



EDUCATION & LEARNING

School Admissions Policy for Primary and Secondary Schools in Fife

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1.0 INTRODUCTION TO THE SCHOOL ADMISSIONS POLICY

- 1.1 This document is the policy for admission to mainstream primary and secondary schools in the control of Fife Council.
- 1.2 In Fife, the Education Authority discharges its duty to secure adequate and efficient education for the local authority area by operating a “catchment” system to enable parents/carers to comply with their duty to provide efficient education for their child(ren). Postcodes for each address in Fife are associated to a denominational and a non-denominational primary and secondary school known as catchment schools. Information on these catchment areas are available on www.fifedirect.org.uk/catchmentchecker
- 1.3 An admissions policy for nursery education titled ‘Procedures and Guidelines for Admission to Early Years Establishments’ is also available. This document can be found at www.fifedirect.org.uk/earlyyears. Application forms for nursery admissions are available from the school offices at primary schools or online at www.fifedirect.org.uk/earlyyears.
- 1.4 Admission to special education establishments is based on the individual pupil’s assessed additional support needs. Information about placing requests for admission to Special Educational Establishments is contained in Appendix 5.
- 1.5 Notices are published in local newspapers in December of each year to advise parents of the timescale and procedures for enrolling children and for making parental placing requests outwith the catchment school.

2.0 WHEN CAN A CHILD GO TO SCHOOL?

- 2.1 Children will normally start school in the August following their 5th birthday. Children who are aged 4 and whose birthday is on or before 29th February may start at age 4. However, parents/carers whose child’s 5th birthday falls after the first day of the new term may choose to defer their child’s entry into school until the following August.
- 2.2 Parents can request that their child starts primary school while they are under statutory school age. This is an ‘early entry request’. In such cases an assessment of the ability and aptitude of the child will be carried out by the Education Service prior to early entry approval. For more information on this process refer to Appendix 1 “Early Entry to School”. The statutory provision is contained in Section 38 of the Standards in Scotland’s Schools Act 2000. This is available online at www.fifedirect.org.uk.
- 2.3 Once a pupil has reached the statutory school leaving age the pupil –not the pupil’s parents – may choose which school to go to. If a pupil over school leaving age wants to change school, then he or she should write to Education and Learning (Rothesay House, Rothesay Place, Glenrothes KY7 5PQ) to say so.

2.4 The time at which pupils are old enough by law to leave school depends on when their 16th birthday falls in the year.

- Pupils who have their 16th birthday on or between 1 March and 30 September can leave school or decide for themselves whether they want to ask for another school from 31 May of that year.
- Pupils who have their 16th birthday on or between 1 October and the last day of February can leave school or decide for themselves whether they want to ask for another school at Christmas in between those two dates.

3.0 ENROLMENT AT PRIMARY AND SECONDARY SCHOOL

3.1 The enrolment process for Primary 1 pupils takes place between early January and April 30 of each year.

3.2 School start dates and term dates are published annually and are available on www.fifedirect.org.uk/schoolholidays .

3.3 On entering primary school, parents should always attend an enrolment session at their catchment area school where they will be asked to complete an enrolment form. Parents will be asked to bring the following items of paperwork with them as proof of pupil identification and place of residence:

- a) child's birth certificate;
- b) Council Tax notification letter; and
- c) a utility bill (gas or electric only).

3.4 The Education Service will carry out checks to verify the information provided by parents. Where false information has been submitted an offer of a place at any school may be withdrawn.

3.5 Fife Council manages the education provision by dividing the entire authority area into catchment areas, based on address postcodes, for both denominational and non-denominational provision. Most children living within the catchment area will attend the designated primary and secondary school for their catchment area. School catchment area information is available online at: www.fifedirect.org.uk/catchmentchecker.

3.6 At the point of entry to primary school, parents may choose either the non-denominational or denominational primary assigned to their home address.

3.7 If a parent wishes their child to enrol at a school which is not the designated catchment area school for their postal address they must make a request known as a 'placing request'. For further information on placing requests refer to section 4 of this policy.

3.8 Parents submitting a placing request should also enrol at their catchment school to ensure a place is reserved for their child if their placing request is not approved. If an enrolment form is not completed the catchment school will not

be able to reserve a place for that particular child.

