



18/12
+ appendices
A - E
DECISION
TO BE MADE

Notice of Key Executive Decision

Subject Heading:	Determination of admission arrangements for community and voluntary controlled schools for the school year 2019/20. Adoption of qualifying schemes to co-ordinate admission arrangements to Reception, Year 3 and Year 7 at maintained schools and academies in Havering for admissions in the school year 2019/20.
Cabinet Member:	Councillor Robert Benham, Lead Member for Children & Learning.
CMT Lead:	Tim Aldridge, Director Children's Services.
Report Author and contact details:	Trevor Cook, Acting Assistant Director for Education Services trevor.cook@havering.gov.uk.
Policy context:	School admissions.
Financial summary:	N/A.
Reason decision is Key	Significant effect on two or more Wards.
Date notice given of intended decision:	8 th February 2018
Relevant OSC:	Children & Learning.
Is it an urgent decision?	No.
Is this decision exempt from being called-in?	No.

The subject matter of this report deals with the following Council Objectives

Communities making Havering	<input checked="" type="checkbox"/>
Places making Havering	<input checked="" type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

To approve the following:

- 1) Admission Arrangements for Community and Voluntary Controlled Infant, Junior and Primary Schools in Havering for 2019/20 and the co-ordinated arrangements for applying to community, voluntary controlled, voluntary aided and foundation schools and academies.
- 2) Admission Arrangements for Community Secondary Schools in Havering for 2019/20 and the co-ordinated arrangements for applying to community, voluntary aided and foundation schools and academies.
- 3) Pan London Co-ordinated Admissions System - Reception Year, Year 3 admissions to Junior Schools, Year 7 - London Borough of Havering - Protocol for co-ordination of admissions for the Academic Year 2019/20.

AUTHORITY UNDER WHICH DECISION IS MADE

Section 3.5.3 (y) of the Council's constitution.

The Assistant Director - Learning And Achievement has power to act as follows in respect of admission arrangements and admission numbers for schools:

- (i) administering any necessary consultation and the admission process generally;
- (ii) making any determination as to the admission arrangements, admission numbers and any reviews, and amendments to any of these matters;
- (iii) advising governing bodies;
- (iv) objecting to admission arrangements determined by governing bodies;
- (v) publicising these arrangements;
- (vi) giving relevant notices and directions to admit children to specific schools.

STATEMENT OF THE REASONS FOR THE DECISION

This decision concerns the determination of the proposed admission arrangements to Reception, Year 3 and Year 7 at community and voluntary controlled infant, junior, primary and secondary schools in Havering for the school year 2019/20 (see Appendix A for Reception & Year 3 and Appendix B for Year 7) and the adoption of qualifying schemes for co-ordinating admissions during the course of the normal admission rounds to Reception, Year 3 and Year 7 to all maintained schools and academies in Havering for the school year 2019/20 (see Appendix C for Reception & Year 3 and Appendix D for Year 7).

The Local Authority, acting as the admission authority for all the community and voluntary controlled infant, junior, primary and secondary schools in the borough, following consultation must make the following decisions:

- (1) the admission arrangements to these schools for the school year 2019/20; and
- (2) the adoption of qualifying schemes, based on the models promoted by the London Inter-Authority Admissions Group as a Pan-London protocol, for co-ordinating admissions to all maintained infant, primary and secondary schools and academies in Havering for the academic year 2019/20; and
- (3) the specific qualifying scheme for co-ordinating admission arrangements to Year 3, the normal year of entry to maintained junior schools both inside and outside the borough.

The Local Authority is not required to adopt a qualifying scheme to co-ordinate in-year admissions to maintained schools and academies for the school year 2019/20 and subsequent years. However, the Local Authority will continue to co-ordinate in-year admissions to community and voluntary controlled schools in the borough and has also indicated that it would be willing to continue to co-ordinate in-year admissions, for those own admission authority schools/academies (academies, foundation and voluntary aided schools) that wish to participate in a co-ordinated scheme for in-year admissions, in the school year 2019/20.

The Local Authority, acting as the admission authority for the community and voluntary controlled schools in the borough, is required to determine its admission arrangements to these schools for the school year 2019/20 by the 28th February in the determination year i.e. by the 28th February. The Local Authority is then required to publish details of where the determined admission arrangements for schools and academies in its area can be viewed, together with details concerning how objections to these arrangements can be made, by the 15th March 2018.

The Local Authority is also required to adopt qualifying schemes for the co-ordination of admissions during the course of the normal admission rounds to Reception, Year 3 and Year 7 at all maintained schools and academies in Havering in the school year 2019/20 by the 28th February 2018.

Discussions are on-going with a number of head teachers and governors of a number of infant, junior, primary and secondary schools concerning an increase in their published admission number to accommodate forecast increased pupil numbers in their areas. These may result in higher published admission numbers for admissions in the school year 2019/20 and these higher published admission numbers will continue in the school year 2019/20 and in future years.

