

<b>DECISION-MAKER:</b>	CABINET		
<b>SUBJECT:</b>	DETERMINATION OF ADMISSION ARRANGEMENTS 2011-2012		
<b>DATE OF DECISION:</b>	15 MARCH 2010		
<b>REPORT OF:</b>	CABINET MEMBER FOR CHILDREN'S SERVICES		
<b>AUTHOR:</b>	Name: Ross Williams	Tel: 023 8083 4048	
	E-mail: Ross.williams@southampton.gov.uk		

## STATEMENT OF CONFIDENTIALITY

NONE

## SUMMARY

This report describes the legal and procedural background to the admission of pupils to community and voluntary controlled schools, the outcomes of the annual consultation with school governing bodies, the relevant Church of England and Roman Catholic dioceses, and Hampshire County Council on admissions policies, the coordinated schemes for Year R entry, infant to junior transfer, and primary to secondary transfer, the coordinated scheme for in year transfers, and Published Admission Numbers (PANs) for community and voluntary controlled schools. It comments on elements of the proposed policies and arrangements for infant, primary, junior and secondary schools as set out in Appendices 1 –6. The report recommends admissions arrangements for maintained schools for the academic year starting in September 2011 and arrangements for co-ordination of in year applications from 1 September 2010.

The Council is required to approve its admission policies and arrangements (including PANs) by 15 April 2010 to meet the statutory deadline and to enable the admissions process for September 2011 to begin for all schools in September 2010.

## RECOMMENDATIONS:

It is recommended that:

- (i) the responses from the consultation with Southampton Admissions Forum, schools, other relevant admission authorities, Councillors and the C of E and Roman Catholic dioceses be noted;
- (ii) the admissions policies and the published admission numbers (PANs) for community and voluntary controlled schools, the schemes for co-ordinating primary and secondary admissions for the academic year 2011-12, and the scheme for co-ordinating in year admissions from September 2010 as set out in Appendices 1- 6 be approved;

- (iii) The sibling link be recognised equally in applications to infant schools and junior schools as they are in applications for primary schools.
- (v) The published admission numbers (PAN)s for the following schools be Bassett Green Primary School 60, Mansel Park Primary 60, Glenfield Infant School 90, Moorlands Primary School 60, Kanes Hill Primary School 60 Shirley Warren Primary School 60. for Year R admission in September 2011. These increases in admission numbers provide an extra 150 year R places to accommodate the expected increase in the number of children in the city who will need school places at that time.
- (vi) the Executive Director for Children's Services and Learning be authorised to take any action necessary to give effect to the above proposals.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. The matter requires a decision because:-
  - (i) It is a statutory requirement that school admissions authorities carry out an annual consultation process before determining and publishing their Admissions policies and arrangements if there are changes from the previous year's arrangements. Admissions policies require approval of the council to enable the allocation of school places to Southampton pupils and to pupils applying for a place in a Southampton school from outside the city. The principles of Southampton's admissions policies are well established. They seek to fulfil the requirement that they be 'clear, objective and fair' (School Admissions Code, 2009).
  - (ii) The proposed policies seek to make this process as transparent as possible. In particular, they enable the local authority, schools, and parents:
    - (a) to protect the rights of vulnerable children;
    - (b) to meet significant medical and psychological needs of individual children;
    - (c) to develop, strengthen and support immediate family ties;
    - (d) to develop and strengthen links between designated feeder school(s); and
    - (e) to have access to clear, objective, and fair criteria that avoid ambiguity in the interpretation of the policy

## **CONSULTATION**

2. The City Council is the admissions authority for all community and voluntary controlled schools within Southampton and is therefore responsible for determining the admission arrangements for these schools. Regulations require all admissions authorities (i.e. LAs, governing bodies of voluntary

aided and foundation schools) to determine their admission arrangements for the school year 2011-12 by 15<sup>th</sup> April 2009 and to have notified the fact to other admission authorities within 14 days of this date at the latest.

3. Consultations with schools and admission authorities (Catholic and Church of England Diocesan Education Authorities, Hampshire County Council, Portsmouth City Council and schools that are foundation, voluntary aided and Academies) started on 4 January 2010 and ended on 26 February 2010.
4. The Admissions Forum has a statutory right to be consulted on the proposed admission arrangements and the schemes. The proposed changes to the admission arrangements were discussed by the Forum at its meeting in November 2009.
5. The co-ordinated schemes, proposed admissions policies and the proposed changes from the arrangements for 2009 were discussed at the meeting on 10 February 2010; the changes were considered and the minutes from this meeting are attached at Appendix 7.

#### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

6. It would be possible to propose different admission arrangements for community and voluntary controlled schools but the arrangements would have to be in accordance with the School Admissions Code.
7. The option of not determining local admission arrangements has been rejected on the basis that it would result in the imposition of admissions arrangements upon local schools by the Secretary of State for Children, Schools and Families. This would remove the opportunity to introduce some of the improvements recommended as set out in paragraphs.

#### **DETAIL**

8. The Education Acts, Regulations made pursuant to them and the School Admissions Code (February 2009) require local authorities to formulate co-ordinated admissions schemes for dealing with applications to infant, primary, junior and secondary schools at the relevant age of transfer. Such schemes should also include admissions to schools where the local authority is not the admission authority e.g. voluntary aided schools, Foundation School and Academies. The schemes must ensure that every parent receives an offer of one, and only one, school place on the same day. A national offer date of 1 March has been set for secondary admissions and local authorities are required to implement a single offer date for primary sector admissions as well. The Regulations specify closing dates for applications for entry into Year R and for entry into secondary school. These dates are 15 January in the offer year for applications for year R and 31 October in the offer year for applications for secondary school.
9. In drawing up co-ordinated schemes, the local authority must consult with other relevant admission authorities, i.e. the governing bodies of voluntary aided schools, trust and foundation school, Academies, and Hampshire County Council. The schemes appended to this report provide the detail of the admission arrangements for September 2011 and coordination of in year applications from September 2010.

10. The Code also requires consultation with schools on their proposed Published Admission Numbers (PANs) which legally comprise part of the formal admissions policies. The PANs are calculated in accordance with the net capacity assessments for each school and adjusted, if required, to take account of forecast numbers and predicted school place requirements.
11. The annual consultation process must also include any proposals to change catchment areas and links between infant, junior and secondary schools. There are no such proposals being made this year as part of the admissions policy consultation.
12. All parents have the right to express a preference for the school that they wish their children to attend. There is a parallel duty placed on local authorities to meet that preference, subject to a further legal requirement not to 'prejudice efficient education or the efficient use of resources' and by statutory limits on infant class sizes. In practice, this means that schools cannot refuse admission to any applicant up to the limit of its PAN (again, subject to a number of very limited legal exceptions). It also means that when the number of applications a school receives is greater than the number of places available there has to be a mechanism in place to enable the school to prioritise those applications. This, essentially, is the function of the admissions policy.
13. Other relevant admission authorities are required by regulations to consult Southampton City Council on their proposed 2011-2012 admissions policy, Co-ordinated scheme and Published Admission Number (PAN), if they are proposing to make any changes from their 201/11 arrangements. The relevant 'other admission authorities' are:- Highfield CE Primary, Holy Family Catholic Primary, St Patrick's Catholic Primary, Springhill Catholic Primary, Weston Park Infant School, Weston Park Junior School, Weston Shore Infant School, St Anne's Catholic School, St George Catholic College, Chamberlayne College for the Arts, Upper Shirley High School, OASIS Academy Lordshill, OASIS Academy Mayfield and Hampshire County Council.
14. It is a statutory requirement that the local authority must have consulted on its proposed admission arrangements, and have made a determination on them, by 1 March and 15 April respectively in the year prior to the new admission arrangements coming into effect. Other admission authorities in Southampton's area, i.e. the governors of voluntary aided schools, foundation schools, trust schools and Academies must also have consulted on, and determined, their admission arrangements by the same dates.
15. It is also a statutory requirement that, within 14 days of the admission arrangements being determined, admission authorities notify consultees (i.e. other admission authorities and all community/controlled schools) of their determined admission arrangements

16. There are 4 changes proposed to the **oversubscription criteria in the admission policies** for 2011-12:

**1. A change to the oversubscription criteria for Bitterne Park Secondary School to allow the selection by aptitude for the performing arts of up to 10% of its year 7 intake.**

Bitterne Park is a Performing Arts specialist school. Paragraph 2.78 of the School Admissions Code allows schools with certain specialisms to select up to 10% of their intake on the basis of students' aptitude for the specialism. Performing Arts is one of the permitted specialisms. Applicants under this category will be required to take a test which will be based entirely on aptitude and not on attainment or ability. Students will be ranked according to performance in the test and places offered to the highest ranked students up to the number of places available. The current PAN for the school is 300 so up to 30 places will be offered each year. The proposal is to put the aptitude criterion after the sibling criterion. This will come before the allocation of places according to the child's place of residence being in catchment. This will enable children displaying aptitude for the performing arts from outside the catchment area to be offered places at the school

**2. A clarification that the medical/psychological criterion applies to in catchment children as well as those living out of catchment.**

The way the oversubscription criteria were written in previous years did not make sufficiently clear that in catchment parents who could demonstrate a clear medical/psychological reason, supported by written evidence from a professional, why their child should attend a particular school would be given priority for admission. It was implicit in the previous wording that the criterion would apply, and priority given to the application, if the school was oversubscribed with in catchment applications. The new wording clearly sets out what the intention of the previous wording was. The change of wording is in line with the requirement of the School Admissions Code for admission arrangements to be clear and fair.