- 3.9 Where a school is oversubscribed (i.e. it has insufficient places for the number of pupils wishing to enrol) pupils will be enrolled by reference to a priorities policy. The priorities policy is set out in Appendix 2. The priorities policy will be applied whether the school is oversubscribed as a result of there being insufficient places for the number of catchment pupils wishing to enrol or as a result of there being insufficient places for the number of placing requests after accommodation of all catchment pupils wishing to enrol.
- 3.10 In the unusual situation where catchment pupils, after application of the priorities policy as set out in Appendix 2, are not offered a place at their catchment school, Fife Council will offer a place at an alternative school.
- 3.11 At the point of entry to secondary school, parents may choose either the non-denominational or denominational school assigned to their home address.
- 3.12 Standard enrolments for transfer from primary to secondary are organised annually between the secondary school and its associated primary schools.
- 3.13 Enrolment at secondary school is based on the catchment area in which a pupil's home address is situated. If a pupil is attending a primary school as a result of a successful placing request, parents will be required to make a further placing request to attend the non-catchment secondary school.
- 3.14 For any enrolments, and/or placing requests during the academic year, parents should contact the primary or secondary school direct. Schools can offer any available places during the academic year. School contact details are available on www.fifedirect.org.uk/schools.

4.0 PARENTAL CHOICE (PLACING REQUESTS)

- 4.1 Parents have the right to request that their child attend a school which is not their designated catchment area school. Parents may also make a placing request to their designated catchment school if the child has not been offered a place there. Any such request is called a placing request.
- 4.2 In most cases, placing requests will be approved. Reasons for refusal of placing requests are detailed in Appendix 3. Where there are more placing requests than there are available places, placing requests will be granted by reference to the priorities policy. The priorities policy is set out in Appendix 2.
- 4.3 Placing requests can be made at any time. However, the majority of placing requests are made prior to the pupil starting the first year of primary or the first year of secondary. In these circumstances the placing request should be made to the first school of the parent's choice by 15th March.
- 4.4 Parents making placing requests to more than one school should list schools in order of priority in their letter of request. If a placing request application is granted by one or all of the schools, the parent should accept a place at their

preferred school and notify all other schools that they do not wish to accept a place. In the event of refusal, only the decision in relation to the first named school on the placing request is subject to appeal procedures.

- 4.5 Parents making a placing request during the normal enrolment process will be notified in writing of the outcome of their request by 30 April. Decisions on placing requests made outwith the normal enrolment timescale will be made, and parents informed in writing, within the statutory maximum of 2 months. Fife Council's policy is that all placing requests will be responded to in writing.
- 4.6 Information on the procedure for an appeal against a decision to refuse a placing request will be given to parents at the same time as they are advised of the decision. The procedure for an appeal against a decision refusing a placing request is outlined in Appendix 4.
- 4.7 When a placing request is refused, parents have the right of appeal to the Appeals Committee, and subsequently to the Sheriff. Parents will be informed in writing of their right of appeal. Should a parent be successful in appeal at the Education Appeal Committee or upon appeal to the Sheriff, all other refusals of placing requests to that school will be reviewed.
- 4.8 A young person over the statutory school leaving age and under 18 years of age may make a placing request on their own behalf.
- 4.9 Placing requests in respect of pupils with Additional Support Needs are governed by a separate procedure. In the main, pupils who have Additional Support Needs are admitted to mainstream schools following standard enrolment procedures. Where the pupil's additional needs require planning for admission then this is coordinated, with the family, across a multi agency group. Admission to specialised provision is managed through a multi-agency process of assessment and decision making involving families centrally. Placing requests for pupils who have Additional Support Needs are managed according to Appendix 5.

5.0 TRANSPORT TO AND FROM SCHOOL

- 5.1 Transport will be provided to primary and secondary catchment pupils, who meet the distance criteria in accordance with council policy. Fife Council's policy is that a child or young person is entitled to free transport when:
 - a primary school aged child lives more than one mile from his/her catchment school or other educational establishment by the shortest reasonable walking route;
 - a secondary school aged young person lives more than two miles from his/her catchment school or other educational establishment by the shortest reasonable walking route; or
 - a child or young person has additional support needs and free transport is proposed through a planning and review meeting and the full completion of a transport request form.

- 5.2 There is no requirement on Fife Council to provide free transport to pupils who are attending a school as a result of a successful placing request. However, any pupil can take up a vacant place on school transport as a fare paying passenger.
- 5.3 Once the enrolment process has been completed Education and Transportation Services will verify entitlement to free transport and issue all travel passes to distance-entitled pupils during the Summer holiday period.
- 5.4 Schools may be consulted, but will not make any decision on pupil entitlement to free transport. All decisions on pupil entitlement are made by the Education Service in consultation with Transportation Services and the transport providers.
- 5.5 In all cases where there is no entitlement to free school transport exceptions may be made on a discretionary basis.
- 5.6 For further information please refer to Appendix 6.

