (EME).

3.2 Overall, stakeholders are supportive of the council's proposals. They welcome the clarity provided. Proposed changes include revising the medical grounds for making a placing request. Currently, these are considered from purely medical grounds. Should the proposal go ahead they will include exceptional additional support needs (ASN), such that the chosen school is the only school that could provide for the child. The rights of siblings from outwith the council area will be given equivalence with those within. It is proposed that pupils be placed on a waiting list where demand for spaces exceeds availability. Should the proposal go ahead, it would be helpful for the council to monitor the application of the new criteria to ensure fair application and equity.

3.3 Stakeholders who spoke with HM Inspectors were in favour of the council's proposals. They welcomed the removal of administrative anomalies and improved clarity and fairness. A few parents sought reassurance with regard to possible future pressures in the light of new house building.

3.4 St Modan's High School has a number of associated primary schools in Clackmannanshire and Falkirk Councils. Before finalising its report, it would be helpful for Officers in Stirling Council to liaise with their counterparts in the other two councils. This will help to ensure equitable access for children and young people attending denominational schools.

4. Summary

Stirling Council's plan to revise its placing request policy and introduce its updated criteria has potential education benefits. It will allow the council to comply with the Education (Scotland) Act 1980. It should support children and young people with ASN and their parents to make a request for a specific school and to rectify administrative procedures. In its final report the council should make clear how the placing request policy will impact both GME and EME.

HM Inspectors
February 2022

Achd Sgoiltean (Co-chomhairleachadh) (Alba) 2010

Aithisg le Luchd-sgrùdaidh Foghlam na Banrigh a' dèiligeadh ri taobhan foghlam a' mholaidh le Comhairle Shruighlea gus am Poileasaidh Iartas Suidheachaidh làithreach atharrachadh.

Gearran 2022

1. Ro-ràdh

1.1 Chaidh an aithisg seo bho Fhoghlam Alba ullachadh le Luchd-sgrùdaidh Foghlaim na Banrigh (Luchd-sgrùdaidh na Banrigh) ann an co-rèir le teirmichean [Achd Sgoiltean \(Co-chomhairleachadh\) \(Alba\) 2010](#) (“Achd 2010”). 'S e adhbhar na h-aithisg seo beachdachadh neo-eisimeileach agus neo-phàirteach a libhrigeadh air moladh Comhairle Shruighlea am Poileasaidh Iartras Suidheachaidh làithreach atharrachadh. Tha Earrann 2 den aithisg a' cur an cèill mion-fhiosrachadh goirid den phròiseas co-chomhairleachaidh. Tha Earrann 3 den aithisg a' stèidheachadh beachdachadh Luchd-sgrùdaidh na Banrigh air taobhan foghlaim a' mholaidh, a' gabhail a-steach beachdan sònraichte air an toirt seachad le luchd-comhairleachaidh. Tha Earrann 4 a' toirt geàrr-chunntas air àrd-shealladh Luchd-sgrùdaidh na Banrigh air a' mholadh. Nuair a gheibhear an aithisg seo, tha Achd 2010 ag òrdachadh gum bi a' chomhairle a' beachdachadh air agus an uair sin ag ullachadh aithisg co-chomhairleachaidh dheireannaich. Bu chòir gum bi an aithisg seo an lùib aithisg co-chomhairleachaidh dheireannaich na comhairle, còmhla ri mìneachadh air ciamar, ann an crìoch a chur air a' mholadh, a rinneadh ath-sgrùdadh air a' chiad mholadh, a' gabhail a-steach geàrr-chunntas air puingean a chaidh an togail anns a' phròiseas chonaltraidh agus freagairt na comhairle riutha. Feumaidh a' chomhairle an aithisg co-chomhairleachaidh dheireannaich aca fhoillseachadh trì seachdainean mus tig iad chun a' cho-dhùnadh mu dheireadh.

