

HAMPSHIRE COUNTY COUNCIL

Decision Report

| | |
|------------------------|--|
| Decision Maker: | Executive Member for Education and Skills, Human Resources and Performance |
| Date: | 22 February 2019 |
| Title: | Determination of 2020/21 admission arrangements |
| Report From: | Director of Children's Services |

Contact name: Ros Capey

Tel: 01962 846234

Email: rosalind.capey@hants.gov.uk

1. Recommendation(s)

- 1.1. That the Executive Member for Education and Skills, Human Resources and Performance approve the proposed admission arrangements for the admission rounds for applying for school places in the academic year 2020/21. 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 2020 published admission numbers (PANs) for community and VC schools set out in Annexes G and H;
 - the review of Nightingale Primary school catchment, set out at Annexe I;
 - the revised admission policy for Nursery Units attached to maintained schools set out in Annexe J.
- 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 2020, 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 2020/21 by 28 February 2019 and to have notified other admission authorities and published the admission arrangements on their website by 15 March 2019.
- 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 established. 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 2020 admission policies and PANs has been carried out in two phases:
- 24 September – 19 October 2018: consultations with schools on PANs and the proposed admission policies;
 - 06 December 2018 - 25 January 2019: 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 2020/21 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 in certain areas of the county and this has led to local pressures. 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 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.
- 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. 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 2020/21 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 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 no responses to the public consultation on the County Council's proposed admission policy over-subscription criteria and PANs for 2020/21.
- 6.2. For the review of Nightingale Primary School catchment area, detailed at Annexe I, the school's governing body has been consulted and affected families written to ahead of the statutory consultation on the proposed arrangements. The governing body of the school raised no objections to

the proposed changes to the school's catchment area and no responses have been received from parents.

- 6.3. 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 2018, was conducted online and asked respondents to declare which school they were responding on behalf of. Schools were asked to indicate if they wished to change their PAN for 2020 and Community and Voluntary Controlled schools were asked whether they would like to request an amendment, removal or additional school specific criterion for their policy. No other changes were proposed to the County's admission arrangements.

- 7.2 There were responses from 70 schools.

7.3 School specific criteria (Annexe F)

The County Council's admission policies apply to all community and voluntary controlled schools within Hampshire. The Admission Forum recognises 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.

- 7.4 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.

- 7.5 Annexe F lists all proposed school specific criteria for 2020, supported by the Admission Forum who considered these at their November meeting.

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

7.6 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 2018, Hampshire Admission Forum considered all PANs where a change from the 2019 figure is proposed. The enclosed tables for primary phase schools (Annexe G) and secondary schools (Annexe H) give the PAN for 2019 and the proposed PAN for 2020. 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.

- 7.7 It is proposed that the PAN for eight primary phase schools and one secondary school increases in line with strategic planning of places or as requested by the school. 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 **eight** primary phase schools and **two** secondary 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 school places for local residents.
- 7.8 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)

- 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 area of Nightingale Primary School, within the Eastleigh Borough to take account of planned new housing at North Stoneham Park including a proposed new Primary Free School. Hampshire County Council has been in discussion with the local school, Nightingale Primary School and the University of Winchester Academy Trust (approved sponsor for the new primary free school at North Stoneham Park) in order to consider appropriate catchment arrangements for each school.
- 8.4. Transitional arrangements are proposed to support the admission of siblings in 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 J)

- 9.1. The review of the Nursery policy for maintained settings has resulted in some changes from the 2019 version, to make it more informative to parents. It has not resulted in any changes to the oversubscription criteria.

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.
- 10.3. 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.

11. Future direction

- 11.1. The County Council's Admission Arrangements will be subject to review again in the autumn term 2019, when the statutory timeframes for consulting on the arrangements for 2021 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 2020 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