

CHILDREN & LEARNING OVERVIEW AND SCRUTINY COMMITTEE

26 September 2019

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| Subject Heading: | School Admission Places |
| CLT Lead: | Tim Aldridge – Director of Children Services |
| Report Author and contact details: | Darren Purdie – Head of Education Provision & Inclusion 01708 434940 |
| Policy context: | Education |

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

Communities making Havering x

SUMMARY

The School Admissions Code is the statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels. The purpose of the Code is to ensure that all school places for maintained schools (excluding maintained special schools) and Academies are allocated and offered in an open and fair way. The Code has the force of law and imposes mandatory requirements and includes guidelines setting out aims, objectives and other matters in relation to the discharge of functions relating to admissions.

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 each school year. 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.

RECOMMENDATIONS

The purpose of this report is to inform Members of the School Admissions process and its application in Havering, as well as an overview of performance. Members are asked to note the content of the report.

REPORT DETAIL

1. School Admissions Code

- 1.1 The School Admissions Code is the statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels. The purpose of the Code is to ensure that all school places for maintained schools (excluding maintained special schools) and Academies are allocated and offered in an open and fair way. The Code has the force of law, and imposes mandatory requirements and includes guidelines setting out aims, objectives and other matters in relation to the discharge of statutory functions relating to admissions.
- 1.2 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 each school year. 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.

2. Principles

- 2.1 In drawing up their admission arrangements, admission authorities 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 that school will be allocated.

3. How Admissions Work

- 3.1 In summary, the process operates as follows:
 - a) All schools must have admission arrangements that clearly set out how children will be admitted, including the criteria that will be applied if there are more applications than places at the school.
 - b) Admission authorities must set ('determine') admission arrangements annually. Where changes are proposed to admission arrangements, the admission authority must first publicly consult on those arrangements. This consultation period allows parents, other schools, religious

authorities and the local community to raise any concerns about proposed admission arrangements.

- c) Once all arrangements have been determined, arrangements can be objected to and referred to the Schools Adjudicator. Any decision of the Adjudicator must be acted on by the admission authority and admission arrangements amended accordingly. The local authority will collate and publish all the admission arrangements in the area in a single composite prospectus.
- d) In the normal admissions round, parents apply to the local authority in which they live for places at their preferred schools. Parents are able to express a preference for at least three schools and up to six. The application can include schools outside the local authority where the child lives as a parent can apply for a place for their child at any state-funded school in any area. If a school is undersubscribed, any parent that applies must be offered a place. When oversubscribed, a school's admission authority must rank applications in order against its published oversubscription criteria and send that list back to the local authority.
- e) All preferences are collated and parents then receive an offer from the local authority at the highest preference school at which a place is available. For secondary schools, the offer is made on or about 1 March (known as National Offer Day) in the year in which the child will be admitted. For primary schools, the offer is made on or about 16 April, in the year in which the child will be admitted.
- f) Parents, have the right to appeal against an admission authority's decision to refuse admission. The admission authority must set out the reasons for the decision, that there is a right of appeal and the process for hearing such appeals. The admission authority must establish an independent appeals panel to hear the appeal. The panel will decide whether to uphold or dismiss the appeal. Where a panel upholds the appeal the school is required to admit the child.

4. Published Admission Number (PAN)

- 4.1 As part of determining their admission arrangements, all admission authorities must set an admission number for each 'relevant age group'. Own admission authorities are not required to consult on their PAN where they propose either to increase or keep the same PAN. For a community or voluntary controlled school, the local authority (as admission authority) must consult at least the governing body of the school where it proposes either to increase or keep the same PAN. All admission authorities must consult where they propose a decrease to the PAN.
- 4.2 Admission authorities must notify their local authority of their intention to increase the school's PAN and reference to the change should be made on the school's website. If, at any time following determination of the PAN, an admission authority decides that it is able to admit above its PAN, it must notify the local authority in good time to allow the local authority to deliver its co-ordination responsibilities effectively. Admission authorities may also admit above their PAN in-year.

5. Oversubscription criteria

- 5.1 The admission authority for the school must set out in their arrangements the criteria against which places will be allocated at the school when there are more applications than places and the order in which the criteria will be applied. All children whose statement of special educational needs (SEN) or Education, Health and Care Plan (EHCP) names the school must be admitted. If the school is not oversubscribed, all applicants must be offered a place.
- 5.2 All schools must have oversubscription criteria for each 'relevant age group' and the highest priority must be given, unless otherwise provided in this Code, to looked after children and all previously looked after children. Previously looked after children are children who were looked after, but ceased to be so because they were adopted (or became subject to a child arrangements order or special guardianship order). Oversubscription criteria must then be applied to all other applicants in the order set out in the arrangements.
- 5.3 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, and that other policies around school uniform or school trips do not discourage parents from applying for a place for their child. Admission arrangements must include an effective, clear and fair tie-breaker to decide between two applications that cannot otherwise be separated.
- 5.4 The Code does not give a definitive list of acceptable oversubscription criteria. It is for admission authorities to decide which criteria would be most suitable to the school according to the local circumstances. The Admissions team works closely with the pupil place planning team as well as the schools themselves to manage this over the year.

