

# CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

7 MARCH 2013

REPORT OF CORPORATE  
MANAGEMENT TEAM

## CABINET DECISION

Children and Young People – Lead Cabinet Member – Councillor Ann McCoy

### PROCEDURE FOR ADMISSION OF PUPILS TO PRIMARY & SECONDARY SCHOOLS IN SEPTEMBER 2014

1. Summary

This report outlines the admission arrangements the Local Authority (LA) is proposing for primary and secondary schools in September 2014. In order to comply with legislation for admissions in 2014, the report includes the full Co-ordinated Admission Arrangements and Admission numbers for community, voluntary controlled primary and secondary Schools in Stockton-on-Tees for the school year 2014/15.

2. Recommendations

Members are asked to note for information:

1. The key changes to the new School Admissions and Appeals Code published Feb 2012 (item 2);
2. The Admission Policy for September 2014 (item 3);

Members are asked to agree:

3. The Co-ordinated Admissions Scheme for Primary, Secondary, Voluntary Aided (VA) schools and Academies (item 4) Appendix 1.
4. Admission numbers for September 2014 (item 5) - Appendix 2.

3. Reasons for the Recommendations

Legislation requires the LA to publish information to be available for parents when they apply for a place at primary and secondary school. The information has to comply with the published School Admissions Code derived from the Education & Inspections Bill 2006. The LA is required to set admission arrangements accordingly and lodge a copy of the Co-ordinated Admission Arrangements with the Secretary of State by the 15 April 2013.

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the

relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

**Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.**

## **CABINET DECISION**

### **PROCEDURE FOR ADMISSION OF PUPILS TO PRIMARY & SECONDARY SCHOOLS IN SEPTEMBER 2014**

#### **SUMMARY**

This report outlines the admission arrangements the Local Authority (LA) is proposing for community, voluntary controlled primary and secondary schools in Stockton-on-Tees in September 2014 for the school year 2014/15.

#### **RECOMMENDATIONS**

Members are asked to note for information:

1. The key changes to the new School Admissions and Appeals Code published Feb 2012 (item 2);
2. The Admission Policy for September 2014 (item 3);

Members are asked to agree:

3. The Co-ordinated Admissions Scheme for Primary, Secondary, Voluntary Aided (VA) schools and Academies (item 4) Appendix 1.
4. Admission numbers for September 2014 (item 5) - Appendix 2.

#### **DETAIL**

##### **1.0 ADMISSION ARRANGEMENTS FOR 2014/15**

- 1.1 The new School Admissions Code (SAC) came into force on the 1 February 2012, replacing the previous code published in February 2009. It outlines the overall principles behind setting admission arrangements. The SAC, page 6 para 14 states '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.'

##### **2.0 KEY CHANGES WITHIN THE NEW SCHOOL ADMISSIONS AND APPEALS CODES WHICH WERE PUBLISHED IN FEBRUARY 2012**

- 2.1 The changes to the School Admissions Code (SAC) referred to below were applied with immediate effect, unless otherwise stated within the Code. They were introduced to admission arrangements determined in 2012 for admission in school year 2013/14. In order to comply with the new SAC the following amendments were accepted:

- (i) The LA will ensure that adopted children, who were previously in care, are given the same highest priority for places as looked-after children (Ref Policy 3.2);
- (ii) A 'national offer day' for primary places (16 April) will be introduced, mirroring that for secondary offers (1 March);

- (iii) Schools have been given greater freedom to increase the number of places they are able to offer parents if they feel it would be manageable without any additional resources. The LA will liaise with Schools, Diocesan Authorities, Academies and governing bodies of voluntary aided schools to consider how any implementation of these proposals can be managed successfully in line with current admissions protocols and zones. Any proposed increase would have to be resourced and managed by the school.
- (iv) Schools will be able to prioritise the children of staff employed there for two or more years, or newly employed staff who will meet a skills shortage in the school. The LA does not propose to amend the policy for Community Schools to this effect. The LA does recognise that, in the event of a skills shortage, schools may wish to consider individual circumstances and if felt appropriate the LA could agree to allocate places on exceptional grounds.
- (v) Infant classes will be able to exceed the statutory limit where the 31<sup>st</sup> child is a twin or from multiple births, or of armed forces personnel. The 'excepted pupil' will be allowed for throughout Key Stage 1 or until the class numbers fall back to current class size limit. The LA welcomes the change to the proposed Code in relation to 'excepted' children admitted above 30. This will help schools in the management of these extra children without causing further disruption within Key Stage 1 classes.
- (vi) Academies will be able to prioritise disadvantaged children who are eligible for the pupil Premium. This will be a decision of individual Academies, should they be over-subscribed;
- (vii) The statutory requirement to co-ordinate in-year admissions will be removed although schools will be required to inform the LA of numbers on roll. The LA currently co-ordinates in-year admissions and schools regard this as an improvement on previous practice. Stockton schools have indicated that they would wish to retain the current co-ordinated system, in that it reduces the burden on individual schools and ensures that parents receive a consistent message about applying for school places in-year. Consequently the LA proposes to continue to co-ordinate in-year transfers. Some VA admission authorities have opted out of the scheme but the LA will liaise with these schools as there are still certain processes they must do under the SAC.
- (viii) School representatives are not allowed to support individual appeals at Admission Appeal hearings or by providing letters of support for appellants. The LA will convey this information to schools.
- (ix) A timetable must be set for the organisation of appeal hearings and must be displayed on the LA website by the 28 February each year. The LA will prepare a timetable to take account of the statutory timescales set out in the School Admissions Appeals Code (SAAC) and publish on website.

