



The Moray Council

Education & Social Care

Admission to Schools in Moray – Policy and Procedures

(Consultation Draft)

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1. INTRODUCTION TO THE SCHOOL ADMISSIONS POLICY

This document is the policy for admission to primary and secondary schools and related matters. It is formulated as guidelines to comply with the legislation referred to below. This policy supersedes all others in connection with this subject matter.

1.1 The Policy extends to:

- Primary School Capacities
- School Commencement & Under School Age Requests for Education
- Registration
- Enrolment
- Admission Priorities
- Reserved Places
- Waiting Lists

1.2 In Moray, the education authority discharges its duty to secure adequate and efficient education for the local authority area by operating a “catchment area” system to enable parents/carers to comply with their duty to provide efficient education for their child(ren). The zones (catchment areas) are shown as delineated areas on maps. Information on these catchment areas is available on:

www.moray.gov.uk/moray_services/page_68608.html.

1.3 An admissions policy for nursery education titled ‘Admission to Pre-School Education’ is also available. This document can be found at:

www.moray.gov.uk/moray_standard/page_42682.html

2. AIMS

2.1 The aims of this policy are to:

- assist in providing effective and efficient education for pupils in Moray;
- enable parents to comply with their duty to provide efficient education for their children;
- ensure that the education authority deals with placing requests in accordance with the law;
- ensure that placing requests are dealt with fairly and transparently and subject to an appeals process; and
- ensure that, where placing requests cannot be met, the reasons for refusal comply with the law. These reasons will be given to parents in writing within 2 months from when the placing request application was received.

3. SCHOOL CAPACITIES

3.1 It is recognised that each school has a maximum capacity for accommodating the education of pupils in a safe, comfortable setting which is conducive to a positive learning experience. The Moray Council recognises that any given school will have a **physical capacity** and a **functional capacity**.

- 3.2 The **physical capacity** of a school is the maximum number of pupils that could possibly be accommodated in the building. This centres upon health and safety based principles and is a relatively static number once fixed. The physical capacity of a school would only change if there were a change in the anticipated use of the available accommodation or, in other words, if the nature of the provision of education changed at the school e.g. increased or decreased Additional Support Needs, pre-school education or statutory education provision.
- 3.3 The **functional capacity** of a school is the maximum number of pupils that a school can accommodate in any one year taking into account the organisational needs of the school and, in particular, the age distribution of pupils. The functional capacity therefore is subject much more to fluctuation from year to year.
- 3.4 The physical capacity and the functional capacity for each school in Moray will be the subject of a report to Committee in or around October following the school commencement date in August. This report will indicate for the Committee's approval, the respective capacities for the current academic year.
- 3.5 When deciding placing requests for the following academic year, the education authority will have regard to several factors including the physical and functional capacities of the school building.
- 3.6 It must be borne in mind that an accurate functional capacity can only be arrived at in the prevailing circumstances and cannot be fixed in advance of knowing the numbers of pupils at each age and stage of education wishing to take up their education at any given school.

4. WHEN CAN A CHILD GO TO SCHOOL?

- 4.1 Children will normally start school in the August following their 5th birthday. Children who are aged 4 at the school commencement date in August and who will have attained the statutory school age 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.
- 4.2 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 Education and Social Care Officers prior to early entry approval. For more information on this process, refer to Appendix 1 "Early Entry to School".
- 4.3 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 Social Care, The Moray Council, High Street, Elgin, IV30 1BX to say so.
- 4.4 The time at which pupils are old enough in law to leave school (statutory school leaving age) 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 to attend 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 to attend another school at the start of the Christmas holiday period in between those two dates.

5. ENROLMENT AT PRIMARY AND SECONDARY SCHOOL

- 5.1 As stated in paragraph 1.2, The Moray Council manages the education provision by dividing the entire authority area into catchment areas. Most parents of children living within the catchment area will choose for their children to attend the designated primary and secondary school for their catchment area.
- 5.2 The enrolment process for Primary 1 pupils takes place between early January and April 30 of each year. Notices are published in local newspapers in December of each year to advise parents of the timescale and procedures for making parental placing requests.
- 5.3 School start dates and term dates are published annually and are available on: www.moray.gov.uk/moray_standard/page_55829.html.
- 5.4 For entry to primary school, parents should always attend an enrolment session at their catchment area school where they will be asked to complete a placing request form. A request to enrol is completed in a placing request form. When parents complete a placing request form for their children at the zoned school, they are requesting a place at that school, which will be allocated in accordance with the priorities laid out in Appendix 2 to this document. Residence in the catchment area will not automatically mean that a child will have a place at the catchment school if there are more children resident in the catchment area than places available in the school.
- 5.5 When attending an enrolment session, 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) proof of the child's main residence e.g. a Council Tax notification letter; or a utility bill which provides confirmation of the address of the child's parent or main carer.
- 5.6 There are enhanced provisions for primary and secondary school pupils with additional support needs in each Associated School Group (ASG). We encourage those pupils who meet the criteria to attend the provision within their zoned ASG. These enhanced provisions afford pupils with additional support needs the best possible educational and social experiences and differentiated curricula, tailored to meet specific needs.

