



ORKNEY
ISLANDS COUNCIL

Item: 4

Education, Communities and Housing Committee: 9 September 2026.

School Placing Request Policy.

Report by Director of Education, Communities and Housing.

1. Overview

- 1.1. This report presents the School Placing Request Policy which establishes a clear framework for assessment and determination of school placing requests, for approval.
- 1.2. Each year the Education Service receives a number of placing requests from parents, carers, children and young people seeking admission to a school other than their catchment school. While legislation provides a right to make a placing request, the Council also has a statutory responsibility to manage school capacity, staffing, accommodation and resources effectively.
- 1.3. The proposed School Placing Request Policy, attached as Appendix 1 to this report, has been developed to provide a consistent, transparent and legally compliant framework for the assessment and determination of placing requests. The Policy reflects the requirements of the Education (Scotland) Act 1980, the Education (Additional Support for Learning) (Scotland) Act 2004 and associated Scottish Government guidance and the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024.
- 1.4. The Policy:
 - Clarifies the process for making and determining placing requests.
 - Defines the roles and responsibilities of officers, schools, parents, carers and young people.
 - Establishes a clear decision-making framework supported by evidence.
 - Provides guidance on the statutory grounds for refusal and the evidence required to support decisions.
 - Sets out arrangements for communication with families and appeals processes.
 - Reflects current legislative requirements relating to additional support needs, equality and children's rights.

- 1.5. The introduction of a formal policy will improve consistency across the Education Service, ensure decisions are robust and evidence-based, and provide greater clarity for families when making placing requests.

2. Recommendations

- 2.1. It is recommended that members of the Committee:
- i. Approve the School Placing Request Policy, attached as Appendix 1 to this report.

3. Legislative Framework

- 3.1. Parents and carers have a statutory right to make a placing request for their child to attend a school other than their catchment school. Children and young people may also make placing requests in their own right where they have the capacity to do so. Education authorities are required to grant requests unless one or more statutory grounds for refusal apply.
- 3.2. The principal legislative framework is contained within:
- Education (Scotland) Act 1980.
 - Standards in Scotland's Schools etc. Act 2000.
 - Education (Additional Support for Learning) (Scotland) Act 2004, as amended.
 - Equality Act 2010.
 - Relevant Scottish Government guidance and Codes of Practice.
 - The Education (Placing in Schools Etc – Deemed Decisions) (Scotland) Regulations 1982.
 - United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024.
- 3.3. At present, placing requests are considered in accordance with statutory requirements and national guidance. However, there is no standalone Council policy that brings together the process, decision-making criteria, evidence requirements and appeal arrangements into a single framework document.
- 3.4. The Policy establishes:
- Timescales for submission and determination of placing requests.
 - Procedures for acknowledging and processing applications.
 - A decision-making framework based on statutory requirements and operational evidence.

- Guidance regarding reserved places for future catchment pupils.
 - Additional support needs considerations.
 - Arrangements for appeals and complaints.
 - Requirements relating to equality, children's rights and data protection.
- 3.5. The policy also introduces a decision-making checklist to support consistency and transparency in officer decision making.
- 3.6. Parental consultation has occurred including those who have requested placing requests and parent council chairs.

For Further Information please contact:

Wendy Bowen, Head of Education, extension 2436, Email wendy.bowen@orkney.gov.uk.

Implications of Report

1. **Financial** – None directly relating to the recommendations in this report. Any additional costs associated with this policy will need to be met within existing resources.
2. **Legal** – The policy supports the Council in meeting its statutory duties under the Education (Scotland) Act 1980 and related legislation.
3. **Corporate Governance** – None directly relating to the recommendations in this report.
4. **Human Resources** – None directly relating to the recommendations in this report.
5. **Equalities** – An Equality Impact Assessment has been undertaken and is attached as Appendix 2 to this report.
6. **Island Communities Impact** – An Island Communities Impact Assessment has been undertaken and is attached as Appendix 3 to this report.
7. **Links to Council Plan:** The proposals in this report support and contribute to improved outcomes for communities as outlined in the following Council Plan strategic priorities:
 - ☐ Growing our economy.
 - ☒ Strengthening our Communities.
 - ☐ Developing our Infrastructure.
 - ☐ Transforming our Council.
8. **Links to Local Outcomes Improvement Plan:** The proposals in this report support and contribute to improved outcomes for communities as outlined in the following Local Outcomes Improvement Plan priorities:
 - ☐ Cost of Living.
 - ☐ Sustainable Development.
 - ☒ Local Equality.

☐ Improving Population Health.

