



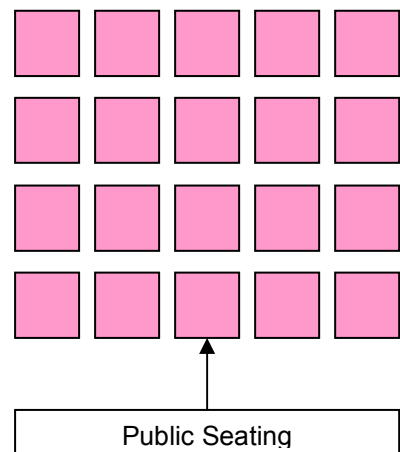
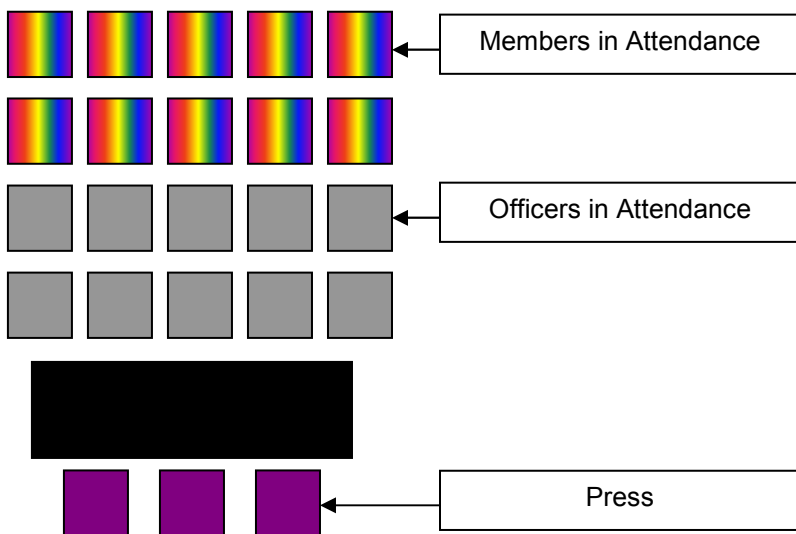
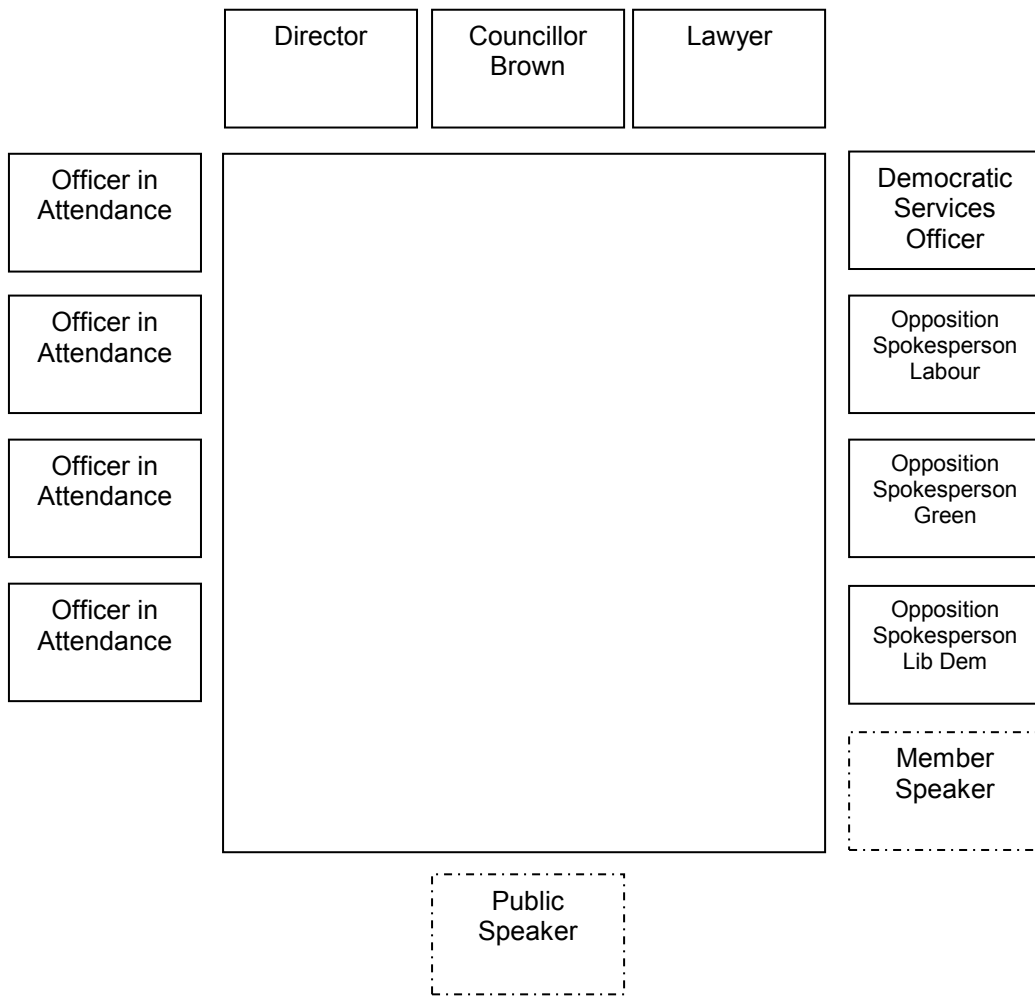
Brighton & Hove  
City Council

# Cabinet Member Meeting

Title:	<b>Children &amp; Young People Cabinet Member Meeting</b>
Date:	<b>Special Meeting 22 March 2010</b>
Time:	<b>4.00pm</b>
Venue	<b>Committee Room 3, Hove Town Hall</b>
Members:	<b>Councillor:</b> Brown (Cabinet Member)
Contact:	<b>Nara Miranda</b> Democratic Services Officer 01273 291004 (voicemail only) nara.miranda@brighton-hove.gov.uk

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# Democratic Services: Meeting Layout



## AGENDA

### 41. PROCEDURAL BUSINESS

- (a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (b) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

*A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.*

### 42. CABINET MEMBER'S COMMUNICATIONS

### 43. ITEMS RESERVED FOR DISCUSSION

- (a) Items reserved by the Cabinet Member
- (b) Items reserved by the Opposition Spokesperson
- (c) Items reserved by Members, with the agreement of the Cabinet Member.

*NOTE: Petitions, Public Questions, Deputations, Letters from Councillors, Written Questions from Councillors and Notices of Motion will be reserved automatically.*

### 44. PETITIONS

1 - 2

Copy attached.

### 45. NOTICES OF MOTIONS

3 - 4

- (i) **Support Consideration of a New Co-Operative Trust Primary School for Hove.** Proposed by Councillor Davis and referred from Council on 28 January 2010 (copy attached).

## CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

### **46. REMOVAL OF SOFT SERVICES FROM THE SCHOOLS PFI CONTRACT 5 - 10**

Report of the Director of Children's Services (copy attached).

*Contact Officer:* Gil Sweetenham *Tel:* 29-3474

*Ward Affected:* All Wards;

### **47. SCHOOL ADMISSIONS ARRANGEMENTS FOR 2011/12 11 - 56**

Report of the Director of Children's Services (copy attached).

*Contact Officer:* Steve Healey *Tel:* 29-3444

*Ward Affected:* All Wards;

### **48. TENDERING FOR SPECIAL SCHOOL HOME TO SCHOOL TRANSPORT SERVICES 57 - 64**

Report of the Director of Children's Services (copy attached).

*Contact Officer:* Steve Healey *Tel:* 29-3444

*Ward Affected:* All Wards;

#### **PART TWO**

### **49. REMOVAL OF SOFT SERVICES FROM THE SCHOOLS PFI CONTRACT [EXEMPT CATEGORY 1 & 3] 65 - 106**

Report of the Director of Children's Services (circulated to Members only).

*Contact Officer:* Gil Sweetenham *Tel:* 29-3474

*Ward Affected:* All Wards;

### **50. PART TWO ITEMS**

To consider whether or not the above item and the decisions thereon should remain exempt from disclosure to the press and public.

## CHILDREN & YOUNG PEOPLE CABINET MEMBER MEETING

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk). Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Nara Miranda, (01273 291004 (voicemail only), email [nara.miranda@brighton-hove.gov.uk](mailto:nara.miranda@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

Date of Publication - Friday, 12 March 2010



# CHILDREN & YOUNG PEOPLE CABINET MEMBER SPECIAL MEETING

## Agenda Item 44

Brighton & Hove City Council

<b>Subject:</b>	<b>Petitions</b>		
<b>Date of Meeting:</b>	<b>22 March 2010</b>		
<b>Report of:</b>	<b>Director of Strategy &amp; Governance</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Nara Miranda</b>	<b>Tel:</b> <b>29-1004</b>
	<b>E-mail:</b>	nara.miranda@brighton-hove.gov.uk	
<b>Key Decision:</b>	<b>No</b>	Forward Plan No. N/A	
<b>Wards Affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

1.1 To receive the following petition in (i) below presented to the Leader of the Council on 3 December 2009 and any petitions presented directly to the Children & Young People's Cabinet Member Meeting.

(i) Petition presented by the Friends of Whitehawk Youth Centre and signed by 382 people:

Proposed Demolition of Whitehawk Youth and Community Centre

*"We, members of the local community, do not feel that we have been properly consulted about the proposed demolition of Whitehawk Youth and Community Centre nor feel this course of action is in the best interest of our community."*





# **CHILDREN & YOUNG PEOPLE CABINET MEMBER SPECIAL MEETING**

**Agenda Item 45**

Brighton & Hove City Council

## **NOTICE OF MOTION**

### **SUPPORT CONSIDERATION OF A NEW CO-OPERATIVE TRUST PRIMARY SCHOOL FOR HOVE.**

“Co-operative Trust Schools are becoming an increasingly popular way of raising school standards through developing partnerships, helping to engage the local community and strengthening the curriculum through the shared co-operative values of self help, self responsibility, democracy, equity and community solidarity. They can help raise aspirations and standards, ensure that parents have more choice of good local schools and have a greater say in the running of their schools through better democratic participation.

There are now 240 Co-op Trust schools operating in the UK with five Primary Schools in Doncaster being included within the Trust Schools Programme in October 2009, supported by Government funding to become established. The Trust School model is flexible, allowing schools and their governing bodies to build a Trust that meets their specific needs.

This council therefore calls on the Cabinet Member for Children and Young People to:

- (1) Recognise that the Co-operative Trust School model incorporates values and principles that would benefit children, parents and communities in the city;
- (2) Commits to giving serious consideration to a range of potential providers, including the Co-operative Trust, when seeking to provide a new Primary School in Hove; and
- (3) Considers how the Co-operative Trust School Programme could generally enhance cross-sector educational provision in Brighton and Hove, particularly in respect of poorly performing schools.”

Proposed by: Cllr Melanie Davis

Seconded by: Cllr Pat Hawkes

Supported by: Cllrs Gill Mitchell, Anne Meadows, Mo Marsh, Juliet McCaffery, Les Hamilton, Bob Carden, Christine Simpson, Jeane Lepper, Warren Morgan, Craig Turton.



# CHILDREN & YOUNG PEOPLE CABINET MEMBER SPECIAL MEETING

## Agenda Item 46

Brighton & Hove City Council

<b>Subject:</b>	<b>Removal of Soft Services from the Schools PFI Contract</b>		
<b>Date of Meeting:</b>	<b>22 March 2010</b>		
<b>Report of:</b>	<b>Director of Children's Services</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Gil Sweetenham</b>	<b>Tel:</b> <b>29-3474</b>
	<b>E-mail:</b>	<a href="mailto:gil.sweetenham@brighton-hove.gov.uk">gil.sweetenham@brighton-hove.gov.uk</a>	
<b>Key Decision:</b>	<b>Yes</b>	<b>Forward Plan No: CYP14971</b>	
<b>Wards Affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report is complemented by a separate report and appendices in Part 2 of the agenda.
- 1.2 Brighton & Hove City Council entered into a 25 year Private Finance Initiative (PFI) Agreement on 8<sup>th</sup> March 2002 with Brighton & Hove City Schools Services Ltd (BHCSS). The Agreement includes the provision of Facilities Management Services (FM) through BHCSS to Dorothy Stringer High School, Varndean School, Patcham High School and the Patcham Stakeholders (Community Centre, Library, Youth Centre and Patcham Junior School (catering only)). BHCSS sub-contracted with Jarvis Accommodation Services (JAS) to provide FM services.
- 1.3 JAS submitted a benchmarking price increase claim in October 2008. The initial financial proposals submitted by JAS were rejected by the council and schools. Under legal advice the council entered into "Without Prejudice" discussions with BHCSS to try and reach agreement. These discussions were completed on 11<sup>th</sup> November 2009.
- 1.4 The discussions have only been able to conclude one proposal worthy of the schools' and Patcham Stakeholders' consideration. This proposal is the removal of soft services (cleaning & waste, site and grounds maintenance, and catering) and third party income (TPI) from the PFI Agreement. JAS would continue to provide building maintenance services, as detailed in the Heads of Terms Agreement included in a separate report and appendices in Part 2 of the agenda.

