

**REPORT TO :** Education Committee

**MEETING DATE:** 12 March 2019

**BY:** Depute Chief Executive (Resources and People Services)

**SUBJECT:** Reserving Places in Schools for Catchment Pupils Who Move Into the Catchment Area during the Academic Year 2019/20

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## 1 PURPOSE

- 1.1 To obtain Committee approval for reserving places for incoming catchment pupils at the schools detailed in 2.1 for session 2019/20.

## 2 RECOMMENDATIONS

- 2.1 The Committee is asked to agree to hold in reserve places for incoming catchment pupils for session 2019/20 in the following schools:

### i. Primary Schools

We recommend that the Committee reserve the number of places detailed below in each year group between Primary One and Primary Seven. The class organisation may be a mixture of non-composite and composite classes.

School	Number of reserved places per stage						
	P1	P2	P3	P4	P5	P6	P7
Campie Primary School	2	2	2	2	2	2	2
Cockenzie Primary School	2	2	2	2	2	2	2
Dunbar Primary School	5	5	5	5	5	5	5
East Linton Primary School	1	0	0	0	0	0	0
Gullane Primary School	2	2	2	2	2	2	2
Haddington Primary School	4	4	4	4	4	4	4

Law Primary School	6	6	6	6	6	6	6
Longniddry Primary School	2	2	2	2	2	2	2
Loretto RC Primary School	2	2	2	2	2	2	2
Musselburgh Burgh Primary School	2	2	2	2	2	2	2
Pencaitland Primary School	1	1	1	1	1	1	1
Pinkie St Peter's Primary School	5	5	5	5	5	5	5
Sanderson's Wynd Primary School	2	2	2	2	2	2	2
St Gabriel's RC Primary School	2	0	0	0	0	0	0
St Martin's RC Primary School	1	1	1	1	1	1	1
Stoneyhill Primary School	1	1	1	1	1	1	1
Wallyford Primary School	5	5	5	5	5	5	5
Windygoul Primary School	2	2	2	2	2	2	2
Yester Primary School	2	2	2	2	2	2	2

We recommend that the Committee reserve the number of places detailed below in each composite class within the school.

<b>School</b>	<b>Number of reserved places per class</b>
Humbie Primary School	2
Innerwick Primary School	1
Letham Mains Primary School	ALL*
Macmerry Primary School	1
Saltoun Primary School	2
St Mary's RC Primary School	ALL*
Stenton Primary School	2
Whitecraig Primary School	2

\*All available places within the school are reserved for incoming catchment pupils

**ii Secondary Schools S1 and S2**

We recommend that the Committee reserve the number of places as detailed in the table below.

<b>School</b>	<b>Maximum number of places in S1 including reserved places</b>	<b>Number of reserved places in S1</b>	<b>Maximum number of places in S2 including reserved places</b>	<b>Number of reserved places in S2</b>
Dunbar Grammar School	220	5	220	5
Knox Academy	160	6	140	6
Musselburgh Grammar School	240	6	240	6
North Berwick High School	200	10	180	8
Preston Lodge High School	210	5	200	5
Ross High School	270	5	260	5

**iii Secondary Schools S3 and S4**

We recommend that the Committee reserve the number of places as detailed in the table below.

<b>School</b>	<b>Maximum number of places in S3 including reserved places</b>	<b>Number of places reserved in S3</b>	<b>Maximum number of places in S4 including reserved places</b>	<b>Number of places reserved in S4</b>
Dunbar Grammar School	210	5	180	5
Knox Academy	160	6	140	6
Musselburgh Grammar School	200	6	220	6
North Berwick High School	200	8	180	8
Preston Lodge High School	180	5	200	5
Ross High School	240	5	220	5

Details of the factors considered when determining the appropriate number of reserved places for both primary and secondary schools are detailed in 3.2.1 of the report.

- 2.2 We request that the Committee delegate any changes to the number of places held in reserve to the Head of Education in consultation with the Education Convener, should the number of pupils requiring a place at the school significantly increase or decrease.

### **3 BACKGROUND**

#### **3.1 Acts and regulations**

The Education (Scotland) Act 1996 Placing Requests Part IV: Section 33, allows education authorities to reserve places for incoming pupils into catchment areas of schools. This has helped education authorities to manage their schools and prevent them being at capacity at commencement of an academic year, and furthermore enabling them to accommodate incoming catchment pupils at their catchment schools when they move into the area during the academic year.

