

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Member for Education and Skills
<b>Date:</b>	26 February 2020
<b>Title:</b>	Determination of 2021/22 admission arrangements
<b>Report From:</b>	Director of Children's Services

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#### Purpose of this Report

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 2021, following advice from Hampshire's Admission Forum, schools and other interested parties.

#### Recommendation(s)

2. That the Executive Member for Education and Skills approve the proposed admission arrangements for the admission rounds for applying for school places in the academic year 2021/22. 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 2021 published admission numbers (PANs) for community and VC schools set out in Annexes G and H;
  - the review of Great Binfields Primary school and Sherbourne St John CE Primary School catchments, in Basingstoke, set out at Annexe I;
  - the review of Four Lanes Infant and Junior schools, Chineham and Bramley Church of England Primary School, catchments, set out at Annexe J;
  - the review of Tavistock Infant school catchment, in Fleet, set out at Annexe K;
  - the review of Hamble school catchment, set out at Annexe L;

- the admission policy for Nursery Units attached to maintained schools set out in Annexe M.
3. 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 academic year, in consultation with the Executive Member.

### **Executive Summary**

4. This report 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.

### **Contextual Information**

5. 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).
6. 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 2021/22 by 28 February 2020 and to have notified other admission authorities and published the admission arrangements on their website by 15 March 2020.
7. 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 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. 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.

8. 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 2021 admission policies and PANs has been carried out in two phases:
  - **23 September – 25 October 2019:** consultations with schools on PANs and the proposed admission policies;
  - **29 November 2019 - 17 January 2020:** 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.
9. Throughout the consultation for 2021/22 admissions, special 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 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.
10. 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 2021/22 arrangements was considered at the September, November and January meetings of the Hampshire Admission Forum.

## **Performance**

11. 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

12. There have been four responses to the public consultation on the County Council's proposed admission policy over-subscription criteria and PANs for 2021/22. Three responses were from members of the public who are concerned about the admission arrangements relating to Sarisbury Junior School: their children attend Sarisbury Infant and were admitted into a larger cohort of 120 children (in four classes) and are concerned about the administration of places into the Year 3 cohort in September 2021. The LA has committed to making 120 places available at Sarisbury Junior School in September 2021, 30 places more than the PAN of 90 and the school governors have requested a 'School Specific Criterion' to prioritise the admission of in-catchment children attending the linked infant school. These parents would like the school to have a priority for all children attending the linked infant school. The fourth respondent commented on the PAN reduction at three schools in Gosport, sharing their concern that this will make it difficult for other families to secure places for all their children, as has been their experience. All comments are included as Annexe N.
13. For the catchment area reviews detailed at Annexes I, J, K and L, each schools' governing body has been consulted and affected families written to ahead of the statutory consultation on the proposed arrangements. There were eight responses to these consultations, and these are included at Annexe O:
14. Great Binfields Primary school and Sherbourne St John CE Primary School catchments, in Basingstoke, detailed at Annexe I; the consultation received one response: it does not support the proposal.
15. Four Lanes Infant and Junior schools, Chineham and Bramley Church of England Primary School catchments, detailed at Annexe J; were not consulted on beyond that with each school governing body as there are no occupant on the new development to be affected by the proposed change.
16. Tavistock Infant school catchment, in Fleet, detailed at Annexe K; the consultation received four responses: Three objected to the proposal and one did not offer support to the proposal.
17. Hamble School catchment, in Hamble, detailed at Annexe L, the consultation received two responses: Both were supportive of the proposal.
18. 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.

## Other Key Issues

19. The informal consultation with all Hampshire schools carried out during the autumn term 2019, 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 2021. 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. Respondents were also asked to indicate if they wished to change their school's PAN for 2021 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.
20. There were 53 responses in total, from a mix of head teacher, school office administrator and governing body responses (of which 41 were from Community and voluntary controlled schools: 8% of all community and voluntary controlled mainstream schools in the County).
21. The following features were recommended for consultation with schools by the Admission Forum:
  - a review of the Child of staff criterion – the addition of a clause to require the staff member is in regular employment at the school.
  - Introduction into the junior school policy of a priority for children attending a linked infant school, as a higher priority than catchment applicants.