## **2. RECOMMENDATIONS:**

- 2.1 That the Cabinet Member agrees to the removal of Soft Services from the PFI agreement with BHCSS with effect from April 2010.
- 2.2 That the Cabinet Member agrees to the removal of third party income from the PFI Agreement with BHCSS with effect from April 2010.

## **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The PFI agreement makes provision for either contracting party to carry out a benchmarking review every five years starting 31<sup>st</sup> March 2008. This exercise benchmarks the soft service charges against market rates for the provision of similar services to similar output specifications. It is intended to ensure that the Council is paying and that the PFI provider is being paid a fair market price. The results of the benchmarking exercise determine if there should be an increase or decrease to the charges levied. The PFI agreement details procedures to be followed if either party elects to carry out benchmarking.
- 3.2 Benchmarking is not intended to, or designed to, address the PFI provider's failure to deliver the services to the stated output specification. Failures to achieve the output specification are addressed through the pay and performance mechanism by way of financial deductions (SFD).
- 3.3 Over the last eighteen months the council, schools and BHCSS have invested in putting in place appropriately skilled resources and robust governance and contract management processes to ensure the effective day to day management of the PFI agreement and delivery of services. Service standards have improved; however the quality of JAS contract management remains a significant concern.
- 3.4 BHCSS submitted a price increase claim in October 2008 which was subsequently rejected by the council and schools as BHCSS failed to follow the benchmarking procedures as detailed in the PFI Agreement. Under legal advice the council entered into "without prejudice" discussions with BHCSS to try and reach agreement. These discussions concluded on 11<sup>th</sup> November 2009.
- 3.5 In order for both parties to effectively manage the service provision going forward, three issues need to be resolved; (a) benchmarking, (b) variations and (c) room data sheets (RDS).
- 3.6 For benchmarking, two basic options have been discussed:
  - (i) the removal of soft services including TPI from the PFI Agreement with JAS continuing to provide building maintenance services;
  - (ii) an agreed increase in charges for the provision of the current services to the existing output specification.

The Council requested that within both options JAS include proposals for also resolving variations and room data sheets. Under the without prejudice discussions to date it has been possible to finalise a proposal for option (i) but not option (ii).

- 3.7 Currently services for Patcham Stakeholders are provided by the same JAS team that supports Patcham High School. Under option (i) economies of scale could be achieved by Patcham High School providing the FM services to Patcham Stakeholders.
- 3.8 Should agreement not be reached then the PFI Agreement provides for either party to instigate legal proceedings through implementing the Dispute Resolution Process (DRP) which is likely to increase costs to schools considerably.

#### **4. CONSULTATION**

- 4.1 Discussions were held over a period of nine months with:
- School Headteachers, Chairs of Governors and Business managers culminating in the Without Prejudice and Variations Report dated 16<sup>th</sup> November 2009 (Appendix 2) presented to the Brighton & Hove City Council PFI Steering Group (Director CYPT, PFI Schools Headteachers and Schools Futures Project Director).
  - council officers including the Legal and Finance teams.
  - Partnership for Schools (PfS) and advice sought from Pinsent Mason, the external lawyers who acted for the council at the time the PFI Agreement was entered into, regarding the potential variation of the existing PFI contract.
- 4.2 The Schools have indicated their support in principle to adopting the removal of soft services and TPI from the PFI agreement.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 *Key financial terms*
- 5.1.1 The option to remove soft services from the PFI contract is considered the best financial option available. The key financial terms negotiated are summarised in Part 2 of this report which includes full details in Appendix 3.
- 5.1.2 In addition BHCSS will
- update the room data sheets to reflect the current buildings status, fixtures and fittings at no cost to the council or schools.
  - contribute towards the estimated legal, financial and technical costs associated with making these PFI Contract changes.
  - any outstanding invoices that the schools have with BHCSS for wilful damage, school lets, hospitality and any other agreed ad hoc services will be settled by the schools prior to the transfer of soft services.

- 5.1.3 Staff directly employed by JAS at each of the schools to deliver the Site Management and Catering Services would be transferred to the direct employment of the schools under TUPE.

*Impact in 2009/10*

- 5.1.4 Agreement has been reached for the schools to amortise the increase in 2009/10 over the remaining years of the contract to minimise the impact on school budgets in the current year.

*Impact in 2010/11*

- 5.1.5 The gross charge in 2010/11 to the schools is higher than previously projected but substantially below that if benchmarking had been agreed. The schools have confirmed the increase can be funded from within existing resources.

*Finance Officer Consulted: Peter Sargent*

*Date: 16/02/2010*

Legal Implications:

- 5.2 The legal implications of the recommendations and the background thereto are integrated into this report and the separate report in Part 2 of the agenda and generally the proposals amount to reasonable exercise of the council's discretion in respect of seeking changes to the ongoing position under the Schools PFI agreement.

*Lawyer Consulted: Bob Bruce*

*Date: 04/01/2010*

Equalities Implications:

- 5.3 There are no equalities implications arising directly from the report.

Sustainability Implications:

- 5.4 There are no sustainability implications arising directly from the report however schools feel that the variation of the contract will enable them to be better placed to adopt sustainable measures in the future.

Crime & Disorder Implications:

- 5.5 There are no crime and disorder implications arising directly from the report however schools feel they will be able to offer increased pre and after school activity than that provided by JAS through the present contract.

Risk and Opportunity Management Implications:

- 5.6 It is important that this opportunity is taken to ensure the future provision of learning and teaching, and continuing improvement in standards of education in the city.

Corporate / Citywide Implications:

- 5.7 Issues attribute to our existing PFI agreement have been a corporate concern for a number of years. The proposed variation to the existing contract will remove a number of elements that have led to particular concerns.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 This paper presents the only option for beneficial change to have been agreed with our PFI providers.
- 6.2 Options for the council to terminate the PFI agreement or to purchase BHCSS have been investigated and not progressed. The high charges associated with termination and purchase plus likely significant compensation payments to BHCSS and JAS result in these options not offering value for money. Analysis is shown in Appendix 1 of the Part 2 report

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 To resolve a number of long-running issues with the existing PFI agreement for Dorothy Stringer High School, Varndean School, Patcham High School, the Patcham Stakeholders (Community Centre, Library, Youth Centre and Patcham Junior School (catering only)).
- 7.2 To ensure the inclusion of our three PFI secondary Schools within the Building Schools for the Future programme.

**SUPPORTING DOCUMENTATION**

**Appendices**

1. None

**Documents in Members' Rooms**

1. None

**Background Documents**

1. None





# **CHILDREN & YOUNG PEOPLE CABINET MEMBER SPECIAL MEETING**

## **Agenda Item 47**

Brighton & Hove City Council

**Subject:** School Admission Arrangements for 2011/12  
**Date of Meeting:** 22 March 2010  
**Report of:** Director of Children's Services  
**Contact Officer:** Name: **Steve Healey** Tel: **29-3444**  
E-mail: [steve.healey@brighton-hove.gov.uk](mailto:steve.healey@brighton-hove.gov.uk)  
**Key Decision:** Yes Forward Plan No: CYP13308  
**Wards Affected:** All

### **FOR GENERAL RELEASE**

#### **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Each year local authorities must consult upon school admission arrangements and school admission numbers with community schools and voluntary aided schools, neighbouring LEAs and with parents living in the City. This consultation takes place approximately 18 months in advance of the school year in which pupils will be admitted under the proposed arrangements. The consultation papers for the 2011/12 admission year for Brighton & Hove are attached as Annex 1.
- 1.2 Local authorities must also set out schemes for co-ordinated admissions, including key dates in the admission process, and also the arrangements for consultation with Voluntary Aided schools in the City and with other local authorities. They must also establish the area (the "relevant area") within which the admission consultation should take place.
- 1.3 The consultation process must have been concluded by 1<sup>st</sup> March 2010, with a minimum of 8 weeks consultation time. This requirement has been fulfilled. The City Council must have reached its decisions and confirmed its admission arrangements for 2011/12 by 15<sup>th</sup> April 2010 in order to conform to the requirements of the Admissions Code.

#### **2. RECOMMENDATIONS:**

- 2.1 That the proposed school admission numbers set out in the consultation documents be adopted for the admissions year 2011/12.
- 2.2 That the exceptional circumstances admission priority be retained for all age groups, but is applied more rigorously with a stronger burden of proof of the need for admission to the school in question.
- 2.3 That a new admission priority be applied to the junior admission exercise where there are linked infant and junior schools (new priority 4). This would give children who attended the Infant School priority, after the three higher listed

priorities have been applied, for places at the Junior School. At the same time the limit of 2 miles placed on the sibling link for primary schools be removed.

- 2.4 That the proposed Voluntary Aided School admission arrangements be noted as conforming to the requirements of the Admissions Code.
- 2.5 That the co-ordinated schemes of admission, including schemes for in-year admission, be approved.
- 2.6 That the City boundary be retained as the relevant area for consultation for school admissions.

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The admission numbers in the consultation reflect those previously agreed for 2010/11, with the exception of 30 additional places each at Goldstone and Westdene Primary Schools, and 15 places at Queen's Park Primary School. These places will help to meet the continuing growth in demand for Reception places in Hove and on the Brighton/Hove border. The Schools Adjudicator has agreed to an increase of 30 pupils in the admission number for Goldstone and Westdene Primary Schools with effect from September 2010. This confirms that the proposed higher admission numbers for those schools published in the consultation for 2011/12 will be applied.
- 3.2 Balfour Junior School has already been enlarged to accommodate an extra form of entry and now accommodates an intake of 128 in Year 3 which matches the Infant School admission number of 120.
- 3.4 The proposed admission arrangements and priorities for community primary and secondary schools are set out in detail in the attached Annexe 1, the consultation document sent to schools, neighbouring local authorities and the diocesan authorities.
- 3.5 It is proposed, following consultation, that the removal of the exceptional circumstances admission priority does not go ahead. The proposed removal of the priority for secondary and junior schools was intended to help the Admissions Team to ensure that its application of the published admission priorities is objective and fair, amidst concern that decisions might not be objective and factually based on the need for attendance at a particular school. In recent years, concern has been expressed by parents and schools that there is a lack of transparency in what is required to meet this criterion. Concerns have also been raised that it is very difficult to demonstrate objectivity in the process, where decisions are made on the basis of individual medical or other circumstances. There has been a significant growth in the number of parents seeking this priority and providing evidence of varying quality to support it.
- 3.6 The need for the exceptional circumstances priority at secondary level has diminished to some extent with the advent of catchment areas, as children are now more likely to be able to access a local school. It is also the case that requests for priority are made for a particular school on the grounds of the existence of a medical condition that could in reality be managed at any maintained school. For junior schools, the need for this priority is less as a

higher proportion of preferences are met for junior schools than primary or secondary. Should the option to introduce priority for children in the linked infant school be introduced (see 3.7), the need for this priority for junior schools will reduce still further. However, on balance, and in light of consultation responses, it has been decided that the priority should be retained to allow justified cases to be agreed before appeal. There was also concern that its removal could lead to an increase in appeals. Although retained, the priority will be applied more rigorously with the aim of reducing the number of cases agreed.

- 3.7 It is proposed following the consultation that a new admission priority be applied to children applying to the junior school where they are currently attending a linked infant school. This would mean that after children in care, exceptional circumstances and the sibling link, those already attending the linked Infant school would have priority for admission to the junior school over other applicants. Whilst not guaranteeing a place it would give some reassurance to parents of consistency at Infant/Junior transfer. The change was fully supported by primary school heads at their regular meeting before Christmas. In all cases of linked infant and junior schools, the junior intake is higher than the infant. This means that there is some allowance for other pupils to gain a place. At the same time as introducing this priority, the limit of two miles placed on the sibling link for primary schools will be removed.
- 3.8 The co-ordinated schemes of admission for primary and secondary schools (Appendices 3,4 and 5) set out the admission arrangements and relevant dates for each part of the school admission exercise and the arrangements for coordination between admission authorities. The overall purpose of co-ordination is to ensure that each pupil receives one offer of a school place, so that different admission authorities are not holding open places for pupils that will not be taken up. It also ensures that the admission process takes place in a timely fashion. Now that there is also a legal requirement for the co-ordination of in-year applications the Council has produced a separate document to set out those arrangements for admissions in 2010 and subsequent years. The in-year arrangements are not subject to set time scales, so the same document can be used from year to year, although annual consultation will still take place.
- 3.9 Periodically the LA must determine what is known as the “relevant area for consultation”. This area will include the schools and other admission authorities (such as voluntary aided schools) that should be consulted on admission arrangements. A relevant area may be either the LA area, less or more than that, or may include part of neighbouring LA areas. The whole of the LA must be included in one or more relevant areas. Some larger LAs sub-divide into smaller areas for consultation purposes. In Brighton & Hove the relevant area has been set as the city boundary. Whilst there is some cross-border movement of pupils, it has not been seen as significant enough to warrant a cross-border relevant area. The proposal in this year’s consultation is to retain a relevant area co-terminus with the city boundary.