9. **Environmental and Climate Risk** – None directly relating to the recommendations in this report.
10. **Risk** – The policy reduces the risk of inconsistent decision making and supports compliance with statutory requirements.
11. **Procurement** – None directly relating to the recommendations in this report.
12. **Health and Safety** – None directly relating to the recommendations in this report.
13. **Property and Assets** – None directly relating to the recommendations in this report.
14. **Information Technology** – None directly relating to the recommendations in this report.
15. **Cost of Living** – None directly relating to the recommendations in this report.

List of Background Papers

Education (Scotland) Act 1980.

Education (Additional Support for Learning) (Scotland) Act 2004.

Supporting Children's Learning: Code of Practice (2026).

Choosing a School: A Guide for Parents (Scottish Government).

School Placing Requests and Appeal Hearings: Guidance for Local Authorities (2025).

The Education (Placing in Schools Etc – Deemed Decisions) (Scotland) Regulations 1982.

Appendices

Appendix 1 – School Placing Request Policy.

Appendix 2 – Equality Impact Assessment.

Appendix 3 – Island Communities Impact Assessment.



Education, Communities and Housing

School Placing Requests Policy

Version Control

Document Reference.	Revision.	Issue Date.	Reason for Issue.	Reviewer.
ECH037.	00.	September 2026 (To be reviewed in April 2029).	New Policy.	Head of Education

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1. Introduction

This policy sets out how Orkney Islands Council's (the Council) Education Service will receive, assess and determine school placing requests. It applies to the annual placing requests for entry at the start of a school session such as entry to P1, in year requests and requests involving children or young people with additional support needs.

The policy does not apply to ordinary catchment enrolment where no placing requests are required.

Early Learning and Childcare placing requests and split placing requests are covered by the Early Learning and Childcare policy.

The policy aims to provide clarity on the decision-making process. The policy should be read alongside the School Transport Policy and the Allocations Policy for Papdale Halls of Residence.

2. Context

The school which is closest to the child's home address is called a catchment school. The Council recognises that parents and carers may wish their child to attend a school other than the local school. Should parents wish to do this, a placing request is required.

Parents do not have to send their children to a local authority school. Some parents may choose to send their children to an independent school and others may choose to educate them at home. See Policy and Guidance on Home Education, Flexi-schooling and Part-time timetables.

3. Legislative background for exclusion and National Guidance Framework

Scottish legislation gives parents and carers the right to make a written placing request and places a duty on education authorities to grant such requests wherever possible. Children and young people may make placing requests, unless the authority determines that they lack the capacity to do so.

However, this duty is not unlimited. The Council must also secure efficient education for all children and young people, which means that the Council must manage schools' capacity responsibly, protect the interests of catchment pupils and ensure decisions are based on evidence.

There are therefore certain legal requirements laid down in statute which must be complied with. The Education (Scotland) Act 1980 establishes the statutory grounds for refusal of placing requests.

Parents and Schools should also refer to [Choosing a School: A Guide for Parents, Scottish Government](#)

4. Roles and Responsibilities

Role	Responsibilities
Parents/ Carers	To submit written applications – provide accurate information and respond promptly where further information is required.
Children and Young People	May make placing requests in their own right unless the authority determines that they lack capacity to do so. Children and young people's views should be sought where the child has capacity.
Business Support – Central Team Orkney Islands Council	Receives applications, acknowledges receipt, logs dates, maintains records, issues standard communications and supports the administration of an Appeals panel should it be required to be convened.
Headteacher of requested school	Provides factual evidence of school roll, capacity, accommodation, staffing, class organisation, curriculum, health and safety and operational implications. The Headteacher will make recommendations and advise the Service Manager.
Catchment school Headteacher, where relevant	Provides information on continuity of education, catchment place, transition issues and relevant wellbeing or ASN information.
Service Manager or delegated senior officer	Assesses the application against legislation, reviews evidence, considers statutory grounds and prepares the decision record. The Service Manager will make the final decision. In difficult cases, a recommendation will be prepared for the Head of Education. They may attend an appeals panel.
Head of Education or delegated senior officer	Quality assures complex cases and refusal decisions, ensures consistency and oversees appeal preparation. Will provide a decision. Attends the appeals panel.
Education Appeals Committee	Will hear appeals and make a final decision should the initial request be disputed. The Committee is independent of the original decision makers.

5. Making a Placing Request and timescales

A placing request must be made in writing and must specify the school requested. The Council application form should be used (see Appendix 1). A written request that clearly identifies the child and the specified school should be treated as a placing request.

In-year requests may be submitted at any point. Decisions should normally be made within two months. If for any reason the service fails to make a decision within the two-month period, this is deemed legally as having been refused and can be subject to appeal.

Applications for a placing request that are for enrolment at the start of a school session should be submitted within the Council's published annual timescales normally on or before 15 March. (This refers to placing requests to a school out with the catchment area for entry into P1.) Timescales for P1 enrollment may be published locally and through schools and nurseries.