6.0 SCHOOL INFORMATION BOOKLET

- 6.1 Education authorities have a duty to provide information to parents to assist them in choosing a school for their child. Parents should be notified (by 8th December each year) by their catchment schools regarding the availability of information books.
- 6.2 The information contained within the School Information Booklet is specific to every school in Fife and is intended for parents whose children will soon be attending the school or for parents who may be considering which school to choose for their child.
- 6.3 A copy of the school information booklet and details of their catchment area school will be made available to all pupils enrolling in P1, changing their primary school, or transferring to secondary school, either in paper form or online.
- 6.4 The information contained within the 'Choosing a School' – A Guide for Parents (guidance booklet by the Scottish Government) booklet is also intended for parents who are considering which school to choose for their child. This booklet has also been translated into 8 community languages which are: Arabic, Bengali, Cantonese, Gaelic, Hindi, Polish, Punjabi and Urdu. Schools can access these documents at www.scotland.gov.uk/Topics/Education/Schools/Parents/schools for any parent whose first language is not English.
- 6.5 There is also a requirement that the catchment area of each school is shown on a map available for inspection in each school and these can be inspected by contacting the schools direct. The schools catchment checker available at www.fifedirect.org.uk/catchmentchecker will advise parents of catchment schools for individual postcodes.

7.0 WAITING LIST

- 7.1 On occasion it may be necessary for a particular school to set up a waiting list where there are more requests for enrolment than there are places available. The waiting list will be used to allocate places to pupils as they become available. Any places which become available at the school will be allocated according to the priorities policy, which is set out in Appendix 2. The length of time spent on the waiting list is not relevant.

8.0 PROVISION OF DENOMINATIONAL EDUCATION

- 8.1 There are currently 2 denominational secondary schools and 14 denominational primary schools in Fife. These are Roman Catholic Schools.
- 8.2 At the point of entry to primary school and at the point of transfer to secondary school parents may choose to enrol in either a non-denominational or a denominational school associated with their home postcode.
- 8.3 Where a denominational school is oversubscribed pupils will be offered places by reference to a priorities policy. The priorities policy is set out in Appendix 2.
- 8.4 Where a parent wishes to enrol their child in a denominational school outwith their catchment school this will be a Placing Request. In such cases parents/carers should submit a Placing Request as outlined in section 4 of this document.

9.0 ENROLMENT OF PUPILS OUTWITH THE EU

- 9.1 The following paragraphs outline the process for enrolling pupils from overseas:
- 9.1.1 Enrolment of a child from overseas can involve analysis and interpretation of the law in relation to education, immigration, people seeking asylum and refugees. In some limited circumstances the Education Service may refuse to enrol a child from overseas. Accordingly, decisions on the enrolment of children from overseas will be made by the Education Service (with advice from Legal Services) on a case by case basis. When enrolling a child from overseas the parent/s or other adult enrolling the child will be asked to produce the following items of paperwork with them as proof of pupil identification, place of residence and evidence of the relationship between the child and the parent/s or other adult:
- a) child's birth certificate
 - b) passport/s (the child's and the parent/s or other adult enrolling the child)
 - c) Council Tax notification letter
 - d) a utility bill (gas or electric only)
 - e) in the event that the relationship between the child and parent/s or other adult enrolling the child is not disclosed by the birth certificate

and passports, any other evidence that can be produced of the relationship between the child and parent/s or other adult.

- 9.1.2 When asked to enrol a child from overseas Headteachers should contact Education and Learning Directorate, Floor 4 Rothesay House, Glenrothes for clarification/advice.
- 9.1.3 Enrolment of a child from overseas cannot take place until the child is resident within Fife.
- 9.1.4 The Education Service will carry out checks to verify the information provided by parents and, where false information has been submitted, the offer of a place at any school may be withdrawn.

FIFE COUNCIL EDUCATION AND LEARNING DIRECTORATE SCHOOL ADMISSIONS POLICY

Appendix 1

Early Entry to School

1.0 INTRODUCTION

1.1 This appendix provides the procedure for early entry to primary school prior to children reaching school age and guidance notes on early entry to school.

2.0 FIFE COUNCIL PROCEDURES

2.1 Parents can request that their child starts their primary one class while they are four years old but under school age. This is an early entry request. Early entry requests will only be granted after an assessment of the child's ability and aptitude.

