

Subject:	Secondary School Admission Arrangements 2018/19		
Date of Meeting:	Children, Young People and Skills Committee 7 March 2016		
Report of:	Executive Director of Children's Services		
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Ward(s) affected:	All		

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

- 1.1 The City Council is the admission authority for maintained schools in the city. The admission arrangements for schools must be determined 18 months in advance of the academic year in which they will take effect. It is proposed that the admission arrangements for the city's secondary schools be revised from September 2018. This paper outlines the intention to undertake an engagement exercise with interested parties to elicit views on some of the proposals for change.
- 1.2 The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that consideration of detailed proposals to put forward in the report were dependent upon the timing of the Department for Education (DfE) announcement in relation to Free School bids which was later than expected.

2. RECOMMENDATIONS:

- 2.1 That the committee notes the progress made by the Cross Party School Organisation Working Group (CPSOWG) and its commissioned task and finish group looking at secondary school catchment areas.
- 2.2 That the committee note the proposals being put forward to a public engagement exercise.
- 2.3 That the committee agree to the engagement exercise starting in March 2016 and running for 6 weeks ending on 22 April 2016.
- 2.4 That the committee agrees that following this public engagement exercise the CPSOWG should develop a final proposal which will be brought back to CYP&S committee with a recommendation that it should go out to formal consultation in the autumn 2016. The results of this formal consultation will be brought back to this committee for consideration before being referred to Full Council for final decision in January 2017.

3. BACKGROUND INFORMATION – Current situation

- 3.1 The City Council has a statutory responsibility to ensure there are sufficient school places for all children living in its area who require one.
- 3.2 There has been an increase in the number of primary aged pupils in the city over the last 6 years. These pupils are due to increase the numbers of secondary school age children in the next 5 years, beyond the current capacity of the schools in the city.
- 3.3 The secondary schools in Brighton and Hove can currently accommodate 2555 pupils in each year group.

School	Published Admission Number
Blatchington Mill School and Sixth Form College	300
Brighton Aldridge Community Academy	180
Cardinal Newman Catholic School	360
Dorothy Stringer School	330
Hove Park School	300
King's School	150*
Longhill High School	270
Patcham High School	215
Portslade Aldridge Community Academy	180**
Varndean School	270
Total	2555

* King's School is expected to have a Published Admission Number of 150 for September 2018

**PACA may increase its PAN to 240 for September 2018

- 3.4 Currently parents list up to three preferences on their application. Applications are considered against the admission criteria for each of the listed preferences. Places are offered up to the admission number at each school and parents are offered the highest possible preference is offered to each child.
- 3.5 Where there are more applications received than there are places available the five current admission priorities are used to decide who will get a place. These are:
- Children in the care of a Local Authority
 - Compelling medical or other exceptional reasons to attend the school
 - Sibling link
 - Catchment area
 - Other children
- 3.6 If a school is oversubscribed with children in any of the five priorities, the council will use an electronic random allocation system to decide which of the children within that priority should be offered the available places.

