

Education & Children's Services

Out of Zone Placing Request Policy & Procedures

Updated May 2018



Education & Children's Services: Out of Zone Placing Request Policy

Legislation

The Parents' Charter of 1981 gives parents/carers the right to make a Placing Request for the school of their choice other than the school which normally serves the catchment area in which they reside. Aberdeenshire Council has a duty to agree to the Placing Request unless one of the reasons for refusal laid down in law applies.

Guiding Principles - Timescales

Aberdeenshire Council must respond to a Placing Request Application by 30 April provided it was received by 15 March. Where a Placing Request is received after 15 March, the Education Authority has two months from receipt of the request in which to make a decision. That decision will be made after all Placing Requests received by 15 March have been considered, by which time all spaces at the school requested may have been filled. All Placing Request applications will be considered centrally and no decisions will be made by individual schools.

Transport

Where a child is enrolled in a school which is outwith their local catchment area, parents/carers are totally responsible for making transport arrangements and for meeting all costs involved.

Reasons for Refusal

Aberdeenshire Council is legally entitled to refuse a Placing Request if any of the following criteria are met:

- If accepting the request would mean that the capacity of the school would be exceeded in terms of pupil numbers.
- If to do so the Council would have to employ an additional teacher or spend a substantial sum of money at the point of admission, for example, where they would have to provide an additional classroom.
- If accepting the request would make it necessary for the Council to create an additional class or employ an additional teacher at a future stage of a child's primary education.
- If accepting the request would prevent the Council reserving a place at the school for a child likely to move into the area of the school in-year.
- If a child's education would suffer from a change of school.
- If education in the school requested would not be suitable to the age, ability or aptitude of the child. This might apply if parents want their child to be admitted to a stage of education for which the child is not yet ready, or to a school which cannot meet the child's needs.
- If Council officers think that a child can only be provided for in the school requested at the expense of the other pupils' education.
- If the school requested has been provided for children with additional support needs, and council officers think that a child does not need the special equipment or specially trained staff they have provided in that school.
- If a child is excluded from a school, the council is not bound to re-admit him or her. If a child has been in constant trouble, and his or her parents ask for them to be moved to another school, the council can refuse to provide a place if they think that he or she would be likely to disturb the order and discipline in that school, or the educational well-being of pupils attending the school. They may indeed suggest another school better able to cope with the child.

Appeals

If a decision is made to refuse the Placing Request, the parents/carers are entitled to refer any refusal to an Appeal Committee within 28 days of the decision. The Committee will normally comprise five persons two of whom will be Aberdeenshire Councillors.

If the Appeal Committee upholds the appeal then Aberdeenshire Council is required to give effect to the placing request. If the Appeals Committee decides that the Placing Request will be refused, further appeal can be made to the Sheriff having jurisdiction where the school specified in the Placing Request is situated.

Additional Information

Parents/carers making application to place their child at another school should still enrol in their catchment school. There is no guarantee that the Placing Request will be successful and the catchment school needs to take account of the child in their numbers.

Parents/carers may only submit one Placing Request application at any time.

Once Primary One admissions have been collated in February of each year, Education & Children's Services will determine how many additional placement requests can be accepted at each school before considering any application forms. If more Placement Requests are received than there are available spaces within a school, a set of priorities will be used to determine which applications can be approved. These priorities are available as part of the information accompanying the application form. If having applied the priorities to the applications, there are more children meeting the same criteria and priorities than there are available spaces, places will be determined based upon the distance that the child lives from the school, priority being given to the child(ren) living closest to the school requested.

Once an application has been approved, parents/carers will then be required to complete a full admission form for their child at the requested school.

Placing Requests Additional Priorities

On occasion Aberdeenshire Council receives more placing request applications for a school than there are available spaces. In February of each year, after all Primary 1 admissions have been submitted in January, officers will determine how many spaces there are in each school (including secondary schools) for out of zone placements. If more requests are received than there are spaces for, then applications will be ranked according to the following criteria to determine which applications can be approved. Priority would be given in ascending order for the criteria below.

- **Residence**

Residents within Aberdeenshire will take priority over those living outwith the Council area. The vast majority of out-of-zone applicants are residents of Aberdeenshire and therefore qualification under this category ultimately has no effect on the final decision.

- **Children in Need**

Where children who, in terms of the Children (Scotland) Act 1995 would be considered to be "Children in Need" and where there are reasons why the child's needs can be better met in the school requested than in the school which serves the area in which the child lives. Children in Need is a broad concept and includes needs which arise from medical, psychological and social reasons but are not limited to these categories. Children may be considered to be in need as a result of the disability of another member of their household.