2.2 Procedure for determining Early Entry Requests is as follows:

- In Fife, if parents wish to apply for their child to start school a year early and their child is already attending a Fife nursery they should discuss this with their nursery school teacher in order to take account of their advice.
- The link educational psychologist can offer informal early consultation and advice.
- If parents wish to proceed, they should make their request in writing to the Education and Learning Directorate no later than 6 weeks before the end of the summer term.
- An assessment will be carried out by the Educational Psychology Service.
- Following assessment and discussion with the parents, the educational psychologist will send a report to the Education Officer. This report will be copied to the parents/carers.
- The Education and Learning Directorate will consider the information from the parents/carers, nursery staff and educational psychologist in making a decision. Education and Learning Directorate will then reply in writing to the parents copied to the Headteacher(s) of the nursery and proposed primary school and the educational psychologist.
- Unlike placing requests to school, there is no right of appeal to the Appeals Committee against a refusal of an Early Entry Request. However, parents may make a complaint through Fife Council's complaints procedure. This can be found online at www.fifedirect.org.uk. Parents may also make a complaint to the Public Services Ombudsman under Section 70 of the Education (Scotland) Act 1980. An application for Judicial Review is also open to parents.
- If, for any reason, no reply is received from the Education and Learning Directorate, it should be assumed that the request has been unsuccessful.

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Appendix 2

Priority Policy for enrolling pupils (including Placing requests)

Places in Fife Council schools will be offered to pupils in the following order and in accordance with the following priorities:

Stage 1

Places will be offered to pupils residing within the catchment area of the school. Where there are more such pupils than there are places, places will be offered in the order set out in the list below.

Stage 2

Where, after all pupils residing within the catchment area have been offered places, there are places at the school (or stage of school), places will be offered to pupils in respect of whom a placing request has been made. Where there are more pupils in respect of whom a placing request has been made than there are places, places will be offered in the order set out in the list below.

Priority Order

Where necessary, at either Stage 1 or 2 above, places will be offered to pupils in the following order:

1. Where the particular needs of the pupil would be met by attendance at the school. For example:
 - a. where the pupil has needs arising from a certified medical condition which would be met by attendance at the school including a physical disability which is provided for at the school;
 - b. where the pupil has behavioural problems which would be diminished by attendance at the school;
 - c. where the parent or parents of the pupil's employment preclude the pupil from attending his or her catchment area school.

2. Where the pupil's sibling or other child residing in the same household as the pupil attends the school. A non-sibling child's residence in the same household will require to be established.
3. Where the pupil attended an associated primary school (applicable only to placing requests for the first year of secondary school).
4. Where the pupil's home is closer to the school than it is to the catchment area school (placing requests only).
5. Where a specific educational course is available at the school and is not available at the pupil's catchment area school (secondary school placing requests only).
6. Where the pupil's parent or parents' place of employment or domestic arrangements would result in the pupil being in before or after school care closer to the school than to the catchment area school.
7. Where the pupil resides in the Fife Council area (placing requests only)

In both Stages 1 and 2, within each of the priorities listed above, places at denominational schools will be offered first to pupils baptised in that denomination and/or those pupils who share that denomination's religious ethos. Places at all schools will be offered by reference to the distance between their normal place of residence and the school with the shortest distance being offered places first.

Stage 3

Where places have been offered to all pupils to whom the above priorities apply and there remain places at the school but the number of catchment area pupils or the number of placing requests exceeds the number of places, the remaining places will be offered after a ballot of all remaining catchment area pupils or remaining pupils in respect of whom a placing request has been made.

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Appendix 3

Grounds upon which placing requests can be refused (in accordance with Section 28A of the Education (Scotland) Act 1980 and specifically subsections 28A(3), (3A), (3C),(3D),and (3F).

28A (1)

Where the parent of a qualifying child makes a written request to an education authority to place his child in the school (other than a nursery school or a nursery class in a school) specified in the request, being a school under their management, it shall be the duty of the authority, subject to subsections (2),(3),(3A) and (3F) below, to place the child accordingly. Such a request so made is referred to in this Act as a “placing request” and the school specified in it is referred to in this Act as the “specified school”.

28A (1A)

The education authorities shall-

**(a) in carrying out the duty imposed on them by subsection (1) above;
and**

(b) in deciding when the duty does not apply,

have regard to such guidance as the Scottish Ministers may give in that respect.

28A (2)

Where a placing request relates to two or more schools under the management of the education authority to whom it was made, the duty imposed by subsection (1) above shall apply in relation to the first mentioned such school, which shall be treated for the purposes of this Act as the specified school.

