

For general release

Committee: Children, Families and Schools Sub-Committee

Date: Monday 15 March 2004

Report of: Director, of Children, Families and Schools

**Subject: School Admissions - Schools Consultation for 2005/6
Admissions**

Wards affected: All

1. Purpose of the report

- 1.1 To inform the Sub-Committee of the outcome of the consultation with schools in Brighton & Hove on the proposed revisions to admission priorities for community schools.
- 1.2 To inform the Sub-Committee of issues arising from the consultation with voluntary aided schools on their admission priorities.
- 1.3 To inform the Sub-Committee of the response to the consultation with voluntary aided schools and others on the co-ordination of admission arrangements.
- 1.4 To, inform the Sub-Committee of the response from community schools on proposed admission numbers and other admission arrangements.

2. Recommendations

- 2.1 That the second admission priority, the sibling link, should in the case of infant, junior and primary schools be limited in its effect to a distance of two miles by safe walking route from the school to the child's home.
- 2.2 That in place of the existing admission priority 3 for over subscribed schools (an annually drawn priority area), the distance from home to school by a safe walking route should become the deciding geographical factor with effect from the admission year 2005/6. A safe walking route will be defined as a route, which is paved and lit.
- 2.3 That the recommendations at 2.1 and 2.2 above should be reviewed after the first year of operation.

- 2.4 That the Sub-Committee confirms the adoption of co-ordinated schemes of admission for 2005/6, and notes the improved consultation response from voluntary aided schools with regard to admission arrangements.
- 2.5 That the published admission number for Dorothy Stringer School for 2005/6 should be set at 330, but subject to review with a view to reduction in 2006/7.
- 2.6 That the other published admission numbers and arrangements should be confirmed as set out in the consultation document proposals.

3. Background

- 3.1 At the Sub-committee meeting held on 26th January 2004, it was agreed that the proposals for changing admission priorities in community schools would be considered in the light of the admissions consultation with schools due to conclude on 27th February. The proposals were to be included in the annual admission consultation as a separate item.
- 3.2 The annual consultation takes place in order to ask the views of governing bodies about proposed published admission numbers for each community school and the admission arrangements for the coming admission year. The consultation taking place in January/February 2004 was about numbers and arrangements for admissions in September 2005. The neighbouring LEAs, East Sussex and West Sussex were also consulted.
- 3.3 In addition to the consultation with community schools, voluntary aided schools are consulted about LEA admission arrangements, and are themselves required to consult the LEA about their proposed admission arrangements.
- 3.4 For the 2005/6 admission round, voluntary aided schools were also consulted about the LEA's proposed co-ordinated schemes of admissions, one scheme for secondary schools and one for primary schools. The Church of England Diocese and the Roman Catholic Diocese were also consulted about the co-ordinated schemes, as were the neighbouring LEAs, East Sussex and West Sussex.
- 3.5 The Brighton and Hove Admission Forum was also consulted on all of the above issues at its meeting held on 4th February 2004. The Forum is a body, which represents the views of the various parties with an interest in school admissions in the City. Membership includes parent representatives, representatives from the Church of England and the Roman Catholic dioceses, City Council Members, representatives of schools and a representative of the Racial Harassment Forum.

