

<b>Subject:</b>	<b>School Admission Arrangements 2022-23</b>		
<b>Date of Meeting:</b>	<b>14 September 2020</b>		
<b>Report of:</b>	<b>Interim Executive Director for Families, Children &amp; Learning</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Richard Barker,</b>	<b>Tel: 01273 290732</b>
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<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report details the proposed school admission arrangements for the city's schools, for which the Council is the admission authority, for the academic year 2022-23.
- 1.2 When changes are proposed to admission arrangements, all admission authorities must consult on those arrangements that will apply. 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.
- 1.3 The committee are asked to approve a consultation based on the proposals being suggested and will then receive a further report in January 2021 seeking their determination of those arrangements.
- 1.4 Local Authorities must also set out schemes for co-ordinated admissions, including key dates in the admission process, and also the arrangements for consultation with own admission authority schools in the city and with other local authorities. They also establish the area (the "relevant area") within which the admission consultation should take place.

**2. RECOMMENDATIONS:**

- 2.1 The committee agree to make no changes to the council's admission arrangements or school catchment areas (where applicable).
- 2.2 That the Committee agree to consult upon a change to the Published Admission Number (PAN) of Balfour Primary School from 120 to 90 pupils.
- 2.3 That the Committee agree to consult upon a change to the PAN of Benfield Primary School from 60 to 30 pupils.
- 2.4 That the Committee agree to consult upon a change to the PAN of Brunswick Primary School from 120 to 90 pupils.

- 2.5 That the Committee agree to consult upon a change to the PAN of Downs Infant School from 120 to 90 pupils.
- 2.6 That the Committee agree to consult upon a change to the PAN of Goldstone Primary School from 90 to 60 pupils.
- 2.7 That the Committee agree to consult upon a change to the PAN of Moulsecoomb Primary School from 60 to 30 pupils.
- 2.8 That the Committee agree to consult upon a change to the PAN of Stanford Infant School from 90 to 60 pupils
- 2.9 That the Committee agree to consult upon a change to the PAN of West Blatchington Primary School from 60 to 30 pupils.
- 2.10 That the Committee agree to consult upon a change to the PAN of Hove Park School and Sixth Form from 300 to 180 pupils.
- 2.11 That the Committee agree to make no changes to the “relevant area”.

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 In the [School Admissions Code](#) it states who must be consulted in relation to school admission arrangements. This includes parents of children between the ages of two and eighteen; other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions; all other admission authorities within the relevant area and any adjoining neighbouring local authorities where the admission authority is the local authority.
- 3.2 The consultation takes place approximately 18 months in advance of the school year in which pupils will be admitted under the proposed arrangements. The relevant papers for the 2022-23 admission year for the City of Brighton & Hove are attached as appendices to this report.
- 3.3 Local Authorities must also set out schemes for co-ordinated admissions, including key dates in the admission process, and also the arrangements for consultation with own admission authority schools in the city and with other local authorities. They also establish the area (the “relevant area”) within which the admission consultation should take place.
- 3.4 The consultation process must have been concluded by 31 January 2021, with a minimum of 6 weeks consultation time. The Council must have reached its decisions and confirmed its admission arrangements for 2022-23 by 28 February 2021 in order to conform to the requirements of the School Admissions Code.
- 3.5 It is proposed to start the consultation on 5<sup>th</sup> October and for it to run for 9 weeks concluding on 27<sup>th</sup> November 2020.

## Admission Priority

- 3.6 There are no proposed changes to the council's admission priorities or catchment areas.
- 3.7 The Schools Adjudicator has highlighted in a recent [determination](#) that detail present in the admissions booklet should be included in the council's determined admission arrangements and published on the council's website by 15 March 2021.
- 3.8 The council's admission arrangements provided in appendices 2-6 provide more detail this year in order to comply with all requirements of the admission code.

## Published Admission Number

- 3.9 Since 2017 the council has reduced the amount of surplus school places by 240 across 7 schools as detailed in the table below.