### **3.0 ADMISSION POLICY FOR SEPTEMBER 2014/15 – Primary and Secondary Schools.**

The proposed Admission Policy will give priority to applications for admission to a school if that school is oversubscribed, in the following order:

1. Pupils who are in the care of the Local Authority or a child who was previously looked after but immediately after being looked after became subject to an adoption, residence, or special guardianship order.
2. Pupils with complex needs who have been discussed at the Moderating or Statements Panel and been identified as needing a 'named' primary or secondary mainstream school.

3. Pupils who have a brother or sister living at the same address and are still at the school when the pupil begins.
4. Pupils resident within the admission zone\* who have returned a Common Application Form by the closing date (31<sup>st</sup> October 2013 for Secondary applications and 15<sup>th</sup> January 2014 for Primary applications).
5. Pupils who have social or medical reasons for being admitted to the school which would, should the child not be admitted, cause him or her to be seriously disadvantaged or put personal safety at risk. In all cases corroboration will be sought from independent sources such as a medical specialist who has had continued involvement over a period of time; a social worker; an attendance officer; or another professional. It should be noted that places would not be allocated on the basis of aptitude or ability.
6. Pupils who attend the nursery of the school they wish to attend on a full time basis at the time of application.
7. Pupils who live closest to the particular school measured in a straight line 'as the crow flies'. The LA uses a Geographic Information System, known as GIS, to identify and measure the distance from the home to the school. The distance is measured electronically from a point of the school (this point will be the same for all applications) to a point of the home (including flats). The GIS undertakes all measures in exactly the same way for every applicant, to ensure consistency and fairness.

\* When a school is oversubscribed with in-zone applications i.e. there are more applications from children living in the admission zone of the school than there are places available, we will allocate places firstly to in-zone children with social or medical reasons for attending the school (criteria 5), then to in-zone children according to their distance from the school (whether they are in the nursery or not).

More detailed definitions about these criteria e.g. sibling, distance etc, can be found on the Stockton on Tees website at [www.stockton.gov.uk/schooladmissions](http://www.stockton.gov.uk/schooladmissions) and will be in the LA's published booklet for parents 'Primary and Secondary Admissions Booklet 2014.'

#### **4.0 CO-ORDINATED ADMISSION ARRANGEMENTS FOR 2014/15**

The LA is responsible for administering a co-ordinated scheme for the area in relation to all maintained community, voluntary controlled, voluntary aided schools and Academies. The purpose of the co-ordinated admission scheme is to ensure that, as far as is reasonably practicable, every parent of a child living in the LA area who has applied for a school place in the normal admission round receives an offer of one school place on the same day.

- 4.1 The LA will act as a clearing house for the allocation of places by the relevant admission authorities in response to the Common Application Forms. The LA will only make a decision with respect to the offer or refusal of a place in response to any preference expressed on the Common Application Form where
  - it is acting in its separate capacity as an admission authority; or
  - an applicant is eligible for a place at more than one school, or
  - an applicant is not eligible for a place at any school that the parent has nominated.

Attached is a copy of the Stockton on Tees Co-ordinated Admission Scheme for admissions in 2014/15 which includes the timetable. **(Appendix 1)**

## 5.0 ADMISSION NUMBERS

- 5.1 The LA receive pupil projections from the Tees Valley Unit each year which show a rise in the number of pupils within the primary sector, as set out in the School Organisation Plan presented to Cabinet in October 2011. This is resulting in pressure for places in areas of the Borough, particularly in lower primary (Reception, Key Stage 1)
- 5.2 These pressures were reflected in the School Capital Strategy Report, approved by Cabinet in October 2011 and in July 2012. There are currently a number of refurbishment works taking place across the borough which will see primary places for September 2014 total 2,582 an increase of a further 209 places based on the original 2012 Published Admission Numbers. As a result of this we have been able to agree with a number of schools increased admission numbers. All proposed changes have been agreed with individual schools and governing bodies.
- 5.3 **Appendix 2** gives the proposed Admission Numbers for September 2014 in Community, VA and Academies and shows the proposed increase in primary school admission numbers across the Borough.
- St Michael's RC School proposed Admission Number for September 2014 will revert back to 196 as reported in the October 2011 Cabinet Paper - Capital Investment in Schools.

## 6.0 INGLEBY MANOR FREE SCHOOL

The application for a Free School in Ingleby Barwick (provisionally named 'Ingleby Manor School and Sixth Form') remains at the pre-opening stage. Any Funding Agreement from the Secretary of State is subject to suitable accommodation being in place. The current proposal is to open in September 2013 in temporary accommodation for up to 120 pupils in Year 7 and for a fully operational school for 600 pupils aged 11 to 16 with a further 150 place Sixth Form. If the funding agreement is in place for September 2013 it would affect secondary admissions for academic year 2013/2014 and would be included in admissions arrangements for 2014 onward.