Where Aberdeenshire Council is asked to give priority to a child on this basis, it will seek the advice of an Educational Psychologist, Medical Practitioner, Social Worker or other agency according to the nature of the need. The Council will treat all such cases on their individual merits.

- **Educational**

Where the zoned school does not offer the subjects which the pupil wishes to study. (*This would be unlikely to apply to primary school placing request applications*)

- **Local Conditions**

Where road conditions, weather conditions or other local conditions constitute a severe hazard to the child if they were to attend the zoned school.

- **Sibling Attending School**

Where another member of the family is already in attendance at the specified school.

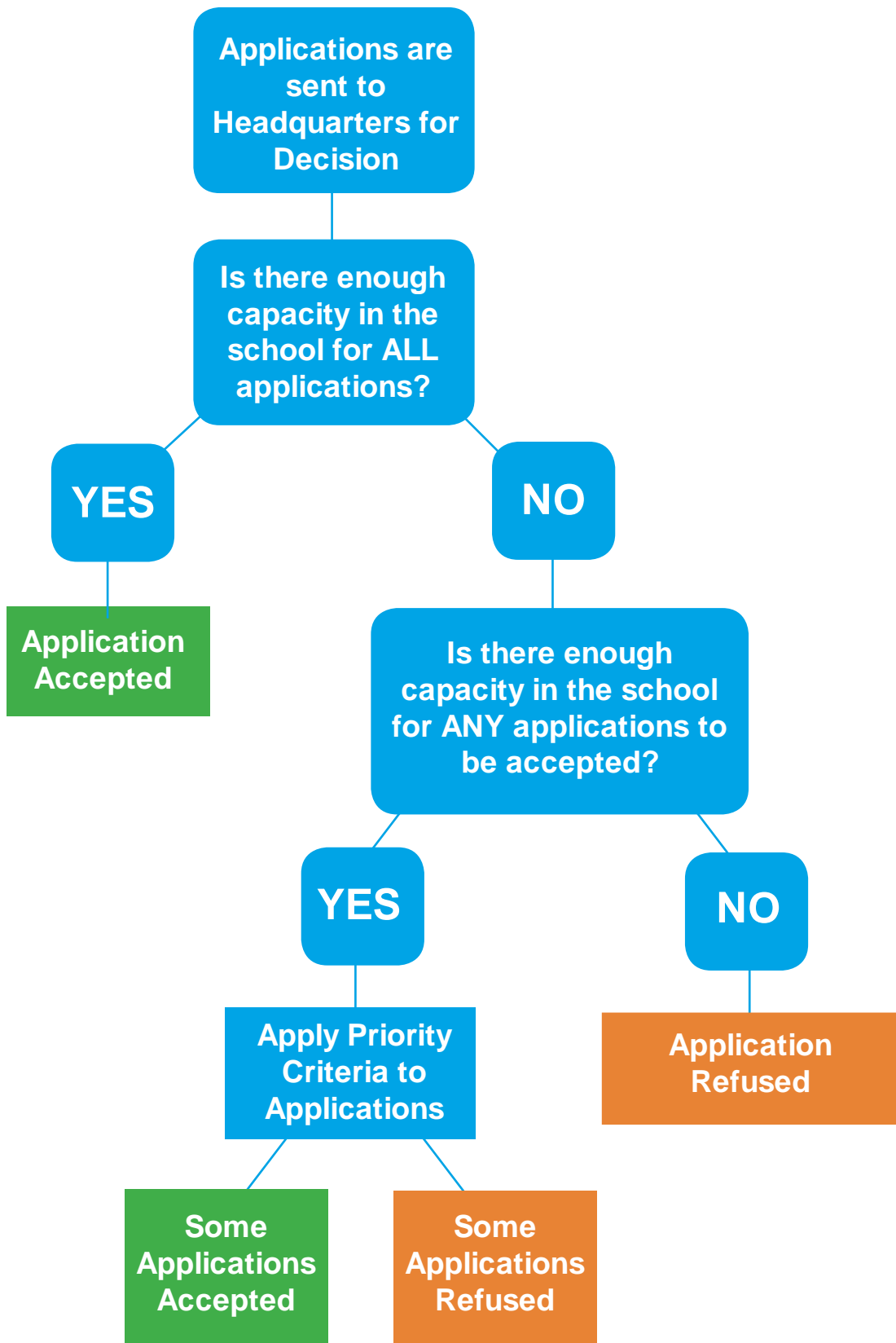
- **Social**

Where both parents are working and transport the child outwith the zone in which they are resident in order that their child be cared for by a responsible adult outwith school hours.