**3. A change to the oversubscription criteria so that the "sibling link" applies both ways to children attending and applying for places at infant/junior schools as well as primary schools.**

The aim of the proposal is to make clear that in applications for places at infant or junior school having a sibling at the linked school will count as a sibling at the school. The new wording will bring linked infant/junior schools into line with the criteria that apply for primary schools where the age of the sibling currently attending the school is irrelevant, provided that the sibling will be attending the school at the time the applicant will start school. Currently applicants for an infant school who have a sibling in the linked junior school have a lower priority for a place than an applicant with a sibling in the infant school. Similarly for applicants for junior school. The proposal aims to treat families with children at linked infant/junior schools in the same way as parents with children at primary schools. The proposal is in line with the requirement of the Code that admission arrangements be clear and fair.

**4. A clarification that the “feeder link” criterion of attendance at a linked infant school gives priority for an application to the junior school ONLY for the infant to junior transfer and not at other times.**

The wording in the current and previous arrangements was thought to be clear. However some parents are reading to mean that having attended the linked infant in year 2, having failed to get a place at infant/junior transfer, they should still receive priority on the waiting list even though their child is attending another school in year 3 or even in year 4, based on the situation obtaining at the time they were refused a place. The proposal seeks to clarify the position. All other waiting lists for school places are kept according to the child’s current situation and status; for example if a child moves home the new address determines their place on the waiting list, if a child’s older sibling gets a place at a school the younger child’s priority is changed to reflect the sibling in the school.

17. There are no changes proposed to the **co-ordinated schemes** for 2011-2012 apart from the necessary changes to make sure that deadline dates set out in the scheme are as required by regulations and to comply with the requirements of the School Admissions Code
18. There are 6 changes to the Published Admission Numbers (PAN) of community and Voluntary Controlled schools.
  - 1) To increase the PAN of Bassett Green Primary School from 45 to 60
  - 2) To increase the PAN of Mansel Park Primary School from 30 to 60
  - 3) To increase the PAN of Glenfield Infant School from 60 to 90
  - 4) To increase the PAN of Moorlands Primary School from 30 to 60
  - 5) To increase the PAN of Kanes Hill Primary School from 45 to 60
  - 6) To increase the PAN of Shirley Warren Primary School from 30 to 60
19. The local authority is required by the School Admissions Code and by regulations to coordinate all applications from Southampton residents for all school places both in the city and in schools outside the city. Consultation took place with admission authorities in the city and Hampshire County Council before Christmas 2009. No comments were received on the proposed scheme. The scheme sets out a process and timetable for the processing of in year applications.

**Responses to the consultations by Southampton City Council**

20. There have been 8 written responses to the consultation from Southampton community and voluntary controlled schools. These are contained in appendix 7
21. The proposed admission arrangements were discussed at the Admissions Forum on 11 February 2010. The notes of the meeting are contained in appendix 7
22. Comments were also received from Councillor Stevens and the Labour Group. They were about the proposal to select 10% of the intake by aptitude at Bitterne Park School and the possible effect this might have on other schools in the City. The comments are contained in appendix 7

## **Responses to Southampton City Council to the consultations from other admissions authorities**

23. There have been no responses from other admission authorities to the consultation
24. Comments around increasing the PANs in the proposed schools revolved around scepticism about the increase in numbers, and concerns that if schools expanded to take extra children, there was a risk that the extra class would not be full and so the school would suffer financially. Concern was also expressed that the increases in PANs were being rushed through without proper consultation and thought.
25. We have taken on board the comments made by headteachers and have withdrawn our initial proposal to expand St Denys and Wordsworth. However this will mean that places will again be very tight next Admissions round, September 2011 and there will be very little spare capacity - around 5% across the city. It will also put greater pressure on the Admission Round in September 2012 where we know we need to add even more places.
26. Schools that are asked to provide another form of entry will not suffer financially. Schools which have been asked to increase their intake by 30 pupils will be funded for those 30 pupils for 7 months (September – March) in the financial year in which that year group expands, even if only, say, 15 arrive on roll. This funding continues as this year group moves through the school.
27. We have every confidence in the population forecasts for the city and it has been well documented that there has been an unprecedented increase in the number of births in recent years and we are now experiencing a huge upsurge in demand for primary school places. We cannot ignore all the evidence. We have a duty to provide a school place for every child who wants one and we shall do so. Taking into consideration all the responses to the consultations, the admission policies are attached as Appendices 1- 6 at the end of this report.