- 5.7 Education and Social Care may carry out checks to verify the information provided by parents as to residence. Where false information has been submitted an offer of a place at any school may be withdrawn.
- 5.8 If a parent wishes their child to be enrolled at a school which is not the designated catchment area school for their postal address, they must make an out-of-zone 'placing request'. For further information on placing requests, refer to Appendices 3 and 4 of this policy.
- 5.9 Parents submitting an out-of-zone placing request should also seek to enrol their child at their catchment school and should note their child's catchment school on the form. (See Appendix 3.) If no mention is made of the catchment school, that school will not be able to keep a place for that particular child if one is available there and the out-of-zone school in question has reached capacity.
- 5.10 As referred to in paragraph 5.4, placing requests are prioritised in accordance with the priorities policy, as set out in Appendix 2. As shown in Appendix 2, first stage priority will be given to pupils resident in the school's catchment area; thereafter stage 2 of the priorities policy will be applied where the school is oversubscribed, or is projected to be 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 made.
- 5.11 In the unusual situation where catchment area pupils, after application of the priorities policy as set out in Appendix 2, are refused a place at their catchment school, The Moray Council will offer a place at an alternative school.
- 5.12 Standard enrolments for transfer from primary to secondary are organised annually between the secondary school and its associated primary schools.
- 5.13 Pupils leaving Moray primary schools and going into their first year at secondary school will be deemed to have made a placing request to secondary school based on the catchment area in which their home address is situated. If a pupil is attending a primary school as a result of a successful out-of-zone placing request, parents will be required to make a further placing request to attend a non-catchment secondary school.
- 5.14 For any placing requests during the academic year, parents should contact the primary or secondary school direct. The Corporate Director (Education and Social Care), or his nominee, can offer places during the academic year. Places reserved for in-zone pupils will only be offered to pupils living within the delineated zone.

6. PARENTAL CHOICE (PLACING REQUESTS)

- 6.1 Parents have the right to request that their child attend a school which is not their designated catchment area school. Any such request is called an out-of-zone placing request, as opposed to an in-zone placing request (i.e. a placing request to the catchment school). When attending an enrolment session,

parents should indicate their preferred school for their child on the placing request form.

- 6.2 Wherever possible, out-of-zone placing requests will be approved. Reasons for refusal of placing requests are detailed in Appendix 3, and are provided for in legislation. 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.
- 6.3 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 must be made to the first school of the parent's choice by 15 March.
- 6.4 Parents making placing requests to more than one school should list schools in order of priority in their application.
- 6.5 Parents making a placing request during the normal Primary 1 enrolment process will be notified in writing of the outcome of their request by 30 April.
- 6.6 Decisions on other placing requests, for any other stage of school, made outwith the normal enrolment timescale will be given, and parents informed in writing, within the statutory maximum of 2 months. In law, all placing requests must be responded to in writing.
- 6.7 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 if the decision of the authority is to refuse the request. The procedure for an appeal against a decision refusing a placing request is outlined in Appendix 5.
- 6.8 When a placing request is refused, the parent who made the request has 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 Appeals Committee or upon appeal to the Sheriff, all other refusals of placing requests to that school will be reviewed.
- 6.9 A young person over the statutory school leaving age and under 18 years of age may make a placing request on their own behalf.
- 6.10 Placing requests in respect of pupils with Additional Support Needs are governed by a separate procedure and different appeals processes may apply. In the main, pupils who have Additional Support Needs are admitted to schools following standard enrolment and placing request 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 6.

7. TRANSPORT TO AND FROM SCHOOL

7.1 Transport will be provided to primary and secondary catchment pupils who meet the distance criteria in accordance with council policy. The Moray Council's policy is that a child or young person is entitled to free transport when:

- a primary school aged child lives more than two miles 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, with approval from the Inclusion Manager.

7.2 The Moray Council only provides transport to pupils who live within the catchment area for any particular school. Parents who are successful in gaining a placing request for a school in which their home address is not located within the catchment area will assume full responsibility for home to school transport to that school.

7.3 Once the enrolment process has been completed, at any point during the academic session, Education and Social Care and Public Transport Unit will verify entitlement to free transport and issue all travel passes to distance-entitled pupils.

7.4 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 Corporate Director (Education and Social Care), or his nominee, in consultation with the Public Transport Unit and the transport providers. However, schools must advise any family when a child is not entitled to transport because they live out of zone.

7.5 In all cases where there is no entitlement to free school transport, the Council may nevertheless agree to provide transport on a discretionary basis but only where there is transport passing the pupil's home or there is a suitable meeting point on a transport route where parents can drive or walk pupils to. The Moray Council cannot consider discretionary transport when there is no transport serving the pupil's home area.

7.6 For further information please refer to Appendix 7.

8. SCHOOL HANDBOOKS

8.1 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 school handbooks.

