

# Education, Children and Families Committee

10am, Tuesday, 31 January 2023

## School Admissions and Appeals Update

Executive/routine  
Wards  
Council Commitments

### 1. Recommendations

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1.1 The Education, Children and Families Committee is asked to:

1.1.1 Agree the proposed improvement plan.

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## Schools Admissions and Appeals Policy

### 2. Executive Summary

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- 2.1 Edinburgh has seen an increasing number of school appeals and this is significantly more than other Local Authorities. Appeal chairs and headteachers have also raised concerns in relation to the sustainability of the current system in this light of this rise at a time when school places (especially in the city centre) at secondary level are at a premium.
- 2.2 Therefore a short life working group was convened to consider the issues which have led to the increase in appeals and develop an action plan to improve the system.

### 3. Background

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- 3.1 Under the [Education \(Scotland\) Act 1980](#), the provision and delivery of education at a local level is the statutory responsibility of Local Authorities. Under Section 1 of the Act, it is the Council's duty to provide adequate and efficient school education for all school age children.

The current admissions policy for the City of Edinburgh Council (the Council) was approved by the Education, Children and Families Committee on 15 December 2020. The Council delegates the responsibility for managing the provision of school places to Education and Children's Services; with day-to-day administration performed by the Customer Assessment and Finance Transactions Team. Head teachers are then responsible for all admissions after the start of term in August.

### 4. Main report

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- 4.1 The working group was established with representatives from officers who service all aspects of the schools admission and appeals process. The initial work was to surface the challenges that have led to the current situation and then produce a proposed mitigation plan. The issues and proposed solutions have also been shared with the appeal chairs whose input has been taken into account in the writing of this paper.
- 4.2 From the initial consideration of the issues it became apparent that there were challenges and opportunities at each stage of the admission process for example:
  - 4.2.1 Initial information on how to apply and school place numbers – some parents apply to multiple schools and repeatedly are refused as places are not available but they are not able to ascertain this from the information in the public domain.

- 4.2.2 The number of places held for catchment children has recently moved from 1 in 60 to one on 40 but this is not sufficient so more reserved places could be held to prevent in catchment appeals.
- 4.2.3 There is particular pressure in parts of the city due to groups of children such as those of MOD families and university staff. We could work more proactively with these employers to support children into schools which have places available.
- 4.2.4 The paperwork is complex and not always consistent in length and quality which makes it difficult to consider all aspects of the appeal.
- 4.2.5 Appeals are a complex legal process that relate to the concept of exceptionality but not all of the appeals have legal input. Some headteachers are very experienced in presenting to appeal panels but others who have not experienced an appeal process can struggle to make the most effective input possible.
- 4.2.6 Panels are under pressure and there are not enough people to sit on panels so it adds pressure on a stressed system.
- 4.2.7 Therefore an action plan has been developed which takes forward improvement in all areas of the current system and is attached as appendix 1.
- 4.3 The development of the plan has considered best practice from other local authorities and essentially focuses on 4 key areas to improve:
- 4.3.1 Better information available to parents to enable them to plan and be realistic about school choices.
- 4.3.2 Changes to the process especially to holding places more places for catchment children and changing the way waiting lists are used.
- 4.3.3 Improving the process, especially the paperwork, to support more consistency.
- 4.3.4 Better training and support to appeal committees, and also recruitment of panel members to the appeals committee.
- 4.4 With the introduction of all of the above it is hoped will manage the recent challenges and will prevent the need for a wider catchment review.
- 4.5 Internal audit will be undertaking a review of this improvement plan in quarter 4.
- 4.6 The School Appeals and Admissions Policy will be updated in line with Policy Guidelines and will come to committee in February 2024.

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## **5. Next Steps**

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- 5.1 Take forward the actions in the improvement plan.

## **6. Financial impact**

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- 6.1 There is no financial impacts arising from this report.

