

North Tyneside Council Report to Cabinet 10 March 2014

ITEM 7(e)

Determination of School
Admission Arrangements
2015

Portfolio(s): Children, Young People and Learning

Cabinet Member(s): Councillor Ian Grayson

Report from Service Area: Commissioning and Fair Access

Responsible Officer: Mark Longstaff, Head of Commissioning and Fair Access Tel: (0191) 6438089

Wards affected: All

PART 1

1.1 Purpose:

The purpose of the report is to approve the amendment to the 2014 Determined Admission Arrangements and consider and determine the proposed admission arrangements for all Community Schools in North Tyneside for the 2015/2016 academic year including the co-ordinated admissions schemes, following consultation with schools, other local authorities, the Diocesan Authorities and the North Tyneside Trust Schools.

1.2 Recommendation(s):

It is recommended that Cabinet:

- (1) approves the amendment to the 2014 Determined Admission Arrangements following consultation with the Office of the Schools Adjudicator (OSA);
- (2) approves the 2015 proposed admission arrangements and limits for Community Schools, as outlined in Appendices 1 to 6, subject to the appropriate publication of Statutory Notices;
- (3) authorises the Head of Commissioning and Fair Access to proceed in administering admission arrangements for the September 2015/2016 academic year, subject to the publication of statutory notices and compliance with obligations required by the Secretary of State in accordance with the timescales set; and
- (4) authorises the Head of Commissioning and Fair Access, in consultation with the Cabinet Member for Children, Young People and Learning, to formally seek approval, as necessary, from the Schools Adjudicator in accordance with the School Admissions Code 2012 for any necessary variations to the determined arrangements for the 2015/16 academic year should these arise.

1.3 Forward Plan:

This report appears on the Forward Plan published on 27 November 2013.

1.4 Council Plan and Policy Framework

The report relates to the Council Plan – Our North Tyneside 2014 – 2018. Priority 1 – Our People Will – Be supported to achieve their full potential, especially our children and young people.

1.5 Information:

1.5.1 2014/15 Determined Admission Arrangements

As Cabinet will be aware, after a period of consultation, Priory Primary School moved to Academy status and merged with The Kings School, Tynemouth, to form the new Kings Priory Academy, with effect from September 2013.

As a Local Authority (LA), we have a statutory duty to offer a place of education to every child resident in the borough, and this includes places in maintained schools, including community and foundation schools, but not Free Schools and Academies. As a consequence of the move to Academy status, it was necessary to amend the catchment areas of neighbouring schools to include addresses within the former Priory Primary School catchment area.

The formal round of consultation on admission arrangements for the academic year 2014/2015 concluded prior to the Secretary of States formal approval of the Kings Priory Funding agreement.

Following approval by Cabinet at the meeting held on 11 March 2013 of the 2014 Admission Arrangements (minute CAB225/03/13 refers), the LA have been working with the Office of the Schools Adjudicator (OSA) to request a variation to the 2014 Determined Admission Arrangements linked to the establishment of Kings Priory Academy. As part of this process it was necessary to notify those previously consulted on the 2014 Admission Arrangements regarding the proposed request for variation to catchment areas, and seek the approval of the OSA to permit the variation to the determined Admissions Arrangements September 2014. As a result of this exercise, and based on advice from the OSA, it was also necessary for the following amendments/additions to be made:

- Tie-breaker – the arrangements to reflect how the LA will allocate places where two or more home to school distances are the same measurement, as identified by the Geographical Information System (GIS), as part of the allocations process for school places;
- Deferred entry (First and Primary Schools) – it was a requirement of the schools admissions code to clearly identify deferred entry arrangements.

The recommended changes to the 2014 Determined Admission Arrangements have now been incorporated within the proposed 2015 Admission Arrangements.

1.5.2 Co-ordinated admission schemes

All Local Authorities are required to formulate and consult on a scheme for each academic year for co-ordinating admission arrangements for all maintained schools within their area. This requirement includes maintained boarding schools, but excludes maintained special schools and maintained nursery schools. Co-ordinated schemes are intended to simplify the admission process for parents whilst reducing the likelihood of any child being left without a school place. Co-ordination establishes a mechanism that ensures that, as far as is practical, every child living in an LA area who has applied in the normal admissions round receives one, and only one, offer of a school place on the same day. While it is for each LA to decide the scheme that best suits its residents and its schools, authorities must ensure that they:

- a. comply with law and regulations, including all the process requirements (for example, the common application form allowing at least 3 preferences, information sharing with other Local Authorities, sending out not more than one offer to all seeking places at its maintained schools or academies on the same day); and
- b. do not disadvantage applications to their schools from families resident in other Local Authorities.

