

Central Bedfordshire Council

EXECUTIVE

10 October 2017

Consultation on the Council's Admission Arrangements for the Academic Year 2019/20

Report of Cllr Steven Dixon, Executive Member for Education and Skills
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This report relates to a Key Decision

Purpose of this report

1. To approve the commencement of the Council's consultation on admission arrangements to ensure the statutory requirement for admissions consultation is met. The Council is the admissions authority for Community and Voluntary Controlled schools. To outline the proposed changes to the admission arrangements for seventeen Community and Voluntary Controlled schools.

RECOMMENDATIONS

The Executive is asked to:

1. **approve the commencement of consultation for the proposed changes to the Council's admission arrangements for the academic year 2019/20.**

The proposed changes to the Council's admission arrangements include:

- **Include children of staff priority to Leighton Middle School's oversubscription criteria.**
- **Include the following lower schools as named feeder schools to Edward Peake Middle School's oversubscription criteria; Dunton VC Lower, Northill VA Lower, Sutton VA Lower and Wrestlingworth VC Lower.**
- **Remove catchment areas for admission to lower schools in Leighton Buzzard.**

- **Amend the catchment area boundary for Lawnside Lower and St. Andrew's Lower School (East).**

- 2. determine whether a review of the responses to the consultation should be considered at the February 2018 Executive or to delegate authority to the Director of Children's Services, in consultation with the Executive Member for Education and Skills, to determine the Council's Admission Arrangements for the academic year 2019/20 based on the outcome of the consultation. The Council's admission arrangements must be determined by 28 February 2018 as required by legislation.**

Overview and Scrutiny Comments/Recommendations

2. The Council's proposed Admission Arrangements for the academic year 2019-20 will be considered by the Children's Services Overview and Scrutiny Committee on 21 November 2017 as a consultee to the process if the Executive approve the recommendations of this report.

Issues

3. The Council has a statutory duty to ensure that admissions are co-ordinated for all admission authorities in the local authority's area for all children being admitted into the normal year of entry, and only 1 offer of a school place is made.
4. The Co-ordinated Admissions Scheme for the academic year 2019/20 fulfils this requirement, setting out the timeframes for processing admission applications.
5. 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. This report explains the rationale for the proposed changes for seventeen Community and Voluntary Controlled schools' admission criteria.

Central Bedfordshire Council's Co-ordinated Admissions Scheme Academic Year 2019-20

6. 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.

7. The Council is required to co-ordinate the admissions for children in their area so that only 1 offer of a school place is made per prospective pupil. The co-ordinated admissions scheme must be formulated by 1 January in the relevant determination year and must be consulted on with the admission authorities in the area if it is substantially different from the previous year.
8. Central Bedfordshire's Co-ordinated Admissions Scheme sets out the arrangements and timetable by 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 offer date for the normal year of entry at a school or academy.
9. The Council acting as the local authority must have a co-ordinated admissions scheme in place for all maintained schools and academies in the area.
10. Admissions for the normal year of entry for Secondary schools (which in Central Bedfordshire includes Upper and Secondary schools) are subject to a national closing date of 31 October for receipt of applications and a national offer date of 1 March.
11. Admissions for the normal year of entry for Primary schools (which in Central Bedfordshire include Lower, Primary and Middle schools) are subject to a national closing date of 15 January and a national offer date of 16 April.
12. The proposed co-ordinated scheme for 2019/20 is attached for Lower, Primary and Middle at Appendix 2 and the proposed co-ordinated scheme is attached for Secondary and Upper at Appendix 3.
13. The proposed co-ordinated scheme is not substantially different from the previous year's, and has been updated with the relevant dates for the academic year 2019/20. This scheme therefore is not subject to formal consultation as per the requirements of the School Admissions Code but will be circulated for information to all relevant parties.

Admission Arrangements for Community and Voluntary Controlled schools

14. Admission arrangements are the procedures and processes that determine how children will be admitted to a school and include the admission criteria which will be applied if more applications are received than there are places available.

