



# Midlothian Council

## Children, Young People and Partnerships – Education Policy

### Admission to Primary and Secondary Schools.

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## Contents

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Contents.....	2
Policy statement .....	4
Definitions .....	4
Policy Content.....	5
<b>1.0 PLACING IN SCHOOLS .....</b>	<b>5</b>
1.1 Legal background.....	5
1.2 Denominational Education .....	6
1.3 Parents/Carers wishing a Gaelic Medium Education (GME) .....	6
1.4 Children with Additional Support Needs (ASN).....	6
1.5 Home to School Transport .....	7
1.6 Composite Classes .....	7
1.7 Team Teaching .....	7
1.8 Children living under shared care .....	8
1.9 Reserved places.....	8
<b>2.0 ARRANGEMENTS FOR PRIMARY SCHOOLS.....</b>	<b>9</b>
2.1 Registration procedures for entry to primary school .....	9
2.2 Press advertisements.....	9
2.3 Contact with parents/carers .....	9
2.4 Eligibility .....	10
2.5 Choosing a school.....	10
2.6 Access to information .....	10
2.7 Registration of catchment children.....	11
2.8 Enrolment of catchment children.....	11
2.9 Intake Numbers .....	12
2.10 Change of address .....	12
2.11 Deferred entry to primary school.....	13
2.12 Early admission .....	14
<b>3.0 ARRANGEMENTS FOR SECONDARY SCHOOLS .....</b>	<b>15</b>
3.1 Eligibility .....	15

3.2	Transfer between primary and secondary schools .....	15
3.3	Primary-secondary liaison .....	16
3.4	Induction programmes .....	16
3.5	Registration procedures .....	16
3.6	Allocation of Catchment Secondary School Places .....	17
3.7	Intake numbers.....	18
3.8	Issue of school handbooks.....	18
3.9	Press advertisement .....	18
<b>4.0</b>	<b>Placing Requests for a Non-Catchment Primary or Secondary School .....</b>	<b>18</b>
4.1	Making a placing request for non-catchment Primary and Secondary schools .....	18
4.2	What will happen when a placing request is made to Midlothian Council? .....	19
4.3	Restriction or limitation of places .....	20
4.4	Other relevant factors that may be taken into account .....	21
4.5	Refusing a placing request.....	22
4.6	What happens if the Council refuses a request? .....	23
4.7	Primary school placing request.....	23
4.8	Secondary school placing request .....	23
4.9	Placing Requests for Children with Additional Support Needs .....	24
<b>5.0</b>	<b>Contact Information.....</b>	<b>25</b>
	Implementation .....	26
	Roles and Responsibilities.....	26
	Related documents .....	26
	Integrated impact assessment.....	26
	Risk assessment.....	27
	Review .....	27

## Policy statement

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This document is the policy for admission to mainstream primary and secondary schools for Midlothian Council.

The policy will ensure consistency across all schools and provides information when parents/carers are considering enrolling their child in a Midlothian Council school and/or want to make a placing request.

## Definitions

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**Composite Class:** A class in which there are pupils at more than one stage of the primary school.

**Denominational Education:** Roman Catholic schools in Midlothian.

**Intake Numbers:** The number of pupils to be admitted into a year group as decided by the education service.

**Mainstream Schools:** Classes within schools which meet the needs of the majority of pupils and are not specialist provisions or special schools.

**Placing Request:** A request for a placement in a school which is not the catchment school for the address of the child/young person.

**Reserved Places:** Places reserved for children and young people moving into the school catchment through the year.

**School Catchment:** An area from which children and young people are eligible to attend a local school based on their residential address.

**Specialist Provisions/School:** ASN provisions provide additional support for children and young people who experience complex barriers to learning and development. Midlothian Council also has a 5-18 special school called Saltersgate which supports children and young people with severe and complex and/or medical needs.

**Team Teaching:** Team Teaching is where two teachers teach a class that has more than the maximum number of pupils for that particular stage.

