

**Meeting:** Executive

**Date:** 6 November 2012

**Subject:** Consultation on Admission Arrangements 2014/15

**Report of:** Cllr Versallion , Executive Member for Children's Services

**Summary:** The report seeks Executive approval to commence consultation on Admission Arrangements for 2014/15, specifically the Council's co-ordinated admissions scheme and admission arrangements for Community and VC Schools.

**Advising Officer:** Edwina Grant, Deputy Chief Executive / Director of Children's Services

**Contact Officer:** Pete Dudley, Assistant Director Children's Services (Learning, Commissioning & Partnerships)

**Public/Exempt:** Public

**Wards Affected:** All

**Function of:** Executive

**Key Decision** Yes

## **CORPORATE IMPLICATIONS**

### **Council Priorities:**

The Council's admission arrangements and co-ordinated admissions scheme supports the Medium Term Plan priority to improve educational standards at key stage 4.

### **Financial:**

1. There are no direct financial implications arising from this proposal, although if approved, the proposal to change admissions criteria from catchment to straight line priority will support the parallel proposal to Executive regarding the provision of transport on a "nearest school" policy as outlined in that report, which could lead to budget savings.

### **Legal:**

2. Regulations contained within the School Admissions Code sets out the requirement for the Local Authority to have a co-ordinated admissions scheme for the area. Admission Authorities must also determine their admissions arrangements by 15 April each year, for implementation in September of the following year. If an Admissions Authority proposes to make amendments to their arrangements they must consult between the 1 November and the 1 March for a minimum of 8 weeks of the year before the arrangements apply.

3. For Community and Voluntary Controlled schools the admissions authority is the Council acting as the Local Authority. Academies, Foundation, Trust and Voluntary Aided schools are their own admission authority and are therefore responsible for their own admission arrangements.
4. Via the consultation as set out in this report, the Council will fulfil its statutory responsibilities by consulting within the timescales set out above and conducting a consultation with the relevant parties on changes to admission arrangements for Community and Voluntary Controlled schools, inviting thoughts and comments from all consultees which will be reported to Executive in February 2013 when the admissions arrangements for September 2014 will be determined.

#### **Risk Management:**

5. This report sets out the statutory requirement for the Council to have a co-ordinated admissions scheme in place for the area. The risk of not having a co-ordinated scheme in place for Central Bedfordshire would entail the following key risks:
  - Failure to discharge statutory duty
  - Failure to provide an admissions process which allows parents to state preferences and apply by the national closing dates.
  - Failure to allocate school places for the normal year of entry by the national offer dates

All of the above would incur a negative perception of the Council which would also be a reputational risk.

#### **Staffing (including Trades Unions):**

6. Not Applicable.

#### **Equalities/Human Rights:**

7. The School Admissions Code sets out the duty on Local Authorities and Admission Authorities to produce admission arrangements which are fair, clear and objective and which can be easily understood by parents. Admission arrangements must comply with regulations and legislation including the Equality Act 2010 and the Human Rights Act 1998.
8. Public authorities have a statutory duty to advance equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. As part of the development of the Admissions Policy the Council will carry out an Equality Impact Assessment to check that the proposed changes do not have a disproportionate or negative impact on vulnerable groups.

#### **Public Health**

9. Not applicable.

#### **Community Safety:**

10. Not applicable.

**Sustainability:**

11. Not applicable.

**Procurement:**

12. Not applicable.

**Overview and Scrutiny:**

13. This matter has not been considered by Overview and Scrutiny but comments will be sought from them during the consultation period..

