

# Brighton & Hove City Council

## Council

## Agenda Item 6

**Subject:** School Admission Arrangements 2026-27

**Date of meeting:** 27 February 2025

**Report of:** Corporate Director - Families, Children & Wellbeing

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**Ward(s) affected:** All

**For general release**

### 1. Purpose of the report and policy context

- 1.1. The Council Plan 2023 to 2027, A better Brighton & Hove for all, outlines a vision of an inclusive, accessible and fair city where everyone thrives, and where no child, young person or family is left behind. The plan details the importance of delivering strategies for children and young people at risk of educational disadvantage. It also commits to finding ways to address the challenges schools are facing with falling pupil numbers in the city.
- 1.2. The council is seeking to address some of the following issues through amended school admission arrangements: falling pupil numbers, concerns around attainment of our disadvantaged children and seeking to provide more opportunity to obtain a preferred school place for more families across the city.
- 1.3. This report details the final proposed school admission arrangements for the academic year 2026-27 for the schools in the city where the council is the admission authority. This does not include academies, free schools or Voluntary Aided (church) schools.
- 1.4. When changes are proposed to admission arrangements, all admission authorities must consult on these new arrangements. In December 2024, Cabinet approved a public consultation on a set of proposals. This consultation ran from 6 December 2024 until 31 January 2025. The consultation gained significant levels of engagement, detailed within Appendix 12 and as highlighted in the report below. In order to comply with relevant legislation the admission arrangements must be determined by the council by 28 February 2025.
- 1.5. As part of determining school admission arrangements, Local Authorities must also set out schemes for coordinated admissions, including key dates in the admission process and the arrangements for consultation with own

admission authority schools in the city and with other local authorities. They also establish the area (the “relevant area”) within which the admission consultation should take place.

## **2. Recommendations**

- 2.1. That Full Council agrees to make no changes to the council’s admission arrangements other than the proposed changes listed below in recommendations 2.2 to 2.11. The full admission arrangements are set out in Appendix 5.
- 2.2. That Full Council agrees to increase the Published Admission Number (PAN) of Rudyard Kipling Primary School from 30 to 45 for entry into reception year from September 2026
- 2.3. That Full Council agrees to amend the catchment area boundary between Longhill High School and Dorothy Stringer and Varndean schools, as set out in section 20 below.
- 2.4. That Full Council agrees to reduce the Published Admission Number (PAN) at Blatchington Mill School from 330 to 300 for entry into year 7 from September 2026.
- 2.5. That Full Council agrees to reduce the Published Admission Number (PAN) at Dorothy Stringer School from 330 to 300 for entry into year 7 from September 2026.
- 2.6. That Full Council agrees to reduce the Published Admission Number (PAN) at Longhill High School from 270 to 210 for entry into year 7 from September 2026.
- 2.7. That Full Council agrees to make a change to the admissions priorities for community secondary schools, to provide that at any school the percentage of places for pupils eligible for Free School Meals within the oversubscription priorities 1-5 should be set at 30% of the Published Admission Number (PAN).
- 2.8. That Full Council agrees to the introduction of a new Criteria 6 within the oversubscription criteria for entry into community secondary schools in the city, to be referred to as Open Admissions. This is to be set at 5% of the total PAN of those schools and is only available to pupils living within a single school catchment area in the city.
- 2.9. That Full Council agrees to increase the number of preferences that families can express from three to four for admission from September 2026 onwards.
- 2.10. That Full Council agrees to make no change to the ‘relevant area’ for school admissions purposes.
- 2.11. That Full Council agrees to the proposed primary and secondary school coordinated schemes.

- 2.12. That Full Council notes the intention to review the Home to School Transport Policy informed by the admissions arrangements determined by Full Council, review capital expenditure on school buildings in 2025/26 and evaluate the educational disadvantage strategy, Better Outcomes, Better Lives.

### **3. Context and background information**

- 3.1. The council is seeking to influence life outcomes in line with the Council Plan, A Better Brighton & Hove for all, which seeks to ensure no child or family is left behind and educational outcomes for the most disadvantaged are improved.
- 3.2. These proposals seek to address the issue of educational disadvantage in the city as well as tackle the established inequity experienced by many families regarding school admissions, due to the current configuration of secondary school catchment areas. Outcomes for disadvantaged pupils in Brighton and Hove mirror outcomes in the south east of England where social segregation is greater than elsewhere in the country. Schools in the south east with higher levels of FSM pupils struggle to achieve the same outcomes as schools where the intake is less disadvantaged. These recommendations also seek to address the imbalance of opportunity between those living in single school catchment areas and those in dual school catchment areas.
- 3.3. The proposals outlined in this report should be considered alongside the School Organisation Strategy which outlines four strands of work to implement the council's commitment to develop a system that:
- provides families with a good choice of schools in the city that meets their child's needs,
  - delivers schools which are sustainable and able to thrive,
  - ensures risk (budget) to the council is manageable and proportionate,
  - delivers children's outcomes which are good and improving, especially for those at risk of disadvantage,
  - facilitates schools working together and with the council in an effective partnership model
- 3.4. In delivering the School Organisation Strategy, the council is providing support and challenge on how schools are using their funding whilst seeking to continually improve. The council is also working with school leaders and governors to explore what type of collaborative system in the city could benefit pupils, staff and schools, including federations or similar structures. The council is providing support and guidance around the way schools support SEND learners in school and, as this report outlines, we continue to keep under review the organisation of our schools including the number of places available and the way school places are allocated.
- 3.5. The council, as the admission authority for community schools in the city, is required to determine its admission arrangements annually. Where changes

are proposed, the admission authority must first publicly consult on those proposed arrangements. The School Admissions Code sets out those groups and individuals who must be consulted. This includes parents of children between the ages of 2 and 18; other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions; all other admission authorities within the relevant area and any adjoining neighbouring local authority areas, where the admission authority is the local authority.

- 3.6. The council has a statutory duty to ensure there are a sufficient number of school places for pupils and that places are planned effectively. Pupil numbers overall across the city have been falling and are forecast to continue to fall over the coming years. The council is therefore seeking to manage the reduction in pupil numbers across the city now and into the future by reducing the Published Admission Number of three secondary schools in the city.
- 3.7. Appendix 2 details the council's latest forecast of starting school places required up to 2028. This data has been updated since the report to Cabinet on 5 December 2025 after the council received updated information from the NHS. It shows that the council expects 1978 pupils to require a school place in Reception in 2026, 1823 pupils in 2027 and 1887 pupils in 2028. With no further changes to the number of school places available the number of unfilled places is expected to be 482 in 2026, 638 in 2027 and 573 in 2028.
- 3.8. Appendices 3 and 4 show the forecast of secondary school places required until 2031. The forecast varies depending on the model of catchment area used and is subject to a proposed change as detailed in this report's recommendations. Should the proposals be determined, the number of pupils forecast to require a school place in the city's schools is as follows:  
  
  - 2026 - 2284 pupils
  - 2027 - 2234 pupils
  - 2028 - 2206 pupils
  - 2029 - 2117 pupils
  - 2030 - 2028 pupils
  - 2031 - 2009 pupils
- 3.9. Brighton & Hove has two secondary academies in the city, BACA and PACA. Both schools are part of Aldridge Education, a Multi-Academy Trust, which is the admissions authority for all academies within the Trust. Aldridge Education, in accordance with its funding agreement, is responsible for the admissions policy of each academy and co-ordinates with the council regarding the administration of admission applications. The Trust has adopted the council's catchment areas for use within its admission arrangements.
- 3.10. King's School is a Free School and as such sets its own admissions arrangements. Cardinal Newman Catholic School (CNCS) is a voluntary aided (church) school and also sets its own admission arrangements.

Neither school has a defined catchment area. The council administers the admissions for both schools via the co-ordinated admissions scheme.

- 3.11. Other than the introduction of a new admission criteria for children in receipt of Free School Meals (FSM) last year, the council has not significantly altered its secondary school admission arrangements since the introduction of catchment areas and random allocation in the event of oversubscription in 2007.
- 3.12. As a result, the arrangements have solidified long held expectations about the allocation of school places and reinforced perceptions of the schools in the city. Even when pupil numbers were rising in secondary schools there has been limited action to change those expectations and perceptions because expanded PANs were used to accommodate the oversubscription within particular catchment areas instead.
- 3.13. The proposals which have been the subject of the recent consultation are intended to offer all families an extra preference when applying for school places, a higher likelihood of receiving a school place in another catchment areas (if you live in a single school catchment area) and a higher likelihood of a preferred school place for families who qualify for Free School Meals. Together with the opportunity for those living in the upper parts of Whitehawk to be included in the Dorothy Stringer/Varndean catchment area.
- 3.14. If the council proposes no changes to the current admission arrangements, then some of the larger secondary schools in the city will remain relatively well funded whilst drawing pupils from further across the city in a way that would make it difficult to manage overall numbers. This would only serve to reinforce the logistical barriers faced by smaller and sometimes less favoured schools as they continue to meet the needs of their communities, provide their staff with the right conditions to perform to the best of their abilities and offer the appropriate professional development opportunities available to others. Leaving the arrangements as they are would also put at risk the availability of an appropriate geographical spread of secondary schools across the city.
- 3.15. The schools in the city currently have an uneven distribution of disadvantaged pupils. In January 2025, the average percentage of pupils eligible for Free School Meals in the city's secondary schools was 26.3%. The specific percentage of pupils in the city's secondary schools eligible for FSM ranged from 19.1% - 49.1%. Due to the proportion of FSM pupils in the schools, six of the city's ten secondary schools had a proportion of pupils eligible for FSM below the city average. Both BACA and Longhill High School had more than 40% of pupils eligible for free school meals.
- 3.16. The council considers that the proposals are an opportunity to contribute to efforts to tackle emerging and entrenched issues of equity of opportunity, variation in pupil intakes, long term viability and performance. It is recognised that when families have considered the implications of these proposals it has led to a range of emotions being expressed from those who have felt anxious about the potential changes and what it means for them

through to those feeling as though their child's current education is in some way being labelled inadequate. There have been examples of strong polarisation in the city and examples of negative discourse often played out in social media. It is inevitable that these concerns, conclusions and division will have affected some children and young people. On the conclusion of this process consideration will need to be made to the support and explanations provided to them to help make sense of the changes determined.

#### **4. The Consultation Process**

- 4.1. In order to inform the current proposals the council firstly undertook an engagement exercise between 2 October 2024 and 23 October 2024. Three illustrative models for potential secondary school catchment areas were presented for comment. Option A was an amended version of the current catchment area arrangements with a reduced catchment for the Dorothy Stringer and Varndean area. Option B was drawn with larger, multi-school catchment areas and Option C was drawn with single school catchment areas.
- 4.2. Four public meetings were held attended by more than 400 people and over 2600 responses were received via the council's online engagement portal, YourVoice.
- 4.3. No option received overwhelming support but a large volume of quantitative and qualitative data was gathered during the exercise. The feedback received during the engagement exercise contributed to the development of the current proposals which were presented to Cabinet on 5 December 2024.
- 4.4. At that meeting Cabinet approved a set of proposed admission arrangements to go out to a statutory public consultation. The consultation ran from 6 December 2024 until 31 January 2025, a total of eight weeks, two more than the legislation requires. There is a report given as Appendix 12 which details the consultation, and a summary of the feedback received.
- 4.5. The consultation was published on the 'YourVoice' site on 6 December 2024. That site provided consultees summary information along with a reference to the Cabinet Report and paragraph referencing if consultees sought more detail.
- 4.6. The council ran an online survey along with a series of events open to anyone to attend. The online survey asked a series of questions about the various changes, with a link to the Cabinet report and paragraph numbers where the explanation was set out. For each question there was a rating of 1-6 as to how much the consultee agreed or disagreed with the proposal as well as a box where the consultee could share any further thoughts or comments. The survey also included two general sections for comment to allow further elaboration of views to be expressed.
- 4.7. When the council designed the survey, a decision was made not to require consultees to log-in to YourVoice to leave a response. The council

recognises that this meant that it may have been possible for people to submit multiple responses. However, the survey was intended to be a way of gathering resident and stakeholder views rather than act as a referendum and the council consider that this has been successfully achieved. It was felt more important to ensure that there were no additional barriers to consultees to respond such as requiring a pre-registration process to be completed.

- 4.8. An Equality Impact Assessment (EIA) was produced for the December 2024 Cabinet paper which detailed steps the council needed to take to ensure the public consultation was accessible and that proactive steps were taken to hear from a range of residents and especially those that have intersecting needs and / or characteristics. An EIA has now been produced for the final proposals and is included as Appendix 9.
- 4.9. All schools in the city were informed about the consultation on 9 December 2024. During the consultation, some attendees at public meetings reported that their primary phase school Headteachers were not aware of the public consultation. In response, a reminder went to all schools on 17 January 2025 with a specific request that details of the consultation were shared with their school communities.
- 4.10. The council notified neighbouring Local Authorities, Academy Trusts and the Catholic and Church of England Diocesan Authorities about the consultation exercise and invited responses. Information about the consultation and how to respond was also sent to all childcare providers and nurseries within the relevant area.
- 4.11. The council also published a series of press releases/social media posts during the consultation.
- 4.12. The proposals were considered at the council's People Overview and Scrutiny Panel meeting on 14 January 2025. This meeting featured representations, presentation and deputations from a range of attendees. Details of the meeting can be found [here](#).
- 4.13. The council held the following public meetings during the consultation:
  - 12 December 2024 - Online meeting
  - 16 December 2024 - Online meeting
  - 11 January 2025 - public meeting at Jubilee Library
  - 13 January 2025 - Public meeting at Varndean School
  - 14 January 2025 -Public meeting at Blatchington Mill School
  - 15 January 2025 - Public meeting at Longhill High School
  - 16 January 2025 - Meeting for parents/carers at Queens Park Primary School
  - 20 January 2025 - Meeting for parents/carers held in person at Mile Oak Primary School – hosted on behalf of the Portslade Primary School Partnership
  - 21 January 2025 - Meeting for parents/carers held in person at Fairlight Primary School

- 23 January 2025 - Private but openly advertised 'coffee morning' session with parents/carers with SEND children – facilitated and hosted by the city's Parent and Carer Council
  - 24 January 2025 - Parent/carer consultation meeting hosted by Coombe Road primary schools
  - 25 January 2025 - Private but openly advertised lunchtime workshop, facilitated by the Hangleton and Knoll Projected (aimed at supporting vulnerable residents)
  - 27 January 2025 - Parent/carer consultation meeting hosted by City Academy Whitehawk (a primary school located within one of the catchment areas with proposed changes)
  - 28 January 2025 - Parent/carer consultation meeting hosted by St Mark's CE Primary School (a primary school located within one of the catchment areas with proposed changes). Online meeting for parent/carers of SEND children – facilitated by the city's Parent and Carer Council
  - 29 January 2025 - Parent/carer consultation meeting hosted by Bevendean Primary School
- 4.14. Following the first public meetings some residents advised that it would be helpful for the council to produce a summary document of the proposals as they did not feel that they were always easy to follow. In response the council produced a summary of the proposals together with a Frequently Asked Questions document, both of which were uploaded to the YourVoice portal. Further public meetings were also arranged to enable people to hear directly from officers and Council Members and to ask questions. There were many email enquiries, both directly to officers via a dedicated email address and via Council Members.
- 4.15. In response to some communities expressing the view that they had not been given the opportunity to have a meeting in their area of the city the council agreed to schedule additional meetings attended by officers and, where possible, Council Members to present, listen and answer questions.
- 4.16. Some of the public meetings were better attended than others, those held in central locations tended to achieve higher numbers of attendees. However, whilst the council was pleased to see high levels of engagement in particular areas the council is interested in the breadth and depth of feedback from a wide range of residents and not solely the numbers of people that attended each meeting.
- 4.17. During the consultation the council sought assistance from a number of voluntary and community organisations across the city to enable community voices to be heard and recognised during this process. Whilst the volume of responses provided via the formal survey that was available on YourVoice is informative, the council recognises the importance and significance of receiving a range of responses including those gathered by community engagement.
- 4.18. The council were keen to support residents and stakeholders to engage with the consultation. Residents and stakeholders were offered a variety of ways they could contribute their feedback or to ask questions. The information



held on both the council website and on the YourVoice portal is fully accessible with translation applications. Consultees were also given the option of telephoning the school admissions team and verbally leaving consultation responses. Reasonable adjustments were made where requested for example an attendee at a public meeting asked if their question could be submitted in advance and read out by officers.

