

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member for Education
Date:	23 March 2015
Title:	Determination of 2016/17 admission arrangements
Reference:	6551
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 2016, following advice from Hampshire's Admission Forum, schools and other interested parties. The paper also presents the detail of the proposed admission arrangements.

2. Contextual information

- 2.1. The existing School Admissions Code came into force on 19 December 2014 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. Hampshire provides a co-ordinated and centralised main round process. For in-year admissions schools and the authority support parents in making an application. 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 2016/17 by 15 April 2015 and to have notified other admission authorities and published the admission arrangements on their website by 1 May 2015.
- 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 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, unless there are no changes proposed. Consultation with schools, neighbouring local authorities and parents on the County's 2016 admission policies and PANs have been carried out in three phases:

- 03 November – 28 November 2014: consultations with schools on PANs;
- 03 November – 28 November 2014: discussions with schools on the proposed admission policies;
- 05 January 2015 – 01 March 2015: 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 2016/17 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 November 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 2016/17 arrangements was considered at the December and March meetings 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 school year 2016/17. 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 2016 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 2016/17 (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.

There was an extensive review of the County admission criteria in the autumn term 2012 and significant changes were introduced into the County's 2014 admissions policy. At the end of the 2014 main admissions round in April 2014, a parent referred Hampshire's junior school policy to the Office of the Schools' Adjudicator (OSA) for scrutiny. Although the particular challenge proved unfounded, the OSA decided to consider the arrangements as a whole for both 2014 and 2015. Their first decision issued on 03 June 2014 was quashed by Consent Order on 26 August 2014. Due process required the OSA to reconsider the referral and on 21 October 2014, the OSA published their determination that the arrangements did not conform with the requirements relating to admission arrangements and that they should be revised as soon as possible. In November 2014, the Council made the following changes to its 2014 and 2015 admission arrangements to satisfy the OSA and bring compliance to the County's admission arrangements:

- a) Introduced a criterion into the junior policy, positioned immediately after catchment sibling applicants and before other catchment applicants, for children allocated a place at an infant school in the normal admission round in a previous year because no places were available at the catchment school for their address, and they have not moved house that allows them to be admitted to any linked community or voluntary controlled junior school. **The criterion will ensure that any child, including an elder sibling or only child, can move from an infant school to a linked junior school.**
- b) Amended the wording of the 'displaced sibling arrangement' described at paragraph 6 of the junior policy to ensure that where a child is displaced and has a sibling who is five years younger, that sibling will be able to

progress through the infant and junior schools even when their older sibling has left, thereby avoiding one family suffering displacement twice. This will also assist families with more than two siblings with a gap of more than four years between the eldest and youngest sibling and enable the siblings to progress through the same infant and junior schools.

c) Introduce a final tiebreak of random selection to be used if the existing distance tiebreak cannot separate two or more applicants for the final place. E.g. Where two final candidates on a waiting list are same cohort siblings living at the same address but not twins or from a multiple birth. This would satisfy the requirement of paragraph 1.8 of the Code for a final tiebreak capable of separating two or more applicants who qualify equally for the final available place in a school.

d) Amend the existing definition of a sibling to include foster brother or sister; in response to an OSA ruling against another authority, which upheld that foster siblings must be included in the sibling definition.

4.3 In October 2014, Hampshire Admission Forum were advised of the required changes needed (as detailed above) in the County Council's 2014 and 2015 admission policies, and proposed that no further changes should be made to the criteria for 2016. This decision took account of the DfE's consultation on proposed changes to the SAC which would be published in December 2014, that would introduce new options for over-subscription criteria.

4.4 In their December 2014 meeting, Admissions Forum considered responses to the informal consultation with schools regarding school specific criteria. They also proposed the following minor amendments to the policy:

- A change to the wording of criterion 4 and 7 of the junior school policy to allow for a change of address within the same catchment area.
- A change in the wording of criterion 6 of the primary and infant, and secondary policy to allow for a change of address within the same catchment area.
- Forum agreed to the introduction of a definition of 'displaced' to provide clarity into the primary and infant, junior and secondary policies, as follows:

4.5 On 19 December 2014, the Department for Education published a new SAC and new guidance regarding the admission of summer term born children. In future admission years, 2017 onwards, Hampshire will review its admission arrangements taking full account of the new SAC.

4.6 There have been no responses to the public consultation on the County Council's proposed admission arrangements for 2016.

4.7 The policies in Annexe A, Annexe B and Annexe C, therefore, are recommended by Admission Forum to the Executive Member for his agreement.

- 4.8 The SAC sets the national dates for notifying parents of their children's new school place for September 2016: 18 April for primary age children (being the first working day after and 16 April) and 01 March for secondary age children.

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 2016, supported by the Admission Forum who considered these at their December and March meetings.
- 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.
- 5.5. Hambledon Primary School requested to change its linked secondary school from Cowplain Community School to Swanmore College of Technology. Hambledon recently changed from an infant school to an all-through primary school and its link with Cowplain is assumed because of its formal school link was with Denmead Junior School which in turn links to Cowplain. If the change is agreed there are possible transport cost implications. The basis for their request is that few of their children progress to Cowplain instead preferring Swanmore College. Parental preference would not normally form the basis for a change in linked school. Admission Forum has discussed this request on two occasions. Following its March meeting it is recommending that a formal link with Swanmore College is created for pupils attending Hambledon Primary School which would give them admission priority (but no transport entitlement) but also retain the existing link with Cowplain Community School. The local authority will continue to provide transport applying its current entitlement rules. In effect this will be a school specific criterion within Swanmore College's admissions policy

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 2014, Hampshire Admission Forum considered all PANs where a change from the 2015 figure is proposed. The enclosed tables for primary phase schools (Annexe E) and secondary schools (Annexe F) give the PAN for 2015 and the proposed PAN for 2016. (Annexe E and Annexe F also include 2016 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 three schools: Northern Junior School (from 60 to 45), Breamore Primary School (from 24 to 15) and Fernhill School (from 189 to 180). In all three 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. Two additional elements relating to children eligible for 2 year old funding and children of staff have been included in the 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.

9. Impact Issues

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 2016/17 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 2016 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 2016/17 arrangements are as follows:

- (i) change to the wording to allow for a change of address within the same catchment area.
- (ii) introduction of a definition of 'displaced' to the primary and infant, junior and secondary policies
- (iii) introduction of random allocation to the tie-breaker where two applicants are measured as living equidistant from the school.
- (iv) changes to some schools' Published Admission Numbers (PAN) including a reduction in the admission number of Northern Junior School from 60 to 45, a reduction in the admission number of

Breamore Primary School from 24 to 15 and a reduction in the admission number of Fernhill School from 189 to 180.

Additionally the specific arrangement, referred to in paragraph 5.5 above, will be included in the admissions policy of Swanmore College.

CORPORATE OR LEGAL INFORMATION:

Links to the Corporate Strategy

Hampshire safer and more secure for all:	yes
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	yes
Corporate Improvement plan link number (if appropriate):	

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.)

Document

Location

None

IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

- 1.1. 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.

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?