**RECOMMENDATIONS:**

**The Executive is asked to:**

- **Note the situation regarding Greenleas School referred to in this report as set out in the urgent decision report also on this agenda.**
- **Approve the commencement of consultation for Central Bedfordshire's co-ordinated admissions scheme as set out in this paper.**
- **Agree the proposed admission arrangements for Community and Voluntary Controlled schools for the academic year 2014/15.**
- **Approve the commencement of the consultation for Central Bedfordshire's admission arrangements for Community and Voluntary Controlled Schools for the academic year 2014/15.**

*Reason for Recommendations: To enable the Council to meet its statutory obligations to consult on admission arrangements.*

**Executive Summary**

14. Central Bedfordshire Council, acting as the Local Authority, has a statutory duty to ensure that admissions are co-ordinated for all admission authorities in their area for all children being admitted into the normal year of entry and only one offer of a school place is made. The Co-ordinated Admissions Scheme for the academic year 2014/15 fulfils this requirement, setting out the timeframes for processing admission applications, but must be the subject of consultation before approval by Executive in February 2013.
15. In addition, as the Local Authority is the admission authority for Community and Voluntary-Controlled schools, it must also undertake consultation on its own admission arrangements, where changes are proposed. The admission policy for these schools sets out the criteria in which applications will be considered if the school is oversubscribed. This report explains the rationale for a number of proposed changes to existing admissions criteria for Community and Voluntary Controlled schools.

16. The Local Authority has a standard policy in place which is used for many of the Community and Voluntary Controlled schools. However, 21 Community and Voluntary Controlled schools have additions to these criteria which, agreed historically, include priority given to nurseries and pre-schools, above the criterion of 'Any Other Children'. Schools and Academies may set oversubscription criteria which include 'feeder schools' as long as this criterion is transparent and reasonable.

17. 43 of the 65 Academies and own admission authority schools (Foundation, Trust and Voluntary Aided) within Central Bedfordshire have also set their own admissions criteria which differ from the Local Authority's standard policy. The changes to the Council's admissions arrangements proposed in this report are intended to provide greater clarity for parents and carers on their choices and to make the oversubscription criteria more objective than is currently the case. All Admission Authorities must adhere to the School Admissions Code which is the legislation and guidance issued by the Department for Education under Section 84 of the School Standards and Framework Act 1998. The code states that 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'*

18. The proposal being made in this paper is to operate what is known as "an open admission policy" for all Community and Voluntary Controlled schools. The proposed policy will promote consistency and will determine applications by the following criteria:

- i) All 'looked after' and previously 'looked after' children
- ii) Children with siblings attending the school.
- iii) Remaining applications will be prioritised by straight line distance from an applicant's home to the school.

The admissions criterion is detailed in the report and Appendix 3. This is a proposed change to the current admission arrangements which uses defined catchment areas for Community and Voluntary Controlled schools. The reasons for these proposed changes are set out in the paper and the paper also explains the rationale to also remove the 'very exceptional' medical grounds criterion.

19. The report also sets out the consultation process which is subject to legislative timescales and describes how the required consultees will be engaged with to ensure consultation is effective and meaningful.

**Information: The Council's Co-ordinated Admissions Scheme Academic Year 2014-15**

20. Legislation contained within the School Standards and Framework Act 1998, requires Local Authorities to have a co-ordinated admissions scheme for their area where parents can apply on a common application form for a place in the normal year of entry at a school or an academy. The Local Authority is required to co-ordinate the admissions for children in their area so only one offer of a school place is made. The co-ordinated admissions scheme must be formulated by 1 January in the relevant determination year and be consulted on with the relevant bodies.
21. Central Bedfordshire's proposed Co-ordinated Admissions Scheme for the academic year 2014/15 sets out the scheme and timetable in which applications will be processed. The scheme details the processes and procedures the Local Authority and admissions authorities need to work to, in order to process the applications by the offer date for the normal year of entry at a school or academy.
22. Local Authorities must have a co-ordinated admissions scheme in place for all maintained schools and academies in their area. (This includes Free Schools, Studio Schools and University Technical Colleges.)
23. Admissions for the normal year of entry for Upper and Secondary are subject to a national closing date for applications of 31 October and a national offer date of 1 March.
24. Admissions for the normal year of entry for Lower, Primary and Middle are subject to a national closing date of 15 January. For admissions in September 2014 and subsequent years, legislation prescribes that offers must be made on 16 April.

