



## LONDON BOROUGH OF HAVERING EQUALITY ANALYSIS

### Annual Review of the School Admissions Code

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#### SCOPE OF PROPOSAL

**1. What is the scope and intended outcomes of the activity being assessed; in terms of both the Council's organisation and staffing, and services to the community?**

The purpose of this EA is to assess the impact of the annual School Admission Code review, which aims to determine admissions arrangements for community and voluntary controlled infant, junior, primary and secondary schools in Havering and adopt qualifying schemes for co-ordinating admissions during the course of the normal admission rounds to maintained schools and academies in Havering for the school year 2015-16.

The School Admissions Code ('the Code') applies to admissions to all maintained schools (excluding maintained special schools) and Academies in England and ensures that all school places for community and voluntary controlled schools and Academies are allocated and offered in an open and fair way.

This Code imposes mandatory requirements and includes guidelines setting out aims, objectives and other matters in relation to the discharge of functions relating to admissions by the bodies listed below:

- Admission authorities of maintained schools as defined in Section 88(1) (a) and (b) of the SSFA 1982
- Governing bodies and local authorities (when not admission authorities)
- Schools Adjudicators
- Admission Appeal Panels.

These bodies have a statutory duty to act in accordance with the relevant provisions of the Code.

It is the responsibility of admission authorities to ensure that admission arrangements are compliant with this Code. Where a school is the admission authority, this responsibility falls to the governing body or Academy Trust. Objections to the admission arrangements of both maintained schools and Academies can be made to the Schools Adjudicator whose decisions are binding and enforceable.

### **1 (a) Organisation and Staffing**

Not applicable as the School Admission Code does not affect Council's employees. However, Council staff members may be affected by the above provisions if they have children attending a Havering School. Those staff members will be considered as part of the community.

The Local Authority has considered whether or not the children of schools' staff members should be given priority in the admission arrangements for community and voluntary controlled schools and has taken a decision not to give priority to this group.

### **1 (b) Services to the Community**

In order to comply with the requirements of the Code the Local Authority must ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. Parents should be able to look at a set of arrangements and understand easily how places for individual schools will be allocated.

The Code makes clear that the Local Authority must comply with the relevant law as well as acting in accordance with the provisions of the new School Admissions Code. Specific reference is made in the Code to The Equality Act 2010 the Human Rights Act 1998 and the School Standards and Framework Act 1998.

It should be noted that the Local Authority acts as the admission authority for community and voluntary controlled schools. The governing bodies of foundation and voluntary aided schools and academies act as the admission authorities for these schools. These schools include denominational faith schools/academies, single sex schools and academies that give priority to children with aptitude in specific subjects.

The Local Authority is also required to co-ordinate admissions to all schools and academies in the Borough for Reception and Year 7 i.e. the normal points of admission to schools and academies.

## **PEOPLE AFFECTED**

### **2. Which individuals and groups are likely to be affected by the activity?**

#### **2 (a) Staff Individuals and Groups**

Staff employed at community and voluntary controlled schools with children of school age.

Council staff members may be affected if they have children attending a Havering School. Those staff members will be considered as part of the community. For further information, please refer to section 2 (b).

#### **2 (b) Community Individuals and Groups** *(including voluntary organisations)*

All children and young people between the ages of 4 -16 whose parents/ carers apply for a place in a school/ academy located within the London Borough of Havering.

The following specific groups of children and young people will be given priority under the determined arrangements for admissions to community and voluntary controlled schools in the school year 2015/16:

- Looked after children and children who were looked after, but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order);
- children with exceptional medical or exceptional social grounds (supporting medical or other evidence must be provided at the time of application);
- children who, in September 2014, have an older brother or sister in attendance at the preferred school. For parents/ carers applying for a place for their child at an infant school, this will include siblings attending partner junior schools;
- children whose statement of special educational needs names a specific school will be admitted to that school. (Children may be issued with a statement of special, educational needs as a result of physical, learning, aural or sensory impairments.)