4. The Consultation Processes

- 4.1 The closing date for the annual admissions consultation process was 27th February. By that date 14 community primary schools had responded. Many voluntary aided schools had been in contact with regard to their own admission priorities, but had refrained from commenting on the LEA admission priorities.
- 4.2 Proposed changes to admission priority 2 – the sibling link
Of those 14 schools 11 were in favour of limiting the sibling link in primary schools to a distance of 2 miles, whilst 3 were against the change, although no reasons were given for that opposition. This shows a clear majority of respondents in favour of the proposed change.
- 4.3 Proposed changes to admission priority 3 – the geographical priority
This proposed change was from an annually drawn priority area to the priority allocation of places on the basis of a safe walking distance from home to school after the first two priorities had been satisfied. Of the schools, which responded, 13 were in favour of the change, and one other gave qualified support, but raised some concerns about safe walking routes to school, which will be addressed through direct correspondence.
- 4.4 Consultation with voluntary aided schools
Voluntary aided (VA) school governing bodies act as their own admission authorities. They are required to consult with the LEA and with other schools in the city about their proposed admission arrangements. The numbers of schools consulting the LEA this year was much improved, with 14 of the 16 VA schools sending in their priorities for the LEA's comments. In the majority of cases the LEA had one point to make, which was that looked after children should be given priority for admission at all maintained schools, including VA schools. This is clearly set out in the School Admissions Code of Practice and in the decisions made by the Schools Adjudicator on past cases where objections were raised to admission priorities. The LEA already gives priority to looked after children in its published arrangements, and will make that even more explicit in the next admissions booklet. In a few cases other minor suggestions for amendment were made in line with guidance given in the School Admissions Code of Practice. The VA school governing bodies will now consider the comments received from the LEA, other schools and the diocesan authorities, and must determine their revised admission arrangements by 15th April. If any of those arrangements do not, in the view of the LEA, conform to the requirements of the Code of Practice, and this has not been resolved by negotiation, it may make objections to the Schools Adjudicator.
- 4.5 Published admission numbers

Dorothy Stringer School – Following the completion of the PFI project the school's net capacity was checked. On initial projections it appeared that the school's capacity was well in excess of the published figure for 2004/5, as the capacity range (the minimum and maximum numbers the school could take) had increased significantly. Following visits to the school to check room usage and verify measurements, it became apparent that it would be difficult to admit to the published figure (300) for 2004/5, as the school admission appeal panel would have access to the capacity calculations. It was therefore proposed that the school's intake for 2004/5 should be increased to 330, and that this figure should be retained for 2005/6. It was likely that changes to the premises would decrease the capacity after that time. The headteacher and governing body were not in favour of the change for either year, but officers took the view that it was better to admit an increased number in a planned way with the additional money allocated at the outset. The latest capacity assessment shows a minimum intake of 311 and a maximum of 346. The Sub-Committee is therefore asked to support the increase in the admission number for 2004/5 to 330, and a published admission number for 2005/6 of 330. The admission number will be reviewed, with a view to reduction, in 2006/7.

Moulsecoomb Primary School – The school proposed a reduction in its published admission number from 90 to 60. This would result in the admission number being less than the school's minimum admission number as determined by the net capacity measurement. In order for a reduction to 60 to be permissible (and conform to the Education Act 2002 requirements), it would be necessary to reduce the school's accommodation. As this cannot be achieved at present the Sub-Committee is asked to retain the current admission number of 90 for 2005/6.

Somerhill Junior School – The school observed that its admission limit of 96 for Key Stage 2 made the integration of children with special needs more difficult, and it would like to see the LEA further reducing class sizes. Members will recall that Brighton & Hove reduced its Key Stage 2 maximum class size recommendation from 35 to 32 four years ago. Whilst having some sympathy with the governors' view, it would require the reduction of Key Stage 2 numbers at all LEA schools, which would reduce the number of places available when there is already great pressure on places at several schools. Not only would there be a scarcity of places, but there would also be an increase in the per capita cost, which could require a change in formula funding. The Sub-Committee is therefore asked to retain the admission limit of 96 for Somerhill Junior School.

St Peter's Community Infant and Nursery School – The Governors did not agree with the proposed admission number of 30, preferring 32. 30 was in fact the number published for 2004/5, 32 last being published for

2003/4. The Key Stage 1 maximum class size requirement, set out in the School Standards and Framework Act 1998, is 30 pupils per qualified teacher. All schools in the LEA now have admission numbers, which are in multiples of 30 in order to conform to that legislative requirement. If a school were to have an admission number of 32 it would require an additional teacher for each Key Stage 1 year group with that number – two teachers would be needed for any class above 30 in order to remain within the law. When the Key Stage 1 class size initiative was introduced, the DfES made some funding available to manage the situation where school admission numbers resulted in classes larger than 30. That funding has now been withdrawn, and the LEA would not see the provision of an extra teacher for 2 pupils as representing good value for money. The Sub-Committee is therefore asked to confirm the admission number for St Peter's at 30.

