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Sue Webber MSP
Convener
Education, Children and Young People Committee
Scottish Parliament

By email: ecyp.committee@parliament.scot

Dear Sue,

I am writing to follow up my letter to your predecessor, Stephen Kerr, of 10 December 2021 regarding changes to the regulations that govern the process for placing requests for school admissions, and placing request and exclusion appeal hearings.

You may be aware that in response to the pandemic, we made alterations to the timings for these processes and the way in which appeals were conducted to give parents, pupils, local authorities and appeal committees greater flexibility. This ensured that appeals against refused school admission placing requests and exclusions could proceed without undue disruption.

As the threat to public health, we gradually reduced these measures. Of the changes put in place since April 2020, the only mitigation that remains is the flexibility for appeal committees to use remote means for holding appeal hearings. Use of video and telephone conferencing has become ubiquitous following the experience of the pandemic and can offer greater convenience which many parents appreciate. Stakeholders, including local authorities and parent representative groups, have expressed support for the continued use of remote hearings.

In my letter of 10 December 2021 regarding the process applicable in 2022, I committed to review the position on remote hearings in a further year. Following this review, I have concluded that the provisions in the regulations¹ permitting remote hearings will remain in place for the forthcoming 2023 school admissions round. This means that local authorities will be able to conduct appeal hearings using remote means, using either video or telephone conferencing, or wholly in writing with the agreement of all parties.

The Scottish Government will now consult on whether use of such means should become a permanent feature of the schools admission system. I intend to take this consultative activity forward later this year, and I will ensure the Committee is kept informed of progress.

¹ The Education (Appeal Committee Procedures) (Scotland) Regulations 1982
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I am also writing to local authority Directors of Education, to update them on these plans and ensure the appropriate arrangements are in place for the forthcoming admissions round.

Yours sincerely

SHIRLEY-ANNE SOMERVILLE

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