Brighton & Hove City Council

Cabinet Agenda Item 90

Subject: School Admission Arrangements 2028-29

Date of meeting: 12 November 2026

Report of: Cabinet Member for Finance and City Regeneration

Lead Officer: Deb Austin, Corporate Director for Families, Children and Wellbeing

Contact Officer: Richard Barker, Head of Education

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Ward(s) affected: All Wards

Key Decision: Yes

Reason(s) Key: Is significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions (wards).

For general release

1. Purpose of the report and policy context

1.1 This report details the proposed school admission arrangements for the academic year 2028-29 for the schools in the city where the council is the admission authority.

1.2 When changes are proposed to admission arrangements, all admission authorities must consult on those new arrangements.

1.3 The Council Plan includes a focus on creating a healthy city that helps people thrive through delivering a better future for children and young people. The council is supporting the provision of high quality and inclusive education through its school admission arrangements for primary and secondary aged pupils.

1.4 Cabinet are asked to approve a consultation on the proposals set out in this report. A further report will be presented to Cabinet on 11 February 2027 seeking determination of the admission arrangements for 2028-29.

1.5 Local authorities must also set out schemes for coordinated admissions, including key dates in the admission process and arrangements for consultation with own admission authority schools in the city and with other local authorities. They must also establish the area (the “relevant area”) within which the admission consultation should take place.

2. Recommendations

2.1 Cabinet agrees to make no changes to the council's admission arrangements other than the changes listed below.

2.2 Cabinet agrees to consult upon a change to the Published Admission Number (PAN) of Brunswick Primary School from 90 to 60 pupils from September 2028.

2.3 Cabinet agrees to consult upon a change to the Published Admission Number (PAN) of Coldean Primary School from 60 to 30 pupils from September 2028.

2.4 Cabinet agrees to note the binding decision of the Schools Adjudicator in determining the secondary school admission arrangements for September 2027, that inform the arrangements in place for September 2028. Including clarification on the category of Free School Meals eligible for priority and the proportion of places available, following changes introduced by the Department for Education in the summer after the arrangements were determined by Full Council in January 2026.

2.5 Cabinet agrees to consult on the Primary and Secondary coordinated schemes and to make no changes to the "relevant area".

3. Context and background information

3.1 Admission authorities are required to determine their admission arrangements annually. Where changes such as a decrease in the PAN are proposed, the admission authority must first publicly consult on those proposed arrangements. The School Admissions Code sets out the groups and individuals who must be consulted. These include parents of children between the ages of two and eighteen, 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 adjoining neighboring local authorities.

3.2 Consultation and determination of admission arrangements takes place approximately 18 months in advance of the academic year to which they apply. The consultation must last for a minimum of six weeks and take place between 1 October and 31 January.

3.3 It is proposed to start the consultation on 23 November 2026 and for it to run for seven weeks, concluding on 10 January 2027. The consultation period includes three Bank Holidays.

3.4 Following the consultation, the council must determine its admission arrangements by 28 February 2027 to conform to the requirements of the School Admissions Code.

3.5 A further report will be presented to Cabinet on 11 February 2027 detailing the response to the consultation and making recommendations about the admission arrangements for 2028-29.

3.6 The relevant proposed papers for the 2028-29 admission year for the city of Brighton & Hove are listed in the appendices to this report.

3.7 The Schools Adjudicator made a determination on the admission arrangements for September 2027 on 19 October 2026 and the published report can be found here. The Adjudicator found that the arrangements, which included the extension of a criterion for siblings to apply to applications from anywhere in the city, not just the school's catchment area, to be reasonable and fair. The report also outlined where changes were required to be made in relation to the admission arrangements and the process used to allocate places.

3.8 This follows the Adjudicator's determination of the September 2026 arrangements on the 20 October 2025 which can be found here. That decision confirmed that the changes which had been introduced: bringing in an open admission criterion and the original free school meal priority were also reasonable and fair.