OTHER OPTIONS CONSIDERED AND REJECTED

Consultation took place on the proposed admission arrangements to community and voluntary controlled schools in the borough for the school year 2019/20, and for the qualifying schemes for co-ordinating admissions to Reception, Year 3 and Year 7 at all maintained primary and secondary schools and academies in Havering for the school year 2019/20, during the 6 week period between 8th December 2017 and 19th January 2018. All schools and academies in Havering, London Local Authorities and Local Authorities in the surrounding areas were sent the consultation documents.

There were no comments received regarding the arrangements.

PRE-DECISION CONSULTATION

None other than detailed above.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Trevor Cook

Designation: Acting Assistant Director for Education Services

Signature:



Date: 5th February 2018

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

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 a 6 week period between 1 October and the 31st January each year, prior to determining these arrangements by the 28th February in the determination year, i.e. by the 28th February 2018 for admissions in the academic year 2019/20. They also need to consult on the qualifying schemes and make a formulation by 31st January 2018.

There were no comments or representations made during the consultation.

Since the proposed admission arrangements for 2019/20 are almost identical to those determined for the school year 2018/19, and appear to comply with the statutory requirements of the Code, there is only a minimal risk of any legal challenge to these proposals.

Following determination of the arrangements these need to be published no later than 15th March 2018.

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 (objections would need to be submitted to the OSA by the 15th May 2018 for them to be considered).

The Local Authority is a member of the London Inter-Authority Admissions Group (LIAAG), which formulates the Pan-London co-ordination schemes for admissions during the course of the normal admission rounds to all maintained schools and academies in London.

The proposed qualifying scheme is substantially the same as that adopted in previous years and it was not anticipated that it would generate any significant objections. In any event it would be unhelpful to adopt different arrangements to those discussed and agreed with other members of the LIAAG. The Local Authority is required under

Regulation 27 (5) of The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 to take all reasonable steps to secure the adoption of arrangements for the admission of pupils to schools in the areas of different local authorities that are, so far as is reasonably practicable, compatible with each other.

The statutory consultees made no comment on the proposed qualifying schemes for co-ordinating admissions during the course of the normal admission rounds to maintained schools and academies in the borough for the school year 2019/20. As the schemes appear to comply with the requirements outlined within The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012, there is only a minimal risk of any legal challenge to these schemes. There is also therefore a low risk of challenge to the time delay on formulation of the qualifying schemes.

Stephen Doye, Principal Lawyer (Community Services)

FINANCIAL IMPLICATIONS AND RISKS

There are no additional financial pressures or risks arising from this decision. The Local Authority applies a formula to fund the maintained schools in the borough according to a range of factors, based mainly on the number of pupils on roll. This is funded from the ring fenced (Department of Education) Dedicated Schools Grant (DSG) which is based on the total number of pupils on roll in the Borough as at the previous October census.

The same October census is used to fund individual schools for the financial year April to March (for LA maintained schools) and September to August (for academies and free schools).

Schools that increase their published admission number from September are funded for the additional costs of running a new class from a pupil growth contingency that is funded from the DSG.

David Allen, Strategic Finance Manager

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

Any school that increases its intake may need to increase staffing levels to manage increased pupil numbers. Any recruitment will be managed by the individual school and should be undertaken in accordance with all appropriate HR policies and procedures. The Education HR service will assist in supporting the recruitment and retention of additional staff as appropriate.

Similarly, an increase in pupil numbers may lead to accommodation that may

previously have been mothballed being brought back into use, or the provision of additional accommodation. Additional accommodation for school expansions or new academies will only be provided where the capital resources have been identified via the Council's Basic Need Capital Programme.

Peter Whitelock – Education HR Manager, Learning & Achievement

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The revised School Admissions Code (the Code) applies to admission arrangements to all maintained 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.

The Code makes it 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.

Admissions authorities must comply with the mandatory provisions of the Code by:

- setting up fair, clear and objective practices and criteria used to decide the allocation of school places, and ensuring that these practices and criteria are understood by all parents/ carers
- putting all necessary arrangement in place to mitigate the increased demand of primary school places and ensuring that staff resources, school facilities and accommodation are reflective of students' numbers and needs
- widely publicising all changes to the admission arrangements to community and voluntary controlled schools through a diverse range of communication channels to ensure that all affected residents are aware of those changes
- ensuring that information and publication materials are easy to understand, accessible and inclusive and providing translation and interpreting services upon request.

A full Equality Analysis (EA) has been undertaken on all the arrangements relating to admissions to schools and academies for the school year 2019/20 (see Appendix E).

The Code will be reviewed annually and any significant changes will be reflected in the corresponding EA.

BACKGROUND PAPERS

E-mails consulting the governing bodies of community and voluntary controlled schools in Havering; the governing bodies of voluntary aided and foundation schools and academies in Havering; neighbouring local authorities; the Diocesan Directors of Education for the Anglican Diocese of Chelmsford and the Roman Catholic Diocese of Brentwood.

Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker

Signed

Name: Robert Benham

Cabinet Portfolio held: Children & Learning.
CMT Member title: Lead Member for Children & Learning
Head of Service title: N/A
Other manager title: N/A

Date:

Lodging this notice

The signed decision notice must be delivered to the proper officer, Andrew Beesley, Committee Administration Manager, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on 8/2/19

Signed A mm