### 1.0 PLACING IN SCHOOLS

#### 1.1 Legal background

The admission of pupils to both primary and secondary schools is defined in terms of the Education (Scotland) Act 1980. Key points to note are:

- Parents/carers have the right to request admission to the school of their choice;
- Such a request must be in writing and is known as a placing request;
- The Council has a duty to accede to this request, except in certain circumstances specified in the Act;
- The Council has a duty to inform parents/carers of their right to make a placing request and to provide certain prescribed information in order to assist parents/carers in making their choice of school.

Catchment areas have been designated for all Midlothian primary and secondary schools. Every residential address has a catchment denominational school and a catchment non-denominational school for both primary and secondary education. The parents/carers of all children known to the Council to be due to enrol for the first time in a primary school or transfer from a primary to a secondary school shall be given information about their catchment school options and notified of their right to request an alternative school.

For all other stages, the onus is on the parent/carer to make enquiries regarding alternative school placement for their child(ren). A parent/carer may submit a placing request for their child in a school at any stage.

With the fastest growing population of any local authority in Scotland, Midlothian Council continues to prepare to meet future demand in education. As a result, current school catchment areas may change during this period of growth. For information on open or completed school catchment area reviews, please visit the Council's website at [www.midlothian.gov.uk/consultations](http://www.midlothian.gov.uk/consultations)

## **1.2 Denominational Education**

In Midlothian all denominational schools are Roman Catholic.

A child does not need to be Catholic to enrol in one of our Roman Catholic primary schools or secondary school, but a place is not guaranteed for those not baptised Roman Catholic. Where a Roman Catholic school is oversubscribed priority is given to catchment Roman Catholic children who are baptised, and where parents/carers have provided the baptismal certificate. We do not create additional classes for other children if all baptised Roman Catholic children can be placed.

## **1.3 Parents/Carers wishing a Gaelic Medium Education**

Gaelic Medium Education for Midlothian resident pupils is currently provided by the City of Edinburgh Council. Midlothian Council will provide home to school transport for pupils enrolled in Gaelic Medium Education. Currently, parents/carers wishing to have their child/ren educated in the Gaelic Medium should make a placing request for the Gaelic Medium primary school, Bun-sgoil Taobh na Pàirce or the Gaelic Medium Unit at James Gillespie High School in Edinburgh. To apply for a place in either school the parent/carer should complete a placing request form available on the City of Edinburgh Council website. Further information can be found at: [www.edinburgh.gov.uk/school-places/gaelic-schools-1/1](http://www.edinburgh.gov.uk/school-places/gaelic-schools-1/1)

Parents/carers can request that the Council carries out an assessment for the need for Gaelic Medium primary education to be provided within the Council area. Further information and an assessment request form are available from the following website: [www.gov.scot/Publications/2017/02/1442/downloads](http://www.gov.scot/Publications/2017/02/1442/downloads)

## **1.4 Children with Additional Support Needs (ASN)**

In line with legislation, we have a policy of including children with additional support needs in mainstream schools where possible. Some children may be educated in specialist schools/classes. Further information about additional support needs is

available from the ASN, inclusion and wellbeing team, whose contact details are given at the end of this document.

## **1.5 Home to School Transport**

A pupil may receive free transport if they attend their catchment school and their home address is more than two miles from the school based on the shortest recommended walking route. A pupil may also receive free transport if the Council has placed them in a non-catchment school due to a catchment school being full. From August 2017 pupils resident in Loanhead who make a successful placing request for Secondary 1 at Beeslack High School will also be eligible for free transport.

A pupil will not receive free transport if they attend a non-catchment school as a result of a placing request being granted.

With the fastest growing population of any local authority in Scotland, Midlothian Council continues to prepare to meet future demand education. As a result, the above maybe subject to consultation, for information on open or completed education consultation, please visit the Council's website at [www.midlothian.gov.uk/consultations](http://www.midlothian.gov.uk/consultations).

## **1.6 Composite Classes**

Composite classes are part of the normal organisation in many primary schools and can have a maximum of 25 pupils. Age is the main criterion for selecting pupils for composite classes. Normally composite classes will have a minimum of four pupils from each year stage.

Please refer to Professional Practice Paper 7 for further guidance.

## **1.7 Team Teaching**

Team teaching is where two teachers teach a class that has more than the maximum number of pupils per teacher for that particular stage.

