



**REPORT TO: CHILDREN AND YOUNG PEOPLE'S SERVICES COMMITTEE ON
22 JUNE 2016**

**SUBJECT: RESPONSE TO CONSULTATION ON ADMISSIONS TO
SCHOOLS IN MORAY POLICY AND PROCEDURES**

BY: CORPORATE DIRECTOR (EDUCATION AND SOCIAL CARE)

1. REASON FOR REPORT

- 1.1 The purpose of this report is to inform Committee on the outcome of the public consultation on revised Admissions to Schools Policy and Procedures.
- 1.2 This report is submitted to Committee in terms of Section III C (1) of the Council's Scheme of Administration to exercise all the functions of the Council as Education Authority.

2. RECOMMENDATION

2.1 It is recommended that the Committee:

- (a) considers the Consultation Report as detailed in Appendix 1, and thereafter;**
- (b) agrees to implement the new Admissions to Schools Policy and Procedures as detailed in Appendix 2, to be effective from 22 August 2016.**

3. BACKGROUND

- 3.1 On 9 December 2015 the Children and Young People's Services Committee agreed proposals for a revised Admissions to Schools policy; authorised the Corporate Director (Education and Social Care) to progress to statutory consultation with statutory consultees and other interested parties on those proposals; and granted delegated authority to the Corporate Director (Education and Social Care) to review the proposals following consultation and receipt of Education Scotland's report on the proposals and thereafter to prepare and publish a consultation report (paragraph 7 of the minute refers).
- 3.2 Moray Council consulted in line with the requirements of the Schools (Consultation) (Scotland) Act 2010. This required the authority to adopt a robust and transparent framework for consultations on modifying the guidelines for admissions to schools. The process required the authority to

actively involve and consult with all stakeholders and other school users. The authority was required to produce statements setting out its assessment of the effects on children and young people and other users of any affected establishments, including educational benefit statements relating to the proposals.

- 3.3 The consultation process is summarised as follows:
- Consultation papers were distributed to a wide range of stakeholders and interested parties.
 - A notice to advise of the consultation arrangements was placed in the local press.
 - A dedicated page was set up on the Council website for both information, and to enable interested parties to respond to the proposals.
 - The public consultation period ran from 9 February to 24 March 2016 inclusive, a total of 30 days of term time.
 - In relation to the proposals, 4 public consultation meetings were held on 16, 22 and 24 February 2016 (afternoon and evening on the latter date).
- 3.4 As part of the consultation process, officers ensured that the views and opinions of all respondents were recorded and given due consideration. In order to ensure a rigorous and thorough evaluation of the responses received, Education and Social Care Senior Officers read every response and summarised the key aspects of responses in order that Committee is provided with a detailed objective analysis.
- 3.5 Officers focused on identifying the main issues and concerns, giving each response equal consideration. This was done to ensure the basis of each response was fully explored and evaluated, regardless of the number of respondents advancing each point. Thereafter, conclusions and recommendations were offered to the Corporate Director (Education and Social Care) in relation to the responses received.
- 3.6 In any major consultation there is a possibility that errors may occur, therefore procedures were put in place to identify, amend and record any errors. No errors were highlighted during the consultation.
- 3.7 As part of the procedure required under the Schools (Consultation) (Scotland) Act 2010, HM Inspectors from Education Scotland completed a report on the proposals and consultation. The Education Scotland report, received on 9 May 2016 is generally supportive of the Council's proposals.
- 3.8 Senior Officers in Education and Social Care have reviewed the original proposals in light of all representations received, including the Education Scotland report.

4. RESPONSE TO THE CONSULTATION

- 4.1 A total of 12 on-line responses to the proposals were received, most of which were supportive. In addition, 25 written responses were received, including 24 from military families.
- 4.2 The Consultation Report (**Appendix 1**) was published on 27 May 2016. This publication was supported by a press release. A copy of the report was placed on the Council's website and printed copies are available on request.