- 8.2 The information contained within the school handbook is specific to every school in Moray 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.
- 8.3 A copy of the school handbook and details of their catchment area will be made available to all pupils enrolling in Primary 1, changing their primary school, or transferring to secondary school, either in paper form or online.
- 8.4 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.
www.gov.scot/Topics/Education/Schools/Parents/schools
- 8.5 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. Schools catchment areas are available at
www.moray.gov.uk/moray_services/page_68608.html

9. RESERVED PLACES

- 9.1 Where it is considered necessary to reserve places in any given school for children moving into the catchment area during the academic year, the number of places to be reserved within each stage of education at that school will be fixed by the Corporate Director (Education and Social Care). These reserved places will be held for the remainder of the academic year. The number of places reserved for pupils who move into the delineated zone for any given school shall take into account the projected roll for each school, the likely movement of families, facilities at each school and the educational well-being of the pupils already in attendance. In determining the number of places to be reserved, the Corporate Director (Education and Social Care) will consult with the head teacher, parent councils and local Elected Members.
- 9.2 Reserved places will be used for pupils who live within the delineated zone, in the course of the year. In the course of the school year, any places which become vacant in a school which had reached its functional capacity can be offered to pupils on the waiting list, in accordance with the priorities set out in Appendix 2, whose stage of required education accords with the vacancy, so long as this continues to allow the school to hold in reserve the specified number of places for pupils who live in the catchment area.

10. WAITING LIST

- 10.1 The Council is not obliged to hold waiting lists in terms of any legislative provision but, in the interests of fairness, will do so in the circumstances described below. 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.

- 10.2 Priority on the waiting list will reflect the order of priorities for admission stated above, but grading within each of those categories shall be according to the priorities in Appendix 2. If, following a refusal of a place at a school, parents wish their child's name to be added to a waiting list for that school, they must indicate this to the Corporate Director (Education and Social Care). Names will not be added to waiting lists automatically on the refusal of a placing request.
- 10.3 A waiting list will be held from 30 April onwards for each school that has reached its functional capacity at that date. (Functional capacity at that date will be calculated by Education and Social Care Officers and based on the prevailing circumstances relevant to the given school.) Those who remain on the waiting list as at 1 March the following year, shall be invited to make a new placing request by 15 March for the coming year.
- 10.4 A waiting list will be initiated for each school which reaches its functional capacity in the course of the school year from the date upon which it reaches capacity onwards. (Functional capacity will be calculated by the education authority and based on the prevailing circumstances relevant to the given school). Those who remain on the waiting list as at 1 March the following year shall be invited to make a new placing request by 15 March for the coming year.

11. PROVISION OF A DENOMINATIONAL EDUCATION

- 11.1 There are currently three denominational (Roman Catholic) schools in Moray. Each school has a delineated catchment area which is shown on maps held in the schools and by the education authority. It should be noted that these catchment areas do not cover the whole of Moray.
- 11.2 Moray Council will provides transport to those pupils residing within the zones of the denominational schools to which they are zoned, in line with the transport policy outlined in Appendix 7.
- 11.3 Placing requests for pupils who can "demonstrate affiliation to the Roman Catholic church by means of a baptismal certificate" are given priority to their zoned Roman Catholic school, in accordance with Appendix 2.
- 11.4 Parents whose child cannot "demonstrate affiliation to the Roman Catholic church" by means of a baptismal certificate, and who wish to make a placing request to a denominational school, will be given lower priority in accordance with Appendix 2. In such cases, parents/carers should submit a placing request as outlined in section 5 of this document.

12. ENROLMENT OF PUPILS OUTWITH THE EU

- 12.1 The following paragraphs outline the process for enrolling pupils from overseas;
- 12.2 Enrolment of a child from outwith the EU can involve analysis and interpretation of the law in relation to education, immigration, people seeking asylum and refugees. In some limited circumstances, Education and Social Care may refuse to enrol a child from overseas. Accordingly, decisions on the enrolment of children from overseas will be made by the Corporate Director (Education

and Social Care), or his nominee, (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 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) proof of the child's main residence e.g. a Council Tax notification letter; or a utility bill which provides confirmation of the address of the child's parent or main carer.
- d) 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, will be considered.

- 12.3 When asked to enrol a child from overseas, head teachers should contact Education and Social Care, Council Headquarters, Elgin for clarification/advice.
- 12.4 Enrolment of a child from outwith the EU cannot take place until the child is resident within Moray.
- 12.5 Education and Social Care may 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.

MORAY COUNCIL EDUCATION AND SOCIAL CARE SCHOOL ADMISSIONS POLICY

Appendix 1

Early Entry to School (Section 38 of the Standards in Scotland's Schools etc Act 2000)

1. INTRODUCTION

- 1.1 Requests from parents that their child access education in terms of Section 38 of the Standards in Scotland's Schools etc Act 2000 shall be referred to as "Early Entry Requests for Education". This appendix provides the procedure for early entry to primary school prior to children reaching statutory school age and guidance notes on early entry to school.

2. MORAY 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 Moray, if parents wish to apply for their child to start school a year early, they should make their request in writing to the Corporate Director (Education and Social Care) no later than 31 March in the year they hope to enrol their child in school.
 - The link educational psychologist can offer informal early consultation and advice.
 - An assessment will be carried out by a suitably qualified and experienced officer of the authority together with the head teacher of the school, who will assess the child and make a recommendation to the Corporate Director (Education and Social Care), or his nominee, as to whether school education is suitable for the child.
 - Following assessment, the officer's report and recommendations will be copied to the parents/carers.
 - If the officers consider early entry to be suitable for the child, they will advise parents of the enrolment procedure.
 - The Corporate Director (Education and Social Care), or his nominee, will consider the information from the parents/carers, nursery/pre-school staff, education officers and head teacher in making a decision. The Corporate Director (Education and Social Care) will then reply in writing to the parents, copied to the head teacher(s) of the proposed primary school.
 - 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 the Moray Council's complaints procedure. This can be found online at: www.moray.gov.uk

MORAY COUNCIL EDUCATION AND SOCIAL CARE SCHOOL ADMISSIONS POLICY

Appendix 2

Priority Policy for Granting Placing Requests

Places in Moray Council schools will be offered to pupils in the following order and in accordance with the following priorities unless the Moray Council has taken a decision to make temporary arrangements which override this order, for explicit reasons and for specified timescales (e.g. temporary provision prior to a new school being established). All decisions regarding priority will be looked at against all outstanding placing requests at the time of decision.

