

ANGUS COUNCIL

SPECIAL EDUCATION COMMITTEE – 23 APRIL 2020

PRIMARY AND SECONDARY CAPACITIES

REPORT BY KELLY MCINTOSH, DIRECTOR OF EDUCATION & LIFELONG LEARNING

ABSTRACT

This report provides an update on school capacities and projected rolls for academic session 2020/21 (as at 09 April 2020). It seeks approval for the application, extension or removal of roll caps on the identified schools.

1. RECOMMENDATIONS

It is recommended that the Special Education Committee:

- (i) Approves the updated school capacity for Hayshead Primary School;
- (ii) Agrees to an extension on the comprehensive review of published capacities;
- (iii) Approves the capping of the roll Glamis Primary School, Mattocks Primary School, Warddykes Primary School, Whitehills Primary School and Woodlands Primary School;
- (iv) Removes the cap from Timmergreens Primary School;
- (v) Approves the temporary reduction of the S1 intake limit at Monifieth High School.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcome(s) contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

The best start in life for children

3. BACKGROUND

- 3.1 Angus Council uses the Scottish Government guidance, 'Determining Primary School Capacity,' as the basis for calculating primary school capacities. In Angus the capacity of each school is assessed on its own merits, dependent on design, core facilities and effective delivery of the curriculum. The primary capacities and methodology were last approved in full in April 2015 (Report [141/15](#) refers). The majority of capacities are unchanged since the initial report. Following the opening of the new Hayshead Primary School at Abbeyview Campus, it is necessary to update the capacity for this setting.
- 3.2 Reference is made to Paragraph 5 of the minute of the meeting of the Children and Learning Committee of 02 April 2015 where Members approved the principles of establishing reserved places and capping school rolls. It also requested an annual report from the Head of Schools and Learning regarding the school capacities for the following school session. The most recent report was considered by Committee in April 2019 (Report [126/19](#) refers).
- 3.3 Secondary school capacities were set by the Education Committee in January 1997 (Report [935A/96](#) refers). Primary capacities were also set at that time but have been superseded by Report 141/15 as noted above. [Circular No 3/2004](#), published by the Scottish Government sets out guidance for determining school capacities. While superseded for primary, the published principles still apply for secondary and are referenced below.

3.4 The projections for session 2020/21 are based on information as at 09 April 2020. These figures take into account placing requests made to Angus schools. The projections make an assumption that all children entitled to defer entry to Primary 1 will do so. This is a matter of parental choice. This report looks only at schools at or near the cap level.

4. CURRENT POSITION

4.1 Each primary school has been assessed on its design, core facilities and effective delivery of the curriculum. The capacity profile for each school shows the planning and working capacity of each school. Planning capacity is used when determining potential future developer contributions arising from new housing development. The working capacity relates to the most effective class configuration of each school for session 2020/21. There are occasions when some of our schools are using general purpose rooms as classrooms. It is our aspiration to use rooms as they were originally intended. In establishing whether a cap should be set we will use the working capacity based on using only classrooms. The working capacity is used to assess placing requests.

4.2 Secondary school capacities were set by the Education Committee in 1997 in response to amendments to the Education (Scotland) Act 1980 in respect of Placing Requests. Overall capacities were agreed as well as a maximum S1 intake for each school and the number of spaces to be reserved for children moving into catchment. There has been no formal change made to these capacities since 1997, however it is noted that both Brechin High School and Forfar Academy have been replaced. Forfar's capacity is unchanged but Brechin High School now has a maximum capacity of 800.

4.3 Angus Council's policy is to encourage parents to enrol their children in their local school but otherwise to agree to all Placing Requests wherever possible. A small number of Angus schools are under considerable pressure for space due to high rolls. In such cases, applications for admission to the school are prioritised on the following basis:

Entitlement: *Children whose home address is within the schools delineated area*

Priority 1: *Children whose address is outside the delineated area but who have a brother or sister already attending the school. (This can sometimes include another relative who lives permanently at the same address)*

Priority 2: *Children whose home address is not within the school's delineated area and who do not have a brother or sister already attending the school*

As agreed by Children and Learning Committee on 29 January 2019, catchment areas are no longer used as a priority category for allocating Early Learning and Childcare places. Attending a school nursery does not imply automatic enrolment at the same primary school.