## **7. Stakeholder/Community Impact**

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- 7.1 The following have been involved the working group. We have also considered feedback from elected members and chairs of the appeals committee.
- Executive Director of Education and Children's Services
  - Acting Head of Schools and Lifelong Learning

- Senior Education Officers – Primary and Secondary
- Head Teachers on behalf of the Primary and Secondary sector
- Senior Solicitors
- Committee Officer
- Operations Manager
- Transactions Team

## **8. Background reading/external references**

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<https://democracy.edinburgh.gov.uk/documents/s29861/7.11%20School%20Admissions%20and%20Appeals%20Policy.pdf>

## **9. Appendices**

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9.1 Appendix 1 Improvement Plan

**School Appeals Improvement Group Improvement Actions**

Date for next review (If required)	Date Raised	Item	Updates	Timescale
Mar-23	<b>04/10/2022</b>	Training - inform those involved with appeals the outcomes of granting appeals and that this is not straightforward (inform about all the replanning required to accommodate)	Arrange a meeting with the chairs (include the new chairs). We have one training event available and will confirm the date. For primary schools we can bring in a new teacher but for secondary it means numerous teachers to cover the different subjects.	Feb-23
Mar-23	<b>04/10/2022</b>	Revamp the front facing website (also raised on the 9 November)	In progress- the schools places are updated once a month and the parents email the Education Enquiries mailbox and the Senior Education Officers advise of spaces - the information is allocated and held centrally.	In progress
Mar-23	<b>04/10/2022</b>	Benchmarking with other LA's should be carried out.	An enrolment document with links to all other LA's has been created.	Complete

Mar-23	<b>04/10/2022</b>	Our legal obligations should be reviewed - we are over generous in granting appeals and we should look to restrict numbers in our popular schools	This is based on exceptionality - we need a clear definition of exceptionality and make it clear on the councils website. Transactions colleagues advised that they could look at web intelligence so when hovering over the drop-down options on the form exceptionality is explained. We will source case studies of what's not exceptional e.g. autism. Transactions colleagues will look out examples of cases and the conditions that can be managed in schools that are not classed as exceptional. MOD and University children's exceptionality should be clarified. There is a new act coming in (Armed Forces Statutory Guidance) which may award them exceptionality - we will provide the guidance (where we have children of Armed Forces families in the city) and Armed Forces will advise of accommodation in the city.	In progress
Mar-23	<b>04/10/2022</b>	Legal will check on how Glasgow council carry out appeals - don't think they carry a waiting list. (for non-catchment)	They do not carry a non-catchment waiting list.	In progress
Mar-23	<b>04/11/2022</b>	Meeting with the appeal chairs should be arranged	Complete - Amanda Hatton met with them in December	Complete
Mar-23	<b>09/11/2022</b>	Develop an online form for those who want to join a school any other time of the year		In progress

Mar-23	<b>09/11/2022</b>	Look at the number of places we keep in reserve at our schools. Currently we keep 1 place per 40 in secondary and 1 space per class in primaries. The suggestion is do we make it 1 in 20 now. Any lost appeals would have less impact. Sometimes it isn't possible to keep reserve places.	The new guidance that will go to EC&F committee in February 2024 and we could suggest 1 in 20 places reserved but this would need consultation.	In progress
Mar-23	<b>09/11/2022</b>	A review of the makeup of the appeals panel would be welcomed and that the training is carried out before the next appeal panel. There is a national review of the appeals.		In progress
Mar-23	<b>09/11/2022</b>	Strengthen the wording on the declaration about providing accurate information for the appeal.		In progress
Mar-23	<b>09/11/2022</b>	Accuracy of figures presented to the appeals committee; these should be checked beforehand	The paperwork is due 10 days before the appeals, this doesn't always happen and it should be noted that figures can change in the 10 days from the paperwork being provided to the date of the appeal committee. Sometimes the figures are updated on the day of the appeal. Suggestion is that the figures are not provided until the day of the appeal.	In progress
Mar-23	<b>29/12/2022</b>	Do other LA's allow for non-catchment appeals or do they only allow catchment appeals?	Glasgow only have a waiting list for those in the catchment area but not for non-catchment cases. At the start of term we stop the waiting list (non catchment) but it means that they can then reapply later. We need to change the guidance - this will be reviewed and will go to EC&F committee in February 2024. The concern is for those people who are moving into the catchment areas.	

Mar-23	<b>29/12/2022</b>	Meeting to be arranged with the Education Convener about exceptionality.		Jan-23
Mar-23	<b>29/12/2022</b>	Lessons Learned	Always held in September with the improvement group, include one of the appeal chairs.	Sep-23