3.9 It has been these recent changes to the admission arrangements which have resulted in Brighton & Hove City Council being awarded the Sutton Trust Fair School Admissions Gold Award for two consecutive years. The Sutton Trust is an educational charity that aims to improve social mobility and address educational disadvantage across the UK and the gold award is the highest level of recognition given to local councils, multi-academy trusts and schools that have made significant changes to their school admissions policies to ensure all pupils have fair access to education, regardless of socio-economic background.

Published Admission Numbers

3.10 Schools are funded by the government and not by the council. Funding is largely allocated on a per-pupil basis, and nearly all of it covers staffing costs. If schools do not have enough pupils attending, or experience fluctuating pupil numbers, they may not be able to operate in a financially efficient way and may risk entering a budget deficit.

3.11 The council keeps the supply of school places under review. Planned reductions in PAN can support schools to organise classes and staffing on a sustainable basis, while the council must continue to ensure that sufficient places are available and that families have a reasonable choice of schools.

3.12 Once admission arrangements have been determined for a particular school year, they cannot normally be revised unless a major change in circumstances is considered to have occurred and the proposed variation is approved by the Schools Adjudicator. It is therefore important that foreseeable PAN changes are considered through the annual consultation process.

3.13 Where a change in PAN could be considered possible, Governing Boards have been consulted on their support for a change. Where there has not ben agreement, the council has decided to follow the wishes of the governing boards who are best placed to determine how to manage arrangements without financial deficit and to have weighed up the risk involved in potentially relying on a request for a variation that may not be agreed.

3.14 It is proposed to reduce the PAN at Brunswick Primary School from 90 to 60 pupils from September 2028. The school's PAN was set at 60 pupils in 2026 and in 2027 by the Schools Adjudicator and this proposal is a continuation of that number.

3.15 It is proposed to reduce the PAN at Coldean Primary School from 60 to 30 pupils from September 2028. The proposal is intended to align the number of available places more closely with anticipated demand and to support sustainable class organisation and financial planning. This follows a successful request for a variation for September 2027 where the PAN was reduced from 60 to 30.

3.16 The proposals in this report are supported by the governing boards of the affected schools.

Free school meals priority

3.17 From the start of the 2026/27 academic year, the Department for Education has introduced changes that distinguish between 'targeted' free school meals, where a child qualifies for free meals and attracts pupil premium funding, and 'expanded' free school meals, where a child qualifies for a free meal but does not attract pupil premium funding.

3.18 The Admissions Code only permits free school meals to be used as an admission criterion when it attracts pupil premium.

3.19 The Council intended to reflect the changes introduced by the DfE as part of the consultation on changes to admission arrangements from September 2028. However, in the School Adjudicator determination in October 2026 for September 2027 the Adjudicator has provided the clarity needed and brought in the necessary changes to reflect the DfE's policy changes.

3.20 As a result of the Adjudicator finding that the September 2027 arrangements did not conform to the requirements of the Code, the wording of the arrangements has been changed to take effect for the September 2027 admission round and will remain in place for the September 2028 round as well.

3.21 As outlined in Appendix 2, the arrangements now state:

Criterion 4 - Children living within the school's catchment area and eligible for Targeted Free School Meals up to the city average. (note d)

Criterion 5 - Other children eligible for Targeted Free School Meals, up to the city average. (note d)

The explanatory note explains that children will be considered under these criteria if they are eligible for targeted free school meals on the closing date for applications or on the date the application is submitted if it is late or outside the main admission round.

It goes on to confirm that the city average will be taken as the average percentage of children eligible for targeted free school meals for the applying cohort (this will be Y6 pupils for the main admissions round) taken from the October school census in the application year. The number of places available at each school under criterion 4 will be calculated by applying the city average to the school's PAN and subtracting the number of places offered to pupils eligible for targeted free school meals under criteria 1,2 and 3. The number of places available under criterion 5 will be calculated by applying the city average to the schools PAN and subtracting the number of places offered to pupils eligible for targeted free school meals under criteria 1,2,3 and 4.

