

# **CHILDREN & YOUNG PEOPLE CABINET MEMBER SPECIAL MEETING**

## **Agenda Item 47**

Brighton & Hove City Council

**Subject:** School Admission Arrangements for 2011/12  
**Date of Meeting:** 22 March 2010  
**Report of:** Director of Children's Services  
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**Key Decision:** Yes Forward Plan No: CYP13308  
**Wards Affected:** All

### **FOR GENERAL RELEASE**

#### **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Each year local authorities must consult upon school admission arrangements and school admission numbers with community schools and voluntary aided schools, neighbouring LEAs and with parents living in the City. This consultation takes place approximately 18 months in advance of the school year in which pupils will be admitted under the proposed arrangements. The consultation papers for the 2011/12 admission year for Brighton & Hove are attached as Annex 1.
- 1.2 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 Voluntary Aided schools in the City and with other local authorities. They must also establish the area (the "relevant area") within which the admission consultation should take place.
- 1.3 The consultation process must have been concluded by 1<sup>st</sup> March 2010, with a minimum of 8 weeks consultation time. This requirement has been fulfilled. The City Council must have reached its decisions and confirmed its admission arrangements for 2011/12 by 15<sup>th</sup> April 2010 in order to conform to the requirements of the Admissions Code.

#### **2. RECOMMENDATIONS:**

- 2.1 That the proposed school admission numbers set out in the consultation documents be adopted for the admissions year 2011/12.
- 2.2 That the exceptional circumstances admission priority be retained for all age groups, but is applied more rigorously with a stronger burden of proof of the need for admission to the school in question.
- 2.3 That a new admission priority be applied to the junior admission exercise where there are linked infant and junior schools (new priority 4). This would give children who attended the Infant School priority, after the three higher listed

priorities have been applied, for places at the Junior School. At the same time the limit of 2 miles placed on the sibling link for primary schools be removed.

- 2.4 That the proposed Voluntary Aided School admission arrangements be noted as conforming to the requirements of the Admissions Code.
- 2.5 That the co-ordinated schemes of admission, including schemes for in-year admission, be approved.
- 2.6 That the City boundary be retained as the relevant area for consultation for school admissions.

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The admission numbers in the consultation reflect those previously agreed for 2010/11, with the exception of 30 additional places each at Goldstone and Westdene Primary Schools, and 15 places at Queen's Park Primary School. These places will help to meet the continuing growth in demand for Reception places in Hove and on the Brighton/Hove border. The Schools Adjudicator has agreed to an increase of 30 pupils in the admission number for Goldstone and Westdene Primary Schools with effect from September 2010. This confirms that the proposed higher admission numbers for those schools published in the consultation for 2011/12 will be applied.
- 3.2 Balfour Junior School has already been enlarged to accommodate an extra form of entry and now accommodates an intake of 128 in Year 3 which matches the Infant School admission number of 120.
- 3.4 The proposed admission arrangements and priorities for community primary and secondary schools are set out in detail in the attached Annexe 1, the consultation document sent to schools, neighbouring local authorities and the diocesan authorities.
- 3.5 It is proposed, following consultation, that the removal of the exceptional circumstances admission priority does not go ahead. The proposed removal of the priority for secondary and junior schools was intended to help the Admissions Team to ensure that its application of the published admission priorities is objective and fair, amidst concern that decisions might not be objective and factually based on the need for attendance at a particular school. In recent years, concern has been expressed by parents and schools that there is a lack of transparency in what is required to meet this criterion. Concerns have also been raised that it is very difficult to demonstrate objectivity in the process, where decisions are made on the basis of individual medical or other circumstances. There has been a significant growth in the number of parents seeking this priority and providing evidence of varying quality to support it.
- 3.6 The need for the exceptional circumstances priority at secondary level has diminished to some extent with the advent of catchment areas, as children are now more likely to be able to access a local school. It is also the case that requests for priority are made for a particular school on the grounds of the existence of a medical condition that could in reality be managed at any maintained school. For junior schools, the need for this priority is less as a

higher proportion of preferences are met for junior schools than primary or secondary. Should the option to introduce priority for children in the linked infant school be introduced (see 3.7), the need for this priority for junior schools will reduce still further. However, on balance, and in light of consultation responses, it has been decided that the priority should be retained to allow justified cases to be agreed before appeal. There was also concern that its removal could lead to an increase in appeals. Although retained, the priority will be applied more rigorously with the aim of reducing the number of cases agreed.