15. The School Admissions Regulations 2012 require Admission Authorities to consult where changes are proposed on their admission arrangements, including any supplementary information form that will apply for admission applications for the following academic year. The confirmation of Religious Affiliation form is a supplementary form to the Council's common application form for point of entry admissions and is attached at Appendix 5 for information. The Religious Affiliation form is for all Central Bedfordshire schools who prioritise applicants on faith grounds for both Voluntary Controlled and Voluntary Aided schools.
16. For admission arrangements determined in 2018 for entry in September 2019, consultation must be for a minimum of 6 weeks and must take place between 1 October 2017 and the 31 January 2018. The Admission Arrangements must then be determined by 28 February 2018. The Council will conduct its consultation between the 13 October 2017 and 1 December 2017 to gather the views of all consultees.
17. Admissions Authorities are required to consult with the following parties:
 - i. Parents of children between the ages of 2 and 18;
 - ii. Other persons in the relevant area who in the opinion of the admissions authority have an interest in the proposed admissions;
 - iii. All other admission authorities within the relevant area;
 - iv. The Governing Bodies of Community and Voluntary Controlled schools;
 - v. Adjoining neighbouring local authorities;
 - vi. The body or person representing religious denomination schools.
18. From 2019/20 changes are proposed to the admissions criteria of seventeen Community and Voluntary Controlled schools in Central Bedfordshire, which are Leighton Middle, Edward Peake Middle, Lawnside Lower, St. Andrew's East Lower, Beaudesert Lower School, Clipstone Brook Lower, Doversy Down Lower, Greenleas School (Derwent Road), Greenleas School (Kestrel Way), Heathwood Lower, Leedon Lower, Linslade Lower, Southcott Lower, St. George's Lower, The Mary Bassett Lower, Hockliffe Lower and Stanbridge Lower.

Leighton Middle School – including priority for children of staff

19. Leighton Middle School is one of four middle schools which serve the town and surrounding villages of Leighton Buzzard. The school has been expanded by an additional 30 places per year group to meet the demand for additional middle school places in Leighton Buzzard. Year on year the school has continued to be very popular and has been heavily oversubscribed for the last few years.

20. Places are currently allocated using the following oversubscription criteria:
- 1) All 'looked after' children and children who were previously 'looked after'
 - 2) Children living in the catchment area with siblings at the school
 - 3) Children living in the catchment area
 - 4) Other children with siblings at the school
 - 5) Children who live nearest to the school determined by straight line distance from the school site to the child's home address.
21. The Governing Body of the school has requested that children of staff be given priority within their oversubscription criteria, after children living in the catchment area and with siblings at the school. As many other schools have also experienced, the school have had difficulty recruiting staff and therefore wish to include the priority as an incentive to attract high quality staff. In the 2017 allocation of places a senior member of staff had requested a place at the school for their child and due to the current oversubscription criteria was not successful in gaining a place at the school. This caused a great deal of stress for the family and school, particularly as the member of staff was a dedicated and valued member of staff and had worked at for the whole of their career.
22. The School Admissions Code, the legislation which underpins the admission process, permits admission authorities to give priority to children of staff within a school's oversubscription criteria in either of the following circumstances; where the member of staff has been employed at the school for at least two years when the application is made or where they have been recruited to fill a vacant post for which there is a demonstrable skill shortage.
23. The proposed oversubscription criteria for Leighton Middle School is
- 1) All 'looked after' children and children who were previously 'looked after'
 - 2) Children living in the catchment with siblings at the school
 - 3) Children living in the catchment area
 - 4) Other children with siblings at the school
 - 5) Children of staff*
 - 6) Children who live nearest to the school determined by straight line distance from the school site to the child's home address.

*A clear definition would be required to set out how a parent/carer would be eligible for this criterion. The proposed definition would be;

Permanent full or part-time staff who have either been employed at the school for two or more years at the time of application or recruited to fill a vacant post where there was a demonstrable skill shortage.

