

Subject:	School Admission Arrangements 2015/16		
Date of Meeting:	10 March 2014		
Report of:	Executive Director of Children's Services		
Contact Officer:	Name:	Michael Nix	Tel: 293653
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Ward(s) affected:	All		

FOR GENERAL RELEASE

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that in the light of information in this report about the allocation of secondary school places it would have been inappropriate to publish this information in advance of 3 March 2014, which was the national offer day in 2014 for all secondary school place offers as set out in the statutory School Admissions Code.

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Each year local authorities must consult upon school admission arrangements and school admission numbers with community schools and voluntary aided schools, neighbouring Local Authorities and with parents living in the City. This process includes the proposed admission priorities for community schools and those proposed by the governing bodies of voluntary aided schools and academies. This consultation takes place approximately 18 months in advance of the school year in which pupils will be admitted under the proposed arrangements. The consultation papers for the 2015/16 admission year for Brighton & Hove are attached as Appendix 1.
- 1.2 Local authorities must also set out schemes for co-ordinated admissions, including key dates in the admission process, and also the arrangements for consultation with Voluntary Aided schools in the City and with other local authorities. They also establish the area (the "relevant area") within which the admission consultation should take place.
- 1.3 The consultation process must have been concluded by 1st March 2014, with a minimum of 8 weeks consultation time. This requirement has been fulfilled. The City Council must have reached its decisions and confirmed its admission arrangements for 2015/16 by 15th April 2014 in order to conform to the requirements of the School Admissions Code.
- 1.4 At the time of drafting the report, the consultation process has not been concluded and it must be assumed that further responses will be received. All recommendations should be read with this in mind.

2. RECOMMENDATIONS:

- 2.1 That the proposed school admission numbers set out in the consultation documents be adopted for the admissions year 2015/16.
- 2.2 That the admission priorities for Community Schools set out in the Consultation documents be adopted for all age groups.
- 2.3 That the Council should review the final version of the Cardinal Newman Catholic School and King's School admission arrangements (as amended in light of the Diocesan response and parental and school responses) to decide whether it should comment further.
- 2.4 That the co-ordinated schemes of admission be approved.
- 2.5 That the City boundary be retained as the relevant area for consultation for school admissions.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The admission numbers in the consultation reflect those previously agreed for 2014/15.
- 3.2 The proposed admission arrangements and priorities for community primary and secondary schools are set out in detail in the attached Appendix 1, the consultation document sent to schools, neighbouring local authorities and the diocesan authorities. The Brighton Aldridge Community Academy and Portslade Aldridge Community Academy will retain the same admission priorities as Community Secondary Schools for the admissions year 2015/16, although they act as their own admission authorities. City Academy Whitehawk will likewise retain the same admission priorities as Community Primary Schools for the admissions year 2015/16.
- 3.3 In the course of the school and governor consultation process the Council asked schools to use their newsletters and other forms of regular parental communications to inform parents of the parental consultation process via the Council website (and hard copy if required). A letter was also sent to local early years providers asking them to draw parents' attention to the consultation. The parental consultation was published on the website and was available via a link to the Council's consultation portal. This is attached as Appendix 2.
- 3.4 The co-ordinated schemes of admission for primary and secondary schools (Appendices 3 and 4) set out the admission arrangements and relevant dates for each part of the school admission exercise and the arrangements for coordination between admission authorities. The overall purpose of co-ordination is to ensure that each pupil receives one offer of a school place, so that different admission authorities are not holding open places for pupils that will not be taken up. It also ensures that the admission process takes place in a timely fashion. The in-year arrangements (Appendix 5) are not subject to set time scales, so the same document can be used from year to year, although annual consultation will still take place.
- 3.5 Periodically the LA must determine what is known as the "relevant area for consultation". This area will include the schools and other admission authorities (such

as voluntary aided schools) that should be consulted on admission arrangements. A relevant area may be either the LA area, less or more than that, or may include part of neighbouring LA areas. The whole of the LA must be included in one or more relevant areas. Some larger LAs sub-divide into smaller areas for consultation purposes. In Brighton & Hove the relevant area has been set as the city boundary. Whilst there is some cross-border movement of pupils, it has not been seen as significant enough to warrant a cross-border relevant area. The proposal in this year's consultation is to retain a relevant area co-terminous with the city boundary.

3.6 The application of the secondary admissions procedures for 2014 has revealed significant pressures on the present admissions arrangements, based as they are on catchment areas and a system of random allocation. It is clear that these pressures will grow as the number of pupils reaching secondary age increases. There is therefore an urgent need to review the current arrangements so that they may continue to offer high levels of certainty for children and families and the standards of clarity and transparency that are required by the statutory School Admissions Code. It is proposed to commence this review this year, although given the statutory requirements for consultation and determination (which would need to be completed by April 2015 ie eighteen months before any changes could be implemented), the earliest a change could take place would be for the academic year 2016/17. Based on the experience of previous such reviews it may not be possible to introduce new arrangements until 2017.

3.7 Our current analysis, drawing on the October 2013 schools' census of the number of Y5 children living in the Dorothy Stringer and Varndean Schools catchment area, shows there may be applicants living within the catchment in excess of the places currently available at the two schools in 2015. The current projection is that fewer than ten children are in excess of the current published admission numbers for the schools in this catchment. This analysis may change over time as different factors can affect the number of children seeking admission to secondary schools - such as the popularity of other schools out of catchment, the numbers joining the private sector, or families leaving or moving into catchment. The projected numbers for pupils requiring the availability of a place within catchment will be kept under close review. To address this issue the authority will consult with the two schools (Dorothy Stringer and Varndean) and, subject to this, in year variations to Published Admission Numbers for 2015, may be proposed in order to secure the number of places needed for pupils within catchment, if this remains necessary.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

4.1 The Council scrutinised the Voluntary Aided (VA) Schools' and Free Schools' proposed admission arrangements for 2015/16. VA schools are required to consult their religious authority (in this case the Diocesan Authority) before consulting others. The Council will review the final document published by the Governing Bodies before deciding whether it should comment or act further.