- 4.19. The council was particularly interested to gather views from residents whose families have an intersectionality of needs or characteristics, for example parents of children with SEND who have other children who are young carers. The council worked with PaCC to host two listening events with families of children with SEND. PaCC have a representative on the People Overview and Scrutiny Committee and they proactively publicised the consultation to their networks.
- 4.20. During the consultation a number of representations were made to officers and Council Members by groups of residents and the council met with them on a number of occasions, for example the Parent Support Group, Class Divide and Equity in Education.
- 4.21. In order to encourage engagement from the north east of the city Equity in Education made an offer to interested local residents to submit survey responses on their behalf with approval of the consultees and with their consent. The group advised the council that this was their intention and made it clear that any responses submitted on behalf of residents via Equity in Education would be clearly marked as such. The council has identified that responses submitted by the group equate to approximately 10% of the total consultation responses.
- 4.22. The equalities monitoring data presented in Appendix 12 (consultation results) and Appendix 9 (the EIA) identify there are gaps of community voice remaining, such as members of Black and Global Majority communities, younger families and those who are disabled. The council recognises this and will continue to further develop and improve engagement processes on this matter. However, given the involvement and engagement from such a wide spread of communities and such a range of views shared, the council feels there is sufficient feedback to meaningfully and conscientiously consider the views of those who have submitted their views in the consultation.
- 4.23. Some criticism was made that the council had not actively sought the direct views of teachers and other school staff as it was felt that their insight would better inform the understanding of the impact of the proposals. The council has liaised with headteachers and governing boards throughout the consultation. In addition, the YourVoice survey was open for all to respond to and allowed people to declare their status as a member of school staff, if they wished to.
- 4.24. The consultation, along with the engagement exercise before it, generated a detailed and energised debate amongst residents with many views being shared in open forums on social media platforms. The council cited

examples of academic research as part of the rationale for proposals, and some consultees provided examples of other papers and produced papers / areas of research. These were all accepted by the council as valued contributions to the consultation.

- 4.25. In summary, given the number of responses received and the wide variety of ways in which people could contribute to or engage with the consultation, the council is of the view that the consultation successfully offered opportunities for a wide range of residents to respond, challenge and offer feedback on the proposals.

## **5. Consultation outcome**

- 5.1. Appendix 12 provides a detailed summary of responses to the online survey, direct communications with the council together with details of the range of meetings which took place. The council recognises and thanks the great number of people that took time to respond to the consultation in whatever form and noted that some residents took considerable time to consider their responses and attend multiple meetings.
- 5.2. Further detail is given below on the content of the consultation responses. There were some prominent themes that came across strongly around the fairness of opportunity, about concern about travel to school and about the impact on some particular groups in the city (SEND children being a significant group but also girls, in relation to safety). This report and these recommendations to Council are informed by those concerns.

## **6. Themes arising from the consultation**

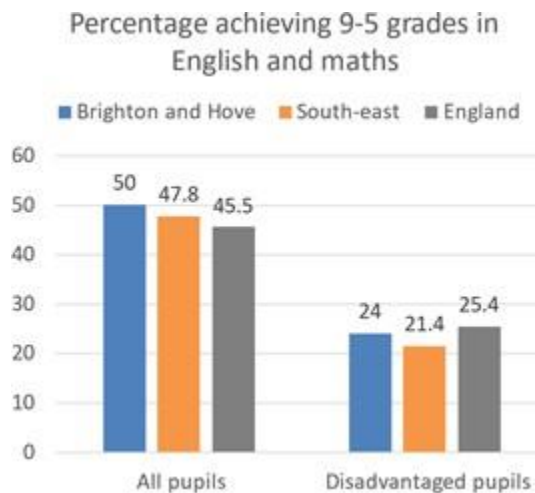
- 6.1. As stated above a number of broad themes which are applicable across one or more of the proposals were raised in consultation responses and in the public meetings. In recognition of the interplay between these themes they are detailed below as ten standalone issues as well as in relation to each individual proposal, where relevant, further in the report.
- 6.2. Of note is the fact that throughout the consultation responses, there was broad agreement and commendation for the council's intentions in bringing forward these proposals, including a growing support for the FSM criteria introduced for 2025/26 admissions. There was however considerable concern raised about specific proposals, and these are covered in more detail below.
- 6.3. The ten broad themes have been grouped and are given below in this order:
- Educational Disadvantage
  - Fairness and opportunity of choice/access
  - SEND
  - School attendance
  - School improvement
  - Transition
  - Transport

- House purchasing prices/rentals
- Communities
- Complexity of proposals

## 7. Educational disadvantage

7.1. The council’s view is that disadvantaged pupils do not do as well as they could and should do in Brighton and Hove. The attainment of all pupils and disadvantaged pupils in the percentage achieving English and maths GCSE at grades 9-5 in 2022/23 (2023/24 data remains provisional at time of writing), shown in the table below demonstrates that overall attainment in the percentage of disadvantaged and non-disadvantaged pupils achieving grades 9-5 in English and maths is 50.0%, southeast region is 47.8% and national is 45.5%. At the overall level attainment in Brighton and Hove is above national, and southeast average.

7.2. Information in the table about disadvantaged pupils shows the attainment for this group of pupils only. This shows the attainment in the percentage of disadvantaged pupils achieving 9-5 grades in English and maths in Brighton and Hove is 24.0%, southeast is 21.4% and national is 25.4%. Attainment for disadvantaged pupils in Brighton and Hove is above the southeast region but below the national average.



7.3. This attainment data on all pupils and disadvantaged pupils cannot be directly compared because the attainment for disadvantaged pupils affects the attainment for all pupils. However, Brighton and Hove has a local attainment gap between disadvantaged and non-disadvantaged pupils that is larger than the national attainment gap. The local attainment gap is affected by higher attainment outcomes for non-disadvantaged pupils more so than lower attainment outcomes for disadvantaged pupils.

7.4. The council recognises that school admission arrangements are not the only way to tackle educational disadvantage and the attainment gap between disadvantaged and non-disadvantaged pupils. The council continues to put

in place initiatives to address this issue. This includes work with the Durrington Research School in partnership with the Education Endowment Fund on a continuing professional development programme for school leaders. In addition, the council supports schools to undertake a poverty proofing audit to consider how their policies and practices impact on children and families. There has also been specific language and literacy work funded in schools to support the raising of outcomes for disadvantaged pupils in reading and writing.

7.5. The council has an existing strategy for tackling educational disadvantage entitled Better Outcomes, Better Lives. It outlines the council's determination that every pupil in our city who is disadvantaged is encouraged and supported to achieve their academic potential and to leave school or college with a positive relationship with education. The current plan runs until 2026 and focusses on education from age 4-19 with 6 themes identified through an evidence base:

- Leadership and Governance
- Quality First Teaching
- Targeted Academic Support
- Pupil Voice & Pastoral Support
- Language and Literacy
- Attendance

7.6. Outcomes for disadvantaged pupils in Brighton and Hove mirror outcomes in the south east of England where social segregation is greater than elsewhere in the country. Schools in the south east with higher levels of FSM pupils struggle to achieve the same outcomes as schools where the intake is less disadvantaged.

7.7. Whilst Ofsted do look at each school's context and community, there is research that demonstrates a correlation between high levels of free school meals and poorer judgements. Likewise, lower levels of free school meals correlate with better Ofsted judgements. Through reducing social segregation within our education system, the council aims to support better outcomes for all.

7.8. One detailed submission to the consultation referenced research evidence which suggests that if lower-income pupils attend more effective schools, their attainment will improve. The attainment gap between richer and poorer pupils decreases whilst incumbent students appear not to be negatively affected by typically lower-ability incoming students. The research states that as most state secondary schools in England use geographical admissions criteria 'access to over-subscribed schools in England is rationed by residence' (Burgess et al. (2023)). Many sources give theoretical reasons for why geographic admissions criteria are bad for social mobility. The typical reasoning is that as property prices increase around 'good' schools, lower income families are priced out. State-funded schools therefore become rationed by parents' ability to buy or rent in the local area.

This may limit the power of education to offer pupils options and give social mobility opportunities.

- 7.9. It is acknowledged that factors beyond the school gates and in the communities where pupils live can have a detrimental impact on pupil's achievement and as such there is further work required to address underlying causes of inequality and disadvantage. Yet that is not to mean that where possible, opportunities to nudge and advance opportunity should be delayed or postponed. The council is convinced that by responding to resident's feedback, enhancing opportunity, and re-aligning some of the barriers faced by schools due to their intake of pupils, at a time of financial and demographic pressures is the appropriate course of action to follow.

## **8. Fairness and opportunity of choice/access**

- 8.1. The council received many responses from those in support of the proposals, some from families within dual school catchment areas who praised the proposals even if their family was directly impacted. Views were shared that the proposals were a way of fixing an inherently unfair system.
- 8.2. Addressing Inequality: The proposals were viewed by many as a positive step towards addressing inequality in the school admissions process, with views from some that the aims would give children from disadvantaged areas the opportunity to attend better-performing schools, thereby improving their life chances and promoting social diversity.
- 8.3. Community and Social Impact: Some reported the hope that the proposals would have a broader social impact by promoting fairness and access to better educational opportunities. This is seen as essential for creating a more inclusive and diverse community generally across the city. Consultees also talked about the need to sure that all children have equal opportunities to succeed.
- 8.4. Increased Choice for Families: Many felt the proposed introduction of an open admission priority could provide more choice for families, especially those in single school catchment areas. This policy is seen by some as a way to create a more mixed and equitable system, allowing children to apply to schools that best match their interests and strengths. One response described this as this allowing children to apply for a school that 'speaks to them' in terms of what subjects and other strengths it can offer.
- 8.5. One detailed response talked about the strengths at both BACA and Longhill particularly amongst the staff and highlighted the need for increased support and investment at those schools so that they can provide the same offer as other schools in the city. They also highlighted that families in single school catchment areas not only deserve choice but they also deserve high performing schools with consistently good educational opportunities. The response concluded by saying that "the children in the poor parts of the city are just as bright, sporty, academic, creative, kind and compassionate as their peers in more affluent parts of the city, but they need to be reminded of this by giving them opportunities to reach their full potential."

- 8.6. Some felt that these proposals were only a first step in the right direction, that whilst good, more needed to be done to better support disadvantaged families. Others presented a counter view to the theme of fairness and opportunity of choice – that by introducing an open admissions criterion the council may be reducing the choice for families living in dual school catchment areas. Questions were raised about the fairness of this approach.

## **9. Special Educational Needs and Disabilities (SEND)**

- 9.1. The council heard a high level of concern about the impact of proposals on children with SEND and their families. In addition, the Equality Impact Assessment identified elements of consideration and adjustments.
- 9.2. The council received a report from the Parent and Carer Council (PaCC) following two listening events held during the consultation. PaCC represents all parent carers in the city and therefore did not take a position on whether the proposals should be approved or not but sought to ensure that school placements would not place undue strain on children with Special Educational Needs and Disabilities (SEND), young carers and their families.
- 9.3. Parent and carer feedback is detailed in Appendix 12 and summarised below.
- Complexity and lack of clarity
  - Inequitable allocations using criteria 2
  - Transport
  - Impact on families
  - Accessibility and equity concerns
  - Safety and mental health risks
  - Parental burnout and emotional toll
  - Fractured SEN community
  - Failure to properly assess SEND needs
  - Loss of stability and certainty

Some suggestions from parents and carers included:

- Altering the random allocation tie-break
  - Improve certainty for families to assist better planning of transition for families
  - Re-site of school provision
  - Provide the same guarantees to pupils with SEND but without an Education, Health and Care Plan (EHCP) as those with an EHCP.
  - Ensure peer group stability for autistic children
  - Improve co-production before final decisions are made.
- 9.4. During the consultation the council also heard from SEND families in support of the proposals. The following matters were raised:

- As the arrangements current stand, families with children with SEND (but no EHCP) who live in single catchment areas are not able to consider which school may best meet their children's needs. They simply have to take the one school available to them.
  - Other comments expanded on this, sharing that the proposals may allow their children access to schools with SEN provision that better match their needs
- 9.5. In broad terms all maintained schools should be able to meet the needs of the majority of children without an Education, Health and Care Plan (EHCP). However, the council must be cognisant of the fact that any proposed new admission priorities must not unfairly disadvantage pupils with SEND.
- 9.6. Responses received directly from schools raised concerns about the introduction of the proposals because of the likely adverse impact they could have on pupils with SEND and the potential disadvantage that could cause. Particular concerns were raised in relation to pupils without a formal diagnosis, especially if they were unable to claim priority under the existing exceptional circumstance criteria (Criteria 2). Schools were concerned about being resourced to meet the anticipated rise in tailored support that would be required, placing further pressure on a stretched system, and which might in turn compromise the educational offer that the schools were proud to deliver.
- 9.7. Schools raised the fact that friendships for this cohort of pupils are of particular importance and that the proposals, particularly in relation to open admissions (criteria 6), risked connections and friendships being lost which would then make transition to secondary school more difficult. Primary schools flagged the concern that they would need to work in partnership with a wider range of secondary schools than is currently the case, with associated increases in workload. Concerns were expressed that the focus on supporting pupils with FSM could come at the detriment of supporting pupils with SEND. Some consultees also felt that the additional logistics in terms of travel and transport of attending a school outside of their catchment area would have an adverse impact on children with SEND or other social, emotional or mental health (SEMH) difficulties.
- 9.8. Schools use personalised learning plans, targeted interventions, and collaboration with families to support pupils with SEND to do well academically and personally. This was considered at risk by some schools should changes occur and it was outlined that further capital investment would be required to ensure schools could meet the needs of more pupils with SEND, should that be an outcome of the introduction of the proposals.
- 9.9. Concerns were raised that an unintended consequence of the consultation was the possibility that the council would receive an increased number of requests for an Education, Health and Care Need Assessment to identify if a formal EHC Plan might be required. Schools advised that this could negatively impact on the resources available in schools and at the council. This would also run counter to work currently being undertaken by the

council and schools to ensure sufficient early interventions are in place to lessen the potential need for a formal EHCP to be issued.

- 9.10. It was also raised highlighted that due to the process required in seeking to have SEND needs identified, those families experiencing disadvantaged circumstances may be less able to navigate the system, thereby further entrenching inequalities for these pupils.
- 9.11. The council can and does offer support and guidance on meeting the needs of pupils with a range of needs including SEND. Pupils with a range of needs already attend each secondary school in the city, and schools have staff skilled to meet pupil's needs. The introduction of the new admission arrangements may change the profile of need of some pupils and schools will be supported to manage any change in the profile of their pupil body so that they can continue to offer suitable provision.
- 9.12. There is expertise already available in the city's schools and therefore a key consideration is how that knowledge is shared between schools and how staff's professional development is tailored to support them to adjust to such changes. The council has conscientiously considered the potential disadvantage a child with a disability or special educational needs could face should these proposals be determined and considers that schools have the leadership and professional expertise to mitigate the impact of any change to their pupil cohort.
- 9.13. The council recognises that in seeking to positively enhance the opportunities of particular cohorts in the city there is a risk that other groups are less advantaged than they would be if no change takes place. The city has a strong reputation in providing support for SEND learners which is endorsed by the council's Ofsted rating in its SEND and AP inspection. Whilst there are further improvements to make, it demonstrates a system operating in the city where expertise and resources are available to address the impact and scale of change should proposals be determined.
- 9.14. In addition, there are statutory processes available to consider what assistance may be required for a pupil to ensure the appropriate support is made available. The council is confident that it will be able to deploy resources to meet fluctuations in demand should they occur.