The maximum size of a Primary 1 class size is 25, a Primary 2 or Primary 3 class is 30 and a Primary 4, Primary 5, Primary 6 and Primary 7 class is 33 pupils.

### **1.8 Children living under shared care**

Where parents are separated the address of the parent in receipt of Child Benefit will determine the address for school enrolment. Where child benefit is not being received, the primary contact on education records will determine the address for school enrolment.

If the shared care arrangement is a 50/50 split between the parents, the parents will be asked to provide proof such as a legal agreement. If the Council is satisfied that the care is equally shared, the parents will be given the opportunity to choose which of the catchment schools at which to register.

### **1.9 Reserved places**

The Education (Scotland) Act 1996, as amended by the Standards in Scotland's Schools etc. Act 2000, gives Education Authorities the power to reserve places at schools for children who move into the catchment areas after enrolment has completed.

With the level of house building and migration into the authority, Midlothian Council continues to experience pressure on school rolls. After the allocation of places, in accordance with Section 2.8 and 3.6, places will be reserved for children moving into catchment.

In the Primary 1 year group, one place per class (and one place per teacher, where team teaching is in place) is reserved for incoming catchment children for the entire school year.

In the Secondary 1 year group, one place per 40 pupils is reserved for incoming catchment children for the entire school year.

Where there are other considerations, such as house building in certain catchment areas, the number of reserved places may be increased beyond the above ratios.



For Roman Catholic schools, reserved places will only be granted to catchment baptised Roman Catholic children.

If out of catchment places are granted by an Appeal Committee or a Sheriff, this may result in fewer reserved places being available.

## **2.0 ARRANGEMENTS FOR PRIMARY SCHOOLS**

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### **2.1 Registration procedures for entry to primary school**

Registration procedures commence at the beginning of November each year.

If an applicant's catchment primary school is subject to a consultation review, they should continue to register their child at that catchment school. Further information on school consultations can be found at [www.midlothian.gov.uk/consultations](http://www.midlothian.gov.uk/consultations)

### **2.2 Press advertisements**

In October each year Pupil Placement will place an advertisement in the local press, advising parents/carers of any child eligible to begin primary education that they should, by a specified date, register their child at their catchment school. Registering a child does not automatically ensure that a place will be made available; this will be determined when all information is collated and examined.

Parents/carers will be advised that, even if they wish to make a placing request for a non-catchment school, they must first register their child at the catchment school.

### **2.3 Contact with parents/carers**

At the same time, Pupil Placement will contact by letter the parents/carers of all children eligible to begin primary education and who receive funded early learning and childcare (ELC) in Midlothian. Head Teachers must ensure school handbooks are updated in time for the registration week in November. Delays in updating the

handbook should be avoided as parents/carers are legally entitled to this information. The handbook should be made available on the school website.

## **2.4 Eligibility**

Any child whose fifth birthday falls between 1 March in any year and the last day of the following February can start primary school on the first day of the autumn term, (known as the commencement date).

An exception to these procedures may be where children who have been admitted to primary education by another authority subsequently become resident in Midlothian. In such cases, the Head Teacher should consult their Quality Improvement Manager before deciding whether to admit the child.

## **2.5 Choosing a school**

Pupil Placement will issue information informing parents/carers of their rights to choose a school when they write to the parents/carers of eligible children. Any parent/carer wishing to make a placing request can do so using the online form. It is not essential that parents/carers use the form but they must make the request in writing to the Pupil Placement Section within Children, Young People and Partnerships. It is essential, however, that parents/carers initially register their child at their catchment school.

See the later section for information on placing requests.

## **2.6 Access to information**

Parents/carers should have access to information about the schools in which they are interested. This will generally be contained in the school prospectus or handbook, copies of which will be available from the school and may be on the school website. In addition, the Council produces guidelines on admission to Midlothian schools called Placing in Schools, which is available on our website at:

[www.midlothian.gov.uk/placingbooklet](http://www.midlothian.gov.uk/placingbooklet)

## **2.7 Registration of catchment children**

Primary Head Teachers may wish to publicise registration arrangements through their own local channels if they feel this is appropriate, so that as many parents/carers as possible are encouraged to register their children at this time. During the registration period Head Teachers should only register those children who are normally resident in their catchment area.