Previously agreed reductions in PAN through consultation process	PAN changed		September of admission year
	From	to	
Brackenbury Primary School	60	30	2017
Coombe Road Primary School	60	30	2019
Moulsecomb Primary School	90	60	2019
West Hove Infant School - Connaught Road	120	90	2019
Westdene Primary School	90	60	2020
Hangleton Primary School	90	60	2021
Mile Oak Primary School	90	60	2021
West Hove Infant School - Connaught Road	90	60	2021

- 3.10 Starting school places for September 2019 at the City's infant and primary schools were allocated on 16 April 2019. At that time there were 2560 places offered and 380 places unfilled.
- 3.11 In July 2019 a request to the school's adjudicator was agreed for a temporary reduction in PAN by 30 places for the following schools: West Blatchington Primary, Hangleton Primary and West Hove Infant – Connaught Road and Mile Oak Primary School. These were all agreed for September 2019 with the support of the schools for a one year arrangement only.
- 3.12 Starting school places for September 2020 at the City's infant and primary schools were allocated on 16 April 2020. At that time there were 2517 places offered and 393 places unfilled.
- 3.13 A further request has been made this year to the school's adjudicator for a reduction in PAN by 30 places for Hangleton Primary, West Hove Infant – Connaught Road and Mile Oak Primary School for September 2020.

Temporary reduction in PAN	PAN changed		year of change
	From	to	
West Blatchington Primary School	60	30	2019
Hangleton Primary School	90	60	2019
	90	60	2020
Mile Oak Primary School	90	60	2019
	90	60	2020
West Hove Infant School - Connaught Road	120	90	2019
	90	60	2020

- 3.14 A reduction of PAN for Hangleton Primary School, West Hove Infant School – Connaught Road and Mile Oak Primary School was consulted upon last year and each school will reduce permanently by 30 pupils each from September 2021.
- 3.15 In September 2022 the Council is projecting that there will be 2293 applications leaving 527 places unfilled should no further reduction of places take place.
- 3.16 In September 2023 pupil numbers are projected to be 2191 leaving 629 places unfilled.
- 3.17 It has been a long-standing convention that local authorities should plan to have between 5-10% surplus capacity to allow it to take account of parental preference and fluctuations in pupil numbers. The surplus capacity for September 2022 is currently 19% (527/2820) and will rise to 22% (629/2820) in September 2023.
- 3.18 To maintain the recommended surplus capacity approximately 300 school places (227/2820= 8%) would need to be removed for September 2022.
- 3.19 Having too many surplus places can lead to schools having financial difficulties when, for example, they have a PAN of 60 pupils but only admit 36 starting school places. Under infant class size regulations a school must have a maximum of 30 pupils taught by one teacher and so the school would be required to fund two class teachers with an average class size of 18 pupils. School funding is predominantly based upon pupil numbers and there will be fewer financial pressures if the school had larger class sizes.
- 3.20 If the number of surplus places in the city is not addressed some schools could face significant financial issues that will impact on their ability to sustain their school improvement journey. Where schools do not take appropriate action to adjust their expenditure in line with changes in revenue, they risk incurring a deficit budget which has an implication for the council's own budget.
- 3.21 In preparation of these proposals, informal discussions have taken place with headteachers and chair of governors where a possible reduction in PAN seemed plausible, with the intention of reaching consensus about consulting upon a planned reduction in PAN from September 2022.
- 3.22 Community schools have the right to object to the Schools Adjudicator if the PAN set for them is lower than they would wish. There is a strong presumption in

favour of an increase to the PAN to which the Schools Adjudicator must have regard when considering any such objection.

- 3.23 The city is divided into 8 planning areas for school place planning. Consideration has been given to each planning area to identify suitable schools where the PAN could be reduced.
- 3.24 Pupil numbers are forecast across each planning area using information from GP registration data to give an indication of the number of pupils, school places required and expected numbers of surplus places. These have been included in Appendix A
- 3.25 School allocation information from previous years has been reviewed in Appendix B.
- 3.26 An analysis of where pupils live, and which schools draw pupils from large geographical areas has also been undertaken. Future pupil movement between planning areas is identified using data showing where pupils currently live and where they attend school. These have been included in Appendix C
- 3.27 In developing these proposals consideration has been given to the potential impact of a school reducing by a form of entry as a result of schools largely being funded according to pupil numbers. However, whilst there remain concerns about how a one form entry primary school can be sustained it is not possible to avoid recommending changes that potentially create three more one form entry schools and sufficiently reduce the number of surplus places in the city.
- 3.28 Current and past pupil numbers indicate the potential future need for a school to operate small classes due to class size legislation. There are predominantly in areas where fewer children live and where children are drawn from a large geographical area.
- 3.29 Consideration has been given to the impact on the environment of any proposals to reduce the PAN of primary schools in the city. The aspiration is to ensure that the city can support sustainable routes to school that mean it will not be necessary for children to travel by car to school. These proposals seek to ensure that there remain enough school places within a reasonable distance for families to be offered.
- 3.30 It is understood that some families may need to travel further to attend a school with a religious designation. It is also recognised that the aim to minimise damaging car journeys to schools may require a limitation on the ability for parents to have a preference for a particular school fulfilled.
- 3.31 It is recognised that each school will have built up a community of current, past and future families which will be affected should proposals to reduce the school's PAN be determined.
- 3.32 The recommendation to include these schools is not a reflection on the leadership or performance of the school. In a city with a strong education offer it is likely that proposals will have to impact on well run, successful schools. This issue requires a city-wide approach and a school's popularity or performance