Stage 1

Places will be offered to pupils residing within the delineated catchment area of the school. Resident within the delineated zone is defined as having an address which is a domestic property within the delineated zone and the child being in actual physical residence there or being anticipated to be in residence there within eight weeks of the placing request being made. Where there are more such pupils than there are places, places will be offered in the priority 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 an out-of-zone placing request has been made. Where there are more pupils in respect of whom an out-of-zone placing request has been made than there are places in accordance with the functional capacity of the school, 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. Priority will be given to those who have severe and complex needs and would require access to an enhanced provision as determined following assessment by the Corporate Director (Education and Social Care), or his nominee. Within this, priority will be given to pupils who reside within the ASG catchment areas. Currently the following primary schools offer enhanced provision: Aberlour, Applegrove, Greenwards, Hythehill, Keith Primary, Lhanbryde, Millbank and Seafield.
2. In cases of Roman Catholic schools, priority for admission will be given to pupils who can demonstrate an affiliation to the Roman Catholic church by means of a baptismal certificate.

3. Where the pupil's sibling or another child residing in the same household as the pupil attends Primary 1 – 6 at the school. Competing requests will be graded according to the stage of education of the pupil already in attendance, with priority being given to those closest in age. A non-sibling child's residence in the same household will require to be established.
4. Where the pupil attended an associated primary school (applicable only to placing requests for the first year of secondary school).
5. Where the pupil's home is closer to the school than it is to the catchment area school (out-of-zone placing requests only).
6. 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).
7. Where the pupil resides in the Moray Council area (placing requests only).
8. When it is not possible to differentiate pupils' eligibility on the basis of criteria 1-7 above, places at all schools will be offered by reference to the distance between their normal place of residence and the school, with priority being given to those living in closest proximity to the school, distance being calculated by straight line method from school to home.

It should be noted that attendance at a Moray Council nursery, at any school, does **not** give a child priority as a placing request entry to Primary 1 at that school, in terms of Stage 2 above.

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 out-of-zone placing requests exceeds the number of places, the remaining places will be offered after drawing lots between all remaining catchment area pupils or remaining pupils in respect of whom a placing request has been made.

MORAY COUNCIL EDUCATION AND SOCIAL CARE SCHOOL ADMISSIONS POLICY

Appendix 3

Operational Arrangements for Admissions to Schools

Operationally, the implementation of this policy shall be the responsibility of the Corporate Director (Education and Social Care) who has arranged for his functions to be discharged as follows:

Fixing of Capacities

The physical capacity and functional capacity for each primary school will be calculated by Education and Social Care Officers in consultation with the head teacher and will form the subject of a report to be placed before the Children and Young People's Services Committee at the first available opportunity after the school commencement date for the current academic year. (Reference policy paragraph 3.4.)

Reserved Places

The Corporate Director (Education and Social Care) has delegated authority to reserve places in schools. The number of places and at which stages of education are to be reserved for each school (where it is required) will be calculated by Education and Social Care Officers. (Reference policy paragraph 9.1.)

Registration – Primaries

Registration is a process to ascertain the numbers of pupils who will be commencing school in August of the year in which they are registered. This process does not guarantee a pupil a place at a specified school.

On a date or dates in January each year, to be intimated by the Corporate Director (Education and Social Care), head teachers of Primary Schools must **register** for education all children resident within the delineated area of their school who have attained the age of five years on or before the last day of February that year and who have not already been registered. Head teachers will also **register** all children resident within the delineated area of the school who will attain the age of five years on or before the last day of February of the succeeding year. (See also Enrolment Procedure).

Head Teachers should **NOT register** children whose fifth birthday is on or after 1 March of the following year. Parents of such "early entry" children should be advised to make a written request for early entry even for what would normally be their delineated area school. This should be submitted to the Corporate Director (Education and Social Care) for his consideration. **Head teachers should make no comment on the child's suitability for school.**

At the time of registration, parents must be advised that the process of registration is for education authority planning purposes only and they must also make a placing request for the school of their choice which will include the school which serves their

catchment area. They also have a right to make an out-of-zone placing request whereby their child can be educated in a school other than the one which serves their delineated area. A copy of the leaflet “Information for Parents – School Placings” containing form PR1, should be handed to the parent along with a list containing the names, addresses and telephone numbers of other local schools which is contained within the “Notes for Parents” booklet.

At any time a head teacher should also **register** any children of school age whose parents, having moved into the delineated area during the school session, present their children for education.