**Admission Arrangements for Community and Voluntary Controlled schools Academic Year 2014/15**

25. Regulations require Admission Authorities to consult on their admission arrangements annually if changes are proposed and they must do so for a period of 8 weeks, commencing no earlier than 1 November, with consultation concluding by 1 March at the latest. Arrangements then must be determined by 15 April.
26. Admission arrangements are the methods and procedures that determine how children will be admitted to any given school and include the 'admission criteria' which will be applied if more applications are received than there are places available. The majority of Community and Voluntary Controlled schools operate a standard admissions policy which applies if the number of applications received for the school exceeds the number of places available. The current standard admissions policy is as follows:
  - All 'looked after' children or children who were previously 'looked after'.
  - Pupils living in the catchment area with siblings at the school

- Other pupils living in the catchment area
- 'Very exceptional' medical grounds
- Other siblings
- Any other children

Appendix 5 details the Community and Voluntary Controlled schools and the admissions policy they operate.

### **Children attending the school's nursery or pre-school**

27. Of the 66 Community and Voluntary Controlled schools in the area, 45 operate the standard policy and 21 currently have additions to the standard admissions policy, of which 17 include priority given to children attending the school's nursery or pre-school, which are prioritised before the last criterion of 'Any Other Children'.
28. Having additional criteria within some of the Community and Voluntary Controlled admission policies which gives priority to children attending a nursery or pre-school before the criterion of 'Any Other Children', can appear to give parent/carers a false guarantee that their child will eventually be admitted to the school if they attend the nursery or pre-school on site at the school, despite the fact that other oversubscription criteria will take priority in the way that places have been subsequently allocated.
29. There have been cases where a child attending the nursery or pre-school on site at the school which is named in the school's admissions criteria has not been able to gain a place at the school due to oversubscription, much to the frustration of the parent who has felt that attending the nursery or pre-school gave some leverage to their child gaining a place at the school. This issue has been brought up at school admission appeals which have been allowed by way of recognising this apparent inconsistency as some parents do not understand that although a nursery or pre-school is named in the admission criteria, this does not mean the child will get a place. Giving priority to children at nursery and pre-schools in the admissions criteria can also disadvantage those children who do not attend the named provision which could be because they have been unable to gain a place or the provider does not meet the child care needs of the parent. To alleviate this issue and provide a system which is fair for all, it is proposed to remove the nursery and pre-school criteria completely rather than have a policy where some schools give priority and others do not. With the proposed criteria for 2014/15, all Community and Voluntary Controlled schools would therefore operate a standardised policy and remove historically agreed differences.

### **The proposed removal of catchment areas for Community and Voluntary Controlled schools to an open admissions policy**

30. In line with legislation, parent/carer(s) can express a preference for any school or academy they wish their child to attend. Parental preference can be based on a variety of reasons such as locality, child care arrangements and siblings attending the school. Analysis of current data from the “Starting School, Middle and Upper Admission Rounds” have shown that on average 58% of children are admitted to schools and academies within the catchment area where they live, indicating that 42% are opting for non-catchment schools. This indicates that being in the catchment area is not always a compelling reason when choosing a school place for their child.
31. It is proposed that the admissions criteria should be one standardised policy for Community and Voluntary Controlled schools and applications should be determined by straight line distance, which establishes the priority of children for places at the school based on where they live in terms of proximity rather than by catchment area. The straight line distance method or open admission is proposed so as to create for children for whom the historical catchment area system disenfranchises them a fairer system and fairness to those families disenfranchised by not being able to afford to live in a particular catchment area. A straight line distance measurement is easy to ascertain and each school will be asked to determine or reconfirm its point of entry to the school which is the distance to be measured to.
32. The removal of catchment areas so operating an open admissions policy for Community and Voluntary Controlled schools where the Council is the admissions authority would give parents and carers more freedom to express a preference for a school of their choice without feeling constrained to specify a preference for their catchment school. Parents and carers can find the admissions system complex and difficult to navigate through. A clear policy consisting of three criterion breaks down this complexity. It is easy to understand and does not provide a false “catchment” guarantee with named feeder schools or nurseries and most importantly a child’s proximity from the school is the ultimate factor in the admissions process and not an arbitrary catchment area.
33. A further advantage of an open admissions policy is that it provides a fair system based on proximity to a school and the ‘market’ for admissions rather than it being the Local Authority that determines the boundaries of where the children would be drawn from. An open admissions policy can be applied regardless of the other school or academy admission policies. Therefore if an Academy or own admission authority school wishes to define or change its ‘catchment’ area then a child living in the road which is no longer in this defined area is not then disadvantaged by not being in the catchment area of their nearest Community or Voluntary controlled school.

