

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Lead Member for Children's Services
<b>Date:</b>	23 January 2013
<b>Title:</b>	Determination of 2014/15 admission arrangements
<b>Reference:</b>	4581
<b>Report From:</b>	Director of Children's Services

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#### 1. Executive Summary

- 1.1. The purpose of this paper is to inform the Executive Lead Member on the consultation carried out, following advice from Hampshire's Admission Forum, schools and other interested parties, regarding the admission arrangements for the main admissions round for entry to school in 2014/15. The paper presents the detail of the proposed admission arrangements, which include catchment area changes in Fleet, Tadley and Winchester.

#### 2. Contextual information

- 2.1. For transfer to secondary school in September 2012 the percentage of parents in Hampshire offered their first preference school was 95.2%, with 99.2% offered one of their three preferences. This was the highest of the LAs in the South East region and continued to compare favourably with the national averages of 85.3% and 95.9% respectively. National data for outcomes to applications to primary phase schools are not published, but despite the challenges of the growing school population, Hampshire managed to meet parental preference for entry to school in Year R at approximately the same level as in previous recent years: 90.0% of parents were successful with their first preference and 97.3% with one of their three preferences.
- 2.2. For entry to school in September 2014, in view of the changing landscape in which a significant proportion of secondary schools in Hampshire (and a few primary sector schools) have converted to academy status, demographic factors and a new School Admissions Code, a full review of the County Council's admission criteria has been undertaken with a view to continuing to meet the DfE's requirement that admissions arrangements should be 'clear, fair and objective' and maintaining the good record of meeting parental preference.

- 2.3. The existing School Admissions Code and School Admissions Appeal Code came into force on 1 February 2012.
- 2.4. The County Council is the admission authority for all community and voluntary controlled schools in Hampshire and is therefore responsible for determining the admission arrangements for these schools. Regulations require all admission authorities (i.e. LAs and the governing bodies of academies and voluntary aided and foundation schools, referred to in this report as "own admission authority" (OAA) schools) to determine their school admission arrangements for 2014/15 by 15 April 2013 and to have notified relevant other admission authorities and published the admission arrangements on their website by 1 May 2013.
- 2.5. The term 'admission arrangements' refers to the overall procedure, practices and oversubscription criteria used in deciding on the allocation of school places including any device or means used to determine whether a school place is to be offered (normally a supplementary information form is used by OAA schools where priority for admission cannot be determined from the information on the LA's form). In the case of the LA, this includes a County admission policy with which community and voluntary controlled schools' policies must comply. A list of school specific criteria also form part of the admission arrangements. In Hampshire there is a separate policy for entry at Year R, Year 3 and Year 7 and for nurseries. The admission arrangements also include the published admission number (PAN) for each school.
- 2.6. Admission authorities must consult by 1 March in the determination year on their admission arrangements, apart from in circumstances which do not apply here. Consultations with schools, neighbouring local authorities and parents on the County's 2014 admission policies and PANs have been carried out in three phases:
  - 01 - 26 October: consultations with schools on PANs;
  - 01- 26 October: informal consultation with schools on proposed admission policies, with reference to particular aspects of the policies;
  - 01 November – 28 December 2012: statutory consultation with schools, other local authorities and parents on the intended arrangements. Consultation documents included any revisions advised by Forum and recommended by senior management in response to the informal consultation with schools.
- 2.7. Throughout the consultations for 2014/15 admissions, particular attention has been paid to the consultations on PANs in order to find a proper balance between the effective management of school places and the successful expression of parental preference. The number of 4 year old pupils needing school places has continued to increase and this has led to pressures in certain areas of the county. The consultation in October gathered information on both individual schools' requests to change their PAN and schools' responses to proposals by the LA to change the PAN. All proposed

changes are shown in the consultation documents, with proposed reductions highlighted since any reduction to a PAN requires wider consultation. The authority carried out a formal consultation on proposed PAN changes during November and December 2012.

