

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member for Education
Date:	21 February 2018
Title:	Determination of 2019/20 admission arrangements
Report From:	Director of Children's Services

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1. Recommendation(s)

1.1. That the Executive Member for Education approve the proposed admission arrangements for the admission rounds for applying for school places in the academic year 2019/20. The admission arrangements have gone through the approved consultation process and have been recommended by Hampshire's Admission Forum and are documented in:

- the revised admission policies for community and voluntary controlled (VC) schools set out in Annexes A, B, C, D and E the school specific criteria listed in Annexe F;
- the 2019 published admission numbers (PANs) for community and VC schools set out in Annexes G and H;
- the review of some community and voluntary controlled school catchments, set out at Annexes I, J, K, L and M;
- the admission policy for Nursery Units attached to maintained schools set out in Annexe N.

1.2. That the Director of Children's Services, having regard to any advice from the Admission Forum, be given delegated authority to amend the list of school specific criteria as appropriate during the course of the academic year; in consultation with the Executive Member.

2. Executive Summary

2.1. 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 2019, following advice from Hampshire's Admission Forum, schools and other interested parties.

2.2. This paper seeks to set out the legislative background to the project, look at the key issues behind the proposed changes and present the detail of the proposed admission arrangements.

3. Contextual information

- 3.1. 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).
- 3.2. The County Council is the admission authority for all community and voluntary controlled schools within Hampshire and is therefore responsible for determining the 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 2019/20 by 28 February 2018 and to have notified other admission authorities and published the admission arrangements on their website by 15 March 2018.
- 3.3. 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. Separate policies for junior schools which are in a federation with their linked infant school and for all-through schools (with the age range 4-16) have also been devised (for first implementation in September 2018). The admission arrangements also include the published admission number (PAN) for each community and voluntary controlled school.
- 3.4. Admissions authorities must consult by 31 January 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 2019 admission policies and PANs has been carried out in two phases:
 - 25 September – 20 October 2017: consultations with schools on the co-ordinated scheme, PANs and the proposed admission policies;
 - 04 December 2017 - 20 January 2018: 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.

3.5. Throughout the consultation for 2019/20 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 September 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.

3.6. The Admission Forum, which ceased to be a statutory body in February 2012, has been maintained by the LA because of the vital scrutiny role that it provides and the Executive Member for Education 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 2019/20 arrangements was considered at the September and November meetings of the Hampshire Admission Forum.

4. Finance

4.1. There are no direct financial implications related to the proposed changes to the admission arrangements although it should be recognised that the admission arrangements are a vital component of the County Council's school place planning function.

5. Performance

5.1. The proposed changes to the Co-ordinated Scheme, detailed in paragraph 7.4, will enable late applicants in the main admissions rounds to submit their applications online, (where previously they have been required to complete a paper application form) which support the County Council's digital program and will provide administrative efficiencies and small savings. Additionally, the reduced time-scales for the processing of late applications will improve the service provided to schools and parents who will receive the outcome of a late application earlier.

5.2. The annual review of Admission numbers and subsequent proposal of a reduction to a lower number for the identified schools, will better support those schools in managing their budget pressures and in making efficient use of resources.

6. Consultation and Equalities

- 6.1. There have been five responses to the public consultation on the County Council's proposed changes to the admission policy over-subscription criteria and PANs for 2019/20. All five responses were from Hampshire headteachers; one secondary school academy and four primary phase schools for whom the County Council is the admissions authority. Three of the respondents were seeking further clarity on the proposed change to the medical criterion, with concern that the social aspect being proposed would result in a significant increase in parental claims under the criterion. Another respondent has indicated their support for the proposed PAN reduction at St James' CE Primary School, Emsworth, from 34 to 30 to support the school's budget management; one respondent expressed their support for the change to the linked criterion proposed in the secondary school policy and the remaining response was asking for clarity on the 'displaced sibling' arrangement which has been in the policy since September 2014. No comments received have been against the introduction of any of the proposed changes to the policies or PANs.
- 6.2. For the catchment area reviews detailed at Annexes I, J, K, L and M, each schools' governing body has been consulted and affected families written to ahead of the statutory consultation on the proposed arrangements. There were 26 responses to these consultations and these are included at Annexe O:
- 6.3. Hounsome Fields and Kennel Farm developments, in Basingstoke (details at Annexe I); the consultation received no responses.
- 6.4. Leep Lane, The Haven and housing North of Clayhall Road, in Gosport (details at Annexe J); the consultation received one response which was fully supportive of the proposed catchment change.
- 6.5. Land South of Bursledon Road, Land at Jurd Way/West of Hamble Lane (Kingfisher Grange), Land North of Cranbury Gardens and Berry Farm developments, in Eastleigh Borough (details at Annexe K); the consultation received 18 responses: 13 responses supported the proposed shared catchment areas; two responses preferred option two; two responses objected to any of the proposed changes and one response expressed no preference.
- 6.6. Land East of Dodwell Lane (Latitude) and all existing properties directly East of Dodwell Lane, in Eastleigh Borough (details at Annexe L); the consultation received five responses, all of which were supportive of the proposed catchment change.
- 6.7. Land East of Sovereign Drive and Precosa Road, the Boorley Park and Crows Nest developments, in Eastleigh Borough (details at Annexe M); the consultation received two responses which were fully supportive of the proposed shared catchment area.
- 6.8. 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.

7. Other Key Issues - *the detail behind the proposed changes*

7.1 The informal consultation with all Hampshire schools carried out during the autumn term 2017, provided an opportunity for governing bodies, administrative staff and headteachers to provide feedback and express a view as to whether they would support proposed changes in Hampshire's admissions arrangements for 2019. The consultation, which was published to all schools, was conducted online and asked respondents to declare their role and school status before responding to a series of closed questions with the opportunity to provide further comment.

7.2 There were 48 responses from 44 schools (under 9% of schools in the County), from a mix of head teacher and governing body responses (of which 41 were from Community and voluntary controlled schools).

7.3 The following features were recommended for consultation with schools by the Admission Forum:

- a review of the co-ordinated scheme
- a revision of the medical criterion to include social reasons and to specify what evidence would be accepted to support any applications under the criterion
- an amendment to the linked school criterion in the secondary policy

7.4. A review of the Co-ordinated Scheme

The Co-ordinated Scheme sets out general principles and key actions in the administration of the main admissions round and refers to the processes for handling all applications received up to and including 31 August 2019 for a school place in the year of entry September 2019. Each year all local authorities must formulate a scheme which details how main round applications will be co-ordinated and to which all publicly funded schools within their area will comply. Where there are no changes to the scheme the local authority must consult on the scheme at least once every seven years. Where the scheme is substantially different from the previous academic year, the local authority must consult the other admission authorities in the area and neighbouring local authorities. There is no requirement for wider/public consultation and the Executive Member for Education is not required to determine the proposed changes.

7.5. Schools were asked about their experience of delays in processing late main round applications (those received after the national closing date) and for their views on changes to the timescales for processing late applications removing the 15 day delay to processing applications which was the design of the existing scheme. The proposal would be supported by a move to online late applications removing the administrative requirement to input paper applications into the admissions system. The Admissions team has found it very difficult to recover that catch up period with the impact being that parents

have to wait for their outcomes and potentially miss out on schools' induction sessions.

7.6. The majority of schools were supportive of the proposed change to the timescales for administering late applications. The Admissions Forum recognised the support from schools for this change. No comments have been received from other admission authorities or neighbouring LAs concerning the proposed changes to the scheme and therefore it has been agreed by senior officers.

7.7. Infant/primary, junior, secondary and all-through admissions policies for community and voluntary controlled schools 2019/20 (Annexe A, Annexe B, Annexe C, Annex D and Annex E)

Admission policies set out how applications for each school are prioritised and provide key dates for the year in question.

7.8. Schools were asked to consider whether they would support a change to the medical criterion from "*serious medical, physical and psychological condition*" to "*a serious medical or social need*", to reflect the LA's wish to be able to consider evidence from non-medical professionals such as social care or education professionals who may wish to support the priority of an application for exceptional social reasons. Additionally in order to ensure compliance with the School Admissions Code (SAC), '*clear details about what supporting evidence will be required*' was added to the proposed policy. The majority of schools indicated their agreement to this change, but there were 11 schools that were concerned that the criterion could be applied too widely, thus increasing the number of children that would be eligible under the criterion. Admissions Forum considered schools responses and concerns and consequently the criterion was amended to identify from whom evidence would be accepted and a guidance note was also added to provide further clarity for applicants:

'Medical need' does not include mild medical conditions, such as asthma or allergies. 'Social need' does not include a parent's wish that a child attends the school because of a child's aptitude or ability or because their friends attend the school.

This guidance was further expanded in light of obligation in the Code for admission authorities to "*set out in their arrangements how they [applicants] will define this need*". This additional guidance should address the concerns of those in schools.

Under the current process many applications are received seeking to apply the medical criterion but only a very few are approved as it is a high bar to prove it is essential the child attends the preferred school. In the same way, applications under the new proposed medical criterion for 2019 would also be measured against the same high bar. Each case is considered by a panel of officers as well as by the school and should anyone conclude that the medical criterion does not apply, then the application is considered under the other over-subscription criteria, whichever are applicable.

Forum recommends, based on school responses and those of senior officers, that the proposed amendments to the medical criterion should be agreed within the County Council's policy for 2019.

- 7.9. Schools were asked to consider an amendment to the **linked school criterion in the secondary policy** to make it consistent with the linked criterion in the junior school policy. The junior school policy refers to "children living out of the catchment area of the school who *at the time of application* are on the roll of the linked infant school". The words "at the time of application" are not included in the linked school criterion of the secondary policy. The proposed change would ensure that applicants who are refused a place at their linked secondary school in the main admission round for Year 7 retain their linked school status on the waiting list for one academic year after the end of the main admission round (i.e. until the end of Year 7). The majority of schools who responded to the consultation supported the proposed change to the County's secondary admission policy.

Forum recommends, based on school responses and those of senior officers, that the proposed amendments to the linked school criterion should be agreed within the County Council's secondary policy for 2019.

7.10. **School specific criteria** (Annexe F)

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.

- 7.11. 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.
- 7.12. Annexe F lists all proposed school specific criteria for 2019, supported by the Admission Forum who considered these at their November and January meetings. **The list given at Annexe F, therefore, is recommended with the support of the Admission Forum to the Executive Member for his agreement.**
- 7.13. **Published Admission Numbers (PANs) for infant/primary, junior and secondary schools** (Annexe G and Annexe H)

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 November 2017, Hampshire Admission Forum considered all PANs where a

change from the 2018 figure is proposed. The enclosed tables for primary phase schools (Annexe G) and secondary schools (Annexe H) give the PAN for 2018 and the proposed PAN for 2019. 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.

- 7.15. It is proposed that the PAN for nine primary phase schools and two secondary schools increase in line with strategic planning of places or when requested by schools. It should be noted that there is also a proposal to reduce the PAN at 17 primary phase schools, shown at Annexe G and one secondary school shown at Annexe H. Each schools' governing body has 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.
- 7.16. 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.