28A (3)

The duty imposed by subsection (1) above does not apply (a) if placing the child in the specified school would:

- (i) make it necessary for the Authority to take an additional teacher into employment;

- (ii) give rise to significant expenditure on extending or otherwise altering the accommodation at or facilities provided in connection with the school;
 - (iii) be seriously detrimental to the continuity of the child's education;
 - (iv) be likely to be seriously detrimental to order and discipline in the school;
 - (v) be likely to be seriously detrimental to the educational well being of pupils attending the school;
 - (vi) assuming that pupil numbers remain constant, make it necessary at the commencement of a future stage of the child's primary education, for the authority to elect either to create an additional class (or an additional composite class) in the specified school or to take an additional teacher into employment at that school; or
 - (vii) though neither of the tests set out in sub-paragraphs (i) and (ii) above is satisfied, have the consequence that the capacity of the school would be exceeded in terms of pupil numbers;
- b) If the education normally provided at the specified school is not suited to the age, ability or aptitude of the child;
 - c) If the education authority have already required the child to discontinue his attendance at the specified school;
 - d) If, where the specified school is a special school, the child does not have additional support needs requiring the education or special facilities normally provided at that school; or
 - e) If the specified school is a single sex school (within the meaning given to that expression by Section 26 of the Sex Discrimination Act 1975) and the child is not of the sex admitted or taken (under that section) to be admitted to the school,

but an education authority may place a child in the specified school notwithstanding paragraphs (a) to (e) above.

28 (A) (3A) the duty imposed by subsection (1) above does not apply where the acceptance of a placing request in respect of a child who is resident outwith the catchment area of the specified school would prevent the education authority from retaining reserved places at the specified school or in relation to any particular stage of education at the school; but nothing in this subsection shall prevent an education authority from placing a child in the specified school.

28A (3C) In subsection (3A) above, "reserved places" means such number of places (not exceeding such number or as the case may be, such percentage of places at the school or relating to the 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; and different numbers or, as the case may be, percentages may be prescribed under this section for the purpose of different cases or circumstances.

28(A) (3D) In subsection (3A) and (3C) above, “catchment area” means the area from which pupils resident therein will be admitted to the school in terms of any priority based on residence in accordance with the guidelines formulated by the authority under section 28B (1) (c) of this Act.

28A (3F) Where an education authority are carrying out the duty imposed on them by subsection (1) above in respect of a child such as is mentioned in subsection (6)(c) below, they shall place the child in the specified school—

- (a) on the date (being the date fixed for that school under section 32(1) and (2) of this Act) next following the making of the placing request; or
 - (b) where that date has passed, as soon after that date as is reasonably practicable.
- (4) An education authority shall inform a parent in writing of their decision on his placing request and, where they decide to refuse it, shall give him written reasons for their decision and inform him of his right to refer it under section 28C of this Act to an appeal committee.
- (5) The Secretary of State may, by regulations, make provision for deeming an education authority to have refused a placing request in the event of their not having informed the parent in writing of their decision on it in accordance with subsection (4) above within such period or before such date as may be prescribed in the regulations and different periods or dates may also be so prescribed for different purposes.
- (6) In this section –
- “primary school” does not include a nursery school or a nursery class; and
 - “qualifying child” means-
- (a) a child of school age;
 - (b) a child who has commenced attendance at a primary school but is not of school age; or
 - (c) a child who is not of school age and who, on the date (being the date fixed under subsections (1) and (2) of section 32 of this Act for the purposes of subsection (6) of that section) next following the making of the request under subsection (1) above, will be eligible under this Act to commence attendance at a primary school.

FIFE COUNCIL EDUCATION AND LEARNING DIRECTORATE SCHOOL ADMISSIONS POLICY

Appendix 4

Procedure for Appeals Against Refused Placing Requests

1.0 Background

- 1.1 Fife Council is entitled to refuse a placing request only in certain circumstances which are listed in full in Appendix 3.
- 1.2 Parents who make a placing request during the normal enrolment process will be notified in writing of the outcome of their request by 30 April. Decisions on placing requests made outwith the normal enrolment timescale will be made, and parents informed in writing, within the statutory maximum of 2 months. Fife Council's policy is that all placing requests will be responded to in writing. Parents should also note the legal position that, if no reply is sent within two months of the request being received, it should be assumed that the placing request has been refused. This is known as a deemed refusal.
- 1.3 Parents who make a placing request for a primary or secondary school which has been refused are entitled to appeal the decision to the Appeals Committee, and subsequently to the Sheriff.

