



Notice of Key Executive Decision

Subject Heading:	Determination of admission arrangements for community schools for the school year 2020/21. 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 2020/21.
Cabinet Member:	Councillor Robert Benham, Deputy Leader, and Lead Member for Children & Learning.
CMT Lead:	Tim Aldridge, Director Children's Services.
Report Author and contact details:	Trevor Cook, Assistant Director, 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:	28 th February 2019
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 Infant, Junior and Primary Schools in Havering for 2020/21 and the co-ordinated arrangements for applying to community, voluntary aided, foundation schools, and academies as set out at Appendix A.

To note the following;

- 2) Pan London Co-ordinated Admissions Scheme - Reception Year, Year 3 admissions to Junior Schools, Year 7 - London Borough of Havering - Protocol for co-ordination of admissions for the Academic Year 2020/21 as set out at Appendix B.

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, and Year 3 at community Infant, Junior, and Primary schools in Havering for the school year 2020/21 (see Appendix A for Reception & Year 3) 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 2020/21 (see Appendix B for Reception & Year 3 and Appendix C for Year 7).

The Local Authority, acting as the admission authority for all the community Infant, Junior, and Primary schools in the borough, following consultation must make the following decisions:

- (1) the admission arrangements to these schools for the school year 2020/21; 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 2020/21; 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.

There have only been minor changes to the admission arrangements and qualifying schemes.

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 2020/21 and subsequent years. However, the Local Authority will continue to co-ordinate in-year admissions to community 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 2020/21.

The Local Authority, acting as the admission authority for the community schools in the borough, is required to determine its admission arrangements to these schools for the school year 2020/21 by the 28th February in the determination year i.e. by the 28th February 2019. 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 2019.

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 1st January 2019.

Discussions are on-going with a number of head teachers and governors of a number of Infant, Junior, Primary and Secondary schools concerning a change in their published admission number to accommodate forecast pupil numbers in their areas. These may result in changed published admission numbers for admissions in the school year 2020/21 and these changed published admission numbers will continue in the school year 2020/21 and in future years.

OTHER OPTIONS CONSIDERED AND REJECTED

Consultation took place on the proposed admission arrangements to community Infant, Junior, and Primary schools in the borough for the school year 2020/21, during the 6 week period between 19th December 2018 and 31st January 2019. 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: Assistant Director, Education Services

Signature:



Date: 11th February 2019

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Local Authority, acting as the admission authority for community 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 2019 for admissions in the academic year 2020/21.

There were no comments or representations made during the consultation.

Since the proposed admission arrangements for 2020/21 are almost identical to those determined for the school year 2019/20, 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 2019.

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 2019 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 2020/21. 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.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

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 2020/21 (see Appendix D).

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

BACKGROUND PAPERS

None

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: Deputy Leader, and 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 _____

Signed _____