#### **4. CONSULTATION**

- 4.1 The Council scrutinised the Voluntary Aided (VA) Schools proposed admission arrangements for 2011/12. It had no objections to the proposed arrangements, and took the view that the arrangements for all 16 VA schools conformed to the requirements of the Admissions Code. It has recommended some minor

amendments to proposed arrangements which have been accepted. Ten Voluntary Aided schools chose, as they are entitled to do in law, not to change their published arrangements and therefore not formally consult for the admission year 2011/12.

- 4.2 Parental responses to the consultation are set out in Appendix 6.
- 4.3 School responses to the consultation are set out in Appendix 6.
- 4.4 No responses have been received from neighbouring local authorities or the Church of England or Roman Catholic Diocesan authorities.
- 4.5 The Brighton and Hove Admissions Forum considered the proposed admissions arrangements at its meeting held on 21<sup>st</sup> January 2010. Some concern had been expressed at the proposal to remove the Exceptional Circumstances category, especially where it might affect those who were not formally Children in Care, but whose care arrangements might not be with their parents. It was also suggested by school representatives that there was a significant number of pupils arriving in school with undiagnosed conditions or difficult social circumstances who might be in need of special consideration for admission priority.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 It is not possible to quantify in detail the financial implications of these recommendations. However, any changes to admission arrangements or patterns may impact on the numbers of pupils at individual schools and therefore individual school budget allocations which are largely driven by pupil numbers.

*Finance Officer Consulted: Paul Brinkhurst*

*Date: 01/03/2010*

### Legal Implications:

- 5.2 Section 89 of the School Standards and Framework Act 1998 and subsequent legislation including the Education and Skills Act 2008 require admission authorities to determine before the beginning of the school year, the admission arrangements which are to apply for that year. The determination must be preceded by consultation with the Governing Bodies of Schools within the area of the LA for which the LA is the admission authority, with parents and with neighbouring admission authorities. Consultation must be completed by 1<sup>st</sup> March in the year preceding the admission round, and should be for a period of no less than 8 weeks. Admission arrangements must conform to the Admissions Code which sets out acceptable and unacceptable admission arrangements and priorities. Admission authorities, diocesan authorities, the Admission Forum and parents may refer any admission arrangements that they believe to be contrary to the provisions of the Admissions Code to the Schools Adjudicator. Admission Authorities must determine their admission arrangements following that consultation by 15<sup>th</sup> April.

*Lawyer Consulted: Sandra O'Brien*

*Date: 12/03/2010*

Equalities Implications:

- 5.3 Planning and consultation for school admissions procedures and school places and the operation of the process are conducted in such a way as to avoid potentially discriminatory admissions priorities or planning processes. The city council and voluntary aided school governing bodies must be mindful of bad practice with regard to equalities issues as described in the School Admissions Code of Practice.

Sustainability Implications:

- 5.4 School admission arrangements are intended so far as it is possible to provide pupils with local places where they have asked for them. The planning of school places for the City takes into account the changing population pattern and resultant demand for places. The current pattern of parental preference is reflected in different schools operating both over and under capacity. In planning for school places the Council will have regard to sustainability priorities and seek to provide local places and places which are accessible by safe walking and where possible cycling routes and public transport wherever this is possible.

Crime & Disorder Implications:

- 5.5 Balanced school communities with firm parental support contribute to orderly and harmonious communities.

Risk and Opportunity Management Implications:

- 5.6 Any change to school attendance patterns and pupil numbers will impact directly on resource allocation both revenue and capital, and on the Council's ability to meet parental expectations on school places. Pupil data and broader population data is used to identify the numbers of school places required and where they should be located. This feeds into the capital programme so that resources are allocated where they will have the most beneficial effect.

Corporate / Citywide Implications:

- 5.7 The allocation of school places affects all families in all parts of the City and can influence where people choose to live. Failure to obtain the desired choice of school can create a strong sense of grievance. The process of expressing a preference and if disappointed, entering an appeal can create intense anxiety for many families in the City. Admission arrangements together with school place planning are framed in such a way as to be mindful of supporting the needs of communities.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 The City Council is required in law to review its school admission arrangements every year, although following the Education and Skills Act 2008 this will change to once every three years if no changes are made. The consultation is intended to identify alternative proposals for admission arrangements. Issues raised by schools will be set out in the tabled addendum to this report.

## **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The City Council must conform to legislative requirements on the publication of admission arrangements which reflect the requirements of the Admissions Code. The recommendations ensure the City Council's compliance, and reflect the body of debate and consultation which has taken place around admission arrangements in Brighton & Hove this year and in previous years.

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

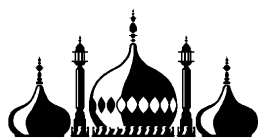
1. Admission consultation document for schools.
2. Parental consultation document.
3. Coordinated scheme of admissions – secondary.
4. Coordinated scheme of admissions – primary.
5. Coordinated scheme of admissions – in year
6. Summary of responses to the consultation

#### **Documents In Members' Rooms**

1. None

#### **Background Documents**

1. None



**Brighton & Hove**

# Schools' Bulletin

***Date: 20 November 2009***

***Ref: SH Consultation 11-12***

**To: Governors and Headteachers of all Schools, East Sussex County Council, West Sussex County Council and Diocesan Authorities.**

**From: Head of School Admissions and Transport**

**Title: School Admissions Consultation 2011/2012. Coordinated schemes of admission for 2011/12 and in year admissions consultation for 2010/11**

**Action Required By : Voluntary Aided schools 4<sup>th</sup> January 2010, others 1<sup>st</sup> March 2010**

## **Admission Arrangements for Brighton & Hove Schools 2011/12**

Governing Bodies of all maintained schools in the City are invited to give their views on the proposals for admission arrangements to Community Schools. The responses to this consultation will be presented to the Cabinet Member for CYPT at a meeting in March 2010. The Admission Forum's comments and advice on the proposed arrangements will also be made known to the Cabinet Member meeting. The consultation will also invite comment from parents in the City who have a child or children between the ages of 2 and 16 years of age. Parents will be directed to the consultation materials through a public notice and may access the consultation through the Council website, or by accessing a hard copy. At the same time the admission arrangements for Voluntary Aided Schools must also be consulted upon (unless the arrangements are unchanged from last year and the governing body has chosen not to consult). As in the past the Council will provide access for other schools to view Voluntary Aided policies via Education Online, and will make them available for public comment on the Council website or by providing hard copy. Please read the section below about Voluntary Aided school consultation.

In line with guidance and regulations from the Department for Children, Schools and Families the consultation process must conclude by 1<sup>st</sup> March 2010, and must run for a period of at least 8 weeks. This also means that Voluntary Aided Schools must provide their draft admission priorities for consultation before Christmas 2009 (unless they are not consulting, in which case they will need to specify this).

Following last year's consultation, admission authorities that do not change their admission priorities and arrangements will not need to consult again until arrangements for the 2012/13 admissions exercise are due.

## **Community Secondary Schools and Falmer Academy**

This part of consultation is about the process for the secondary schools admissions system which remains a catchment area system with random allocation being used as the tie breaker in each admission priority in the event of oversubscription.

A change is proposed to the over subscription priorities which are applied in the context of an equal preference system as required by the Admissions Code. They are currently:

1. Children in the care of a local authority (looked after children).
2. Compelling medical or other exceptional reasons for attending the school.
3. The sibling link.
4. Those pupils living in the designated catchment area for the school.
5. Other children.

The proposal is to remove priority 2 (Compelling medical or other exceptional reasons for attending the school). This is because it is difficult to demonstrate that this priority is being applied objectively and also because the need for it has been reduced by the catchment area system. Many of these children have statements of SEN and are therefore entitled to priority for a place anyway. The catchment area criterion has also led to a situation where children are more able to access a place at a local school which further reduces the need for this priority. Please see separate section below for more information.

### **Admissions Arrangements for Community Infant, Junior and Primary Schools**

Three changes are proposed for the admission arrangements to Community Infant, Junior and Primary schools. The over subscription priorities are applied in the context of an equal preference system as required by the Admissions Code. The current over subscription priorities are:

1. Children in the care of a local authority (looked after children).
2. Compelling medical or other exceptional reasons for attending the school.
3. The sibling link. (For infant, junior and primary schools the sibling link only applies where the home to school distance as measured by the Council's admissions software is less than 2 miles.)
4. Home to school distance (measured by the shortest available route).

The first proposal applies only to junior schools. It is the insertion, after the sibling link, of a priority for children who currently attend a linked infant school. This would give children attending the infant school priority for a place at the linked junior school. This is important as the timescales for infant and junior school admissions are now concurrent due to the requirements of the new Admissions Code.

As a result of this, it is also proposed to remove the two mile limit to the sibling link, for both infant and junior schools. This is because these siblings are likely to be attending the linked infant school at junior level, so would have priority. If it is being removed at this level it would also seem sensible to remove it at reception entry for the sake of consistency.

The final proposal is to remove priority 2. (Compelling medical or other exceptional reasons) as described above and in the separate section below. At junior level, the need for this priority would be greatly reduced by the linked school priority. There is an argument for retaining this priority at reception entry, where children's needs have not always been assessed, and where there is very little opportunity for appeals to be upheld due to class size legislation.

If all these proposals were accepted, the priorities would be as follows:

1. Children in the care of a local authority (looked after children).
2. The sibling link
3. For junior schools only: children attending a linked infant school
4. Other children.



Within all these priorities, the tie break would be home to school distance (measured by the shortest available route) as now.

More detail about the primary and secondary admission arrangements can be found in the two school admission booklets. Schools have copies of the booklets which can also be viewed on the Brighton & Hove City Council web site.

### **Proposal for removal of exceptional circumstances priority**

The School Admissions Code published in February 2008 allows admission authorities to make provision for giving children with an identified social or medical need priority for admission to a preferred school. However this is only allowed if the authority is able to be clear about what is required in order to qualify for this priority, and how this will be assessed objectively.

In recent years, concern has been expressed by parents that there is a lack of transparency in what is required to meet this criterion. Concerns have also been raised that it is very difficult to demonstrate objectivity in the process. There are also concerns within the admissions team that expectations are being created that school places can be made available to those who present their home life or the child's circumstances as sufficiently difficult, and some parents/carers seek to obtain evidence of this (for example Doctors' letters, EP reports). Some children with health or other significant difficulties may have a Statement of Special Educational Needs which specifies which school that they should attend.

The need for the exceptional circumstances priority at secondary level has diminished with the advent of catchment areas, as children are now more likely to be able to access a local school. Additionally it is now more difficult to consider needs relating to friendship groups as with equal preference and dual catchment areas it is no longer possible to predict where these children will be offered places in advance.

For junior schools, the need for this priority should be less as we now have more places and a higher proportion of preferences are met for junior schools than primary or secondary. Should the option to introduce priority for children in the linked infant school be introduced, the need for this priority will reduce still further.

At junior and secondary level, families with exceptional needs can be successful on appeal where the independent panel consider that their circumstances warrant it. This means that in the absence of an exceptional circumstances priority, there is a route through which individual child and family needs can result in the award of a place. However at Key Stage 1 panels are not able to exceed the class size limit of 30 except in very rare circumstances, so that it may be advisable to retain the exceptional needs priority for this age group only to allow for these cases. There are also pupils at this age whose needs have not been previously assessed, and may need special consideration.

### **Relevant Area for Consultation**

The relevant area for school admissions in the city is currently defined as the area within the city boundary. This is the area which the LA uses when consulting on admissions arrangements, and can include other admission authorities and voluntary aided schools outside the city. The area can be larger than LA boundary, or smaller through the operation of a number of different relevant areas within the LA. The use of a relevant area was a requirement of the School Standards and Framework Act 1998, and this requirement remains in force. It is currently defined as the area within the Brighton & Hove city

boundaries, so all voluntary aided schools within the city are required to consult all schools within the city boundary about their proposed admission arrangements. No change is proposed to the relevant area for 2011/12.