- 2.8. The Admission Forum no longer has a statutory role in the decision making process, however, the Elected Lead Member has committed himself to "have regard" to the advice of the Admission Forum. The Hampshire Admission Forum is made up of advocates for children, schools and families from a variety of settings including county councillors, Headteachers representing the range of schools in the County, representatives of the Church of England and Roman Catholic dioceses, the armed forces, special educational needs, ethnic minorities, early years providers and school governors. The Forum is advised by LA officers and meets 4 times a year to consider issues relating to school admissions. The statutory consultation process for the 2014/15 arrangements was considered at the December meeting of the Hampshire Admission Forum.

### **3. Outline of proposals being consulted upon**

- 3.1. That the Executive Lead Member consider the proposed admission arrangements for applying for school place for admission during 2014/15. The admission arrangements have undergone the required consultation process and are based on the following three dimensions:
- the revised admission policies for community and voluntary controlled (VC) schools set out in Annexes A, B and C and the school specific criteria listed in Annexe D;
  - the 2014 published admission numbers (PANs) for community and VC schools set out in Annexes E and F;
  - the admission policy for Nursery Units attached to maintained schools set out in Annexe G.

### **4. Infant/primary, junior and secondary admissions policies for community and voluntary controlled schools 2014/15 (Annexe A, Annexe B and Annexe C)**

- 4.1. Admission policies set out how applications for each school are prioritised and key dates for the year in question.
- 4.2. In its May and July 2012 meetings, the Admission Forum considered a number of issues affecting admissions for Hampshire families and schools and discussed the implications of revising the County Council's existing admission policies. As a result, the informal consultation carried out with schools during October 2012 considered a number of significant potential changes to the policies:
- a) All siblings admitted ahead of catchment.
  - b) Remove faith criteria from primary policy for VC schools
  - c) Add a Children of Staff criterion.

- d) Limit use of medical criterion to on-time main round applicants.
- e) Give priority in junior schools' policies to out-catchment children attending linked infant school(s), ahead of other out-catchment children.

- 4.3 The Forum considered responses to the informal consultation at its October meeting. On 26 October the Director of Children's Services reviewed the outcome of the consultation and the advice of Forum before deciding which elements should be taken forward into the statutory consultation. Each of the elements identified above is addressed in detail in the following five paragraphs.
- 4.4 The Admission Forum and LA officers were particularly concerned about a small but significant number of families (between 95 and 125 families for each of the last three years in the normal admissions round) with children in the primary phase unable to send their children to the same school. The October consultation asked schools to consider priority for all siblings above catchment children. The majority of schools responding were in favour of some enhancement to the priority given to siblings. However, many schools, especially in the primary sector, referred to concerns about the impact on their catchment and local community of giving priority to all siblings ahead of catchment, several suggesting the sibling enhancement should apply only to those families displaced from their catchment school by oversubscription. In the light of these comments the statutory consultation included priority for the siblings of children displaced due to catchment oversubscription in the normal admission round. (It is not considered possible to implement such a criterion fairly and accurately beyond the normal admissions round.) This will mean that, where in the normal admissions round a child is refused a place at the catchment school because of oversubscription at that school, a younger sibling in the family, for whom parents apply in a subsequent admission round, will be given catchment priority at the alternative school allocated by the LA to the older sibling (subject to the family remaining at the same address).
- 4.5 The Portsmouth and Winchester Diocesan representative on Admission Forum shared current discussions with aided Church of England schools about the appropriateness of having an in-catchment faith criterion if a Trust Deed states that a school is there to serve the children of the parish (rather than just those who are active members of the church). A new primary school in the Winchester/Portsmouth Diocese, Pilgrims Cross CE School, opens in September 2013 with no faith criteria. Forum debated whether it was still appropriate to maintain the faith criteria (in catchment and out catchment) in the County Council's policies for voluntary controlled schools. Diocesan views were sought and the Guildford Diocese indicated that they were in favour of keeping the criteria. An overall majority of schools favoured removing both faith criteria. However, of the VC schools, 74% of those expressing an opinion felt that the faith criteria should be retained. Due to the response from the VC schools, it was agreed at Forum that the existing faith criteria should be retained in the proposed 2014 primary and junior policies for voluntary controlled schools.