Head Teachers should ensure that catchment children are correctly identified; a Council Tax bill, Government Benefit letter, (for example Child Benefit letter), recent utility bill or driving licence is normally adequate proof. If the parent/carer is not liable for Council Tax, **two** forms of proof of address are required instead of one. If the pupil does not attend an associated early learning and childcare setting or receive funded ELC from a partnership provider, their birth certificate or passport should be seen as well. It is the address of the parent/carer which is relevant; the address of other family members or a child minder with whom the child may occasionally reside is not relevant.

A Birth Certificate/Passport is not required if the child attends a Midlothian Council school or Early Learning and Childcare setting or has a place at a private or voluntary Early Learning and Childcare setting/childminder that is funded by Midlothian Council.

Military families who do not have proof of address should provide their Assignment Order and their March-In-Date letter. If they are unable to provide these please contact [pupil.placement@midlothian.gov.uk](mailto:pupil.placement@midlothian.gov.uk) for advice.

Registration and placing request forms and the facility to upload evidence:  
[www.midlothian.gov.uk/schoolplace](http://www.midlothian.gov.uk/schoolplace).

Please note that registration does not guarantee a place at a catchment school.

See the earlier section for children living under shared care.

## **2.8 Enrolment of catchment children**

The Pupil Placement Team will collate the registration information for each school and use this to determine whether there is sufficient capacity to accommodate all catchment children. Where there is insufficient capacity, priority will be given in the following order:

- children who have been prioritised based on exceptional circumstances;
- children who are baptised Roman Catholic (Roman Catholic schools);
- children who will have siblings attending the school at the same time;
- then all remaining catchment children.

If there are more children than places available in any category, proximity of home to school will normally be used. A sibling attending ELC at the same time will not be taken into account.

Parents/carers will be advised in writing by 30 April, whether they have been granted a place at their catchment school. Those children who have been granted a place will be automatically enrolled at the school.

Once the place is offered it will not be withdrawn unless the place was obtained using false information. If a family changes address before the start of the school year they can request a place at their new catchment school.

Those who have not been granted a place at their catchment school will have a place allocated at the nearest school within the associated school group with places available. They will be given the option to make a placing request to another school, if they so wish. The pupil will be placed on a waiting list for the catchment school in order of priority and, should a place become available, parents/carers will be contacted by Pupil Placement.

## **2.9 Intake Numbers**

Pupil Placement will inform primary school Head Teachers of the number of catchment pupils that will be enrolled and any intake limits that may apply.

## **2.10 Change of address**

Children who move or are moving before the start of the school year, will have a place reserved in their non-denominational or denominational catchment school based on their address at the start of the school year. This is subject to places being available and where proof of proposed change of address has been received by 15 March. The

place will be allocated provisionally and will not be confirmed until proof has been provided that the move has taken place. For families who are renting, acceptable proof of change of address is a signed tenancy agreement. For families who are purchasing, a letter from a solicitor confirming missives have been concluded is not sufficient to enrol a child. The Council will ask for further proof by way of; a Council Tax bill, Government Benefit letter, (for example Child Benefit letter), recent utility bill or driving licence to accompany the concluded missives letter following the move. If the parent/carer is not liable for Council Tax, **two** forms of proof of address are required instead of one. Discretion can be used if the parent/carer is due to move a week prior to the new term commencing.

In the final two weeks of the summer holidays acceptable proof of proposed change of address for a place to be reserved are; a signed tenancy agreement; written confirmation from the landlord; or a letter from a solicitor confirming missives have been concluded.

Military families who do not have proof of address should provide their Assignment Order and their March-In-Date letter. If they are unable to provide these please contact [pupil.placement@midlothian.gov.uk](mailto:pupil.placement@midlothian.gov.uk) for advice.

Families residing in accommodation on a temporary basis should contact [pupil.placement@midlothian.gov.uk](mailto:pupil.placement@midlothian.gov.uk) at the earliest opportunity. The Pupil Placement team will provide further information and guidance.

## **2.11 Deferred entry to primary school**

Children in Scotland usually start school between the ages of 4 years 6 months and 5 years 6 months old. Children who turn 5 between the start of the school year and the end of February can apply to defer starting primary 1 for a year.