The Scheme applies to applications received from September 2014 for entry into maintained schools in September 2015. The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 require the LA to exchange specified information on applications with neighbouring Authorities.

The purpose of the Scheme is to co-ordinate admissions into all mainstream maintained first and primary, middle and high schools in North Tyneside. The Regulations also place a duty on all Local Authorities to make arrangements within their Scheme for cross-Authority border co-ordination of admissions.

The Co-ordinated Admissions Schemes are shown in Appendices 1 and 2.

1.5.2 Admission numbers

All schools must have an admission number for each 'relevant age group'. This is defined in law as 'an age group in which pupils are or will normally be admitted' to the school in question. Admission Authorities of maintained schools must set admission numbers with regard to the capacity assessment for the school under The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements)(England) Regulations 2012.

The Planned Admission Numbers are shown at Appendix 3.

1.5.3 Admission Policies

Pupils will be able to go to their preferred school unless there are more applications to that school than there are places available.

If there are more applications than places available at a school, oversubscription criteria will be used to allocate places after any children with a statement of special educational needs have been provided for where the statement names a specific school.

Admissions Policies for admission to North Tyneside Community Schools and Nurseries for which the LA is the Admissions Authority are shown at Appendices 4 to 6.

1.5.4 Oversubscription Criteria

The oversubscription criteria used by the LA where there are more applications than places available are set out in Appendices 4, 5 and 6 of this report.

1.5.5 Admissions to Year 12 (sixth form)

Where a secondary school operates a sixth form and admits pupils from other schools at age 16, for instance, an admission number will be required for Year 12 as well as for the main year or years. Admission numbers must refer to pupils being admitted to the school for the first time and not transferring from earlier age groups. The entry requirements for 6th form are largely dependent on the course of study that a student wishes to access. Details of specific requirements and courses available may be obtained for individual schools. All schools publish information about their post 16 provision.

1.5.6 Learning Trust

The North Tyneside Learning Trust was established in September 2010 and currently comprises of 39 schools. The LA consulted on behalf of these schools with regard to their admission arrangements. The governing bodies of these schools are responsible for determining their arrangements in accordance with the School Admissions Code. Five of the schools in the Learning Trust are Special Schools and these arrangements do not apply to them.

1.5.7 Voluntary Aided Schools

The governing bodies of these schools are responsible for consultation and determining their own admission arrangements in accordance with the School Admissions Code. No formal consultation has been undertaken by the respective governing bodies for the 2015/16 academic year as there are no changes to the previously published arrangements.

1.5.8 Academies

The governing bodies of these schools are responsible for consultation and determining their own admission arrangements in accordance with the School Admissions Code. Specifically for 2015/16 academic year, the LA was asked to consult on the arrangements for Grasmere Academy linked to the North Tyneside consultation process. The governing bodies of both St Thomas More Roman Catholic Academy and Kings Priory Academy did not request the LA to consult on their behalf.

1.6 **Decision options:**

The following decision options are available for consideration by Cabinet:

Option 1

Approve the recommendations set out in section 1.2 of the report.

Option 2

Not approve the recommendations set out in section 1.2 of the report and request Officers undertake further work on the proposed admission arrangements.

Option 1 is the recommended option.

1.7 Reasons for recommended option:

Option 1 is recommended for the following reasons:

The recommendations contained in this report are made to secure compliance with statutory requirements as outlined in Section 2.2 of this report.