34. Removing catchment areas at Community and Voluntary Controlled schools would provide parents and carers the freedom to express a preference for the school without the restriction of a catchment area boundary and gives priority to pupils living nearest to the school. An analysis using the addresses of current pupil data held by the Local Authority to determine the effects of removing catchment areas for Community and Voluntary Controlled schools and using straight line distance instead has shown that implementing these changes could affect, on average, 16% of lower/primary school aged pupils and 27.9% of middle school aged pupils in terms of their current catchment school not being their nearest school. The biggest shift from a pupil's current catchment school to what would be their nearest school is more prevalent in urban areas where parents have a wider choice of schools and academies to choose from. Section 106 and other planning requests will not be affected as the data from historical parental choice can be used as a planning tool rather than catchment areas.
35. Maintaining catchment areas is currently an administrative burden for the Local Authority, by having to check boundaries and make amendments to these when there is new housing development or new schools are built. An open admissions policy removes this burden and simplifies the administrative process for processing applications providing greater efficiencies. One Community school, Greenleas (Sandhills site) due to open in September 2013 will determine applicants by straight line distance as part of their admissions criteria and will not have a defined catchment area. Members are asked to note this position which is also reported to this Executive meeting as a separate item. Defining a new catchment area would have prompted a review of the lower catchment areas in Leighton Buzzard surrounding the new development. This would have resulted in a subsequent consultation on changing these and proposing a new catchment area for the new school at a time when it would have been known that the Council was intending to consult on new arrangements.
36. An open admissions policy can have its disadvantages, for instance removing catchment areas can create uncertainty for parents and carers as to which school their child is likely to be allocated a place at. A judgement cannot be based on previous years where a parent/carer can assess their chances of gaining a place based on whether all catchment children were offered as the deciding factor would be straight line distance. In some cases, a child could be in the position of travelling a long distance to the nearest available school if they lived beyond the 'cut-off' for admission or those who live between two schools of fairly equal distance to their home where both schools are oversubscribed could find they cannot be accommodated. Applying straight line distance works differently from a catchment area where children are ranked according to whether they live within a school's catchment boundary which is then ordered by distance to determine the allocation of places. Those who do not live within the catchment area would currently be classed as 'Any Other Children' if they didn't meet any other higher criteria. These children would then be considered after all other applicants and would also be ranked in distance order.



37. It needs to be emphasised that it is only in the case of Community and Voluntary Controlled schools that the removal of catchment areas is being suggested. These are schools which the Council is the admissions authority for. Academies and schools which are their own admission authority are responsible for consulting and determining their own admission arrangements and may decide to remain with their current catchment area, determine a revised catchment area or adopt the Council's approach and move to straight line distance to determine how places are allocated.

#### **'Very exceptional' medical grounds**

38. The current admissions criterion for Community and Voluntary Controlled schools includes the criterion of 'very exceptional' medical grounds. The definition for this criterion is where the school is the only school locally that can meet the child's needs. Parents or Carers are required to submit a medical report from the child's doctor or medical consultant setting out the valid medical reasons why it is essential for the child to attend the school in question.
39. Very few applications meet the medical criterion as many schools can meet a child's medical needs by having the appropriate resources or training staff to meet a child's needs. The evidence provided does not always set out a strong enough case of why the school is the only school that can meet the child's needs.
40. Medical conditions cannot be validated by members of the School Admissions Team who are not trained medical professionals and it would be a constraint on the timetable for processing admissions if these were referred to an appropriate person in the NHS. Time and resources for the NHS would also be an issue. It is therefore proposed to remove this criterion from the admissions criteria for Community and Voluntary Controlled schools. As children with the most severe medical needs will be subject of a statement of Special Educational Needs, this route provides an acceptable alternative within the policy.