4.2 Parental and school responses to the consultation are set out in Appendix 6.

4.3 No responses to the Council's proposed arrangements for Community Schools have yet been received from neighbouring local authorities or the Church of England or Roman Catholic Diocesan authorities.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 It is not possible to quantify in detail the financial implications of these recommendations. However, any changes to admission arrangements or patterns may impact on the numbers of pupils at individual schools and therefore individual school budget allocations which are largely driven by pupil numbers.

Finance Officer Consulted: Andy Moore

Date: 11/02/14

Legal Implications:

- 5.2 Section 88C of the School Standards and Framework Act 1998 and the School Admissions (Admissions Arrangements and Co-ordination of Admission Arrangements) Regulations 2012 require admission authorities to determine their admissions arrangements annually. Arrangements must be determined 18 months in advance of the academic year to which they apply. Arrangements for the admission year 2015/16 must therefore be determined by April 15 2014. Where changes are made to admission arrangements the admission authority must first publicly consult on those arrangements. The Regulations stipulate that consultation must take place with governing bodies of schools within the area of the LA for which the LA is the admission authority, with parents, with neighbouring admission authorities, with parents of children aged 2-18 living in the area and with any other person the Authority believes might have an interest in the arrangements. Consultation must be for a minimum period of 8 weeks and must take place between 1 November and 1 March of the year before those arrangements are to apply. Details of the consultation carried out for the admission year 2015/16 are set out in paragraphs 3.1- 3.4 of the main body of the report above. Admission arrangements must then be determined by 15th April.
- 5.3 Admission arrangements must conform to the provisions of the Admissions Code which sets out acceptable and unacceptable admission arrangements and priorities. The Code makes it clear that “in drawing up their admission arrangements, admission authorities must ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated” (paragraph 14 of the Introduction to the Code).
- 5.4 With regard to the drawing up of catchment areas the Code stipulates that they “must be designed so that they are reasonable and clearly defined” (paragraph 1.14 of section 1).
- 5.5 Any person may refer any admission arrangements that they believe to be unlawful or contrary to the provisions of the Admissions Code (subject to certain prescribed exceptions) to the Schools Adjudicator.
- 5.6 Paragraph 3.6 above refers to the possible need for in year variations to the Published Admission Numbers for individual schools. Once admission arrangements have been determined for a particular academic year they cannot be revised unless the

admission authority considers there to have been a major change in circumstance (section 88E School Standards and Framework Act). Unlike most proposed variations there is no statutory requirement to refer a proposal to increase a school's PAN to the Schools Adjudicator for agreement, although the governing bodies of affected schools do have the right to object to any determined increase if this cannot be negotiated.

Lawyer Consulted:

Natasha Watson

Date: 03/03//2014

Equalities Implications:

- 5.7 Planning and consultation for school admissions procedures and school places and the operation of the admission process are conducted in such a way as to avoid potentially discriminatory admissions priorities or planning processes. The City Council and voluntary aided school and academy governing bodies must be mindful of bad practice with regard to equalities issues as described in the School Admissions Code.

Sustainability Implications:

- 5.8 School admission arrangements are intended so far as it is possible to provide pupils with local places where they have asked for them. The planning of school places for the city takes into account the changing population pattern and resultant demand for places. The current pattern of parental preference is reflected in different schools operating both over and under capacity. In planning for school places the Council will have regard to sustainability priorities and seek to provide local places and places which are accessible by safe walking and where possible cycling routes and public transport wherever this is possible.

Crime & Disorder Implications:

- 5.9 Balanced school communities with firm parental support contribute to orderly and harmonious communities.

Risk and Opportunity Management Implications:

- 5.10 Any change to school attendance patterns and pupil numbers will impact directly on resource allocation both revenue and capital, and on the Council's ability to meet parental expectations on school places. Pupil data and broader population data is used to identify the numbers of school places required and where they should be located. This feeds into the capital programme so that resources are allocated where they will have the most beneficial effect.

Public Health Implications:

- 5.11 None known.

Corporate / Citywide Implications:

- 5.12 The allocation of school places affects all families in all parts of the city and can influence where people choose to live. Failure to obtain the desired choice of school can create a strong sense of grievance. The process of expressing a preference and if disappointed, entering an appeal can create intense anxiety for many families in the

city. Admission arrangements together with school place planning are framed in such a way as to be mindful of supporting the needs of communities.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The City Council is required in law to review its school admission arrangements every year, although following the Education and Skills Act 2008 this changed to once every three years if no changes are made. The consultation is intended to identify alternative proposals for admission arrangements. Issues raised by schools and parents will be set out in the appendices to this report.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The City Council must conform to legislative requirements on the publication of admission arrangements which reflect the requirements of the Admissions Code. The recommendations ensure the City Council's compliance, and reflect the body of debate and consultation which has taken place around admission arrangements in Brighton & Hove this year and in previous years.

SUPPORTING DOCUMENTATION

Appendices:

1. Admission consultation document for schools including proposed admission numbers.
2. Parental consultation document.
3. Coordinated scheme of admissions – secondary.
4. Coordinated scheme of admissions – primary.
5. Coordinated scheme of admissions – in year
6. Summary of school and parental responses to the consultation

Documents in Members' Rooms

1. Consultation responses from schools and parents.

Background Documents

1. Consultation documents from schools and parents.