Should a decision not be reached by 30 April, these decisions should be deemed legally as having been refused. This non decision can be subject to appeal.

Young people may make a placing request in their own name unless the authority determines that they lack the capacity to do so. Any question of capacity will be considered having regard to the individual circumstances of the child or young person and any relevant professional advice.

All applications for placing requests will receive notification of the decision in writing.

6. Processing a Placing Request

On receiving a Placing Request, the Council will aim to acknowledge receipt within 3 working days. Further communication within 7 working days will confirm the named Service Manager and explain expected timescales. We will aim to complete the request within 20 working days.

The Service Manager and Headteacher will be asked to gather the evidence needed to make a decision.

The placing request assessment should be child-centered and should take account of the child's views, where these can reasonably be obtained, relevant professional advice, the child's assessed needs, current support, reasonable adjustments, suitability of the requested placement and the ability of the Council to provide appropriate support.

Once a decision has been reached the Service Manager will write to the families with the outcome of their placing request. Families should receive full information about their appeal rights when a request is refused.

7. Decision Making Framework

The starting point is that the Council should grant a placing request unless statutory grounds for refusal apply and it is appropriate, in all circumstances, to refuse the request.

The following aspects need to be taken into consideration when considering a placing request to a school.

- Current school roll and projected roll at the requested school.
- Capacity of the school and of the relevant stage or year group.
- Class organisation, including composite classes in primary settings.
- Staffing establishment and whether an additional teacher would be required.
- Accommodation, including teaching areas, specialist spaces, toilets, dining and circulation areas.
- Curriculum entitlement, timetabling and subject choice in secondary settings.

- Health and safety, supervision and pupil wellbeing.
- Additional support for learning needs and reasonable adjustments. (Note that this does not include Papdale Halls of Residence)
- Reserved places required for pupils who are likely to move into the catchment area.
- Impact on the efficient provision of education for existing pupils.

The decision should include a short balancing exercise. This means recording both the family's preference and the Council's statutory and operational responsibilities. A checklist (see Appendix 2) should be completed by the officer.

8. Statutory Grounds for Refusal and Evidence Required

Refusal can only be considered where one or more statutory grounds apply. The following table is an operational guide to the statutory grounds for refusal.

Statutory grounds		Evidence expected
Capacity exceeded	Granting the request would exceed the school's pupil capacity.	Agreed capacity, room use evidence, stage capacity and current/projected roll.
Additional teacher required	Granting the request would require the Council to employ an additional teacher.	Roll projections, staffing formula, class organisation and timetable evidence.
Future additional class or teacher	Granting a primary request would lead to a possible future need for an additional class, composite class or teacher.	Projected roll by stage, future class models and stated assumptions.
Significant accommodation expenditure	Granting the request would require significant expenditure on extending or altering accommodation or facilities.	Property assessment, cost estimate, accommodation evidence.
Reserved places	The child is outwith catchment and granting the request would prevent places being retained for likely catchment pupils.	Housing data, demographic information, known movements, roll projection and rationale.
Continuity of the child's education	The move would be seriously detrimental to the continuity of the child's education.	Educational chronology, assessment evidence such as child plan and transition analysis.
Order and discipline	Granting the request would be likely to be seriously detrimental to order and discipline.	Risk assessment, professional evidence, support planning and safety analysis.

Statutory grounds		Evidence expected
Educational wellbeing of pupils	Granting the request would be likely to seriously affect the educational wellbeing of pupils already attending the school.	Learning and wellbeing impact evidence, class composition, supervision and support evidence.
Age, ability or aptitude	The education normally provided at the school is not suited to the child.	Curriculum/ASN evidence, professional advice and alternative provision analysis.
Previous discontinuance	The child has already been required to discontinue attendance at the specified school.	Formal records and legal advice where appropriate.
ASN special provision issues	For ASN requests, specific statutory exceptions may apply, including enhanced resource and cost/suitability tests.	Professional advice, CSP or child plan, suitability and cost comparison.

9. Prioritising Requests Where Places Are Limited

Where there are more placing requests than available places, the Council may need to rank applications.

The placing request criteria are as follows:

- Siblings already on the roll of the receiving school or relatives permanently e.g. stepsibling living at the same address as part of an extended family.
- Exceptional medical or social reasons that would be best met in the requested school, such as care experienced children and young people, supported by evidence.
- Exceptional family circumstances that are supported by evidence.

Where a place can be offered to one child but not another, the decision record should explain how the criteria were applied. Personal information about other applicants must not be disclosed.

10. Reserved Places

Reserved places are intended to ensure that schools can accommodate children and young people likely to become residents in the catchment area. Due to our geography, it is important that spaces are left for new residents to be able to access their local school. From time-to-time schools may have a cap placed on them by the local authority to ensure that places are available. This will be reviewed annually.