#### **Parental choice in an area of increasing diversity in provision and admissions criteria**

41. Added to the differing admissions criteria amongst Community and Voluntary Controlled schools, 43 of the 65 Academies and own admission authority schools (Foundation, Trust and Voluntary Aided) within Central Bedfordshire have set their own admissions criteria which differ from the Local Authority's standard criteria. Of the 43 that have set their own admissions criteria, 3 academies have defined their own catchment area (see Appendix 6).

42. The changing landscape of education provision in Central Bedfordshire has been accelerated in the last 12 months. 36 schools are now Academies with a further 23 forecast to undergo Academy conversion before April 2013. Added to this diversity of provision in the Dunstable and Houghton Regis area are seven lower schools and one middle school due to convert to Primary Schools from September 2013. A further Community lower school and a Voluntary-Aided lower school are currently consulting on becoming a primary and a middle phase academy is currently consulting on changing their age range to secondary. The Dunstable and Houghton Regis area also hosts the Central Bedfordshire University Technical College, which opened in September 2012 and which offers key stage 4 provision.
43. The diversity of provision on offer within the Dunstable and Houghton Regis area provides more choice for parents but also adds complexity to the admissions process. For instance, in the Dunstable and Houghton Regis area, a child starting school for the first time will have the option of either attending a Lower or Primary school, then depending on which phase of education is opted for, if attending a Lower school the child will transfer at the end of Year 4 to a Middle school or could opt to transfer in-year to a Primary school to complete Years 5 and 6, before moving onto their key stage 3 and 4 provision. A child attending a Primary school will transfer at the end of Year 6 to a secondary school or again could transfer in-year to a middle school to undertake Years 7 and 8 before then transferring again to an Upper school or in-year to a Secondary school. This mixed economy of provision with different options available can be difficult to explain to parents/carers. The shift of some schools to a two tier system from a three tier has made the existing catchment areas obsolete. The proposed open admissions system allows for this shift and for more changes of age range that may be implemented, without it adding complication to the system and the admissions process. If the open admission policy is applied for Community and Voluntary Controlled schools, the Local Authority will not have the problem of changing a catchment area to suit the system in operation. For example, the local authority still has lower, middle and upper catchment areas for the area served by the four Houghton Regis Lower Schools and All Saints Academy which have recently changed their age range to Primary and Secondary respectively. Removing catchment areas would eliminate this issue of a catchment area being out of date once a new system is in operation.

#### **Admissions criteria for all Community and Voluntary Controlled Schools for the Academic Year for 2014/15**

44. The admissions criteria for all Community and Voluntary Controlled Schools for the Academic Year 2014/15 will be as follows:
1. All 'looked after' children or children who were previously 'looked after'
  2. Pupils with siblings at the school
  3. Children who live nearest to the school determined by straight line distance from the school site to the pupil's home address.

45. Legislation requires that 'looked after' children and previously 'looked after' children are given top priority in oversubscription criteria. Any application for a 'looked after' child would be considered under this criterion regardless of the distance they live from the school. Prioritising pupils with siblings at the school as the second criterion provides families with stability and eases the logistical burden by having their children at the same school.
46. To determine the allocations of places for children who meet criterion 3, the pupil's home address will be measured in a straight line to the designated measuring point on the school's site, with those living closer having priority for a place. For example, if a school with 60 places received 80 applications requiring a place and 2 applications were for 'looked after' children and 10 met the sibling criterion, 48 would be ranked according to their distance from the school. This would result in 12 applicants who lived further away being declined a place at the school in order to keep within the admission numbers.

### **Home to School Transport Entitlement**

47. Currently, home to school transport eligibility is assessed on whether the child has applied for their catchment school and if the school is over the statutory walking distance or transport is required on road safety grounds. The current policy defines the eligibility for transport as to whether the child is in the catchment area of the academy/school.
48. With academies and own admission authority schools being able to define their own catchment areas, the implementation of this policy becomes less robust than when eligibility for transport is assessed on the local authority defined catchment areas. The Council will only pay travel expenses to the nearest available school and therefore if Academies take children from other areas, they should make this clear to the parents. There is nothing which would prevent Academies from providing their own transport or working with the Council on a plan for top up of transport costs.
49. Under a separate Executive report, the Home to School Transport policy will be revised in line with the Council's proposed admission arrangements and proposes to operate a policy which complements our policy by providing transport where required to the child's nearest school, in line with the Local Authority's statutory obligations. A separate consultation will take place to convey this and gather people's views.