- **Other Reasons**

Such other reasons as may be appropriate in the judgement of deciding officer. You may include this reason in your application form. You are not required to give reasons but a system of priorities can only be applied if you have given your reasons.

Placing Request Process Flow Chart



Placing Request Application & Appeal Process Timeline

Mid-January

Two week Primary 1 admission period

End of February

Number of spare pupil places determined for each school

15 March

Deadline for submitting placing request applications for August admission

30th April Deadline for Decision Letters

Applications submitted after 15 March will be determined within two months of receipt

APPEAL PROCESS

(The number of days below are maximum timescales)

28 Days from Receipt of Decision Letter to Appeal Decision

5 Working Days (from receipt)

Authority Acknowledges Appeal Request 10 Days before Hearing
to Submit Supporting Documentation

Appeal Hearing

14 Days after Appeal Hearing – Decision is Notified



Office Use Only

Placing Request Application Form

Please complete in BLOCK CAPITALS

Date Stamp	
Ref.	
Outcome	
Date Letter Sent	

Child's Details

Full Name:	
Date of Birth:	
Gender:	
Are you completing a form for any other children?	Y / N
Children's Names	

Parent / Carer Details

Title	Mr Mrs Miss Ms Dr (delete as appropriate)	Full Name	
Address:			
Telephone contacts (in priority order)	1		Postcode
	2		Email
	3		

Requested School

School Requested	
Zoned School (This is the designated school for your child's address, leave blank if unknown)	
For P1 applications only, have you also submitted an admission form to the zoned school?	Yes/ No (please delete)
Current School / Nursery	
Requested Start Date	Year/Stage on start date (e.g. P1)

Additional Support Needs

Does your child have any additional support need?	Yes / No (please delete)
If yes, please specify:	
Does your child have an individualised education programme or a co-ordinated support plan?	
IEP	Yes / No (please delete)
CSP	Yes / No (please delete)

Support with English Language – for children whose first language is not English

What is the first language of your child?	
Does your child need support with English language	

Reasons for Application

You are not required to give a reason but, if you don't, and there are more out of zone placing requests for the school of your choice than there are available pupil spaces, this may affect our ability to grant you a place.

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Sibling(s) attending school

Please give details of any brothers and sisters already attending the requested school

Full Name	Stage/ Year on requested start date

Declaration

I declare that the information provided above is correct. I understand that failure to provide accurate information may result in my child's application being refused.

I understand that I will be responsible for the arrangement and cost of transport for my child to and from the requested school. (Transport is not normally provided for children attending a school out with their zoned area. However, you can apply for a concessionary seat on any existing transport but should note that this can be withdrawn at any time without any notice being given.)

The Data Protection Act

I have read and understood the attached Privacy Notice detailing the legal basis, retention period and my rights in relation to the data being collected.

Signature of Parent/ Carer:		Date:	
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Please complete and return this form by email to: placingrequest@aberdeenshire.gov.uk or send to Aberdeenshire Council, Learning Estates Team, Gordon House, Blackhall Road, Inverurie AB51 3WA

FOR OFFICE USE ONLY:

Comments:



From mountain to sea

Privacy Notice

The Data Controller of the information being collected is Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AY.

Email: dataprotection@aberdeenshire.gov.uk

Your information is being collected to use for the following purposes:

- Inform Placing Request Process as defined in the Out of Zone Placing Request Policy 2015

Your information is being collected by Aberdeenshire Council.

The Legal Basis for collecting the information is:

Personal Data	Special categories of personal data
Performance of a Contract	Processing is necessary for the purposes of carrying out the obligations of the controller or of the data subject in the field of employment, and social security and social protection law

Where the Legal Basis for processing is either Performance of a Contract or Legal Obligation, please note the following consequences of failure to provide the information:

Out of Zone Request cannot be processed by Learning Estates Team.

Your information will be shared with the following recipients or categories of recipient:

The School requested and zoned School listed in the application will be informed.

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

N/A

The retention period for the data is:

3 years from completion of School session applied for.

The following automated decision-making, including profiling, will be undertaken:

N/A

Please note that you have the following rights:

- to withdraw consent at any time, where the Legal Basis specified above is Consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- to object, where the legal basis specified above is:
 - (i) Performance of a Public Task; or
 - (ii) Legitimate Interests.
- to data portability, where the legal basis specified above is:
 - (i) Consent; or
 - (ii) Performance of a Contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.