- 3.7 According to GP registration records, there are currently primary age cohorts of more than 3100 children in the city. Therefore there is a need to ensure there are additional places in the city's secondary schools.
- 3.8 An independent review of the methodology for forecasting secondary pupil numbers used by the council was commissioned by the CPSOWG to provide assurance on the key data that inform decision making about the provision of new secondary school places.
- 3.9 The report entitled Brighton and Hove City Council: Pupil Number Forecasting System - A report on the methodology and accuracy of the pupil number forecasting system used by Brighton and Hove City Council (Appendix 1) concluded that the approach used in Brighton and Hove is 'remarkably simple', 'operated by relatively senior officers alongside their wider responsibilities, using well understood generic software, without the need for specialist software or external partners'.
- 3.10 The report notes that 'the methodology currently used provides a good short term (three year) forecast for citywide primary numbers. The methodology used is less accurate for secondary forecasts, but improving as a result of recent changes to the approach'. There has been a tendency to over-estimate secondary numbers but this was less than 2% or around 40 pupils across the city for the most recent forecast that could be tested, at the time of the report being written.
- 3.11 The report comments that Brighton and Hove is unusual in not making forecasts at the individual school level, which take into account the effects of parental preference as well as other factors. Instead forecasts are made at planning area level for the primary phase and catchment area level for the secondary phase.
- 3.12 The report's conclusions were welcomed in that they confirm that primary forecasts are good and that secondary forecasts, while less accurate, are improving. The analysis states that there is overestimation in the secondary forecasts, but shows that this is not such as to remove the case for a substantial number of new secondary school places.
- 3.13 It has recently been announced that the University of Brighton (UoB) bid to open a new secondary school in the city has now moved to the pre-opening stage of the process. The DfE will work to try to open the school by the preferred date of September 2018, but the opening date cannot be agreed until the DfE have confirmed the site and assessed the time needed for obtaining planning permission and completing necessary building works or refurbishments. It is anticipated that the school will have a published admission number of 180 pupils.
- 3.14 With this additional number of places making a total of 2735 places in the city it is anticipated that there will be sufficient places available to accommodate the rising number of secondary aged pupils between now and 2026.
- 3.15 As previously stated, all the schools have published admission arrangements which explain how places will be allocated to pupils in the event of oversubscription, when there are more applications than places available.

- 3.16 In the case of Cardinal Newman Catholic School (CNCS) and King's School the schools are their own admission authority and set their own arrangements. The arrangements used by CNCS broadly prioritise children of the catholic faith and those attending feeder primary schools. King's School prioritise children who regularly attend church and then children who live closest to one of two location markers. One of these is the school's current location; the other is a location in Hove.
- 3.17 Both Brighton Aldridge Community Academy (BACA) and Portslade Aldridge Community Academy (PACA) are their own admission authority but have adopted the Council's admission priorities. It is anticipated that the new school will similarly adopt the Council's admission priorities.
- 3.18 Hove Park School and Blatchington Mill School and Sixth Form College, and Dorothy Stringer School and Varndean School are currently in dual catchment areas. The remaining schools each have their own single school catchment areas.
- 3.19 It is anticipated that with the large number of primary school children moving through to secondary schools some of the current catchment areas will contain more children than can be accommodated by the school(s) serving that catchment area i.e. the catchment areas will no longer 'catch'. It is also expected that the new school will need to have a catchment area. It has therefore been necessary to undertake a review of the current admission arrangements, including the catchment areas.

4. BACKGROUND INFORMATION – The Challenge

- 4.1 The CPSOWG requested that a task and finish working party of Members, Headteachers and Governors consider the options available for changing the admission arrangements. That group has been working since January 2015 on possible options to change the current catchment areas, seeking to ensure that any proposed new catchment areas will catch all children resident within them and are logical, fair and clear to understand.
- 4.2 The members of the working party are:
- Cllr Daniel Chapman (Chair)
 - Cllr Maggie Barradell
 - Cllr Vanessa Brown
 - Cllr Andrew Wealls
 - Cllr Alexandra Phillips
 - Cllr Amanda Knight
 - Dylan Davies, Principal, Brighton Aldridge Community Academy
 - Paula Sargent, Headteacher Patcham High School
 - Linda Dupret, Headteacher St Paul's CE Primary and Nursery School
 - Martin Andrews Chair of Governors, Longhill High School
 - Andrew Saunders, Governor, Patcham High School
- 4.3 In looking at changing the admission arrangements, the working party also wished to ensure that changes supported the desire to make sure all pupils in Brighton and Hove achieve and raise the attainment of children in the most

deprived circumstances. The group identified that one way of helping to do this is through enabling pupils that live in disadvantaged areas to gain a higher priority to attend a more popular school.

4.4 The considerations mentioned were augmented with the following aims:

- The arrangements should be equitable and transparent, easily understood and communicated effectively
- They should offer choice
- They should provide practicable options which are supported by the public transport network
- They should support a truly comprehensive system of secondary schools
- In a catchment area based system there should be confidence that catchment areas will 'catch'
- They should reflect the importance of ensuring that all schools can be successful and viable

4.5 The working party also sought to provide pupils eligible for Free School Meals (FSM) with a higher priority in admission arrangements. It is proposed that the current oversubscription criteria are amended to give children eligible for FSM living within the city a higher priority than other children living in the catchment area. The working party supported the freedom offered within the School Admissions Code to give admissions priority to children eligible for a sub group of the Pupil Premium which was designed to encourage disadvantaged parents to increase their ambitions and consider schools they might not otherwise.