1.2 Bheachdaich Luchd-sgrùdaidh na Banrigh air:

- na buaidhean a dh'fhaodadh a bhith aig a' mholadh air clann agus daoine òga sna sgoiltean; clann a dh'fhaodadh a bhith nan sgoilearan taobh a-staigh dà bhliadhna bho chaidh am pàipear molaidh fhoillseachadh; agus clann agus daoine òga eile ann an sgìre na comhairle;
- buaidhean sam bith eile a dh'fhaodadh a bhith aig a' mholadh;
- ciamar a tha a' chomhairle an dùil buaidhean dona sam bith a dh'fhaodadh tighinn am bàrr bhon mholadh a lùghdachadh no a sheachnadh; agus
- na buannachdan foghlaim a tha a' chomhairle an dùil a thig bho thoirt gu buil a' mholaidh, agus adhbharan na comhairle airson nam beachdan seo a ruighinn.

1.3 Ann a bhith ag ullachadh na h-aithisg seo, ghabh Luchd-sgrùdaidh na Banrigh na gnìomhan seo os làimh:

- làthaireachd aig a' choinneimh phoblaich bhiortail air a chumail air 10 Samhain 2021 a thaobh molaidhean na comhairle;
- beachdachadh air a h-uile sgrìobhainn iomchaidh a chaidh a sholarachadh leis a' chomhairle a thaobh a' mholaidh, gu sònraichte aithris nan sochairean foghlaim agus sgrìobhainnean co-chomhairleachaidh ceangailte, freagairtean sgrìobhte agus labhairteach bho phàrantan is eile;
- tursan bhiortail gu Comhairle Shruighlea, a' gabhail a-steach conaltradh ri luchd-comhairleachaidh iomchaidh; agus
- conaltradh ri riochdairean bho Àrd-Sgìre-Easbaig Chill Rìmhinn agus Dhùn Èideann.

2. Pròiseas Co-chomhairleachaidh

2.1 Ghabh Comhairle Shruighlea os làimh co-chomhairleachadh air a' mholadh/na molaidhean aca a thaobh [Achd Sgoiltean \(Co-chomhairleachadh\) \(Alba\) 2010](#).

2.2 Bha an co-chomhairleachadh a' ruith bho 18 Dàmhair gu 22 Dùbhlachd 2021. Chaidh coinneamh phoblach a chumail air 10 Samhain 2021 agus bha aon neach-ùidhe an làthair. Thug am pròiseas co-chomhairleachaidh cothrom do luchd-ùidhe freagairt a thoirt air-loidhne do ghrunnaidhean cheistean a chaidh a shuidheachadh leis a' chomhairle. Fhreagair eadar 73 agus 78 neach-ùidhe na ceistean air fad. Anns a h-uile suidheachadh, bha còrr air a' mhòr-chuid (50%) no a' mhòr-chuid (75%) den luchd-ùidhe ag aontachadh ris an atharrachadh a bha a' chomhairle a' moladh. Bha àireamhan na bu lugha airson nan ceistean air fad ag eas-aontachadh, nach robh ag aontachadh no ag eas-aontachadh no nach robh cinnteach.

3. Taobhan foghlaim a' mholaidh

3.1 Tha Comhairle Shruighlea a' planadh air ath-leasachadh a dhèanamh air a' phoileasaidh iarrtas suidheachaidh aca agus na slatan-tomhais ùra aca a thoirt a-steach bhon Lùnastal 2022. Tha seo gus ceadachadh don chomhairle gèilleadh do thaobh de Achd an Fhoghlaim (Alba) 1980; gus am mìneachadh agus na bun-adhbharan co-cheangailte ri iarrtas a dhèanamh airson sgoil shònraichte, a leudachadh do phàrantan; agus gus modhan-obrach rianachd a cheartachadh, a' gabhail a-steach neo-riaghailteachd a thaobh iarrtasan a chaidh fhaighinn air 15 Màrt. Cuidichidh am moladh a' chomhairle leis an dleastanas aca a choileanadh a thaobh oighreachd na sgoile a rianachd gu h-èifeachdach agus gus dèanamh cinnteach às an luach as fheàrr. Ach bhiodh e na chuideachadh san aithisg dheireannaich aca nan dèanadh a' chomhairle ullachaidhean soilleir airson Foghlam Meadhan Gàidhlig (FMG) cho math ri Foghlam Meadhan Beurla (FMB).