Children who are 5 on or before the first day of the school term in August must register with their catchment school. In exceptional circumstances it may be possible to apply for an additional year of ELC. This year is known as a “retained year”.

Children who turn 5 after the first day of term in August and before the end of February, these children are entitled to defer entry to school should their parents/carers wish it. They will receive a funded ELC place in Midlothian, either a council, funded provider setting or childminder during that deferred year. If your child attends a setting in another local authority contact them to confirm funding arrangements. Please refer to the deferral policy for more information about the process.

[Deferred entry to primary school | Midlothian Council](#).

Please note that all children must register at their catchment school for primary 1 even if an application for deferred entry is being made.

If you change your mind and want to withdraw a deferral request for Primary 1, you must contact Pupil Placement by 15 March 2025 at [pupil.placement@midlothian.gov.uk](mailto:pupil.placement@midlothian.gov.uk)

After this date, the main round of placing decisions will have taken place and there may not be a place available at your child's catchment school. In these circumstances we may have to seek a place at an alternative primary school.

## **2.12 Early admission**

Parents/carers may make a request for early admission to primary school. The Council does not have a duty to educate a child who is not of school age, and it is the professional view of the authority is that early learning and childcare is the most appropriate form of education for these children.

The Council has delegated the responsibility of granting early admission to the Executive Director, Children, Young People and Partnerships, but this will only be considered if it can be established that refusal would harm a child's education in the long term.

When applying for early admission, parents/carers should provide evidence to support their case, including written evidence wherever possible. Members of staff should not provide letters of support to parents/carers.

There is no right of appeal once a decision has been reached on requests for early admission as the child is not of school age.

## **3.0 ARRANGEMENTS FOR SECONDARY SCHOOLS**

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### **3.1 Eligibility**

Pupils will normally transfer to secondary school at the end of a seven year course of primary education. If, in the opinion of the Head Teacher or other professional advice, there are exceptional circumstances which would make it inadvisable to transfer a child, the appropriate Quality Improvement Manager should be consulted before a final decision is made.

Pupils attending a non-denominational primary school will be allocated a place at their catchment non-denominational secondary school. Pupils attending a denominational primary school will be allocated a place at St David's Roman Catholic High School. If the parents/carers wish to request their other catchment secondary school they should complete a placing request form and return it to the Pupil Placement section.

### **3.2 Transfer between primary and secondary schools**

Pupil Placement will provide Head Teachers with details of which school each child will be transferring from/to.

Head Teachers of primary schools should ensure that detailed information on each pupil is forwarded to the appropriate secondary school. This information will normally include:

- an assessment of the pupil's attainment in mathematics and language;
- comments on ability and attainment in other curricular areas, e.g. science, art, music;
- comments on special interests and aptitudes;
- an indication of the pupil's personal attributes and information about their background which may influence their attitude and performance in school work;
- the Pupil Progress Records (PPR), updated to the end of the last session of primary education;
- the Pupil Profile, which is completed by the pupil.

### **3.3 Primary-secondary liaison**

Secondary schools will normally have an established liaison programme with their associated primary schools which will include other initiatives to ease the transition between primary and secondary stages.

### **3.4 Induction programmes**

Primary schools and their associated and neighbouring secondary schools have established procedures to ensure a smooth transition for all children. This includes transfer of information about each child's progress.

Secondary Head Teachers should also arrange for parents/carers and incoming pupils to visit their school at an appropriate time, prior to transfer. Full information on the school should be sent at the start of the summer term to all parents/carers of pupils transferring to the school.

Pupils who have submitted a placing request to a non-catchment school are still required to attend their catchment school transition events until a placing request decision has been made.

### **3.5 Registration procedures**

All parents/carers of P7 pupils resident in Midlothian, who attend a primary school in Midlothian, will receive written confirmation from Pupil Placement in November that their child has been registered for a place at their catchment secondary school, based on their home address. Places at secondary schools may be limited, so registration does not guarantee a place. Parents/carers will also be advised of their right to make a placing request.

See later section for information on placing requests.