Registration – Secondaries

On a date or dates in January each year, to be intimated by the Corporate Director (Education and Social Care), head teachers of Secondary Schools must register for education all P7 children resident within the delineated area of their school as advised by head teachers of primary schools.

At the time of registration, parents must be advised that they have a right to make an out-of-zone placing request whereby their child(ren) can be educated in a school other than the one which serves their delineated area. This will be done by the head teacher of the primary school where the child is in attendance providing to the parent a copy of the leaflet “Information for Parents – School Placings” containing form PR1, along with a list containing the names, addresses and telephone numbers of other local schools which is contained within the “Notes for Parents” booklet.

At any time, a head teacher should also **register** any children of school age whose parents, having moved into the delineated area during the school session, present their children for education.

Enrolment – General

Prior to placing requests being received, head teachers will require to assess their projected roll figures. Primary schools must continue to meet the minimum provision of general purpose (GP) spaces as detailed within Scottish Government guidance ‘Determining Primary School Capacity’ published in October 2014. Where it becomes obvious that by accepting placing requests of all in-zone pupils the roll may come close to, or exceed, the functional capacity of the school (5% or 10 pupils from the maximum; whichever is greater) without encroaching into agreed “protected” non-class teaching GP areas, it is essential that Education and Social Care Officers be informed in order that the appropriate procedures may be followed. Until such times as discussions have taken place on future enrolments, pupils may only be registered and placing requests noted. Parents should be advised that they will be contacted in the near future regarding confirmation of their child’s admission to school. The criteria used to determine admission are detailed in the section in this policy on Placing Requests. This would also apply to placing requests during the course of the year. For enrolments of pupils from schools in other parts of the United Kingdom please see Appendix 8.

Enrolments Procedure – Primaries

1. All parents will have completed a registration form.
2. When attending an enrolment session, parents should indicate their choice of school on the placing request form. A copy of the booklet – “Notes for Parents” should be handed to the parent.
3. It should be noted that parents of children whose fifth birthday falls after the start of the school session but on or before the last day of February of the succeeding year have the option to defer entry to the August of the succeeding year. Parents who indicate their wish to make a deferred entry should be provided with “Deferred Entry – A Guide for Parents”. **Staff should make no comment on the child’s suitability for school.**
4. Parents who indicate their intention to “provide education by other means” should be advised that this information will be forwarded to the Corporate Director (Education and Social Care) who will contact them directly.
5. The Authority will require from head teachers a return on registration and enrolments following successful placing requests, both confirmed and noted.

Enrolment Procedures – Secondaries

1. All P7 pupils at local authority primary schools will have had completed for them a registration form by the head teacher of their primary school.
2. Registration forms will be sent to the zoned secondary school for the child’s residence.
3. The zoned secondary school will send placing request forms form to the parents of children for whom they receive registration forms.
4. Where parents wish to enrol in a delineated school, and there are no perceived problems as described above (“Enrolment – General”), and in accordance with the priorities shown in Appendix 2, the place should be granted by the parent completing and returning the placing request form.
5. Parents who indicate their intention to “provide education by other means” should be advised that this information will be forwarded to the Corporate Director (Education and Social Care), who will contact them directly.
6. The Authority will require from head teachers a return on registration and enrolments, both confirmed and noted.
7. If, in exceptional circumstances, a parent of a pupil below the Primary 7 stage wishes their child to be enrolled in a secondary school, then this request should be made in writing to the Corporate Director (Education and Social Care).

Placing Requests

The Corporate Director (Education and Social Care), or his nominee, will deal with all out-of-zone placing requests and early entry admissions. Requests received by 15 March for admission at the beginning of a new school session which can be met within the resources available and subject to the guidelines, will be approved by the department. Written confirmation will be sent directly to the parent by 30 April, a copy of which will be sent to the schools involved. Those which cannot be met will be refused in terms of section 28A of the Education (Scotland) Act 1981.

Head Teachers **must not pass comment** on the appropriateness of accepting any out-of-zone placing requests. Such decisions lie with the Corporate Director (Education and Social Care), or his nominee.

Waiting Lists

Waiting Lists shall be held by the department for schools where this has become necessary. If, following a refusal of a place at a school, parents wish their child's name to be added to a waiting list for that school, they must indicate this to the Corporate Director (Education and Social Care). Names will not be added to the waiting lists automatically on the refusal of a placing request.

The Corporate Director (Education and Social Care), or his nominee, will liaise closely with the head teacher of any school for which it has been necessary to hold a waiting list. The head teacher will inform the department of any vacancies arising at the school. **Head Teachers should not under any circumstances offer to enrol pupils whilst a waiting list is in operation.** All enrolments will be handled by the Corporate Director (Education and Social Care), or his nominee, for schools where a waiting list exists.

MORAY COUNCIL EDUCATION AND SOCIAL CARE SCHOOL ADMISSIONS POLICY

Appendix 4

Legislative Position

The following section outlines the applicable legislation in relation to admission to schools. It details the law on an education authority's obligations to educate a child in accordance with the parent's wishes and provides the background to the policy and procedures in this document.

Parental Choice – It is the legal duty of the education authority to place a child in the school of his/her parent's choice, provided that the request is for a school managed by the Council. This request is called a "Placing Request"¹. The obligation to meet this request however does not apply in certain circumstances. These exceptions are laid out in the legislation² and detailed later in this section.