4.6 It is proposed that a quota of pupils in receipt of FSM will be given priority under this category. The size of the quota will vary for each school and will be determined as a percentage of each school's intake.

4.7 The working party recognised that it is not possible to propose admission arrangements which would meet their priorities and satisfy all of these aims and understood that should any change be proposed that there would be parents who would be dissatisfied. However the group have been seeking to plan strategically for the benefit of all of the city's pupils and provide clear and fair arrangements which accommodate the increasing numbers of secondary aged pupils.

4.8 The working party also considered the findings of the UoB report entitled Stakeholders' perspectives on the secondary school admissions' procedures in Brighton and Hove (Appendix 2) commissioned by the CPSOWG into admission arrangements. The report's recommendations provided the group with further factors to take into consideration.

4.9 The working party now wish to engage the city's residents, school communities, young people and other interested groups with its set of three proposals as detailed in Section 5. The views and suggestions from this engagement exercise

will help the working party develop the final proposal which will be recommended to CYP&S Committee to go out to formal consultation in the autumn.

- 4.10 Pupil projection datasets are based on the GP registrations of children in Brighton and Hove, supplied to us by the NHS (Appendix 3). This data set is used for this work because it allows us to model the pupil numbers for a longer range of years (currently up to 2026) than using the census data of pupils currently in the school system. This data does not provide actual addresses for children but provides us with a partial postcode that allows us to place the pupils in planning areas from which the number of children in catchment areas are compiled.
- 4.11 For the purposes of the design of catchment area maps, the data being used is based on school census data (Appendix 5). This is because it provides us with address data that allows us to better model the impact of some of the options under consideration. Professional judgment is required to modify the figures to take account of certain presumptions. As a result it is understood that there will not be a perfect correlation between the numbers used for each purpose, pupil forecasting is not an exact science.
- 4.12 Neither of these data sets account for planning proposals in Brighton and Hove regarding the number of new homes that could be built between now and 2030. Based on planning information, a forecast for the number of pupils that will be generated from the housing proposals are calculated (Appendix 4). Currently 13,200 housing units are proposed generating over 2,262 additional school age children across all year groups.
- 4.13 As with all the projections there are a number of assumptions made in relation to when proposals will be built, what type of housing that will be and what the 'child product' of each housing type will be. These are used to calculate the number of additional children who will require a school place and when that need will emerge.
- 4.14 As part of the City Plan agreed in February 2016 there are proposals for the development of new homes within Brighton and Hove. It is expected that some of these properties will bring additional children into the city for whom school places will be required. The council has forecast how many additional children are expected to require a place as a result of these developments. The plan outlines developments that could be built up to 2030. There are no definitive timescales for when developments will be built and this can rely on external factors outside of the council's control. Therefore the information in Appendix 4 is an approximation of when the additional homes will be built.
- 4.15 It can be shown that applying the methodology for the planning of school places in Brighton and Hove that there is a need for a minimum of 192 additional places by 2021 (Appendix 3). These additional school places, beyond the additional capacity provided by the new school are planned to be met through the available spare places incorporated into the planning, in part, as a contingency.