Midlothian pupils are enrolled in their catchment secondary schools through the transfer of their details from their associated primary schools. Secondary schools need to enrol those pupils whose placing requests have been granted which may include non-Midlothian residents.



### **3.6 Allocation of Catchment Secondary School Places**

The Council will normally give the highest priority to children living in the catchment area of a school. In the event of a school having more catchment children than places available, priority will be given in the following order:

- children who have been prioritised based on exceptional circumstances;
- children who are baptised Roman Catholic (Roman Catholic schools only);
- children who will have siblings attending the school at the same time;
- children who attend an associated primary school;
- then all remaining catchment children.

If there are more children than places available in any category, proximity of home to school will normally be used.

If a place at a catchment school is not available, parents/carers will be offered a place at the nearest Midlothian secondary school to their home address with places available. They will be given the option to make a placing request to another school, if they so wish. The pupil will be placed on a waiting list for the catchment school in order of priority and, should a place become available, parents/carers will be contacted by Pupil Placement. Where there are more pupils in one category, the priority will be based on distance.

Once the place is offered it will not be withdrawn unless the place was obtained using false information. If a family changes address before the start of the school year they can request a place at their new catchment school.

Those who have not been granted a place at their catchment school will have a place allocated at the nearest school with places available. They will be given the option to make a placing request to another school, if they so wish. The pupil will be placed on a waiting list for the catchment school in order of priority and, should a place become available, parents/carers will be contacted by Pupil Placement.

### **3.7 Intake numbers**

Pupil Placement will inform secondary school Head Teachers of the number of catchment pupils that will be transferred from primary schools and any intake limits that may apply.

### **3.8 Issue of school handbooks**

Head Teachers must ensure school handbooks are updated in time for the registration week in November. Delays in updating the handbook should be avoided as parents/carers are legally entitled to this information. The handbook should be made available on the school website.

### **3.9 Press advertisement**

In October each year Pupil Placement will place an advertisement in the local press, advising parents/carers of any Midlothian child eligible to begin secondary education that their child will be automatically enrolled in their catchment secondary school, unless a placing request is made for another school.

## **4.0 Placing Requests for a Non-Catchment Primary or Secondary School**

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### **4.1 Making a placing request for non-catchment Primary and Secondary schools**

All parents/carers have the right to request a place for their child in a non-catchment school; this is called a placing request. It is the Council's statutory duty to grant placing requests where there are places available, except in certain circumstances which are set out in The Education (Scotland) Act 1980.

If the child is starting Primary 1 or Secondary 1 in August and the parent/carer wants them to attend a non-catchment school, they may make a request by completing a

Placing Request. The placing request form is available online at [www.midlothian.gov.uk/placing](http://www.midlothian.gov.uk/placing), alternatively a paper version of the form can be obtained from Pupil Placement at [pupil.placement@midlothian.gov.uk](mailto:pupil.placement@midlothian.gov.uk).

If the child is at any other stage of their education parents/carers should contact the Head Teacher of the school of their choice.

When a placing request is submitted for a non-catchment school, the Council will ask you to state the reason(s) the request has been made, for example exceptional circumstances. Please note that the Council **does not** consider childcare arrangements as exceptional circumstances.

All our mainstream schools provide for a wide range of additional support needs e.g., dyslexia, ADHD, ASD, hearing or visually impaired. Therefore, you will need to explain why the requested school is the **only** school able to support your child's needs.

The 2000 Standards in Scotland's Schools Act states that children should attend mainstream schools, unless there are exceptional reasons not to do so.

If the child has additional support needs the right to make a non-catchment placing request includes the right to request a special school or special class. Parents/carers who wish to make this kind of placing request should discuss their choice of school with the child's lead professional before making their request.

## **4.2 What will happen when a placing request is made to Midlothian Council?**

The Midlothian closing date for placing requests to start Primary 1 or Secondary 1 in August is in the preceding December. The Council will advise parents/carers of the closing date in the letters sent out. The Council will still consider a request if it arrives after this date but by 15 March, the national cut-off date.

The parent/carer will receive an automatic acknowledgement of their online application. Placing requests received by email or post will receive an acknowledgement within fourteen days of receipt by Pupil Placement. The Council will notify parents/carers of the outcome of all placing request received by 15 March by the end of April.