### **Voluntary Aided Schools Consultation**

Voluntary Aided schools are required to consult with all other city schools, with the LA and with parents in the City who have children between the ages of 2 and 16 about their proposed admission arrangements for 2011/12 *unless the arrangements are unchanged from last year*. We will continue to publish proposed arrangements on Education Online, but in order to allow the parental consultation we will also publish on the Council's website. Schools not wishing to use this method of consultation, but still needing to consult, must conduct their own consultation process. In any event they must consult the LA and other City schools before finalising their admission arrangements. Consultation, if taking place, must be completed by 1<sup>st</sup> March 2010, and the Governors must have settled the final version of their admission arrangements by 15<sup>th</sup> April 2010.

If schools whose admission arrangements have changed do not consult then their admission arrangements will be open to challenge by parents and by appeal panels. I cannot emphasise strongly enough that failure to consult will lead to very difficult consequences for the schools concerned. Church of England and Roman Catholic VA schools are reminded that in law they must consult their diocesan authority with their proposed admission priorities before consulting anyone else.

In order to comply with the new DCSF regulations VA schools must consult for a period of 8 weeks before 1<sup>st</sup> March 2010. This means that those schools wishing to use the LA website and Education Online to meet their consultation requirements must provide an electronic copy (Word format please) by 5<sup>th</sup> January 2010 at the latest. Realistically the Christmas break means that it would be better if the documents were forwarded to the School Admissions Team by the end of the autumn term. Diocesan Authorities have already been in contact with schools about the new consultation requirements. Schools which are not consulting should notify the School Admissions team by the end of the autumn term as well.

VA Schools have already been informed of this process.

### **Published Admission Numbers**

The proposed admission numbers for each school are attached to this bulletin. Schools are asked to comment on whether they agree with the number shown. These numbers are based on the net capacity range of each school, or in some cases a higher figure. As previously, this list includes the expected admission numbers for voluntary aided schools, which act as their own admission authorities and set their own admission number. I should be grateful for a response from all schools as to whether they agree with the number shown on the attached list.

Please note that the published number of 90 for Westdene Primary and Goldstone Primary and of 60 for Queens Park Primary will be subject to the separate consultation process on enlarging those schools which has already started. If the outcome of that process is a decision not to extend the schools premises then the numbers would return to 60 or 45 for Queen's Park.

### **Co-ordinated Admission Schemes for 2011/12**

The coordinated schemes are attached for comment along with the scheme for coordinating in year admissions for 2010/11 which is now a legal requirement.

## The Admission Timetable for 2011/12

The dates for applications and allocations for admission for the 2011/12 school year will be:

Infant, Junior and Primary Schools:	Closing date	14 <sup>th</sup> January 2011
	Letters to parents/carers	27 <sup>th</sup> April 2011
Secondary schools:	Closing date	29 October 2010
	Letters to parents/carers	1 <sup>st</sup> March 2011

These dates are set out in more detail in the co-ordinated schemes.

## The Consultation Timetable

**4 January 2010** Voluntary Aided Schools to have provided the LA with their proposed admission arrangements for 2011/12 for publication if they wish to make use of the LA school and public consultation process using Education Online and the Council website.

**1<sup>st</sup> March 2010** Schools and others to have returned any response to the Community School admission arrangements for 2011/12.

**Mid March 2010** Cabinet Member for CYPT to consider admission arrangements for Community schools, taking into account the consultation responses and any advice provided by the Admission Forum. The proposed admission arrangements for Voluntary Aided schools may also be discussed at this meeting and may be commented upon. Schools and other admission authorities will be notified of the Sub-Committee's conclusions within 2 weeks of the meeting.

**15<sup>th</sup> April 2010** Deadline for Voluntary Aided Schools to have finalised their proposed admission arrangements.

## Documents attached

1. Reply form (below)
2. Proposed Admission Numbers – Primary
3. Proposed Admission Numbers – Secondary
4. Coordinated scheme – secondary
5. Coordinated scheme – primary
6. Coordinated scheme – in year admissions 2010/11

## Consultation Responses

Governing Bodies are asked to respond to this bulletin as soon as possible, using the attached response form. The closing date for responses is 26 February **2010**. Please note that this consultation bulletin and its attachments are being sent to all schools. The neighbouring Local Authorities of East and West Sussex are also being consulted in accordance with the Admissions Code requirements, and views will also be sought from the Church of England and the Roman Catholic Diocesan authorities. VA colleagues are again reminded that they must have determined their proposed admission arrangements by **4<sup>th</sup> January 2010** and sent them to the admissions team by that date for inclusion on the Council website consultation.

**Contact Name:** Steve Healey  
**Telephone:** (01273) 293444  
**Email:** [schooladmissions@brighton-hove.gov.uk](mailto:schooladmissions@brighton-hove.gov.uk)  
**Address:** King's House, Grand Avenue, Hove

**Reply Form – Please return this form to School Admissions, 3<sup>rd</sup> Floor, King's House, Grand Avenue, Hove, by 26 February 2010.**

**School Admissions Consultation - Admissions for the 2011/12 academic year**

**Name of School:**

**Name of Respondent:**  
(Please print)

**Signature:**

**School Admission Arrangements and Over Subscription Priorities – Community Secondary Schools and Falmer Academy**

Please indicate whether you support/do not support the removal of priority 2 (compelling medical or other exceptional reasons):

Support  Do not support

Please set out below any comments or changes you would propose to the published arrangements.

**School Admission Arrangements and Over Subscription Priorities – Community Infant, Junior and Primary Schools**

Please indicate whether you support/do not support the removal of priority 2 (compelling medical or other exceptional reasons):

Support removal from both  Support removal from junior only   
Do not support

Please indicate whether you support/do not support the removal of 2 mile sibling limit:

Support  Do not support

Please indicate whether you support/do not support the proposal to give priority for admission to junior school for children attending the linked infant school:

Support  Do not support

Please set out any comments or changes you would propose to the published arrangements.

**Published Admission Number**

This school agrees/disagrees\* with the proposed admission number.

Comments on admission number.

**Voluntary Aided Admission Priorities** (for completion by VA schools only)

I confirm that this school will formally consult with maintained schools in the LA area (the Relevant Area), with the LA, parents and carers and with other consultation partners as required in law about the school's proposed admission arrangements for 2011/12 and will/has provide(d) draft admission arrangements for publication in Education Online. (Please tick the box.)

I confirm that this school is not proposing to consult as the admission arrangements are unchanged from last year.

**Coordinated Schemes of Admission**

Please set out any comments or changes you would propose to the coordinated schemes.

<b>Primary Admissions Numbers 2011/12</b>	
<b>Name of School</b>	<b>Planned Admission No.</b>
Aldrington CE Primary	30
Balfour Infant	120
Balfour Junior	128
Benfield Junior	90
Bevendean Primary	60
Carden Primary	60
Carlton Hill Primary	30
Coldean Primary	60
Coombe Road Primary	60
Cottesmore St Marys RC	60
Davigdor Infant	120
Downs Infant	120
Downs Junior	128
Elm Grove Primary	60
Fairlight Primary	60
Goldstone Primary	90*
Hangleton Infant	90
Hangleton Junior	96
Hertford Infant	60
Hertford Junior	60
Middle Street Primary	30
Mile Oak Primary	90
Moulsecoomb Primary	90
Our Lady of Lourdes	30
Patcham Infant	90
Patcham Junior	96
Peter Gladwin Primary	30
Portslade Infant	120
Queens Park Primary	60*
Rudyard Kipling Primary	60
Saltdean Primary	60
Somerhill Junior	128
St Andrews CE Primary	60
St Bartholomew CE Primary	30
St Bernadettes RC Primary	30
St John The Baptist	30
St Josephs RC Primary	30
St Lukes Primary	90
St Margarets CE Primary	30
St Marks CE Primary	30
St Martins CE Primary	30
St Mary Magdalen RC Primary	30
St Marys RC Primary	30
St Nicolas CE Junior	64
St Pauls CE Primary	30
St Peters Community Infant	30

<b>Stanford Infant</b>	<b>90</b>
<b>Stanford Junior</b>	<b>93</b>
<b>West Blatchington Primary</b>	<b>90</b>
<b>West Hove Infant</b>	<b>120</b>
<b>West Hove Junior</b>	<b>128</b>
<b>Westdene Primary</b>	<b>90*</b>
<b>Whitehawk Primary</b>	<b>90</b>
<b>Woodingdean Primary</b>	<b>60</b>

**\*Subject to formal consultation on premises changes - see consultation document**



Brighton & Hove Secondary School Proposed Admissions Numbers 2011/12

<b>School Name</b>	<b>Planned Admission No. 2011/12</b>
Blatchington Mill	300
Cardinal Newman	341
Dorothy Stringer	311
Falmer	180
Hove Park	300
Longhill	270
Patcham High	210
PCC	215
Varndean	270





## SCHOOL ADMISSIONS CONSULTATION WITH PARENTS AND CARERS

### Admission Arrangements for Brighton & Hove Schools 2011/12

Parents and carers resident in Brighton & Hove with children between the ages of 2 and 16 are invited to give their views on the proposals for admission arrangements to Community Schools and Voluntary Aided Schools in the City. The responses to this consultation will be presented to the Cabinet Member for CYPT at a meeting in March 2010. This is the second year in which the consultation has included parents and carers and takes place under new regulations arising from the Education and Skills Act 2008. **Parents and carers are invited to return their comments on the proposed admission arrangements by 26<sup>th</sup> February 2010.** Responses are welcome by email to [schooladmissions@brighton-hove.gov.uk](mailto:schooladmissions@brighton-hove.gov.uk) or in writing to:

School Admissions Consultation 2011/12  
King's House  
Hove  
BN3 2LS

Admission authorities that do not change their admission priorities and arrangements are only required to consult every three years.

### Final admission arrangements and right of objection

Once the Council and Voluntary Aided schools have determined their admission arrangements following this consultation, the Council will publish a public notice before 1<sup>st</sup> May 2010 confirming those arrangements and setting out where they can be viewed. Once they have been published then parents and carers will have a right of formal objection to the Schools Adjudicator. Details of that objection process will be given in the public notice.

### Secondary Schools

This part of consultation is about the process for the secondary schools admissions system which remains a catchment area system with random allocation being used as the tie breaker in each admission priority in the event of oversubscription.

A change is proposed to the over subscription priorities which are applied in the context of an equal preference system as required by the Admissions Code. They are currently:

1. Children in the care of a local authority (looked after children).
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As a result of this, it is also proposed to remove the two mile limit to the sibling link, for both infant and junior schools. This is because these siblings are likely to be attending the linked infant school at junior level, so would have priority. If it is being removed at this level it would also seem sensible to remove it at reception entry for the sake of consistency.

The final proposal is to remove priority 2. (Compelling medical or other exceptional reasons) as described above and in the separate section below. At junior level, the need for this priority would be greatly reduced by the linked school priority. There is an argument for retaining this priority at reception entry, where children's needs have not always been assessed, and where there is very little opportunity for appeals to be upheld due to class size legislation.

If all these proposals were accepted, the priorities would be as follows:

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More detail about the primary and secondary admission arrangements can be found in the two school admission booklets. Schools have copies of the booklets which can also be viewed on the Brighton & Hove City Council web site.

## **Proposal for removal of exceptional circumstances priority**

The School Admissions Code published in February 2008 allows admission authorities to make provision for giving children with an identified social or medical need priority for admission to a preferred school. However this is only allowed if the authority is able to be clear about what is required in order to qualify for this priority, and how this will be assessed objectively.

In recent years, concern has been expressed by parents that there is a lack of transparency in what is required to meet this criterion. Concerns have also been raised that it is very difficult to demonstrate objectivity in the process. There are also concerns within the admissions team that expectations are being created that school places can be made available to those who present their home life or the child's circumstances as sufficiently difficult, and some parents/carers seek to obtain evidence of this (for example Doctors' letters, EP reports). Some children with health or other significant difficulties may have a Statement of Special Educational Needs which specifies which school that they should attend.

The need for the exceptional circumstances priority at secondary level has diminished with the advent of catchment areas, as children are now more likely to be able to access a local school. Additionally it is now more difficult to consider needs relating to friendship groups as with equal preference and dual catchment areas it is no longer possible to predict where these children will be offered places in advance.

For junior schools, the need for this priority should be less as we now have more places and a higher proportion of preferences are met for junior schools than primary or secondary. Should the option to introduce priority for children in the linked infant school be introduced, the need for this priority will reduce still further.

At junior and secondary level, families with exceptional needs can be successful on appeal where the independent panel consider that their circumstances warrant it. This means that in the absence of an exceptional circumstances priority, there is a route through which individual child and family needs can result in the award of a place. However at Key Stage 1 panels are not able to exceed the class size limit of 30 except in very rare circumstances, so that it may be advisable to retain the exceptional needs priority for this age group only to allow for these cases. There are also pupils at this age whose needs have not been previously assessed, and may need special consideration.