cannot be the overriding factor to where places remain and surplus places removed.

- 3.33 Should all these proposals take effect the number of surplus places in the city will be 287 in September 2022 and 389 in September 2023. This will be 11% and 15% surplus capacity in 2022 and 2023 respectively, still outside the recognised levels. The School Admission Code and the role of the Schools Adjudicator does not provide full autonomy to the council, as the admission authority, to address the issue of surplus places. Nor is it possible to align an approach which fully supports both parental preference and a sustainable family of schools.
- 3.34 The council has remained in dialogue with both the Diocese of Chichester and Diocese of Arundel & Brighton in relation to the projection of surplus places. As the admission authority for 15 primary schools in the city both Dioceses have a role to play but it is recognised that 11 of those schools are already one form entry primary schools.
- 3.35 Consideration should be given to the impact of these proposals on the nursery classes at Goldstone, Moulsecoomb and West Blatchington schools. Each school nursery class has 52 part time places. All three and four-year-old children are entitled to a part time place (15 hours a week) and children of working parents a full time place (30 hours a week).
- 3.36 The School Admissions Code prevents admission arrangements giving children who attend the nursery priority over other children to a place at the school. However, there can be a strong link between the two provisions and therefore the council needs to be mindful of the impact on the nursery classes and the proposed PAN. In the case of Moulsecoomb and West Blatchington there will be more nursery places available than reception places. This may discourage some parents from choosing the nursery class and could impact on the future viability of the class.

School	Nursery places	Proposed PAN
Goldstone Primary School	52 part-time	60
Moulsecoomb Primary School	52 part-time	30
West Blatchington Primary School	52 part-time	30

- 3.37 The council has put forward recommendations for changes at 8 primary schools potentially reducing the number of surplus places by 240. To determine which schools are to be consulted upon the council has considered the number of children living in the school's planning area. The popularity of the school based upon the number of first preferences and the distances of which parents are drawn to the school.
- 3.38 The council is looking to a range of schools to play a part in reducing the surplus of school places. Where it is feasible, proposals include large schools where there are projected to be fewer children in future years (in the council defined planning area for that school). The council has not proposed changes to schools which were oversubscribed with first preferences for September 2020 except where the planning areas would sustain the reduction in places.

- 3.39 The Equality Impact Assessment (Appendix D) highlights that consultation must be carefully designed to ensure a full range of residents can contribute and respond to the proposals. It stresses the importance of ensuring that there are some surplus places in each planning area so there are local school places available for any late applicants. It also identifies the need to consider the impact of any change in PAN may have on a school, in relation to the composition of pupil cohorts and their families, to promote a comprehensive education offer.
- 3.40 By seeking to only reduce the PAN of some schools in the city, it will ensure that the physical accommodation is available when the city receives an upturn in pupil numbers without a new capital programme being required.
- 3.41 All schools expressed concerns about the proposal of having their PAN reduced.

### **Hove Park School**

- 3.42 In 2020 the council sought a variation of the PAN at Hove Park School and Sixth Form to reduce it from 300 to 180. Since then Kings School has confirmed the increase of their PAN to 165 with effect from September 2021. It is proposed that Hove Park's PAN is reduced to 180 to provide increased stability for the school moving forwards both in terms of finances and being able to deliver a broad, balanced and creative curriculum that meets the needs of all our students, across the two sites.