4.4 When a primary school roll reaches 90% of the working capacity an in-depth analysis of the roll and projection is undertaken. Approval is sought from Committee to cap the roll when a roll reaches 95% of working capacity (or when 5 or fewer places remain). The roll will be capped at working capacity less the reserved places. Reserved places are retained for children who may move into the catchment area over the course of the year.

Table to follow, 2 columns, first row header and four rows of data

| Number of Classes | Reserved Places |
|----------------------|-----------------|
| Fewer than 5 Classes | 5 |
| 5-7 Classes | 7 |
| 7-10 Classes | 10 |
| 11-14 Classes | 14 |

4.5 In situations where the children living in the delineated area exceeds the number of available places in a capped school, there may be a requirement to travel to a nearby school. On these occasions transport will be provided free of charge.

5. PROPOSALS

Primary School Roll Capping and Reserved Places

5.1 Approval is requested to remove the cap from Timmergreens Primary School and to cap the rolls of Glamis, Mattocks, Warddykes, Whitehills and Woodlands Primary Schools. Approval is also requested for submission of the annual report regarding school capacities for the next school session (paragraph 3.2 of the report refers).

5.1.1 Removal of Roll Cap at Timmergreens Primary School

The capping of the roll at Timmergreens Primary School was approved in April 2019. It was agreed that 10 places be reserved for children moving into catchment giving an effective cap of 207. The forecast roll for August 2020 is 190. School roll projections to 2026 indicate demand for places will continue to reduce. As the August 2020 projection is significantly lower than the cap level it is recommended that the cap be removed from session 2020/21.

5.1.2 Roll Capping of Glamis Primary School

Glamis Primary School has a working capacity of 75, based on the use of designated classrooms only. There are no suitable teaching spaces beyond these classrooms. The projected roll for August 2020 is 73 (97.3% occupancy). This figure assumes that all current P1 placing requests are accepted.

It is proposed to reserve five spaces for children moving into the catchment area during session 2020/21. The roll is therefore proposed to be capped at 70. As the projected roll is 73, this means that only two reserved spaces will be available for entitled children in August 2020.

5.1.3 Roll Capping of Mattocks Primary School

Mattocks Primary School has a working capacity of 75, based on the use of designated classrooms only. Mattocks does not have any suitable teaching spaces beyond these classrooms. The roll was previously capped at 70, with five spaces reserved for families moving into catchment. The projected roll for August 2020, including placing requests, is currently 76 and therefore above the school's agreed capacity.

As a rural school, Mattocks operates with three composite classes, each with a maximum class size of 25. Class configuration is particularly challenging at this school due to the distribution of children across year groups and would result in some year groups being split up. It is also noted that during session 2019/20 there was a requirement to reconfigure classes during the year. This is disruptive to learners and should be avoided.

It is proposed that the roll cap of 70 be retained. The Education (Scotland) Act 1980, as amended, confers on the Education Authority the right to reject placing requests where acceptance would have the consequence of exceeding capacity in terms of pupil numbers or where acceptance would impact on reserved places (Section 28A, (3a)(vii) and sub section 3A refer). The exercise of these rights are however subject to the appellate procedure specified in the 1980 Act and related legislation.

Finally, it is noted that at present there are no reserved spaces available for children moving into the catchment area. Children moving into the area during the year will be offered a place at an alternative school and transport will be provided free of charge, if required.

5.1.4 Roll Capping of Warddykes Primary School

Last year Committee approved the request to cap the roll at 305. The projected roll for August 2020 is 312. On this basis, approval is sought to retain the cap of 305.

There are 14 reserved spaces at Warddykes Primary School for children moving in the catchment area. As the school is projected to commence in August 2020 with a roll of 312 this means that only seven reserved places will be available when term starts.

5.1.5 Roll Capping of Whitehills Primary School

Based on the use of designated classrooms only, Whitehills Primary School has a working capacity of 434. This figure excludes the Gaelic Medium Unit (GMU) which is a separate room where other children cannot be accommodated. In April 2019, Committee approved the request to remove the cap on Whitehills.

The projected roll for August 2020 is 420. As 14 spaces are to be reserved for children moving into the catchment area during the session it is proposed that the roll be capped at 420 from August 2020.

5.1.6 Roll Capping of Woodlands Primary School

Based on the use of designated classrooms only, the working capacity of Woodland Primary School is 217. The roll was capped in April 2019 at 207, with 10 spaces reserved for children moving into the catchment. The intention at the time was to manage the roll down to a suitable level. The projected roll for August 2020, including placing requests, is 216 and in excess of the previously agreed cap. The school library has been converted into a temporary classroom and there is now very limited space within the school for social activities and storage of resources.

