

## Report to Cabinet

# School Admission Arrangements 2019-2020

**Portfolio Holder:** Cllr A Chadderton, Cabinet Member for Education and Early Years

**Officer Contact:** Andrew Sutherland, Director Education and Early Years

**Report Author:** Paula Green – Education Provision Manager, Ext. 3158

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### Reason for Decision

1. To set out the Council's statutory obligations to determine the admission arrangements for community and voluntary controlled schools in Oldham for the academic year 2019-2020.
2. To inform Cabinet of the proposed Co-ordinated Scheme for admissions for 2019-2020 and to seek approval for the proposals.
3. To inform Cabinet of the proposed admission arrangements for admissions to community and voluntary controlled primary and secondary schools for the academic year 2019-2020 and to seek approval for the proposals.
4. To seek Cabinet approval to continue the current arrangements for appeals to the Independent Appeal Panel.

### Recommendations

That the Co-ordinated Scheme and arrangements for admissions to community and voluntary controlled primary and secondary schools (as set out in Appendices A to C) and the current arrangements for appeals to the Independent Appeal Panel be determined, for the academic year 2019-2020.

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## Admission Arrangements 2019/2020

### 1 Background

- 1.1 The School Standards and Framework Act 1998 requires all Admission Authorities to determine and publish their admission arrangements annually. The Council is the admission authority for community and voluntary controlled schools and is responsible for determining the admission arrangements for those schools.
- 1.2 There are fifty eight other admission authorities in the borough. Thirty are primary and secondary voluntary aided schools, three are Foundation schools and the remainder are academies. The individual governing body of each school is the admission authority for that school and is responsible for determining its admission arrangements.
- 1.3 The Education Act 2002 introduced a requirement for LAs to co-ordinate requests for admissions in to the reception class and year 7 for all schools and academies and to determine the allocation of a single school place for each child. The purpose of co-ordination of admissions is to establish a mechanism for ensuring that every parent of a child living within the LA area can apply for all school places on a single application form and receive an offer of only one school place.
- 1.4 The Education and Inspections Act 2006 imposed a mandatory requirement to treat all parents' preferences as equal. An equal preference scheme ensures that more parents will be offered a place in one of the schools of their preference.
- 1.5 The requirement to formulate a single scheme for co-ordinating applications made during the academic year and applications for admission to age groups other than the normal entry has now been removed (from September 2013) by the Education Act 2011.
- 1.6 All admission authorities are required to establish an appeal process for those parents refused admission to a school.
- 1.7 Once admission arrangements have been determined, they must be published on the LA website no later than 15<sup>th</sup> March in the determination year.
- 1.8 The statutory admissions framework has been strengthened to ensure that all schools adopt fair and lawful admission practices. LAs have an important role to monitor compliance with the Code and are now required to report annually to the Schools Adjudicator on the fairness and legality of the admissions arrangements for all schools in their area.

### 2 Current Position

- 2.1 The Council is required to determine the admission arrangements that will apply for admissions in September 2019 to community and voluntary controlled schools. The practices and the criteria used in the allocation of school places must be reasonable, clear, objective and procedurally fair and must comply with the mandatory terms and conditions of legislation on school admissions and the School Admissions Code 2014 including:

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- Ensuring that all parents will be offered a place in a school that they prefer providing there are sufficient places available to accommodate all requests
  - Identifying fair and transparent over subscription criteria that will be applied in all cases where a school receives more requests than there are places available
  - Allowing parents to submit at least three preferences of school
  - Ensuring that all preferences are treated as equal applications

2.2 The term 'Admission Arrangements' includes the publication of an admission number for the age group relevant to this year's determination, the oversubscription criteria that will be applied in the event that there are more applications than places available and the schemes for co-ordination of admissions to all Oldham schools and academies.

2.3 By the 28<sup>th</sup> February each year the LA must notify the Secretary of State for Education that there are schemes in place for the co-ordination of admissions to all maintained schools and academies in their area for the following offer year. The proposed single co-ordinated scheme is attached at Appendix A.

2.4 The proposed admission policies for Oldham maintained community and voluntary controlled primary and secondary schools are attached at Appendices B & C.

2.5 All parents have the right to submit an appeal to an independent panel in respect of any refusal of a school place.

### 3 **Options/Alternatives**

3.1 To approve the proposed Co-ordinated Scheme at Appendix A, the arrangements for admission to community and voluntary controlled primary and secondary schools, as set out in the Appendices B & C and the continuation of existing arrangements for appeals to the Independent Appeal Panel.

3.2 To request changes to the proposed admission arrangements.

### 4 **Preferred Option**

4.1 That the proposed Co-ordinated Scheme and arrangements for admission to community and voluntary controlled primary and secondary schools, as set out in Appendices A, B and C and the current arrangements for appeals to the Independent Appeal Panel be determined for 2019-2020.

### 5 **Consultation**

5.1 The School Standards and Framework Act 1998 requires that consultation on school admission arrangements should take place for admissions once every seven years unless there are significant changes.