6. Consultation

- 6.1 When changes are proposed to admission arrangements, all admission authorities must consult on their admission arrangements (including any supplementary information form) that will apply for admission applications the following school year. Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities must consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period. Consultation must last for a minimum of 6 weeks and must take place between 1 October and 31 January in the determination year.

7. Determination

- 7.1 All admission authorities must determine (i.e. formally agree) admission arrangements every year, even if they have not changed from previous years and a consultation has not been required. Admission authorities must have determined the admission arrangements for entry in September 2019 by 28th February.
- 7.2 Once admission authorities have determined their admission arrangements, they must notify the appropriate bodies and must publish a copy of the determined arrangements on their website displaying them for the whole offer year (the school year in which offers for places are made). Admission authorities must send a copy of their full, determined arrangements to the local authority. Admission authorities for schools designated with a religious character must also send a copy of their arrangements to the body or person representing their religion or religious denomination.
- 7.3 Local authorities must publish on their website the proposed admission arrangements for any new school or Academy which is intended to open within the determination year, details of where the determined arrangements for all schools, including Academies, can be viewed, and information on how to refer objections to the Schools Adjudicator. Following determination of arrangements, any objections to those arrangements must be made to the Schools Adjudicator.

8. Performance Review & Comparison

- 8.1 Havering, as a local authority, secured 77.11% of first preferences at secondary level for the academic year 2018/19 (the highest in London based on Department for Education data), and 88.52% of primary first preferences, due to the hard work of the place planning team and the admissions team

Primary First Place Preferences:

| 17/18 | 18/19 | 19/20 |
|-------|-------|-------|
| 86.5% | 88.2% | 88.5% |

Secondary First Place Preferences:

| 17/18 | 18/19 | 19/20 |
|-------|-------|--------|
| 79% | 79.7% | 77.11% |

- 8.2 Analysis of the trends within the raw data suggests the reduction over time links to schools improving their Ofsted grade thus becoming more attractive to families, but without always having scope to increase the PAN.

9. Appeals

- 9.1 Parents of children refused a place at a school for which they have applied have the right to appeal to an independent appeal panel. When parents are notified of the decision to refuse a place at a school, they must be:
- provided with the reason why you refused admission
 - informed of their right to appeal to an independent appeal panel
 - provided with information on how they can appeal
- 9.2 The Local Authority must ensure that the panel hears appeals submitted on time within the following timescales:
- for applications made in the normal admissions round, appeals must be heard within 40 school days from the deadline for lodging appeals
 - for late applications, appeals should be heard within 40 schools days from the deadline for lodging appeals where possible, or within 30 school days of the appeal being submitted
 - for in-year application appeals, the panel must hear appeals within 30 school days of them being submitted
- 9.3 If the Local Authority receives an appeal after the appropriate deadline, it must still arrange for the panel to hear the appeal. Timescales for hearing such appeals should be set out in the published appeals timetable. Withdrawn appeals are either due to a place being offered after an appeal has been submitted or by parents deciding to withdraw after reading previous statistics.
- 9.4 The following table illustrates the comparison between appeals for 2017-18 and 2018-19. Appeals for 19-20 are on-going and it would an incomplete picture to provide that data here.

| Appeals | |
|--|---|
| Cohort | In- Year |
| Primary <u>2017/18</u> 55 submitted 18 withdrawn 37 heard 1 successful <u>2018/19</u> 65 submitted 4 withdrawn 50 heard 1 successful | Primary <u>2017/18</u> 88 submitted 22 withdrawn 65 heard 3 successful <u>2018/19</u> 61 submitted 22 withdrawn 43 heard 7 successful |
| Secondary <u>2017/18</u> 104 submitted 24 withdrawn 80 heard 7 successful <u>2018/19</u> 131 submitted 53 withdrawn 78 heard 6 successful | Secondary <u>2017/18</u> 25 submitted 7 withdrawn 18 heard 6 successful <u>2018/19</u> 42 submitted 20 withdrawn 22 heard 5 successful |

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| IMPLICATIONS AND RISKS |
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Financial implications and risks:

There are no direct financial implications or risks arising from this report which is for information purposes only.

Legal implications and risks:

There are no legal implications in noting this Report.

Human Resources implications and risks:

There are no direct HR implications or risks to the Council, or its workforce, that can be identified from this report.

Equalities 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.

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

BACKGROUND PAPERS

Appendix 1 – 2019 Pan London Preference Data