## **10. School Attendance**

- 10.1. Concerns have been raised that should the proposals be implemented there will be a negative impact on attendance of pupils for reasons outlined above including the potential of more complex journeys to school than families envisaged.
- 10.2. School attendance remains a focus for the council and a recent city-wide campaign has been launched to promote the importance it has on pupil's outcomes and achievements. The council has a strategic approach to improving attendance, ensuring that it is a key focus of all frontline council services. The School Attendance Team works with all schools, ensuring



there are opportunities for all schools to share effective practice, together with offering enhanced support and formal intervention measures where absence levels are unexplained or inappropriate.

- 10.3. Due to their admission arrangements CNCS and King's admit pupils from a wider geographical area. Despite the length of journeys some children might have to make, both schools have high attendance rates and demonstrate that journey distance and time may not be a limiting factor for pupils' ability to attend school. Therefore it is not the case that longer journeys always mean increased absenteeism.
- 10.4. Additionally the council has developed resources used nationally to help explore individual push:pull factors affecting a pupil's attendance at school. It is the view of the council that the council's admission arrangements are not prime drivers of a child's attendance at school and that robust arrangements are in place to ensure that any attendance issues are picked up by schools and the council at the earliest opportunity.

## **11. School Improvement**

- 11.1. Consultation responses have suggested that instead of using school admissions as a mechanism to address the inequity in school access and disadvantage the focus should instead be on raising the popularity, performance and attendance at all the city's schools in order to improve attainment and progress. There was a widespread and misplaced assumption that because the council's consultation on admission arrangements did not include reference to school improvement that this is not an area of focus for the council. There was a call for investment in underperforming schools and a more equitable distribution of resources to ensure high educational standards across all schools in Brighton and Hove.
- 11.2. Standards of education in Brighton and Hove are good. The council has seen improvements in outcomes in its secondary schools over the past few years with progress and overall attainment above national averages. There are fluctuations in the outcomes of our disadvantaged students whose results do not compare as favourably to the national average as the results of all pupils in the city and this remains an area the council is focussed on improving. This creates an attainment gap between the performance of disadvantaged pupils in the city and the performance of all pupils in the city. The majority of schools in the city are graded as good or above in all areas by Ofsted with increasing numbers of schools being judged with an outstanding grade in at least one area.
- 11.3. The council works closely with schools that have been identified as requiring support and intervention to ensure rapid improvement. School improvement can have happened well in advance of a follow up Ofsted inspection therefore schools may already be doing well for all pupils, ahead of a change in its Ofsted grading. There are currently 2 high schools in the city that are graded as requiring improvement by Ofsted.

- 11.4. Longhill was judged by Ofsted in March 2024 as requiring improvement in all areas. The report confirmed that the school's development plan was robust and that recent leadership changes were already securing significant improvements. It states that expectations of pupils and staff are much higher now. The focus on high aspirations, determination and success is ensuring that pupils are more positive about their education.
- 11.5. The council established a school improvement board to support accelerated improvement and funded additional support from a school partnership adviser (an experienced headteacher), a local partnership school and provided additional consultancy. This work has focused on rapidly improving the quality of education, leadership and behaviour. Since the date of the last inspection, further progress has been made, and the school has met improvement milestones building on the improvements recognised by Ofsted.
- 11.6. Brighton Aldridge Community Academy School is part of the Aldridge Education Trust. It was judged as inadequate by Ofsted in March 2022. Since then, the school has made significant improvements, and this progress led to a "requires improvement" grade in May 2023. This included "good" outcomes for personal development, leadership and management and the sixth form provision. Ofsted state that this is an improving school. Dynamic leadership in the school has raised expectations of pupils' education and behaviour since the last full inspection.
- 11.7. The council has a comprehensive school improvement strategy focussing on three main elements:
- Promoting high standards: Strategic support and challenge is provided to headteachers and governors and through a comprehensive professional development offer
  - Knowing schools well: A risk assessment process is in place whereby the council evaluates data relating to its schools and identifies concerns. Termly visits to schools are carried out through a team of school improvement advisers who are experienced headteachers who have system level leadership experience (and are often Ofsted trained).
  - Intervening in schools causing concern: The council has an early intervention model, so where concerns are identified officers will work with the school to swiftly address issues and support improvement through a support plan. This is closely monitored against clear targets.
- 11.8. The council welcomes the spotlight that has been placed upon the educational challenges faced in the city and will seek, outside of this process, to take the opportunity to build on the engagement and exploration of alternative approaches and insights offered by the community. These will be undertaken in addition to, rather than alternatively to, the determining of school admission arrangements for September 2026.

- 11.9. As part of this work the council will continue to work with school leaders to develop the city-wide vision for education and then review, refine and replace existing approaches and initiatives that are not fit for purpose.
- 11.10. The council has carefully considered the points raised in the consultation and these have informed the recommendations in this report.

## **12. Transition to secondary school**

- 12.1. The consultation identified concerns from individuals and some schools about the impact of the proposals upon pupils' transition to secondary school. As outlined above it was raised as a concern for families with children with SEND, but it was also noted as a broad concern for all pupils.
- 12.2. It was expected that with less certainty about being allocated a school in their catchment area, concerns experienced by children about the change to a new school would increase. These included uncertainty about which school they may be attending and whether they would be accompanied by their friends, the dispersal of their friendship groups and a move away from the communities they were part of which, in some cases were established in the primary phase or earlier.
- 12.3. In the consultation, concerns were raised that the introduction of greater uncertainty in admission arrangements would be counter to the council's own promotion of a sense of belonging for pupils, which is a corner stone for children's well-being and academic success. In response to the consultation research was cited showing that children who keep the same best friend during this period tend to do better at school. Under existing admission arrangements no account of movement with friendship groups is considered.
- 12.4. Because of the introduction of an open admission criteria, it was felt that schools would have to manage transition arrangements with a larger number of schools and for a greater number of pupils, impacting on the resource available in school to do this well. This would vary depending on the scale of the changes being proposed such as the availability of places for FSM eligible pupils from outside the catchment area and the proportion of places made available through the proposed open admission criteria.
- 12.5. The city has an experienced and robust approach to secondary school transition which will mitigate these concerns. Through the use of a 'vulnerability index' tool, primary schools can accurately describe a detailed set of factors about each individual child that the receiving secondary school should be aware of.
- 12.6. The tool exists to provide contextual information for pupils transferring between primary and secondary schools in the city. The tool allows for a wide range of vulnerability factors to be identified and given a weighted score. Additionally, it captures information from the primary school about how to support individual children as needed.

12.7. The index has been running for several years and has been modified and adapted over that time. A working party of representatives from primary and secondary schools review the content of the index and consider adjustments as necessary.

### **13. Transport**

13.1. In the response co-ordinated through the Trust for Developing Communities (TDC), ease of travel was the most important factor influencing school choice for young people. It was the most influential factor at the following settings:

- BACA
- Blatchington Mill School
- Whitehawk Youth Club
- Woodingdean Youth club

13.2. In terms of school travel, the majority considered 30 minutes to be a reasonable journey time, though there were some who preferred a shorter commute of 10 to 20 minutes, while others were comfortable with up to 45 minutes.

13.3. Responding to the consultation there was significant concern expressed that proposals did not offer any solutions on the transport issues that pupils face currently, as well as the possible transport implications on pupils should the proposals be determined. The conclusion of many was that overall more children in the city will be having to travel to schools that are further away from where they live on a daily basis. It was highlighted that the anticipated implication of these proposals would be running counter to the council's promotion of active and environmentally friendly travel to school, as well as its Net Zero aspirations.

13.4. In addition, there were concerns about the impact on families who have to help older children travel to secondary school and have younger children at primary school or early years settings in the city.

13.5. Others raised the logistical, financial and perceived safety concerns of travelling to and from school and were frustrated by the absence of costed proposals that assured families that any proposed changes to admission arrangements would be mitigated by adjustments to the council's home to school transport policy and the provision of public transport routes in the city. Within the recommendations of this report is a formal request that Full Council note the intention to review the Home to School Transport policy following the determination of admission arrangements. It is also noteworthy to highlight that the scale of any changes required will be dependent upon the scale of changes to school travel that occurs, particularly through the introduction of an open admission criteria. The smaller the percentage of places made available under this proposed criteria, the smaller the scale of change to transport arrangements that will be required.

- 13.6. The detrimental impact of long travel times for learners, restrictions on after school and school linked social engagements together with the negative impact on the environment and potentially increased costs to the council at a time of significant budget challenges were outlined.
- 13.7. There will be the potential for pupils to be outside of the catchment area but be in closer proximity than the school assigned to them. As a result, pupils may be in walking distance to a school but be required to take public transport to their catchment school. This is the case in the city now and will continue to be the case if the proposals are agreed.
- 13.8. The Department for Education's guidance on home to school transport outlines the council's statutory responsibility to make free of charge travel arrangements, which are when a pupil is of compulsory school age, attending their nearest suitable school and: live more than the statutory walking distance from that school or could not reasonably be expected to walk to that school because of their special educational needs, disability or mobility problem, even if they were accompanied by their parent or would not be able to walk to that school in reasonable safety, even if they were accompanied by their parent.
- 13.9. A child aged 8 years or over is eligible for free travel to their nearest suitable school if it is more than 3 miles from their home.
- 13.10. To be eligible due to special educational needs, a pupil does not need to have an EHCP, attend a special school or live beyond the statutory walking distance.
- 13.11. Low-income families who receive free school meals have additional support to exercise school choice if they attend one of their three nearest suitable secondary schools provided it is more than 2 miles but not more than 6 miles from their home; or attend a secondary school that is more than 2 but not more than 15 miles from their home that their parents have chosen on the grounds of their religion or belief if, having regard to that religion or belief, there is no suitable school nearer to their home.
- 13.12. In the DfE's guidance, the general expectation is that parent(s) will accompany their children or make other suitable arrangements for their journey to and from school. There is no distinction between primary or secondary aged pupils.
- 13.13. A child will not normally be eligible for assistance solely because their parent's work commitments or caring responsibilities mean they are unable to accompany their child themselves.
- 13.14. The home to school transport guidance goes on to state that consideration needs to be given to whether the parent has a disability or mobility problem that would make it difficult for them to accompany their child. The guidance states: *"Reasons such as the parent's working pattern or the fact they have children attending more than one school, on their own, will not normally be*

*considered good reasons for a parent being unable to accompany their child.”*

In addition, Paragraph 54 of that guidance specifically addresses the issue of secondary aged pupils and states:

*We know it can be difficult for local authorities to make decisions in relation to children of secondary school age whose special educational needs, disability or mobility problem mean they could not reasonably be expected to walk to school unaccompanied. Other children of this age may normally be expected to walk to school unaccompanied which might, for example, enable parents to increase their working hours. When deciding whether it is reasonable to expect the parent of a child with special educational needs, disability or mobility problem to accompany their child to school, local authorities should be sensitive to the particular challenges parents of such children may face.*

- 13.15. The council's own home to school transport policy states that the general expectation about parental accompaniment is in line with the Department for Education's statutory guidance but will also consider whether one would ordinarily expect a child of that age to be accompanied.
- 13.16. In formulating the recommendations contained in this report there has been analysis of the impact of the proposals in respect of transport for pupils allocated schools outside of the catchment area in which they live, either because they express a preference under the open admissions criteria, or because the proposals result in there being insufficient places available within catchment.
- 13.17. Further consideration of the transport implications can be found in consideration of the open admissions proposal below. Where coverage and capacity on public transport are a concern, taking as a starting point the conclusions of the report from Jacobs, as outlined in appendix 9, then the council will need to develop plans to ensure it meets its statutory responsibilities in reasonable time before September 2026.
- 13.18. Through the consultation the council has undertaken to review its current home to school transport policy, review existing public transport routes and consider the need for revised journeys should the admission priorities be determined as proposed. These processes will conclude once the admissions criteria are determined. It is recognised that this has caused frustration, but there is a clear obligation to ensure the council complies with its statutory duties and a commitment to review the existing arrangements for pupils to consider if they remain fit for purpose.
- 13.19. Concern was expressed through the consultation about the safety of bus travel, especially for female students. There are already mitigations in place to support the safety of pupils travelling on bus routes in the city. All buses are equipped with CCTV cameras for safety and monitoring. Driver training includes dealing with challenging passenger behaviour. Bus supervisors are sometimes deployed on routes where concerns are reported and there is a

dedicated schools liaison supervisor. Brighton and Hove Buses also work with schools on behaviour agreements and reporting protocols and offer free travel to teachers to use routes involving pupils.

- 13.20. Any reports of concerning behaviour or incidents will be collected by Brighton and Hove Buses and, where necessary, there will be liaison with Sussex Police. The council's Education Safeguarding Officer has no record of any referrals or concerns relating to safety on school transport and there are no patterns of incident reporting to the council's community safety team.
- 13.21. As outlined in Section 20, where there are concerns for coverage and capacity the council will need to consider what additional analysis and mitigations will need to be put in place for September 2026
- 13.22. As a result of the high pupil mobility prior to the start of term it is important to ensure the overall transport network is resilient to changes and by necessity, any additional capacity required will only be apparent in the months leading up to September 2026.
- 13.23. The council has signalled through the consultation that a review of the council's Home to School Transport policy will occur. This will take place over Spring/Summer 2025 and arrangements be in place for September 2026. This is formalised in the recommendations of this report. This will enable mitigations to the impact of the determined admission arrangements to be considered and applied.
- 13.24. Before forming the current administration, the Labour Group indicated a policy intention to provide free bus travel for under-19s still in education. Any review undertaken will explore how the council can continue to work to this policy aspiration. In addition, the review can explore what other entitlements to travel assistance beyond the council's statutory duties, may be considered appropriate in response to decisions taken on the admission arrangements.
- 13.25. The table below outlines some of the policy options open to the council and the potential first year cost of their introduction from September 2026 and an estimate of the annual costs when the proposed policy changes have been established in all secondary school years. As detailed in Appendix 9, a simple multiplication of the costs in year 1 for 5 years may not accurately reflect the costs as pupil numbers reduce and costs may change. In addition the changes in admission criteria may also change patterns of preferences. However as an indicator of overall costs an estimation of costs in 5 years' time provides a reasonable indicator of potential future costs to the council.

Option	No. of pupils	Year 1 cost	Estimated full implementation cost (5 years) per year
Provide all pupils offered places under criteria 6 (5%)	76	£33,820	£169,100
Provide all pupils offered places under criteria 5	26	£11,570	£57,850
Provide pupils not offered their catchment area school at 5% open admissions	63	£28,035	£140,175

#### 14. House purchase/rental prices

- 14.1. Concerns were raised by many that they had worked hard to ensure they lived in a catchment area that not only gave them access to preferred schools of choice, but also supported other areas of family life such as being close to support networks and access to work. There were also a number of comments shared about the perceived implication during the consultation that everyone in the dual school catchment areas were wealthy, middle class and able to move house around catchment area changes. Some argued that opposing the proposals did not equate to solely caring about the value of their properties. Others stated direct concern that the proposals would impact negatively on the value of their homes.
- 14.2. Concerns were heard from families who had taken the decision to pay more to live in a particular area to prioritise the education of their child. There was criticism from some who had specifically moved to particular areas of Brighton to access catchment area schools, opposed to the introduction of the open admissions priority due to concerns about not gaining a local school place. Many comments were received about a worry that many families would chose to leave the city if these proposals were bought in.
- 14.3. Comments were made by some in support of the proposals expressing hope that this may help 'level' out house prices and enable people to move/buy homes elsewhere in the city. Several consultees commented that the proposals may end the entrenched divisions of house prices in the city with views that the current catchment system significantly disadvantages poorer families who cannot 'buy in' to the catchment area. Some also related this issue to the wider sense of developing family areas of the city. Some responses described how families have been moving out of single catchment areas because they want to access more choice of schooling and the negative impact this is having on the community and its social capital and mobility. One consultee talked about their single school catchment area has meant families haven't move there for a long time and that has a meant high numbers of rentals in the area rather than families settling there.



