

# Placing requests

This factsheet explains:

- your right to make a placing request
- how to make a placing request
- how to appeal a decision about a placing request.

## What is a placing request?

A placing request is a formal, recordable request you make to a local authority for a place for your child in a school that is not the local catchment school, or the school recommended by professionals.

Being able to have this option is sometimes referred to as 'parental choice'. Some parents agree with the recommended school but make their own placing request to that school in case the selection panel do not grant the child a place. You can ask your local authority for information about its policy and guidelines on placing requests.

If the school is outside your local authority area, you should contact that authority.

If you are not sure what school your child should attend, you may want to read **Enquire factsheet: Choosing a school.**

## How are educational placements usually made?

Each Scottish school has a 'catchment area' that is fixed by the local authority. The catchment area that relates to your child will depend on where you live. Most children with additional support needs go to the local school in their catchment area.

If the local authority thinks a different school would best meet your child's needs, it should discuss this with you and give you the chance to visit the school(s).

## Who can make a placing request?

Anyone can make a placing request at any time until their child reaches school-leaving age (normally age 16 or above).

Young people aged 16 or over can also make their own placing requests. However, if a local authority is satisfied that a young person cannot do this themselves, you can do it on their behalf.

A young person aged 16 or over can make a placing request to go back into a local authority school after they have left the school roll.

However, the local authority does not have to provide education to a young person who has left the school roll, so they do not have to accept.

## How to make a placing request

If your chosen school (called the ‘specified school’) is run by a local authority, you must make your placing request to the authority responsible for running that school.

If your chosen school is an independent or grant-aided special school, first find out whether they will offer your child a place. If they will, make your placing request to the local authority for the area where your child normally lives.

To make a placing request you can complete a placing request application form, send a letter to the local authority, or make the request to them in another permanent form that can be referred to again in the future, such as an email, or an audio or video recording. Contact the relevant local authority to find out if it has placing request application forms, and where they are available. Your request should include the following information:

- your name and address
- your child’s name and age
- the name of their current school, if any
- the name of the school you have chosen
- the reasons for your choice of school.

It is important to add any relevant information to support your request. For example, your other children may already attend your chosen school.

If you include more than one school in your placing request, you must make it clear which is your first choice. This will be the ‘specified school’ and used for the placing request.

## What schools can I make a placing request to?

You can make a placing request for your child to go to:

- any school under the management of a local authority
- any local authority nursery school or partnership nursery (a nursery run by people who come to an arrangement with the local authority to provide pre-school education)
- an independent special school or grant-aided special school in Scotland
- a school in England, Wales or Northern Ireland that caters wholly or mainly for children with additional support needs.

Before making a placing request for an independent or grant-aided special school, you must check that the school managers are willing to admit your child. You cannot make a placing request for an independent or grant-aided school that is not a special school.

Before making a placing request for a school in England, Wales or Northern Ireland as mentioned above, you should check that the school will offer your child a place.

## Who pays the school costs?

If, after making a placing request, your child gets a place at an independent or grant-aided special school, your local authority must pay all the fees and other costs of the placement. However, this may not include the cost of transport to the school.

## Attending a school outside the UK

A local authority can authorise a placement for a child with additional support needs in a school or other education centre outside the UK. However, it is not legally obliged to do so.

The school or centre must provide education wholly or mainly for people who have additional support needs similar to those of your child. Local authorities can decide what arrangements it considers are appropriate for your child's education. This may include paying the fees, travelling expenses and other costs for your child, and for anyone else it considers should accompany your child.

## When must the local authority respond to my placing request?

If you want your child to start at the beginning of the next school year in August, and you apply before 15 March that year, you should get a reply by 30 April.

Different local authorities may set their own deadlines for people to make placing requests. You can contact the local authority or look on their website to find these dates.

If you want your child to go to a different school in the middle of a school year or you make your request after 15 March, the authority has two months to decide (this includes summer-holiday time), but you may get an answer sooner. If you do not get a reply by the specified date, the request is treated as refused (sometimes called a deemed refusal). You then have the right to make an appeal.

## What the response will include

The local authority will let you know if your child has a place in your chosen school, or who will decide whether your child will get a place.

The local authority must also tell you:

- the name of the person you should contact if you have any questions about the way your request has been handled
- why your request may be refused
- the date by which your request will be treated as having been refused
- about your right to appeal if your request is refused.