3.22 Due to the Adjudicator's determination, there is no consultation on this element of the admission arrangements for September 2028. The consultation will allow for responders to comment on all aspects of the arrangements being proposed for September 2028.

Coordinated schemes and relevant area

3.23 The council is required to agree coordinated schemes for primary and secondary admissions. These set out how applications and offers are coordinated between admission authorities and neighboring local authorities, including the key dates in the process.

3.24 It is proposed to consult on the coordinated schemes for 2028-29 and to retain the relevant area as the geographical boundary of the city.

4. Analysis and consideration of alternative options

4.1 The council could propose making further changes to its admission criteria through the consultation process; the arrangements, following the changes required in the recent Adjudicator's determination are lawful, and no other change is currently considered to be required.

4.2 The council could seek to make no change to the PAN of any school or put forward a change against the wishes of the governing board. Whilst making no change to PAN would help the council to meet a greater level of parental preferences, it will provide more uncertainty for schools in their planning and could place more schools at risk of financial difficulty. To put forward a change that is not supported by a governing board would place the council at odds with the view of those who have delegated authority to oversee the school's operation and especially the school's budget.

4.3 The council could change the proportion of secondary places prioritised for children eligible for free school meals due to the change in eligibility for these criteria. However, as the Adjudicator outlined in their recent report, if the Council intended the criterion to apply to all children eligible for FSM or similar, a further question would arise as to compliance with the School Admissions Code.

4.4 All admission authorities must consult where they propose a change to their admission arrangements, including a decrease in PAN. Community schools and other interested parties retain the right to object to the Schools Adjudicator following determination of the arrangements.

5. Community engagement and consultation

5.1 If approved, the consultation will run from 23 November 2026 to 10 January 2027, a period of seven weeks. The consultation will cover the proposed PAN reductions, the technical free school meals amendment, the coordinated schemes and the relevant area.

5.2 The consultation will be published on the council's Your Voice consultation portal. Headteachers, governing boards, other admission authorities, neighboring local authorities and other interested parties will be notified.

5.3 It is proposed that there will be 2 engagement events held online, which reflect the relative impact of the proposed changes.

5.4 Presently, it is expected that events will take place at the following times:

Coldean Primary School focused events
Online Wednesday 25 November - 6pm
Meeting link:
https://teams.microsoft.com/meet/3191638950624778?p=eP4C7MpJ0uAZRD8Zsn

Brunswick Primary School focused event
Online Tuesday 1 December - 6pm
Meeting link:
https://teams.microsoft.com/meet/3668591729215427?p=9ggXYHERTStpC6NdFV

5.5 Interested parties unable to submit a response online will be able to contact the School Admissions team for assistance in recording their response.

5.6 Attention will be given to engaging sections of the community who may be less likely to participate in public consultations, including people with protected characteristics and those who may experience barriers to accessing or understanding the consultation material.

6. Financial implications

6.1 School budgets are determined in accordance with criteria set by the government and school funding regulations dictate that the vast majority of the delegated schools block of funding must be allocated through pupil-led factors. This means school 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.

6.2 Without a planned reduction in PAN, it will be challenging for those schools to plan ahead for staff reductions and set a balanced budget. For the schools where reductions in PANs are proposed there will be direct implications and the need to plan future years' budgets to reflect lower pupil numbers and the consequent impact on budget allocations. However, planned reductions in PANs may mean schools are more likely to be able to balance their budgets if operating with full forms of entry.

6.3 The proposal to decrease PANs is intended to reduce the number of surplus school places to safeguard and indirectly 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

Name of finance officer consulted: Steve Williams Date consulted: 12/10/26

7. Legal implications

7.1 Section 88C of the School Standards and Framework Act 1998 and the School Admissions (Admissions Arrangements and Co-ordination of Admission Arrangements) Regulations 2012 require admission authorities to determine their admission arrangements annually. Arrangements must be determined 18 months in advance of the academic year to which they apply.