### **Relevant Area for Consultation**

The relevant area for school admissions in the city is currently defined as the area within the city boundary. This is the area which the Local Authority (LA) uses when consulting on admissions arrangements, and can include other admission authorities and voluntary aided schools outside the city. The area can be larger than LA boundary, or smaller through the operation of a number of different relevant areas within the LA. The use of a relevant area was a requirement of the School Standards and Framework Act 1998, and this requirement remains in force. It is currently defined as the area within the Brighton & Hove city boundaries, so all voluntary aided schools within the city are required to consult all schools within the city boundary about their proposed admission arrangements. No change is proposed to the relevant area for 2011/12.

### **Voluntary Aided Schools Consultation**

Voluntary Aided schools are required to consult with all other city schools, with the LA and with parents in the City who have children between the ages of 2 and 16 about their proposed admission arrangements for 2011/12 *unless the arrangements are unchanged from last year*. These proposed arrangements will be on the Council's website. Consultation, if taking place, must be completed by 26<sup>th</sup> March 2010 and the Governors must have settled the final version of their admission arrangements by 15<sup>th</sup> April 2010.

### **Published Admission Numbers**

The proposed admission numbers for each school are attached to this document. You are invited to comment on whether you agree with the number shown. These numbers are based on the net capacity range of each school, or in some cases a higher figure. The net capacity is a nationally required means of measuring how many pupils a school can take. As previously, this list includes the expected admission numbers for voluntary aided schools, which act as their own admission authorities and set their own admission number.

Please note that the published number of 90 for Westdene Primary and Goldstone Primary and of 60 for Queens Park Primary will be subject to the separate consultation process on enlarging those schools which has already started. If the outcome of that process is a decision not to extend the schools premises then the numbers would return to 60 or 45 for Queen's Park.

### **Co-ordinated Admission Schemes for 2010/11**

The coordinated schemes are attached for comment. They set out the arrangements, including dates, for the coordination of secondary and primary admissions. The purpose of this coordination is to ensure that all parents and carers receive one offer of a school place for their child within published timescales.

### **Co-ordinated Admissions Scheme for In Year Admissions (casual admissions) for 2010/11**

The coordinated schemes are attached for comment along with the scheme for coordinating in year admissions for 2010/11 which is now a legal requirement. The most significant change here is that only residents of Brighton & Hove will be able to submit an application via Brighton & Hove City Council. If you live in another authority you must apply via their admissions office even if you are applying for Brighton & Hove Schools.

### **The Admission Timetable for 2011/12**

The dates for applications and allocations for admission for the 2011/12 school year will be:

Infant, Junior and Primary Schools:	Closing date	14 <sup>th</sup> January 2011
	Letters to parents/carers	27 <sup>th</sup> April 2011
Secondary schools:	Closing date	29 October 2010
	Letters to parents/carers	1 <sup>st</sup> March 2011

These dates are set out in more detail in the co-ordinated schemes.

**Other Linked Documents available on the Council website**

1. Proposed Admission Numbers – Primary
2. Proposed Admission Numbers – Secondary
3. Coordinated scheme – secondary
4. Coordinated scheme – primary
5. Coordination scheme – In Year
6. Proposed admissions arrangements at Brighton & Hove Voluntary Aided Schools







## BRIGHTON & HOVE CITY COUNCIL

### **Scheme for co-ordinated admissions to secondary schools – Admissions Year 2011/12 (Admissions in September 2011)**

#### **Introduction**

The main purpose of the co-ordinated scheme is to ensure that every parent of a child living in Brighton & Hove who has completed a school preference form receives one offer of a secondary school place at the conclusion of the normal admission round for pupils transferring from primary to secondary school. The scheme is designed to foster clear communications on school admissions between the City Council, community schools, Cardinal Newman School, which as a voluntary aided secondary school acts as its own admission authority, and neighbouring Local Authorities (LAs) and admission authorities. It fulfils the requirements of the School Admissions (Coordination of Admissions Arrangements (England)) Regulations 2008 and more detailed arrangements set out in the School Admissions code 2009.

The scheme does not affect the rights of the different admission authorities mentioned to set their own admission priorities, and consider applications on the basis of those priorities. It is intended to set out a process and time scale for the exchange of pupil information between the parties to the scheme, resulting in the offer of a single school place. This should represent a preference listed by the parent /carer that it is possible to meet following the application of the admission priorities by this LA or by other admission authorities. Where it is not possible to allocate a place at any of the preferred schools for a child living in Brighton & Hove, a place will be offered at the nearest school to their home address within the city boundaries with a place available. This will not preclude parents from seeking an alternative place elsewhere if they are unhappy with the offer, nor will it prevent them from lodging an appeal with the admission authority for their preferred school.

The time scales set out in the scheme work towards the prescribed date (1<sup>st</sup> March or the first working day following 1<sup>st</sup> March where it falls at a weekend) on which secondary school place decisions must be notified to parents/carers. It will also be broadly in line with the time scales used by neighbouring LAs.

## Key dates

- Online application facility available 1<sup>st</sup> September 2010
- Distribution of admission booklets By 10<sup>th</sup> September 2010
- Closing date for applications 29<sup>th</sup> October 2010
- Preference data exchanged with Cardinal Newman School and neighbouring LAs 26<sup>th</sup> November 2010
- Cardinal Newman provides Council with provisional ranking order of applicants. 17<sup>th</sup> December 2010
- Neighbouring LAs asked for provisional List of offers to B&H residents, B&H provides Provisional list to those LAs. 17<sup>th</sup> December 2010
  
- Consider qualifying late applications. 14<sup>th</sup> January 2011
- Finalise allocations and exchange offer details With Cardinal Newman and neighbouring LAs. 4<sup>th</sup> February 2011
- Notification letters posted 1<sup>st</sup> class to parents, decisions available to online applicants. 1<sup>st</sup> March 2011
- Deadline date for acceptance of places and appeals to be heard in the main round. 18<sup>th</sup> March 2011

## Process and detailed time scale

1. The school admissions booklet published by the City Council will be distributed to parents at the beginning of September 2010. This LA will have identified those pupils entering Year 6 in city maintained schools (the transfer cohort) from primary school records. Neighbouring LAs will be asked to provide records of Brighton & Hove children attending schools in their areas so that admission booklets and forms can be sent to their parents/carers. Brighton & Hove will in return provide information to other LAs about their residents attending Brighton & Hove schools.
2. Parents/carers will be invited to list 3 preferences for a school place ranked in order of priority. These may be at a City Community School or a voluntary aided secondary school (Cardinal Newman), or any maintained school outside the City of Brighton & Hove. Those resident in the City must use the Brighton & Hove school admission preference form to indicate their preferred schools, either the paper or online form. No other form will be valid. The LA allocates places on the basis of equal preference, and each preference listed will be prioritised in accordance with the published admission priorities for community and voluntary aided secondary schools in the City. If it is possible to offer more than one place on the basis of those priorities, the one ranked higher on the preference form will be offered.
3. Parents and carers are strongly advised to apply online through the facility available on the Brighton & Hove City Council website. This will provide them with a response which confirms their preference listing and acts as proof of application. Alternatively the paper form should be completed and returned to the child's primary or junior school in the City, or to the Admissions Team at King's House **by 3.00 on Friday 29<sup>th</sup> October 2010.**

Applicants for Cardinal Newman may wish to return their preference form plus full supporting information (as required by the Governors) to the school directly. If applying online they may wish to send just the supporting information direct to the school indicating that they have completed the common application form online. If returned to the Local Authority, the documents will be shared with the school. This closing date has been set in order to conform to the admission timetables of neighbouring LAs and assist coordination of applications.

4. Where as part of its admission priorities a voluntary aided school within the City or beyond requires additional supporting information, such as a Governors' form, or proof of denominational commitment, that form or proof should be completed and returned by the same closing date. This is to ensure that target dates for the exchange of pupil information between authorities and the notification date for parents/carers can be met. Provided the LA preference form has been completed and returned, that additional information may be given direct to the school, or handed in with the preference form. Parents/carers will be advised through the admissions booklet of Brighton & Hove or neighbouring LAs, or through school published parent information, of any such additional information requirements for voluntary aided schools.
5. If using an application form rather than online application parents and carers whose children attend maintained primary schools in the City are strongly advised to return the form via the school. Parents who prefer to post the form should understand that proof of posting is not proof of receipt, and they will not have confirmation or receipt in the same way as those applying online or returning the form to their child's school. All maintained junior and primary schools in the city will return secondary preference forms they receive to the LA in batches as they are received, with the final batch as soon as possible after the closing date. Schools should maintain a list to record the date on which each form was received, the school preferences, and if required will provide proof of receipt to the parent/carer. This ensures that on time applications and late applications are clearly recorded as such. It also provides assurance for parents should the school or the LA subsequently mislay the form.

**No later than 26<sup>th</sup> November 2010.**

- ❖ LA will identify the number of preferences (first, second or third) received for each school.
- ❖ Cardinal Newman School will be provided with details of any parental preference (via form or online applications) where it gives the school as a preference (first, second or third) received by the LA. It will apply its oversubscription criteria to prioritise all preferences. Where pupils have a Statement of Special Educational Needs and must be offered a place as first priority this will be indicated. (Statemented pupils must be given priority for school of preference in accordance with the SEN and Admissions Codes of Practice.)
- ❖ West and East Sussex and other LA's as necessary will be forwarded the details of preferences (forms and Online applications) expressed

for their schools by Brighton & Hove parents/carers (first, second and third). Where the pupil has a Statement of Special Educational Needs this will be indicated.

- ❖ West and East Sussex will be asked to provide a list of pupils living in those areas who have expressed a preference for a Brighton & Hove school (first, second or third), indicating those who have a Statement of Special Educational Needs.

#### **No later than 17<sup>th</sup> December 2011**

- ❖ Cardinal Newman School will provide the LA with a list showing children in priority order for places at the school. The list will show which admission criterion was applied to each child and the point at which the final place would be offered. The school will advise the LA of such additional information as is necessary to inform parents of the reason for its decision when allocation letters are sent on 1<sup>st</sup> March 2010.
- ❖ Other LAs will provide Brighton & Hove LA with a list of which Brighton & Hove pupils could be offered places in their schools. They will advise Brighton & Hove of the reason where a preference cannot be met for inclusion in the allocation letters on 1<sup>st</sup> March 2010.
- ❖ Brighton & Hove will apply its admission priorities to all preferences received for community schools, and where the children are resident in other LAs, will inform that LA.

#### **Between 28<sup>th</sup> January and 4<sup>th</sup> February 2010**

- ❖ Brighton & Hove will establish whether more than one offer could be made on the basis of the application of its own admission priorities and those of voluntary aided schools (primarily Cardinal Newman) and other LAs. It will determine in each case which is the highest parental ranking.
- ❖ Final lists of school allocations will be prepared.
- ❖ Letters to parents/carers will be prepared.
- ❖ Consideration will be given to late applications received before the allocation date.
- ❖ Neighbouring LAs will be sent final details of children living in their area offered a place at a Brighton & Hove school, and for whom they will need to send allocation letters.

#### **1<sup>st</sup> March 2011**

Letters will be sent to parents/carers. These will be sent via schools, who will then be able to add their own information or messages to parents/carers to the envelope. The LA letter to parents will contain the following.

- ❖ If they have not been allocated a school of preference, the reason why not.
- ❖ How places at all Brighton & Hove schools were allocated.
- ❖ Where it is a voluntary aided school, the fact that the offer is made on behalf of the governing body of the school.

- ❖ Where it is a school maintained by another LA, the fact that the offer is made on behalf of that LA.
- ❖ The right of appeal to an independent panel, and how to arrange an appeal for a community school, a voluntary aided school, and in the case of schools in other LA's, who to contact.

### **18<sup>th</sup> March 2011**

Parents and carers should accept offers of places by this date in order to allow schools and the LA ample planning time for the new intake. This does not affect their right to appeal if the place they are accepting is not their highest preference. Parents should also have exercised their right to appeal by this date if they want to be assured of having their appeal heard in the main round of appeals.

### **Proof of address**

The LA may require parents/carers to provide proof of address if they are offered a place at a community school.

## **Appendix A – Changes of address and late applications**

### **New arrivals in the city**

Parents/carers moving into the City in the course of the admission process who are making an application on the basis of their new address must provide evidence of either a tenancy agreement of six months or more or an exchange of contracts if they are purchasing a property. Applicants should return their preference form by the closing date if possible, especially if their move took place before the closing date, forwarding proof of the move at the earliest opportunity. If they provide the form and the evidence of the move by 14<sup>th</sup> January 2011 their application will be included in the main admissions round.