The evidence used will include the location of the school, known housing development, school roll trends, sibling patterns.

11. Additional Support Needs

Where a child or young person has additional support needs, the Council must consider whether the request falls under the Education (Additional Support for Learning) (Scotland) Act 2004. The Supporting Children's Learning Code of Practice 2026 confirms that education authorities must comply with placing requests relating to additional support needs unless one or more statutory exceptions applies. The Council will also have regard to the presumption of mainstream education where relevant.

For the purposes of this policy, enhanced provision means the additional specialist educational provision available at designated schools within Orkney. Further information is contained in the Enhanced Provision Placing Guidelines.

Mainstream education refers to education which is within the general classroom with peers of the same age and stage.

Enhanced provision refers to a more specialist or bespoke provision. Only Glaitness School and Kirkwall Grammar School provide this enhanced provision. See Enhanced Provision Placing Guidelines.

Young people may make a request in their own name unless the authority determines that they lack capacity as more particularly referred to in section 5.

Officers must check whether the request involves a request for a coordinated support plan (CSP) or whether the child or young person has a current CSP or a child plan.

It is important to establish whether there is a need to attend an enhanced provision either at Glaitness School or Kirkwall Grammar School. Should a request be made for enhanced provision this is covered by the Enhanced Provision Placing Guidelines and is not covered within the scope of this policy.

12. Transport and Attendance Implications

The Council does not provide transport for those pupils in receipt of a placing request. Parents must take this into consideration when making a placing request. Parents must accept full responsibility for the organisation and cost of transport for their child travelling to and from school.

Where an island or inter-island journey is involved, officers should ensure that families understand realistic travel patterns, weather disruption, supervision arrangements and any limits on transport entitlement. This information is provided to assist families in making informed decisions and does not affect their right to submit a placing request.

A successful placing request to Kirkwall Grammar School does not create entitlement to a place at Papdale Halls of Residence.

A placing request may be granted even where a place at Papdale Halls of Residence is unavailable. Families should take this into account when deciding whether to submit a placing request.

The availability of accommodation is considered separately under the Allocations Policy for Papdale Halls of Residence.

13. Communication with Families

Communication should be clear, timely and written in plain English.

Appendix 3 should be used as a template letter to communicate to families the facts of who is dealing with the request, the expected timescale, what information is being considered and what appeal rights apply if the request is refused.

Where a request is approved, Appendix 4 should be used to support the framework of the letter.

Where a request is refused, the framework set out in Appendix 5 should be used to construct the letter. Reasons for the refusal must be clearly identified with a brief explanation. The right to appeal the decision and appeal rights must be provided within this letter.

The Council will not disclose confidential information about other children or staff. Where capacity, class organisation or staffing evidence is summarised, this should be done in a way that explains the decision without compromising personal data. Sensitivity should be taken when describing small schools.

14. Appeals

Where a placing request is refused, applicants have a statutory right of appeal. The decision letter must explain the appropriate appeal route and timescale. See Appendix 6 Parent Guide to Appeals.

Letters of appeal should be submitted to the Head of Education.

In general, appeals are heard by the Education Appeal Committee. This will be convened by Orkney Islands Council.

Where the request relates to certain Additional Support Needs matters, appeal rights may instead be referred to the First-tier Tribunal for Scotland (Health and Education Chamber).

Where an appeal committee confirms a refusal, the requesters have further appeal rights depending on the circumstances of the case and the applicable legislation.

Appeal papers should include the application, decision letter, decision record, Headteacher evidence, roll and capacity information, any relevant Additional Support Needs evidence and the Council's case statement. Officers should ensure that the Council's position is capable of being understood by the appeal body and by the family.

15. Complaints, Reviews and Appeals

A placing request refusal can only be challenged through the statutory appeal route rather than the Council Complaints Procedures.

The complaints process may consider administrative issues, such as delay, poor communication or failure to follow procedure. Appeals against the actual decision must be dealt with through the appeals process.

Where a family raises both a complaint and an appeal, officers should clarify which issues are being handled under which process. Families should not be disadvantaged because they have used the wrong wording in correspondence.

16. Equality, Children's Rights and Data Protection

The Council will comply with the Equality Act 2010, including duties relating to disability, reasonable adjustments and non-discrimination. Decisions should consider whether the policy or an individual decision may have a disproportionate impact on a child or family with a protected characteristic.

The Council will also have regard for children's rights and wellbeing. Consideration of children's rights does not mean that every placing request must be granted, but it does require the Council to consider the child's interests seriously and to ensure that decisions are lawful, proportionate and explained.

Personal information will be processed only for lawful purposes connected to the placing request and any appeal. Records will be stored securely and retained in accordance with the Council's records management arrangements.