## DATA AND INFORMATION

3. **What data/information do you have about the people with ‘protected characteristics’** (*age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation*) **or other socio-economic disadvantage** (*e.g. disabled and part-time workers, low income and/or lone parents (mothers and fathers), looked-after children, other vulnerable children, families and adults*) **among these individuals and groups? What information do you have about how they will be affected by the activity? Will you be seeking further information in order to assess the equalities impact of the activity? How is this information being used to influence decisions on the activity?**

### 3 (a) Staff

No information is currently held centrally on the number of schools’ staff members and Council’s staff members living locally who have children at school age.

### 3 (b) Community

The information below is taken from the January 2013 Demographic, Diversity and Socio-economic Profile of Havering’s Population, 2012 School Census and other relevant data sources held centrally by the School Admissions Team.

## Demographic Trends

The 2011 Census total population estimate is 237,232. Havering's population is predicted to rise by 13.5% (32,029 people) by 2021 compared to England projection of 9%.

The average age of Havering residents is 40.4 years. Havering has a higher average age compared to England (39.4) and London (35.6)

Just below 23.9% of Havering's population are children and young people aged between 0 and 19 years old. This percentage is slightly below the average for London (24.5%) and average for England (24%)

The table below shows the 0-19 population in Havering compared to London and England by five year age bands:

<b>2011 Census: 0-19 population breakdown of Havering residents</b>	<b>Havering</b>	<b>London</b>	<b>England</b>
<a href="#">All people (2011)</a>	237,232	8,173,941	53,012,456
<a href="#">People aged 0-4 (census) (% of total population) (2011)</a>	5.76	7.24	6.26
<a href="#">People aged 5-9 (census) (% of total population) (2011)</a>	5.58	5.91	5.61
<a href="#">People aged 10-14 (census) (% of total population) (2011)</a>	6.06	5.59	5.81
<a href="#">People aged 15-19 (census) (% of total population) (2011)</a>	6.47	5.77	6.3

The number of children and young people (0-19) in Havering is also expected to rise, growing by almost 25% by 2021. The fastest increase is expected to be in the single year of age eight and nine (44% each by 2021). This means that the demand for education, social care and health services will increase dramatically.

## **Ethnic Profile**

Havering has the highest percentage (83.3%, 207,815 people) of White

English/ Welsh/ Scottish/ Northern Irish/ British compared to London (44.9%) and E&W (80.5%)

The ethnic minority population in Havering is 12.4% (29,417 people). This percentage is well below the London average (52.9%) and the average for England (19.2%).

Although it is one of the least diverse boroughs in London, Havering has had the highest percentage increase between 2001 Census and 2011 Census of all London boroughs, - the percentage of BME communities has more than doubled, - with the following ethnic groups seeing the highest rise: African (451%, 6,204 people), Pakistani (226%, 1,035 people), White & Black (Mixed origin) Caribbean (138%, 1,143 people) and Caribbean (86%, 1,331 people).

The latest School Census (January 2012) reported that nearly a quarter (23%) of school pupils in Havering were from non-White ethnic groups, with the most common ethnic group being Black or Black British (9%).

The latest School Census (January 2012) reported that 9.4% of school-aged children in Havering speak a language other than English, with 10 most spoken languages (after English) in Havering being: Yoruba, Lithuanian, Bengali, Punjabi, Urdu, Polish, Albanian, Chinese, French and Tagalog/Filipino.

The Traveller Education Service supplies information to the School Admissions Team concerning those Gypsy, Roma and Irish Traveller children requiring education placements. The Education Welfare Service provides information to the School Admissions team concerning children and young people in refuges.

### **Disability profile**

The number of children in Havering with learning difficulties and disabilities (LDD) will increase, most significantly among primary school age children. Current projections suggest an overall increase of 7.5% across all categories of LDD by 2017.

The most common categories of LDD are Moderate Learning Disability (30%), Behaviour, Emotional and Social Difficulties (19%) Speech, Language and Communication Needs (17%).

The School Census in January 2012 identified that there were 1,966 pupils in Havering receiving some sort of Special Educational Needs (SEN) provision. The most common presentations were speech, language and communication needs (546 cases), moderate learning difficulty (458 cases) and behaviour, emotional and social difficulties (401 cases).

