

HAMPSHIRE COUNTY COUNCIL**Decision Report**

Decision Maker:	Executive Member for Education
Date:	26 March 2014
Title:	Determination of 2015/16 admission arrangements
Reference:	5617
Report From:	Director of Children's Services

Contact name: Martin Goff

Telephone: 01962 846185

Email: Martin.Goff@hants.gov.uk

1. Executive Summary

1.1. The purpose of this paper is to inform the Executive Member on the consultation carried out regarding the admission arrangements for the main admissions round for entry to school in September 2015, following advice from Hampshire's Admission Forum, schools and other interested parties. The paper also presents the detail of the proposed admission arrangements. Arrangements include co-ordination of applications made outside the normal admission rounds in the school year beginning September 2015.

2. Contextual information

- 2.1. The existing School Admissions Code and School Admissions Appeal Code came into force on 1 February 2012. Further references refer to the School Admissions Code (SAC).
- 2.2. The County Council is the admission authority for all community and voluntary controlled schools within Hampshire and is therefore responsible for determining the co-ordinated 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 2015/16 by 15 April 2014 and to have notified other admission authorities and published the admission arrangements on their website by 1 May 2014.
- 2.3. The term 'admission arrangements' means 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 where 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.

2.4. Admissions authorities must consult by 1 March in the determination year on their admission arrangements, apart from in circumstances which do not apply here. Consultation with schools, neighbouring local authorities and parents on the County's 2015 admission policies and PANs have been carried out in three phases:

- 07 October – 25 October 2013: consultations with schools on PANs;
- 04 November – 06 December: discussions with schools on the proposed admission policies;
- 20 December 2013 – 14 February 2014: statutory consultation with schools, other local authorities and parents on the intended arrangements, including any revised PANs. Consultation documents included any revisions advised by Forum and recommended by senior management in response to the informal consultation with schools.

2.5. Throughout the consultation for 2015/16 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 four 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. For all proposed PAN changes the authority carries out the required statutory consultation.

2.6. 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 four times a year to consider issues relating to school admissions. The statutory consultation process for the 2015/16 arrangements was considered at the December meeting of the Hampshire Admission Forum.

3. Outline of proposals being consulted upon

- 3.1. That the Executive Member approve the proposed admission arrangements for the admissions round for applying for school place for admission during September 2015/16. The admission arrangements have gone through the approved 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 2015 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 2015/16 (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. There was an extensive review of the County admission criteria last year and significant changes were introduced into the County's 2014 admissions policy. In October 2013, Hampshire Admission Forum reviewed the admission policies for community and controlled schools and proposed that no changes should be made to the criteria. However, Forum considered the need for a clearer definition of 'siblings', from the current definition of *“‘Sibling’ refers to brother or sister, half brother or half sister, adoptive brother or adoptive sister, stepbrother or step sister, and includes children living as siblings in the same family unit”*. Within the proposed 2015 policy, Forum supported the proposed definition of: *“‘Sibling’ refers to brother or sister, half brother or half sister, adoptive brother or adoptive sister, step brother or step sister living as one family unit at the same address. It will also be applied to situations where a full or half brother or sister are living at separate addresses”*. This proposed change was made to maximise the clarity for all parents.
- 4.3. In their December 2013 meeting, Admissions Forum considered the proposal that changes are made to the waiting lists for community and voluntary controlled schools regarding the length of time an applicant remains on the list. At present, an applicant can remain on the list indefinitely, even though the family may no longer want the place. Under new proposals, the waiting list would be closed annually on 31 August and parents would be required to reapply to join the subsequent year's waiting list, which will commence on 1 September.
- 4.4. In July 2013, the Department for Education released new guidance regarding the admission of summer term born children. As required by the SAC Hampshire's schools allow for all children to start full time in a school's reception class in the September following their fourth birthday. All children

must start attending school full time in the term following their fifth birthday. Autumn and Spring born children reach statutory school age during their time in the Reception class. Summer term born children do not reach statutory school age until 31st August following their fifth birthday and so are not obliged to attend any of the Reception year.