## **15. Impact on communities**

- 15.1. Concerns were raised about the impact of the proposals on the communities which have built up around schools, as it is possible that children will not receive school places alongside others within their community. Consultees were concerned that this would adversely affect transition to secondary school by potentially disrupting supportive peer and friendship networks and could also result in practical difficulties, especially for pupils with SEND.
- 15.2. Although the council's admission arrangements include catchment areas there is no further recognition of geographical proximity or neighbourhood boundaries. The council does not use admission arrangements that name a primary phase school as a feeder school. Instead, the council uses random allocation when there is oversubscription in a catchment area. This offers no guarantees that pupils will transition with particular friendship groups. Schools mainly on the periphery of the city will also have experience of admitting children from outside the city and all schools will admit children in-year that have moved into the city and not been part of formal transition arrangements. Schools are therefore already experienced at supporting individual or small numbers of pupils to integrate into a new school when they are not part of established friendship groups.
- 15.3. It was argued by some living in single school catchment areas that their children feel devalued and deprioritised because of this arrangement, highlighting the impact upon their child's self-esteem and that this in itself acts as an educational barrier.

## **16. Complexity of proposals**

- 16.1. Paragraph 1.8 of the School Admission Code states:

“Oversubscription criteria must be reasonable, clear, objective, procedurally fair, and comply with all relevant legislation, including equalities legislation. Admission authorities must ensure that their arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs, and that other policies around school uniform or school trips do not discourage parents from applying for a place for their child. Admission arrangements must include an effective, clear, and fair tie-breaker to decide between two applications that cannot otherwise be separated.
- 16.2. Paragraph 14 of the School Admission Code 2021 outlines the overall principles behind setting school admission arrangements and states, “parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.”
- 16.3. Concerns and criticisms were raised about the consultation process and the ability for consultees to fully understand the proposals and their likely impact which would affect their ability to be able to comment meaningfully in

response. Consultees were also concerned about the perceived complexity of the proposed secondary school admission priorities and the ability for families to understand these when considering the submission of their preferences for school places. It was felt that this complexity might have a disproportionate impact on those families already experiencing disadvantage.

- 16.4. The council considers that it has made extensive efforts to ensure that consultees were provided with sufficient opportunity to ask questions and clarify any uncertainties about the proposals. As outlined above there were a considerable number of public meetings, where Members and officers presented the proposals and attendees were able to ask questions. An FAQ and a summary document were published two weeks into the consultation, i.e. six weeks before the end of the consultation. These documents addressed queries which had arisen in the first two weeks. The FAQ was then updated during the remainder of the consultation.
- 16.5. The council recognises that some residents reported finding the proposals complex and difficult to comment on. The council feels that the volume and breadth of responses, including the different methods used to engage with stakeholders, means that Full Council are in a position to be able to consider the recommendations from an informed position and with confidence in its understanding of the diverse views held by residents and stakeholders affected by these proposals.
- 16.6. Concerns have been expressed that it has been difficult for families to calculate their probability of securing a particular school place under the proposals. The council has provided as much information as possible to model the impact of the proposed arrangements however this information is always subject to a number of caveats.
- 16.7. In themselves admission priorities are not designed to ensure families can calculate their probability of securing a particular school place. They are oversubscription criteria whose function is to describe which places will be allocated at the school when there are more applications than places available and the order in which the criteria will be applied.
- 16.8. In any year there are a number of factors that will impact on how school places are allocated and for September 2026 specifically these include:
  - CNCS have consulted on changing their admission arrangements for September 2026 by introducing a FSM criteria. Their consultation document did not provide a description of the proportion of places that will be made available for this criteria. To date the Governing Board have not determined their arrangement so no consideration of the impact has been made.
  - In recent years King's School has admitted over its PAN of 165 and taken 180 pupils into each year group. This trend may continue in future years. As a Free School and therefore its own admission authority King's School does not need to consult on increasing its PAN.

- How many successful faith based applications are made to CNCS and King's will affect how many places are available for pupils applying under a 'no faith' criteria.
- In any year some places that are offered are not taken up and are reallocated to pupils on a waiting list.
- Each year a number of appeals are successful and mean that a school is required to admit more children, potentially over their PAN, because of the decision of an independent panel.
- Whilst low numbers, children admitted in criteria 1 and 2 will not only come from the school's catchment area and this amount can vary each year, dependent on individual circumstances. As will the number who are eligible for free school meals.
- How parents rank their preferred schools will affect how many pupils get a place in each school.

16.9. Whilst it is reasonable to assume that arrangements can give an indication to families as to the likelihood of a place, especially when considering faith based, aptitude or ability banding criteria; they cannot be relied upon to give a level of certainty in individual cases.

16.10. The council is confident that the arrangements as written in Appendix 5 are clear and understandable.

## **17. Consideration of consultation responses**

17.1. The council is obliged to conscientiously consider the results of the consultation when determining the admission arrangements. As well as this report and its appendices all Members have been given private and confidential access to the following:

- All email responses provided to the consultation
- The 'raw data' from the survey platform
- Any submissions made on behalf of groups, organisations, schools and subject experts.

17.2. This data could not be shared publicly in its full form as it can contain personal and sensitive information which the council does not have permission to publish.

17.3. Officers have read and considered all of the consultation responses both as they came in and in the final days of the consultation. In the drafting of this report, officers have ensured that all submissions have been considered. The detail of this analysis is given in this report and in Appendix 12.

17.4. The council has been encouraged by the active engagement across the city on the matters raised during both the engagement exercise and the public consultation. Some residents shared views that this was a highly complex issue that would need a longer-term approach to fully solve. The council agrees that further discussions should take place following determination of the 2026 admission arrangements. The council will be looking to issue a call for evidence around educational disadvantage and how this links to school

admissions and strategies affecting the city's children, which can contribute to longer term planning of the council's school admission arrangements.

## 18. Modelling and pupil numbers

18.1. The council provides forecast pupil numbers on an annual basis. For primary schools this data is informed by GP registration data and for secondary schools it is informed by what is known about the existing primary age cohort within the city. Calculations and assumptions are made about the numbers of children that may wish to attend faith schools, private schools, move out of the area and those that opt for arrangements such as elective home education. The council's pupil forecasting approach is well established and typically is more than 95% accurate when compared to the number of places allocated and dependent on how far in advance the forecast is made. The council therefore feels well informed about likely pupil numbers needing a secondary school place in September 2026 and this is detailed in Appendices 2-4.

18.2. The council's forecast for the number of secondary school places needed in future years is summarised in the table below.

<b>Year of entry</b>	<b>Number of pupils forecast in the city*</b>	<b>Number of pupils requiring a community school place*</b>
2026	2284	1787
2027	2234	1737
2028	2206	1709
2029	2117	1620
2030	2028	1531
2031	2009	1512

\*assuming determination of changes proposed in this report

18.3. The forecast number of pupils will vary depending on the catchment area used because there are individual factors modelled at catchment area level e.g. the forecasting we do of the number of children who do not accept their allocated school. There are some slight differences between forecast pupil numbers in appendices 3 and 4 as summarised below.

<b>Year of entry</b>	<b>Appendix 3</b>	<b>Appendix 4</b>
2026	2279	2284
2027	2231	2234
2028	2204	2206
2029	2116	2117
2030	2025	2028
2031	2010	2009

- 18.4. Since the start of the consultation the council has generated a new forecast for primary school pupil numbers having received updated data about GP registration figures received annually from the NHS in late autumn. This data also provides the first indication of pupil numbers in September 2028 and is provided in the format shared as part of the report that was considered by Cabinet in December 2024. This is available in Appendix 2 and when compared with previous data shows a decline in surplus places albeit at the same time the number of places in primary schools has reduced following the closure of 2 primary schools and a reduction in PAN at some other schools. This new forecast is part of our annual forecasting work and can occur at the same time as our annual consultation into school admission arrangements. The new forecast for September 2028 numbers makes no material difference to the impact of the proposals set out in the consultation.
- 18.5. The council's current forecast is shown in the table below. The council is proposing no other change to the number of primary school places available except the recommendation in Paragraph 2.2. There has been a consultation on a proposal by the Diocese of Arundel and Brighton to close St Joseph's Catholic Primary School at the end of August 2025 which is a separate process and outside the scope of this report.

<b>Year of entry</b>	<b>Number of pupils requiring a place</b>
2026	1978
2027	1823
2028	1887

- 18.6. In addition to the catchment area forecast outlined above, the council is able to use other data sources such as termly school census and parental preference data to model the potential impact of the proposed changes to school admission arrangements.
- 18.7. Any modelling of future proposals requires a series of assumptions to be made. Which assumptions are used will alter the figures generated. Using previous trends may not identify changing habits or how people may act in the future. Some potential changes to matters affecting school allocations have yet to be confirmed and so cannot be incorporated in assumptions. Any modelling or projections provided in this report therefore need to be understood in this context. Variables which may affect allocations in September 2026 are outlined in Paragraph 7.8.
- 18.8. Whilst the council is now aware how many families have used the FSM category in 2025 and can use this to estimate future numbers, it is yet to understand parent's motivation for their choices or identify a pattern to apply.
- 18.9. The council does not know what the potential impact will be on the maintained state sector of the private school VAT levy. Although this is being monitored closely so far there is no statistically significant impact locally. However, the council recognises that the levy has only just been introduced and so will continue to monitor this.

- 18.10. The council also notes that whilst not affecting the forecasting process, consideration needs to be given to the fact that post allocation factors will also affect actual allocations and the number of pupils in school during the autumn term. Each year a number of appeals are successful and mean that a school is required to admit more children because of the decision of an independent panel. In any year some places that are offered are not taken up and are reallocated to pupils on a waiting list.
- 18.11. Under the current admission arrangements, it is made clear that there is no guarantee that living within a particular catchment area means that a place will be offered at a catchment area school. The offer of a place is dependent on the number and pattern of preferences across the city. The introduction of new priorities does not change that interdependency.
- 18.12. It is important to note that within the data provided in paragraph 3.44 of the Report to Cabinet on 5 December 2024, it stated that 125 children from the Dorothy Stringer/Varndean catchment area might not gain a catchment area school place. Following feedback and a further review of all data and calculations, the council amended this figure to 144 and this was clearly signposted in meetings that were held from the 11 January onwards.
- 18.13. As suggested above in paragraph 16.8 (the list of variables), the December Cabinet report also detailed a number of planning assumptions that were made in that data modelling. These included:
- The same percentage of FSM pupils from each catchment area attend CNCS & Kings as non-FSM pupils.
  - That in-catchment area pupils in Patcham, Dorothy Stringer/Varndean and Blatchington Mill/Hove Park areas who are eligible for FSM want to attend one of their catchment area schools.
- 18.14. During the consultation the council received additional analysis undertaken by residents using publicly available data that appeared to demonstrate that the proposals would have a greater impact than set out in the modelling provided by the council. The council met with the authors of several of the pieces of modelling submitted to discuss their analysis. Whilst the council appreciates that some consultees consider that work to be of greater merit and rigour, the assumptions and interpretation of implementation of the proposals do not always align to the council's position. For example, the council clarified during the consultation the intention to 'count' the free school meals quota from criteria 1. Additionally, the council explained that the applications were still being processed in January and February and has to act with caution about what information is shared before National Offer Day, however this meant that the public could only rely on the data shared as part of the consultation process. This has resulted in residents sharing interpretations of data modelling in an authoritative manner which hasn't reflected what the council has shared during the consultation.
- 18.15. During the consultation period, the council decided against sharing any calculations about the likelihood of obtaining a place in part because of the

variability involved in forecasting and the impact of the take up of the FSM criteria introduced in 2025.

- 18.16. Considerable frustration was expressed by some consultees during the consultation period about the perceived lack of modelling data available. Through the consultation, the council has continued to develop its planning assumptions used to model the impact of the proposed arrangements.
- 18.17. Our assumptions have been refined but there inevitably remains a degree of informed estimation. There is no definitive model that will provide certainty on the impact of the admission process until the actual applications are considered against the determined admission priorities of the schools in the city. It is for this reason that the council always act with caution when sharing modelling and detailed assessments of impacts, beyond sharing trend data of what has happened previously and forecasting future numbers.
- 18.18. The December 2024 Cabinet report set out the potential impact of the introduction of the proposals in terms of data and numbers of children who might not gain a place at their catchment area school. The planning assumptions made in that modelling were detailed in the report. The allocations for secondary school in September 2025 were being processed and have only become available very recently. The insight gained from those allocations have further informed planning assumptions. However, based on the proposals consulted on, it is not anticipated at this stage the forecast impact as set out in the Cabinet report will be materially different.
- 18.19. A prominent theme raised during the consultation related to the impact of these proposals on children living in the Stringer/Varndean catchment area obtaining a place at those schools. The council has undertaken modelling for admissions for in area allocations into year 7 in September 2026 which indicate that at 5% open admissions all pupils in catchment area have a 91% chance of admission and those in proposed criteria 7 have a 80% chance of admission.
- 18.20. By way of comparison, nationally data published by the Department for Education for 2024/25 states 82.9% of secondary school applicants were made an offer of their first preference school and 96% of all secondary school applicants were made an offer by any of their ranked preference schools. The variables as listed in 16.8 still apply and do not take into account where in area children may take places outside of the catchment area under higher preferences.
- 18.21. During the consultation concerns were raised about whether the proposed arrangements, in particular open admissions and the FSM priority criteria would disproportionately impact some schools by allocating a high proportion of places to pupils eligible for FSM compared to their average

allocation under the current arrangements. For example, questions were raised by one school as to whether, due to the way that preferences may be expressed within their dual school catchment area and the introduction of an open admissions criteria (which is proposed to admit children after the FSM quota has been reached in earlier priorities), their FSM quota would go higher than the city average. This concern is mitigated by the management of FSM places up to criteria 5 up to the 30% quota.

18.22. The degree of uncertainty of influencing factors as described above, applies to the process the council uses to forecast the level of FSM allocations under priorities 4 and 5. However, in order to provide clarity, based on the same caveats as above, the table below provides a summary of the current modelling.

Modeling interpretation where FSM applications are 'opted in' and where the proposed 30% quota of FSM pupils is counted from criteria 1 to 5						
20% open admissions		10% open admissions		5% open admissions		
% of intake FSM eligible	Potential number of catchment area pupils not offered a catchment area school	% of intake FSM eligible	Potential number of catchment area pupils not offered a catchment area school	% of intake FSM eligible	Potential number of catchment area pupils not offered a catchment area school	
Dorothy Stringer	35.11%	144	34.46%	84	34.13%	54
Vardean	35.10%		34.37%		34.01%	
Blatchington Mill	33.04%	57	31.52%	9	30.76%	0
Hove Park	21.16%		19.91%		19.96%	
Patcham	27.03%	43	26.04%	21	25.50%	9

18.23. This table does not detail all schools in the city but focusses on those that typically fill with preferences. For the other schools it is more complicated to predict the percentage levels of FSM due to the impact of late applications and other directions being made to these schools. However, what this table does show is that there are still variations in the FSM allocations between schools, but it is not a significant difference in the range that some consultees have been reporting during the consultation. The table illustrates that the lower the proportion of open admission places applied, the lower the number of catchment area pupils potentially not offered their catchment area school. In the Blatchington Mill/Hove Park catchment area, no catchment area pupils are forecast to not be offered a catchment area school should 5% open admissions be determined.

