

Central Bedfordshire Council

EXECUTIVE - 31 March 2015

Determination on Admission Arrangements 2016/17

Report of Cllr Versallion, Executive Member for Children's Services
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Key Decision

Purpose of this report

1. To seek Executive approval to determine the Admission Arrangements for 2016/17; specifically the Council's coordinated admissions scheme and the Council's admission arrangements for Community and Voluntary Controlled Schools.

RECOMMENDATIONS

The Executive is asked to:

1. **approve the Council's coordinated admissions scheme as attached at Appendix 1 and 2 to this report; and**
2. **approve the proposed admission arrangements for Community and Voluntary Controlled schools for the academic year 2016/17 as attached at Appendix 3 to this report.**

Summary

2. The Council 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 2016/17 fulfils this requirement, setting out the timeframes for processing admission applications.
3. In addition, as the Council 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.

4. The consultation on the proposed admission arrangements for the academic year 2016/17 closed on 19 January 2015 and responses and comments have been considered. This report sets out the key findings from the consultation and the process which needs to be followed for the Council to determine its admission arrangements. This requires the recommendations for the co-ordinated admissions scheme and the admission arrangements for Community and Voluntary Controlled schools to be approved by the Council's Executive.

Children's Services Overview and Scrutiny

5. The proposed admission arrangements for 2016/17, including the report to Executive regarding the consultation, has been subject of a presentation to Children's Services Overview and Scrutiny Committee at its meeting on the 11 November 2014 and this was noted by the Committee.

Introduction

6. The School Standards and Framework Act 1998 s88C and School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) Regulations 2012 para 17 requires the Council to consult on its coordinated scheme and to consult on admission arrangements for Community and Voluntary Controlled schools where changes are proposed. The consultation must be conducted for a period of eight weeks, commencing no earlier than 1 November and concluding by 1 March the following year. Arrangements must then be determined by 15 April each year.
7. The Council's Executive approved a recommendation on 14 October 2014 to commence a consultation on the Council's admission arrangements which included the coordinated admissions scheme and the admission arrangements for Community and Voluntary Controlled schools.
8. The consultation commenced on 3 November 2014 and concluded on 19 January 2015, which allowed over eight weeks for all interested parties to respond in order to take into account the end of the Autumn term break.
9. Legislation prescribes that the consultees must include the following:
 - 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 admissions authorities within the relevant area
 - d) The Governing Body of Community and Voluntary Controlled schools
 - e) Adjoining neighbouring local authorities
 - f) The body or person representing religious denomination schools.

10. The consultation was publicised via the following methods:

A letter was sent to:

- Headteachers and Chairs of Governors of Community and Voluntary Controlled schools in Central Bedfordshire
- Headteachers/Principals of Academies, Foundation, Trust and Voluntary Aided schools in Central Bedfordshire, with a copy of the letter being sent to the Roman Catholic Diocesan Board and the Church of England Diocesan Board.

11. The consultation was also publicised through the academies and schools newsletters; Central Essentials and Governors Essentials

Posters to publicise the consultation, detailing the website address to access the information were sent to:

- School and academies in Central Bedfordshire
- Nurseries, preschools and children's centres
- Town and Parish Councils
- Leisure and community centres
- Libraries

An email was also sent to neighbouring local authorities to inform them of the consultation and a press release was sent to the local newspapers.

Responses to the Council's consultation on Admission Arrangements for 2016/17

12. Forty one responses were received in total from interested parties to the Council's consultation on admission arrangements. 38.4% of those who responded agreed with the proposed admission arrangements and 46.2% disagreed, with 15.4% neither agreeing nor disagreeing.

Consultation responses – coordinated scheme for admissions

13. The coordinated scheme for admission to lower, primary and middle schools, and the scheme for admission to secondary, upper and university technical college forms part of the Council's admission arrangements. Central Bedfordshire's coordinated admissions scheme for the academic year 2016/17 sets out the scheme and timetable in which applications will be processed. The scheme details the processes and procedures that the Council and other admissions authorities need to work to in order to process the applications by the national offer date for the normal year of entry at a school or academy. No responses were received concerning the coordinated schemes during the Council's consultation on admission arrangements for 2016/17.