- 4.6 A number of aided, foundation and academy schools included a "children of staff" (CoS) criterion in their 2013 policies. At the Executive Lead Member's request all schools in the County were consulted on the inclusion of a CoS criterion in the County's 2014 policy. This criterion would have the effect of giving priority to the children of staff employed by the school for over two years (or recruited to meet a skill shortage) over others, dependent on position in the policy. Views were split on the Admission Forum as to whether the introduction of such a criterion of some form was compatible with the objectives of the County's policies. However, the majority of schools were in favour of including a CoS criterion and saw benefits for recruitment and retention. Views on the positioning of the criterion were split. Those who were opposed to a CoS criterion were largely concerned about supporting catchment and local children rather than the needs of school staff. With a majority of schools in support, a CoS criterion for out-catchment children, was included in the proposed infant/primary, junior and secondary policies for the statutory consultation, positioned after other out-catchment siblings and those attending linked schools (where relevant). Whilst it is recognised that this position reduces the recruitment/retention benefits of such a criterion, it should reassure those concerned about impact on catchment children and siblings of children already in the school; it is necessarily a compromise as opposing views on this issue cannot both be met in full.
- 4.7 The medical criterion in the County Council's policy gives priority to children who have a serious medical, physical or psychological condition which **makes it essential** that the child attends the preferred school rather than any other. Requests for consideration under this criterion can currently be submitted at any time; evidence is required and is assessed by a panel of officers and the headteacher of the school in question. Approximately 80% of such requests are unsuccessful as the bar is set high; frequently parents provide evidence of the medical condition but the evidence does not support the argument that a place at the preferred school is 'essential'. A medical claim agreed in the normal admissions round is, given the high position of the criterion in the policy, guaranteed a place, but in-year, at a full school, it may be that when an application meets the criterion it simply puts the child at the top of a school's waiting list. The informal consultation with schools included the proposal that the use of the medical criterion be limited to the normal admissions round; it is felt to be anomalous to accept that placement is 'essential' but not place the child at the school. There are alternative mechanisms for admitting a child with a medical condition in-year: appeal; the Fair Access Protocol, which is successfully used by the LA to make admissions over the published admission number for vulnerable children; and, where infant classes are at 30, the permitted exception to infant class size legislation which allows for the admission over PAN of children moving to the area outside the normal admissions round for whom there is no other suitable school within reasonable distance. In addition, a request for consideration under the medical criterion in-year can extend over a long period with parents submitting additional pieces of evidence but continue to be refused, raising parents' expectations unrealistically and putting schools under pressure. A majority of schools responding in the

informal consultation supported the proposal that the criterion should only be used for on-time applicants in the normal admissions round and consequently this proposal was included in the statutory consultation.

- 4.8 For 2011 and 2012 a small but increasing number of infant /junior school pairings had found out-catchment children on roll at the infant school were unable to progress to the linked junior school with their peers, putting these families at an unreasonable disadvantage relative to those with children attending primary schools. For transfer from infant to junior school in September 2013, 11 junior schools asked for a school specific criterion giving priority to children attending the linked infant school ahead of other out-catchment children, up from 2 for entry to school in 2012, to address this concern. For 2014 therefore the Admissions Forum asked that schools be consulted about including such a criterion for all community and voluntary controlled schools by including it in the County Council policy. The change met with overwhelming support from schools who responded (only six disagreeing with the proposal out of 177 schools consulted; of the six, two were junior schools, three primary and one secondary). Such a criterion was therefore included in the proposed junior school policy in the statutory consultation.
- 4.9 There have been no responses to the public consultation on the County Council's proposed admission arrangements for 2014. Full collated consultation papers will be put on file, along with a summary of responses from schools, and are available for Members' perusal in the Members' Room from 11 January 2014 and throughout the week of the Cabinet meeting on Wednesday 23 January 2014.
- 4.10 The policies in Annexe A, Annexe B and Annexe C, therefore, are recommended with the support of the Admission Forum to the Executive Member for his agreement.
- 4.11 The School Admissions Code sets the national dates for notifying parents of their children's new school place for September 2014: 16 April for primary age children and 03 March (being the first working day after 01 March) for secondary age children.
- 4.12 **Catchment area changes in Fleet, Tadley and Winchester:** Because of particular local issues, and following consultation with the schools in question, and where appropriate local parents, the authority proposed the following catchment area changes in the statutory consultation:
- to the catchment areas of Calthorpe Park School and Court Moor School in Fleet due to the development at Queen Elizabeth Barracks (QEB);
  - to the catchment areas of Burnham Copse Primary School and Bishopswood Infant and Junior Schools in Tadley, due to the high number of four year olds projected to be within the existing Burnham Copse catchment area; and

- the catchment area for the new primary provision at The Westgate School, Winchester.

