

# Perth And Kinross Council

## Learning And Families Committee

11 March 2024

### RESERVED PLACES IN SCHOOLS 2024/25 AND MAXIMISING CAPACITIES UPDATE

Report by Strategic Lead – Education and Learning  
(Report No. 24/84)

#### 1. PURPOSE

- 1.1 This report proposes the number of reserved places for session 2024/25, within primary and secondary schools, in accordance with Section 28A of the Education (Scotland) Act 1980, as amended. This allows places to be protected for local children to attend their catchment school. This report also informs Committee where primary class capacities have been maximised during school session 2023/24.

#### 2. RECOMMENDATIONS

- 2.1 It is recommended that the Committee:
- Approves the number of reserved places, within schools which have classes with a limited number of spaces at specific stages, for session 2024/25, as shown in Appendix 1;
  - Requests the Strategic Lead – Education and Learning to revise these numbers each year to reflect historical or anticipated patterns of migration, information about known movements of families in to (or out of) an area, and any current residential development;
  - Delegates responsibility to the Strategic Lead – Education and Learning to keep under review, the reserved places for all schools, in light of any building work in schools and in light of residential development; and
  - Notes the primary schools where class capacities have been maximised during session 2023/24.

#### 3. STRUCTURE OF REPORT

- 3.1 This report is structured over the following sections:
- Section 4: Background / Main Issues
  - Section 5: Operation of Criteria
  - Section 6: Proposals
  - Section 7: Maximising Capacities
  - Section 8: Conclusion
  - Appendices

#### **4. BACKGROUND / MAIN ISSUES**

- 4.1 Reserved places refer to the number of places which, in the opinion of the Education Authority, are reasonably required to accommodate pupils likely to become resident within the catchment area of a school during the period of considering placing requests and during that school year.
- 4.2 This allows the Education Authority to calculate and retain a certain number of places for children from families likely to move into the catchment area of schools which have classes with a limited number of spaces in some or all stages. The legislation allows the Education Authority to refuse some or all placing requests made for a particular school on the grounds that children from within the catchment area may become resident during the year. The purpose of Reserved Places in Schools is to support the Council's [School Admission Policy](#).
- 4.3 Places are reserved to try to accommodate these children, where possible, in their catchment school, allowing the Education Authority to take positive steps to protect places in schools for catchment pupils and avoiding having to zone pupils to another school which may incur home to school transport costs for the Council.
- 4.4 The strategy for the implementation of reserved places within Perth & Kinross Council was approved by Committee in March 1997 for session 1997/98 (Report No. 97/145 refers). Further annual reports to the then Lifelong Learning Committee have been approved for each subsequent session.
- 4.5 The factors considered in determining whether reserved places are required, and the number of reserved places within schools for the current session are:
- Schools which have classes with a limited number of spaces at specific stages;
  - Historical or anticipated patterns of migration, information about known movements of families in to (or out of) an area and any current residential development in the area; and
  - The possible pattern of movement indicated by the current session's trends and roll projections for 2024/25.

The scheme needs to be justifiable and operated fairly, particularly as parents can appeal to the relevant Education Appeal Committee and thereafter to the Sheriff Court.

#### **5. OPERATION OF CRITERIA**

- 5.1 The operation of the criteria for session 2023/24, to date, has ensured that only three primary pupils have moved into an area and been unable to attend their non-denominational catchment primary school as their first choice of school.

In respect of secondary schools, no secondary school pupil has moved into an area and has been unable to be granted a place in their catchment non-denominational secondary school.

- 5.2 The application of reserved places is most commonly utilised during the process for managing the new P1 and S1 intakes each year where parents may choose to have their child attend a school other than their catchment school. For session 2023/24, 259 placing requests were made for P1 places in primary schools and 189 of these requests were granted and 70 were refused. 11 of the refusals related to children who live outwith Perth and Kinross. This represents a positive outcome for 72.9% of P1 parents who made a placing request for their child to attend the primary school of their choice outwith their catchment area.
- 5.3 Overall, 94.3% of the P1 intake for August 2023 were granted a place in their first choice school that they asked for.
- 5.4 In respect of S1 places, 105 placing requests were submitted and 89 of these requests were granted and 16 were refused. This represents a positive outcome for 84.8% of parents who made a placing request for their child to attend the secondary school of their choice outwith their catchment area.
- 5.5 Overall, 98.9% of the S1 intake for August 2023 were granted a place in the first choice school that they asked for.
- 5.6 Where a placing request is refused, parents have a statutory right of appeal to the Education Appeal Committee and, thereafter, the Sheriff Court. For session 2023/24, 17 appeals were considered by the Education Appeal Committee and no appeals were considered by the Sheriff Court.
- 5.7 The historical pattern of migration and house building continues to be monitored to ensure as accurate information as possible is used when considering the annual requirement for reserved places.
- 5.8 For session 2024/25, there are some fluctuations in the reserved places from the previous school session.
- 5.9 There are a number of schools whose reserved places have been altered in light of experience in administering placements throughout session 2023/24. In addition, where additional building work has been undertaken in schools or reconfiguration of class structures, this can lead to the reduction in the requirement for reserved places. Reserved places may be increased where residential build has taken place or is planned within school catchment areas. Reserved places have also been altered where school rolls have increased or decreased.
- 5.10 The total number of reserved places proposed for 2024/25 has been increased to reflect the factors outlined in section 4.5 of this report. Reserved places fluctuate on an annual basis and the total number of reserved places each year has varied between 92 and 958 since their introduction in 1997.

