

CABINET**31 JANUARY 2019****SCHOOL ADMISSIONS POLICY FOR COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS, ACADEMIC YEAR 2020/21**

Relevant Cabinet Member

Mr M J Hart

Relevant Officer

Director of Children, Families and Communities

Recommendation

1. **The Cabinet Member with Responsibility for Education and Skills recommends that Cabinet:**
 - (a) **approves the Admissions Policy for Community and Voluntary Controlled Schools 2020/21 as set out in Appendices 1a and 1b;**
 - (b) **approves the scheme for Co-ordinated Admissions for Primary/Middle and Secondary Schools for 2020/21 as set out in Appendices 2a and 2b; and**
 - (c) **approves the scheme for In-Year Co-ordination for 2020/21 as set out in Appendix 3.**

Background Information

2. In March 2014, Cabinet agreed that where no significant changes are proposed to the admission arrangements, the Cabinet Member with Responsibility for Education and Skills has delegated authority for approving the Schools Admissions Policy for Community and Voluntary Controlled Schools and schemes for Co-ordinated Admissions in consultation with the Director of Children, Families and Communities. There have been no significant changes since that date and the Cabinet Member with Responsibility for Education and Skills has therefore approved the arrangements on an annual basis. There are now however, significant changes recommended for 2020 that require Cabinet approval.

Admissions Policy for Community and Voluntary Controlled Schools 2020/21

3. Since the arrangements were approved by the Cabinet Member with Responsibility for Education and Skills in February 2018, a number of suggestions for amendments to the policy have been raised:

- (a) The Minister of State for School Standards has requested that admission authorities consult on giving priority in their oversubscription 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; and
 (b) Co-ordination of In-Year Admissions.

4. Full public consultation took place in line with the requirements of section 1.44 of the Code on School Admissions. This included direct mailing to all schools in Worcestershire, neighbouring local authorities, Diocesan Boards, Trade Unions, and libraries. The information was also published on the School Admissions Website. An advertisement was published in all the local papers alerting parents to the information on the website and directing them to locations where hard copies could be viewed, if required. The consultation was also shared on social media. Consultation took place between 22 October 2018 and 7 December 2018. The consultation document and response form is available at Appendix 4.

5. In summary 7 secondary schools responded to the consultation. Some responses only commented on one aspect of the consultation and did not respond to all questions asked. Table A below shows the summary of consultation responses:

Table A

Question	Number in Support
Do you support giving second highest priority in the oversubscription 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?	1 response supporting proposal
Do you support the Local Authority Co-ordinating In-Year Applications and approve the proposed Scheme?	7 responses supporting LA Co-ordinating In-Year applications
Comments on Co-ordinated Schemes	No response received
Comments in relation to Published Admission Number changes	No response received

Full copies of the consultation responses are available at Appendix 5.

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

6. The Minister of State for School Standards has requested that admission authorities consult on giving priority in their oversubscription 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.

7. School admission authorities are currently required to give looked after children and previously looked after children highest priority in their oversubscription criteria. On 4 December 2017, the Minister announced that when the opportunity arises he intends to amend the School Admissions Code (the Code) to ensure that children who were previously in state care outside of England, and have ceased to be in state care as a result of being adopted, also receive the same highest priority for admission into a school in England.

8. Until such a time, however, the Minister wishes admission authorities to introduce oversubscription criteria to give these children second highest priority for admission into school.

9. Children previously in state care outside of England are those children who have been looked after outside of England by a public authority, a religious organisation or another provider of care whose sole purpose is to benefit society. The care may have been provided in orphanages or other settings.

10. It is therefore recommended that Cabinet approves giving second highest priority in the oversubscription 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, and approve Appendices 1a and 1b.

Co-ordinated Schemes for 2020/21

11. The Code of Practice Section 2.20 states:

"Each year Local Authorities must formulate a scheme to co-ordinate admission arrangements for all publicly funded schools within their area. Where the scheme is not substantially different from that adopted in previous years there is no requirement to consult."

12. There are no changes to the closing and offer dates (see table below), with only minor amendments to the exchange of information dates with other admission authorities.

	Closing Date	Offer Date
Primary/Middle	15 January 2020	16 April 2020
Secondary	31 October 2019	1 March 2020

13. It is therefore recommended that Cabinet approves the Co-ordinated Admissions Schemes for primary/middle and secondary schools for 2020/21 set out in Appendices 2a & 2b.

Co-ordination of In-Year Admissions

14. Currently applications with a first preference for In-Year transfers into a Community or Voluntary Controlled School in Worcestershire are forwarded to School Admissions. All applications with a first preference for 'In Year' transfers into an Academy, Foundation, Free or Voluntary Aided School in Worcestershire or a school in another Local Authority must be forwarded to the individual schools. Once the first preference school has reached a decision and decides to refuse a place, the form should then be forwarded on to the next preference school and so on.

