

ANGUS COUNCIL

CHILDREN AND LEARNING COMMITTEE – 30 MARCH 2021

PRIMARY AND SECONDARY SCHOOL 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 2021/22 (as at 22 March 2021). It seeks approval for the application, extension or removal of roll caps on the identified schools. The report also seeks approval to amend the capacities for two schools.

1. RECOMMENDATIONS

It is recommended that the Children and Learning Committee:

- (i) Approves the capping of the roll Glamis Primary School, Liff Primary School, Mattocks Primary School, Seaview Primary School and Woodlands Primary School;
- (ii) Approves the removal of the cap from Warddykes Primary School and Whitehills Primary School;
- (iii) Approves the revised capacities for Edzell Primary School and Liff Primary School;
- (iv) Approves the continued temporary reduction of the S1 intake 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 use 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 extension of Edzell Primary School 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 2020 (Report [128/20](#) 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 Primary capacities were also set at that time but have been superseded by Report 141/15 as noted above.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 2021/22 are based on information as at 22 March 2021. These figures take into account placing requests made to Angus schools. The projections make an assumption that all children eligible to defer entry to Primary 1 will do so. This is a matter of

parental choice. A complete list of projected rolls and occupancy for August 2021 can be found at Appendix 1.

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 2021/22. 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 ("the 1980 Act") 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 Academy'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*

If the number of spaces available in a school means that within any one category only *some* placing requests have to be refused, applications from children whose address is within Angus will receive first priority. After that, priority is decided by the single factor of distance from home to 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.

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

4.5 The 1980 Act 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 the Education (Additional Support For Learning) (Scotland) Act 2004.

- 4.6 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 Warddykes and Whitehills Primary School and to cap the rolls of Glamis, Liff, Mattocks, Seaview and Woodlands Primary Schools.

5.1.1 Removal of Roll Cap at Warddykes Primary School

Warddykes Primary School has a working capacity of 319 based on the use of designated classrooms only. The school roll was previously capped at 305. The projected roll for August 2021 is 294 (92% occupancy). As the August 2021 projection is below the cap threshold it is recommended that the cap be removed for session 2021/22.

5.1.2 Removal of Roll Cap at Whitehills Primary School

The capping of the roll at Whitehills Primary School was approved in April 2020. It was agreed that 14 places be reserved for children moving into catchment giving an effective cap of 420. The forecast roll for August 2021 is 389 (90% occupancy). This figure includes the Gaelic Medium Unit. As the August 2021 projection is below the cap threshold it is recommended that the cap be removed for session 2021/22.

5.1.3 Roll Capping of Glamis Primary School

Glamis Primary School has a working capacity of 75, based on the use of designated classrooms only. As a rural school, Glamis Primary School operates with three composite classes, each with a maximum class size of 25. There are no suitable teaching spaces beyond these classrooms.

The roll was previously capped at 70, with five spaces reserved for families moving into catchment. The current projected roll for August 2021 is 73 (97% occupancy).

Based on the projections it is proposed that the current cap be retained during session 2021/22. The current projection for next session means that there will initially be fewer than five reserved spaces for children moving into catchment after August 2021.

5.1.4 Roll Capping and Working Capacity of Liff Primary School

Liff Primary School has a working capacity of 132, based on the use of designated classrooms only. As a rural school, Liff Primary School operates with five composite classes, each with a maximum class size of 25. There are no suitable teaching spaces beyond these classrooms. The class configuration effectively reduces the capacity to 125. It is recommended that the working capacity be amended to 125 to reflect this.

The school roll has grown in recent years, and a high number of placing requests received each year. The current projection for August 2021 is 123 (98% occupancy based on a working capacity of 125). It is proposed to cap the roll at 118 for August 2021. This cap ensures seven spaces will be reserved for any children which may move into the catchment area. The current projection for next session means that there will initially be fewer than seven reserved spaces for children moving into catchment after August 2021.

5.1.5 Roll Capping of Mattocks Primary School

Mattocks Primary School has a working capacity of 75, based on the use of designated classrooms only. As a rural school, Mattocks operates with three composite classes, each with a maximum class size of 25. 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 2021 is currently 74 (99% occupancy) and therefore just below the school's agreed capacity.

It is proposed that the current cap be retained during session 2021/22. The current projections indicate that there may only be one space available for children moving into catchment after August 2021.

5.1.6 **Roll Capping of Seaview Primary School**

Seaview Primary School has a working capacity of 421 based on the use of designated classrooms only. In recent years there have been a relatively high number of Placing Requests to Seaview Primary School. Since August 2016 38 Priority 1 and 63 Priority 2 placing requests for Primary 1 have been accepted.

The projected roll for August 2021 is currently 401 (95% occupancy) and therefore at the threshold for roll capping.

It is proposed that the school roll be capped at 407 for session 2021/22. This cap ensures that 14 spaces will be reserved for children moving into the catchment area.

5.1.7 **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 cap is beginning to take effect. The school roll at census in September 2019 was 225. The projected roll for August 2021 is 209 (96% occupancy). Due to the pressures on the roll there is 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. Due to Covid-19 it has not yet been possible to progress this work. We are investigating the feasibility of the temporary classroom unit being in place for August 2021.

It is proposed to retain the current cap of 207. The current projection for next session means that there will initially be fewer than ten reserved spaces for children moving into catchment after August 2021.

5.1.8 **Amendment of Edzell Primary School Capacity**

Edzell Primary School has been extended as part of the Angus Schools for the Future Programme. Additional classroom spaces have been provided. Approval is requested to amend the capacity of Edzell to 160 based on a mix of composite and single year classrooms.

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 August 2027:

Academic Year	Actual or Forecast Roll
2018/19	1098 (As at Census)
2019/20	1119 (As at Census)
2020/21	1124 (As at Census)
2021/22	1110 (Forecast)
2022/23	1098 (Forecast)
2023/24	1087 (Forecast)

2024/25	1097 (Forecast)
2025/26	1109 (Forecast)
2026/27	1098 (Forecast)
2027/28	1084 (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.

Angus Council has secured funding through the Learning Estate Investment Programme to construct a replacement Monifieth High School. The new facility will open in August 2025.

5.2.2 Proposed S1 Intake Limit

The current projected S1 intake for August is 197, including placing requests. The overall school roll is projected to be 1110.

The maximum S1 intake is temporarily capped at 170. It is proposed that this cap be continued for session 2021/22. The cap of 170 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 directly from the recommendations in this report.

7. LEGAL IMPLICATIONS

7.1 Section 28A of the Education (Scotland) Act 1980 (and Schedule 2 of the Education (Additional Support For Learning) (Scotland) Act 2004 in respect of pupils with Additional Support Needs) 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 or would prevent the education authority from retaining reserved places at the specified school or in relation to any particular stage of education at the school.

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 Health and Education Chamber of the First-tier Tribunal for Scotland.

8. CONSULTATION

8.1 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 [128/20](#)

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List of Appendices:

Appendix 1 – Projected Primary and Secondary Rolls for August 2021