### **Late applications received before the allocation date.**

- I. With the exception of families moving into the area and cases as described at V below, forms received after the closing date will not be considered by the LA until school allocations have been made for those received by the closing date. Any received for Cardinal Newman School will be forwarded to the school, which will decide whether or not to include the application in the main admission round.
- II. Any preference forms for community schools received in respect of children in public care will be included in the main admission round as valid first preferences at any time up to the allocation date on **4 February 2011**. Where such applications are received after that date, the LA will, if attendance at that school is seen as a necessity for the welfare of the child, seek to offer places at the school of first preference, if necessary negotiating with that school to admit beyond the published admission number in order to do so. If, however, it is acceptable to offer a place at a lower ranked school without going over numbers, the LA will discuss that possibility with the social worker for

the child. Applications for Cardinal Newman School or schools in other LA areas for children in public care will be considered in line with the admission arrangements for those schools and the requirements of the Admissions Code.

- III. Applications received after the closing date but before the allocation date on 4<sup>th</sup> February 2011 will be sent a letter allocating a school place on 1 March 2011 or as soon as possible after that date if the volume of late applications is high. Applications received after the allocation date will be sent an allocation letter as soon as possible after 1<sup>st</sup> March 2011.
- IV. Parents/carers living in the City who change a preference as a result of a change of address within the city, and who return the new form and evidence of the address change will have that change considered in the main round of allocations if it is received by **14<sup>th</sup> January 2011**. They will have to provide evidence of the address change. Those preference forms received after that date will be considered as late applications.
- V. Other late applications where there is good reason for the delay will be considered in the main round of allocations if received by **14<sup>th</sup> January 2011** where independent evidence is given by a third party (usually a professional source such a doctor or social worker) to support the reason for the delay.

#### **Received after the allocation date**

- I. Where an application is received after the allocation date, from a parent/carer living in the City, they must use a Brighton & Hove preference form. If the preference(s) is for a community school, the LA will allocate a place if the school remains under subscribed. If the school(s) is fully subscribed, a place will be allocated at the nearest school to the home address that has a vacancy. Brighton & Hove will seek to make a decision as soon as possible after receiving the form. Where a preference is given for Cardinal Newman School or a school in a neighbouring LA, the form will be passed to that admission authority for a decision. They will be asked to reach a decision within fourteen days of receiving the form. Brighton & Hove will endeavour to send a decision to the parent /carer either as soon as possible once it has reached a decision, or has been informed of a decision by the other admission authority.
- II. If a change of preference or preference order is received following the decision letter on 1<sup>st</sup> March 2011 and the home address has not changed, that changed preference will not be considered until after 30<sup>th</sup> June 2011. This allows reasonable time for the consideration of late first applications and the operation of the reallocation pool where places have been offered and refused.
- III. All applications received after the beginning of the autumn term will be regarded as outside the admission round. Nonetheless, Brighton & Hove will act as the point of contact for all preferences for parents/carers living in the City, and will liaise with Cardinal Newman School and other LAs over applications for admission to schools other

than Brighton & Hove Community Schools. The Brighton & Hove preference form should be used in all cases by City residents and returned to the Brighton & Hove Admissions Team. The same arrangements will apply to applications for admission to schools for year groups other than the normal admission group in Year 7. Where the LA, Cardinal Newman School or another admission authority is not able to offer a place in accordance with a parental preference, the LA will offer a place at the nearest school to the home address of the applicant with a vacancy in the appropriate year group. Admissions to Years 12 and 13 in those schools that make such provision will be regarded as transfer admissions rather than admission at a normal point of entry. (The majority of such pupils will have attended the school from Year 7, or transferred to the school in Key Stage 3 or 4.)

### **Re-allocation Pool**

- I. Brighton & Hove will operate a re-allocation pool system for its community schools. (Cardinal Newman School will operate its own waiting list/reallocation arrangements.) The ranking within this system will be based on the Brighton & Hove admission criteria. All children will be automatically placed in the re-allocation pool for the community school for which they have expressed the highest preference. Parents/carers will be asked to indicate if they also wish to be placed in the re-allocation pool for a different preferred school when the allocation letters are sent on 1<sup>st</sup> March 2011. Places will be offered to children from the pool as soon as a place becomes available at an over subscribed school and the admission priorities have been applied. This LA will notify other LAs as appropriate if it offers a place from the pool at a Brighton & Hove school to a pupil living outside the City. The pool will operate until the end of the Autumn Term.
- II. Parents/carers who want to keep their child's name in the re-allocation pool after that time must inform the LA. They must renew the place each term thereafter. Applicants outside of the main admission exercise will be placed in the re-allocation pool for one term and must also ask for the child's name to remain in the pool each term thereafter.
- III. Other admission authorities will operate a re-allocation or waiting list system. If they are able to place a child resident in Brighton & Hove in one of their schools they are asked to notify this LA at the earliest opportunity.

### **School Admission Appeals**

- I. Parents/carers wishing to appeal against the LA's or a voluntary aided school's decision not to offer a place at a preferred school should do so in writing by 18<sup>th</sup> March 2011 if they want to be assured of having their appeal heard in the main appeal round.
- II. The LA will not arrange an appeal, or ask a voluntary aided school to arrange an appeal for a school that was not included on the original preference form. It will only arrange an appeal for a school that was listed as a preference, as it will not have given a decision to the parent/carer for schools not included on the form. If a parent/carer

wishes to receive a decision for a school not included in their original preference, and thus acquire a right of appeal, they must complete a further preference form. However, unless there is a good reason for a change of preference this new form will not be considered until after 30<sup>th</sup> June 2011.

- III. Parents/carers will receive 14 days notice of the date of the appeal hearing, and will receive copies of any documentation relating to the appeal 7 days in advance of the hearing.
- IV. Whilst the City Council, other LAs and the Governing Bodies of voluntary aided schools will make every effort to hear appeals within 6 school weeks of the allocation letter being sent out, as suggested in the Code of Practice, they cannot guarantee this time scale. The volume of appeals to be heard and the availability of the appeal panel members, who are volunteers, will have a direct affect on the timing of the appeal hearings.
- V. Appeals for late applications and school transfers outside the normal admission round will be arranged as soon as practicable after the decision to refuse a preference has been conveyed to the parent/carer or if appropriate to the student.
- VI. Appeals will be heard for refusals to places in Years 12 and 13 on the basis that they are school transfers.





## **BRIGHTON & HOVE CITY COUNCIL**

### **Scheme for co-ordinated admissions to infant, primary and junior schools – Admissions Year 2011/12 (Admissions in September 2011)**

#### **Introduction**

The main purpose of the co-ordinated scheme is to ensure that every parent of a child living in Brighton & Hove who has completed a school preference form receives one offer of an infant, primary or junior school place. This will be on a set date following the conclusion of the normal admission round for pupils seeking admission to school. The scheme is designed to foster clear communications on school admissions between the City Council, community schools, and voluntary aided schools which act as their own admission authority.

The scheme does not affect the rights of voluntary aided schools to set their own admission priorities, and consider applications on the basis of those priorities. It is intended to set out a process and time scale for the exchange of pupil information between the parties to the scheme, resulting in the offer of a single school place. This should represent a preference listed by the parent /carer following the application of the admission priorities by the Local Authority (LA) or by voluntary aided schools. Where it is not possible to allocate a place at any of the preferred schools for a child living in Brighton & Hove, a place will be offered at the nearest school to their home address within the city boundaries with a place available. This will not preclude parents from seeking an alternative place elsewhere if they are unhappy with the offer, nor will it prevent them from lodging an appeal with the admission authority for their preferred school.

Where parents/carers wish to apply to school outside Brighton & Hove, they should contact the LA within which the school is located.

The time scales set out in the scheme will be broadly in line with the time scales used by neighbouring LAs.

## Key dates

- Online application facility available 1<sup>st</sup> September 2010
- Distribution of admission booklets October/November 2010
- Closing date for applications 14<sup>th</sup> January 2011
- Preference data exchanged with Voluntary aided schools and other LAs. 25<sup>th</sup> February 2011
- Voluntary Aided schools provide Council with provisional ranking order of all applicants. 31 March 2011
- Neighbouring LAs asked for provisional List of offers to B&H residents, B&H provides Provisional list to those LAs 31 March 2011
- Consider qualifying late applications. 15<sup>th</sup> April 2011
- Finalise allocations and provide schools with offer details. 15<sup>th</sup> April 2011
- Notification letters posted to parents/carers, 27<sup>th</sup> April 2011  
decisions available to online applicants.
- Deadline for acceptance of places and appeals to be heard in the main round. 13<sup>th</sup> May 2011

## Process and detailed time scale – infant, junior and primary schools

1. The school admissions booklet published by the City Council will be distributed to parents/carers applying for infant or primary school places in October/November 2010. This LA will have identified those pupils seeking places in school through a publicity campaign conducted via schools, other council services, the press and other media and other means. Schools will be asked to act as a collection point for information about pupils seeking school places.
2. Parents/carers will be invited to list 3 preferences for a school place ranked in order of priority. These may be for Community Schools or voluntary aided schools within the city. The Brighton & Hove school admission preference form must be used to indicate their preferred schools, either paper or online version. No other form will be valid. They should list the schools in order of priority (e.g. 1, 2, 3). The LA allocates places on the basis of equal preferences, and each preference listed will be prioritised on the basis of the published admission priorities for community and voluntary aided schools. If it is possible to offer more than one place on the basis of those priorities, the one ranked higher on the preference form will be offered.
3. Parents and carers are strongly advised to apply online through the facility available on the Brighton & Hove City Council website. This will provide them with a response which confirms their preference listing and acts as proof of application. Alternatively the paper form should be completed and returned to their local infant/primary school or to the Admissions Team at King's House, Grand Avenue, Hove **by 3.00pm on 14<sup>th</sup> January 2011.**
4. Where as part of its admission priorities a voluntary aided school requires additional supporting information, such as a Governors' form, or proof of

denominational commitment, that form or proof should be completed and returned by the same closing date. This is to ensure that target dates for the exchange of pupil information and the notification date for parents/carers can be met. Provided the LA preference form has been completed and returned, that additional information may be given direct to the school, or handed in with the preference form. Parents/carers will be advised through the admissions booklet for Brighton & Hove, and through school published information, of any such additional information requirements for voluntary aided schools. Parents/carers with queries about voluntary aided school admission requirements should contact the school for further information.

5. If using an application form rather than online application parents and carers are strongly advised to send their form via a preferred school. Parents who post the form should understand that proof of posting is not proof of receipt, and they will not have confirmation in the same way as those applying online or returning the form to a school. All maintained infant and primary schools in the city will return preference forms to the LA in batches as they are received, with the final batch as soon as possible after the closing date. Schools should maintain a list to record the date on which each form was received, and if required will provide proof of receipt to the parent/carer. This ensures that on time applications and late applications are clearly recorded as such. It also provides assurance for parents should the school or the LA subsequently mislay the form.
6. **No later than 25<sup>th</sup> February 2011**
  - ❖ LA will identify the numbers of preferences (first, second and third) received for each school.
  - ❖ Voluntary aided schools will be provided with details of parental preferences where their school is given as a preference (via form or online). They will apply oversubscription criteria to prioritise all preferences. Where pupils have a Statement of Special Educational Needs (naming the school) and must be offered a place as first priority this will be indicated. (Statemented pupils must be given priority for school of preference in accordance with the SEN and Admissions Code. This applies to all maintained schools, including Voluntary Aided.)
  - ❖ West and East Sussex and other LA's as necessary will be forwarded the details of preferences (forms and Online applications) expressed for their schools by Brighton & Hove parents/carers (first, second and third). Where the pupil has a Statement of Special Educational Needs this will be indicated.
  - ❖ West and East Sussex will be asked to provide a list of pupils living in those areas who have expressed a preference for a Brighton & Hove school (first, second or third), indicating those who have a Statement of Special Educational Needs.

7. **No later than 31 March 2011**

- ❖ If oversubscribed, voluntary aided schools will provide the LA with a list showing which children in priority order for places at the school. The list will show which oversubscription criterion was applied to each child, and the point at which, if all those children were to be admitted, the final place would be offered. The school will advise the LA of such additional information as is necessary to inform parents of the reason for its decision when allocation letters are sent on 27<sup>th</sup> April 2011.
- ❖ Other LAs will provide Brighton & Hove LA with a list of which Brighton & Hove pupils could be offered places in their schools. They will advise Brighton & Hove of the reason where a preference cannot be met for inclusion in the allocation letters on 27<sup>th</sup> April 2011.
- ❖ Brighton & Hove will apply its admission priorities to all preferences received for community schools, and where the children are resident in other LAs, will inform that LA.
- ❖ The LA will apply its own admission priorities for all community school preferences.

#### **8. No later than 15 April 2011**

- ❖ Brighton & Hove will establish whether more than one offer could be made on the basis of the application of its own admission priorities and those of voluntary aided schools and other LAs. It will determine in each case which is the highest parental ranking.
- ❖ Final lists of school allocations will be prepared.
- ❖ Letters to parents/carers will be prepared.
- ❖ Consideration will be given to late applications received before the allocation date.
- ❖ Discussions will take place with other admission authorities as necessary to resolve any remaining unallocated applications.
- ❖ Neighbouring LAs will be sent final details of children living in their area offered a place at a Brighton & Hove school, and for whom they will need to send allocation letters.