The relationship to the child is defined as by blood or adoption or with legal parental responsibility and living with the child in the same house Monday – Friday.

24. Over half of the middle schools and academies who are responsible for their admission arrangements include children of staff priority within their oversubscription criteria. Therefore, supporting Leighton Middle School's request would enable the school to operate as many of the other schools already are. The number of children of staff applications for schools with this criterion has been very low, on average there is one application per year that meets this criterion and therefore the impact on other applicants is minimal.
25. Priority for admission to the school will remain for children living in the catchment area and those with older siblings at the school and therefore the proposed new criterion will not disadvantage any children with a link to the school.
26. The possible disadvantages to the proposed criterion is that as admission authorities cannot give priority to children based on their parents' occupations, except for children of staff it could be viewed as unfair to other parents as their occupation cannot be considered. However it is permissible by the School Admissions Code and therefore an acceptable criterion. As a result of the children of staff criterion it may result in children from outside the town gaining a place at the school ahead of local (non catchment) children if staff living in other towns opt to apply for a place at Leighton Middle School. However the number of applicants expected to meet this criterion is so low and not all school staff want their child attending the school at which they work.
27. It is therefore proposed to include the children of staff priority criterion within the oversubscription criteria for Leighton Middle School to support the Governing Body in attracting high quality staff to join the school and bring the school in line with a number of academy middle schools who already include this criterion within their admission policies.

Edward Peake Middle School – adding named feeder schools

28. Edward Peake Middle School is one of two middle schools which serve the town of Biggleswade and the surrounding villages. The school has been expanded by an additional 30 places per year group to meet the demand for additional middle school places in Biggleswade. The Governing Body has requested a change to their admission arrangements to include priority for children attending Dunton VA Lower, Northill VA Lower, Sutton VA Lower and Wrestlingworth VC Lower schools. The School Admissions Code states that the selection of a feeder school or schools as an oversubscription criterion must be transparent and made on reasonable grounds.

29. Although priority for admission is given to families living in the catchment area, applicants living outside the area can also apply for the school on religious grounds as the school has a Church of England character. All four proposed feeder schools are also affiliated with the Church of England and include within their admission arrangements priority for practising members of the faith.
30. Places are currently allocated using the following oversubscription criteria:
- 1) All 'looked after' children and children who were previously 'looked after'
 - 2) Children living in the catchment area with siblings at the school
 - 3) Children living in the catchment area
 - 4) Other children with siblings at the school
 - 5) Children, one or more of whose parents/carers have, at the time of application, shown commitment to the Church of England or another Christian church by attending a service at least once a month for the year prior to the application being made
 - 6) Children who live nearest to the school determined by straight line distance from the school site to the child's home address.
31. Dunton and Northill villages are within the school's catchment area and therefore pupils who attend these schools and live in the village will already be prioritised for admission under criteria 2 or 3. By including these two schools as named feeder schools to Edward Peake Middle, pupils attending this school but who live outside of the catchment area will have a higher priority for the school than at present.
32. The proposed oversubscription criteria for Edward Peake Middle School is:
- 1) All 'looked after' children and children who were previously 'looked after'
 - 2) Children living in the catchment area with siblings at the school
 - 3) Children living in the catchment area
 - 4) Other children with siblings at the school
 - 5) Children currently attending Dunton VC Lower, Northill VA Lower, Sutton VA Lower and Wrestlingworth VC Lower schools
 - 6) Children, one or more of whose parents/carers have, at the time of application, shown commitment to the Church of England or another Christian church by attending a service at least once a month for the year prior to an application being made
 - 7) Children who live nearest to the school determined by straight line distance from the school site to the child's home address.