Information concerning children and young people with physical and learning difficulties is held by the Special Education Needs Service and the Early Years Service; information concerning exceptional medical or social grounds affecting children is submitted by of parents/ carers at the time of application for school places to the School Admissions Team.

### **Socio-economic groups**

Almost one in five (19%) of children were still estimated to be living in poverty in Havering in 2009<sup>1</sup>. When breaking down this percentage further, 19% of children live in out-of-work families<sup>2</sup> and 13% of pupils are eligible for free school meals<sup>3</sup>. Overall, Gooshays remains the most deprived ward in Havering, with Hylands ward being the least deprived.

Currently there are 106 families identified as families with multiple complex needs by one or more of the following criteria<sup>4</sup>:

<b>Criteria</b>	<b>Number (of 106)</b>
School exclusion	26

1 According to DWP (2008) – 22% of children in Havering live in families in receipt of IS/JSA or whose income is <60% median income

2 HM Revenue and Customs (Q04), 2011

3 Department for Education School Census, 2010

4 Troubled Families Team, Nov 2012

<b>Criteria</b>	<b>Number (of 106)</b>
School absence	27
Unemployment	98
Offending behaviour	89
ASB	28
Mental health	10
Substance misuse	15
Domestic Violence	9
Housing	37

Social Care Services hold information on individual children who are “looked after” children and children who were “looked after” but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order) and unaccompanied refugees and asylum seekers. This information is supplied direct to the School Admissions Team for children residing outside the Borough by their home authority at the time of application.

#### **Age, gender and religion**

Information is provided on individual children in terms of age, gender and religion at the time of application to the School Admissions Team.

### **CONSULTATION**

#### **4. If no data and information is available about the groups likely to be affected by the activity, how would you inform your EA? Will you be considering carrying out some consultation to inform your EA?**

##### **4 (a) Staff**

Schools’ and Council’s staff members have been invited to respond to the public consultation or consultations held by Academies and own Admissions Authority schools as part of the community. For further information, please refer to section 4 (b).

##### **4 (b) Community**

The Local Authority, acting as the admission authority for community and voluntary controlled schools in the borough, is required to undertake statutory consultation on any proposed changes to its admission arrangements to these schools for an 8 week period between 1 November and the 1 March each year, prior to determining these arrangements by the 15 April in the determination year, i.e. by the 15 April 2014 for admissions in the academic year 2015/16.

It is a requirement of administrative law that the decision maker fully considers the comments made by any consultees prior to making the decision. No comments were received on the proposed admissions arrangements for community and voluntary controlled schools in the borough for the school year

2015/16 so no formal consideration of representations is required prior to the admission arrangements being determined by the Local Authority.

Objections would need to be submitted to the OSA by the 30 June for them to be considered. In the event that there is an objection to the determined admission arrangements this would need to be submitted, in the first instance, to the Schools Adjudicator (OSA). If an objection was upheld, the decision of the Adjudicator would be binding on the Local Authority and the admission arrangements would need to be amended accordingly.

The Local Authority also comments on the proposed admission arrangements for "own admission" authority schools/ academies and can submit objections to the Office of the Schools Adjudicator if it is concerned that the proposed arrangements do not comply with Schools admission Code or the associated legislation.

## **LIKELY IMPACT**

### **5. Based on the collected data and information, what will be the likely impact of the activity on individuals and groups with protected characteristics or other socio-economic disadvantage?**

#### **5 (a) Staff**

The Local Authority has considered whether or not the children of schools' staff members should be given priority in the admission arrangements for community and voluntary controlled schools and has taken a decision not to give priority to this group. However, the following exceptions may apply:

- Where a member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage. Information is available at a national level on subject specialisms for which work permits can be obtained to employ overseas staff for shortage subjects. Currently Maths, Physics and Chemistry are considered to be shortage subjects. This level of detail is not, however, available at Borough level.
- Where the school member of staff has been employed at the school for two or more years at the time at which their child's application for admission to the school is made. In this case the Code enables schools/ Academies to give priority in their admission criteria to the children of staff should they wish to do so.