#### **9. 27<sup>th</sup> April 2011**

Online applicants will be able to see the decision online. Letters will be sent to parents/carers. Although prepared by the LA these will be sent via schools, who will then be able to add their own information or messages to parents/carers to the envelope. The LA letter to parents will contain the following.

- ❖ If they have not been allocated a school of preference, the reason why not.
- ❖ How places at the preferred schools were allocated.
- ❖ The right of appeal to an independent panel, and how to arrange an appeal for a community school or a voluntary aided school.

#### **10. 13<sup>th</sup> May 2011**

Parents and carers should accept offers of places by this date in order to allow schools and the LA ample planning time for the new intake. This does not affect their right to appeal if the place they are accepting is not their highest preference. Parents should have also exercised

their right to appeal by this date if they want to be assured of having their appeal heard in the main round of appeals.

#### **11. Proof of address**

The LA may require parents/carers to provide proof of address if they are applying for a community school place.

### **Appendix A – Changes of address and late applications**

#### **New arrivals in the city**

Parents/carers moving into the City in the course of the admission process who are making an application on the basis of their new address must provide evidence of either a tenancy agreement of six months or more or an exchange of contracts if they are purchasing a property. Applicants should return their preference forms by the closing date if possible, especially if their move took place before the closing date, forwarding proof of the move at the earliest opportunity. If they provide the form and the evidence of the move by 18<sup>th</sup> March 2011 their application will be included in the main admission round.

#### **Late applications received before the allocation date**

- I. With the exception of families moving into the area and cases as described at V below, forms received after the closing date will not be considered by the LA until allocations have been made for those received before the closing date. Any received for a voluntary aided school will be forwarded to the school. The school will decide whether or not there is a good reason to include these late applications in the main admission round, but will only consider them if they are received before 18<sup>th</sup> March 2011.
- II. Any preference forms received for community schools in respect of children in public care will be included in the main admission round as valid preference at any time up to 15<sup>th</sup> April 2011. Where such applications are received after that date, the LA will, if attendance at that school is seen as a necessity for the welfare of the child, seek to offer places at the school ranked highest on the preference form. If, however, it is acceptable to offer a place at a lower ranked school without going over numbers, the LA will discuss that possibility with the social worker for the child. Applications to voluntary aided schools received on behalf of children in public care will be considered in line with the published admission policy for each school and the requirements of the School Admission Code.
- III. Applications received after the closing will be sent a letter allocating a school place as soon as possible after the main notification date of 27<sup>th</sup> April 2011.
- IV. Parents/carers living in the City who change any preference as a result of a change of address, and who return the new form by 18<sup>th</sup> March 2011 will have that change considered in the main round of allocations. They will have to provide evidence of their new address and will not have their changed application accepted without that evidence.

- V. Other late applications where there is a good reason for this will be considered in the main round of allocations if received by 18<sup>th</sup> March 2011 where independent evidence is given by a third party (usually a professional source such as a doctor or social worker) to support the reason for the delay.

### **Applications received after the allocation date**

1. Where an application is received after the allocation date, from a parent/carer living in the City, they must use a Brighton & Hove preference form. If the preference(s) is for a community school, the LA will allocate a place if the school remains under subscribed. If the school(s) is fully subscribed, a place will be allocated at the nearest school to the home address that has a vacancy. Brighton & Hove will seek to make a decision as soon as possible after receiving the form. Where a preference is given for a voluntary aided school or a school in a neighbouring LA, the form will be passed to that admission authority for a decision. They will be asked to reach a decision within fourteen days of receiving the form. Brighton & Hove will endeavour to send a decision to the parent /carer either as soon as possible once it has reached a decision, or has been informed of a decision by the other admission authority.
  
11. If a change of preference or preference order is received following the decision letter on 27<sup>th</sup> April 2011 and the home address has not changed, that changed preference will not be considered until after 30<sup>th</sup> June 2011. This allows reasonable time for the consideration of late first applications and the operation of the waiting list where places have been offered and refused.
  
111. All applications received after the beginning of the autumn term 2011 will be regarded as outside the admission round. Nonetheless, the LA will act as the point of contact for all preferences from parents/carers living in the City. The LA will liaise with voluntary aided schools over applications for admission to those schools, and will inform parents of their admission decisions, if necessary allocating an alternative school place. The LA preference form should be used in all cases. The same arrangements will apply to applications for admission to schools for year groups other than the normal Reception year. (See also School Transfers below.) This ensures that the LA has a full record of pupil admissions, and supports both the schools and the LA in their responsibilities for pupil tracking and safety.

### **Waiting List**

- I. Brighton & Hove will operate a waiting list system for its community schools. (Voluntary Aided schools make their own waiting list arrangements.) The waiting list ranking will be based on the LA admission criteria. Rankings within each priority will be determined by the shortest available route from home to school. All children will be automatically placed on the waiting list for the community school for

which they have expressed the highest preference, although parents will be given the option of also asking to go on the waiting list for a different preferred school place when places are allocated on 27<sup>th</sup> April 2011. Places will be offered to children from the waiting list as soon as a place becomes available at an over subscribed school and the admission criteria have been applied. The waiting list will operate until the end of the Autumn Term.

- II. Parents/carers wishing to keep their child's name on the list for longer than the end of the Autumn Term must inform the LA. They must renew the waiting list place each term thereafter. Applicants outside of the main admission exercise will be placed on waiting lists for one term, and must ask for the child's name to remain on the waiting list each term thereafter.

### **School Admission Appeals**

- I. Parents/carers wishing to appeal against the LA's decision not to offer a place at a preferred school should do so by 13<sup>th</sup> May 2011 if they want to be assured of having their appeal heard in the main appeal round.
- II. The LA will not arrange an appeal or ask a voluntary aided school to arrange an appeal for a school that was not included on the original preference form. It will only arrange an appeal for a school which was listed as a preference, as it will not have given a decision to the parent/carer for schools not included on the form. If a parent/carer wishes to receive a decision for a school not included in their original preference, and thus acquire a right of appeal, they must complete a further preference form. However, unless there is a good reason for a change of preference this new form will not be considered until after 30<sup>th</sup> June 2011.
- III. Parents/carers will receive 14 days notice of the date of the appeal hearing, and will receive copies of any documentation relating to the appeal 7 days in advance of the hearing.
- IV. Appeals for on-time applications must be heard within 30 school days of the closing date for appeals to be lodged. The volume of appeals to be heard and the availability of the appeal panel members, who are volunteers, will have a direct affect on the timing of the appeal hearings.
- V. Appeals for late applications and school transfers outside the normal admission round will be arranged as soon as practicable after the decision to refuse a preference has been conveyed to the pupil and the parent/carer.







## **BRIGHTON & HOVE CITY COUNCIL**

### **Scheme for co-ordinated admissions In Year allocations – Admissions Year 2010/11**

#### **Introduction**

The School Admissions (Co-ordination of Admission Arrangements) (England) Regulations 2008 require local authorities to formulate qualifying schemes for the co-ordination of admission of admissions by 1 January in the relevant determination year.

This means that all applicants living in Brighton & Hove will apply directly to Brighton & Hove City Council on the Council's application form.

This scheme for in-year admissions will come into force from 1 September 2010.

#### **Procedure**

1. Parents may name up to three preferences on the Brighton & Hove application form and all preferences expressed by parents will be treated equally. This means that each preference will be measured against the published oversubscription criteria only, without reference to the order stated by the parent. Only one school place will be offered, and this will be the highest possible preference expressed by the parent that can be agreed.
2. Where it is not possible to offer any of the named preferences, the applicant will remain at their current school if possible, or an alternative school place within Brighton & Hove will be offered. This will normally be the nearest school with a place available.
3. In order to Brighton & Hove residents to make a valid application, parents must complete a common application form provided by Brighton & Hove City Council, regardless of where the school(s) they want to apply for are situated. The Brighton & Hove application form will be available in paper form or can be down-loaded from the Brighton & Hove City Council website.

Alternatively, applications can be made online through the Brighton & Hove City Council website.

4. Schools where the governing body is the admission authority may require additional information in order to apply their oversubscription criteria and will provide a supplementary information form to the parent. Where the parent fails to complete the supplementary form, the governing body will rank the application according to the information given on the application form only. Where the parent completes the supplementary form but fails to complete the application form, this will not constitute a valid application.

5. Completed supplementary information forms will be returned to the individual schools, and not the Admissions and Transport Section.

### **Preferences for schools where Brighton & Hove City Council is not the admission authority**

1. Where the parent names any school, whether in Brighton & Hove or not, where the City Council is not the admission authority, the child's details, (i.e. name, address, date of birth and any supporting documents) will be sent to the relevant admission authority, or in the case of voluntary aided schools in Brighton & Hove, the governing body. They will rank the preferences according to their published admission criteria and confirm with the City Council, no later than five school days after receipt of the form, whether it would be possible to offer a place.

2. The City Council will have a reciprocal arrangement with other authorities so that the relevant admission authority (or if the school is outside Brighton & Hove, the maintaining authority) is notified within five school days regarding any application for a place at a school maintained by Brighton & Hove City Council.

3. Any applications submitted to schools in error must be forwarded to the relevant home authority.

4. Brighton & Hove admissions authority acting for Falmer Academy will rank admissions priorities as the Academy is retaining the same arrangements as other Brighton & Hove Community Schools.

### **Notifying parents of the outcome of their applications.**

1. The City Council will notify parents of children living in the area the outcome of their applications. This is regardless of whether the City Council is the admission authority. Notification letters will not be sent by individual schools, as only the home authority can make an official offer. Letters will include an admission date and this will normally be within ten school days.

2. Parents are expected to confirm acceptance of the offer of a school within fourteen days after the date of the offer.

## **Postdated Applications and changes of address**

1. Parents who apply for a school place for a date which is more than half a school term in the future will be sent a holding letter explaining that their application will not be processed until the half term before the date the place is required. Their application will be considered along with any others which are outstanding at that point.
2. Parents who are moving into, or within Brighton & Hove, may apply at any time during the moving process. However, their application will not be processed until the City Council has received proof of the new address (e.g. evidence of exchange of contracts or a copy of a signed tenancy agreement).

## **Appeals**

1. Parents will be informed of their statutory right of appeal when they receive the outcome of their applications. Parents can appeal for any preference expressed but not allocated, even if it was a lower preference than the one offered.
2. Parents will be allowed 15 school days from the date of the notification letter to submit a written appeal. Appeal forms will be available from individual admission authorities. Parents are entitled to appeal at any point during the remainder to the academic year of their application.
3. Appeal forms for Brighton & Hove community and voluntary controlled primary and secondary schools will not automatically be sent with the notification letter, but will be available on request. Appeal details for voluntary aided schools will be available from the individual governing bodies.

## **Waiting lists**

1. Waiting lists (or in the case of secondary schools the re-allocation pool) for all Brighton & Hove community primary and secondary schools and Falmer Academy will be held by the City Council, but schools where the governing body is the admission authority will maintain their own waiting lists and advise on the ranking of these lists in accordance with their published oversubscription criteria.
2. All waiting lists will be cleared at the end of the academic term, and any parents wanting their child to remain on waiting lists for schools will need to contact the admission authority to request this.



<b>CHILDREN &amp; YOUNG PEOPLE CABINET MEMBER MEETING</b>	<b>22<sup>nd</sup> March 2010 School admission consultation responses</b>
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This purpose of this addendum is to report on responses received to the consultation documents for school admission arrangements in Brighton & Hove for the 2011/12 admission year. The closing date for school and parental responses was 1<sup>st</sup> March 2010.

### **Parental Responses**

In accordance with the requirements of the Education and Skills Act 2008 a public notice was published in the Evening Argus in December 2009 referring parents to the admissions consultation on the Council's website and to the availability of copies for inspection at King's House. 13 parental responses were received. Of those responses 12 were in favour of the new admission priority between linked infant and junior schools. One was against on the grounds that it discriminated against those moving into the area. Of the 13 just one responded directly on the issue of the exceptional circumstances priority, and was against the proposal on the basis that some pupils should be able to demonstrate good reasons for admission without going to appeal. They did, however, accept that the priority should be applied rigorously and objectively.

### **School Responses**

Only 3 responses to the proposed admission arrangements were received from schools, all from primary schools.

**Hertford Junior School** did not support the removal of the exceptional circumstances priority, or the removal of the two mile sibling limit in primary. It did support the introduction of the new priority for linked infant and junior schools.

**Patcham Infant School** did support the removal of the exceptional circumstances priority and the two mile sibling limit. It did support the introduction of the new priority for linked infant and junior schools.