## The council's proposed arrangements for 2026/27

### 19. Increase in PAN at Rudyard Kipling Primary School

19.1. The council is proposing to increase the Published Admission Number for the school from 30 to 45 pupils from September 2026. The Governing Board are supportive of the proposed increase and believe that a PAN of 45 is most aligned to the number of children wishing to join their school. In their view this will enable the school to continue to enable an equality of opportunity for children from a variety of socio-economic backgrounds. The



proposed increase in PAN will facilitate the school's return to a balanced budget position within the agreed timescales. The Governing Board are confident that the school can make a success of a vertically grouped class model and maintain strong educational outcomes for all children.

- 19.2. As outlined in Appendix 2, the overall number of pupils forecast to need a school place up to September 2028 is expected to remain below 2000 pupils across the city. In the Deans planning areas, which incorporates Rudyard Kipling Primary School (RKPS), the number of children requiring a place is expected to fall after 2026. The highest number of children in the planning area is in the postcode area BN2 6 served by both RKPS and Woodingdean Primary School.
- 19.3. The consultation asked consultees to indicate how much they agree or disagree with the proposed increase in PAN. Of the 3836 responses made 748 responses either agreed or strongly agreed with the proposal and 434 responses disagreed or strongly disagreed. 2654 preferred not to say or neither disagreed or agreed.
- 19.4. Some respondents were supportive of the increase if it meant local children could attend their community school, while others questioned the need for an increase given recent school closures due to falling pupil numbers. There was also a feeling that if the school's Governing Board requested the increase, it might be justified as they are likely to understand their circumstances best. The potential impact of a PAN increase on other schools in the area was also a point of discussion, alongside cautious support if the change in PAN did not adversely affect the quality of teaching at the school.
- 19.5. Having taken into account all responses the council agrees with the Governing Board request to increase the PAN and therefore recommends that the PAN of Rudyard Kipling Primary School rises to 45 with effect from September 2026, as outlined in recommendation 2.2.

## **20. Amend the catchment area boundary of Dorothy Stringer/Varndean schools and Longhill High School**

- 20.1. The council is proposing a change to the catchment area boundary of Varndean/Dorothy Stringer and Longhill High Schools. The council proposes changes for the community of Whitehawk, as defined by the upper BN2 5 postcode, with a move into the Dorothy Stringer/Varndean catchment area. The proposal seeks to both balance the number of pupils requiring school places with the proposed PANs of each school as well as addressing the profile of the proportion of FSM eligibility in each catchment area from September 2026. Based on the data in Appendices 3 and 4, the table below shows the potential number of total pupils in each catchment area with no change or if proposals are introduced.

Year /Proposal	LHS catchment area	DS/V Catchment area
2026/No change	197	598
2026/Proposed changes	175	624
Difference	-22	+26

- 20.2. The proposal would mean that the BN2 5 north area above Manor Way and Manor Hill would be brought within the Varndean/Dorothy Stringer catchment area, moving out of the Longhill High School catchment area. To ensure the geographic spread of secondary schools and continued alignment of pupil numbers and places, it is proposed that the Kempton area BN2 1 and BN2 5 (south) would move into the Longhill High School catchment area.
- 20.3. The council will commit to maintaining a sibling link for families who are affected by the proposed changes in catchment area. The sibling link will continue to apply should there remain an elder sibling attending the school when the younger sibling starts. This includes elder siblings who were placed in the school under the sibling criteria prior to September 2026.
- 20.4. Due to the location of the city's schools, the Whitehawk and Kempton areas require pupils to use transport to travel to all three receiving schools, Dorothy Stringer, Varndean, and Longhill High School. As such, in either the existing catchment model, or the proposed future model, it is unlikely that pupils in either area would be walking to school.
- 20.5. Of the 3836 responses to the consultation, 1167 either agreed or strongly agreed and 1746 either disagreed or strongly disagreed. 923 consultees neither agreed or disagreed or preferred not to say.
- 20.6. The Governing Board of Dorothy Stringer School have committed to work with the proposed catchment boundary changes, stating that they are proud to already welcome students from across the city. They sought assurance that transport arrangements would be provided by the council to enable equity of access.
- 20.7. The Governing Board of Varndean School did not comment directly on the proposed catchment boundary change.
- 20.8. The Governing Board of Longhill High School outlined their full support for the intent and objectives behind the proposed changes to the admissions arrangements, however no specific mention was made of the proposed catchment boundary change. They did however express concerns about the existing transport network stating that a suitable number of direct, conveniently timed buses needed to be established alongside enhanced and published, safe and efficient walking and cycling routes from the different catchment areas to the city's schools.

- 20.9. The Governing Board of Queens Park Primary School identified in their response that a significant majority of children attending their school would be impacted by the proposal, citing 178 pupils (57% of their total number on roll) being moved into the Longhill catchment area, including 76 pupils eligible for FSM and 9 with EHCPs. The remaining pupils in the catchment for Dorothy Stringer and Varndean schools would face increased uncertainty regarding gaining a place in their catchment schools given the council's other proposals for open admissions addressed elsewhere in this report.
- 20.10. The Governing Board questioned the appropriateness of moving certain communities into and out of catchment areas without addressing the root causes of disadvantage. In their view concentrating a high number of disadvantaged children into a single catchment area with one in-catchment school choice limited opportunities and risked entrenching inequality. It is the council's view that this is mitigated by the proposed introduction of an open admission criteria as well as the opportunity to benefit from the FSM admission criteria.
- 20.11. The Governing Board also identified that families might find themselves attending both primary and secondary schools identified by Ofsted as Requires Improvement, albeit single word judgments are no longer recognised and that a judgement is necessarily reflective of a moment in time. The Governors expressed concern that families might be less likely to remain in or move to the Kempton area if it becomes a single catchment area with 3 schools currently deemed to be Requires Improvement.
- 20.12. Many consultees expressed concerns about the potential impact on children from Whitehawk being included in the catchment area for Dorothy Stringer/Varndean, which are both potentially oversubscribed, particularly if they do not have FSM eligibility or sibling links which would have given them a higher priority to attend one of the schools. They also raised concerns about increased travel distances for children and the potential disruption of local communities.
- 20.13. Reference was made to the closure of COMART (East Brighton College of Media Arts, a maintained secondary school closed by the council in 2005) and the need for any further change in catchment areas to be handled sensitively and with an awareness of the history of change in secondary school education for those in this community.
- 20.14. Those in support of the proposal felt that including Whitehawk in the catchment for high-performing schools could promote social integration and improve educational outcomes for disadvantaged children. They also wished to challenge where only having one school in the catchment area, when other areas have two, (and with no open admissions option) leads to their children feeling devalued and deprioritised and acts as a barrier to

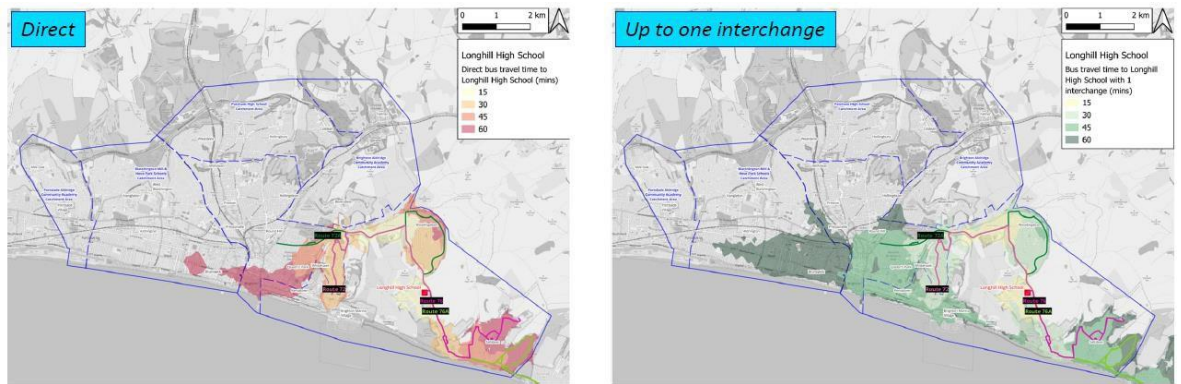
successful engagement in school for some and also affects their self-esteem.

- 20.15. The projected impact will change depending on whether other proposals in relation to the reduction of the PAN of Dorothy Stringer, and an open admissions criteria are adopted. Further modelling is presented under the relevant sections below which considers the cumulative impact of those proposals if the new catchment boundaries are adopted, together with a reduction in the PAN for Dorothy Stringer school.
- 20.16. The council recognises that overall the consultation responses did not support the proposed change in catchment area and appreciates that any alteration may change patterns of applications for those living in the area which could affect the primary schools in the area. Due to considerations raised earlier, including in paragraph 14.2 the council maintains the intention to change the catchment area boundary detailed above.
- 20.17. The council has carefully considered the responses from the schools whose catchment areas will change and noted that the boundary change in itself is not a significant concern but is accepting that, alongside this, the role public transport plays is crucial.
- 20.18. The maps featured below are taken from Appendix 10 and show the consideration of future capacity and coverage of bus routes that support pupils to attend the schools mentioned. The work was undertaken to consider the impact on the bus network based on certain assumptions. The RAG assessment gives an overall summary as to the potential impact of the proposals. It should also be noted that RAG scoring is high-level and there can be material differences in impact severity within the same RAG score.
- 20.19. As can be expected, the assessment of the impact varies depending on the proportion of open admissions modelled. The lower the proportion of open admission the less impact there is on the capacity of routes to transport pupils to Longhill High School. The assessment of both capacity and coverage do not change in relation to Dorothy Stringer/Varndean schools with capacity remaining rated as green but coverage rated red throughout. Therefore indicating a need for the council to review the current bus arrangements in advance of September 2026, should the proposals be determined. The council will actively consider future changes and additions to bus routes and capacity to ensure journey times are minimised.

### **Longhill High School**

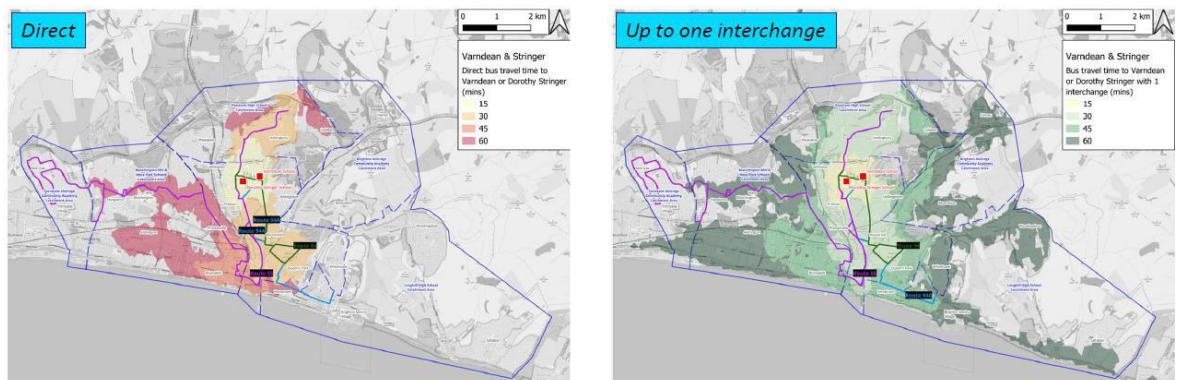
- 20.20. At 5% open admissions, the capacity has been RAG assessed as green and the coverage amber. No school services from the origin catchments and limited coverage is provided in general services. Travel times of 30-45 minutes by bus for pupils in parts of the origin catchments, but large areas

taking more than 60 minutes. Direct journeys only available from Queen's Park and Whitehawk.



### Vardean and Dorothy Stringer Schools

20.21. At 5% open admissions, the capacity has been RAG assessed as green and the coverage red. School service 94A serves Kemptown in the Longhill catchment, with connections to services 55 and 94 available in the centre. Analysis of loading data does not suggest potential capacity issues. A mix of direct and connecting options provide bus travel times of less than 60 minutes from most of the Patcham catchment, but access is poorer from the other origin catchments with some connecting journeys taking 45-60 minutes, but often longer.



20.22. On balance, the council therefore recommends that the catchment area boundary between Dorothy Stringer/Vardean and Longhill School should be amended as detailed above.

### 21. Reduction in the Published Admission Number at Blatchington Mill School

21.1. The council proposed reducing the PAN of Blatchington Mill School from 330 to 300 from September 2026.

- 21.2. Blatchington Mill is part of a dual catchment area with Hove Park school. Secondary school pupil numbers for September 2026 are outlined in Appendix 4. Across the city there are forecast to be 2279 pupils requiring a place. The catchment area of Hove Park and Blatchington Mill schools is forecast to have 434 pupils living in the catchment area and requiring a school place, having taken account of patterns of preference for CNCS and King's School. Hove Park School has a PAN of 180. Pupil numbers are not forecast to be above 445 from 2027 onwards. A reduced PAN for Blatchington Mill would mean the number of places available in the catchment area is 480 places.
- 21.3. In its response to the consultation the Governing Board school stated that they are and remain sympathetic to the changing demographics and the differing attainment levels achieved across the city, yet its focus, as a matter of law, was on the current and future students of Blatchington Mill school.
- 21.4. The Governing Board cited the school's performance and being mindful of whether the proposed reduction in the PAN would impact upon the school's ability to maintain this level of attainment for those students currently in the school and also limit access for future students. The Governing Board referenced the recent School Resource Management Adviser review held between October and December 2024. The subsequent report states:
- 21.5. *"The pupil numbers forecast reflect current demand for places. Recruitment is expected to meet near capacity of 330 pupils (PAN since 2018) for each year forecast (up to 2027 currently)...The school would need to undertake a full analysis on how to operate to a balanced budget with a reduced PAN, and the first step to allow this analysis is to agree on a model that operates to a balanced budget with the current PAN, as reducing PAN by 30 pupils would see income reduce by approximately £180K p.a. with a related teacher/TA staffing reduction unlikely to offset this income reduction. The net capacity of the school is calculated at 2016, therefore any reduction would create further economy of scale challenges around the maintenance of the premises."*
- 21.6. The Governing Board also acknowledged the strong opposition, sentiment and feeling held across the community in relation to the proposals many of whom, they describe as having centred their work and lives around getting their children into their school of choice.
- 21.7. Of the 3836 responses, 1047 either agreed or strongly agreed with the proposal. 1618 either disagreed or strongly disagreed. 1171 consultees either preferred not to say or neither agreed or disagreed. As such there was not a conclusive response from those replying to the consultation in support of the Governing Board's position. It is noted however that concern was expressed by the Governing Board themselves and others that insufficient energy and opportunity was provided to ensure the community of the school were engaged in the consultation process.
- 21.8. Some respondents considered that the proposed reduction in PAN contradicted the presumptions in the School Admissions Code and were

concerned that local children would not receive a place and be required to travel long distances to other schools, negatively impacting their education, community ties, and well-being.