Council staff members may be affected by the above provisions if they have children attending a Havering School. Those staff members will be considered as part of the community. For further information, please refer to section 5 (b).

#### **5 (b) Community**

Although all children and young people between the ages of 4 -16 whose parents/ carers apply for a place in a school/ academy located within the London Borough of Havering will be affected by the School Admissions Code provisions, we recognise that some children and young people would require specific arrangements to be put in place to enable them to attend school.

We have therefore adopted the below criteria to ensure disabled children and young people, those with special education needs and children and young people from disadvantaged groups will have a fair access to school places.

### **Admissions criteria – Community and Voluntary Controlled Infant, Junior and Primary Schools**

The criteria outlined below apply to all of the borough's community and voluntary controlled schools.

When the demand exceeds the number of places available in a school, places are allocated to community and voluntary controlled infant, junior and primary schools by applying the following criteria in descending order of priority to applicants who have expressed any preference for the school.

- i) Looked after children and children who were looked after, but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order);
- ii) Exceptional medical or exceptional social grounds (supporting medical or other evidence must be provided at the time of application).
- iii) The attendance in September 2015 at the school of an older brother or sister. This will include children in partner junior schools.
- iv) The distance of the home address from the school, as measured by a straight line from the school, those pupils living nearer the school being given higher priority.

If, because of oversubscription in any of the categories i) to iii) above, it is necessary to distinguish between applicants, the distance of the applicant's home address from the school, as measured by a straight line from the school, will be used with those pupils living nearer the school being given higher priority.

#### *Special Education Needs*

Children whose statement of special educational needs names a specific school or academy will be admitted to that school or academy.

#### *Children with a Disability*

It is unlawful for a school in relation to certain activities to treat a disabled child less favourably than a non-disabled child, without justification. These activities include admissions and a school must make reasonable adjustments, as necessary, to ensure that this is the case.

#### *Children of UK service personnel (UK Armed Forces)*



The Local Authority will accept applications in advance of a service family residing in the borough if the application is accompanied by an official government letter declaring a relocation date and a Unit postal address or quartering area address for the parents/ carers of the child concerned

### **Admission Arrangements for Community Secondary Schools in Havering and co-ordinated arrangements for applying to community, voluntary aided and foundation schools and academies**

The Local Authority is required by law to co-ordinate admissions to Year 7 at all secondary schools and academies (except private or special schools) in the borough. It also co-ordinates all in-year admissions to community schools and to those foundation and voluntary aided schools and academies that wish to participate in the in-year co-ordinated scheme.

When the demand exceeds the number of places available in a school, places are allocated by applying the following criteria in descending order of priority to applicants who have expressed any preference for the school:

- i) Looked after children and children who were looked after, but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order);
- ii) Exceptional medical or exceptional social grounds (supporting medical or other evidence must be provided at the time of application);
- iii) The attendance in September 2015 at the school of an older brother or sister;
- iv) The distance of the home address from the school, as measured by a straight line from the school, those pupils living nearer the school being given higher priority.

If, because of oversubscription in any of the categories i) to iii) above, it is necessary to distinguish between applicants, the distance of the applicant's home address from the school, as measured by a straight line from the school, will be used with those pupils living nearer the school being given higher priority.

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### *Children of UK service personnel (UK Armed Forces)*

The Local Authority will accept applications in advance of a service family residing in the borough if the application is accompanied by an official government letter declaring a relocation date and a Unit postal address or quartering area address for the parents/ carers of the child concerned.

### *Other relevant arrangements*

Priority will be given to the admission of the children of Roman Catholics and Anglicans to denominational faith schools/ academies both within and outside the Borough under the co-ordinated admission arrangements.

A place at a school or academy may be offered using the Local Authority's Fair Access Protocol when a parent/ carer cannot secure a school place under the in-year admission procedures.