Guidelines and Information – The authority is obliged to formulate **guidelines**³ to be followed when placing children in schools in the event of there being more placing requests than there are places available. The Moray Council does so through this Policy. Every education authority must publish or otherwise make available **information**⁴ as to the arrangements for the placing of children in schools under their management. The Moray Council does so through its leaflets "Information for Parents – School Placings".

In a case where the authority proposes to place a child in a particular school, it must inform the parent of the right to make a placing request⁵. This can of course only be done where the existence of the child is known to the authority. The Moray Council's proposals as to which schools children are placed in are based on delineated zones. A child's residence within a delineated zone indicates the school in which the Moray Council proposes to place the child. The Moray Council informs parents of these and the right nevertheless to make a placing request to a different school through its leaflet "Information for Parents – School Placings".

Decision-Making – Once a Placing Request is made – an education authority has to inform a parent in writing of its decision and where the placing request is refused, must give written reasons for this decision and inform the parents of his/her right to refer it to an appeals committee⁶, or Additional Support Needs Tribunal, as appropriate.

If an answer has not been provided within 2 months, the request is deemed to be refused and the person making the placing request can proceed to the next step in the appeal procedure⁷.

¹ Section 28A of the Education (Scotland) Act 1980 as amended

² Section 28A (3) and 28A (3A)

³ Section 28B (1)(c)

⁴ Section 28B (1)(a)

⁵ Section 28B (1)(b)

⁶ Section 29A (4)

⁷ Section 28A (5) and The Education (Placing in Schools Etc. – Deemed Decisions) (Scotland) Regulations 1982

If the placing request was made on or before 15 March for the first term of the next school year, the education authority is deemed to have refused the request if a decision has not been issued by 30 April⁸.

Grounds for Refusal of Placing Requests –

The law states that the education authority can refuse a parent's placing request in the following circumstances:

- * if granting it would make it necessary for the authority to take an additional teacher into employment;
- * if granting it would give rise to significant expenditure on extending or altering the school's accommodation or facilities;
- * though neither of the above **tests** is satisfied, if the consequence is that the capacity of the school would be exceeded in terms of pupil numbers;
- * if granting it would be seriously detrimental to the continuity of the child's education;
- * if granting it would be likely to be seriously detrimental to order and discipline in the school;
- * if granting it would be likely to be seriously detrimental to the educational well-being of pupils attending the school;
- * if granting it would require the formulation of an additional class or the appointment of an additional teacher at a future stage of the child's education at primary school;
- * if placing a child in the specified school would prevent children moving into a new area during a session gaining a place in their local school;
- * if the education normally provided at the specified school is not suited to the age, ability or aptitude of the child;
- * if the education authority has already required the child to discontinue his/her attendance at the specified school;
- * 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 the school, or
- * if the specified school is a single sex school (within the meaning given to that expressed by Section 26 of the Sex Discrimination Act 1975) and the child is not of the sex admitted or taken to be admitted to the school.

A separate list of grounds of refusal is provided for in the Education (Additional Support for Learning) (Scotland) Act 2004 in relation to refusal of placing requests made for children with Additional Support Needs.

Reserved Places – A further ground of refusal of a placing request is where to accept the placing request of a child who lives outwith the delineated zone for a given school would prevent the authority from retaining reserved places at the school⁹. "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 delineated zone 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;

⁸ Section 28A (5) and The Education (Placing in Schools Etc. – Deemed Decisions) (Scotland) Regulations 1982

⁹ Section 28A (3A)

and different numbers or, as the case may be, percentages may be prescribed under this subsection for the purpose of different cases or circumstances¹⁰.

Appeals – A parent who has made a placing request may refer a decision of the education authority refusing the request to an Appeals Committee¹¹. An appeal must be lodged with the Appeals Committee within 28 days of the receipt by the parent of the decision of the education authority¹². No further appeal is allowed for 12 months¹³. Where a placing request is for a pupil who has additional support needs, the appropriate appeal route may instead be to the ASN Tribunal, depending on the specific circumstances of the case.

Every education authority must set up and maintain Appeal Committees so that appeals can be heard¹⁴.

An Appeals Committee may confirm the education authority's decision if it is satisfied

- a) that one or more of the grounds of refusal specified exist; and
- b) that, in all the circumstances, it is appropriate to do so

but otherwise must refuse to confirm the authority's decision¹⁵.

Where an Appeals Committee refuses to confirm an education authority's decision, the authority must then give effect to the placing request. Furthermore, the education authority must review its decision to refuse any placing request to place another child at the same time at the same stage of education and in the same school¹⁶.

If the Authority decides not to reverse its decision to refuse the placing request in respect of the other child, the parent has a new right of appeal to an Appeals Committee.

Where an Appeals Committee confirms the education authority's decision, a parent may appeal to the Sheriff. An appeal must be lodged with the Sheriff Clerk within 28 days from the date of receipt of the decision of the Appeal Committee¹⁷.

The Sheriff may on an appeal confirm the education authority's decision if he is satisfied

- a) that one or more of the grounds of refusal exists or exist; and
- b) that, in all the circumstances, it is appropriate to do so

but otherwise must refuse to confirm the education authority's decision¹⁸.