- 3.7 It is proposed following the consultation that a new admission priority be applied to children applying to the junior school where they are currently attending a linked infant school. This would mean that after children in care, exceptional circumstances and the sibling link, those already attending the linked Infant school would have priority for admission to the junior school over other applicants. Whilst not guaranteeing a place it would give some reassurance to parents of consistency at Infant/Junior transfer. The change was fully supported by primary school heads at their regular meeting before Christmas. In all cases of linked infant and junior schools, the junior intake is higher than the infant. This means that there is some allowance for other pupils to gain a place. At the same time as introducing this priority, the limit of two miles placed on the sibling link for primary schools will be removed.
- 3.8 The co-ordinated schemes of admission for primary and secondary schools (Appendices 3,4 and 5) set out the admission arrangements and relevant dates for each part of the school admission exercise and the arrangements for coordination between admission authorities. The overall purpose of co-ordination is to ensure that each pupil receives one offer of a school place, so that different admission authorities are not holding open places for pupils that will not be taken up. It also ensures that the admission process takes place in a timely fashion. Now that there is also a legal requirement for the co-ordination of in-year applications the Council has produced a separate document to set out those arrangements for admissions in 2010 and subsequent years. The in-year arrangements are not subject to set time scales, so the same document can be used from year to year, although annual consultation will still take place.
- 3.9 Periodically the LA must determine what is known as the “relevant area for consultation”. This area will include the schools and other admission authorities (such as voluntary aided schools) that should be consulted on admission arrangements. A relevant area may be either the LA area, less or more than that, or may include part of neighbouring LA areas. The whole of the LA must be included in one or more relevant areas. Some larger LAs sub-divide into smaller areas for consultation purposes. In Brighton & Hove the relevant area has been set as the city boundary. Whilst there is some cross-border movement of pupils, it has not been seen as significant enough to warrant a cross-border relevant area. The proposal in this year’s consultation is to retain a relevant area co-terminus with the city boundary.

#### **4. CONSULTATION**

- 4.1 The Council scrutinised the Voluntary Aided (VA) Schools proposed admission arrangements for 2011/12. It had no objections to the proposed arrangements, and took the view that the arrangements for all 16 VA schools conformed to the requirements of the Admissions Code. It has recommended some minor

amendments to proposed arrangements which have been accepted. Ten Voluntary Aided schools chose, as they are entitled to do in law, not to change their published arrangements and therefore not formally consult for the admission year 2011/12.

- 4.2 Parental responses to the consultation are set out in Appendix 6.
- 4.3 School responses to the consultation are set out in Appendix 6.
- 4.4 No responses have been received from neighbouring local authorities or the Church of England or Roman Catholic Diocesan authorities.
- 4.5 The Brighton and Hove Admissions Forum considered the proposed admissions arrangements at its meeting held on 21<sup>st</sup> January 2010. Some concern had been expressed at the proposal to remove the Exceptional Circumstances category, especially where it might affect those who were not formally Children in Care, but whose care arrangements might not be with their parents. It was also suggested by school representatives that there was a significant number of pupils arriving in school with undiagnosed conditions or difficult social circumstances who might be in need of special consideration for admission priority.

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

### Financial Implications:

- 5.1 It is not possible to quantify in detail the financial implications of these recommendations. However, any changes to admission arrangements or patterns may impact on the numbers of pupils at individual schools and therefore individual school budget allocations which are largely driven by pupil numbers.

*Finance Officer Consulted: Paul Brinkhurst*

*Date: 01/03/2010*

### Legal Implications:

- 5.2 Section 89 of the School Standards and Framework Act 1998 and subsequent legislation including the Education and Skills Act 2008 require admission authorities to determine before the beginning of the school year, the admission arrangements which are to apply for that year. The determination must be preceded by consultation with the Governing Bodies of Schools within the area of the LA for which the LA is the admission authority, with parents and with neighbouring admission authorities. Consultation must be completed by 1<sup>st</sup> March in the year preceding the admission round, and should be for a period of no less than 8 weeks. Admission arrangements must conform to the Admissions Code which sets out acceptable and unacceptable admission arrangements and priorities. Admission authorities, diocesan authorities, the Admission Forum and parents may refer any admission arrangements that they believe to be contrary to the provisions of the Admissions Code to the Schools Adjudicator. Admission Authorities must determine their admission arrangements following that consultation by 15<sup>th</sup> April.

*Lawyer Consulted: Sandra O'Brien*

*Date: 12/03/2010*

Equalities Implications:

- 5.3 Planning and consultation for school admissions procedures and school places and the operation of the process are conducted in such a way as to avoid potentially discriminatory admissions priorities or planning processes. The city council and voluntary aided school governing bodies must be mindful of bad practice with regard to equalities issues as described in the School Admissions Code of Practice.

Sustainability Implications:

- 5.4 School admission arrangements are intended so far as it is possible to provide pupils with local places where they have asked for them. The planning of school places for the City takes into account the changing population pattern and resultant demand for places. The current pattern of parental preference is reflected in different schools operating both over and under capacity. In planning for school places the Council will have regard to sustainability priorities and seek to provide local places and places which are accessible by safe walking and where possible cycling routes and public transport wherever this is possible.

Crime & Disorder Implications:

- 5.5 Balanced school communities with firm parental support contribute to orderly and harmonious communities.

Risk and Opportunity Management Implications:

- 5.6 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.

Corporate / Citywide Implications:

- 5.7 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.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The City Council is required in law to review its school admission arrangements every year, although following the Education and Skills Act 2008 this will change to once every three years if no changes are made. The consultation is intended to identify alternative proposals for admission arrangements. Issues raised by schools will be set out in the tabled addendum to this report.

## **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The City Council must conform to legislative requirements on the publication of admission arrangements which reflect the requirements of the Admissions Code. The recommendations ensure the City Council's compliance, and reflect the body of debate and consultation which has taken place around admission arrangements in Brighton & Hove this year and in previous years.

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

1. Admission consultation document for schools.
2. Parental consultation document.
3. Coordinated scheme of admissions – secondary.
4. Coordinated scheme of admissions – primary.
5. Coordinated scheme of admissions – in year
6. Summary of responses to the consultation

#### **Documents In Members' Rooms**

1. None

#### **Background Documents**

1. None