## **6. What is the likely impact on arrangements for safeguarding children and/or safeguarding vulnerable adults?**

### **6 (a) Vulnerable children**

Vulnerable children have been given priority in terms of the admission arrangements to community and voluntary controlled schools. For the purposes of the Code, vulnerable children are those who are experiencing difficulty securing a school place.

This group includes as a minimum:

- children from the criminal justice system or Pupil Referral Units who need to be reintegrated into mainstream education;
- children who have been out of education for two months or more;
- children of Gypsies, Roma, Travellers, refugees and asylum seekers;
- children who are homeless;
- children with unsupportive family backgrounds for whom a place has not been sought;
- children who are carers; and
- children with special educational needs, disabilities or medical conditions (but without a statement).

The governing bodies of all schools/ Academies are also required to have adopted appropriate arrangements for safeguarding all children in their care. These arrangements are subject to inspection by OfSTED.

**6 (b) Vulnerable adults**

Not applicable.

**PREVENTING DISCRIMINATION**

**7. If any negative impact is identified, is there a way of eliminating or minimising it to reasonable level? If not, how can the negative impact be justified?**

**7 (a) Staff**

Under the Equality Act 2010, all schools and Academies are required to put in place all necessary arrangements to eliminate discrimination, harassment and bullying in relation to both students and staff members, to adequately address any reported E&D incidents and to provide E&D training/induction to their staff members/students.

Please also refer to sections 5 (a) and 9 (a).

**7 (b) Community**

Parents/ carers who apply after the closing date for applications for Reception and Year 7 places have their applications dealt with after all the “on-time” applications are processed. This can place children at a significant disadvantage in terms of being allocated a place at one of their preferred schools/ academies.

In order to avoid this occurring parents/ carers are contacted prior to the closing dates to remind them of the importance of submitting an application prior to the closing date. Advice and guidance is also available on the admissions process to parents who have difficulty understanding what can be a complex process via the Parents in Partnership Service.

Work will also be undertaken with faith and community groups to ensure process for school admissions is widely communicated. A translation and interpreting service will be made available upon request.

**PROMOTING EQUALITY**

**8. How will the activity help the Council fulfil its legal duty to advance equality of opportunity in the way services are provided?**

**8 (a) Staff**

Under the Equality Act 2010, all schools and Academies are required to have their own Bullying and Harassment Policy, Single Equality Scheme /Equal Opportunities Policy and Action Plan to address any inequalities identified by their equalities data intelligence and optimise equalities outcomes for all their students and staff members, particularly those with protected characteristics.

Please also refer to sections 5 (a) and 9 (a).

## **8 (b) Community**

Please refer to sections 5 (b), 7 (b) and 9 (b).

### **SPECIFIC NEEDS**

#### **9. What actions will you be taking in order to maximise positive impact and minimise negative impact from the activity?**

##### **9 (a) Staff**

All necessary arrangement will be put in place to mitigate the increased demand of primary school places. We will also ensure that staff resources, school facilities and accommodation are reflective of students' numbers and needs.

A place at a school or academy may be offered using the Local Authority's Fair Access Protocol when a parent/ carer cannot secure a school place under the in-year admission procedures.

##### **9 (b) Community**

We will widely publicise all changes to the admission arrangements to community and voluntary controlled schools and will use a wide range of communication channels to ensure that all affected residents are aware of those changes. We will also ensure that information and publication materials easy to understand, accessible and inclusive. In Work will be undertaken with faith and community groups and translation and interpreting services will be available upon request.

### **MONITORING AND REVIEW**

#### **10. Once implemented, how often do you intend to monitor the actual impact of the activity?**

##### **10 (a) Staff**

Please refer to section 10 (b).

##### **10 (b) Community**

The School Admissions Code will be reviewed annually and any significant changes to the code will be reflected in the corresponding EA accordingly.

### **SIGN OFF AND PUBLICATION**

#### **11. When completed, the Equality Analysis needs to be signed off by the Head of Service. Once signed off, it should be forwarded to the Directorate Equality Analysis Web administrator to publish it on the council's website.**

**HEAD OF SERVICE**

**Name: Mary Pattinson**

**Date: 15<sup>th</sup> April 2014**

**Signature:**