Consultation responses to individual admissions arrangements

14. The Council consulted on changes to admission arrangements for 17 schools in Central Bedfordshire for implementation in 2016. The consultation on admission arrangements for sixteen schools proposed to remove the priority of children attending nurseries, preschools and childcare settings:
 - Aspley Guise Lower School
 - Dovery Down Lower School
 - Dunstable Icknield Lower School
 - Dunton VC Lower School
 - Everton Lower School
 - Greenleas School, Derwent Road
 - Hockliffe Lower School
 - Houghton Regis Primary School
 - Lancot Primary School
 - Linslade Lower School
 - Ramsey Manor Lower School
 - Silsoe Lower School
 - Studham Lower School
 - Thomas Johnson Lower School
 - Thornhill Primary School
 - Wrestlingworth Lower School

15. The consultation of the admission arrangements for Russell Lower proposed to extend their catchment area as a result of their expansion from a two form entry school to three form entry in response to the housing development planned for the Warren Farm area.

Removal of the prioritisation of children attending Nurseries, Pre-Schools and Child Care settings

16. The Chief School Adjudicator's annual report in November 2013 reported as one of its main findings that the practice of some primary schools giving priority for admission to reception year to children who have attended a particular nursery provision was found to be unfair to other local children. The recommended action aims to ensure admission authorities comply with the legislation within the School Admissions Code and the overall principle of fairness, clearness and objectivity which underpins this.

17. The issue was again raised in the Adjudicator's annual report in December 2014 with concern that the practise hinders parents from having a fair chance of securing a place in a reception year class irrespective of decisions made about preschool provision.

18. In response to the recommendations made the Chief Schools Adjudicator, Central Bedfordshire Council's neighbouring local authorities, with priority for nursery/pre-school children in their admission arrangements, have removed, or have consulted on removing, the priority, in order to ensure their admission arrangements were fully compliant with the School Admissions Code.
19. Twenty seven comments were made in response to the proposal to remove the priority of children attending Nurseries, Pre-schools and child care setting from the admission arrangements of Community and Voluntary Controlled schools. The objections raised were:
 - Concerns regarding the potential impact of friendship groups being broken up.
 - Concern over links between the school and nursery being jeopardised and this affecting the transition from nursery to Reception Year for children.
 - For villages the nursery priority helps maintain the community and ensures sustainability of small schools.
 - Current criterion provides parents who live outside the catchment area a better chance of a place at their preferred school.

The comments supporting the proposal were:

- Proposal would be in the interests of fair access to all children.
 - Current criterion discriminates against parents who use private nurseries which are close to their places of work or those who choose to keep their child at home until Reception Year.
 - Children should not be disadvantaged by the choices made by their parents, whilst there is a potential bonus to children moving from nursery on site to the school this is just a bonus and all schools should cope with all Reception Year starters regardless of their prior childcare setting.
20. A large number of Community and Voluntary Controlled schools currently have a nursery or preschool provision on site which does not feature as a priority in the school's admission arrangements. The nursery provisions work closely with the schools to ensure a smooth transition for children allocated a place in Reception Year who are moving from the nursery setting. The schools also have measures in place to ensure children allocated a place at the school who have not attended the nursery provision onsite settle in well.

21. The Council needs to ensure that its admission arrangements for all Community and Voluntary Controlled schools are lawful and fully compliant with the School Admissions Code and to be responsive to recommendations made by the Chief Schools Adjudicator.
22. It is therefore recommended that the Community and Voluntary Controlled school policies which currently give priority to children who attend a nursery, pre-school or other child care setting is removed.

Expansion of the catchment area for Russell Lower School, Ampthill from September 2016

23. From September 2015, Russell Lower School will be a three form entry Lower School with a published admissions number of 90. This follows its expansion by the Council to accommodate a new housing development in Ampthill known as Warren Farm which is off the Flitwick Road.
24. As the new housing development lies within the an area surrounded by Russell Lower's catchment area, queries were raised in the school expansion consultation in 2013 by consultees as to why the housing development would not be included in Russell Lower's catchment area and would remain within The Firs Lower's catchment area.
25. Following consultation with both the Headteachers and Chairs of Governors of Russell Lower School and The Firs Lower School in Ampthill it was agreed to consult on amendments to remove the Warren Farm housing development from the catchment area of The Firs Lower School and placing this in the catchment area of Russell Lower School.
26. No responses were received in relation to the proposal to include the Warren Farm housing development within the catchment area for Russell Lower. It is therefore recommended that the area is included within the catchment area for the school for admissions in the academic year 2016/17.
27. The Firs Lower School, is an academy and therefore independent of the Local Authority and responsible for its own admission authority It has not consulted on any changes to its admission arrangements for 2016/17 and therefore its catchment area remains unchanged. The Warren Farm housing development will therefore have a dual catchment area of both Russell Lower and The Firs Lower for 2016/17.