17. Monitoring and Review

The Education Service will monitor placing requests annually, including the number received, granted and refused, statutory grounds relied upon, appeals lodged, appeal outcomes and any themes arising. This will support consistency across schools and inform improvement in guidance, application forms, decision records and communication with families.

This policy will be reviewed every three years or earlier where legislative change, national guidance, appeal decisions or local audit indicate that review is required.

18. References

- Education (Scotland) Act 1980.
- Education (Placing in Schools etc. – Deemed Decisions) (Scotland) Regulations 1982.
- Standards in Scotland's Schools etc. Act 2000.
- Education (Additional Support for Learning) (Scotland) Act 2004, as amended.
- Supporting Children's Learning: Code of Practice, fourth edition, Scottish Government, 2026.
- Choosing a School: A Guide for Parents, Scottish Government, revised 2016.
- School Placing Requests and Appeal Hearings: Guidance for Local Authorities, Scottish Government, updated 2025.
- Equality Act 2010, Human Rights Act 1998, UNCRC (Incorporation) (Scotland) Act 2024, UK GDPR and Data Protection Act 2018.

Appendix 1 – Application Form

Education, Communities and Housing

Placing Request Application Form

Session 2026/2027



Please complete in BLOCK CAPITALS.

Child's Details

Full Name:			
Date of Birth:		Gender:	Male. ☐ Female. ☐
Are you completing a form for any other children?		Yes. ☐	No. ☐
Additional Children's Names and Dates of Birth:			

Parent/Carer Details

Title:		Full Name:		
Address:				
Telephone Contacts: (in priority order.)	1.		Postcode:	
	2.		Email:	
	3.			

Requested School

School Requested:			
Catchment School:			
(This is the designated school for your child's address, leave blank if unknown.)			
For P1 applications, have you also submitted an admission form to the catchment school?		Yes. ☐	No. ☐
Current School/Nursery:			
Requested Start Date:		Year/Stage on Start Date (e.g. P1):	

Additional Support Needs

Does your child have any additional support need?		Yes. ☐	No. ☐
If yes, please specify:			
Does your child have an individualised education programme (IEP) or a co-ordinated support plan (CSP)?			
IEP:	Yes. ☐	No. ☐	CSP: Yes. ☐ No. ☐

Support with English Language – for children whose first language is not English

What is the first language of your child?	
Does your child need support with English language?	Yes. ☐ No. ☐

Reasons for Application

Please explain why you wish your child to attend requested school.

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Sibling(s) Attending School

Please give details of any brothers and sisters already attending the requested school.

Full Name:	Year/Stage on Requested Start Date:

Declaration

I declare that the information provided above is correct. I understand that failure to provide accurate information may result in my child's application being refused. I understand that I will be responsible for the arrangement and cost of transport for my child to and from the requested school. (Transport is not provided for children attending a school out with their catchment area.)

Signature of Parent/Carer:		Date:	
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Please complete and return this form by email to: education.leisure@orkney.gov.uk or send to Education Resources Manager, Education, Communities and Housing, Council Offices, Kirkwall, KW15 1NY.

The Data Protection Act

The information on this form is processed electronically for administrative purposes and is subject to the terms of the Data Protection Act 1998.

For Office Use Only

Date Received:		Reference:	
Outcome:		Date Letter Sent:	
Comments:			

Appendix 2 – Officer Decision making Checklist

Statutory Grounds Considered	Applies	Evidence
Capacity Exceeded	Yes/No	
Additional Teacher Required	Yes/No	
Future Additional Class Required	Yes/No	
Significant Accommodation Costs	Yes/No	
Reserved Places Required	Yes/No	
Continuity of Education	Yes/No	
Order and Discipline	Yes/No	
Educational Wellbeing	Yes/No	
Age, Ability or Aptitude	Yes/No	
Previous Discontinuance	Yes/No	
ASN Exception	Yes/No	
Council Considerations balanced against Parental Preference		
Recommendation		
Grant		
Refuse		
Reason		
Officer Signature:		
Date:		
Communications sent to family	Yes / No	
Date:		

Appendix 3 – Initial Acknowledgement Letter

Dear Parent/Carer

Thank you for your placing request application for: [Name] to attend [School]

The application was received on [Date]. Your application is currently being considered. The lead officer managing your request is: [Service Manager]. They can be contacted on email on the following address [Email]

We will gather relevant information from schools and officers before reaching a decision.

We aim to notify you of the outcome by [Date].

Yours sincerely

[Service Manager]

Appendix 4 – Decision Letter (Approved)

Dear Parent/Carer

Outcome of Placing Request

I am pleased to confirm your placing request for [Name] to attend [School].

has been approved. The placement will begin on [Date].

The school will contact you regarding induction and transition arrangements.