## **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The Council could propose to make a change to its current admission arrangements through the consultation process however, the arrangements are lawful and well-established. The Schools Adjudicator only identified an issue with the process of determination and not with the arrangements detailed.
- 4.2 The Council could seek to make no change to the PAN of any primary school. Whilst this may ensure the council can meet a high level of parental preferences it will provide more uncertainty for schools in their planning and could place more schools at risk of financial difficulty.
- 4.3 The Council could propose to change the PAN of other primary or infant schools. Under the School Admission Code this must be undertaken following a consultation with the governing body. Consideration must be given to the emphasis of the School Admission Code and the considerations of the Schools Adjudicator before determining if more schools should have a change in their PAN.
- 4.4 All admission authorities must consult where they propose a decrease to the PAN. Community schools have the right to object to the Schools Adjudicator if the PAN set for them is lower than they would wish. There is a strong presumption in favour of an increase to the PAN to which the Schools Adjudicator must have regard when considering any such objection.

## **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The Council scrutinised the Voluntary Aided (VA) Schools and Free Schools' proposed admission arrangements for 2020/21. VA schools are required to consult their religious authority (in this case the Diocesan Authority) before consulting others. The Council will review the final document published by the Governing Bodies before deciding whether it should comment or act further.
- 5.2 The Council has previously requested that Headteachers and Chairs of Governors inform it if a future reduction in PAN was a proposal that they would wish to undertake. No schools have indicated a willingness to undertake such a reduction.
- 5.3 If recommended, it is proposed to start the consultation on the reduction of PAN at Benfield Primary School, West Blatchington Primary School, Goldstone Primary School, Brunswick Primary School, Stanford Infant School, Moulsecomb Primary School, Downs Infant School, Balfour Primary School and Hove Park School on Monday 5 October and for it to be concluded on Friday 27 November.

## **6. CONCLUSION**

- 6.1 It is proposed that a consultation is undertaken to consider the reduction of Published Admission Number for: Benfield Primary School, West Blatchington Primary School, Goldstone Primary School, Brunswick Primary School, Stanford Infant School, Moulsecomb Primary School, Downs Infant School and Balfour Primary School by 30 places each. It is also proposed to consult on a reduction in PAN of Hove Park School of 120 places. This will support a reduction in the amount of surplus primary school places available in the city and a future surplus of secondary school places, allowing schools to plan more effectively.
- 6.2 It is proposed to make no further changes to admission arrangements and to undertake a public consultation with the results and final recommendations coming back to this committee in January 2021.
- 6.3 The council must act to ensure there is not excessive levels of surplus school places in the city. It also holds the financial risk if community schools move into a deficit budget position. However, it only has responsibility as the admission authority to community schools within the city and must have due regard to the emphasis placed on the Schools Adjudicator and the requirements of the School Admissions Code when considering the options available to it. There is a strong presumption that schools which receive a high number of parental preferences and can accommodate a higher number of pupils should be able to admit more children than the PAN set for it.
- 6.4 Should all the proposed reductions in PAN be determined after public consultation the council will still have 287 surplus places in September 2022 and 389 surplus places in September 2023, representing 11% and 15% respectively.
- 6.5 It is possible that after the admission arrangements for September 2022 are determined a variation to these arrangements can be made seeking to adjust the PANs and reducing more surplus places. Any future decision will be able to take

account of patterns of parental preference for September 2021, changes of strategic direction by schools in the city and the results of future financial planning.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

The main driver of a school's budget is pupil numbers. Any reduction in pupil numbers will result in a reduction in budget. The schools impacted by the proposed reduction in PAN will need to plan their budgets over the period of the change in PAN to reflect the expected reduction in pupils and budget. Any redundancy costs will need to be met from schools' budgets.

*Finance Officer Consulted: Louise Hoten*

*Date: 23/07/20*

### Legal Implications:

Section 88C of the School Standards and Framework Act 1998 and the School Admissions (Admissions Arrangements and Co-ordination of Admission Arrangements) Regulations 2012 require admission authorities to determine their admission arrangements annually. Arrangements must be determined 18 months in advance of the academic year to which they apply.

Where changes such as a decrease in the PAN are proposed the admission authority must first publicly consult on those proposed arrangements. The School Admissions Code 2014 states that consultation must be for a minimum of six weeks and must take place between 1 October and 31 January of the school year before those arrangements are to apply. The admission arrangements must be determined by 28 February in the determination year. The arrangements for the admission year 2022/23 must therefore be determined by 28 February 2021.