3.2 San fharsaingeachd, tha luchd-ùidhe a' toirt taic do mholaidhean na comhairle. Tha iad a' cur fàilte air an t-soilleireachd a tha air a thabhann. Tha na h-atharrachaidhean a tha air am moladh a' gabhail a-steach ath-sgrùdadh air na bun-adhbharan meidigeach airson iarrtas suidheachaidh a dhèanamh. Aig an àm a tha an làthair, tha iad sin air am measadh bho thaobh bhun-adhbharan meidigeach a-mhàin. Ma thèid am moladh air adhart bidh iad a' gabhail a-steach feumalachdan taic a bharrachd (ASN) sònraichte, mar gur e an sgoil a chaidh a thaghadh an aon sgoil a b' urrainn solar a thoirt dhan leanabh. Thèid co-ionannachd a thoirt do chòraichean chloinne bhon aon theaghlaichean taobh a-muigh sgìre na comhairle 's a bhios aig feadhainn bho thaobh a-staigh na sgìre. Thathar a' moladh gum bi sgoilearan air an cur air liosta feitheimh far a bheil iarrtas airson àiteachan nas àirde na tha ri fhaotainn. Ma thèid am moladh air adhart, bhiodh e feumail dhan chomhairle sgrùdadh a dhèanamh air cur an sàs nan slatan-tomhais ùra gus dèanamh cinnteach à gnìomhadh cothromach agus ceartas.

3.3 Bha an luchd-ùidhe a bhruidhinn ri Luchd-sgrùdaidh na Banrigh a' toirt taic do mholaidhean na comhairle. Chuir iad fàilte air neo-riaghailteachdan rianachd a bhith air an toirt air falbh agus soilleireachd is cothromachd air an leasachadh. Bha beagan phàrantan a' sireadh ath-mhisneachadh a thaobh chudroman a dh'fhaodadh nochdadh san àm ri teachd ri linn tuilleadh thaighean a bhith air an togail.

3.4 Tha grunnan bhun-sgoiltean co-cheangailte ri Àrd-sgoil Naomh M'Áedán ann an Comhairlean Siorrachd Chlach Mhanainn agus na h-Eaglaise Brice. Mus tèid an aithisg aca a chrìochnachadh, bhiodh e feumail do dh'Oifigearan ann an Comhairle Shruighlea ceangal a dhèanamh le an co-oifigearan san dà chomhairle eile. Cuidichidh seo le bhith a' dearbhadh cothrom co-ionann do chlann agus dhaoine òga a tha a' frithealadh sgoiltean creidmheach.

4. Geàrr-chunntas

Dh'fhaodadh sochairean foghlaim a bhith an cois plana Chomhairle Shruighlea air ath-leasachadh a dhèanamh air am poileasaidh suidheachaidh agus slatan-tomhais ùra a thoirt a-steach. Leigidh seo leis a' chomhairle gèilleadh do Achd an Fhoghlaim (Alba) 1980. Bu chòir dha taic a thoirt do chlann agus do dhaoine òga le ASN agus dom pàrantan, gu iarrtas a chur a-steach airson sgoil

shònraichte agus modhan-obrach rianachd a cheartachadh. San aithisg dheireannaich aca, bu chòir dhan chomhairle soilleireachadh mar a bheir am poileasaidh iarrtas suidheachaidh buaidh air FMG agus air FMB.

Luchd-sgrùdaidh na Banrigh Gearran 2022