- 21.9. Others referenced concern about the financial implications for the school, such as budget cuts and staffing issues. As well as denying families the opportunity for their children to attend a well regarded and successful school, citing its oversubscription in previous years.
- 21.10. The council has carefully considered the views of the Governing Board, as well as individuals participating in the consultation. It is understood that there is potential for the governing body to object to the Schools Adjudicator if the PAN set for them is lower than they would wish having considered the council's reasoning, and that there is a strong presumption in favour of an increase to the PAN to which the Schools Adjudicator must have regard.
- 21.11. The council has considered the forecast reduction in pupil numbers across the city, and the numbers of children living in this catchment in future years. The council is aware of the level of preferences for Blatchington Mill school. The school is well regarded and performs well and the consideration of a reduction in PAN should not be thought of as a verdict on the school or its running.
- 21.12. The governors have raised concerns that a school with a PAN of 300 may not be financially sound. A PAN of 300 would still be above all but three of the schools in the city, and be the same as for Varndean and Dorothy Stringer if their proposed PAN reduction is determined.
- 21.13. The council has considered whether the pattern of parental preferences for Blatchington Mill school and within the catchment would be unreasonably adversely impacted by the proposal to reduce the PAN to 300. In the last two years and again in 2025 the pattern of parental preferences is such that a reduced PAN would still be able to accommodate first preferences, even with open admissions and the other priorities proposed. In recent years the allocation of places on National Offer Day for families who placed it as a first preference are as follows:

Year	Number of first preferences offered a place/first preferences received
September 2021	284/400
September 2022	270/292
September 2023	260/300
September 2024	243/279

- 21.14. The council is committed to offering support to Blatchington Mill School to ensure that any financial issues are properly evaluated and addressed but other schools have demonstrated that it is possible to run a financially viable and good school with a PAN of this number, or below.
- 21.15. As part of its overarching responsibilities and in line with its intentions to amend admission arrangements and address the forecast reduction in

secondary school pupil numbers the council proposes to reduce the school's PAN as outlined in paragraph 2.4. The council believes that the considerations on a city wide level are sufficiently compelling to propose a change to the school's PAN.

## **22. Reduction in the Published Admission Number at Dorothy Stringer School**

22.1. The council has proposed reducing the PAN of Dorothy Stringer School from 330 to 300 from September 2026.

22.2. Secondary school pupil numbers for September 2026 are outlined in Appendix 3 and 4. Across the city there are forecast to be 2284 pupils requiring a place, compared with 2297 in 2025. The proposal would mean that with the PAN for Varndean remaining at 300, available secondary school places within the Dorothy Stringer/Varndean catchment would fall from 630 to 600. Taking into account patterns of preference for Cardinal Newman and King's School the catchment area of Varndean and Dorothy Stringer schools is forecast to have 598 pupils living in the catchment area requiring a school place if the catchment remains the same, and 624 pupils if the catchment boundaries change per the proposal.

22.3. In recent years the allocation of places on National Offer Day for families who placed it as a first preference are as follows:

Year	Number of first preferences offered a place/first preferences received
September 2021	306/386
September 2022	258/291
September 2023	242/260
September 2024	199/242

22.4. In its response to the consultation the Governing Body of Dorothy Stringer stated that they support the council's proposal to reduce the PAN having already considered such a move, recognising that pupil numbers have grown over the years, which has had a detrimental impact on the logistical operation of the school, due to the geographical limitations of the site.

22.5. In addition, they acknowledge the falling pupil numbers across the city and are committed to supporting the wider family of schools across the city by a PAN reduction.

22.6. Of the 3836 responses to the consultation, 1009 consultees either agreed or strongly agreed with the proposal. 2336 either disagreed or strongly disagreed. 491 consultees either preferred not to say or neither agreed or disagreed.

22.7. Respondents were strongly against the proposal to reduce the PAN with over half of the consultees in disagreement. Many were concerned that this reduction, combined with other proposed changes such as open admissions and increased catchment areas, will lead to even more children being unable to attend their preferred school.



- 22.8. There was a frequently expressed view that reducing places at an oversubscribed school contradicts the School Admissions Code. The potential for increased travel times and the impact on community cohesion were also cited as major concerns and frustration. The council welcomes the Governing Board's clear stance on the proposal to reduce the school's PAN and carefully considered their view, as well as individuals participating in the consultation. As stated previously, the council understands the strong presumption in favour of an increase to the PAN to which the Schools Adjudicator must have regard should an objection be raised. However the Governing Board's support of the proposal for the reasons outlined add to the compelling arguments in favour of a reduction.
- 22.9. Respondents who supported the proposal cited reasons given by the Governing Board and the need to reflect the reduction in pupil numbers.
- 22.10. The council considers that there are strong educational reasons to consider that it is not in the interests of pupils to have a PAN which compromises the logistics of the school give the constraints of the site, and this is an issue that the school have identified consistently over years. The school have used their best endeavours to accommodate pupils on a site which is recognised as overcrowded for the PAN, in a context where in previous years this, met the needs of the community in years where pupil numbers were rising and other schools were accommodating bulge classes. The pressure on space has been identified by the school over a considerable period of time, including on the availability of a suitable canteen for the numbers of pupils, and the measures that have to be taken even to enable pupils to change classrooms to avoid overcrowding in the corridors.
- 22.11. The proposal is made in the context of falling pupil numbers across the city, and some schools needing to attract greater pupil numbers to maintain their viability. It is recognised that if priorities 1-5 are adopted a reduced PAN has the potential to mean that some pupils in Criteria 7 may not be allocated a school within catchment. The report considers below the various mitigations which can be put in place including in relation to some children not being allocated a preference for a school within their local catchment.
- 22.12. With the support of the Governing Board, a shared consideration for the impact on all of the city's schools and agreement with the governing board's concern for the geographical constraints of the school's site it is recommended that PAN of Dorothy Stringer is reduced by 30 pupils.

### **23. Reduction in the Published Admission Number of Longhill High School**

- 23.1. The council has proposed reducing the PAN of Longhill High School from 270 to 210 from September 2026. In its response to the consultation the school stated that they fully supported this proposal.
- 23.2. Secondary school pupil numbers for September 2026 are outlined in Appendix 4. Across the city there are forecast to be 2279 pupils requiring a secondary school place. The Longhill catchment area is forecast to have

197 pupils living in the catchment area and requiring a school place, having taken account of patterns of preference for CNCS and King's School. The proposed PAN would ensure that there were sufficient places for all those pupils should they seek a school place in their catchment area school.

- 23.3. Of the 3836 responses to the consultation, 1873 either agreed or strongly agreed with the proposal. 822 either disagreed or strongly disagreed. 1141 consultees either preferred not to say or neither agreed or disagreed.
- 23.4. Consultees generally agreed with the reduction of the PAN at Longhill High School, citing its consistent under-subscription and the location of the school in an area with a low population density.
- 23.5. Many suggested that the reduction should be even greater, with some proposing a PAN as low as 150, reflecting the school's recent admission numbers which have not exceeded 200 for over a decade. The council has maintained it would not wish to see a community secondary school have a PAN lower than 180 and maintain this view in the absence of any representation from school leaders to the contrary.
- 23.6. Consultees also referred to the potential impact of the reduction on Longhill's financial stability, with some fearing that it could lead to staff redundancies or a decline in the diversity of subjects offered.
- 23.7. Some responses suggested that the school could become smaller and more specialised and others suggested it could federate with other schools in Brighton and Hove to support raising standards. Logistical challenges with its location and start time were also referenced. Some responses challenged the council to support the Headteacher to quicken its improvement journey and turn around its reputation.
- 23.8. Having considered all the responses, and the overall consensus that Longhill's PAN should be more closely aligned with demand, it is recommended that the PAN of Longhill school should be reduced from 270 to 210 as set out in paragraph 2.6.

#### **24. Proposals in relation to Oversubscription Priorities**

**Criteria 1** - Looked after children and all previously looked after children, including those children who appear (to the council) to have been in state care outside of England and ceased to be in state care as a result of being adopted.

- 24.1. This criteria is unchanged.

**Criteria 2-** Compelling medical or other exceptional reasons for attending the school.

- 24.2. There has been considerable discussion during the consultation about the availability of this criteria for children with SEND. The notes which accompany the admission arrangements explain that this criteria applies to

pupils with a specific need which can only be met by one school rather than any other. This could include medical or social reasons that make it essential for the child to attend a particular school.

- 24.3. Independent supporting information must be provided from a professional, for example a doctor, consultant, social worker or other professionals working with the family which makes a compelling case as to why the child's needs can only be met at the preferred school and no other.
- 24.4. Any applications will be considered by a panel which likely to comprise representatives from the council's school admissions team, the consultant community paediatrician, an educational psychologist, a mental health practitioner and any other relevant professionals.
- 24.5. Appendix 11 provides further detail on the application and decision making process for this criterion. Updated guidance for parents/carers will be available when applying for schools for September 2026.

**Criteria 3** - A sibling link applied for those living within the designated catchment area only.

- 24.6. This criteria is unchanged.
- 24.7. The council agrees to maintain a sibling link for those families whose home address moves into a different catchment area and where an older sibling is still attending the school. The council will consider if further changes should be consulted upon in future years to take account of the responses received that highlight how an absence of sibling link for those using the FSM or proposed open admission places is a limiting factor.

#### **Criteria 4 & 5 Free School Meals (FSM)**

- 24.8. The council is proposing to amend the secondary school oversubscription criteria 4 and 5 which apply to children eligible for FSM who live within a school's catchment area.
- 24.9. Under the current arrangements, for entry in 2025/26, eligible pupils are admitted under priorities 4 and 5 up to the city average. The city average is calculated from the year 6 data within the October 2024 school census return. The data from October 2024 showed a current year 6 average for 30% for FSM eligibility.
- 24.10. The recommendation is that the council set that at a fixed percentage which is intended to bring certainty to the number of FSM pupils to be admitted to each school thereby avoiding the need for a year on year variation. The percentage is proposed to be 30%, in line with the data for 2025 entry. This is set out in Appendix 5.
- 24.11. The determined admission arrangements for 2025/26 stipulated that the FSM quota (this was set as the variable city average) would only apply to priorities 4 and 5.

- 24.12. With regards to the implementation of the FSM quota, at the December Cabinet meeting, an amendment was tabled by Cllr Taylor which sought to clarify the intention of the FSM policy in the context of the new proposed admission arrangements. This amendment stated that 'The application of the Free School Meals priorities should align with the intention of allowing additional access to pupils on Free School Meals where a school would otherwise not meet the city-wide average figure for their overall intake.'
- 24.13. This clarified the council's intention to ease the balancing of FSM averages, particularly in recognition of the proposed amended catchment areas and proposed introduction of the open admissions criteria which could mean further FSM eligible children are admitted to the school on top of the 30% already admitted. This means that from September 2026 the 'quota' would be counted from criteria 1 – up to 5. This point about the implementation of the policy was clarified in public consultation meetings and in the published FAQ document.
- 24.14. The proposal is that for the September 2026 admissions the council will include the count of children who are eligible for free school meals under priorities 1-3, before places are allocated under priorities 4 and 5. This means that it is possible that the figure of 30% will be reached whilst assessing applications under priorities 4 and 5 in which case the council would stop allocating from those criteria groups (4 & 5) at that point.
- 24.15. Any children in priorities 6, 7 or 8 who are eligible for free school meals might still be allocated a place, under random allocation, which is used as the tie break for those priorities.
- 24.16. Of the 3837 responses received regarding this proposal during the consultation, 1355 agreed or strongly agreed, and 1570 disagreed or strongly disagreed. 912 consultees either preferred not to say or neither agreed or disagreed.
- 24.17. Overall, whilst there was in principle support for helping disadvantaged children, there was also apprehension about the proposed fixed percentage and its potential unintended consequences. Some consultees supported the principle of prioritising FSM children to promote social mobility and diversity in schools, whilst others sought greater explanation or evidence as to the effectiveness of the policy. Those in support referenced having a more inclusive system at all schools and saw the proposal as moving the admissions policy towards city-wide fairness in the allocation process.
- 24.18. A common concern expressed during the consultation was that this change, combined with other proposed admission priorities, could reduce the number of places available for children living within their catchment area and that instead proximity to school should be given a higher priority. A number of consultees felt that the percentage of places should remain as an annual calculation in order to match the city average. Requests were also made that if a change was made for September 2026 it should be kept under regular review.

- 24.19. A number of consultees criticised the council for intimating that families in receipt of Free School Meals required additional support from the council and that the proposal was being framed as a deficit narrative, in that pupils were considered in terms of the deficiencies or shortcomings rather than their potential and strengths. The council recognises that all pupils and families bring talent and capability to each school and its intention is not to perpetuate a stereotype but operate within the permissible parameters of the School Admissions Code to facilitate greater opportunity for families than may be available due to economic circumstances.
- 24.20. A number of respondents felt that the council's communication on this proposal was not sufficient and identified a complexity with how the different priorities interacted in the allocation process.
- 24.21. It was suggested in some responses that the council wait to thoroughly evaluate the impact of the new FSM policy which has only just been introduced for admissions in September 2025.
- 24.22. The council referred in its FAQ document to 'further data modelling taking place in January 2025'. This was a reference to the data and insight which would become available to the council following receipt of applications for 2025/26 admissions. This data would provide the council with the opportunity to analyse and reflect on the pattern of those applications in relation to FSM applicants further inform the thinking about data modelling and the assumptions made at the outset of the consultation. The table in paragraph 16.23 provides further detail so the modelling undertaken and indicates a calculation of the possible proportion of FSM pupils in schools likely to experience oversubscription.
- 24.23. The council must necessarily be cautious about the information it is able to publicly share ahead of National Offer Day (3 March 2025), as information cannot be divulged which might inform families ahead of that date of their likely school allocation. However the council has been able to use the information gained from the pattern of preferences expressed for September 2025 to further inform the thinking for September 2026 allocations. That informed thinking did not indicate a change to the number of children that may not be offered a catchment area school.
- 24.24. For 2026 admissions onwards the council is proposing that all families who qualify for FSM will be automatically opted in as an FSM applicant. Families who do not wish to be considered under this criterion will have the ability to opt out on the application form.
- 24.25. The council recognises that there is not universal support for the specific proposal but there was broad and general support for the intention behind its introduction last year. Noting that concerns were mostly around the consequences to those who have felt that it will negatively affected their opportunity to attend a local school and considering this against the council's stated policy aims, the council recommends that the percentage of places available for FSM applicants at each community secondary school in

the city up to criteria 5 should be set at 30% and the council implements the criterion as described above and detailed in Appendix 5.

### **Criteria 6: Open admissions**

- 24.26. The council has proposed the introduction of an open admission oversubscription criteria 6 in the admission arrangements which is intended to provide some families with increased opportunities to access a wider range of schools, than they do under the current arrangements. The new criteria would give pupils living in a single school catchment area (BACA, PACA, Patcham High School or Longhill High School) an increased chance of securing a school place at a school other than their catchment area school. The council proposed that up to 20% of the total number of places at each community secondary school should be available under the new criteria 6. It is recognised that the responses received to this proposal were informed by the stated intention for this to be available for 20% of places. The council has responded to the consultation by recommending the change to only 5% of places being prioritised to open admissions.
- 24.27. The proposal sought to directly address the perceived unfairness of the city having some single and some dual catchment areas and would provide more equity of opportunity and a greater element of choice/preference for parents living in single catchment areas who have previously only had a priority for their catchment school.
- 24.28. In response to the overarching question about the introduction of an open admission criterion, 1278 consultees agreed or strongly agreed with the proposal and 2343 consultees disagreed or strongly disagreed, of which 1976 consultees strongly disagreed i.e. just over half of the responses to this question. 215 consultees preferred not to say or neither agreed nor disagreed.
- 24.29. When consultees were asked about the preferred percentage, overall 40.2% reiterated that they did not agree with its introduction (although some of those also provided a response that said it should be at 5% or less). 41% of consultees provided a response that said it should be 5% or higher.
- 24.30. The council provided some modelling of the likely impact of 20% open admissions in the report which went to Cabinet in December 2024. The modelling was based on a particular set of assumptions which included:
- There is no dropout rate (e.g. moving on to private school) for FSM pupils (difference between primary and secondary uptake)
  - The same percentage of FSM pupils from each catchment area attend CNCS & Kings as non-FSM pupils.
  - That in-catchment area pupils in Patcham, Dorothy Stringer & Varndean and Blatchington Mill & Hove Park areas who are eligible for FSM want to attend one of their catchment area schools.

- FSM eligible pupils not offered under the FSM criteria will still have opportunity to be allocated under “in” or “out” of catchment area criteria.