Please note that approval of a placing request does not entitle your child to school transport. A separate application is required to be submitted for residential accommodation at Papdale Halls of Residence. Families should refer to the relevant Council policy.

Yours sincerely

Service Manager

Appendix 5 – Decision Letter (Refused)

Dear Parent/Carer

Outcome of Placing Request

After careful consideration, I regret to inform you that your placing request for [Name] to attend [School] has been refused.

Reasons for Refusal

The request has been assessed in accordance with the Education (Scotland) Act 1980 and the Council's School Placing Requests Policy.

The statutory ground(s) relied upon are: (select the grounds)

- Capacity Exceeded.
- Additional Teacher Required.
- Future Additional Class Required.
- Significant Accommodation Expenditure.
- Reserved Places Required.
- Continuity of Education.
- Order and Discipline.
- Educational Wellbeing.
- Age, Ability or Aptitude.
- Previous Discontinuance.
- ASN Statutory Exception.

Additional explanation is required and insert case specific reasons.

Appeal Rights

You have a statutory right of appeal against this decision. Details of the relevant appeal process and timescales are enclosed.

Yours sincerely

Service Manager

Appendix 6 – Parent Guide to Appeals

If Your Request Is Refused

You have a right to appeal.

Education Appeal Committee

Most placing request appeals are heard by the Education Appeal Committee. This is a formal process.

The Committee is independent of the original decision-makers and will hear representations from both the Council and the family. A representative of the Council will explain the reasons for the decision. Both the Council and the family will have an opportunity to present information to the appeal body before a decision is made.

ASN Cases

Where the request relates to certain Additional Support Needs matters, appeal rights may instead be referred to the First-tier Tribunal for Scotland (Health and Education Chamber).

The Education Appeal Committee Hearing

You will be notified by email of the date of the hearing. Prior to the hearing you may submit further written evidence.

At the hearing you can bring a representative or supporter to the hearing.

You can ask the Council directly about the Council's case. It may be helpful to prepare some questions in advance.

Outcomes

The appeal panel will deliberate on the cases presented and they will have the option to either uphold the Council's decision or they may overturn the decision and grant the request.

Further rights of appeal may be available depending on the circumstances of the case and the applicable legislation.



Equality Impact Assessment

The purpose of an Equality Impact Assessment (EqIA) is to improve the work of Orkney Islands Council by making sure it promotes equality and does not discriminate. This assessment records the likely impact of any changes to a proposal or changes by anticipating the consequences and making sure that any negative impacts are eliminated or minimised and positive impacts are maximised.

Should you have any questions or wish for your draft EqIA to be reviewed by our Equality, Diversity and Inclusion Adviser, please contact OD@orkney.gov.uk.

1. Identification of the Proposal or Change

Name of proposal or change being assessed.	School Placing Requests
Responsible Service and Directorate.	Education, Communities and Housing
Date of assessment.	3 July 2026
Is the proposal or change existing? (Please indicate if the service is to be deleted, reduced or changed significantly).	Create new policy

2. Primary Information

What are the intended outcomes of the proposal or change?	The policy aims to: • Ensure placing requests are handled fairly, consistently and transparently. • Meet statutory duties under Scottish education legislation. • Balance parental choice with the Council's responsibility to manage school capacity and provide efficient education.
Is the proposal or change strategically important?	Strategic plans include major investment plans, new strategic frameworks or plans such as annual budgets, locality plans or corporate plans. Where a proposal is identified as

	strategic, evidence relating to socio-economic impacts and inequalities will be required in the relevant section No.
State who is or may be affected by this proposal or change, and how?	Families who wish their children to attend a different school other than the child's own school. Children from the age of 5 – 18 who wish to attend a Local Authority School.
How have stakeholders been involved in the development of this proposal or change?	Discussion with parents going through the appeals Chairs of the Parent Council.
Is there any existing data and / or research relating to equalities issues in this policy area? Please summarise. E.g. consultations, national surveys, performance data, complaints, service user feedback, academic / consultants' reports, benchmarking.	Choosing a school: a guide for parents revised November 2016. Supporting Children's Learning code of practice: consultation Published 19 June 2017. Education (Scotland) Act 1980. Enquire Placing Requests. There have been a small number of placing request appeals over the last 2 years. The numbers are too low to report.
Is there any existing evidence relating to socio-economic disadvantage and inequalities of outcome in this policy area? Please summarise. E.g. For people living in poverty or for people of low income. See The Fairer Scotland Duty Guidance for Public Bodies for further information.	This section is required for all proposals relating to strategic decisions.