Section 28A (3A) of the Education (Scotland) Act 1980 (as amended) provides a general principle that, “so far as is compatible with the provision of suitable instruction and training and the avoidance of unreasonable public expenditure, pupils are to be educated in accordance with the wishes of their parents”. This is what we strive to do, whilst also ensuring that we can accommodate new pupils in their catchment schools. Acceptance of a placing request for a child who is resident out with the catchment area of a specified school could prevent the education authority from retaining reserved places:

- at the specified school, or
- in relation to any particular stage of education at the school.

It is for this reason that the education authority may refuse to grant a placing request that would impact on the ability to reserve places in schools.

Section 28A (3C) of the 1980 Act notes that “reserved places” means those “places (not exceeding such number or, as the case may be, such percentage of places at the school or relating to a particular stage of education as may be prescribed by regulations) as are in the opinion of the education authority reasonably required to accommodate pupils likely to become resident in the catchment area of the school in the period from the time of consideration of the placing request up to and during the year from 1 August to which the placing request relates”.

Therefore, when establishing the number of reserved places required for a school, we have to consider the likely number of pupils becoming resident in the catchment area of the school during the coming academic year. We analyse various factors when deciding how many places should be reserved. These are detailed in Sections 3.2.1 to 3.2.3.

## 3.2 Factors influencing the decisions on reserving places

3.2.1 The following factors have to be considered for both primary and secondary schools when we are determining the appropriate number of reserved places that are likely to be required for pupils moving into the catchment area of the school during 2019/20:

- a) The proposed level of capping at the school and number of expected pupils
- b) Local development plans
- c) Current and planned house builds within those plans
- d) Projected school rolls
- e) Projected migration into the catchment area
- f) Information about reserved places from previous years
- g) School capacities
- h) Information known to us, for example, about families moving into the area before/after commencement of the academic year.

3.2.2 For secondary schools, where it has been identified that reserved places are likely to be required, we propose that a minimum of one place be reserved for every 30 pupils (rounded to the nearest 30 where the class intake has been capped). Pupils are timetabled in secondary schools in groups of 20 for practical classes and 30 for non-practical classes. In addition, rooms in schools are only furnished to accommodate a maximum of 30 pupils per non-practical class. The factors noted above shall then be considered to confirm whether this number is reasonable and reflects the number of pupils likely to become resident in the catchment in the coming academic year. The number of reserved places can then be increased or decreased accordingly. This method allows an immediate number of reserved places to be identified and then adjusted to ensure it fairly reflects both the education authority's requirements and the legislation.

3.2.3 The number of reserved places can be affected by pupils moving into and out of East Lothian, late applications and pupils being withdrawn from schools. This can mean the demand for places in a school for pupils in the catchment area can change before the academic year begins. The number of reserved places in this report reflects our current understanding of the likely number of pupils that we think will be in each catchment area or moving into it during the next academic year. Should some of the reserved places at schools not be required or the situation change, the Committee is asked to delegate any increase or decrease in reserved places to the Head of Education, who will consult with the Convener. If the reserved places detailed in this report are agreed by the Committee, they will be protected for incoming catchment pupils. If it is not possible to reserve all these places before the academic year begins, then we still intend to protect them so that they are there as reserved places for catchment pupils who come in during the year. Committee members will be contacted where changes to reserved places are made in their wards.

#### **4 POLICY IMPLICATIONS**

4.1 There are no policy implications in this report.

#### **5 EQUALITIES IMPACT ASSESSMENT**

5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

#### **6 RESOURCE IMPLICATIONS**

6.1 Financial - None

6.2 Personnel - None

6.3 Other - None

#### **7 BACKGROUND PAPERS**

7.1 None

<b>AUTHOR'S NAME</b>	Fiona Brown
<b>DESIGNATION</b>	Principal Officer, School Planning and Admissions, Education Business Unit
<b>CONTACT INFO</b>	Tel: 01620 827415 Email: <a href="mailto:fbrown@eastlothian.gov.uk">fbrown@eastlothian.gov.uk</a>
<b>DATE</b>	19 February 2019