The changes proposed are supported by the schools affected. There have been no responses to the public consultation on the County Council's proposed catchment area changes for 2014. Full collated consultation papers will be put on file and made available for Members' perusal in the Members Room from 11 January 2014 and throughout the week of the Cabinet meeting on Wednesday 23 January 2014. The revised catchment areas form part of the proposed 2014/15 arrangements.

## **5. School specific criteria (Annexe D)**

- 5.1 The County Council's policies apply to admissions to all community and voluntary controlled schools within Hampshire. The Admission Forum has, in the past, recognised that there are some cases where a small amount of flexibility is advisable in relation to the specific circumstances at individual schools where implementation of the LA policy would lead to unfair or unacceptable anomalies. The required flexibility is delivered through school specific criteria, which include, for example, the use of walking routes as the method for measurement of distance for tiebreaker purposes (as an alternative to the straight line method) to suit particular local circumstances.
- 5.2 Annexe D lists all proposed school specific criteria for 2014, supported by the Admission Forum. There are no new criteria proposed for 2014. The proposed changes to the County Council's policies have had the effect of reducing the list of schools requiring a specific criterion. For 2014 admissions, the proposed school specific criteria were considered by the Admission Forum at their December meeting.
- 5.4 The list given at Annexe D, therefore, is recommended with the support of the Admission Forum to the Executive Member for his agreement.

## **6. Published Admission Numbers (PANs) for primary and secondary schools (Annexe E and Annexe F)**

- 6.1 Every year, the LA must, as part of its admission arrangements, publish on its website the number of pupils who will be admitted to each school (the PAN). The LA consults governing bodies of community and voluntary controlled schools annually on the proposed PAN for their school. At its meeting in December 2012, Hampshire Admission Forum considered all PANs where a change from the 2013 figure is proposed. The enclosed tables for primary phase schools (Annexe E) and secondary schools (Annexe F) give the PAN for 2013 and the proposed PAN for 2014. (Annexe E and Annexe F also include 2014 PANs for OAA schools as notified currently, but these may be subject to change – see section 8.) If a school has specialist resourced SEN provision, the pupils to be admitted to this provision are usually, but not always, included within the PAN.
- 6.2 It should be noted that there are proposals to reduce the PAN at two schools: Hiltingbury Junior School (from 99 to 90) and Rucstall Primary School (from 38 to 34). In both cases the schools' Governing Bodies have

made cogent educational and curricular arguments in favour of the reduction and it is the LA's view that the proposed reductions do not compromise the LA's duty to provide school places for local residents.

- 6.3 The governors of community and voluntary controlled schools are able to object to the Schools Adjudicator if they consider that the PAN proposed by the LA is not appropriate for their school. An objection to a decision by the LA to increase or keep the same PAN at a community or voluntary controlled school cannot be brought, except where the objection is brought by the governing body of the school. An objection to the lowering of a PAN may be made to the Schools Adjudicator by a parent or other interested party.

## **7. Nursery Policy (Annexe G)**

- 7.1 Admissions officers annually attend a meeting with maintained nursery schools and maintained schools with a nursery unit to discuss the proposed nursery admissions policy. The 2014 policy was discussed at such a meeting in November 2012, and it was proposed by headteachers that, for consistency with policies for admission to schools, an equivalent 'Children of staff' criterion should be included in the nursery policy as an amendment to the policy included in the statutory consultation.