33. The Governing Body has made this request to formalise their existing close ties with the named lower schools as currently the majority of pupils from these lower schools opt for Edward Peake over their catchment middle school Potton Middle.
34. Sutton VA Lower and Wrestlingworth VC Lower Schools have stated firmly that they have no intention of following the two tier conversion that is currently in progress in the Sandy area and will remain lower schools. They are therefore seeking closer ties with Edward Peake Middle School to ensure a clear education pathway for both current families and prospective families.
35. Priority will remain for children living in the catchment area and non-catchment children with siblings at the school. Therefore, those with an existing connection to the school will not be disadvantaged by the feeder school criterion.
36. By adding the four lower schools to Edward Peake Middle School's oversubscription criteria it will demonstrate a clear pathway of Church of England education in the area for parents who want to access this route of education.
37. Local children from Biggleswade (not catchment) could miss out on a place at the school due to children from further afield gaining a place (Wrestlingworth and Sutton). This could be a disadvantage of the proposal however analysis of the pupils on roll at the four lower schools shows that the majority live within Biggleswade or Edward Peake Middle School's catchment area and therefore the number of pupils who may gain a place at the school from outside of the town would be relatively low.
38. As with all oversubscription criteria, attending a named feeder school will not guarantee a place at Edward Peake Middle School. Potton Middle School would remain the catchment middle school for the villages of Sutton and Wrestlingworth and therefore pupils from these villages would remain a high priority for admission to this school.

Amend the catchment area boundary of Lawnside Lower School and St. Andrew's Lower School (East)

39. Lawnside Lower and St. Andrew's Lower (East) are two of the four lower schools which serve the town of Biggleswade. Lawnside Lower opened in 1959 and serves the central area of the north side of the town. St. Andrew's Lower (East) sits on the eastern edge of the town and opened in September 2015 to serve the extensive Kings Reach housing developments. The school was originally built as a two form entry school but is currently being expanded to three forms of entry to meet the growing need of school places across the development.

40. A housing development of 301 dwellings is currently being built off Potton Road on the northern edge of the Kings Reach housing estate. The new development currently sits within Lawnside Lower's catchment area however St. Andrew's Lower (East) was built to serve the new housing estate. As the Potton Road development does not sit within St. Andrew's Lower (East) catchment area the S106 contributions from the development cannot be released for the school which are required for the further expansion of the school. Due to the location and site of Lawnside Lower, the school could not be expanded to meet the forecast basic need and therefore the S106 money cannot be released to this school.
41. The land on which the housing development is being built on was farming land and therefore did not yield any pupils requiring school places. Prior to the Potton Road development Lawnside Lower's catchment area produced an average of 60 pupils per year and therefore it is not anticipated that the proposal will impact on their pupil numbers moving forward.
42. Appendix 4 shows the current and proposed boundary line of the two lower schools.
43. As the admissions authority for Community and Voluntary Controlled schools, the Council continually monitors the effectiveness of its admission arrangements and will review school catchments in areas of significant demographic change to ensure they remain reflective of the school's local community. If alterations to existing catchment areas are required the Council must consult on proposed changes within the required admissions consultation timeframes, as set out in paragraph 17 each year.

Removing catchment area for admission to lower schools in Leighton Buzzard

44. Leighton Buzzard town is currently divided into catchment areas for the 11 community lower schools the town. Pulford VA Lower, the twelfth lower school in the town, is the only school that does not currently operate a catchment area as admission to the school is based on faith. As a Voluntary Aided School, it is the school's Governing Body who are responsible for their admission arrangements.
45. Of the three lower schools which serve the surrounding villages, two are community schools; Hockliffe Lower and Stanbridge Lower and the proposed oversubscription criteria would also apply to these two schools. The third, St. Leonard's Lower, is a Voluntary Aided school and therefore the school's Governing Body is responsible for their admission arrangements. The school's catchment area encompasses the civil and ecclesiastical parish of Heath and Reach.