5. BACKGROUND INFORMATION – The Options

- 5.1 The working party have put forward three proposals for consideration that change the current catchment areas for the city's schools, excluding King's School and CNCS. These options are explained in more detail in the following paragraphs 5.3 to 5.19.
- 5.2 The first option (option A) has single catchment areas. CNCS and King's School do not have catchment areas as they take pupils from across the city and beyond. The other two options (B and C) have more than one school in each catchment area. The number and combination of schools within each catchment area differs between options B and C.
- 5.3 Option A is illustrated in Appendix 6. The projected pupil numbers for each of the options are included in Appendix 5. This is a single school catchment area option. The option does not address the recommendation of the UoB report that the current geographical catchment area boundaries are redrawn to try to ensure all parents/students have a genuine choice of at least two secondary schools. However single school catchment areas provide parents and pupils with more certainty in their allocation of a school place. It would also provide more certainty that, should they live in the same catchment area, students were able to attend the same school as their close friends. The option also reflects that staff in primary schools considered it was particularly important for vulnerable children to remain within their friendship groups when transferring to secondary school. It would offer reasonable journeys to school for all children within the catchment area, allowing the opportunity for all pupils to attend pre and post school activities. The boundaries are easy to define and understand, such as post code boundaries or significant roads.
- 5.4 Option A produces a wide variation in the projected percentage of children in receipt of FSM attending each school. This could be reduced with the implementation of a FSM quota for each school, as part of changes to the admission arrangements.
- 5.5 Depending upon whether a sibling link is considered or not, there will remain spaces in each catchment area that will mean the option for some out of area pupils to be admitted to popular schools thereby creating additional places in less popular schools.
- 5.6 In the case of oversubscription, the impact of either a distance or random allocation tie-breaker is not likely to be significant. As stated, catchment areas will be drawn to ensure all pupils living in the area can be admitted to their catchment school. Should there be spaces at the school after the allocation of catchment area pupils, with a distance tie-breaker pupils living closest to the school will have priority. This will help to minimise the potential distance of a pupil's journey to school.
- 5.7 In regards to transport, most areas are under the three mile statutory walking distance. Pupils whose family have a low income receive support if the school's location is more than two miles from their home.
- 5.8 All catchment areas are designed to accommodate the children living in the area.

- 5.9 Option B is illustrated in Appendix 7. The projected pupil numbers for each of the options are included in Appendix 5. This is a multi-school catchment area option with two schools in most catchment areas and one catchment area with three schools in it. The option addresses the recommendation of the UoB report that the current geographical catchment area boundaries are redrawn to try to ensure all parents/pupils have a genuine choice of at least two secondary schools. However multi-school catchment areas would not provide parents and pupils with certainty in their allocation of a school place. It would also not provide certainty that, should they live in the same catchment area, students were able to attend the same school as their close friends.
- 5.10 In the case of oversubscription, the impact of either a distance or random allocation tie-breaker is likely to be significant. It is complex to model the impact of random allocation should a school be oversubscribed from within the triple school catchment area. Potentially pupils who live furthest from the school could be offered places at the school, increasing the transport liabilities of the council, although the laws of probability would suggest that at most only half the children would be at risk of this type occurrence. It would mean that children may have to travel past a closer school each day to attend the school allocated through random allocation. The impact of random allocation is likely to include an increase in the amount and length of school journeys when compared to the impact of a distance tie-breaker.
- 5.11 There are currently two dual school catchment areas serving Hove Park School and Blatchington Mill School and Sixth Form College and Varndean School and Dorothy Stringer School.
- 5.12 A distance tie-breaker is likely to create a priority effect around a popular and therefore oversubscribed school where only those close to a particular school might get a place. This was a concern before the current tie-break arrangements were introduced and the use of random allocation was seen as a way to avoid the effect at the time that catchment areas were introduced.
- 5.13 Transport issues may affect how parents rank their preferences. For example, at present there are no direct service buses between Coldean/Bevendean and Patcham High School and there is no safe walking route between Coldean and Patcham High School.
- 5.14 The variation in the percentage of FSM eligible pupils is more pronounced than option C with three schools in each catchment area. If the tie break used to allocate places in an oversubscribed school in the area was random allocation then it could be expected that more of a balance of FSM eligible children would be achieved at each school. However the principle of a quota could still be applied. Only in the Blatchington Mill School and Sixth Form College and Dorothy Stringer School catchment area is there predicted to be less FSM eligible children than combined places offered under the quota system. So only in this area would out of catchment FSM eligible children be expected to gain a place through this method.
- 5.15 Option C is illustrated in Appendix 8. The projected pupil numbers for each of the options are included in Appendix 5. This is a multi-school catchment area option with three schools in each catchment area. The option addresses the

recommendation of the UoB report that the current geographical catchment area boundaries are redrawn to try to ensure all parents/pupils have a genuine choice of at least two secondary schools. However multi-school catchment areas would not provide parents and pupils with certainty in their allocation of a school place. It would also not provide certainty that, should they live in the same catchment area, students were able to attend the same school as their close friends.

