

Notice of KEY Executive Decision

Subject Heading:	Changes to School Admission Arrangements for 2021/22 and 2022/23 academic years
Cabinet Member:	Councillor Robert Benham, Deputy Leader and Lead Member for children and Learning
SLT Lead:	Robert South, Director of Children Services
Report Author and contact details:	Janet James, janet.james@havering.gov.uk 01708 433531
Policy context:	<i>School Admissions</i>
Financial summary:	N/A
Reason decision is Key	Significant effect on two or more Wards
Date notice given of intended decision:	14 th June 2021.
Relevant OSC:	Children's Services
Is it an urgent decision?	Yes, Must be finalised before 1 September 2021
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

Detail of Decision:

A change in legislation means that the admissions arrangements need to be re-determined. Items that have changed are relevant to the provision of Looked after and previously looked after children. The DfE will be introducing a new school admissions code on 1st September 2021 which will come into force on that day.

Recommendation:

To approve the amendments to the admissions arrangements for Havering Community Infant, Junior and Primary Schools for the years 2021/2022 and 2022/2023 as described in this Report and highlighted in the attached revised schemes at Appendices 2 and 4.

AUTHORITY UNDER WHICH DECISION IS MADE

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

The Assistant Director for Education - 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

1. The DfE have made changes to the School Admissions Code with effect from 1 Sept 2021. These changes were laid before Parliament on 13 May 2021 and as there were no objections within the 40 day period allowed these changes will come into force on 1 September by the Minister signing an Appointed Day Order.
2. The relevant changes are relatively minor. They extend the oversubscription criteria, to give priority to looked after children and all previously looked after children, including those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted.

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3. Attached are the existing arrangements which had already been approved and the revised primary arrangements for 2021/2022 and 2022/2023. The changes are highlighted on pages 13, 14 and 15.

4. The DfE have advised Local Authorities as follows:

“We expect admission authorities to hold a meeting sometime between now and 31 August 2021 to determine the necessary variations to admission arrangements for 2021/2022 and 2022/2023. All such variations should come into effect on 1 September 2021.

As these variations will be necessary to comply with a mandatory requirement of the Code, it will not be necessary to refer a variation request to either the Schools Adjudicator (in respect of maintained schools)”

OTHER OPTIONS CONSIDERED AND REJECTED

This is a legal requirement and the LA must comply with the change in legislation, no other options can be considered.

PRE-DECISION CONSULTATION

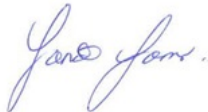
No Consultation required.

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

Name: Janet James

Designation: Admissions and Inclusions Manager

Signature:



Date:20.07.21

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The proposed changes to admission arrangements are compulsory and there is no need to consult on them.

Failure to implement these changes would risk a legal challenge for breach of the Admissions Code.

FINANCIAL IMPLICATIONS AND RISKS

There are no additional financial pressures or risks arising from this decision.

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

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

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 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.

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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 2021/22 and 2022/23

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

This change will be a positive impact for this set of children, who often will have experienced disruption and instability in their lives. Their inclusion in the prioritised group for admission will secure opportunity for their education, which in turn, will ultimately impact on their development as well as on their health and wellbeing and future life chances. For their parents, it will also have a likely positive impact as it will remove some of the anxiety and stress associated with the school application and admission process.

BACKGROUND PAPERS

None

Appendix 1 – Primary School Admission arrangements 2021/22 (Original)

Appendix 2 – Primary School Admission arrangements 2021/22 (Revised)

Appendix 3 – Primary School Admission arrangements 2022/23 (Original)

Appendix 4 – Primary School Admission arrangements 2022/23 (Revised)

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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

Delete as applicable

Proposal NOT agreed because

Details of decision maker

Signed



Name: **Councillor Damian White**

Cabinet Portfolio held: **Leader of the Council**

CMT Member title:

Head of Service title

Other manager title:

Date: **29 July 2021**

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Committee Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____