The Consultation Report contains:

- An introduction and background
- An analysis of the responses to consultation
- A summary of the main oral points raised, along with the education authority response
- A summary of the written points raised, along with the education authority response
- A summary of the report by Education Scotland, along with the education authority response
- Conclusions and recommendations

The appendices to the report contain:

- A summary of the amendments made to the Policy and Procedures following consultation
- The original Proposal Paper
- The full Education Scotland report
- Summaries of the public meetings and collated comments and enquiries

- 4.3 Details of the public meetings along with collated comments and enquiries are available on the Members' Portal.

5. MAIN ISSUES RAISED IN THE CONSULTATION

- 5.1 The main issues arising from this consultation were:
- A number of stakeholders sought some minor changes to wording within the policy, for clarity.
 - The Council needs to continue to engage with parents and carers, including those families who move into The Moray Council area from other parts of the UK and beyond, so that they fully understand the implications of the proposal.
 - The Council should also consider implementing this proposal from August 2016 in response to stakeholders' wishes.
 - In taking forward its proposal, the Council will need to demonstrate that it has engaged appropriately with all relevant consultees as determined by legislation.

- 5.2 In response to the above points officers reviewing the proposals have concluded that:
- This proposal offers clear educational benefits to stakeholders across Moray.
 - The proposal will enable the Council to ensure best value in managing its school estate.
 - Minor amendments should be made to the wording of Appendices 1, 6 and 8 of the policy document for the purposes of clarity. These are summarised in Appendix A to the Consultation Report.
 - The Council should adopt the revised Admissions to Schools Policy and Procedures attached as **Appendix 2**.
 - The implementation date should be brought forward to 22 August 2016 in accordance with the wishes of consultees.
 - Revised information on Admissions to Schools for parents and carers will be provided. Information will be provided in print form and on the Council's internet site.
 - In response to the Education Scotland comment on consultation, the Council is confident that it has consulted with all relevant consultees as required by legislation, including Parent Councils and the Roman Catholic Diocese. All consultees were sent copies of the proposal paper and had opportunities to discuss the proposals with senior officers of the Council. The fact that any consultee has chosen not to submit a formal response should not be interpreted as that consultee not being consulted.

6. **SUMMARY OF IMPLICATIONS**

(a) **Moray 2023: A Plan for the Future/Service Plan**

The contents of this report relate to Moray 2023 Priority 2 – ‘Ambitious and confident children and young people’.

(b) **Policy and Legal**

Statutory consultation was carried out in line with the Schools (Consultation) (Scotland) Act 2010. Following consultation and the publication of a Consultation Report the Council may proceed to implement a proposal in whole or in part but it may not vary a proposal. Any change to a proposal would have to be treated as a new proposal and again be the subject of the consultation process outlined in the 2010 Act.

(c) **Financial implications**

There are no financial implications arising from this report.

(d) **Risk implications**

1. Legislation changes over time and policies need to be regularly reviewed and updated to reflect this. If review is not undertaken there is a risk that policies will not reflect current legislation.

2. There is a risk of increasing numbers of schools being over-subscribed as a result of out-of-zone placing requests and new housing developments. Failure to ensure that the Council is operating transparent and consistent policies and procedures for admission to schools, which recognise the potential demands for school places, may result in increased levels of parental dissatisfaction with the educational provision in Moray.

(e) Staffing implications

There are no staffing implications arising from this report.

(f) Property

There are no property issues arising from this report.

(g) Equalities

An equality impact assessment has been carried out on these proposals. This concludes that introducing these proposals will not have an adverse impact on any of the groups listed. In addition, there were no issues raised about equality during this consultation. The equality impact assessment is attached as **Appendix 3**.

(h) Consultations

The Corporate Director (Education and Social Care); the Education and Social Care Senior Management Team; the Business Support Manager; Quality Improvement Officers in Education and Social Care; Deborah Brands, Principal Accountant; the Legal Services Manager (Litigation and Licensing); Katrina McGillivray, Senior Human Resources Adviser; the Equal Opportunities Officer; the Public Transport Manager and Caroline Howie, Committee Services Officer have been consulted on this report and agree with the sections of the report relating to their areas of responsibility.

7. CONCLUSION

7.1 The Committee should consider the Consultation Report on Admissions to Schools in Moray and agree to implement the revised policy and procedures.

Author of Report: Paul Watson, Senior Education Adviser (Schools Consultations)

Background Papers:

Ref: