

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member for Education
Date:	21 February 2023
Title:	Determination of 2024/25 Admission Arrangements
Report From:	Director of Children's Services

Contact name: Nick Sadler, Head of Admissions

Tel: 0370 779 5375

Email: Nicholas.sadler@hants.gov.uk

Purpose of this Report

1. The purpose of this paper is to inform the Executive Member for Education on the consultation carried out regarding the admission arrangements for the main admissions round for entry to school in September 2024, following advice from Hampshire's Admission Forum, schools, and other interested parties.

Recommendation(s)

2. That the Executive Member for Education approve the proposed admission arrangements for the admission rounds for applying for school places in the academic year 2024/25. The admission arrangements have gone through the approved consultation process and have been recommended by Hampshire's Admission Forum and are documented in:
 - the admission policies for community and voluntary controlled (VC) schools set out in Annexes A, B, C, D and E, as well as the school specific criteria listed in Annexe F;
 - the 2024 published admission numbers (PANs) for community and VC schools set out in Annexes G and H;
 - the review of Red Barn Community Primary School, Northern Infant School and Northern Junior School catchments, set out in Annexe (I)
 - the admission policy for Nursery Units attached to maintained schools set out in Annexe J.

Executive Summary

3. This report sets out the legislative background to the project, looks at the key issues behind the proposed changes and presents the detail of the proposed admission arrangements.

Contextual Information

4. The School Admissions Code came into force on 1 September 2021. A new School Admission Appeals Code came into force on 1 October 2022. There were no proposed changes to the oversubscription criteria provided in the admission policies for community and voluntary controlled schools as part of the statutory public consultation that commenced on 14 November 2022, when compared to the 2023/24 admission policies.
5. 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. the local authority for community and voluntary controlled schools and the governing body or Academy Trust for own admission authority schools: voluntary aided, foundation and trust schools and Academies, referred to in this report as OAA schools) to determine their school admission arrangements for 2024/25 by 28 February 2023 and to have notified other admission authorities and published the admission arrangements on their website by 15 March 2023.
6. 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 Local Authority's (LA) 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 forms 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. One community secondary school has an appropriate policy for admission to their sixth form. 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 established. The admission arrangements also include the published admission number (PAN) for each community and voluntary controlled school.
7. 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 2024 admission policies and PANs has been carried out in two phases:
 - **5 September – 16 September 2022:** consultations with schools on PANs and school specific criteria.
 - **14 November – 30 December 2022:** 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.

8. On 13 December 2022, the Office of the Schools Adjudicator (OSA) published a variation determination relating to a catchment change for a Hampshire voluntary aided school as part of their admission arrangements. In that variation determination, they considered that several of the arrangements did not conform to what the School Admissions Code requires, and that the governing body were required to revise their arrangements by 28 February 2023 in order that they be compliant. Three of these arrangements were adopted from the admissions policies for community and voluntary controlled schools. Therefore, the Local Authority has sought legal advice and advice from the OSA, as to how it can give effect to this variation in the community and voluntary controlled policies and reflect the mandatory provisions of the School Admissions Code.
9. The LA has been advised that admission arrangements can be revised for the 2022/23 and 2023/24 arrangements under regulation 19 of The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations, both to give effect to the mandatory requirements of the School Admissions Code, but also the decision of the adjudicator outlined above. Due to the timing of this determination, these changes were not part of the consultation, but the draft policies have been updated to reflect the decision of the adjudicator. The details of these variations are provided in paragraph 34 of this report.
10. Throughout the consultation for 2024/25 admissions, special attention has been paid to the consultations on PANs to find an appropriate balance between the effective management of school places and the successful expression of parental preference. The consultation in September 2022 gathered information on individual schools' requests to change their PAN and schools were asked whether they would like to request an amendment, removal, or additional school specific criterion for their policy. All proposed changes were 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.
11. The Admission Forum, which ceased to be a statutory body in February 2012, has been maintained by the Council because of the vital scrutiny role that it provides. 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 Council officers and meets three times a year to consider issues relating to school admissions. The statutory consultation process for the 2024/25 arrangements was considered at the October and January meetings of the

Hampshire Admission Forum, and information about the OSA's variation determination was shared with the Admission Forum at the January meeting.

Finance

12. There are no financial implications.

Performance

13. 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.

Consultation and Equalities

14. There have been no responses to the County Council's proposed PANs for 2024/25.
15. There have been no responses to the County Council's proposed admission policy over-subscription criteria.
16. For the catchment area review detailed at Annexe (I), each schools' governing body has been consulted and affected families written to ahead of the statutory consultation on the proposed arrangements. There have been no responses to the County Council's proposed catchment change at Downend Road for 2024/25.
17. There have been seven responses relating to other issues raised by consultees. One comment was related to the catchment area for Froxfield CE Primary School, alerting the Admission Forum and Executive Member to a potential anomaly in the local catchment areas, which for the school requires a possible adjustment.
The other six comments related to the admission arrangements for The Wavell School, in particular their catchment area and their linked schools, and the Wellesley housing development in Aldershot. Four of the six responses related to the catchment status of the Wellesley housing development in Aldershot, requesting that it be included in The Wavell School catchment area. Two of those responses also requested that the Canal Estate in Aldershot be included in The Wavell School catchment area. One response raised queries about the number of secondary places needed by the development, and another response requested that the Farnborough Town Centre development and the Blandford House/Malta Barracks site be included in The Wavell School catchment area. All these comments and responses are included as Annexe (K (a - c)).

Land to the East of Downend Road, Portchester

18. There were no responses received in the case of annexe (I) which is the proposed catchment change resulting from the land to the East of Downend Road, Portchester development.
19. This proposed change to the schools' catchment areas arises from the planned new housing site on the land to the East of Downend Road. The proposal is that children living in the new housing and in a small number of existing houses, will not have catchment priority at Red Barn Community Primary School from September 2024, instead having catchment priority at Northern Infant School and Northern Junior School. Forecast data indicates surplus places in the Northern schools. It is anticipated that new pupils from the development should be able to secure a local school place, and no additional places will be needed at the primary phase or secondary phase as forecasts suggest the local schools will be able to accommodate. There is significant intake at the Northern schools from Portsmouth which could be "displaced" back to Portsmouth if local numbers increase. Transitional arrangements to 2027 are proposed to support the admission of siblings in families whose catchment will change because of the proposed catchment change.

Other Key Issues

20. The informal consultation with all Hampshire Community and Voluntary Controlled schools carried out during September 2022, provided an opportunity for governing bodies, and Headteachers to indicate whether they wished to change their PAN for the 2024/25 academic year and whether they would like to retain, change or to request a new school specific criterion for their school's admissions policy. With no significant changes being proposed in Hampshire's admissions arrangements for 2024, schools were not asked for their views on any other policy changes.

Infant/primary, junior, secondary and all-through admissions policies for community and voluntary controlled schools 2023/24 (Annexes A, B, C, D and E)

21. Admission policies set out how applications for each school are prioritised and provide key dates for the year in question.
22. The Admissions Forum was asked at their meeting in October 2022 whether they would support the inclusion of an additional paragraph in the 'Additional Information' section of each school's admission policy as follows:

Appeals

All applicants refused a place have a right of appeal to an independent appeal panel constituted and operated in accordance with the School Admission Appeals Code. For information about the appeal process, including how to lodge an appeal, please visit:

<https://www.hants.gov.uk/educationandlearning/admissions/guidance/appeals>

There is no proposal to change access to appeals, but this is included to better inform parents as to their right of appeal if they are refused a place at the school.

23. There were no other changes that the Admission Forum was asked to support at their meeting in October 2022.

The additional appeal wording, and the policies provided in Annexes A, B, C, D and E are recommended with the support of the Admission Forum to the Executive Member for his agreement.

School specific criteria (Annexe F)

24. The County Council's policies apply to admissions for 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 local authority's 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 measuring by straight line) to suit local circumstances, or a criterion giving priority to children attending the linked infant school.

25. The need to centralise the administration of the main admissions round makes it more difficult to accommodate school specific criteria. Schools are advised that inclusion of a school specific criterion in their school policy may require them to directly support the processing of applications to the school. Annexe F lists all proposed school specific criteria for 2024, supported by the Admission Forum who considered these at their October and January meetings. It is proposed that the Razors Farm Development school specific criterion, in the Sherborne St John CE Primary School policy be removed from their policy as the transitional arrangement will no longer be needed. However, there is a proposal for inclusion of a school specific criterion in the admission policy of Brockenhurst CE Primary School to give priority to children attending the school's on-site pre-school. There is also a school specific criterion relating to the school affected by the proposed catchment change at the land to the East of Downend Road.

The list given at Annexe F, therefore, is recommended with the support of the Admission Forum to the Executive Member for his agreement.

Published Admission Numbers (PANs) for infant/primary, junior and secondary schools (Annexe G and Annexe H)

26. 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 October 2022, Hampshire Admission Forum considered all PANs where a

change from the 2022 figure was proposed. The enclosed tables for primary phase schools (Annexe G) and secondary schools (Annexe H) give the PAN for 2023 and the proposed PAN for 2024. 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.

27. It is proposed that the PANs for two primary phase schools increase in line with strategic planning of places or as requested by the school. It is also proposed that there be increased or new specialist resourced SEN provision at four primary phase schools. These have been highlighted in green, on Annexe G and H. It should be noted that there is also a proposal to reduce the PAN at seven primary phase schools, which are highlighted in red on the annexed documents. Each school's 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 local school places for residents.
28. The governors of community and voluntary controlled schools can 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.

The list given at Annexes G and H, therefore, is recommended with the support of the Admission Forum to the Executive Member for his agreement.

Catchment Area Reviews (Annexe I)

29. The School Admissions Code 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.
30. 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.

31. It should be noted that there is a proposal to change the catchment areas of the following schools: Red Barn Community Primary School, Northern Infant School and Northern Junior School (detailed in paragraphs 16 to 17 above and in Annexe I).
32. Transitional arrangements are proposed to support the admission of siblings in families whose catchment will change because of the proposed catchment change.
33. The LA has reviewed the catchment areas for The Wavell School and Froxfield CE Primary School, following the comments from consultees. As part of its school place planning function, the Council is satisfied that in both areas, there are sufficient school places for Hampshire residents and for the new community arising from the Wellesley housing development and considers that they remain reasonable catchment areas. Therefore, the LA is not proposing to make any changes to either of these catchment areas. For Froxfield CE Primary School, surplus forecast numbers are such both for the school and the local planning area, that they suggest use of the oversubscription criteria in the main round is unlikely, and such a change will not be of a benefit to the school, whilst potentially disadvantaging other local schools further. For The Wavell School, the Wellesley housing development is currently served by Alderwood School as its catchment school. This school currently has spare capacity. Whilst between 4 and 5 additional forms of entry are anticipated to be needed once the Wellesley development has been completed, an extension to Alderwood School is proposed to open in 2025, which will provide an additional two forms of entry. This will incorporate some of the existing surplus space at the school as well as new accommodation and will be funded by a proportion of available developer contributions. It is anticipated that further secondary demand will be required once the year 6 cohort at the second (eastern) primary school transfers to year 7. Based on the current programme, this would not be before 2032. If additional accommodation is required at this point, and if it is concluded that the Alderwood site is then at capacity, the Council could consider the expansion of The Wavell School and any potential catchment changes necessary.

The catchment area change provided in Annexe I, therefore, is recommended with the support of the Admission Forum to the Executive Member for his agreement.

Admission policies for infant/primary, junior, secondary and all-through community and voluntary controlled schools

34. Whilst there were no proposed changes to the oversubscription criteria provided in the admission policies for infant/primary, junior, secondary, and all-through schools in the public consultation when compared to the 2023/24 admission policies, the Local Authority is required to change three elements of its admission arrangements to give effect to the determination of the schools adjudicator.

Tenancy agreement – Previous arrangements have required a signed tenancy agreement usually for 12 months. The varied arrangements will now ask just for a signed tenancy agreement.

Permanent residence – Previous arrangements have not indicated how the circumstances where a child's time is divided evenly between parents in the case of separated families will be considered. The varied arrangements now make clear how this will be dealt with, in particular the evidence that will be sought when parents are in dispute.

Children or families with an exceptional medical and/or social need – Previous arrangements have limited this criterion to the normal admissions round only. The varied arrangements now allow evidence to be submitted with in-year and late applications, and that this criterion can be considered outside the normal admissions round.

Admission policy for Nursery Units (Annexe J)

35. There are no proposed changes to the Nursery policy for 2024.

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

36. 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.

37. 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.

38. Local authorities must refer an objection to the Schools Adjudicator if they are of the view that a PAN reduction will create a shortage of school places in an area or suspect that the admission arrangements that have been determined by OAA schools in its area are unlawful. *Objections to a decision by an academy or other OAA school to increase or keep the same PAN cannot be brought. 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 any other aspect of an OAA school's admission arrangements will be considered by the Schools Adjudicator.

Future direction

39. The County Council's Admission Arrangements will be subject to review again in the autumn term 2023, when the statutory timeframes for consulting on the arrangements for 2025 commence.

Climate Change Impact Assessment

40. Hampshire County Council utilises two decision-making tools to assess the carbon emissions and resilience impacts of its projects and decisions. These tools provide a clear, robust, and transparent way of assessing how projects, policies and initiatives contribute towards the County Council's climate change targets of being carbon neutral and resilient to the impacts of a 2°C temperature rise by 2050. This process ensures that climate change considerations are built into everything the Authority does.
41. The decision for this report is to confirm the proposed admission arrangements for the admission rounds for applying for school places in the academic year 2024/25. The carbon mitigation tool and/or climate change adaptation tool was not applicable because the decision to be made is strategic/administrative in nature.

Conclusions

42. That the proposed admission arrangements for the admission rounds for applying for school places in the academic year 2024/25 in annexes A – J are recommended to the Executive Member for Education as they have gone through the approved consultation process and have been recommended by Hampshire's Admission Forum.

REQUIRED CORPORATE AND 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

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

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 by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard to:

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

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 considered when applying the published policy an equality impact assessment has been undertaken.

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 the admission criteria proposed in Hampshire's admission arrangements for 2024 are permissible in the School Admissions Code (DfE 2021) and therefore do not breach equality legislation.