1.8 Appendices:

Appendix 1: Proposed Co-ordinated Admissions Scheme Primary

Appendix 2: Proposed Co-ordinated Admissions Scheme Middle and High Schools

Appendix 3: Proposed Admissions Numbers Community Schools September 2015

Appendix 4: Proposed Admissions to Community Nursery Policy September 2015

Appendix 5: Proposed Admissions to Community First and Primary Schools Policy September 2015

Appendix 6: Proposed Admissions to Community Middle School Policy September 2015

1.9 Contact officers:

Mark Longstaff, Head of Commissioning and Fair Access tel: 0191 6438089

Iain Betham, Senior Manager – Capital Planning and Fair Access tel: 0191 6438092

Val Johnson, Access Manager, tel No: 0191 6438721

Anthony Gollings, Finance Business Manager supporting Children, Young People and Learning and Finance and Resources - tel: 643 8071

1.10 Background information:

The following background papers/information has been used in the compilation of this report and are available at the office of the author:

(1) School Standards and Framework Act 1998

(2) School Admissions Code 2012 (in force February 2012)

(3) [Report to Cabinet 11 March 2013 - Determination of School Admission Arrangements 2014](#)

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

There are no financial implications directly arising from this report.

2.2 Legal

The School Admissions Code applies to admissions to all maintained schools and sets out certain mandatory requirements and prohibited practices according to the relevant law. The LA's determined admission arrangements must comply with the mandatory provisions of the Code. The Code is made under s.84 of the School Standards and Framework Act 1998.

The LA was required to consult on the admission arrangements for those schools for which it is the Admissions Authority by 1st March 2014, which consultation has been undertaken as set out in section 2.3. The LA must consult upon the full details of its admission arrangements and the arrangements must be consistent with the co-ordinated scheme operating in the area. The admission arrangements must be determined by 15 April 2014. The requirement to consult is contained in s.88C of the School Standards and Framework Act 1998.

Each year, the LA is required to have in place a scheme for co-ordinating admission arrangements for maintained schools in the area (s.88M of the School Standards and Framework Act 1998). There is no requirement to co-ordinate applications for places at school sixth forms/year 12.

In accordance with the Local Government Act 2000 and the regulations made under that Act in relation to responsibility for functions, Cabinet is responsible for determining this matter.

2.3 Consultation/community engagement

2.3.1 Internal Consultation

The Cabinet Member responsible for Children, Young People and Learning has been consulted in relation to the proposals.

2.3.2 External Consultation/Engagement

Consultation has been undertaken with:

- All North Tyneside First, Primary, Middle and High Schools (including Trust Schools and Academy Schools), Headteachers and Governing Bodies;
- Neighbouring Local Authorities: Newcastle, Gateshead, Northumberland, South Tyneside;
- Diocesan Authorities (Roman Catholic and Church of England);

Information on this consultation has also been available on the Authority's website for the period 23 December 2013 until 17 February 2014.

There were no objections to the proposed arrangements received during the consultation.

2.4 Human rights

The Human Rights Act 1998 confers a right of access to education. This right does not extend to securing a place at a particular school. Admissions Authorities, however, do need to consider parents' reasons for expressing a preference when they make decisions about the allocation of school places, to take account of the rights of parents under the Act, though this may not necessarily result in the allocation of a place. These might include, for example, the parents' right to ensure that their child's education conforms to their own religious or philosophical convictions (so far as is compatible with the provision of efficient instruction and the avoidance of unreasonable public expenditure).

2.5 Equalities and diversity

Under Section 85 of the Equality Act 2010, it is unlawful for any education provider, including a private or independent provider, to discriminate between pupils on grounds of sex, race, gender reassignment, sexual orientation, pregnancy and maternity, religion or belief. Discrimination on these grounds, which are known as 'protected characteristics', is unlawful in relation to admission arrangements. There are exceptions to these requirements set out in Schedule 11, including in respect of admissions to single sex schools, schools with a religious character and in respect of other types of education providers such as further and higher education.

In addition the Act introduces the following duties on the responsible bodies of schools:

- (a) A duty not to harass a pupil or a person who has applied for admission (on the basis of protected characteristics, sexual harassment or less favourable treatment);
- (b) A duty not to victimise a person in its admission arrangements;
- (c) A duty to make reasonable adjustments in respect of the admission of prospective pupils who may be disabled and not to discriminate in respect of the same.

2.6 Risk management

There are no risk management implications directly arising from this report.

2.7 Crime and disorder

There are no crime and disorder implications directly arising from this report.

2.8 Environment and sustainability

There are no environment and sustainability implications directly arising from this report.

PART 3 - SIGN OFF

- Chief Executive
- Deputy Chief Executive
- Head of Service
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Strategic Manager Policy, Partnerships, Performance and Communications

Report authors:

Mark Longstaff, Head of Commissioning and Fair Access
Iain Betham, Senior Manager – Capital Planning and Fair Access