2.0 Process for Parents Wishing to Appeal

- 2.1 If a parent is not satisfied with an authority's decision on a placing request, with a decision to exclude a child from school, or decisions affecting a child's additional support needs, then an appeal can be made against the decision.
- 2.2 In the first instance, a letter should be sent to the Executive Director (Corporate Services), Fife House, North Street, Glenrothes within 28 days of the refusal, or "deemed" refusal. A deemed refusal occurs when no response is received by the parent after 2 months from the submission of a placing request during the academic session.
- 2.3 The letter should include the name and address of parent, name of child, name of choice of school, the date of the council's letter of refusal and the statement that you wish to refer the Council's decision to the Appeal Committee.
- 2.4 Appeals against the refusal of a placing request can also arise throughout the school year. The same process of appeal should be followed, as per paragraph 2.2.

3.0 The Education Appeals Committee – Legislation

- 3.1 Although Fife Council establishes an Appeal Committee, it is not a Committee of Fife Council. It is an independent body under the supervision of the Scottish Committee of the Administrative Justice & Tribunals Council (s.1(1)(a) Tribunals

and Enquiries Act 1992).

3.2 The membership of an Appeal Committee must comprise elected members of the authority or religious representatives appointed to the authority's Executive Committee, and other people who are either:

- parents of children of school age; or
- persons who, in the opinion of the authority, have experience in education or are familiar with educational matters.

3.3 Elected members of the authority or religious representatives appointed to the Executive Committee must not outnumber the others by more than one. There is no restriction on the latter from outnumbering the former. A member of the Executive Committee must not hold the chair.

3.4 Those who may not be members of an appeal committee include:

- employees of the education department of the authority;
- teachers, pupils, parents of pupils or Parent Council members of the relevant chosen school; and
- any person who had a part in, or was present at, discussion about the subject matter of an appeal.

3.5 A 'relevant school' is defined as one:

- a) which a child, in respect of whom a placing request has been made, attends;
- b) which is named in a placing request;
- c) which an authority thinks a child, in respect of whom a placing request has been made, should attend;
- d) which is an associated school to a school in either (b) or (c); or
- e) from which the pupil has been excluded.

3.6 The Education (Appeal Committee Procedures)(Scotland) Regulations 1982 set out how hearings before Appeal Committees are conducted. Normally, they must be held within 28 days of a reference to the Committee unless there are circumstances beyond the Committee's control which prevent it. Dates may be varied if they are not convenient for the appellant. At least 14 days' notice should be given of the time and place of the hearing.

3.7 The appellant (in most circumstances a parent) must also be told of his or her rights:

- to appear or be represented;
- to have up to three friends including his or her representative present;
- to lodge written representations;
- to allow his or her case to rest solely on written representations.

- 3.8 The regulations lay down the procedure that must be followed at the hearing itself, although the Appeal Committee may vary it, depending upon the particular circumstances of individual cases (Reg. 11(2) Education (Appeal Committee Procedures) Regulations 1982).
- 3.9 It may arise that more than one child may have had a placing request refused for the same reason in respect of the same year of education at the same school or, in cases of exclusion from school, more than one child has been excluded at the same time for generally the same reasons. In such cases, appeals may be combined if the Appeal Committee so wishes, although appellants can address the Committee with none of the others present, if they so wish (Reg. 9, Education (Appeal Committee Procedures) Regulations 1982).
- 3.10 The committee does not have to give its decision and the reasons for it on the day of the hearing, although it must do so in writing within 14 days. If it does not intend to give its decision in writing with reasons at the end of the hearing, the Chair must tell the parties that before the hearing ends (Reg.14(1) and (2), Education (Appeal Committee Procedures) Regulations 1982). Each member of the Committee must vote on a decision.
- 3.11 If the decision is against the appellant, he or she must be informed of their right of appeal to the sheriff. The Education Authority has no right of appeal (Reg. 14(2), Education (Appeal Committee Procedures) Regulations 1982).

4.0 What Happens at the Appeals Hearing?

- 4.1 The Chair of the Appeal Committee will say how the Committee intends to conduct the proceedings. Normally:
- a) the person speaking on behalf of Education Service will explain why the request was refused;
 - b) the person who is appealing, or the nominated spokesperson can ask the representative from Education Service questions;
 - c) the person who is appealing, or the nominated spokesperson will inform the Appeal Committee why the child should get a place at the chosen school;
 - d) the person speaking on behalf of Education Service may ask questions to the parent appealing the decision;
 - e) the person speaking on behalf of Education Service will sum up their reasons for refusal; and
 - f) the appellant then has the opportunity to sum up their reasons.
- 4.2 The Council can ask the Appeal Committee to adjourn the hearing and fix a later date for resuming if new information is given and the Council were unaware of this.