Where the Sheriff does not uphold an education authority's decision, the education authority must give effect to the placing request. The education authority must review its decision to refuse any placing request to place another child at the same time and at the same stage of education and in the same school¹⁹.

¹⁰ Section 28A (3C)

¹¹ Section 28C (1)

¹² Section 28C (4)

¹³ Section 28C (3) with the exception of the right to appeal a reviewed decision described below.

¹⁴ Section 28D (1)

¹⁵ Section 28E (1)

¹⁶ Section 28E (5)

¹⁷ Section 28F (1)

¹⁸ Section 28F (5)

¹⁹ Section 28F (6)

If the education authority decides not to reverse its decision to refuse the placing request in respect of the other child, the parent has a new right of appeal to an Appeals Committee²⁰.

Early Entry Requests for Education

It is the duty of the parent of every child of school age to provide efficient education for the child²¹.

A person is of school age if he/she has attained the age of five years and has not deemed to have attained the age of 16 years²². If a child is 16 on or after 1 March but before 1 October of the same year, they will be deemed to have attained the age of 16 on the summer leaving date. If a child is 16 on or after 1 October but before 1 March next following that date, they will be deemed to have attained the age of 16 on the winter leaving date.

Children must attend school commencing in August each year if they have reached the age of five by that date (unless their parents are making other arrangements to provide the child with an efficient education)²³.

Children who are not five years of age by the school commencement date (usually in August) but who will be five within a certain period of time, can be treated as if they were five and admitted to school if their parent so wishes.

The date by which a child must have reached five in order to start school at the school commencement date is known as the appropriate latest date. In Moray, this date is the last day of February in the same school year²⁴.

A parent can defer entry until the following year if the child is not five at the school commencement date²⁵.

In Moray, the school commencement date is the first day of the academic year (usually in August)²⁶.

Thus each intake of new pupils can consist of children aged from four years six months to five years eleven months. This incorporates those who must attend at the school commencement date (five year olds), the ones whose fifth birthday falls before the last day in February following the school commencement date (four years six months and upwards) and those who deferred entry from the previous year (up to five years eleven months).

It is valid for the parents of a child aged four and a half or over to make a placing request²⁷. The education authority must comply with this request if the education at

²⁰ Section 28F (7)

²¹ Section 30

²² Section 31

²³ Section 30

²⁴ Section 32 (4)

²⁵ Section 32 (6)(a)

²⁶ Section 32 (1)

²⁷ School Education (Amendment) (Scotland) Bill

the school is suitable to the ability and aptitude of the child (unless one of the other usual grounds of refusal exists).

Requests can be made by the parent of a child under the age of four years six months that their child access school education and the education authority must comply if the education at the requested school is suitable for the child²⁸. This is not the same as a placing request. It is not a request to be placed in a specific school and the education authority is free to nominate an appropriate school to comply with the request. A parent, whose request is refused by the education authority because they do not deem school education to be suitable for the child, does not acquire the right to an appeal to an Appeals Committee or the Sheriff Court.

²⁸ Section 38 of the Standards in Scotland's Schools etc Act 2000

MORAY COUNCIL EDUCATION AND SOCIAL CARE SCHOOL ADMISSIONS POLICY

Appendix 5

Procedure for Appeals against Refused Placing Requests

1. Background

- 1.1 Moray Council is entitled to refuse a placing request only in certain circumstances which are listed in Appendix 4.
- 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 timescale will be made, and parents informed in writing, within the statutory maximum of 2 months. In law, all placing requests must 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, the placing request is deemed to have been refused.
- 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. Where a placing request is for a pupil who has additional support needs, the appropriate appeal route may instead be to the ASN Tribunal, depending on the specific circumstances of the case.

2. Process for Parents Wishing to Appeal

- 2.1 If a parent is not satisfied with an authority's decision on a placing request then an appeal can be made against the decision.
- 2.2 In the first instance, a letter should be sent to the Clerk to the School Placing and Exclusion Appeals Committee, Legal and Democratic Services, The Moray Council, Council Headquarters, High Street, Elgin, IV30 1BX, within 28 days of the refusal, or "deemed" refusal.
- 2.3 The letter should include the name and address of parent, name of child, name of choice of school, a copy of the Council's letter of refusal and the statement that you wish to refer the Council's decision to the Appeals Committee.
- 2.4 If appeal is to the Additional Support Needs Tribunal (ASNT), reference should be made to the organisation direct at The Additional Support Needs Tribunals for Scotland, Europa Building, 450 Argyle Street, Glasgow, G2 8LH.
- 2.5 Appeals against the refusal of a placing request can also arise throughout the school year. The same process of appeal should be followed, as paragraph 2.2.

3. The Education Appeals Committee – Legislation

- 3.1 The membership of an Appeal Committee must comprise elected members of the authority 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.
- 3.2 Elected members of the authority must not outnumber the others by more than one. There is no restriction on the latter from outnumbering the former. A member of the Children and Young People's Services Committee must not hold the chair.
- 3.3 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.
- 3.4 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.
- 3.5 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.
- 3.6 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.
- 3.7 The regulations lay down the procedure that must be followed at the hearing itself, although the Appeals Committee may vary it, depending upon the particular circumstances of individual cases (Reg.11(2) Education (Appeal Committee Procedures) Regulations 1982).
- 3.8 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. In such cases, appeals may be combined if the Appeals Committee so wishes, although appellants can address the Committee with none of the others

present, if they so wish (Reg.9, Education (Appeals Committee Procedures) Regulations 1982).