## **FINANCIAL/RESOURCE IMPLICATIONS**

### **Capital**

28. A decision to proceed with any capital work arising from the increase in planned admission numbers will be presented in a subsequent report to Cabinet. Work is underway to assess the implications of Phase two of the Primary Review, and the city council has been awarded an additional £1 million Basic Need Capital Grant towards the costs of any expansion work.

## **Revenue**

29. There are no additional costs arising directly from the approval of the admissions policies for the 2011-2012 school year. There are minor additional costs arising from the local authority's duty to coordinate all in year admissions from September 2010. These costs can be contained within existing budgets. Budget provision for the costs associated with the Admissions Team and related expenditure for the delivery of the admissions service is contained within the Children's Services and Learning Portfolio revenue budget.
30. The revenue costs of all schools are met from the Individual Schools Budget funded by the Dedicated Schools Grant. The amount of Dedicated Schools Grant that the authority receives each year is based on the number of children in the city. If the city's overall numbers grow, this will result in an increase in the amount of grant received which can be passed onto schools via budget shares calculated using Southampton's Fair Funding Formula.

## **Property**

31. Property have no comments to make.

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

32. Admissions Authorities are legally required to undertake a consultation on admissions policies for 2011-12 in order to determine their admission arrangements, including PANs, under the School Standards and Framework Act 1998 as amended by the Education Act 2002 and the Education and Inspections Act 2006 if there are changes from the previous years arrangements. They need only consult every 3 years thereafter unless they propose changes be made to them.
33. In accordance with the above, the deadline for determining admission arrangements is 15 April 2010. Following determination (the date of the relevant Cabinet meeting) the local authority has 14 days to notify all schools in writing of the outcome of its decision. Schools' governing bodies then have six weeks to object to their respective PANs (but no other aspect of the admissions policy).
33. Notice must be published in a local newspaper setting out appeal arrangements.
34. Where the Council approves a PAN which is below the indicated admission number set by the net capacity assessment, it is required to publish an appropriate notice in a local newspaper. This notice must include an explanation of why a lower number has been set and that any parent affected by the setting of the PAN has a right of objection to the Schools Adjudicator.

### **Other Legal Implications:**

35. School admission policies that conform to the provision of the School Standards and Framework Act 1998, Section 86 and the Education Act 2002 sections 46 to 51, are unlikely to be found to breach the Human Rights Act 1998, provided that due regard is had to the right of parents in respect of their

religious and philosophical beliefs and that the rights and freedoms set out within the Act shall be secured without discrimination on such grounds as sex, race, colour, language etc. The provision of Independent Admission Appeal Panels further protects the rights of the individual under the Human Rights Act 1998, by ensuring that any refusal of admission made under the policy is subject to an independent and fair review.

**POLICY FRAMEWORK IMPLICATIONS**

36. The recommended admissions arrangements proposed in the report are consistent with the 2006-9 Children’s and Young People’s Plan.

**SUPPORTING DOCUMENTATION**

**Non-confidential appendices are in the Members’ Rooms and can be accessed on-line**

**Appendices**

- A Consultation on School Admission - Arrangements for 2011/12 with the following appendices:-
1. Admissions Policy for Infant/Primary, Junior and Secondary School Schools 2011-12
  2. Co-ordinated admissions scheme for Infant/Primary Schools 2011-12
  3. Co-ordinated admissions scheme for Junior Schools 2011-12
  4. Co-ordinated admissions scheme for Secondary Schools 2011-12
  5. Proposed published admissions numbers for all schools 2010-11
  6. Co-ordinated admissions scheme for In Year Admissions 2010
  7. Responses to the consultation

**Documents In Members’ Rooms**

None

**Background Documents**

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------

1.	School consultation papers	
----	----------------------------	--

**Background documents available for inspection at:** Admissions Team, 5<sup>th</sup> Floor, Frobisher House, Nelson Gate, Southampton

**KEY DECISION?** Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	All
------------------------------------	-----