4.3 Only a limited number of people may be at the hearing. Members of the public are unable to attend Appeals Hearings.

5.0 Decision of the Appeals Committee

5.1 The Committee must give its decision within 14 days of the end of the hearing.

5.2 The decision must be given in writing to the appellant and the Education Service and the reasons behind the decision.

5.3 If the Committee agrees with Education Service, it must advise the appellant about their right of appeal to the Sheriff.

5.4 If the Committee disagrees with the Education Service, and advises they should not have refused the request, the Council must let the child have a place at the school of their choice.

5.5 If the Committee either fails to hold a hearing within 2 months of one being requested, does not fix a date for the hearing to continue within 14 days of adjourning a hearing or does not give their decision and their reasons for it within 14 days of ending a hearing the parents have 28 days from the date of that failure to appeal to the Sheriff.

6.0 Appeal to the Sheriff

6.1 If the Appeal Committee has informed the parent that it agrees with the Education Service to refuse a child a place at their choice of school, parents can appeal to the Sheriff against the Appeal Committee's decision.

6.2 An application of appeal to the Sheriff must be lodged within 28 days of receiving the Appeal Committee's decision.

6.3 An appeal to the Sheriff will be dealt with in private.

6.4 The Sheriff will decide whether the Council refused the request for a reason that is allowed by the law. If not, the Sheriff will overturn the Education Service's original decision and the child must be admitted to the school of their choice.

6.5 Even where the Sheriff decides that the Council had good reason, the Sheriff may consider whether the request should still be accepted.

FIFE COUNCIL EDUCATION AND LEARNING DIRECTORATE SCHOOL ADMISSIONS POLICY

Appendix 5

PLACING REQUESTS FOR PUPILS WITH ADDITIONAL SUPPORT NEEDS

The Education (Additional Support for Learning) (Scotland) Act 2004 as amended by the Education (Additional Support for Learning) (Scotland) Act 2009, is the legislation concerning placing requests for pupils with Additional Support Needs. Chapter 4 of the Code of Practice 2010 Supporting Children's Learning (published by Scottish Government in support of the Act) outlines in detail the different circumstances to be considered in relation to a placing request.

When a Fife parent makes a placing request to a school or nursery within Fife this will be granted unless there are clear grounds for refusal.

The grounds for a refusal are set out in Section 3 of Schedule 2 of the ASL Act. The grounds for refusal will be clearly stated in the letter of refusal sent to the parent. In refusing a placing request for a pupil with Additional Support Needs it will be made clear to parents their right to access independent mediation, dispute resolution or the ASN Tribunal.

Where a placing request for a pupil with Additional Support Needs is refused parents can appeal to the Education Authority Appeals Committee. However where a placing request is for a pupil who has, or is in the process of having considered or established, a Coordinated Support Plan, or is to a Special School the appeal route is to the ASN Tribunal.

In any case of refusal the grounds of refusal and the route for appeal will be set out clearly for parents.

FIFE COUNCIL EDUCATION AND LEARNING DIRECTORATE SCHOOL ADMISSIONS POLICY

Appendix 6

School Transport for Pupils

Current legislation requires that Education Authorities in Scotland provide free transport for pupils under the age of 8 who live more than 2 miles from their catchment school. Pupils aged 8 and over are entitled to free transport if they live more than 3 miles from school. In schools run by Fife Council, a child or young person is normally expected to make his/her own way to and from their catchment school or other educational establishment that they attend. This is viewed as an integral part of their personal and social education.

Fife Council's current policy is that a child or young person is entitled to free transport when:

- a primary school aged child lives more than one mile from his/her catchment school or other educational establishment by the shortest reasonable walking route;
- a secondary school aged young person lives more than two miles from his/her catchment school or other educational establishment by the shortest reasonable walking route; or
- a child or young person has additional support needs and free transport is proposed through a planning and review meeting and the full completion of a transport request form.

Parents/carers who choose to have their children educated at an establishment outwith their catchment school(s) will be expected to meet transport costs. Under normal circumstances free transport will not be provided for a child or young person as a result of a successful parental placing request (see booklet 'Choosing A School – A Guide for Parents). However, the Executive Director will reserve the right to provide discretionary transport in, individual exceptional circumstances for an agreed period of time.