Could the proposal or change have a differential impact on any of the following equality areas?	Please provide any evidence – positive impacts / benefits, negative impacts and reasons:
1. Race: this includes ethnic or national groups, colour and nationality.	No differential impact anticipated. Applications are assessed against statutory criteria which apply equally to all applicants regardless of race.
2. Sex: a man or a woman.	No differential impact anticipated. Applications are assessed against statutory criteria that apply equally.
3. Sexual Orientation: whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.	No differential impact anticipated. Applications are assessed against statutory criteria that apply equally.
4. Gender Reassignment: the process of transitioning from one gender to another.	No differential impact anticipated. Applications are assessed against statutory criteria that apply equally.
5. Pregnancy and maternity.	No differential impact anticipated. Applications are assessed against statutory criteria that apply equally.
6. Age: people of different ages.	The policy specifically applies to children and young people of school age. Any differences in treatment arise from statutory education legislation and are objectively justified.
7. Religion or beliefs or none (atheists).	No differential impact anticipated. Applications are assessed against statutory criteria that apply equally.

8. Disability: people with disabilities (whether registered or not).	The policy may have a differential impact on disabled children and young people because placing requests are sometimes linked to ASN provision. However, the policy includes specific consideration of ASN legislation, professional advice, reasonable adjustments and the suitability of provision. This is expected to have a positive impact by ensuring consistent and transparent decision-making.
9. Marriage and Civil Partnerships.	No differential impact anticipated.
10. Caring responsibilities	No differential impact anticipated.
11. Socio-economic disadvantage.	The policy does not alter entitlement to transport or other financial support. While some families may face greater transport costs when seeking a non-catchment placement, these arrangements already exist and are not created by this policy
12. Care experienced	Potential positive impact. Care experienced children and young people may benefit from the prioritisation arrangements within the policy where supported by evidence.

3. Impact Assessment

Does the analysis above identify any differential impacts which need to be addressed?	None
Does the analysis above identify any potential negative impacts?	No. The assessment found no evidence that the policy discriminates against individuals or groups with protected characteristics. The policy promotes transparency, consistency and compliance with education and ASN legislation. Particular consideration has been given to disabled children and young people, those with ASN and care experienced children. No additional mitigating actions are required at this stage, although the implementation of the policy will be monitored through annual review of placing request outcomes.
Do you have enough information to make a judgement? If no, what information do you require?	Yes

4. Equality Impact Assessment Action Plan

Please complete the following action plan where you have identified any differential impacts or potential negative impacts in Section 3 of the Equality Impact Assessment.

Impact Identified	Action to be taken	Owner	How will it be monitored	Date Action to be completed

5. Sign and Date

Signature:	
Name:	Wendy S Bowen
Date:	8 July 2026

Island Communities Impact Assessment

Placing Request Policy - Education

Preliminary Considerations	Response
Please provide a brief description or summary of the policy, strategy or service under review for the purposes of this assessment.	This draft policy sets out how Orkney Islands Council will manage and decide requests for children and young people to attend a school other than their catchment school. It applies to annual entry requests, in-year transfers and requests involving additional support needs (ASN).
Step 1 – Develop a clear understanding of your objectives	Response
What are the objectives of the policy, strategy or service?	The policy aims to: • Ensure placing requests are handled fairly, consistently and transparently. • Meet statutory duties under Scottish education legislation. • Balance parental choice with the Council's responsibility to manage school capacity and provide efficient education.
Do you need to consult?	Parent Council Chairs Parents who have been involved in the placing request appeal process
How are islands identified for the purpose of the policy, strategy or service?	Orkney's educational establishments are located across the entire archipelago. Junior High Schools within Sanday Stronsay and Westray, Peedie Schools, Rousay, Eday, Papay, Shapinsay, North Ronaldsay and North Walls are all schools linked either only by boats or planes.

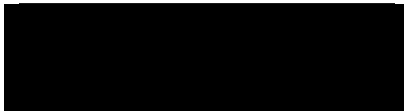
What are the intended impacts/outcomes and how do these potentially differ in the islands?	Through this policy, Orkney Islands Council aims to: • Ensure all placing requests are considered fairly, consistently and transparently. • Comply with statutory duties and national guidance. • Balance parental choice with the efficient use of educational resources. • Support children's rights, wellbeing and educational needs. • Provide clear information and accessible appeal routes for families. • Monitor decisions to support continuous improvement in service delivery. Within islands the context of the geography is vital to consider. Placing requests whilst rare to island schools needs to be balanced with the requirements on the island and the consequence of supporting a placing request on balance with the capacity of the school.
Is the policy, strategy or service new?	New policy
Step 2 – Gather your data and identify your stakeholders	Response
What data is available about the current situation in the islands?	There are rare exceptions when a placing request is asked of an island school. There have been no placing requests to islands in the last five years. Placing requests are most likely to occur within mainland Orkney.
Do you need to consult?	Parent Council Chairs – August 2026 should they request further consultation with their councils this will be managed.
How does any existing data differ between islands?	Size of school on the islands can vary. The island communities can be subject to population changes. The curriculum available to

