

School Admission Arrangements for Community and Voluntary Controlled Schools Academic Year 2020/21

Councillor Lynne Ayres, Cabinet Member for Education, Skills and University

February 2019

Deadline date: 22nd February 2019

Cabinet portfolio holder: Responsible Director:	Lynne Ayres – Cabinet Member for Education, Skills and University Wendi Ogle-Welbourn, Executive Director People and Communities
Is this a Key Decision?	YES If yes has it been included on the Forward Plan: YES Unique Key decision Reference from Forward Plan: KEY/21JAN19/01
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	NO
Is this a project and if so has it been registered on Verto?	NO Verto number: N/A

R E C O M M E N D A T I O N S

The Cabinet Member is recommended to approve and determine the proposed changes to admission arrangements for Community and Voluntary Controlled Schools for whom Peterborough City Council is the admission authority, for the 2020/21 academic year.

1. PURPOSE OF THIS REPORT

- 1.1 This report is for Councillor Lynne Ayres, Cabinet Member for Education, Skills and University, to consider exercising delegated authority under paragraph 3.4.3 of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph (a).

2. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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3. BACKGROUND AND KEY ISSUES

- 3.1 The School Admissions Code ('the Code'), issued under Section 84 of the School Standards and Framework Act 1998, imposes mandatory requirements in relation to the admission of

children to school on the Local Authority (LA) as the admission authority for Community and Voluntary Controlled schools in Peterborough.

- 3.2 The purpose of the Code is to ensure that all school places are allocated and offered in an open and fair way. “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 Code)
- 3.3 Admission arrangements **must** include the criteria that will be applied if there are more applications than places at the school.
- 3.4 Paragraph 15 of the School Admissions Code describes “How Admissions Work”.

In summary, the process in relation to the determination of admission arrangements in this paragraph is described as follows:

- a) Admission authorities **must** set (‘determine’) admission arrangements annually. Where changes are proposed to admission arrangements, the admission authority **must** first publically consult on those arrangements. If no changes are made to admission arrangements, they **must** be consulted on at least once every 7 years. Consultation **must** be for a minimum of 6 weeks and **must** take place between **1 October** and **31 January** of the school year before those arrangements are to apply. For example: for arrangements which are to apply to applications in 2016 (entry in September 2017), consultation **must** be completed by 31 January 2016.
- b) Once all arrangements have been determined, arrangements can be objected to and referred to the Schools Adjudicator. Objections to admission arrangements **must** be referred to the Adjudicator by **15 May** in the determination year. Any decision of the Adjudicator **must** be acted on by the admission authority and admission arrangements amended accordingly. The local authority will collate and publish all the admission arrangements in the area in a single composite prospectus.
- 3.5 The LA publishes the arrangements for admission to all Community and Voluntary Controlled schools in Peterborough each year as part of its annual consultation process. These have remained essentially unchanged for many years, apart from where legislative changes have dictated otherwise.
- 3.6 The determined over-subscription criteria, i.e. the order in which places are allocated when there are more preferences than places available, for admission to community and voluntary controlled schools for whom the LA is the admission authority, in September 2019/20 is shown in the left-hand column of the table in appendix 1.
- 3.7 One change had been identified for inclusion in the annual consultation on admission arrangements, as detailed below in 3.8. This proposed change was published as part of the LA’s consultation which commenced on 19 November and ran to 13 January 2019.
- 3.8 Children who have previously been in state care outside of England (new criterion 2)**
- 3.8.1 The Minister of State for School Standards wrote to all LAs and admission authorities on 4 December 2017 (**Appendix 2**) requesting priority be given in their over-subscription criteria to children who have previously been in state care outside of England, and have ceased to be in state care as a result of being adopted in their oversubscription criteria.
- 3.8.2 Further guidance regarding this was issued by the Department for Education (DfE) in August 2018, (**Appendix 3**) with the express intention that all admission authorities will make this change as part of the annual consultation process for admission to schools in September

2020/21, the earliest opportunity for this change to be made. The way in which new criterion 2, is written in the proposed arrangements adheres to the wording provided by the DfE in their paper of August 2018.

- 3.8.3 Virtual School colleagues have indicated that this will change will apply to extremely small numbers of children across Peterborough.

4. CONSULTATION

- 4.1 This proposed changes were published as part of the 6 week consultation process, in accordance with requirements of the School Admissions Code, which took place between Monday 19th November and Friday 16th January 2019. This consultation was published on the City Council website, and notice of this consultation was given to all statutory consultees. A decision on whether to proceed to implementation will need to be taken by 28 February 2019 and the resulting determined admission arrangements for 2020/21 published on the Council's website.
- 4.2 No further consultation is required as the statutory consultation process has been followed. There has been only one response to the consultation process and in particular in response to this proposed change. The respondent wrote to support the proposed inclusion of this criterion within the LA admission arrangements.

5. ANTICIPATED OUTCOMES OR IMPACT

- 5.1 The outcome of this report, if approved, will be to allow for the implementation of this revised over-subscription criteria for community and voluntary controlled schools in Peterborough with effect from admission to school in September 2020.

6. REASON FOR THE RECOMMENDATION

- 6.1 As detailed in 3.8 and appendix 3, this change is recommended in response to the request received from the Department of Education in August. The inclusion of this criterion has also been consulted on in Cambridgeshire and will be recommended for adoption at the January Children and Young People Committee meeting in January 2019.

7. ALTERNATIVE OPTIONS CONSIDERED

- 7.1 The alternative considered was not to include this new criterion now but to wait for the legislation to change to make this a legal requirement, rather than a request from the DfE. It was felt that given the small numbers of children living in Peterborough that this criterion would affect, and the fact that it is clear that this would become a legal requirement in the near future, that we should implement this change at the earliest opportunity in Peterborough and Cambridgeshire.

8. IMPLICATIONS

Financial Implications

- 8.1 There are no significant implications within this category.

Legal Implications

- 8.2 This is a pre-emptive change to a legislative change we have been advised will follow at the earliest opportunity available to the DfE.

Equalities Implications

8.3 There are no significant implications within this category.

Supporting and protecting vulnerable people

8.4 This is a pre-emptive change to LA policy to support priority for the admission of a vulnerable group of children to school, prior to the legislative change required to amend the Code.

9. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED

9.1 None.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985) and The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

10.1 School Admissions Code (December 2014)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/389388/School_Admissions_Code_2014_-_19_Dec.pdf

Consultation pages on PCC website

<https://www.peterborough.gov.uk/council/consultations/annual-consultation-of-admission-arrangements-2020-2021/>

11. APPENDICES

11.1 Appendix 1 – Current and Proposed Over-subscription Criteria

Appendix 2 – Letter from Nick Gibb (December 2017)

Appendix 3 – DfE Advice on the school admission of children adopted from care outside of England