Placing requests received after 15 March will be decided within two months of receipt and parents/carers notified. It is important that placing requests are submitted by 15 March providing all relevant information and supporting documents as exceptional circumstances are not considered for requests received after this date.

Assistance in completing a placing request is available through the pupil placement team at [pupil.placement@midlothian.gov.uk](mailto:pupil.placement@midlothian.gov.uk).

The placing request forms for Primary 2 to Primary 7 and Secondary 2 to Secondary 6 can be obtained from Pupil Placement [pupil.placement@midlothian.gov.uk](mailto:pupil.placement@midlothian.gov.uk). These placing requests will be acknowledged within fourteen days of receipt and a decision made within two months.

Members of school staff should not provide letters of support to parents/carers.

### **4.3 Restriction or limitation of places**

The Council will give the highest priority to children living in the catchment area of a school. Places remaining after catchment children are enrolled will be available for non-catchment children.

#### Placing Requests

Non-catchment placing requests will be granted if there are places available after all catchment children are accommodated and reserved places retained within the agreed intake limit.

Additional classes will not be created for non-catchment children.

#### Priority for places

Priority will be given to applicants in the following order (catchment and non-catchment):

- children who have been prioritised based on exceptional circumstances;
- children who are resident in the school's catchment area and are baptised Roman Catholic (Roman Catholic schools only);
- children who are resident in Midlothian and are baptised Roman Catholic (Roman Catholic schools only);

- children who are resident in the school's catchment area who will have siblings attending the school at the same time. A sibling attending an ELC class will not be taken into account;
- children who are resident in the school's catchment area;
- children who are resident in Midlothian who will have siblings attending the school at the same time. A sibling attending the an ELC class will not be taken into account;
- children who are resident in Midlothian;
- children who are resident outside Midlothian and are baptised Roman Catholic (Roman Catholic schools only);
- children who are resident outside Midlothian who will have siblings attending the school at the same time. A sibling attending the an ELC class will not be taken into account;
- then all other applicants.

#### **4.4 Other relevant factors that may be taken into account**

Attendance at an associated primary school (for requests in Secondary 1) may be taken into account however it does not guarantee that a request will receive priority or agreement.

Children have additional support needs (ASN) if they require support which is different to that provided for other children of the same age. Staff in all schools in Midlothian are skilled in meeting the needs of pupils and all can fully support pupils with a range of additional support needs or those who are experiencing bullying. All schools have transition processes in place to support children starting Primary 1 or Secondary 1, including enhanced transition programmes for children who require more support. When deciding whether to give a child priority on the grounds of exceptional circumstances, the pupil placement team will consider whether the requested school is the only school able to support the child's needs.

If there is more than one placing request in any of the categories listed above, the distance between home and school is measured using streets and/or footpaths by an

online mapping site. The distance is measured from the front door of the home address to the closest school gate, this might be the main school entrance or a rear entrance.

Once a pupil has completed a proper admission to the school they will not be asked to transfer to another school against the wishes of their parents/carers in order to admit a pupil who has moved into the catchment area.

A proper admission is one made under the policy of the Council based on correct information from the parents/carers.

**Please note that, if a placing request is successful, the child's place at their catchment school may be allocated to another child. If a parent/carer then changes their mind and wishes their child to attend their preferred catchment school, a place may not be available.**

#### **4.5 Refusing a placing request**

If the Council refuses a placing request a letter will be sent to the parent/carer which gives the reasons for the decision. The Education (Scotland) Act 1980 sets out the reasons why a placing request may be refused.

The main reasons are:

- an extra teacher would have to be employed;
- the Council would have to spend a significant amount to extend or alter the accommodation at, or facilities provided in connection with, the school;
- an extra teacher would have to be employed, or additional class formed, at a future stage of the child's education;
- the number of children at the school would exceed the school's capacity.
- to reserve places at the school for children moving into the catchment area;
- the order and discipline in the school would be seriously affected i.e. through overcrowding;
- the educational wellbeing of pupils at the school would be seriously affected i.e. through overcrowding or exceeding the relevant maximum class size;

- the child's education would be affected because the education at the school requested is unsuitable.