46. The current admission model is not equitable in that there are some addresses which have three or four catchment lower schools which give some families higher priority for admission to a number of schools.
47. The number of children living in the catchment area for Greenleas School, Kestrel Way far outweighs the number of places at the school which creates unrealistic expectations for parents and distress when they are not allocated a place.
48. The allocation of catchment areas is historic. The catchment school is not necessarily the closest school to an address. Similarly, the school is not necessarily located in the centre of the catchment area.
49. Currently admission to the following community lower schools; Beaudesert Lower, Clipstone Brook Lower, Dovery Down Lower, Greenleas School (Derwent Road), Greenleas School (Kestrel Way), Heathwood Lower, Leedon Lower, Linslade Lower, Southcott Lower, St. George's Lower, The Mary Bassett Lower, Hockliffe Lower, Stanbridge Lower is as follows;
 - 1) All 'looked after' children and children who were previously 'looked after'
 - 2) Children living in the catchment area with siblings at the school
 - 3) Children living in the catchment area
 - 4) Other children with siblings at the school
 - 5) Children who live nearest to the school determined by straight line distance from the school site to the child's home address
50. To address the issues with the current model the proposed admission policy for these community lower schools is
 - 1) All 'looked after' children and children who were previously 'looked after'
 - 2) Children with siblings at the school
 - 3) Children for whom the school is their nearest lower school
 - 4) Any other children
51. The tiebreaker for determining which applicants within a criterion should be offered a place will remain as straight line distance. The distance the pupil lives from the school which is measured in a straight line, using the Local Authority's computerised measuring system, with those living closer to the school receiving the higher priority. The Local Authority will measure the distance from the address point of the pupil's home to a point on the school site agreed with the governing body of the school, which is known as the designated measuring point.

52. Each property would have just one nearest school for which they would be a priority for admission if nominated on their school place application. Parents would be able to find out their nearest lower school by entering their address details in a tool on the School Admissions pages of the Council's website.
53. 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 built. The nearest school policy removes this burden and the lag in making changes given that the consultation process for implementing changes is a two year process and therefore often means the catchment areas become ineffective and outdated during this period.
54. The main advantage of adopting the nearest school priority is that it will provide equity for all families as each address will have just one nearest school.
55. The proposed model ensures siblings are priority for admission so that siblings can attend the same school which helps parents with the logistics of the school run, allows siblings to follow the same educational path and prioritises families who already have a relationship with school.
56. Adopting the nearest school policy would bring the admission policy in line with the proposed school transport nearest school policy.
57. A further advantage if the proposed policy is that it provides a fair system based on proximity to a school and the 'market' forces for admissions rather than it be the Local Authority that determines the boundaries of where the children will be drawn from.
58. In line with legislation, parents/carer can express a preference for any school or academy they wish their child to attend. Parental preferences are based on a range of reasons such as locality of the school, the wrap around care available, siblings attending the school, the school's performance or reputation. Analysis of the Starting School 2017 admission round shows that within Leighton Buzzard town and the local villages 49% of on time applicants stated their catchment school as their first preference school. Ultimately the admission criteria for a school does not have a direct impact on a parent's school preference but does determine which pupils are offered a place at the school if it is oversubscribed.
59. Whilst the proposed oversubscription criteria would provide a more equitable system there can be no guarantee of place at the nearest school, although similarly a place cannot be guaranteed at the catchment school.

Reason for decision

60. As outlined above, the Council is required to consult on changes to its admission arrangements where these are proposed and is required to consult within the statutory timescales set out in the School Admissions Code. A decision is therefore required from the Executive to approve the commencement of the Council's consultation on the proposed changes to the admission arrangements for Leighton Middle School, Edward Peake VC Middle School, Lawnside Lower, St Andrew's Lower (East) and the thirteen community lower schools in Leighton Buzzard.

Council Priorities

61. The Council's co-ordinated admissions scheme and admission arrangements for Community and Voluntary schools supports the Council's priority to improve educational attainment.