- 3.9 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.
- 3.10 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. What Happens at the Appeals Hearing?

- 4.1 The Chair of the Appeals Committee will say how the Committee intends to conduct the proceedings. Normally:
- a) the person speaking on behalf of the education authority will explain why the request was refused;
 - b) the person who is appealing, or the nominated spokesperson can ask the representative from the education authority questions;
 - c) the Committee can ask the education authority questions;
 - d) the person who is appealing, or the nominated spokesperson will inform the Appeals Committee why the child should get a place at the chosen school;
 - e) the person speaking on behalf of the education authority may ask questions to the parent appealing the decision;
 - f) the Committee may ask questions to the parent appealing the decision;
 - g) the person speaking on behalf of the education authority will sum up their reasons for refusal; and
 - h) 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. 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 and the reasons behind the decision must be given in writing to the appellant and the education authority.
- 5.3 If the Committee agrees with the education authority, it must advise the appellant about their right of appeal to the Sheriff.

- 5.4 If the Committee disagrees with the education authority, 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. Appeal to the Sheriff

- 6.1 If the Appeals Committee has informed the parent that it agrees with the education authority's decision to refuse a child a place at their choice of school, parents can appeal to the Sheriff against the Appeals Committee's decision.
- 6.2 An application of appeal to the Sheriff must be lodged within 28 days of receiving the Appeals Committee's decision.
- 6.3 An appeal to the Sheriff will be dealt with in private.
- 6.4 The Sheriff will confirm the education authority's decision if he is satisfied that one or more grounds of refusal exist(s) under sections 28A (3) and (3A) of the Education (Scotland) Act 1980 and that in all the circumstances it is appropriate to do so. If not, the Sheriff will overturn the education authority'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 looking at the appropriateness of doing so in all the circumstances.

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Appendix 6

Placing Requests for Pupils with Additional Support Needs

The Education (Additional Support for Learning) (Scotland) Act 2004 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 the Scottish Government in support of the Act) outlines in detail the different circumstances to be considered in relation to a placing request.

When a parent, of a child with Additional Support Needs, makes a placing request to a school within Moray this will be granted unless there are clear grounds for refusal provided under the 2004 Act. The Education authority has an anticipatory duty to make reasonable adjustments to accommodate pupils with Additional Support Needs, to ensure they have access to education as close as is reasonably possible to the education normally offered to pupils at large and to avoid any substantial disadvantage.

The education authority will consider requests on a case-by-case basis. If an adjustment is not considered to be reasonable, a school is not required to implement it. The education authority then has to ensure that the pupil in question has access to education as close as is reasonably possible to that available to others who do not have the same needs.

The grounds for a placing request refusal are set out in paragraph 3 of Schedule 2 of the 2004 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 Co-ordinated Support Plan, 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.

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Appendix 7

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 managed by the Moray 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, except as described below.

The Moray Council's current policy is enhanced beyond statute so that a child or young person is entitled to free transport when:

- * a primary school aged child lives more than two miles from his/her catchment school or other educational establishment by the shortest reasonable walking route. A fully completed PTU100 transport application form is required;
- * 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. A fully completed PTU100 transport application form is required; 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 PTU101 ASN transport application 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 Corporate Director (Education and Social Care) will reserve the right to provide discretionary transport.

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Appendix 8

Pupils from Other Parts of UK Including Military Families

Responsibility for decisions regarding class organisation rests with the head teacher of the school. The Moray Council policy 'Structuring Classes in the Primary School' provides more details. When children enrol in Moray schools from other parts of the UK, they will be placed in a class most appropriate to their age, but exceptions can be made when there is mitigating evidence. Head teachers are best placed to discuss individual cases with parents. The following table provides a guide on comparison of class stages:

Age*	England and Wales		Scotland	N Ireland
	Key Stage	Year	Year	Year
3	Pre-school		Ante pre-school / nursery	
4	Pre-school		Pre-school / nursery	
5	Reception	-	Primary 1 (P1)	Primary 1
6	KS1	Year 1	Primary 2 (P2)	Primary 2
7	"	Year 2	Primary 3 (P3)	Primary 3
8	KS2	Year 3	Primary 4 (P4)	Primary 4
9	"	Year 4	Primary 5 (P5)	Primary 5
10	"	Year 5	Primary 6 (P6)	Primary 6
11	"	Year 6	Primary 7 (P7)	Primary 7
12	KS3	Year 7	Secondary 1 (S1)	Year 8
13	"	Year 8	Secondary 2 (S2)	Year 9
14	"	Year 9	Secondary 3 (S3)	Year 10
15	KS4	Year 10	Secondary 4 (S4) National 4/5	Year 11
16	"	Year 11	Secondary 5 (S5) National 5 / Higher	Year 12 GCSE
17	A-Level	Year 12	Secondary 6 (S6) Higher / Advanced Higher	Year 13 AS Level
18	"	Year 13		Year 14 A-Level

* Age indicates the mid-point in an age range e.g. Age 5 = 4½ - 5½. Information will be updated annually on the Moray Council website to include relevant dates of birth for each school year.