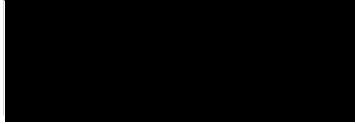
	Secondary young people varies between islands and can reduce young peoples options in S4.
Are there any existing design features or mitigations in place?	Schools within islands work creatively to enhance the curriculum as much as they can. This may mean considering qualification pathways. Parent Councils and schools are used to engaging online. Consideration and flexibility may be required when digital connectivity is not working so well. The policy does not alter existing transport eligibility arrangements. The Council recognises that transport considerations may be more significant for island families; however, the policy merely reflects existing statutory arrangements and does not introduce any new transport barriers.
Step 3 – Consultation	Response
Who do you need to consult with?	Parent Council Chairs
How will you carry out your consultation and in what timescales?	The parent council chairs meet regularly online. This is always done at their request in the late evening. A good attendance from island communities occurs.
What questions will you ask when considering how to address island realities?	As placing requests are rare the consideration of questions will not be different from mainland.
What information has already been gathered through consultations and what concerns have been raised previously by island communities?	Island communities are concerned when schools have no children on roll and the school is mothballed. Movement into schools is normally accommodated and if additional staff are required as the children and young people live within the catchment this accommodated. Placing requests to islands where additional staff would be required could be refused as on mainland Orkney.

Is your consultation robust and meaningful and sufficient to comply with the Section 7 duty?	Yes
Step 4 – Assessment	Response
Does your assessment identify any unique impacts on island communities?	No The assessment has identified some island-specific considerations, including transport arrangements, small school rolls, staffing implications and curriculum availability. However, these factors are already reflected within existing educational arrangements and the policy itself does not create any significantly different impact for island communities.
Does your assessment identify any potential barriers or wider impacts?	No Some islands have easier access to the mainland than other islands. School size varies. School communities are small and there are challenges around anonymity and confidentiality
How will you address these?	N/A
You must now determine whether in your opinion your policy, strategy or service is likely to have an effect on an island community, which is significantly different from its effect on other communities (including other island communities). If your answer is No to the above question, a full ICIA will NOT be required and you can proceed to Step 6. If the answer is Yes, an ICIA must be prepared and you should proceed to Step 5. To form your opinion, the following questions should be considered: • Does the evidence show different circumstances or different expectations or needs, or different experiences or outcomes (such as different levels of satisfaction, or different rates of participation)? • Are these different effects likely? • Are these effects significantly different? • Could the effect amount to a disadvantage for an island community compared to the Scottish mainland or between island groups?	

Step 5 – Preparing your ICIA	Response
In Step 5, you should describe the likely significantly different effect of the policy, strategy or service:	
Assess the extent to which you consider that the policy, strategy or service can be developed or delivered in such a manner as to improve or mitigate, for island communities, the outcomes resulting from it.	
Consider alternative delivery mechanisms and whether further consultation is required.	
Describe how these alternative delivery mechanisms will improve or mitigate outcomes for island communities.	
Identify resources required to improve or mitigate outcomes for island communities.	
Stage 6 – Making adjustments to your work	Response
Should delivery mechanisms/mitigations vary in different communities?	None expected. Use of online consultation and communication. Individual consideration of island circumstances during decision making. Monitoring of island placing requests. Consideration of travel and accommodation at Papdale Halls of Residence placement through existing policies.
Do you need to consult with island communities in respect of mechanisms or mitigations?	No

Have island circumstances been factored into the evaluation process?	Yes – any placing requests from islands will be gathered to understand. Engagement with the schools and parents will be done as flexibly as possible using technology.
Have any island-specific indicators/targets been identified that require monitoring?	Review the number of placing request per island.
How will outcomes be measured on the islands?	Feedback from island communities
How has the policy, strategy or service affected island communities?	It is envisaged that if anything this policy will be enacted less within the isles than in mainland Orkney.
How will lessons learned in this ICIA inform future policy making and service delivery?	Continue to ensure that islands are carefully considered when writing policy.
Step 7 – Publishing your ICIA	Response
Have you presented your ICIA in an Easy Read format?	No, but this would be possible on request.
Does it need to be presented in Gaelic or any other language?	No
Where will you publish your ICIA and will relevant stakeholders be able to easily access it?	Attached as an appendix to the Placing Request Policy which will go to the Education Communities and Housing Committee.
Who will signoff your final ICIA and why?	James Wylie – Director of Education, Communities and Housing.

ICIA completed by:	Wendy S Bowen
Position:	Head of Education
Signature:	
Date complete:	8 July 2026

ICIA approved by:	James Wylie
Position:	Director
Signature:	
Date complete:	21 August 2026