15. In line with the Code on School Admissions, **all own admission authority** schools **must**, on receipt of an in-year application, notify the local authority of **both the application and its outcome** and inform parents of their right to appeal against a refusal of a place. This is a **statutory duty** placed on all own admission authority schools. However, currently this information is not consistently returned to the Local Authority. This information is legally required to be provided to the Local Authority to allow it to keep up to date figures on the availability of places in the area. This information is required in addition for DfE Sufficiency Returns and to be included in the Office of the Schools Adjudicator Reports. The Local Authority recognises this administrative burden placed on schools and would like to support schools in simplifying this process and ensure that the data that the Local Authority maintains is up to date and accurate.

16. The current process in place in Worcestershire does not make for timely processing of applications, particularly where there is more than one preference. In some cases this has meant that parents are awaiting the offer of a school place for over half a term. This is of grave concern where no offer of a school place is being made and the Local Authority has not been advised of the outcome of applications. Children may be out of school for unacceptable periods of time.

17. The Cabinet Member with Responsibility for Education and Skills believes that by co-ordinating In-Year applications on behalf of Worcestershire residents, this will provide a comprehensive service that is clear and fair to all parents and schools. It will reduce the amount of time parents are waiting for decisions from all of their preferred schools, if all applications are considered at the same time. It will provide consistency and timely processing of applications for the benefit of parents. It will ensure that schools' legal responsibilities, to notify the local authority of the application and its outcome, are met. All decisions and rights of appeal, where necessary, will be communicated from a central contact point for parents at the same time. The co-ordinated In-Year Admission scheme ensures that all statutory duties are met in a more robust, timely and measured way.

18. This brings the process into line with the way applications are dealt with in the normal admissions round, providing consistency for parents. It allows responses to be provided to parents on all of their preferred schools at once, including the full appeal rights and waiting list procedures. It will continue to be the responsibility of the individual admission authority to determine whether a place can be offered or is refused, those schools will also continue to make arrangements for an independent appeal panel and maintain any waiting list. This makes the process clear, fair and objective as well as easily understood by parents and also ensures that admissions are in line with the Code on School Admissions and comply with the statutory duties placed on all admission authorities.

19. Significantly it will ensure that children are not out of school for unnecessarily long periods of time and the more vulnerable and hard to place children are safeguarded by a robust admissions process, which is timely and ensures their application is handled appropriately. It is particularly important that Children that are Looked After or Previously Looked After, Children Missing Education, those that are Hard to Place and may be subject to the Worcestershire Fair Access Protocol can be identified early and any relevant referrals made in a timely manner. This minimises the days lost to education.

20. By co-ordinating In-Year admissions this will also ensure that the Local Authority is able to keep accurate pupil data tracking and up to date figures on the availability of places in the area in order to fulfil the statutory duties, complete accurate DfE Sufficiency Returns to ensure appropriate funding and to accurately report the information to the Office of the Schools Adjudicator and Ofsted.

21. It is therefore recommended that Cabinet approves the scheme for In-Year Co-ordination for 2020/21 set out in Appendix 3.

Published Admission Number (PAN) Changes

22. The Council keeps under review the PAN of all community and voluntary controlled schools. The Council has to ensure sufficient places in an area for the number of pupils seeking to attend their local school.

23. Admission Authorities need no longer consult on an increase to the PAN if the school has the accommodation, this change was introduced by the revised Code on School Admissions in December 2014. Any increases in PAN that do require additional accommodation will be subject to a separate report.

24. There are two academy schools, one secondary and one primary school, which have conducted public consultation on reducing their PAN (see Appendix 6). The Local Authority has responded to the consultation and those schools now have until 28 February 2019 in which to determine their admission arrangements following consultation. The Local Authority is entitled to raise an objection to the Office of the Schools Adjudicator to the determined admission arrangements of any school.

Legal, Financial, HR and Equality Implications

25. The Equality Impact Assessment relevance screening has been completed on the Admission Policy for 2020/21. It shows that the recommendations do not have an adverse impact on rural children, the Gypsy, Roma Traveller community or any of the protected groups.

Public Health and Privacy Impact Assessments

26. There are no Public Health and Privacy Impact Assessment implications that will occur as a result of endorsing the recommendations in this report.

Risk Implications

27. The delivery and consequences of the recommendations have been considered and there are no risk implications that are likely to occur as a result of endorsing the recommendations in this report.

Supporting Information (available electronically)

- Appendices 1a and 1b – Admission Policy for Community and Voluntary Controlled Schools 2020/21
- Appendices 2a and 2b – Co-ordinated Schemes for Primary/Middle and Secondary Schools for 2020/21
- Appendix 3 – Co-ordinated Scheme for In-Year Admissions 2020/21
- Appendix 4 - Consultation Letter and Response Form
- Appendix 5 - Consultation Responses
- Appendix 6 – Published Admission Number Changes

Contact Points

County Council Contact Points

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Specific Contact Points for this report

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Background Papers

In the opinion of the proper officer (in this case the Director of Children, Families and Communities) the following are the background papers relating to the subject matter of this report:

School Admissions Code

Agenda papers and background papers for the Cabinet Member Decision on 8 February 2018