7.2 Where changes such as a decrease in the PAN are proposed the admission authority must first publicly consult on those proposed arrangements. The School Admissions Code 2021 states 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 arrangements are to apply. The admission arrangements must be determined by 28 February in the determination year. The arrangements for the admission year 2028/2029 must therefore be determined by 28 February 2027.

7.3 Community schools and other interested parties have the right to object to the Schools Adjudicator if the PAN set for them is lower than they would wish. The School Admissions 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 such an objection. For this determination year any objections to the arrangements must be referred to the Adjudicator by 15 May 2027.

7.4 Admissions arrangements must comply with the Code. Under the admissions code admission authorities may give priority in their oversubscription criteria to children eligible for the early years pupil premium, the pupil premium and also children eligible for the service premium. Eligibility for the pupil premium is currently linked to the Targeted Free School Meals (FSM) category only, not the Expanded FSM category per the previously published admissions criteria. This means that to be compliant with the code the admissions arrangements needs to refer specifically to Targeted FSM eligibility rather than FSM eligibility generally.

7.5 The report sets out that the city average for targeted FSM eligibility previously published as being taken as 30%, will need to be adjusted in due course to reflect the city-wide eligibility for Targeted FSM when those figures are known.

7.6 Once admission arrangements have been determined, Admission Authorities may propose variations where they consider such changes to be necessary in view of a major change in circumstances. Such proposals must be referred to the Schools Adjudicator for decision following consultation with the governing board of the affected schools.

Name of lawyer consulted: Natasha Watson Date consulted: 20/10/2026

8. Risk implications

8.1 The proposals set out in this report are considered to present a relatively low level of risk. The proposed changes are limited in scope and do not represent significant changes to the overall admission arrangements operating across the city. They are summarised in the table below.

Risk	Reason for risk	Mitigation
PAN reduction	Reduces parental preference	The council's forecasts have been to be robust and there are sufficient places to ensure the council fulfils its statutory duty to ensure all pupils have a school place. The Home to School transport policy reflects the statutory requirements and can support families as appropriate.
PAN reduction	No change in numbers admitted in September 2028	Under Infant Class Size legislation schools can have a maximum of 30 pupils taught by one teacher. Should a school not reduce its PAN and have low pupils numbers in classes this will be a

		pressure on the school's budget. Changes are therefore consulted upon. There is limited additional Schools Block funding available to support a school with low pupil numbers. This should therefore not be relied upon to support a school.
Changes to FSM criterion	The Council could propose changes to admission arrangements that do not adhere with the recent Adjudicator ruling, which would potentially subject the arrangements to further objection and the potential of being found not in compliance with the School Admissions Code.	The Council has implemented the changes required in the Adjudicator's determination and maintain these changes in the proposed arrangements for September 2028.

8.2 There is a risk that the proposed reductions in the Published Admission Numbers at Brunswick Primary School and Coldean Primary School could reduce parental preference options in some areas of the city. However, the proposed PAN reductions reflect sustained patterns of demand, support the efficient use of school places and will assist the affected schools in planning staffing and financial resources on a more sustainable basis. The council's pupil forecasts indicate that sufficient school places will remain available across the city if the proposals are implemented.

8.3 The amendment to the free school meals admission priority is a required change following the determination of the Schools Adjudicator that will apply for September 2027 and September 2028. Any proposal to consider the proportion of places available unrelated to the city average of 'targeted' FSM numbers could be questioned in relation to its compliance to the School Admissions Code.

8.4 Officers will continue to monitor pupil numbers, parental preferences and the availability of school places across the city. Should future circumstances change significantly, the School Admissions Code provides mechanisms through which admission arrangements may be varied, subject to the approval of the Schools Adjudicator where required.