4.6 Co-ordinated Schemes of Admission

The School Admissions Code of Practice sets out arrangements whereby LEAs and voluntary aided schools within the area of the LEA should work together to ensure that all children are made a single offer of a school place. This place should be at their highest preferred school possible from the 3 preferences that they may list. The schemes (one for primary, one for secondary) should incorporate agreed dates for the exchange of pupil information, joint closing dates for the admission exercise, and the use of a single admission or preference form. Voluntary aided schools remain responsible for setting their own admission arrangements and priorities, and deciding which applicants should be offered places. Brighton & Hove has a long history of good co-ordination with voluntary aided schools, and has operated a pilot co-ordination scheme with them for 2004/5 admissions. The proposed schemes for 2005/6 will be full or "qualifying" schemes of which the DfES will be informed. The only concerns reported by voluntary aided schools and diocesan authorities related to wording about the school governors' role in deciding which pupils should be admitted. This was amended as they requested to better reflect the legal position. No concerns were expressed by the Roman Catholic or the Church of England Diocesan authorities, or by the two neighbouring LEAs. The schemes should therefore be adopted for 2005/6, and are attached as Appendix 1 and Appendix 2.

4.7 Admission Forum

The Brighton & Hove Admission Forum that met on 4th February 2004 noted the admission arrangements and numbers set out in the admission consultation admission consultation together with the proposed co-ordinated schemes for 2005/6. It did not make any specific comments or proposals for changes to either.

Meeting/Date	Children, Families and Schools Sub-Committee 15 th March 2004
Report of	The Director, Children, Families and Schools
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Wards affected	All

Financial implications

The recommendations of the report would require the purchase of computer software necessary to calculate the walking distance from home to school. As this would require the software to be developed, the initial estimate of costs is £3,000 which is to be met from a Central Administration budget, held by Elizabeth Wylie, Assistant Director, Strategic Planning and Services to Schools. It is not possible to quantify in detail the financial implications of changes to admission priorities and admission numbers, although any changes to admission arrangements may impact on the numbers at individual schools and therefore the budget allocations that are largely driven by pupil numbers.

Finance Officer consulted Paul Brinkhurst/Date:02/03/04

Legal implications

The LEA must conform to the new requirements on school admissions contained in the Education Act 2002 and subsequent Regulations and Codes of Practice. It must annually consult with schools about admission numbers and arrangements. It must also be mindful of the need to co-ordinate school admission arrangements with all schools in the LEA and with neighbouring LEAs, which will become a legal requirement from 2005/6. As to Human Rights Act (1998) implications, the Council, when exercising its education functions, must take into account that no person shall be denied the right to education. The Council must also respect the right of parents/carers to ensure such education and teaching as are in conformity with their own religious and philosophical convictions, but only so far as is compatible with the provision of efficient instruction and training and the avoidance of unreasonable expenditure. Additionally the Human Rights Act provides for the Right to a Fair Hearing so that a proper consultation process, as described in the body of this report, must be undertaken.

Lawyer consulted: Sandra O'Brien /Date: 02/03/04

Corporate/Citywide implications

All schools in the city should be operating on the basis of admission limits and admission priorities which have been the subject of broad consultation. The effective co-ordination of admissions arrangements should lead to a single offer of a school place for each child seeking a place in a maintained school in the city.

Risk assessment

There are no risk issues in terms of risk to city council resources or risk to children and their parents/carers.

Sustainability implications

School admission arrangements are intended so far as it is possible to provide pupils with local places where they have asked for them. This is subject to limitations in school capacity, and the priority order for school preferences given by parents/carers.

Equalities implications

Planning and provision for school admissions procedures and school places is conducted in such a way as to avoid potentially discriminatory admissions priorities or planning processes. The city council must be mindful of bad practice as described in the School Admissions Code of Practice.

Implications for the prevention of crime and disorder

There are no implications for the prevention of crime and disorder.

Background papers

None.

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