## **8. Objecting to admission arrangements determined by schools which are their own admission authority (OAA schools)**

- 8.1 It should be noted that admission arrangements for academies are approved by the Secretary of State as part of an academy's Funding Agreement, and require compliance with admissions legislation and relevant Codes. Academies and other OAA schools are required to consult in the same way as any other admission authority: at least once every 7 years or annually if there are changes to arrangements.
- 8.2 OAA schools are responsible for setting their own PAN and must inform the LA of their decision. They are not required to consult on their PAN where they propose either to increase or keep the same PAN. A variation to the determined admission number may be made by an OAA school without being referred to the Schools Adjudicator.
- 8.3 Local authorities must refer an objection to the Schools Adjudicator if they are of the view or suspect that the admission arrangements that have been determined by OAA schools in its area are unlawful. An objection to a variation from the School Admissions Code agreed by the Secretary of State in relation to the admission arrangements for an Academy cannot be brought. Objections to a decision by an academy or other OAA school to increase its PAN or keep it the same cannot be brought. Objections to any other aspect of an OAA school's admission arrangements will be considered by the Schools Adjudicator.

- 8.3 As in previous years, it is recommended that for 2014/15 admissions the Director of Children's Services, having regard to any advice from the Admission Forum, be empowered to lodge an objection to the Schools Adjudicator in respect of any aspect of an OAA school's or another LA's admission arrangements which appear to be at variance with legal requirements, taking into account factors at the school, the possible effect on admissions to other schools and the outcome of further consultations, if any.

## **9. Impact Issues**

Equality issues have been identified as potential impact issues the County Council would need to be aware of if it were asked to implement the proposals in this paper.

- 9.1 No adverse impact in regard to race, culture, gender or disability arising from this report has been identified. However, to ensure that the admission arrangements allow for the best interests of all children to be properly taken into account when applying the published policy an equality impact assessment has been undertaken and is attached to this paper.

## **10. Risk Issues**

The following have been identified as possible risk issues for the County Council to consider if it were asked to implement the proposals in this paper:

- 10.1 n/a

## **11. Conclusions**

- 11.1. Having followed the processes detailed above, Hampshire County Council's 2014/15 admission arrangements are recommended, having taken into account the advice of the Hampshire's Admission Forum, for determination by the Executive Lead Member for Children's Services. These are summarised in

- the revised admission policies for community and voluntary controlled (VC) schools set out in Annexes A, B and C and the school specific criteria listed in Annexe D;
- the 2014 published admission numbers (PANs) for community and VC schools set out in Annexes E and F;
- the admission policy for Nursery Units attached to maintained schools set out in Annexe G.

Material changes from the 2013/14 arrangements are as follows:

- (i) catchment priority for siblings of children displaced by oversubscription at their catchment school in the normal admissions round, subject to address requirements;
- (ii) a Children of Staff criterion added for out of catchment children after out of catchment siblings and, where relevant, those attending a linked infant school;
- (iii) use of medical criterion limited to on-time applicants in main admissions round;
- (iv) priority in junior school policy to out-catchment children attending linked infant school(s), ahead of other out-catchment children;
- (v) changes to catchment areas for Calthorpe Park and Court Moor Schools in Fleet, Burnham Cope Primary and Bishopswood Infant and Junior Schools in Tadley, and the establishment of a catchment area for the new primary provision at The Westgate School in Winchester;
- (vi) a reduction in the published admission numbers at Hiltingbury Junior School and Rucstall Primary School.

11.2. It is recommended that the DCS be empowered to object to the admission arrangements of any school which is its own admissions authority.

**11 CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

<b>Hampshire safer and more secure for all:</b>	yes/no
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	yes/no
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	yes/no
Corporate Improvement plan link number (if appropriate):	
<b>OR</b>	
<b>This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:</b>	
<i>NB: Only complete this section if you have not completed any of the Corporate Strategy tick boxes above. If it is not applicable, please delete.</i>	

*NB: If the 'Other significant links' section below is not applicable, please delete it.*

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
<b>Direct links to specific legislation or Government Directives</b>		
<u>Title</u>	<u>Date</u>	

**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

## **IMPACT ASSESSMENTS:**

### **1. Equalities Impact Assessment:**

### **12 Impact on Crime and Disorder:**

### **13 Climate Change:**

- a) How does what is being proposed impact on our carbon footprint / energy consumption?
  
- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?