- 24.31. However during the consultation it became apparent on reviewing the figures that the forecast figure for the number of pupils unable to be placed in the catchment area of Varndean and Dorothy Stringer Schools was incorrect. The report referred to 125 pupils when in fact the figure should have been 144. Officers corrected the figure at all the subsequent public meetings and reviewed the formula in place to generate the modelling.
- 24.32. Significant concern has been expressed about the absence of more informed modelling as to the impact of this proposal. Notwithstanding the uncertainties outlined higher up in the report about being able to forecast or predict the likelihood of an offer of a school place being made in September 2026, the council has sought to model the anticipated impact to help inform the decision by Full Council and this is available in paragraph 18.22.
- 24.33. This forecasting can take account of the council’s understanding as to how the new FSM criteria, introduced for secondary school admissions in September 2025 has been used by parents. Whilst mindful not to indicate what allocations may be made on National Offer Day, it is recognised that Full Council must be able to make a fully informed decision and it is accepted that this will be informed with further information than was available to respondents to the consultation.
- 24.34. Responses from schools have indicated a range of reasons why they are not in support of the introduction of this proposal. They have identified the risk that children living in catchment will miss out on a catchment place and others will have to travel to gain a place at their preferred school.
- 24.35. The schools considered that inclusive high-quality provision would be at risk because they would have to manage transition arrangements with a larger number of schools and for a greater number of pupils, thus increasing pressure on finite resources. There was concern that the sense of belonging, essential for children’s well-being and academic success, might be compromised because of the diversity of schools and areas of the city that pupils may come from to attend the school. There was also concern about the potential impact on school attendance if children have to travel further to school.
- 24.36. Concerns were raised about the perceived lack of clarity about the likely impact of this scheme. Whilst schools noted that the city does not have true equity in secondary education provision there was a desire for more consideration to be given as to how to achieve fairer access for parents to a school of their choice.
- 24.37. Schools raised the issue of the absence of detailed transport arrangements to alternative schools. The council was encouraged to review these at a later date once more is known about the pattern of September 2025 allocations. At that stage the council will be in a more informed position to carry out

further work on the logistical support for the proposal which will in turn protect the school's firm identity, sense of community and financial viability.

- 24.38. In their representation, Aldridge Education identified that the proposed operation of the open admission criteria only relating to single school catchment areas would mean that any negative impact on schools would not be equally felt across the city and in this instance, Aldridge Education Academies would be disproportionately impacted as they represent a high proportion of single school catchment areas in the city.
- 24.39. In summary, schools raised concerns under the broad themes of supplanting communities, travel concerns, risks to high-quality provision, local networks, attendance and equity across schools. A private joint letter from community secondary schools was received which supported the introduction of the FSM admission priorities 4 and 5 but opposed the proposed addition of an 'open admissions' criteria 6, whilst reiterating they remained committed to working collaboratively with the council, families, and the wider community to develop a sustainable and inspiring long-term vision for education and the city child.
- 24.40. Aside from schools a significant number of consultees disagreed with the proposal to prioritise children from single-school catchment areas over those in their local catchment, fearing it would displace local children and force them to travel long distances to schools outside their communities. They felt that this could have an adverse impact on children's mental health, community cohesion, and the environment due to increased travel.
- 24.41. Other consultees echoed similar sentiments to those expressed by Governing Boards, noting specific concerns about how families in dual school catchment areas would be disadvantaged as they would be unable to use the new proposed criteria.
- 24.42. Concerns were also raised about the lack of clear evidence supporting the effectiveness of the proposed changes and the potential for increased absenteeism and reduced educational attainment. There were some suggestions that a more gradual approach should be considered, perhaps starting with a lower percentage for open admissions and assessing the impact of existing changes before introducing new ones.
- 24.43. The lack of a clear plan during the consultation for safe and reliable transport for children who would need to travel further was also a common theme, with many worried about the safety of young children traveling alone and the financial burden on families.
- 24.44. Concerns were also raised that the effect of an open admissions criteria might marginalise families living in the dual school catchment areas and thus create a new inequity for those families.
- 24.45. During the consultation, some views were expressed that those living in single school catchment areas do have increased choice as many have the option of, and some opt for, applying for schools outside of the city



boundary. It is the council's view that this is not an indication that the admissions policy is working well for some children. The council is proud of its education and learning community and wants Brighton and Hove children to be educated in Brighton and Hove schools. In addition, if children chose to go to a school in another area, their funding for a school place goes with them. The council would prefer for funding to remain with Brighton and Hove schools so that schools can invest the money in a way which improves the educational offer in the City and supports school improvement. There is also value in children attending local schools which have access to a wide range of curriculum and wrap around support, such as the advice and guidance on anti-racist education and trauma informed practices.

- 24.46. Some consultees reiterated that more effort and expenditure should be placed on improving schools where parental preference is lower rather than implementing a new criteria into secondary school admission arrangements. Several consultees stated that they found the proposal confusing and difficult to identify how it would affect them personally.
- 24.47. There was support for the open admissions proposal from a number of groups representing parents and local residents. Class Divide, a group of local residents, parents, education experts, and community members, supported the proposal stating that in their view families in more affluent areas have multiple school choices, families in areas of higher deprivation are restricted to a single school and that wealthier families can effectively "buy" school choice by moving to certain areas. Class Divide advocated for an open admissions percentage of 30% in order to provide families in single catchment areas with more choice.
- 24.48. Equity in Education, a group formed of parents living in northeast Brighton (in the BACA school catchment area) strongly supported the introduction of an open admission criteria. They stated that families in their area consistently referred to a lack of choice as a barrier to success for disadvantaged children and the strong sense of unfairness that some catchment areas include two schools whilst others include only one. They believe that as a minimum the open admissions percentage should be 20% as not only would this offer increased choice but it would also increase the likelihood that children moving into and out of the catchment area would do so with groups of children that they know.
- 24.49. There have been many responses asking the council to take the opportunity to implement change to an admissions system which has remained fundamentally untouched for a significant period of time. Some consultees have seen this as a rare opportunity to address inequity and perceived unfairness in the current system which could address the issue of educational disadvantage in a way which is not likely to arise again until pupil numbers drop further, making more spaces available. This would however come at the risk of the viability of some schools.
- 24.50. Taken at its heart, the intention behind the proposal is to provide increased opportunity for individuals who currently do not enjoy the same level of choice in accessing secondary schools in the city as other parents. The

combination of limited levers of influence, the timescale required for more incremental change and the expected positive impact on families and pupils who are currently denied the ability to attend a school they feel better meets their child's needs is powerful. As a result, the council proposes to introduce a new admission criteria for open admissions, as outlined in paragraph 2.8.

24.51. However having carefully considered all feedback received during the consultation the council accepts that a figure of 20% might currently result in unreasonable levels of disruption to schools, pupils and their families based on the forecast data for 2026. The council is therefore revising the proposal, following the consultation and is recommending that the open admission criteria should be reduced from 20% to 5% of places and for this to be kept under review in future years. The possible number of places available are shown in the table below.

<b>School</b>	<b>Proposed PAN</b>	<b>20% of places</b>	<b>5 % of places</b>
Blatchington Mill	300	60	15
Dorothy Stringer	300	60	15
Hove Park	180	36	9
Longhill High	210	42	11
Patcham High	225	45	11
Varndean	300	60	15
<b>Total</b>		<b>303</b>	<b>76</b>

24.52. Where pupils do not receive a place at their catchment area school consideration has been given to the capacity and coverage of the bus network to transport pupils to their allocated school. This includes consideration of the travel times involved. Further details are found in Appendix 9 and in the following section.

### **Transport policy and open admissions**

24.53. An impact review in relation to transport of the proposed introduction of new admission arrangements has been undertaken by an independent firm on behalf of the council.

24.54. The Impact Review has found that as shown in the summary table below, there are a range of potential impacts in relation to the coverage of the city's existing bus network resulting from the proposed introduction of open admissions (OA), reductions in PANs and boundary changes. The report assumes the adoption of the new boundaries to the catchment area to Longhill and Dorothy Stringer/Varndean schools.

24.55. The impact in relation to transport are predominantly issues with coverage of current bus routes potentially impacting on the availability of affected pupil's

use of currently available bus routes to get to and from their school. Particularly for students allocated a preference at a central catchment school under the open admissions criteria. The issues with capacity becomes more acute the higher the proportion of open admissions.

24.56. The report provides a high level RAG rating in relation to proposal to introduce the open admission criteria at 5% of the school's PAN.

School	PAN	5% Open Admission RAG		
		Places	Capacity	Coverage
Brighton Aldridge Community Academy	180	0	Green	Green
Hove Park & Blatchington Mill	480	24	Yellow	Red
Longhill High School	210	11	Green	Yellow
Patcham High School	225	12	Green	Yellow
Portslade Aldridge Community Academy	220	0	Yellow	Yellow
Varndean & Dorothy Stringer	600	30	Green	Red

24.57. In addition, there are implications for ensuring that where it is anticipated that some pupils will not be able to allocated a school in their catchment area there are appropriate transport arrangements for the transport of those pupils to schools allocated to them which are outside of their local catchment area.

24.58. It is the case that depending on school place allocations there is the potential for some journeys to school to involve longer journeys than under the current admissions criteria. For pupils allocated under the open admissions criteria 6 this will be a matter of choice to seek a placement outside of their local catchment, and the length of the journey will form part of the evaluation of parents and carers as to the right school for their child. Every year preferences are expressed for schools out of catchment, and journey times already vary considerably depending on where in the catchment pupils reside in relation to the location of the school. For some pupils, allocation under the new admission arrangements may mean shorter journeys

24.59. It is not the case, as has sometimes been suggested in the consultation, that thousands of children will be conducting longer journeys across the city. The numbers who will have to conduct different journeys will depend on the scheme adopted. The impact upon those children can be mitigated by the transport arrangements made by the council in response to the adoption of the admissions criteria. Circumstances will also depend on the pattern of preferences expressed and what offers can be made and where. All of these factors affect how allocations are made and therefore who may need to take a longer journey to school.

- 24.60. There are well established city wide precedents for pupils managing journeys to schools greater than the guidance walking distance. The council has already identified that it will need to monitor the capacity and coverage of public transport to ensure statutory duties are met.
- 24.61. As outlined in Appendix 9 there are a number of bus routes in the city that can be used by pupils to attend school. Each secondary school has at least 2 dedicated school services. The council currently contributes £339,000 to the operation of 8 of these services.
- 24.62. The council already supplies approximately 600 bus passes each year to provide travel assistance at a cost of approximately £267,000. A review of the Home to School transport arrangements to be conducted prior to the implementation of any new admission arrangements will mean further scope to carry out more detailed work to assess students' needs and to develop a management strategy and mitigations.

#### **Criteria 7 - Pupils living in the designated catchment area for the school(s)**

- 24.63. This will remain the same as previous criteria 6. The impact for pupils unable to utilise new priorities 1-6 has been considered above. Criteria 7 is unchanged in its wording under the current arrangements (currently Criteria 6). In the consultation there has been a significant amount of concern raised as to the vulnerability of families living within the Dorothy Stringer/Varndean catchment area whose children would be considered under this criteria. By proposing that the proportion of open admission places is reduced to 5% the potential impact of its implementation is reduced which will mitigate parental concerns. The council does so whilst taking into account the existing inequity in access to the City's secondary schools.

#### **25. Proposal to increase the number of school preferences from three to four**

- 25.1. The council is proposing that the number of preferences that families can express when applying for a school place should rise from three preferences to four.
- 25.2. Of the 3836 responses, 1424 consultees agreed or strongly agreed with the proposal and 1647 consultees disagreed or strongly disagreed. 765 consultees preferred not to say or neither agreed nor disagreed.
- 25.3. During the consultation representations were made that the number of preferences should rise to 6 to reflect what is available in other parts of the country. This would mean families did not need to be strategic with their submitted choices, for example omitting a school they would prefer if the probability of admission of entry is low.
- 25.4. It was hoped that by considering a rise in the number of preferences being made available to families it could improve the match between pupils and schools, reducing the chance of a child being allocated a school not on their preference list. This would in the council's view afford families greater

opportunity to use the option of an application under the new open admission criteria or the free school meals criteria.

- 25.5. The School Admission Code provides that an application form that enables parents to express their preference for a place at any state funded school must have a minimum of 3 preferences in rank order. There is no restriction in the Code as to the maximum number of preferences that the council would be able to make available.
- 25.6. The Department of Education publishes figures each year on school applications and offers. The key measures are first preference, top three preferences and non-preferred offer rates. During the consultation there was some scepticism raised that the council would be able to manipulate its performance figures by raising the number of preferences. These figures do not in themselves form any part of the council's performance measures with external agencies. With minimal numbers of preferences being three, this and first preferences would be the most transferable measure to compare performance with other local authorities.
- 25.7. There was also concern that providing opportunities to express additional preferences might increase anxiety in pupils who could anticipate more opportunity than the admission priorities would actually afford them, as well as a belief that many families would not actually want to be placed in their fourth choice school.
- 25.8. Following consideration of the responses it is recommended that the council provide all families who apply for a school place either in primary or secondary school with the option to express four preferences, as outlined in paragraph 2.9.

## **26. The 'relevant area' for consultation**

- 26.1. As outlined in the School Admissions Code, the relevant area is the area for a school (determined by its local authority and then reviewed every two years) within which the admission authority for that school must consult all other prescribed schools on its admission arrangements. The council undertook to consult on this area remaining the area within the city boundary.
- 26.2. Of the total responses received 1404 consultees either agreed or strongly agreed. 356 consultees disagreed or strongly disagreed. 2076 consultees neither agreed nor disagreed with the proposal.
- 26.3. It is recognised that this element of a consultation on admission arrangements is very specific and leads to some confusion or conflation with other matters, such as priority for school places and liaison with both East and West Sussex County Councils.
- 26.4. It is recommended that the relevant area remains as the city boundary of Brighton and Hove.

## **27. The co-ordinated admission schemes for 2026/27**

- 27.1. The proposed co-ordinated admission schemes for 2026/27 are set out in Appendix 5.
- 27.2. Many of the responses to this question referenced representations made regarding specific proposals and the process undertaken as well as comments on the council's approach to the consultation process. Some consultees indicated that this part of the consultation was unclear. There were no specific responses that have led to changes in the proposed schemes and therefore, it is recommended that no change is made to these schemes.
- 27.3. The council recommends that the proposed coordinated scheme of admissions as detailed in Appendix 5 is agreed, as outlined in recommendation 2.11. It is noted that the Diocese of Arundel and Brighton is currently consulting on a proposal to close St Joseph's RC Primary School in August 2025. A final decision on the proposal is due to be taken by Full Council in May 2025.
- 27.4. It is important to note that the admission arrangements are being set for the year specified (in this case 2026/27). A council can then decide simply to retain those arrangements for a further year or may (as Brighton & Hove typically do) consult again the following year.
- 27.5. The council has heard many views during the consultation and will continue to consider them for future years. This could include extending the open admissions priority to families in dual catchment areas, increasing the percentage of open admissions and / or establishing the sibling link beyond catchment area boundaries. Any future changes would be subject to a public consultation.

## **28. Analysis and consideration of alternative options**

- 28.1. Under the School Admission Code, the council must determine its admission arrangements for September 2026 by 28 February 2025. After consultation the council can make minor changes to its proposals but cannot seek to determine anything new that has not been consulted upon.
- 28.2. The consultation received responses that urged further time to be taken when specifically considering the arrangements related to those eligible for Free School Meals and the open admission category.
- 28.3. The council determines individual PANs separately and has the option to determine different arrangements for each school.
- 28.4. In relation to all priorities, it would be possible for the council to make no changes to those arrangements determined last year. However, the council has embarked on two consultative exercises since Autumn 2024 and when determining the introduction of a FSM category last year, undertook a public consultation exercise that generated over 1500 responses. As a result, the

council is confident it understands the opinions and sentiments of the city in relation to school admission arrangements and is therefore capable of making an informed view especially in relation the introduction of untested, new priorities.