- 5.16 In the case of oversubscription, the impact of either a distance or random allocation tie-breaker is likely to be significant. It is complex to model the impact of random allocation should a school be oversubscribed from within a triple school catchment area. Potentially pupils who live furthest from the school could be offered places at the school, increasing the transport liabilities of the council, although the laws of probability would suggest that at most only half the children would be at risk of this type occurrence. It would mean that children may have to travel past a closer school each day to attend the school allocated through random allocation. The impact of random allocation is likely to include an increase in the amount and length of school journeys when compared to the impact of a distance tie-breaker.
- 5.17 A distance tie-breaker is likely to create a priority effect around a popular and therefore oversubscribed school where only those close to a particular school might get a place. This was a concern before the current tie-break arrangements were introduced and the use of random allocation was seen as a way to avoid the effect at the time that catchment areas were introduced.
- 5.18 Transport issues may affect how parents rank their preferences. For example, at present there are no direct service buses between Coldean/Bevendean and Patcham High School and there is no safe walking route between Coldean and Patcham High School.
- 5.19 In this model, the variation in the percentage of FSM eligible pupils is less pronounced across the catchment areas. If the tie-break used to allocate places in an oversubscribed school in the area was random allocation then it could be expected that a balance of FSM eligible children would be achieved at each school. However the principle of a quota could still be applied. There are more FSM eligible children in each catchment area than combined places under the quota system so no out of catchment FSM eligible children would be expected to gain a place through this method.

6. BACKGROUND INFORMATION – The Next Steps

- 6.1 Various meetings are being scheduled to provide the public with an opportunity to have the proposals explained in more detail and to gather feedback on the proposals. There will be an opportunity for responses to be received through the council's online consultation portal and time has been set aside for officers to visit community groups and provide more details and gather responses. The working party is incredibly keen to ensure that families living in hard to reach communities are actively engaged in the proposals and respond with their thoughts and comments.
- 6.2 During the summer the working party will analyse the responses received and the conclusions drawn from that work. In the autumn of 2016 a final proposal will

be brought back to CYP&S Committee with a recommendation that it should go out to formal consultation in the autumn 2016. The results of this formal consultation will be brought back to this committee in January 2017 and then agreed at Full Council.

- 6.3 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 determine admission arrangements for entry in September 2018 by 28 February 2017.
- 6.4 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).
- 6.5 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 and 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. Local Authorities must publish these details by 15 March 2017 for admissions in September 2018.
- 6.6 Following determination of arrangements, any objections to those arrangements must be made to the Schools Adjudicator. Objections to admission arrangements for entry in September 2018 must be referred to the Adjudicator by 15 May 2017.
- 6.7 Appendices 7 to 9 provide additional details of the three proposed models which are being put forward by the working group. It would be helpful to explain some of the assumptions that have been required to develop these proposals.
- 6.8 At this time, the location of the new secondary school is not confirmed. Therefore on the maps of the city a representative location has been used, St Peter's Church on the Old Steine. It is anticipated that the new school will be sited in central Brighton which is where the greatest number of additional places are required.
- 6.9 The proposed catchment areas are drawn as illustrations of how the arrangements could work but may not be the exact areas that will form the proposal that goes to formal consultation in the autumn. It is therefore very important that all respondents understand that these proposed catchment areas are merely illustrative and may not be the catchment area in which their home address is situated when the arrangements are finally determined.
- 6.10 Respondents to the engagement activity will be asked for their views on the principles of how the catchment areas are drawn up rather than how the proposals will impact on them personally. When the formal consultation is undertaken in the autumn there will be an opportunity for representations to be made based upon how the proposed arrangements will directly affect them.
- 6.11 It is acknowledged that a change in admission arrangements may mean that families could find that younger siblings are no longer in the same catchment area as their older brother or sisters. It is anticipated that the arrangements from

2018 will include proposals to ensure that a link to the school's catchment area the home address previously aligned to will remain for any younger siblings for the duration of the older sibling attending the school.

