

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**