**Downs Infant School** was not in favour of removing the exceptional circumstances priority, but did support its more rigorous application. It did not support the removal of the two mile limit for siblings, expressing concern that parents could briefly move to the area, secure a school place in the Infant school then move away again. It supported the introduction of the new priority for linked infant and junior schools.

### **Diocesan Responses**

The Church of England Diocese of Chichester responded to the consultation supporting the removal of priority 2 from secondary and junior schools, and also supported the removal of the two mile sibling distance limit and the introduction of the new priority for linked infant and junior schools.

The Diocese also commented upon the need for consultation on a 2011/12 in year scheme (in addition to the 2010/1 scheme published). The Council takes the view that the 2011/12 scheme will be identical in all but title to the 2010/11 scheme, so did not publish a separate (but identical) document for the later year. It also sought clarification on whether the 15 day limit placed on appeals in the document was a maximum or a minimum, and the relevance of the limit if an appeal can be heard at any time in the year. Its purpose is in fact to obtain appeal documents in time for the earliest possible next appeal hearing, rather than have a delay of weeks or months before an appeal can be heard.

### **Other Responses**

The School Preference Service, which operates as part of the Family Information Service, responded to support the introduction of the new priority for linked infant and junior schools and the removal of the two mile sibling link limit in primary. It did not support the removal of the exceptional circumstances priority on the grounds that more vulnerable families were less likely to appeal or be confident in the appeal process were that their only option.

### **Voluntary Aided Schools**

All 16 Voluntary Aided schools in the city either provided consultation copies of their proposed admission arrangements for 2010/11 or indicated that they were not changing arrangements and therefore not consulting.

The Council was pleased to note that both diocesan authorities had provided their schools with clear guidance as to how best they should frame their admission arrangements in order to comply with the Admission Code.

### **Published Admission Numbers**

No schools objected to their proposed published admission number for 2011/12.

# CHILDREN & YOUNG PEOPLE CABINET MEMBER SPECIAL MEETING

## Agenda Item 48

Brighton & Hove City Council

<b>Subject:</b>	<b>Tendering for Special School Home to School Transport Services</b>		
<b>Date of Meeting:</b>	<b>22 March 2010</b>		
<b>Report of:</b>	<b>Director of Children's Services</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Steve Healey</b>	<b>Tel:</b> <b>29-3444</b>
	<b>E-mail:</b>	steve.healey@brighton-hove.gov.uk	
<b>Key Decision:</b>	<b>Yes</b>	Forward Plan No: CYP14973	
<b>Wards Affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The report seeks authorisation to let the contract for 2 home to school transport contracts within the city of Brighton & Hove. The current contractual agreements are due to end 31<sup>st</sup> August 2010.
- 1.2 The contracts are for transport from home to school/college and back for those pupils and students who qualify for assistance with transport who attend:
  - Downsview Link College on the Varndean Sixth Form College campus and
  - Pupils attending all the sites of the Alternative Centre for Education (ACE).

#### 2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member approves the completion of the re-tendering process for the two home to school transport contracts which finish at the end of the summer term 2010.
- 2.2 That the Cabinet Member delegates authority to confirm the award of the contracts to the Director of Children's Services, within whose Department the contract is managed.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The contracts were last tendered in 2007, running as 3 separate contracts. These were:
  - Downsview Link College let for a period of 2 years with the option of a twelve month extension which was exercised, extending the end date to 31<sup>st</sup> August 2010.
  - ACE Queensdown site let for a period of 3 years.

- ACE all other sites let for a period of 2 years with the option of a twelve month extension which was exercised, extending the end date to 31<sup>st</sup> August 2010.
- 3.2 Other contracts for home to school transport were also let in 2007 with later end dates. The intention was to ensure that in any given year no more than approximately 20% of the Council's home to school transport contracts would come up for re-tendering. This was in line with the good practice guidelines published by the DCSF.
  - 3.3 It is intended that the separate ACE contracts should be merged for this tendering process, and this had been the expectation in the 2007 tendering process. However variant bids will be considered for the contracts being offered for tender if they are seen to be to the benefit of pupils and students and the Council.
  - 3.4 The contracts do not guarantee any specific amount of business or level of payment to potential providers, and the Council reserves the right to make in house home to school transport arrangements. The tender documents will give an indication of the numbers and special needs of pupils and students transported in the current academic year as an aid to costing for potential providers and to assist cost comparison in the assessment of tenders.
  - 3.5 In the tendering documentation and process value for money principles will be applied to ensure that Council secures the best possible services in terms of cost and quality.
  - 3.6 The pre-qualification questionnaire process has already started to ensure ample time for the new contract to be awarded well before the end of the summer term 2010. This will allow discussion with schools and parents about the new contracts before the summer holidays, and allow time for the successful provider to mobilise the contract.) The new contract is set to commence on 1<sup>st</sup> September 2010 for a period of 3 years with the option to extend for up to a further 12 months (1 year).
  - 3.7 The procurement project plan is attached below as Appendix 1.

#### **4. CONSULTATION**

- 4.1 Consultation is taking place with a view to establishing a service specification with quality criteria which meets stakeholder and council needs. From these criteria will be drawn evaluation criteria and weighting for determining the most economically advantageous tender which will comprise an appropriate mix of cost and quality.
- 4.2 The consultation process will include those establishments for which transport will be provided. Alongside this the Procurement Team and Legal Services will advise.
- 4.3 At the same time that the tendering process is taking place the Council is reviewing its arrangements for the provision of home to school transport with a view to reducing expenditure. This will incorporate a review of who



should be entitled to transport assistance, the criteria on which that decision is made and whether any other measures might be taken to secure savings. The organisation aMaze, which supports the parents, carers and families of students with special needs, will be consulted as part of that wide review.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1. There are financial risks associated with the provision of school home to school transport. These will arise from a number of factors, such as the number of students/pupils qualifying for assistance and the effect that has on unit cost, the changing costs of transport provision including petrol that affect annual price reviews, and the degree of individual pupil need which can result in costly individual transport arrangements.

An understanding of the wider financial risks to the Council is necessary in planning future measures to secure the provision of home to school transport in the City. During the development of the specification we will need to be mindful of proposed payment mechanisms to ensure that the proportion of risk for the Council and the provider is reasonable.

### Financial Risk

The key financial risks are:

- An increased proportion of students/pupils with very complex needs resulting in higher costs because of the need for specialist vehicles, the need for vehicle attendants to support students on the vehicle and the in some cases the need to travel alone without other students.
- A steep rise in vehicle running costs which will affect the annual contract price review.
- The possibility of a provider going out of business which could lead to increased costs in the short term. (Although the tendering process includes checks on potential providers' financial viability.)

*Finance Officer Consulted: Paul Brinkhurst*

*Date: 01/03/2010*

### Legal Implications:

- 5.2 The new contract to be tendered is a 'Part A' service for the purpose of EU procurement law and UK procurement Regulations. The Council will be required to comply with EU Treaty objectives of non-discrimination and openness in procurement, as well as comply with its obligation to seek Value for Money. Where the value of the contract is in excess of £75,000 it must be in a form approved by the Head of Law. The Council must take the Human Rights Act into account in respect of its actions but it is not considered that any individual's Human Rights Act rights would be adversely affected by the recommendations in this report.

Legislation requires that the City Council must provide free home to school transport to eligible pupils. Eligibility must be determined by the Council,

and will be taken to include pupils/students who would otherwise have difficulty in access to a school place that meets their educational needs.

*Lawyer Consulted: Sandra O'Brien*

*Date: 12/03/2010*

Equalities Implications:

- 5.3 In framing the specification care must be taken to ensure that the special needs of pupils are properly taken into account and provided for. The terms of the contract tendering process will require potential service providers to demonstrate that they have policies in place to ensure that staff and customers are treated in such a way as to support their rights in equalities legislation.

Sustainability Implications:

- 5.4 Sustainability issues will be address in the Pre Qualification Questionnaire and service specification documents. This will include will include reference to the environmental policies, and qualifications of the prospective providers, such as ISO 14000/14001. Checks will also be included around whether the provider has breached environmental legislation.

Crime & Disorder Implications:

- 5.5 There are no direct implications for crime and disorder in the report.

Risk & Opportunity Management Implications:

- 5.6 The key risks in not taking forward a tendering process for these home to school transport contracts are:
- There would be no provision in place for pupils and students entitled to receive free school transport.
  - Pupils/students would miss school sessions.
  - Pupils/students might be at risk through non-attendance.
  - School attendance targets would be compromised.
  - Parents and carers would be placed in the position of having to make their own arrangements with inadequate or non-existent travel facilities or vehicles.

Corporate / Citywide Implications:

- 5.7 The provision of appropriate home to school transport helps ensure school attendance for a vulnerable group of pupils/students with special needs. Their regular school attendance not only maximises their educational opportunities but also assists their families and carers who would otherwise be under increased difficulty in transporting them to school or otherwise providing for them.

**6. EVALUATION OF ANY ALTERNATIVE OPTION**

- 6.1 The Council does not have sufficient in house vehicle or driver capacity transport all those entitled to home to school transport. Even the expansion

of existing provision such as the Departmental Transport Service could not meet the transport need without an enormous programme of vehicle acquisition and the employment of drivers. This would be very hard to justify as some vehicles would be idle except at morning and afternoon school delivery and pick up times. It would also be hard to employ drivers who would be prepared to work a split shift at school times only.

## **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 To ensure that suitable home to school transport provision is available to support schools and colleges.
- 7.2 To ensure that the Council meets its legal obligations with regard to provision of home to school transport.
- 7.3 To ensure that the service provided is of a good quality and cost effective.
- 7.4 To award contracts in a timely fashion, allowing time for discussion with schools/colleges and parents about any changes in arrangements.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Procurement Project Plan

### **Documents in Members' Rooms**

1. None

### **Background Documents**

1. None



## Procurement Project Plan

<b>Project</b>	Home to School Transport Lot 1 & 2 Only			
<b>Tender Reference</b>				
<b>Procurement Lead</b>	Humphrey Natala			
<b>Client</b>	Steve Healey			
<b>Contract Value</b>	£1,048,473.00			
<b>Contract Term</b>	3 Years			
<b>Contract Start</b>	1st September 2010			
<b>Works/Services/Supply</b>	Transport			
<b>TUPE Consultation Period</b>				
<b>Benefits Sought</b>	Value For Money			
<b>EU Tender</b>				
<b>Open or restricted procedure</b>	Restricted			
<b>Advertised</b>				
<b>Evaluation Team</b>				
<b>Winning Contractors details</b>				
<b>Nationality</b>				
<b>Published Award Notice on OJEU</b>				
<b>Listed details on Contract Register</b>				
<b>Action</b>	<b>Duration (Days)</b>	<b>Personnel</b>	<b>Proposed</b>	
Finalise negotiations with companies re: lot 3 & 4: Develop Advert and Service Overview		C/P	12/02/2010	Fri
Place Advert	3	P	15/02/2010	Mon
<b>Closing Date of Advert/PQQ</b>	<b>37</b>	<b>P</b>	<b>24/03/2010</b>	<b>Wed</b>
<b>Funding Approval</b>	<b>1</b>	<b>C</b>	<b>22/03/2010</b>	<b>Mon</b>
Evaluate PQQ and send PQQ financials to Finance	14	C/P	07/04/2010	Wed
<b>Issue Tender/unsuccessful letters (40 days)</b>	<b>1</b>	<b>P</b>	<b>08/04/2010</b>	<b>Thu</b>
<b>Tender Return Date</b>	<b>40</b>	<b>P</b>	<b>18/05/2010</b>	<b>Tue</b>
Last Date for Tenderer's Questions	7	C/P	04/05/2010	Tue
Send out answers to Tenderer's Questions	7	P	11/05/2010	Tue
Tenders Opened	1	P	12/05/2010	Wed
Evaluate Tenders	14	C/P	26/05/2010	Wed
<b>Supplier Presentations and Clarification</b>	<b>7</b>	<b>C/P</b>	<b>02/06/2010</b>	<b>Wed</b>
Rejection/Award Letters Issued	1	P	03/06/2010	Thu
Debriefs (if requested) by	3	C/P	11/06/2010	Fri
Mandatory Standstill Period	11	P	14/06/2010	Mon
<b>Issue of Order/contract, acceptance letter and promotion of contract</b>	<b>1</b>	<b>P</b>	<b>15/06/2010</b>	<b>Tue</b>
OJEU Award Notice	1	P	16/06/2010	Wed
Update Savings Report / Contract Register	0	P	16/06/2010	Wed
Issue Contractor feedback form and Client Feedback form	0	P	16/06/2010	Wed
<b>Contract Start Date</b>	<b>30</b>	<b>C/P</b>	<b>16/07/2010</b>	<b>Fri</b>

**ideal end of alcatel is 30th June**

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