Inclusion of foster siblings within the sibling definition

28. Recent rulings by the Office of the Schools Adjudicator stated that sibling definitions which fail to include foster siblings are a breach of the Code on two counts; as the admission arrangements would not be fair (paragraph 14) or reasonable (paragraph 1.8). It was therefore proposed that the definition be revised to include children who are fostered, where foster care has been arranged by a Local Authority.
29. No responses were received in relation to the proposal and therefore it is recommended that the revised sibling definition is included within the sibling definition for the Council's admission arrangements for Community and Voluntary Controlled schools for 2016/17.
30. Comments were made by respondents regarding the priority of siblings within the admission arrangements both by single child families who feel they are disadvantaged by the priority siblings have in the arrangements and also by families with siblings who feel they should be guaranteed places at the same school.

Published admission numbers

31. Although an admission authority is not required to consult on any proposed increases to a school's published admissions number (PAN), the following are to be noted as changes to admissions arrangements from September 2016:
 - Clipstone Brook Lower School – permanent increase PAN from 60 to 90, following a one form entry expansion to the school for September 2015
 - Edward Peake Middle School – increase to PAN from 120 to 150, following a one form of entry expansion to the school from September 2016.
 - Leedon Lower School – permanent increase PAN from 60 to 90, following a one form entry expansion to the school for September 2015
 - Roecroft Lower School – increase to PAN from 60 to 90, following a one form of entry expansion to the school.
 - Silsoe VC Lower School – increase to PAN from 27 to 45, following a half form of entry expansion to the school from September 2016.
32. No comments were received in relation to the increase in the PAN at any of the schools mentioned above.

School Admissions Code (December 2014)

33. During Central Bedfordshire Council's consultation period the Department for Education, following their own consultation over the summer, issued a revised School Admissions Code which came into effect on 19 December 2014 and supersedes the previous Code.
34. The revised Code contains new freedoms and requirements for all admission authorities, including a new consultation timeframe, clarification on existing policies and the ability to include criterion prioritising children eligible for certain premiums.
35. Members will be briefed in Spring 2015 regarding the changes so that these can be considered for the 2017/18 admission arrangements.

Method of Determination

36. Central Bedfordshire Council, acting as the local authority is required to determine the co-ordinated admissions scheme and admission arrangements for Community and Voluntary Controlled schools by 15 April 2015. The appropriate bodies must therefore be notified upon determination which are:
 - 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.
37. A copy of the determined arrangements for Community and Voluntary Controlled schools must be published on the Council website. The Council also has a duty to publish admission arrangements for academies and own admission authority schools by 1 May in the determination year via the Council website.

Reasons for decision

38. To enable the Council to meet its statutory obligations to determine its admission arrangements by 15 April 2015 for admissions in the academic year 2016/17.

Council Priorities

39. The Council's admission arrangements and co-ordinated admissions scheme supports the Medium Term Plan priority to improve educational attainment.

Corporate Implications

Legal Implications

40. The School Admissions Code sets out the requirement that the Council has a co-ordinated admissions scheme for the area. Admission Authorities must also determine their admissions arrangements by the 15 April 2015, for implementation in September 2016. 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.
41. For Community and Voluntary Controlled schools the admission authority is the Council. Academies, Foundation, Trust and Voluntary Aided school are their own admission authority and are therefore responsible for their admission arrangements.
42. The Council fulfils 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. Feedback from all consultees are then reported to Executive in order for the arrangements to be determined by the 15 April 2015 as required by law.
43. Any decision of the Schools Adjudicator will be binding on an admission authority. It will be for the admission authority to implement those decisions without undue delay

Financial Implications

44. Not applicable

Equalities Implications

45. The School Admissions Code sets out the duty on Local Authorities and Admission Authorities to produce admission arrangements which are fair, clear and objective, 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.
46. 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 Arrangements the Council has carried out an equality impact assessment to check that the proposed changes do not have a disproportionate or negative impact on vulnerable groups.

Conclusion and next steps

47. The Council, acting as the Local Authority, has conducted a consultation on the coordinated scheme for admissions and the admission arrangements for Community and Voluntary Controlled schools according to legislation. The Council has sought and considered responses from all consultees and considered the arrangements against legislation contained within the School Admissions Code and the recent findings of the annual report of the Schools Adjudicator. It is recommended that the coordinated scheme and admission arrangements are approved by Executive in order for the Council to determine its admission arrangements by 15 April 2015 as required by legislation.

Appendices:

Appendix 1 – Lower, Primary and Middle 2016/17 co-ordinated admissions scheme

Appendix 2 – Secondary and Upper 2016/17 co-ordinated admissions scheme

Appendix 3 – Community and VC schools Admissions policy and PANs 2016/17.

Appendix 4 – Russell Lower School - catchment area from September 2016.

Background Papers:

1. Equality Impact Assessment