- 6.12 At present when a secondary school is oversubscribed, the council uses an electronic random allocation system to determine which applicants should be offered places. Another method used by admission authorities elsewhere is to allocate places using a distance measure to prioritise applications, when a school is oversubscribed. In Brighton and Hove infant, junior and primary school applications are determined by a tie-break which measures home to school distance by the shortest route from the child's home to the nearest of the school's gates. Both of these methods of determination will be considered as part of the engagement activity.
- 6.13 Responses to these proposed options outlined in section 5 will be sought as part of the engagement phase.

7. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 7.1 The working party has undertaken extensive analysis of a range of different potential admission arrangements from September 2018. Other than the three proposals detailed in this report the other options, when analysed in relation to the principles that the group have been working to achieve, have not been considered further.
- 7.2 As mentioned in paragraphs 3.5 – 3.9, the methodology used in calculating pupil number forecasts has been independently verified by a consultant commissioned by the CYPS committee. A report on the findings came to the committee in October 2015.
- 7.3 With the confirmation of the UoB's bid to open a new secondary school in 2018 and with the need to make provision for additional secondary aged pupils, it is not possible to retain the current admission arrangements, in particular the current catchment areas from 2018 onwards.
- 7.4 An extensive list of options has been given consideration. Ranging from the incorporation of the new school into an existing catchment area with no other changes, to disbanding of all catchment areas across the city and the creation of different pairings of schools in shared catchment areas. These other options have been discarded due to the strategic impact they would have on the admission arrangements across the city area.
- 7.5 As can be expected, the working party has not always agreed about the viability of the proposals considered but as a group they have referred back to the principles established at the start of this activity to decide whether a proposals required further consideration or not.
- 7.6 It is important to stress that the working party has been working on data that has been projected into the future. They are aware that the reliability of the data cannot be guaranteed the further into the future is projected but they have been assured of the soundness of the methodology behind its creation.

- 7.7 This has been prominent when considering the future transport liabilities created by the different proposals being put forward in this report. It is a complex calculation that will be affected by the impact of parental preference and the effects of random allocation. The working party have been alert to the impact of any additional transport expenditure as a result of the proposals being considered but have recognised that there are other principles to achieve through the changes which are of great importance.

8. COMMUNITY ENGAGEMENT & CONSULTATION

- 8.1 As previously explained, the report recommends that an engagement activity is undertaken to obtain wider views on possible proposals to amend the admission arrangements in the city's schools. This information will then be considered and inform the decision on the final proposal for admission arrangements for the academic year 2018/19, prior to a formal consultation exercise.
- 8.2 Up to this point a working party has been considering the range of options available to the council. That group consists of Members, Headteachers and Governors advised by Officers. The nature of the work has meant that much of their consideration has taken place in private. However discussions on the proposals outlined in this report have taken place with the wider groups that they have represented. It has felt appropriate to wait until the suggested options had been narrowed down to a few before seeking the wider involvement of parents and the general public.
- 8.3 In line with the School Admissions Code the formal consultation process on a single proposal will not be undertaken until the autumn. The responses from this initial engagement exercise will help to shape the proposal that is put forward for formal consultation.
- 8.4 An extensive range of consultation exercises are planned. Events will include formal presentation as well as interactive activities. They will be held at venues across the city and there will also be opportunities for more informal events as well. The aim will be to explain the proposals, answer questions residents and stakeholders may have about the proposals and seek comments and suggestions in response to the options.

9. CONCLUSION

- 9.1 It is recognised that there is a need to amend the existing secondary school admission arrangements for the city. This is because of the rising number of pupils who will be entering the secondary phase of education. The existing number of school places will not be sufficient in the future to accommodate all the pupils and a new secondary free school is anticipated to be opened in September 2018. Therefore the existing catchment areas need to be adjusted to ensure that, where possible, catchment areas do not contain more pupils than school places available and the new school has an identifiable catchment area from which to draw pupils.
- 9.2 As their own admission authorities, it is not anticipated that CNCS and King's School will seek to alter their existing arrangements which do not include the provision of catchment areas. However, it is expected that BACA and PACA, who

since opening have maintained admission arrangements in line with the city's maintained schools will adjust their catchment areas as from September 2018 in line with the outcome of this exercise.