8. Catchment area reviews (Annexe I, J, K, L & M)

- 8.1. The SAC states that a catchment area is a geographical area, from which children may be afforded priority for admission to a particular school. A catchment area is part of a school's admission arrangements and must therefore be consulted upon, determined and published in the same way as other admission arrangements. Catchment areas must be designed so that they are reasonable and clearly defined. Catchment areas do not prevent parents who live outside the catchment of a particular school from expressing a preference for the school. Hampshire's admission arrangements include catchment areas to reinforce the LA's commitment to ensuring that, as far as possible, schools serve their local community.
- 8.2. Every year, the LA must, as part of its school place planning function, ensure that there are sufficient school places for Hampshire residents and for any new communities arising from housing development. Where the development is sufficient in scale to require a new school to be built the LA will follow up all relevant guidance in relation to establishing an academy (free school) via the 'free school presumption'. The LA must then review the catchment areas of any surrounding community and voluntary controlled schools to ensure that they remain reasonable: ensuring extended communities are not fractured by a catchment boundary; the forecast size of the child population for the area can be accommodated within the school's capacity and that the new school has an established area that they might operate as a catchment area within their admission arrangements.
- 8.3. It should be noted that there is a proposal to change the catchment areas of the identified local schools at the following five locations in Hampshire:

- North Waltham Primary School, Kempshott Infant School, Kempshott Junior School, Brighton Hill Community School and Aldworth School in Basingstoke, in response to a review of the school provision to accommodate the new Hounsme Fields and Kennel Farm developments (details at Annexe I);
- Haselworth Primary School and Alverstoke Community Infant School in Gosport, in response to a review of the school provision to accommodate Leep Lane, The Haven and housing North of Clayhall Road (details at Annexe J);
- Netley Abbey Infant, Netley Abbey Junior School, Bursledon CE Infant School and Bursledon Junior School within the Eastleigh Borough, in response to a review of the school provision to accommodate the new Land South of Bursledon Road, Land at Jurd Way/West of Hamble Lane (Kingfisher Grange), Land North of Cranbury Gardens and Berry Farm developments (details at Annexe K);
- Bursledon CE Infant School, Bursledon Junior School and Kings Copse Primary School within the Eastleigh Borough, in response to a review of the school provision to accommodate the new housing at Land East of Dodwell Lane (Latitude) and all existing properties directly East of Dodwell Lane (details at Annexe L);
- Botley CE (Controlled) Primary School, Freegrounds Infant School, Freegrounds Junior School, Wildern Academy Trust (sponsor of the new primary free school at Boorley Park) within the Eastleigh Borough, in response to a review of the school provision to accommodate the new housing at Land East of Sovereign Drive and Precosa Road, the Boorley Park and Crows Nest developments (details at Annexe M).

8.4. For six of the affected schools, transitional arrangements are proposed to support the admission of siblings of families whose catchment will change as a result of the proposed catchment change. These are detailed in the proposed school specific criteria at Annex F.

9. Nursery Policy (Annexe M)

9.1. There are no proposed changes to the Nursery policy for 2019.

10. Objecting to admission arrangements determined by schools which are their own admission authority (OAA schools)

10.1. 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.

10.2. 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.

- 10.3. 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.

11. Future direction

- 11.1. The County Council's Admission Arrangements will be subject to review again in the autumn term 2018, when the statutory timeframes for consulting on the arrangements for 2020 commence.

CORPORATE OR LEGAL INFORMATION:**Links to the Strategic Plan**

Hampshire maintains strong and sustainable economic growth and prosperity:	yes
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	yes
People in Hampshire enjoy being part of strong, inclusive communities:	yes

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. Equality Duty

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2. Equalities Impact Assessment:

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.

- (a) By its very nature, the purpose of a school admission policy is to prioritise one group of children over another based on a set of 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. All of the admission criteria proposed in Hampshire's admission arrangements for 2019 are permissible in the School Admissions Code (DfE 2014) and therefore do not breach equality legislation.

2. Impact on Crime and Disorder:

2.1. Crime and disorder objectives are not considered to be adversely affected by the proposals of this report.

3. Climate Change:

- a) How does what is being proposed impact on our carbon footprint / energy consumption?

Having locally available school places, with suitable admissions policies, enables children to attend their most local school and so minimises travel to school.

- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

Not applicable