Funding has been approved for the installation of a temporary classroom unit. This will enable general purpose spaces in the school to be returned to their intended use. This planned work will reconfigure teaching spaces but will not increase the school's capacity. Due to the current COVID19 crisis, this work has not progressed and the temporary classroom unit will not be in place for August 2020.

It is proposed to retain the current cap of 207. Any available spaces above this cap level will be reserved for children moving into the catchment area during the year.

5.1.7 Amendment of Hayshead Primary School Capacity

In February 2020 the new Abbeyview Campus opened comprising new school accommodation for Hayshead and St Thomas Primary Schools. The capacity of St Thomas is unchanged. Approval is requested to amend the capacity of Hayshead to 525.

5.1.8 Review of Primary Capacities

In April 2019 Children and Learning Committee agreed to a comprehensive review of school capacities. It was proposed to bring a report back early in 2020 with an update on this work. Due to staff turnover and other demands, the review of capacities is not yet complete. A desktop exercise has been undertaken but physical site visits to validate have not been undertaken and now cannot be progressed due to COVID19. Approval is requested to delay the completion of this work until early 2021.

5.2 Secondary School Roll Capping

It is proposed to request a temporary reduction to the maximum S1 intake limit at Monifieth High School

5.2.1 Demand at Monifieth High School

Secondary School capacities were set by the Education Committee in January 1997 (Report [935A/96](#) refers). At that time, the capacity at Monifieth High School was set at 1060 and a maximum S1 intake limit agreed as 200.

The following table demonstrates how the roll has increased over a number of years and projected future rolls to 2026:

Table to follow, two columns, first row header then seven rows of data

| Academic Year | Actual or Forecast Roll |
|----------------------|--------------------------------|
| 2017/18 | 1071 (As at Census) |
| 2018/19 | 1098 (As at Census) |
| 2019/20 | 1119 (As at Census) |
| 2020/21 | 1121 (Forecast) |
| 2021/22 | 1096 (Forecast) |
| 2022/23 | 1106 (Forecast) |
| 2023/24 | 1091 (Forecast) |
| 2024/25 | 1091 (Forecast) |
| 2025/26 | 1078 (Forecast) |

Demand for places at Monifieth is high. There has been extensive housing development within the catchment area and the school also receives a large number of placing requests for children outside the catchment. In keeping with Angus Council policies, placing requests are accepted wherever possible. In addition, increasing numbers of senior phase young people are continuing their education in school, placing further demands on space within the school.

The physical layout of the building also presents some challenges and all reasonable steps have been taken to make best use of space within the school. Space is used as flexibly as possible through timetabling. Some social and staff spaces have been reassigned for teaching. A one-way system for circulation in the school has also been introduced.

Through the Angus Schools for the Future Programme there are a number of options relating to Monifieth High School including a potential refurbishment/extension or a replacement with increased capacity. A solution is, however, a number of years away.

5.2.2 **Proposed S1 Intake Limit**

The projected S1 intake for August is 194, including placing requests. The overall school roll is projected to be 1121. It is proposed to impose a temporary reduction to the maximum S1 intake from August 2020.

The recommended level is 170. This figure is considered suitable both in terms of timetabling and also enabling the overall school roll to be managed downward towards the working capacity.

It is proposed that this S1 intake cap be brought back to committee annually for review.

6. **FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

7. **LEGAL IMPLICATIONS**

Section 28A of the Education (Scotland) Act 1980 obliges an education authority to comply with a request from a parent to place a pupil in a school under their management unless the authority can refuse the request under certain specified grounds.

One of those grounds is that, if the placing request was accepted, then it would have the consequence that the capacity of the school would be exceeded in terms of pupil numbers.

A person aggrieved at the decision to refuse a placing request has the rights to refer a decision to refuse a placing request to the authority's Education Appeal Committee and thereafter to appeal the decision to the Sheriff Court. In certain circumstances appeals in respect of placing requests in respect of pupils with Additional Support Needs are determined by the Additional Support Needs Tribunal for Scotland.

8. **CONSULTATION**

The Director of Education and Lifelong Learning and the Director of Legal and Democratic Services have been consulted in the preparation of this report.

NOTE: The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) which were relied on to any material extent in preparing the above report are:

- Report [935A/96](#)
- Report [141/15](#)
- Report [126/19](#)

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