- 9.3 The working party has sought to not only address the issues outlined above but to make proposals that seek to achieve some other objectives in paragraphs 4.3 – 4.5 beyond clear and fair admission arrangements.
- 9.4 The responses to the three options proposed at this stage will inform the development of a final proposal. This proposal will then be formally consulted upon in the autumn 2016. The outcome of that consultation will then be considered by the CYPs committee in January 2017 before the proposed new admission arrangements are determined by Full Council.
- 9.5 It is acknowledged that school place planning is complex and it is inevitable that no proposal will satisfy all stakeholders. At this time there are added complications because the location of the new school has not been finalised and so all the proposals put forward are illustrative. The school catchment areas in the proposals will change and it is important that, when responding, parents understand that where their home (or future home) is located will not necessarily be in the same school's catchment area in the final proposals.

10. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 10.1 The current Published Admission Numbers (PAN) in secondary schools is lower than that of current pupil numbers in primary schools. The modelling of pupil numbers show that either a new school and/or expansions to existing secondary school PANs is needed to meet demand. The main driver of schools' budgets is pupil numbers. Therefore if pupil numbers were to fall in particular schools as a result of expansion in other schools, then this could result in a school having financial difficulties. Following the results of consultation and once a final option is chosen updated financial implications will be provided.

Finance Officer Consulted: Louise Hoten

Date: 04/02/16

Legal Implications:

- 10.2 Local Authorities have a statutory duty to ensure that there are sufficient primary and secondary schools to provide suitable education to meet the needs of the population in its area (section 14 Education Act 1996). This report advises that the increase in the number of primary aged pupils means that additional secondary school places will be required in the city in the next five years to accommodate these rising pupil numbers.
- 10.3 School admission arrangements must conform to the provisions of the School Admissions Code 2014 which sets out acceptable and unacceptable admission arrangements and priorities. The Code makes it clear that "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” (paragraph 14 of the Introduction to the Code).

10.4 Paragraph 1.8 of the Code provides that oversubscription criteria must be “reasonable, clear, objective, procedurally fair, and comply with all 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” and “must include an effective, clear and fair tie-breaker to decide between two applications that cannot otherwise be separated.”

10.5 With regard to the drawing up of catchment areas the Code stipulates that they “must be designed so that they are reasonable and clearly defined” (paragraph 1.14 of the Code).

10.6 The report sets out the proposal to amend the current oversubscription criteria to include a quota of children eligible for Free School Meals a higher priority than other children living within the catchment area. The School Admissions Code provides freedom for admission authorities to give admissions priority within their oversubscription criteria to children eligible for a pupil premium.

10.7 DfE Guidance “Using the Pupil Premium, Service Premium or Early Years Pupil Premium in admission arrangements” (Dec 2014) states that admission authorities can:

- specify a number or percentage of their published admission number. For example, this can be representative of the number of disadvantaged children resident in the school’s local area; or they can prioritise a certain percentage of local eligible children;
- limit priority to specific eligible sub-groups. For example, restrict the admissions priority to children currently in receipt of Free School Meals; or children in a catchment area;
- decide the ranking given to the priority (after looked after and previously looked after children)”

10.8 The Council will be legally obliged to provide free school transport to any secondary school age pupil who attends their nearest suitable school, if that school is more than three miles from their home address. The Council’s Home to School Transport policy defines ‘nearest suitable school’ in relation to secondary education as ‘the catchment area school (or schools in a dual catchment area) for those able to attend a mainstream school, except for those children whose family meets the criteria for low income, where the suitable school may be one of the three closest schools.’ For low income families the applicable home to school walking distance is two miles. This report recognises that the multi-school catchment area options (Options B and C) will potentially increase the transport liabilities of the Council, particularly if random allocation rather than distance is adopted as a tie breaker in the event of oversubscription.