### **Method of Consultation**

50. Admission authorities are required to consult on their admission arrangements if changes are proposed and to conduct this for a period of 8 weeks commencing no earlier than 1 November, with the consultation concluding by 1 March. It is proposed that the consultation period will commence from 12 November and conclude on 21 January, allowing time to analyse the responses before determining admission arrangements by 15 April. This will include consultation with other Councils in the neighbouring area, Diocesan Education Boards and Ward and Scrutiny Members. "Drop in Sessions" in three geographical locations to cover the Council area will be provided for headteachers and governors.

51. The consultation will also include information on the co-ordinated admissions scheme, the published admission numbers and the proposed admission arrangements for the Community and Voluntary Controlled schools. Consultees will be able to respond to the consultation via an online form asking for their views and opinions.
51. Central Bedfordshire Council is the admission authority for Community and Voluntary Controlled schools and therefore must conduct its consultation in line with regulations, with the following parties:
- a) Parents of children between the ages of two and eighteen
  - b) Other persons in the relevant area who in the opinion of the admissions authority have an interest in the proposed admissions
  - c) All other admission authorities within the relevant area
  - d) The Governing Bodies of Community and Voluntary Controlled schools
  - e) Adjoining neighbouring local authorities
  - f) The body or person representing religious denomination schools.
52. The Council in its role as the Local Authority will publish the Co-ordinated Admissions Scheme and the proposed admission arrangements for Community and Voluntary Controlled schools on the Central Bedfordshire Council website and advertise the consultation as widely as possible to gather the views of the relevant parties. The Local Authority will contact the Governing Bodies of Community and Voluntary Controlled schools, all other admission authorities in the area, neighbouring local authorities and the Church of England and Catholic diocese with details of the consultation and how they can contribute their opinion.

### **Conclusion and Next Steps**

53. It is a necessary requirement for the Council to consult on its admission arrangements and to formulate a co-ordinated scheme for admission by 1 January in the determination year. The co-ordinated admissions scheme has been drawn up with regard to the national closing dates and the national offer dates for the academic year of 2014/15, taking into account the necessary timescales to process and allocate mass applications working with the schools and academies in Central Bedfordshire to meet the deadlines.
54. The rationale of the proposed admission arrangements for Community and Voluntary Controlled schools in Central Bedfordshire by removing defined catchment areas and operating an open admissions policy has been set out in this paper. This is to simplify the admissions process for parent/carers in the changing landscape of provision with Central Bedfordshire, especially with the change to the three tier system in some areas and the defined catchment areas which were part of this.
55. The next steps are for the Local Authority to undertake the consultation within the statutory timeframes engaging with all the relevant parties to ascertain views on the proposed admission arrangements in particular the arrangements for Community and Voluntary Controlled schools as set out in the report.

**Appendices:**

Appendix 1 – Lower, Primary and Middle 2014/15 co-ordinated admissions scheme

Appendix 2 – Secondary, Upper, UTC 2014/15 co-ordinated admissions scheme

Appendix 3 – Community and Voluntary Controlled schools proposed admissions policy 2014/15.

Appendix 4 - Community and Voluntary Controlled schools proposed admissions numbers 2014/15.

Appendix 5– Determined admissions criteria Community and Voluntary Controlled schools 2013/14.

Appendix 6 – Academies with own defined catchment areas for 2013/14.

**Background Papers:**

1. Equality Impact Assessment

2. Allocated school by Pupil Catchment report – (Based on the point of entry admissions for Central Bedfordshire Council September 2012), Children’s Services - Partnership, Performance & Workforce Development Team.

3. Percentage of catchment children allocated their catchment school in the annual admissions rounds September 2012.

4. Straight line distance – Pupil to Nearest School: analysis of current pupil address data.