Community schools have the right to object to the Schools Adjudicator if the PAN set for them is lower than they would wish. The School Admissions Code provides that there is a strong presumption in favour of an increase to the PAN to which the Schools Adjudicator must have regard when considering such an objection. For this determination year any objections to the arrangements must be referred to the Adjudicator by 15 May 2021.

The 1998 Act also requires local authorities to establish a relevant area in which admission authorities must consult regarding their admission arrangements. The Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999 require local authorities to consult on these proposals every two years.

*Lawyer Consulted:*

*Serena Kynaston*

*Date: 01/09/20*

### Equalities Implications:

- 7.1 An Equality Impact Assessment has been carried out on the proposals being recommended to the committee. The assessment can be found at Appendix D and the results have been incorporated into the content of the report.
- 7.2 It is worth noting that the admission process is 'blind', by virtue of applications being considered in line with the published admission arrangements that do not take account of a person's protected characteristics.
- 7.3 However, the availability of school places across the city could have an impact on certain groups by virtue of their proximity to certain schools and the availability of places should families make a late application.
- 7.4 The consultation process needs to take account of young parents who may be less likely to respond to the consultation, issues of accessibility and comprehension of the consultation process and the materials made available as well as ensuring that the decision-making process after the consultation is based on the content not just quantity of replies.
- 7.5 When determining admission arrangements, the council needs to ensure that there are sufficient school places available within a reasonable distance for families who may contain members who have special educational needs, disabilities, speak English as an additional language and of various races/ethnicities This will ensure that if families apply after the deadline date they will not be significantly disadvantaged and face the prospect of a lengthy journey to school.
- 7.6 It is recognised that to foster strong community cohesion school's intake should seek to reflect the city's diversity.

### Sustainability Implications:

- 7.7 Wherever possible the council aims to reduce the number of journeys to school undertaken by car. A reduction in the availability of school places across the city could risk a rise in the number of journeys undertaken by car.
- 7.8 Schools are expected to have a School Travel Plan to:
  - reduce the number of vehicles on the journey to school
  - improve safety on the journey to school
  - encourage more active and sustainable travel choices
- 7.9 Any change in PAN is expected to require the school's travel plan to be re-written to take account of the change.

- 7.10 In relation to Hove Park School many secondary aged pupils will either use public transport or make their own way to school. As a school that often has surplus places on allocation students from further away in the city are often allocated a place there. This will reduce should the school's PAN be reduced.
- 7.11 Many primary schools are clustered in areas which means that a reduction in places will not mean a significant increase in journeys to other schools. The consultation period will be an opportunity to explore what the potential impacts of these proposed changes will be and the report to committee in January can be expected to detail these in more detail alongside recommendations for changes to be implemented.

Any Other Significant Implications:

- 7.12 See Appendix 1

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Significant Implications
  2. Published Admission Numbers for Primary and Secondary schools.
  3. Admission arrangements and priorities for community primary and secondary schools
  4. Coordinated scheme of admissions – primary.
  5. Coordinated scheme of admissions – secondary.
  6. Coordinated scheme of admissions – in year arrangements
- A. Pupil Forecast Sheet
  - B. Summary table
  - C. Planning Area Analysis
  - D. Equality Impact Assessment

2.

### **Documents in Members' Rooms**

None

### **Background Documents**

None



Crime & Disorder Implications:

- 1.1 None.

Risk and Opportunity Management Implications:

- 1.2 Any change to school attendance patterns and pupil numbers will impact directly on resource allocation both revenue and capital, and on the Council's ability to meet parental expectations on school places. Pupil data and broader population data is used to identify the numbers of school places required and where they should be located. This feeds into the capital programme so that resources are allocated where they will have the most beneficial effect.

Public Health Implications:

- 1.3 None.

Corporate / Citywide Implications:

- 1.5 School organisation matters help to address the corporate priorities for a growing and learning city and a stronger city. By seeking to ensure through the provision of a local school place that the council addresses the causes of poverty and its impact on our communities and ensures that schools continue to improve, and all children do well.
- 1.6 The allocation of school places affects all families in all parts of the city and can influence where people choose to live. Failure to obtain the desired choice of school can create a strong sense of grievance. The process of expressing a preference and if disappointed, entering an appeal can create intense anxiety for many families in the city. Admission arrangements together with school place planning are framed in such a way as to be mindful of supporting the needs of communities.