Free transport can be provided, through Social Work Service, from home to college/further education centre for those students on non-advanced, full-time courses who cannot access public transport because of their additional support needs.

If a request for free transport has been refused and a parent considers that an exception should be made they should write to the Executive Director (Education & Learning) at the following address providing as much information as is necessary and relevant.

**Executive Director (Education & Learning)
4th Floor, Rothesay House, Rothesay Place, Glenrothes, KY7 5PQ.**

The information included in this document can be made available in large print, braille, audio CD/tape and British Sign Language interpretation on request by calling 08451 55 55 00

Calls cost between 3p to 7p per minute from a UK landline, mobile rates may vary.

عند الطلب، يمكن توفير المعلومات الواردة في هذا المستند في صورة مستندات مطبوعة بأحرف كبيرة ومستندات بطريقة برايل وعلى أشرطة/أقراص مضغوطة صوتية مع الترجمة بلغة الإشارة البريطانية من خلال الاتصال بالرقم 08451 55 55 77
تتراوح تكلفة المكالمات بين 3 إلى 7 بنسات في الدقيقة من أي خط أرضي في المملكة المتحدة، وقد تختلف أسعار المكالمات بالهاتف المحمول.

এ নথিতে যেসব তথ্য আছে তা 08451555599 এ নাম্বারে ফোন করে অনুরোধ করলে বড় ছাপা, ব্রেইল, ওডিও সিডি/টেইপ ও ব্রিটিশ সাইন ল্যাংগুয়েজ ইত্যাদি মাধ্যমে পাওয়া যাবে।
কলের জন্য ইউকে ল্যান্ডলাইন থেকে খরচ হবে প্রতি মিনিটে ৩পি থেকে ৭পি, মোবাইলের খরচ ভিন্ন হতে পারে।

如果你需要以大字體印刷、盲人點字、光碟/錄音帶格式或英國手語傳譯說明這份文件的內容，請致電 08451 55 55 88 提出要求。

用英國電訊固定座機撥打上述電話號碼收費每分鐘 3 至 7 便士，以手機撥打收費各異。

Informacje zawarte w tym dokumencie mogą zostać udostępnione w wersji drukowanej dużą czcionką, w alfabecie Braille'a, w wersji dźwiękowej na płycie CD/taśmie lub w tłumaczeniu na brytyjski język migowy – prosimy o kontakt pod numerem 08451 55 55 44.

Koszt połączenia wynosi 3-7p za minutę z brytyjskich telefonów stacjonarnych, koszty połączeń z telefonów komórkowych mogą być różne.

ਇਸ ਦਸਤਾਵੇਜ਼ ਵਿਚਲੀ ਜਾਣਕਾਰੀ ਟੈਲੀਫੋਨ ਨੰਬਰ 08451 55 55 66 ਰਾਹੀਂ ਮੰਗ ਕਰਨ ਉੱਤੇ ਵੱਡੇ ਅੱਖਰਾਂ, ਬ੍ਰੇਅਲ, ਆਡੀਓ ਸੀ.ਡੀ./ਟੇਪ ਅਤੇ ਬ੍ਰਿਟਿਸ਼ ਸਾਈਨ ਲੈਂਗੂਏਜ ਦੇ ਅਨੁਵਾਦ ਵਿਚ ਮੁਹੱਈਆ ਕਰਾਈ ਜਾ ਸਕਦੀ ਹੈ।

ਜੂ.ਕੇ. ਲੈਂਡਲਾਈਨ ਰਾਹੀਂ ਕਾਲ ਕਰਨ ਦਾ ਖਰਚਾ 3 ਤੋਂ 7 ਪੈਨੀਆਂ ਪ੍ਰਤੀ ਮਿੰਟ ਹੋਵੇਗਾ, ਮੋਬਾਈਲਾਂ ਦੇ ਰੇਟ ਵੱਖਰੇ ਵੱਖਰੇ ਹੋ ਸਕਦੇ ਹਨ।

08451 55 55 66 پر درخواست کرنے سے اس تحریر میں دی گئی معلومات بڑے پرنٹا بریل آڈیو سی ڈی/ٹیپ پر اور ترجمانی والی برطانوی اشاراتی زبان (برٹش سائن لینگویج) میں مہیا کی جاسکتی ہیں۔

کسی برطانوی لینڈ لائن سے فون کے نرخ 3 تا 7 پنس فی منٹ ہیں' موبائل کے نرخ مختلف ہوسکتے ہیں۔