5.2 There has been a formal consultation on the admission policies for Oldham community and voluntary controlled schools as this has not been done for seven years. The documents have been sent to all mandatory consultees. The consultation started on Monday 06 November and finished on Friday 15 December 2017. There were no objections or negative representations received.

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5.3 The governing bodies of Oldham schools that are their own admission authority were asked to consider whether they would be making any significant changes to their existing arrangements. As the admission arrangements of other admission authorities are determined, the Oldham Council website will be updated.

## 6 **Financial Implications**

6.1 There are no financial implications. (Liz Caygill)

## 7 **Legal Services Comments**

7.1 The primary legislation referred to in this report is supplemented by regulations on school admission arrangements and the School Admissions Code 2014. Admission authorities have a statutory duty to act in accordance with the Code as well as with all relevant statutes and regulations.

7.2 On 1st January every year a local authority must publish on its website an up to date scheme to co-ordinate the admission arrangements for all publicly funded schools within its area. Where the scheme is substantially different from the scheme adopted for the previous academic year, the local authority must consult the other admission authorities in its area and any other local authorities it determines. Where the scheme has not changed from the previous year there is no requirement to consult, subject to the requirement that the local authority must consult on the scheme at least once every seven years, even if there have been no changes during that period.

7.3 A local authority must inform the Secretary of State whether it has secured the adoption of a qualifying scheme by 28 February.

7.4 Academies are required under their Funding Agreements to participate in and comply with requirements in relation to local authority co-ordination of admission arrangements.

7.5 There is no requirement for local authorities to co-ordinate in-year applications but they must provide information in its composite prospectus on how in-year applications can be made and will be dealt with. Local authorities must, on request, provide information to a parent about the places still available in all schools within its area, and a suitable form for parents to complete when applying for a place for their child at any school for which they are not the admission authority

7.6 Own admission authority schools must, on receipt of an in-year application, notify the local authority of both the application and its outcome, to allow the local authority to keep up to date figures on the availability of places in the area. (Colin Brittain)

## 8. **Cooperative Agenda**

8.1 Local Authorities are required to operate a single scheme of co-ordination that applies to all schools and admission authorities within the relevant area and to

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determine admission arrangements that will apply to all community and voluntary controlled school within the area.

## **9 Human Resources Comments**

9.1 There are no HR implications. (Andy Collinge)

## **10 Risk Assessments**

10.1 Admissions authorities have a statutory duty to ensure that their determined admission arrangements comply with the mandatory provisions of the School Admissions Code. Failure by an authority to comply with the mandatory requirements of the Code is a breach of the authority's statutory duty to act in accordance with the Code.

10.2 If Oldham does not have in place admission arrangements that are reasonable, clear, objective and procedurally fair and comply with the mandatory provisions of the Code, there exists the potential risk of challenge by parents about the allocation of school places, and the potential for reference to the Ombudsman for maladministration.

## **11 IT Implications**

11.1 There are no ICT implications as a result of the proposed admission arrangements. (Alison Heneghan)

## **12 Property, Environmental and Health & Safety Implications**

12.1 None.

## **13 Procurement Implications**

13.1 None.

## **14 Equality, community cohesion and crime implications**

14.1 Admission authorities have a legal duty to comply with parental preference. Consequently, Oldham's school admission arrangements are based primarily on expressions of parental preference.

14.2 It is a requirement of the School Admissions Code that admission arrangements and over-subscription criteria are clear and objective and comply with other legislation including the Equality Act 2010 and Human rights Act 1998.

14.3 The LA makes every effort to ensure that parents are not only aware of the published admission arrangements but that they also fully understand them. The level of satisfaction with a complex process contributes directly to community cohesion.

14.4 Clear communication with parents will need to continue, to support them in fully understanding the admission arrangements and co-ordinated admission schemes

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in order to make an informed decision. Therefore, continued communication will be necessary to ensure that parental preference continues to be maximised.

14.5 Parents who may have difficulty with making an informed application for a school place are supported by Schools and LA Officers at regular organised drop in sessions.

14.6 The governing bodies of voluntary aided, trust, foundation schools and academies are also fully aware of the importance of clear, objective admission arrangements. They continue to work closely with the LA in ensuring that admission arrangements are transparent, equitable and communicated clearly to parents.

## 15 **Equality Impact Assessment Completed?**

15.1 Yes.

## 16 **Key Decision**

16.1 Yes.

## 17 **Key Decision Reference**

17.1 The Key Decision reference number is EAY-08-17.

## 18 **Background papers**

18.1 School Admissions Code, December 2014.

## 19 **Appendices**

- **Appendix A**  
Co-ordinated Admissions Scheme to Oldham Schools 2019/20
- **Appendix B**  
School Admissions Policy – Oldham Community and Voluntary Controlled Primary Schools September 2019
- **Appendix C**  
School Admissions Policy – Oldham Community Secondary Schools September 2019