## **6. PROPOSALS**

- 6.1 It is proposed that the reserved places required for session 2024/25 are accepted as outlined in Appendix 1. The Strategic Lead – Education and Learning will publish the Reserved Places in Schools 2024/25 and implement this in full for session 2024/25.
- 6.2 In order to provide accurate and clear information, the Council publishes the required reserved places on its website. The published information shows the reserved places at each individual stage for each school. This format allows parents/carers to clearly understand how many reserved places are being held at each/any stage in the school each session.

## **7. MAXIMISING CAPACITIES**

- 7.1 On 16 May 2018, the then Lifelong Learning Committee approved the report Maximising Primary School Capacities ([Report No. 18/158 refers](#)). The report gave approval for the Executive Director (Education and Children's Services) to apply the Scottish Government space capacity metric of 1.7m<sup>2</sup> per pupil for primary schools, if required, to accommodate children living in the catchment area.
- 7.2 This provides an additional mechanism to manage the accommodation available in primary schools where there are challenges in accommodating catchment pupils in smaller classrooms which operate below the legal class size maximum. It also ensures that teaching staffing budgets are not exceeded while providing pupils with the best opportunity to attend their catchment school.
- 7.3 The report also agreed that Committee would be provided with an annual update on the use of this variation within primary schools.
- 7.4 During session 2023/24, the capacity of some primary school classrooms was temporarily maximised at the following primary schools to allow catchment pupils to be admitted:
- Dunbarney Primary School
  - Robert Douglas Memorial (RDM) Primary School
- 7.5 At the time of this report, it is too early to report whether it will be necessary to apply the space capacity metric of 1.7m<sup>2</sup> to any classes for session 2024/25. The allocation of places for the new school session will be concluded by 30 April 2024 in line with the statutory timescales and will be reported to Learning and Families Committee as part of the next annual Reserved Places in Schools report.

## 8. CONCLUSION

- 8.1 The reserved places procedure allows children moving into a catchment area of a school a greater likelihood of attending that school. Reliable historical and anticipated patterns have been established, as accurate information is collected.
- 8.2 The annual revision of the reserved places procedure ensures that pupil intakes are stringently managed for each school ensuring, where possible, that local children can attend their catchment school.

### Author

Name	Designation	Contact Details
Karen Robertson	Service Manager (Business Services)	<a href="mailto:ECSCcommittee@pkc.gov.uk">ECSCcommittee@pkc.gov.uk</a> 01738 475000

### Approved

Name	Designation	Date
Sheena Devlin	Strategic Lead – Education and Learning	23 February 2024

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes/None</b>
Community Plan/Single Outcome Agreement	Yes
Corporate Plan	Yes
<b>Resource Implications</b>	
Financial	No
Workforce	No
Asset Management (land, property, IST)	No
<b>Assessments</b>	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	No
Sustainability (community, economic, environmental)	No
Legal and Governance	Yes
Risk	No
<b>Consultation</b>	
Internal	Yes
External	No
<b>Communication</b>	
Communications Plan	Yes

### 1. Strategic Implications

#### Community Plan/Single Outcome Agreement

1.1 This section sets out how the proposals relate to the delivery of the Perth and Kinross Community Plan/Single Outcome Agreement in terms of the following priorities:

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

This report relates to Objective No. (ii).

#### Corporate Plan

1.2 This section sets out how the proposals relate to the achievement of the Council's Corporate Plan Objectives:

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

This report relates to Objective No. (ii).

1.3 The report also links to the Education & Children's Services Vision, Values and Priorities in respect of the following key Priority area:

- Learning and Achievement

## 2. Resource Implications

### Financial

2.1 N/A

### Workforce

2.2 N/A

### Asset Management (land, property, IT)

2.3 N/A

## 3. Assessments

### Equality Impact Assessment

3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

The Equality Impact Assessment undertaken in relation to this report can be viewed by clicking [here](#).

3.1.1 The reserved places procedure presented in this report have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

(i) Assessed as **relevant** and the following positive outcomes expected following implementation:

- The outcome is not considered to result in an equality issue but has a positive outcome in terms of fairness. A consequence of reserved places is that it will ensure that children can, as far as possible, attend their catchment schools, thus limiting any adverse impact for low-income families. Reserved places are also likely to be beneficial for children of armed forces families who may be more likely to have to move within a school year than other families, and reserved places supports these families being able to attend their catchment schools upon moving. Having regard to the Armed Forces Covenant is now a legal duty.

## Strategic Environmental Assessment

- 3.2 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.
- 3.2.1 The proposals have been considered under the Act; however, no further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

## Sustainability

- 3.3 Under the provisions of the Local Government in Scotland Act 2003, the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. Under the Climate Change (Scotland) Act 2009 the Council also has a duty relating to climate change and, in exercising its functions must act:
- In the way best calculated to delivery of the Act's emissions reduction targets.
  - In the way best calculated to deliver any statutory adaption programmes.
  - In a way that it considers most sustainable.

- 3.3.1 N/A

## Legal and Governance

- 3.4 The Strategic Lead of Legal and Governance has been consulted in relation to the reserved places scheme. The scheme complies with the legal framework in relation to reserved places set out in the Education (Scotland) Act 1980, as amended.
- 3.5 N/A

## Risk

- 3.6 N/A

## **4. Consultation**

### Internal

- 4.1 Headteachers have been consulted in the preparation of this report.

### External

- 4.2 N/A



## **5. Communication**

- 5.1 The Reserved Places for 2024/25 will be published on the Council website to ensure that parents and schools are able to easily access the information. This report also forms part of the appeal information provided to parents where a placing request has been unsuccessful.

## **2. BACKGROUND PAPERS**

- 2.1 The following background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (and not containing confidential or exempt information) were relied on to a material extent in preparing the above report:

- The Reserved Places in Schools supports the application and administration of the Council's [School Admission Policy](#).

## **3. APPENDICES**

- 3.1 Appendix 1 – Reserved Places 2024/25