

North Tyneside Council Report to Cabinet 8 February 2016

ITEM 6(c) Determination of School Admission Arrangements 2017
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Portfolio(s): Children, Young People and Learning

Cabinet Member(s): Councillor Ian Grayson

Report from Service Area: Commissioning and Investment

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

Wards affected: All

PART 1

1.1 Executive Summary

This is an annual report submitted to Cabinet. There is a statutory requirement to consult on and determine school admission arrangements before publication. This report is to approve the proposed admission arrangements for all Community Schools in North Tyneside for the 2017/2018 academic year including the co-ordinated admissions schemes.

1.2 Recommendation(s)

It is recommended that Cabinet:

- (1) approves the 2017 proposed admission arrangements and limits for Community Schools, as outlined in Appendices 1 to 5, subject to the appropriate publication of Statutory Notices;
- (2) authorises the Head of Commissioning and Investment to proceed in administering admission arrangements for the 2017/2018 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
- (3) authorises the Head of Commissioning and Investment, 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 2017/18 academic year should these arise.

1.3 Forward Plan

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 30 November 2015.

1.4 Council Plan and Policy Framework

This report relates to the following priority in the 2014-18 Our North Tyneside Plan:

- (1) Our People will be supported to achieve their full potential, especially our children and young people.

1.5 Information

1.5.1 Co-ordinated Admission Schemes (The Scheme)

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 a Local Authority (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 2016 for entry into maintained schools in September 2017. The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 (the Regulations) 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 Regulations.

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 or an Education, Health and Care Plan have been provided for where the Statement or the Education, Health and Care Plan 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 and 5.

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 and 5 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 sixth 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 Community Schools

The only formal consultation which has been undertaken by the LA for Community Schools for the 2017/18 academic year is in respect of the proposed changes to Backworth Park Primary School which is increasing the Published Admission Number from 30 to 45 to align with the relocation and expansion of the school on a new site.

1.5.7 Learning Trust

The North Tyneside Learning Trust was established in September 2010 and currently comprises of 44 schools. The governing bodies of these schools are responsible for determining their arrangements in accordance with the School Admissions Code 2012. The only formal consultation which has been undertaken by the LA on behalf of the respective governing bodies for the 2017/18 academic year is in respect of proposed changes to the Published Admission Numbers for three Primary Schools and one High School.

Five of the schools in the Learning Trust are Special Schools and these arrangements do not apply to them.

In addition to the above, the Governing Body of Preston Grange Primary School has determined to establish a 26 place part time place nursery class within their school with effect from September 2016. As this is a non statutory provision, no formal consultation is required but the provision will be noted in future admission arrangements.

1.5.8 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 2014. No formal consultation has been undertaken by the respective governing bodies for the 2017/18 academic year as there are no changes to the previously published arrangements.

1.5.9 Academies

The governing bodies of these three schools are responsible for consultation and determining their own admission arrangements in accordance with the School Admissions Code 2014.

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.

If the recommended option is not approved, the Authority may not be in 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 2017

Appendix 4: Proposed Admissions to Community Nursery Policy September 2017

Appendix 5: Proposed Admissions to Community First and Primary Schools Policy September 2017

1.9 Contact officers

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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) The Education (Co-ordination of Admission arrangements) (Primary Schools) (England) Regulations 2002

(2) The Education (Co-ordination of Admission arrangements) (Secondary Schools) (England) Regulations 2002

(3) School Admissions Code December 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 2014 (the 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 is only required to consult on the admission arrangements for those schools for which it is the Admissions Authority by 4 January 2016 if there are any changes to the previously agreed arrangements. The admission arrangements for 2017 must be determined by 28 February 2016.

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.

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.

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, 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 Council's website for the period 17 November 2015 until 4 January 2016.

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 Human Rights Act 1998, 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 Equality Act 2010 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.

The arrangements that North Tyneside Council has in place are fully compliant with Section 85 of the Equality Act 2010. In addition, all maintained schools are also fully aware of their responsibilities associated with the Act.

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

- Deputy Chief Executive
- Head(s) of Service
- Mayor/Cabinet Member(s)
- Chief Finance Officer
- Monitoring Officer
- Head of Corporate Strategy