If the local authority does not tell you the date by which your request will be treated as having been refused, you may find it helpful to write down the date you sent in your request so you can decide if you want to appeal or not.

## Why your placing request might be refused

The local authority can refuse to grant a placing request for certain reasons. For a list of these reasons, please refer to the section on 'Choosing where your child is educated' in **The parents' guide to additional support for learning**.

Your placing request may be refused if, for example:

- placing your child in your chosen school would negatively affect the education, or the educational well being of other pupils in the school
- placing your child in your chosen school would mean spending a lot of money on changing the accommodation, or employing an extra teacher, now or in the future
- the specified school is a special school so the local authority may not be meeting its duty to place children in a mainstream school, unless particular circumstances apply.

If there is a legal reason to refuse a placing request, the local authority is entitled to grant the request or refuse it.

## What to do if your placing request is refused

The local authority that received your placing request must let you know its decision in writing. If it cannot give your child a place in the school of your choice, it must let you know why.

The reason it gives must be one of those covered by the law governing placing requests.<sup>1</sup> If you do not accept or understand the reason for refusal, ask the person who wrote to you for more information.

If it has refused your request, the local authority must tell you about your right to appeal.

## Appealing a refused request

If your placing request has been refused, you have the right to appeal in writing to the local authority Education Appeal Committee. You must do this within 28 days of receiving the refusal letter, or if you have a deemed refusal.

If your placing request was to a nursery school, you can appeal only if your child has additional support needs.

You should make your appeal to the Additional Support Needs Tribunals, not the local Education Appeal Committee, if:

- your child has a co-ordinated support plan (CSP)
- your local authority agrees that your child needs a CSP but one has not yet been prepared
- the local authority has decided that your child does not need a CSP and that decision has been referred to the Tribunal
- the local authority has informed you or the young person that it will decide whether a CSP is needed

<sup>1</sup> The Education (Scotland) Act 1980 and Schedule 2 of the Education (Additional Support for Learning) (Scotland) Act 2004 (as amended)

- the placing request was to a Scottish local authority special school (whether or not a CSP is involved)
- the placing request was to a Scottish independent special school or grant-aided special school (whether or not a CSP is involved)
- the placing request was to a school in England, Wales or Northern Ireland that caters for children with additional support needs (whether or not a CSP is involved).

Appeals are explained further in **Enquire factsheet: Resolving disagreements**.

## Travel to and from school

If your local authority has suggested a school for your child, the law says that it must make travel arrangements to get your child to school if:

- your child is under 8 and would have to walk more than 3.2 kilometres (2 miles) to the school
- your child is 8 or over and would have to walk more than 4.8 kilometres (3 miles) to the school.

If you make a successful placing request for your child, your local authority does not have to provide any help with transport. If the school is an independent or grant-aided special school in Scotland the education authority may decide to help with transport.

For further information, see **Enquire factsheet: Transport to school**.

## Where to find out more:

### Factsheets

Enquire factsheets look in more detail at a range of topics relating to additional support for learning. They also include links to other helpful resources.

[www.enquire.org.uk/publications/](http://www.enquire.org.uk/publications/)

**Enquire factsheet: Choosing a school** (2018)

**Enquire factsheet: Resolving disagreements** (2018)

**Enquire factsheet: Transport to school** (2018)

### Other publications

**The parents' guide to additional support for learning**, Enquire (2018)

**Choosing a school: A guide for parents**, Scottish Government (2010), available as web text only from: [www.gov.scot/Publications/2010/11/10093528/0](http://www.gov.scot/Publications/2010/11/10093528/0)

**Supporting children's learning code of practice**, Scottish Government (2010) [www.gov.scot/resource/doc/348208/0116022.pdf](http://www.gov.scot/resource/doc/348208/0116022.pdf)

# ENQUIRE

Helping you understand additional support for learning

Enquire is the Scottish advice service for additional support for learning. We provide independent and impartial advice to parents and carers, to practitioners in education, social work and health services, and to children and young people themselves.

[www.reach.scot](http://www.reach.scot) offers advice to young people struggling at school. With practical tips on what can help and young people sharing their views and experiences on all sorts of life issues, Reach offers the 'go-to' source of advice to help pupils make the most out of their education.

This factsheet has been awarded the Clear English Standard.



## Contact details

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