- 4.5. The DfE has advised that statements made by admission authorities indicating that summer born children, who do not enter Year R, are expected to start school in Year 1 with their age cohort are not legal. The proposed admissions policy has been amended to reflect this.
- 4.6. The revised 2012 SAC introduced an addition to the highest oversubscription category of previously looked after children (i.e. children who were looked after, but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order). The DfE quoted, in the footnote of SAC the legislative acts: Adoption and Children Act 2002, Section 46; Children Act 1989, Section 8; and Children Act 1989, Section 14A). The County Council included this within its policy, and for admission in September 2013, granted the criterion to all children who were previously looked after and could provide an adoption order, residence order or special guardianship order.
- 4.7. The DfE later sought to clarify its intention that only children adopted after 2006 could benefit from this provision. The explanation given for this interpretation was that prior to that date, the child concerned would have been considered a child looked after, at that point the highest category in the oversubscription criteria. In accordance with the DfE advice, the Admissions Team changed its administrative processes.
- 4.8. However, legal advice was subsequently sought and has confirmed that, properly interpreted, any previously looked after child adopted since the coming into effect of the relevant provisions of the Adoption Act 1976 would meet the criteria set out in the Code. The proposed admission arrangements for 2015 have been amended to reflect this advice.
- 4.9. There have been two responses to the public consultation on the County Council's proposed admission arrangements for 2015. 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 17 March 2014 and throughout the week of the Cabinet meeting on 26 March 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 SAC sets the national dates for notifying parents of their children's new school place for September 2015: 16 April for primary age children and 02 March (being the first working day after 01 March) for secondary age children.
- 4.12. **Catchment area changes in Basingstoke:** 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:

- An introduction of a shared catchment area between Castle Hill Infant School, Castle Hill Junior School, Winklebury Infant School, Winklebury Junior School and a new two form entry primary school at Rooksdown, Basingstoke;
- Changes to the catchment areas of Marnel Community Infant School, Marnel Community Junior School and Sherbourne St John CE Primary School in Marnell Park, Basingstoke

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 2015. Full collated consultation papers will be put on file and made available for Members' perusal in the Members Room from 17 March 2014 and throughout the week of the Cabinet meeting on 26 March 2014. The revised catchment areas form part of the proposed 2015/16 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 advised in relation to individual school policies. This is to avoid situations where rigid implementation of the LA policy would lead to unacceptable anomalies. The required flexibility is delivered through school specific criteria, which includes, for example, the use of walking route as the method for measurement of distance for tiebreaker purposes (as an alternative to the straight line method) to suit particular local circumstances, or a criterion giving priority to children attending the linked infant school.
- 5.2. The need to centralise the administration of the main admissions round makes it more difficult to accommodate school specific criteria. Schools are advised that continuing to operate a school specific criterion may require them to directly support the processing of applications to the school.
- 5.3. Annexe D lists all proposed school specific criteria for 2015, supported by the Admission Forum who considered these 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 infant/primary, junior 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 2013, Hampshire Admission Forum considered all PANs where a change from the 2014 figure is proposed. The enclosed tables for primary phase schools (Annexe E) and secondary schools (Annexe F) give the PAN for 2014 and the proposed PAN for 2015. (Annexe E and Annexe F also

include 2015 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: Hart Plain Infant School (from 90 to 60) and Horndean Technology College (from 300 to 250). 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. No changes are proposed to this policy; maintained nursery units have been advised and no responses have been received.

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 requires 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 seven 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.

8.4. As in previous years, it is recommended that for 2015/16 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

10.1. 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:

10.2. N/A

11. Recommendations

11.1. Having followed the processes detailed above, Hampshire County Council's 2015/16 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 2015 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 2014/15 arrangements are as follows:

- (i) an amendment to the definition of 'sibling' to provide greater clarity;
- (ii) a change in the administration of waiting lists;
- (iii) a change to the wording of the 'Starting school' advice in the Primary and Infant school admission policy.

- (iv) extension of the definition of Previously Looked After Child in line with legal advice.
- (v) changes to catchment areas for Marnel Community Infant School, Marnel Community Junior School and Sherbourne St John CE Primary School in Marnell Park, Basingstoke, and an introduction of a shared catchment area between Castle Hill Infant School, Castle Hill Junior School, Winklebury Infant School, Winklebury Junior School and a new two form entry primary school at Rooksdown, Basingstoke;
- (vi) a reduction in the published admission numbers at Hart Plain Infant School and Horndean Technology College.

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.

CORPORATE OR LEGAL INFORMATION:

Links to the Corporate Strategy

Hampshire safer and more secure for all:	yes/no
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes/no
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	yes/no
Corporate Improvement plan link number (if appropriate):	
OR	
<p>This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:</p> <p><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></p>	

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

Other Significant Links

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

1.1.

2. Impact on Crime and Disorder:

2.1.

3. 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?