- 28.5. Some feedback has indicated a willingness to adapt proposals beyond what has been consulted upon but the absence of a formal opportunity for residents and stakeholders to comment directly means these cannot be considered for September 2026 but may form the basis of a consultation next year, for implementation in September 2027. For example, extending the sibling link to those who are offered places under the proposed open admission criteria and the existing FSM criteria together and the exploration of the proposed open admission criteria not being restricted to single school catchment areas.
- 28.6. As outlined elsewhere in this report the council proposes to implement the recommendations detailed above and does so having considered the possibility of not implementing them or delaying implementation as outlined in some of the responses received. Implementing changes for September 2026 means that the council is seeking to take action at the earliest opportunity and means taking steps to mitigate the falling pupil numbers from September 2026.
- 28.7. Concerns about the progress of school improvement, tackling the negative reputation of some schools in the city and considering further efforts to support those pupils who face the most disadvantage to progress and achieve well, will continue to be explored outside of this exercise. The council is keen to understand and explore how other ideas to supplement work the council already undertakes can have a positive impact and be implemented for the benefit of the whole city going forward.

## **29. Community engagement and consultation**

- 29.1. Appendix 12 outlines the scale of the consultation undertaken together with details of the responses received to the online response form as well as the questions, comments and clarifications sought during the series of public meetings that were held.
- 29.2. As outlined in paragraph 4.22, the information provided on the respondees indicated that those of black and global majority, disabled and those under the age of 40 were underrepresented in the replies received.
- 29.3. The overall level of responses has provided the council sufficient insight to consider the public reaction to the proposals put forward.
- 29.4. The council is grateful for all groups that facilitated the view of their communities as well as appreciative of the time and consideration given to the responses supplied.

### **30. Financial implications**

- 30.1. School budgets are determined in accordance with criteria set by the government and school funding regulations dictate that the vast majority (over 90% in 2024/25) of the delegated schools block of funding is allocated through pupil-led factors. This means schools with falling pupil numbers are likely to see reductions in annual budgets. This situation can be particularly challenging where pupil numbers in year groups fall well below the expected number, based on the PAN of a school.
- 30.2. Without planned reduction in PANs it is more challenging for schools to plan ahead for pupil and staff reductions and set balanced budgets. For the schools where reductions in PANs are proposed there will be direct implications and a need to plan future years' budgets to reflect lower pupil numbers in line with reduced PANs and the consequent impact this will have on budget allocations. However, planned reductions in PANs should mean schools are more likely to be able to balance their budgets if operating with full, or close to full, forms of entry.
- 30.3. The proposal to decrease the PAN across a number of schools is intended to reduce the number of surplus school places to safeguard and benefit the wider provision across the city. By reducing the number of surplus places in the city in the longer term there is an expectation that school occupancy rates will increase meaning that school budgets are more sustainable.
- 30.4. The proposal to amend the secondary admission criteria linked to FSM eligibility and to introduce an open admission criteria may lead to changes in pupil numbers at individual school level. This could potentially introduce a risk to less popular schools in terms of declining pupil numbers and associated budget challenges.
- 30.5. It is possible that proposals included in the report linked to secondary school admissions could impact on journey times and distances, which may result in additional costs being incurred within the Home to School Transport Budget, particularly through provision of bus passes or increased taxi costs for learners affected by changes.
- 30.6. Name of finance officer consulted: Steve Williams Date consulted 11/02/25

### **31. Legal implications**

- 31.1. Part 2A of the council's Constitution provides that any strategic issues or reviews of the council's school admission arrangements, including any changes to catchment areas, are reserved to Full Council.
- 31.2. Section 88C of the School Standards and Framework Act 1998 ('the Act') and the School Admissions (Admissions Arrangements and Co-ordination of Admission Arrangements) Regulations 2012 ('the Regulations') set out the statutory framework for school admissions. The School Admissions Code 2021 ('the Code') is statutory guidance and imposes mandatory requirements in relation to the discharge of functions relating to admissions.



Admission Authorities must ensure that their admission arrangements are compliant with the Code.

- 31.3. Under the Act admission authorities are required to determine their admission arrangements annually. Arrangements must be determined 18 months in advance of the academic year to which they apply.
- 31.4. Where changes to admission arrangements are proposed to admission arrangements the admission authority must first publicly consult on those proposed arrangements. The Regulations state that consultation must be for a minimum of six weeks and must take place between 1 October and 31 January of the school year before those admission arrangements are to apply. Following consultation, the admission arrangements must be determined by 28 February.
- 31.5. When a public body is consulting, it has a broad discretion as to how the consultation exercise should be carried out, subject to observing any express requirements that apply to a particular statutory consultation duty. However, it must conduct the consultation process fairly. In assessing fairness, the courts have identified four main principles of fair consultation, commonly referred to as the 'Gunning principles':
  - consultation must take place when the proposal is still at a formative stage;
  - sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response;
  - adequate time must be given for consideration and response; and
  - the results of consultation must be conscientiously taken into account.
- 31.6. Once all arrangements have been determined any person or body (eg parents, schools) who considers that any maintained school's arrangements are unlawful, or not in compliance with the Code or relevant law relating to admissions, can make an objection to the Schools Adjudicator. Objections can be made if the PAN for a school is set lower than the school would wish or if the catchment area set for a school is considered to be unfair or unreasonable. The Code provides that there is a strong presumption in favour of an increase to the PAN to which the Schools Adjudicator must have regard when considering any objections to a reduction in the PAN.
- 31.7. Any objections in respect of the 2026/27 admission arrangements must therefore be referred to the Office of the Schools Adjudicator by 15 May 2025. Any decision of the School's Adjudicator is binding on the admission authority.
- 31.8. Admission authorities must set out in their arrangements the criteria against which places will be allocated at schools when there are more applications than places and the order in which the criteria will be applied ('oversubscription criteria'). All children whose Education, Health and Care Plan names the school must be admitted.

- 31.9. In drawing up their admission arrangements, admission authorities must ensure that the practices and the criteria used to decide the allocation of school places are fair, clear, and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.
- 31.10. Oversubscription criteria must also be reasonable, clear, objective, procedurally fair, and comply with all relevant legislation, including equalities legislation.
- 31.11. The Code provides that admission Authorities may give priority in their oversubscription criteria to children eligible for the pupil premium. This enables the council to include the priority criterion for pupils eligible for Free School Meals within its admission arrangements. The categories of eligible premium recipients to be prioritised should be clearly defined in the admission arrangements.
- 31.12. The 1998 Act also requires local authorities to establish a relevant area in which admission authorities must consult regarding their admission arrangements. The Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999 requires LAs to consult on these proposals every two years.
- 31.13. In order to comply with the public sector equality duty pursuant to the Equality Act 2010 the council should have due regard to the analysis of the impact upon those affected by the proposal who have protected characteristics under the Act. This is summarised within the EIA template and the body of the report. Recent government guidance indicates that the general duty requires decision-makers to have due regard to advance equality of opportunity and foster good relations in relation to activities such as providing a public service. As indicated in recent government guidance the duty does not dictate a particular outcome. The level of “due regard” considered sufficient in any particular context depends on the facts. The duty should always be applied in a proportionate way depending on the circumstances of the case and the seriousness of the potential equality impacts on those with protected characteristics.

Name of lawyer consulted: Serena Kynaston      Date consulted 17.02.2025

## **32. Equalities implications**

- 32.1. In advance of the consultation the council undertook an Equalities Impact Assessment which accompanied the Cabinet report.
- 32.2. The council has subsequently completed an EIA to accompany this report that can be found at Appendix 8.
- 32.3. The recommendation of the EIA is to proceed with caution noting that Council's will often amend and change city-wide admission arrangements and/or changes to catchment areas as demographics and circumstances of a local area change. The council has recently undertaken two consultation

exercises and received over 5000 responses in total meaning that the council should be confident it understands what implications will result from the proposed changes.

- 32.4. There are some aspects of the admission arrangements that provide an individual pathway for a child or family's individual circumstances to be considered. In the case of the appeal panel this is after the allocation has been made.
- 32.5. The views heard about the proposals were not unanimous and care needs to be taken to consider where there are complex impacts. Where there may be disadvantage so others with protected characteristics will also benefit and so it can be concluded that no unfair disadvantage occurs rather the arrangements re-prioritise how the admission arrangements for community secondary schools in Brighton and Hove function.
- 32.6. The most significant impact will be on children seeking a place in a community secondary school who live in a catchment area but do not have an older sibling attending the catchment school or are not in receipt of free school meals. Their priority for a place will be lower than in previous years. Conversely, children entitled to free school meals or living in a catchment area served by one school will receive a higher priority for a school place than in previous years.
- 32.7. Pupils with SEND who qualify for an Education Health and Care Plan (EHCP) are not impacted by the school admission arrangements being consulted upon. Mainstream community schools are expected to meet the needs of all pupils without an EHCP and are required to make reasonable adjustments in line with equality duties. However, the proposals may negatively impact pupils with disabilities where mitigations in place to minimise the negative impacts of managing within a community school are affected. For example, being placed with a friendship group or trusted adults, or where journeys to secondary school are longer and/or undertaken using public transport.
- 32.8. Cumulative effects are likely to be experienced by those whose children have SEND as a result of the impact of managing a child's needs before and after formal schooling together with the demands that schooling itself places on the child. We know that there can be a high correlation between families with children with SEND and socio-economic disadvantage and this will be compounded when the family live in a dual catchment areas and where the family do not have a sibling link to one of their catchment area schools. This is as a result of those children having a lower ranking in the oversubscription criteria than they would do under the current arrangements.
- 32.9. Concern was expressed that the complexity of the arrangements being consulted upon meant the implications have not been fully understood and as such people have not been able to comment appropriately to the consultation. Any changes that are determined will need to be clearly

explained and any barriers to understanding these will need to be overcome.

- 32.10. Parents with certain protected characteristics may struggle to make the arrangements required to ensure their child attends regularly, especially if the child is allocated a school place outside of the catchment area or not one of the family's preferred schools.
- 32.11. A child's mental health was often cited as a potential negative impact following the implementation of these proposals.

### **33. Sustainability implications**

- 33.1. The council will often find itself needing to balance different policy intentions when considering how it fulfils its statutory responsibilities, its own politically defined objectives and the wishes of residents. In the consultation the impact on the council's Net Zero, public health and transport priorities have been questioned.
- 33.2. In relation to travel to school the council aims to reduce the number of journeys to school undertaken by car. A reduction in the availability of school places and changes to the admission arrangements could risk a rise in the number of journeys undertaken by car.
- 33.3. Schools are expected to have a School Travel Plan to:
- reduce the number of vehicles on the journey to school
  - improve safety on the journey to school
  - encourage more active and sustainable travel choices
- 33.4. Any change in PAN is expected to require the school's travel plan to be rewritten to take account of the change. It is recognised that schools are at the heart of their communities and have a significant role to play for families in supporting their local community. However, in the longer term the reduction in pupil numbers could lead to schools having additional financial pressures which could threaten their long-term viability. Thereby creating further journeys as a result of a school being unable to remain open.
- 33.5. The council monitors air quality across the city, throughout the year, at approximately 100 locations as part of its statutory duties. Figures are published annually to enable changes and trends to be identified, and current results show continuing gradual improvements. Travel patterns and choices of transport will not become apparent until after the proposed changes to admission arrangements are established, although these are unlikely to have a significantly adverse effect on air quality in the city generally.
- 33.6. The council currently supports some bus journeys in the city. These arrangements will be under review due to the impact of government funding for bus services and the council's own financial position. In the one-day snapshot undertaken by the city's secondary schools the pattern of travel

modes shows that approximately half of all pupils walk or scoot to school. The number of pupils who travel by car/van and/or park and then stride to school has increased in recent years to its highest level since 2018-19. Public transport use has dropped to its lowest level in the same time span. These proposals may further affect this change in travel and will be a prime focus of mitigations that need to be considered should the admission arrangements be changed for September 2026.

- 33.7. Appendix 9 explores the implications on transport of these proposals. Schools in dual catchment areas are closely clustered in areas which means that a reduction in places will not mean a significant increase in journeys to other catchment area schools. Some families may not be able to or chose to use sustainable travel methods to support their children getting to school.
- 33.8. Changes to PAN, which lead to a reduction in the number of classes the school has and the classrooms being used can lead to areas of a school being more efficiently managed in relation to energy use at a time of on-going financial pressures on schools.

#### **34. Health and Wellbeing Implication**

- 34.1. Concerns were raised in the consultation about a potential impact on children's health due to the increase in pollution if there were increased car and bus journeys across the city. During the consultation, the council heard concerns from consultees about the potential impact on children's mental health if these proposals went ahead. The worries mainly centred around anxiety and worry about the increased uncertainty about gaining a particular school place plus the increased pressure on family life and children's stress about the potentially longer journeys to school.
- 34.2. The Schools Mental Health Service supports schools with understanding and implementing strategies that support mental health and wellbeing of young people, as a way of reducing onward referrals for direct mental health support. The offer for 1-1 or group based mental health support is offered where a mental health need is identified.

#### **35. Conclusion**

- 35.1. The council has been contemplating its school admission arrangements in advance of this consultation. It has needed to propose the closure of two primary schools, sought to reduce the size of some large primary schools in an effort to support smaller schools, consulted upon and implemented a new FSM criterion for secondary school admission and engaged the city on the issue of secondary school catchment areas.
- 35.2. The council has been informed by revised pupils forecasts until 2028, in the case of primary schools, and to 2031 for secondary schools. Together with consideration of the pattern of applications in relation to the new FSM category for September 2025.

- 35.3. These give the council a solid base by which to consider how to work towards the stated corporate ambitions to ensure a fair and inclusive city, where no child or family is left behind. Whilst deliberating this against the requirements of the School Admissions Code to ensure arrangements are reasonable, clear, objective, procedurally fair, and comply with all relevant legislation. Ensuring that arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs.
- 35.4. The percentage of pupils eligible for free school meals in the city's secondary schools ranges from 19.1% - 49.1% with BACA and Longhill High School having more than 40% of pupils eligible for free school meals. Six of the city's ten secondary schools have a below average proportion of pupils eligible for FSM.
- 35.5. The council has concluded there is a strong rationale to make the proposed changes outlined in the recommendation. In so doing it is understood that these are not universally welcomed and will impact on families and children in different ways.
- 35.6. The benefits that the proposals bring are considered to outweigh the negative impacts outlined in responses to the consultation. Some of those responses are helping to shape how the admission arrangements may be further adjusted in future years to improve changes that the council does not feel justified to delay.
- 35.7. Outside of the admission arrangements there is on-going work to improve the education system and the council remains committed to continue to explore with all stakeholders in the city what they can bring to this work and consider what else may be possible to support the city's ambitions to minimise inequality and improve educational outcomes for the city's most disadvantaged children and young people.
- 35.8. Before forming the current administration, the Labour Group indicated a policy intention to provide free bus travel for under-19s still in education. As the recommendations outline, the council intends to review its Home to School Transport Policy and that will consider how to continue to work to this policy aspiration and what other entitlements may be considered appropriate, following determination of the September 2026 admission arrangements.
- 35.9. It is recognised that at the conclusion of this process consideration will need to be made to the support and explanations provided to children and young people to help make sense of the changes determined. The range of emotions faced by families and the nature of some of the discourse will have polarised pockets of the city and efforts will be needed to ensure the admission arrangements determined are successfully introduced and families are supported to engage positively with them.

## **Supporting Documentation**

### **1. Appendices**

1. Published Admission Numbers for September 2026
2. Primary phase forecast numbers
3. Secondary phase forecast numbers (current catchment areas)
4. Secondary phase forecast numbers (proposed catchment areas)
5. Admission arrangements and priorities
6. Primary coordinated scheme
7. Secondary coordinated scheme
8. Equalities Impact Assessment
9. Transport implications and considerations
10. Bus review report
11. Proposed arrangements for criteria 2
12. Summary results of the consultation plus meeting notes