9. Equalities implications

9.1 An Equality Impact Assessment (EIA) on undertaking a public consultation has not been completed at this stage. The council has undertaken extensive public consultation on school admission arrangements in recent years and

understands the public sector equality duties associated with such consultation.

9.2 The consultation process will take account of; young parents who may be less likely to respond, issues of accessibility and comprehension of the consultation process, the materials made available, and the need for the subsequent decision-making process to consider the substance and not simply the quantity of responses.

9.3 An EIA will be prepared following the public consultation and before recommendations are made on the admission arrangements to be determined for September 2028.

9.4 When determining admission arrangements, the council must ensure that sufficient school places remain available within a reasonable distance, including for families whose members have special educational needs or disabilities, speak English as an additional language or are from different racial or ethnic groups.

9.5 The proposed technical amendment to the free school meals priority will be considered carefully through the consultation and EIA, including its potential effect on economically disadvantaged children and families.

10. Sustainability implications

10.1 Wherever possible the council aims to reduce the number of journeys to school undertaken by car. A reduction in the availability of school places across the city could risk a rise in the number of journeys undertaken by car.

10.2 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

10.3 Any change in PAN is expected to require the school's travel plan to be re-written to take account of the change.

10.4 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 uncertain energy costs for schools.

11. Health and Wellbeing Implications:

11.1 The council plan 2023 to 2027 states that: "council strategies, policies and services should promote better health and wellbeing for all and reduce unfair differences between the most and least healthy."

11.2 The allocation of school places can impact on the health and well-being of children and young people as well as their families. The offer of a school place will have an implication fo the journey to school that is needing to be

undertaken and these travel arrangements may have a positive or negative impact on those who have to undertake them.

11.3 The council's home to school transport policy provides at least the statutory minimum provision of support for travel. An application can be used by families who consider that the travel arrangements may negatively impact on their health.

11.4 Being given more opportunity to secure a school place in a school that is not in your catchment area could have a positive impact on the health and well-being of those living in single school catchment areas. Notwithstanding that the potential of not obtaining a place in your catchment area school may impact negatively on those who are affected.

11.5 The admission appeal process allows for an independent panel to consider the circumstances in relation to an individual pupil and consider circumstances that fall outside of the criteria of the admission arrangements.

12 Other Implications

12.1 There are no direct procurement, crime and disorder, public health or corporate parenting implications arising solely from the decision to consult. Any relevant implications identified through consultation will be addressed in the report seeking determination of the arrangements

13 Conclusion

13.1 It is proposed to make no changes to admission arrangements (other than the ones outlined in the report) and to undertake a public consultation with the results and final recommendations coming back to Cabinet on 11 February 2027.

13.2 It is proposed that the Published Admission Number for Coldean Primary School is reduced from 60 places to 30 places.

13.3 It is proposed that the Published Admission Number for Brunswick Primary School is reduced from 90 places to 60 places.

13.4 Cabinet are asked to note the changes that have been implemented as a result of the School Adjudicator's determination in relation to secondary school admission arrangements. The determination is binding on the Council and is required to have been made by 31 October 2026. These changes will then apply to the 2028 admission arrangements as well.

13.5 Once the arrangements for September 2028 are determined, it is possible for a variation to be requested of the Schools Adjudicator for other schools should there be a major change in circumstances. Any future decision will be informed by the pattern of parental preference for September 2028, changes of strategic direction by schools in the city and the results of future financial planning.

Supporting Documentation

1. Appendices

1. Published Admission Numbers for Primary and Secondary schools 2028-29.
2. Admission arrangements and priorities for community primary and secondary schools 2028-29.
3. Primary coordinated scheme for admissions 2028-29.
4. Secondary coordinated scheme for admissions 2028-29.
5. Primary school pupil forecast.
6. Secondary school pupil forecast