## 7.0 CONSULTATION

The new School Admissions Code published February 2012 states at para:

1.42 **Consultation**<sup>1</sup> - When changes<sup>2</sup> are proposed to admission arrangements, all admission authorities **must** consult by **1 March** on their admission arrangements (including any supplementary information form) that will apply for admission applications the following academic year. Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities **must** consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period<sup>3</sup>.

The LA has not made any changes to the previously consulted and current School Admissions arrangements for entry in September 2013 so therefore the 2014/15 arrangements for applications in 2013/14 will remain in full. An informal information paper was sent to all School Governors which included some amendments to schools Published Admission Number (PAN) as per new School Admissions Code published February 2012:

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<sup>1</sup> See also paragraph 1.3. Regulations 12 to 17 of the School Admissions Regulations 2012 cover consultation requirements.

<sup>2</sup> An increase to PAN, or a change to the admission arrangements to comply with the mandatory provisions of the Code or the School Admissions Regulations 2012, is not a change requiring consultation.

<sup>3</sup> A consultation on a proposal to increase or keep the same PAN by a local authority as admission authority with the governing body of voluntary controlled or community school is not a consultation for the purposes of calculating a seven year period without consultation.

## 'Section 1: Determining Admission Arrangements:

1.3 Own admission authorities are not required to consult on their PAN where they propose either to increase or keep the same PAN<sup>4</sup>. For a community or voluntary controlled school, the local authority (as admission authority) **must** consult at least the governing body of the school where it proposes either to increase or keep the same PAN. All admission authorities **must** consult in accordance with paragraph 1.42 above where they propose a decrease to the PAN. Community and voluntary controlled schools have the right to object to the Schools Adjudicator if the PAN set for them is lower than they would wish. There is a strong presumption in favour of an increase to the PAN to which the Schools Adjudicator **must** have regard when considering any such objection.

## 8.0 CONCLUSION

The new Admissions Code underpins the Governments aim to create a schools system shaped by parents which delivers excellence and equity, developing the talents and potential of every child, regardless of their background; a system where all parents feel they have the same opportunities to apply for the school they want.

Within Stockton on Tees we aim to ensure that the admission arrangements are in line with the principle of fair access to educational opportunity. The LAs current policies, procedures and the additional information published in the Primary and Secondary Education Booklet 2014 for parents, will support this.

## APPENDICES

- Appendix 1 – Co-ordinated Admission Scheme for Primary, Secondary, Voluntary Aided (VA) schools and Academies for 2014/15
- Appendix 2 - Admission Numbers for Primary, Secondary Schools and Academies for September 2014

## 9.0 FINANCIAL AND LEGAL IMPLICATIONS

The cost of the admissions arrangements have been included in the Council's Medium Financial Plan.

The framework for admissions was introduced in the School Standards and Framework Act 1998 but a number of important changes were implemented through the Education Act 2002 and the Education and Inspections Bill 2006. The new School Admission Code published in February 2012 takes account of those changes, and of associated regulations. The consultation and information within this report complies with the relevant legal requirements.

## 10.0 RISK ASSESSMENT

A risk assessment has been carried out and this proposal is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

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<sup>4</sup> Regulation 14 of School Admissions Regulations 2012.

## 11.0 COMMUNITY STRATEGY IMPLICATIONS

### Economic Regeneration and transport

Sustainable School Travel Strategy is now in place and is a statutory duty. This has been developed closely with Road Safety Team and Travel Plan Co-ordinator, to provide added information for parents when applying for schools. An executive summary is now available.

### Children and Young People

Admission Arrangements are in accordance with School Admissions Code, Admission Authorities have a duty to comply with the Code to ensure that the admission arrangements are fair and equitable. This is a statutory requirement and is essential information for parents to assist them in their decision making regarding their preferred school. It is also essential to the organisation and planning for entry to reception, the smooth transition from primary to secondary school along with the development of in year requests for schools.

## 12.0 EQUALITIES IMPACT ASSESSMENT

An Equality Impact Assessment has been completed and the score is 71, no negative impacts have been identified. A copy of the Equality Impact Assessment can be viewed on the Stockton-on-Tees website [www.stockton.gov.uk](http://www.stockton.gov.uk)

## 13.0 CORPORATE PARENTING

It is a statutory duty for all Admission Authorities (Community and Voluntary Aided admission authorities) to prioritise Looked After Children and those recently looked after within their oversubscription criteria as set out within the School Admission Code. All admission authorities within this borough comply with that duty.

## 14.0 CONSULTATION INCLUDING WARD/COUNCILLORS

Results of consultation included within the report, all Councillors consulted with.

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<u>Environmental Implications</u>	None
<u>Community Safety Implications</u>	None
<u>Background Papers</u>	None
<u>Education Related Item?</u>	Yes
<u>Ward(s) and Ward Councillors:</u>	Not Ward specific
<u>Property Implications</u>	None