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

admissions arrangements for the academic year 2018/19 must be determined by 28 February 2017. Where changes are made to admission arrangements the admission authority must first publicly consult on those arrangements. The consultation for the academic year 2018/19 must take place between 1 October 2016 and 31 January 2017 and must last for a minimum of six weeks.

- 10.10 Any person or body who considers that any maintained school or Academy's admission arrangements are unlawful, or not in compliance with the School Admissions Code or relevant law relating to admissions, can make an objection to the Schools Adjudicator. Objections must be referred to the Adjudicator by 15 May in the determination year, i.e. by 15 May 2017 for admissions in September 2018. The admission authority must, where necessary, revise their admission arrangements to give effect to the Adjudicator's decision. The Adjudicator's decision is binding and enforceable.
- 10.11 The constitution of the Council provides that decisions regarding any strategic issues or reviews of the council's school admission arrangements, including any changes to catchment areas, are reserved to Full Council (Part 3.02(a)(ii) of the Constitution).

Lawyer Consulted:

Natasha Watson

Date: 29/02/16

Equalities Implications:

- 10.12 Providing pupils eligible for FSM with a higher priority in admission arrangements seeks to encourage disadvantaged parents to increase their ambitions and consider schools they might not otherwise. This change will be part of efforts to make sure all pupils in Brighton and Hove achieve and raise the attainment of children in the most deprived circumstances by enabling pupils that live in disadvantaged areas to give a higher priority to attend a more popular school.
- 10.13 The City Council and other admission authorities must have admission arrangements which are in line with the School Admissions Code. The operation of the admission process is conducted in such a way as to avoid potentially discriminatory admission priorities or planning processes.
- 10.14 An engagement exercise will provide the community with the opportunity to provide responses to the proposals that have been made. This will provide the council with an opportunity to consider any equality impacts currently unidentified within the proposals.
- 10.15 Engagement exercises will be undertaken to seek to engage traditionally hard to reach groups through providing opportunities to take the information out into the community as well as work with Community Works to seek responses from minority groups.
- 10.16 At this stage an Equality Impact Assessment (Appendix 9) has been carried out and its results have been incorporated into the content of the report.

Sustainability Implications:

- 10.17 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.
- 10.18 In developing proposals the council has sought to have regard to sustainable 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.
- 10.19 Whilst every effort has been made to consider and quantify the sustainability impact of the proposals this activity is limited by the nature of the timescale involved and the modelling of parental preference in the future. The proposals also reflect the conflicting priorities of the council's work in delivering greater school admission options for sectors of the school population.

Any Other Significant Implications:

SUPPORTING DOCUMENTATION

Appendices:

1. Brighton and Hove City Council: Pupil Number Forecasting System - A report on the methodology and accuracy of the pupil number forecasting system used by Brighton and Hove City Council
2. Stakeholders' perspectives on the secondary school admissions' procedures in Brighton and Hove
3. Pupil Forecast City Overview
4. Pupil Forecast for Additional Development
5. Catchment Area Modelling
6. Map of Option A
7. Map of Option B
8. Map of Option C
9. Equality Impact Assessment

Documents in Members' Rooms

[List any relevant documents to be placed in the Members' Rooms. This must be done at least 5 clear days before the meeting].

- 1.
- 2.

Background Documents

[List any background / supporting documents referred to or used in the compilation of the report. The documents must be made available to the public upon request for four years after the decision has been taken].

Appendix 1

Crime & Disorder Implications:

- 1.1 Balanced school communities with firm parental support contribute to orderly and harmonious communities. At this stage the proposal is to engage the community in considering possible changes to the admission arrangements for secondary schools and no crime or disorder implications are anticipated as a result of this proposed activity.

Risk and Opportunity Management Implications:

- 1.3 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.
- 1.4 At this stage the proposal is to engage the community in considering possible changes to the admission arrangements for secondary schools. An engagement activity will not provide additional risks to manage.

Public Health Implications:

- 1.3 None known.

Corporate / Citywide Implications:

- 1.5 The allocation of school places affects all families in all parts of the city and can influence where people chose 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.
- 1.6 The proposals have been designed to deliver a range of requirements including ensuring there are sufficient secondary school places across the city and priorities outlined in 4.4 – 4.6.