#### **4.6 What happens if the Council refuses a request?**

If a placing request is refused, the parent/carer has the right of appeal. Appeals must be lodged, in writing, no later than 28 days after the refusal letter being sent. Details of how to make an appeal will be in the refusal letter sent to the parent/carer.

In Midlothian appeals are heard by the Education Appeals Committee. The Education Appeals Committee is independent of the Children, Young People and Partnerships Directorate. This is a formal legal process and further information will be sent on receipt of the appeal.

#### **4.7 Primary school placing request**

If a place at the requested primary school is not available, a place will be reserved at the preferred catchment primary school that the child has been registered at. However, if no place is available at the preferred catchment school, then a place will be allocated at the nearest school within the associated school group with places available. (if the preferred school was a denominational school then a place will be allocated at a denominational school if possible). A waiting list will be formed for the requested school and/or catchment school and, should a place become available, the parent/carer be contacted.

#### **4.8 Secondary school placing request**

If a place at the requested secondary school is not available, a place will be reserved at the catchment secondary school. However, if no place is available at the catchment secondary school, then a place will be allocated at the nearest Midlothian secondary school to their home address with places available. A waiting list will be formed for the

requested school and/or catchment school and, should a place become available, the parent/carer will be contacted.

#### **4.9 Placing Requests for Children with Additional Support Needs**

The parents/carers of children recorded as having additional support needs also have the right to make a placing request to a special school or a special class. If the Council refuses the request, parents/carers are given a statement of the reasons for the decision.

Under the terms of the Education (Additional Support for Learning) (Scotland) Act 2009, if parents/carers have been refused a placing request for a child with a coordinated support plan (CSP), to a special school or a special class, a mediation service is available to families of children with additional support needs, and they have the right to appeal the decision. Appeals are dealt with by the Additional Support Needs Tribunal for Scotland. Details of who to send your appeal to will be in the refusal letter we send you.



## 5.0 Contact Information

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Our office is closed to the public and the addresses below are for mailing only.

ASN, Inclusion and Wellbeing  
Midlothian Council  
Children, Young People and Partnerships  
Fairfield House  
8 Lothian Road  
Dalkeith  
EH22 3ZG  
Email: [asn.team@midlothian.gov.uk](mailto:asn.team@midlothian.gov.uk)

Pupil Placement  
Midlothian Council  
Children, Young People and Partnerships  
Fairfield House  
8 Lothian Road  
Dalkeith  
EH22 3ZG  
Email: [pupil.placement@midlothian.gov.uk](mailto:pupil.placement@midlothian.gov.uk)

### **Useful Websites**

Midlothian Council Website: [Midlothian Council Homepage](#)  
Find a school catchment: [Find a school catchment | Midlothian Council](#)  
Parent Zone Scotland: [Parentzone Scotland | Education Scotland](#)  
Education Scotland: [Education Scotland | Education Scotland](#)

## **Implementation**

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The policy will be implemented for the intake from August 2025. The policy will be shared on the Midlothian Council website. School Handbooks should be updated to reflect the revised policy.

## **Roles and Responsibilities**

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The Education Chief Operating Officer for Midlothian Council has overall responsibility for this policy.

## **Related documents**

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[Apply for a school place | Midlothian Council](#)

[Consultations | Midlothian Council](#)

[Deferred entry to primary school | Midlothian Council](#)

[Gaelic in schools – The City of Edinburgh Council](#)

[Gaelic Medium Primary Education: assessment request form - gov.scot](#)

[Pupil registration and placing requests | Placing in schools booklet \(midlothian.gov.uk\)](#)

[Pupil registration and placing requests | \(midlothian.gov.uk\)](#)

## **Integrated impact assessment**

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All new and revised policies must be subject to an integrated impact assessment to ensure that the Council is compliant with legislation.

## **Risk assessment**

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An updated policy will ensure that the admissions process remains effective, clear and consistent to meet the enrolment requirements of the children and young people of Midlothian fairly and effectively. This will reflect and incorporate any recent changes to legislation, policies and procedures as well as schools' circumstances.

## **Review**

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This policy will be reviewed on a two-year cycle with the next review being August 2025 by Children, Young People and Partnerships.