Corporate Implications

Legal Implications

62. The School Admissions (Admission Arrangements and Co-ordination of Admissions Arrangements) (England) Regulations 2012 set out the requirement for Local Authorities to have co-ordinated admissions schemes for their areas. Where the scheme is substantially different from the scheme adopted for the previous academic year, the local authority must consult the other admission authorities in the area and any other local authorities it determines. Where the scheme has not changed from the previous year there is no requirement to consult, subject to the requirement that the local authority must consult on the scheme at least once every 7 years, even if there have been no changes during that period.
63. As the scheme proposed is not substantially different from the previous year's scheme, it is appropriate for this not to be subject to consultation.
64. The Council as an Admission Authority must also determine its admissions arrangements annually by the 28 February each year, for implementation in September of the following year.
65. The Executive is asked to approve the commencement of consultation for the proposed changes to the Council's admission arrangements for the academic year 2019/20.

66. The proposed changes outlined in this document relate to oversubscription criteria. Oversubscription criteria must be reasonable, clear, objective, procedurally fair and comply with all relevant legislation, including equalities legislation. Admission authorities must ensure that their arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs.
67. With regard to oversubscription criteria in general, it is for the Council to decide which criteria would be most suitable to the school according to the local circumstances.
68. If an Admissions Authority proposes to make amendments to its arrangements (with the exception of certain changes to Published Admissions Numbers), it must consult with interested parties between the 1 October and the 31 January for a minimum of 6 weeks of the year before the arrangements apply. With regard to the changes proposed, consultation should commence from 1 October 2017.
69. The changes proposed to the seventeen community and voluntary controlled schools as outlined in this report are changes subject to consultation.
70. Consultation must include the parties listed in paragraph 16 above. For the duration of the consultation period, the Council must publish a copy of its full proposed admission arrangements on its website together with details of the person within the Council to whom comments may be sent and the areas on which comments are not sought. The Council must also send upon request a copy of the proposed admission arrangements to any of the persons or bodies listed at paragraph 20 above, inviting comment. Failure to consult effectively may be grounds for subsequent complaints and appeals.
71. The Council will fulfil its statutory responsibilities above by consulting within the timescales set out. Feedback from all consultees will be reported in February 2018 to Executive to determine the Council's admission arrangements for the academic year 2019/20.
72. Once the Council has determined its admission arrangements, it must notify the appropriate bodies, that is, all other admission authorities within the relevant area, the governing body where it is not the admission authority and the religious representative of schools with a religious character.
73. The Council must publish a copy of the determined arrangements on its website, displaying them for the whole offer year.

Financial Implications

74. Although not a direct link, the recent consultation on school transport eligibility to the nearest suitable school, rather than catchment school, correlates with the proposed policy in this report of removing catchment areas for lower schools in Leighton Buzzard.

Equalities Implications

75. 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.
76. 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 consultation on the Admissions Arrangements 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.

Conclusion and next Steps

77. It is a necessary requirement for the Council to consult on its admission arrangements where changes are proposed and to formulate a co-ordinated scheme for admission by 1 January in the determination year.
78. The proposed co-ordinated admissions scheme has been drawn up with regard to the national closing and offer dates for the academic year of 2019/20, taking into account the necessary timescales to process and allocate places working with the schools and academies in Central Bedfordshire to meet the deadlines
79. The next steps are for the Council to undertake the consultation within the statutory timeframes engaging with all the relevant parties to ascertain views on the proposed admission arrangements for Community and Voluntary Controlled schools of which the Council is the admissions authority for.
80. Responses to the consultation will be reported in February 2018 to the Executive to determine the Council's admission arrangements for the academic year 2019/20. As a result, the Council's admission arrangements will be determined before 28 February 2018 as required by the regulations.

Appendices

The following appendices are attached through an electronic link:

81. Appendix 1 – Proposed Community and Voluntary Controlled schools Admissions Policy and PANs 2019/20.
82. Appendix 2 – Lower, Primary and Middle 2019/20 co-ordinated admissions scheme.
83. Appendix 3 – Secondary and Upper 2019/20 co-ordinated admissions scheme.
84. Appendix 4 – Lawnside Lower and St. Andrew's Lower (East) – current and proposed catchment boundary line.
85. Appendix 5 – Confirmation of Religious Affiliation form.

Background Papers

86. The following background papers, not previously available to the public, were taken into account and are available on the Council's website:
 - (i) Equality Impact Assessment.