

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Lead Member for Children's Services and Young People
<b>Date:</b>	24 February 2021
<b>Title:</b>	Determination of 2022/23 admission arrangements
<b>Report From:</b>	Director of Children's Services

**Contact name:** Martin Goff

**Tel:** 0370 779 8176

**Email:** Martin.goff@hants.gov.uk

#### Purpose of this Report

1. The purpose of this paper is to inform the Executive Lead Member on the consultation carried out regarding the admission arrangements for the main admissions round for entry to school in September 2022, following advice from Hampshire's Admission Forum, schools and other interested parties; and for the Executive Lead Member to make decisions on those arrangements.

#### Recommendation(s)

2. That the Executive Lead Member for Children's Services and Young People approve the proposed admission arrangements for the admission rounds for applying for school places in the academic year 2022/23. 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 2022 published admission numbers (PANs) for community and VC schools set out in Annexes G and H;
  - the review of The Hamble School, Bursledon Infant and Junior schools, and Kings Copse Primary 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 process, looks at the key issues behind the proposed changes and presents the detail of the proposed admission arrangements.

## **Contextual Information**

4. 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). The Department for Education have consulted on a proposed new Code, the timescale for it becoming effective is not known.
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. 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 2022/23 by 28 February 2021 and to have notified other admission authorities and published the admission arrangements on their website by 15 March 2021.
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 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. 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 2022 admission policies and PANs has been carried out in two phases:
  - **07 September – 02 October 2020:** consultations with schools on PANs and school specific criteria;
  - **09 November – 24 December 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 the Admission Forum and recommended by senior management in response to the informal consultation with schools.
8. Throughout the consultation for 2022/23 admissions, special attention has been paid to the consultations on PANs to find a proper balance between the effective management of school places and the successful expression of parental preference. The consultation in September 2020 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.
9. 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 three times a year to consider issues relating to school admissions. The statutory consultation process for the 2022/23 arrangements was considered at the November and January meetings of the Hampshire Admission Forum.

## Performance

10. 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

11. The public consultation on the County Council's proposed admission policy over-subscription criteria and PANs for 2022/23 received no responses except in the case of the proposed removal of the Brookfield School's school specific criterion. In previous arrangements the school specific criterion, in the event of oversubscription, gave priority to catchment children living south of a line formed by Shore Road, leading to Warsash Road, leading to Dibles Road, for a place at the school ahead of other catchment children. This school specific criterion has been a longstanding feature of the Brookfield Community School's admissions policy. It was there to support the interests of families living in this particular part of the catchment area who, in the event that on offer day in the main admissions round there was over-subscription from on-time applications from catchment families, would be forced to travel past Brookfield to an alternative school if refused a place. In recent years the Council, working with the school, have avoided refusing on-time catchment applicants. On some occasions this has been achieved by offering places over the published admission number and allowing, where possible, the year group to manage back to the admissions number when families decline their offer.
12. There were 30 responses, all objecting to the removal of the school specific criterion. All comments are included as Annexe K. The main points raised were the availability of routes from Hook with Warsash to alternative schools if children are unable to secure a place at Brookfield (because of the removal of the school specific criterion). Also, there were comments about the numbers of new homes being built in the catchment area and nearer to Brookfield.
13. There have been new housing developments and changes to roads since the time of introducing the school specific criterion. The County Council's intention is to provide sufficient offer day places at Brookfield School removing the requirement to retain the school specific criterion. This will be achieved through an annual discussion with the school's Senior Leadership Team to ensure that on-time catchment applicants are successful in their applications. The proposed Brookfield School's admission policy, without the school specific, will be fairer and clearer in how it prioritises catchment applicants as the school specific criterion will be redundant when the school is committed to accepting all on-time catchment applicants that require a place.
14. For the catchment area review detailed in Annexe I, each schools' governing body has been consulted and affected families written to ahead of the statutory consultation on the proposed arrangements. There were no responses. The proposal provides the best possible access to school places for children moving into the new development on the edge of Hedge End as, for both primary and secondary age pupils, they will have priority for their most local school.

15. No adverse impact regarding 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.

### **Other Key Issues**

16. The informal consultation with all Hampshire Community and Voluntary Controlled schools carried out during September 2020, provided an opportunity for governing bodies, and headteachers to indicate whether they wished to change their PAN for the 2022/23 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 2022, 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 2022/23 (Annexes A, B, C, D and E)**

17. Admission policies set out how applications for each school are prioritised and provide key dates for the year in question.
18. The Admissions Forum was asked at their meeting in October 2020, whether they would support a change in wording to the paragraph on multiple birth admissions in the Secondary and all-through admissions policies to make it the same wording as in the primary phase admissions policies. There is no proposal to change the way this aspect of the policy is applied; it is simply that the wording in the primary phase policies provides better clarity to the policy intentions. The existing wording:

*Where a twin or child from a multiple birth is admitted to a school under this policy then any further twin or child of the same multiple birth will be admitted, if the parents so wish, even though this may raise the number in the year group above the school's PAN.*

The proposed wording is:

*Where a twin or child from a multiple birth is offered the last place available within the PAN, any further twin or child of the same multiple birth will also be offered a place, if the parents so wish, even though this may raise the number in the year group above the school's PAN.*

**Forum recommends that the proposed amendments to the wording of the multiple birth paragraph in the Secondary and All-through**

**admission policies be agreed for the County Council's policy for 2022/23.**

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

19. 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 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 measuring by straight line) to suit particular local circumstances, or a criterion giving priority to children attending the linked infant school.
  
20. 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 2022, supported by the Admission Forum who considered these at their October and January meetings. It is proposed that the Brookfield school specific criterion is removed from their policy. **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)**

21. 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 2020, Hampshire Admission Forum considered all PANs where a change from the 2021 figure was proposed. The enclosed tables for primary phase schools (Annexe G) and secondary schools (Annexe H) give the PAN for 2021 and the proposed PAN for 2022. 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.
  
22. It is proposed that the PAN for three primary phase schools and one secondary school 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 five 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 school places for local residents.

23. 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 her agreement.**

### **Catchment Area Reviews (Annexe I)**

24. 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.
25. 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.
26. It should be noted that there is a proposal to change the catchment areas of the identified local schools in Hampshire: The Hamble School catchment,

Bursledon Infant and Junior schools, and Kings Copse Primary School catchments (detailed in Annexe I).

27. Transitional arrangements are proposed to support the admission of siblings in families whose catchment will change because of the proposed catchment change. These are detailed in both Annexe I and F.

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

28. There are no proposed changes to the Nursery policy for 2022.

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

29. 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.
30. 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.
31. 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**

32. The County Council's Admission Arrangements will be subject to review again in the autumn term 2021, when the statutory timeframes for consulting on the arrangements for 2023 commence. The Department for Education may have, within this timetable, have brought a new School Admissions Code into force and the Council's arrangements may be subject to new legal requirements.



**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 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 2022 are permissible in the School Admissions Code (DfE 2014) and therefore do not breach equality legislation.