### **Infant/primary, junior, secondary and all-through admissions policies for community and voluntary controlled schools 2021/22 (Annexes A, B, C, D and E)**

22. Admission policies set out how applications for each school are prioritised and provide key dates for the year in question.
23. Schools were asked to consider a revision to the 'Children of staff' criterion, to exclude casual staff on the payroll of the school who work infrequently, such as seasonal exam invigilators. The criterion was first introduced to the County's policy, with a low priority, for September 2014, using the wording provided in the SAC:

*1.39 Admission authorities may give priority in their oversubscription criteria to children of staff in either or both of the following circumstances:*

*a) where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made, and/or*

*b) the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.*

Hampshire's policy provides further clarity:

*'Staff' includes all those on the payroll of the school. 'Children of staff' refers to situations where the staff member is the natural or adoptive parent, the legal guardian or a resident step parent.*

For September 2018, the level of priority of the criterion in the Hampshire policy was increased to above all catchment children (after 'looked after children' and the criterion for children with medical grounds for admission) in response to recruitment and retention challenges that schools were experiencing. The numbers of children admitted under this criterion is low compared to the total intake for each school. In the last admissions round there were applications from casual staff who only worked at the school once a year but remained 'dormant' on the payroll and therefore had to be considered under the staff criterion. Consequently, Schools were asked to support the proposed amendment to the definition, to:

*'Staff' includes all those on the payroll of the school who (specific to clause (a)) have been an employee continuously for two years at the time of application. Children of staff refers to situations where the staff member is the natural or adoptive parent, the legal guardian or a resident step parent.*

**Forum recommends, based on school responses and those of senior officers, that the proposed amendments to the child of staff criterion should be agreed within the County Council's policy for 2021.**

24. Schools were asked whether they would support a priority in all community and voluntary junior school policies for children attending the linked infant school, above catchment applicants. For the last 2 years, junior schools in a hard federation with their linked infant school have given priority to children attending the linked infant, as defined in the County's federated junior school policy. This has proved a successful policy change for supporting the transition of children from the infant school through to the junior and accounts for most catchment children seeking a place at the junior school. Other junior schools have indicated that they would like to prioritise their admissions in the same way. The Admissions Forum recognise that parents whose children enter Year R at an all-through primary school have certainty about the first 7 years of their child's education. Those that start at an infant school do not. This policy change would bring some equity to families who live in an area with infant and junior schools rather than primary schools.

The Forum noted that 77% of those who responded in the consultation (41 schools) supported the proposal, but it was agreed that the proposed changes should not be taken forward to statutory consultation due to the silent majority of schools that did not respond to the consultation for what would be a significant change to Hampshire's policy for junior schools. Forum recommended that officers should contact all junior schools that responded in favour of the proposed changes and offer them the opportunity to request a 'school specific criterion' in their policy for 2021 to give linked school priority. Consequently, there were eight junior schools who submitted requests for a new 'school specific criterion', to include a priority for children at their linked infant, including Sarisbury Junior School who specifically asked for a priority for in-catchment children only attending the linked infant school. These are highlighted on Annexe F, with further details in the paragraphs 25 to 27 below.

### **School specific criteria (Annexe F)**

25. 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.
26. 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 2021, 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 her agreement.**

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

27. 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 2019, Hampshire Admission Forum considered all PANs where a change from the 2020 figure is proposed. The enclosed tables for primary phase schools (Annexe G) and secondary schools (Annexe H) give the PAN for 2020 and the proposed PAN for 2021. 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.

28. It is proposed that the PAN for two primary phase schools and three secondary schools increase 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 six primary phase schools and one secondary school, 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.
29. 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.

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

### **Catchment Area Reviews (Annexe I, J, K and L)**

30. 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.
31. 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.

32. It should be noted that there is a proposal to change the catchment areas of the identified local schools at the following four locations in Hampshire:
- Great Binfields Primary school and Sherbourne St John CE Primary School catchments, in Basingstoke, in response to a review of the school provision to accommodate the planned new housing at Cufaude Farm,(detailed at Annexe I);
  - Four Lanes Infant and Junior schools, Chineham and Bramley Church of England Primary School catchments, Bramley, Tadley in response to a review of the school provision to accommodate the planned new housing at Redlands, Basingstoke, (detailed at Annexe J);
  - Tavistock Infant school catchment, in Fleet, in response to a review of the school provision to accommodate the planned new housing at Netherhouse Copse (formally known as Grove Farm), (detailed at Annexe K);
  - Hamble School catchment, in Hamble, in response to a review of secondary school catchments covering Hamble and Hedge End to take account of a new housing development on Land East of Dodwell Lane (Latitude), (detailed at Annexe L).
33. 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.

### **Admission policy for Nursery Units (Annexe M)**

34. There are no proposed changes to the Nursery policy for 2021.

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

35. 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.

36. 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.
37. 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**

38. The County Council's Admission Arrangements will be subject to review again in the autumn term 2020, when the statutory timeframes for consulting on the arrangements for 2022 commence.

**REQUIRED CORPORATE AND LEGAL INFORMATION:**

**Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	yes
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	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 in particular 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 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 2021 are permissible in the School Admissions Code (DfE 2014) and therefore do not breach equality legislation.