


<p>Cabinet</p> <p>2 February 2016</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Debbie Jones, Interim Corporate Director, Children's Services</p>	<p>Classification: Unrestricted</p>
<p>Determination of School Admission Arrangements for 2017/18</p>	

Lead Member	Councillor Rachel Saunders, Deputy Mayor and Cabinet Member for Education and Children's Services
Wards affected	All Wards
Community Plan Theme	A Prosperous Community
Key Decision?	Yes

Executive Summary

This report presents recommendations for Cabinet to agree the Council's school admission arrangements for Tower Hamlets Community Schools and those schools for whom the Council acts as the admission authority.

Recommendations:

The Mayor in Cabinet is recommended to:

- **Agree** the arrangements and oversubscription criteria for admission to Community Nursery Schools/Classes in 2017/18, as set out in Appendix 1.
- **Agree** the arrangements, oversubscription criteria and catchment areas for admission to Community Primary Schools in 2017/18, as set out in Appendix 2.
- **Agree** the arrangements and oversubscription criteria for admission to Community Secondary Schools in 2017/18, as set out in Appendix 3.
- **Agree** the schemes for co-ordinating admissions to the Reception Year of primary school and Year 7 of secondary school for 2017/18, as set out in Appendix 4.
- **Agree** the scheme for co-ordinating 'In-Year' Admissions for 2017/18, as set out in Appendix 5.
- **Agree** the planned admission number for each school in Tower Hamlets in 2017/18, as set out in Appendix 6.

1. REASONS FOR THE DECISIONS

- 1.1 The Council decides and implements its school admission arrangements through local consultation and collaboration, enabling it to fully understand and meet circumstances in its area. In doing so, the Council seeks to provide a clear framework intended to ensure that arrangements are lawful, reasonable and minimise delay to children accessing education.
- 1.2 The proposed schemes, consultation and recommendations in this report are consistent with the Council's statutory duties as set out in the most recent revision of the School Admissions Code (Dec 2014).
- 1.3 The Council is addressing the rising need for school places and ensuring that both its school admission and school place planning arrangements work in harmony. 14.5FE of additional primary capacity has been created in the school years 2008/09 to 2014/15. This equates to 435 more places available for the Reception year and 3045 places when the additional capacity is filled in all year groups. A further 2FE of primary capacity will be available from September 2016 with the expansion of Olga Primary School.
- 1.4 The co-ordination of arrangements together with school catchment areas provide a framework to plan the provision of school places more coherently, taking account of existing and future school locations; travelling distance; pupil migration and changes in neighbouring boroughs.

2. ALTERNATIVE OPTIONS

- 2.1 The Council has a statutory duty to annually determine the arrangements for admission to its community schools and to formulate a complying scheme for co-ordinating admissions at the main points of entry (i.e. reception, Year 3 for junior schools and Year 7 for transfer from primary to secondary school). If Cabinet fails to take such action the Council would be acting contrary to the law.
- 2.2 The recommendations in this report have been prepared with regard to the need for arrangements to be clear, objective and fair. Due consideration has been given to alternative admission arrangements, but any alternative action could lead to inequality and leave the Council open to legitimate complaint and legal challenge. If Cabinet wished to consider adoption of alternative arrangements, then full consideration would need to be given to the guidance provided, particularly as to the legal requirements.

3. DETAILS OF REPORT

- 3.1 The Local Authority must consult the public on its arrangements at least once every 7 years, unless it is proposing changes. There are no significant changes to community school admissions arrangements that were consulted upon and approved by Cabinet for the 2016/17 school year. However, the Council is committed to consulting on its school admission arrangements every year as it is concerned to ensure that they continue to promote and enable fair access, secure choice and diversity, and give parents and the wider community opportunity to make informed representation.
- 3.2 The public consultation took place between 1st November and 31st December 2015. An analysis of the responses is attached as Appendix 7.

3.3 The Tower Hamlets School Admission Forum, representative of all the key stakeholders in the admission process, including parents, schools, community organisations, diocesan bodies and the Council of Mosques, discussed and agreed the proposals at its meeting on the 30th September 2015.

3.4 Nursery School Admissions Arrangements (Appendix 1)

In 2015/2016 the Council made changes to the nursery admission policy to bring it in line with arrangements for primary admissions, there are no proposals to make further changes this year.

3.5 Primary School Admission Arrangements (Appendix 2)

There are no proposals to alter the existing arrangements and oversubscription criteria for admission to primary schools. The outcomes of the school catchment system first introduced in 2013/14 remain positive with a high proportion of children gaining a place at a local primary school. The percentage of Tower Hamlets children securing a place at one of the top three choices remains above the London average as shown in the chart below:

School Year	% of TH children securing a place at top three choices	London Average
2013/14	93%	92%
2014/15	95%	92%
2015/16	95%	92.5%

However, there will continue to be a need for periodic modifications to primary school catchment areas, in response to a rising pupil population and the planned developments to increase school capacity.

3.6 Secondary School Admission Arrangements (Appendix 3)

There are no proposals to change the existing oversubscription criteria for admission to secondary schools. However, the Local Authority will modify its testing arrangements for pupil ability banding. Tower Hamlets uses banding at the point when children transfer from primary to secondary school. Each secondary school's intake is divided equally across four bands, designed to be representative of the range of ability of children in the local area. Places are then allocated within each band using the school's oversubscription criteria (e.g. siblings; distance). Schools in Tower Hamlets are committed to the continued practice of pupil ability banding as its use, in conjunction with the other oversubscription criteria, can help to achieve intakes with both a broader ability range and wider social mix than would otherwise be the case.

Children were assigned to ability bands based on their performance in the Optional SATs taken in the summer term of Year 5. The optional SATs have now been discontinued following a review of the national curriculum. The Authority has therefore agreed with its schools to use an alternative testing method aligned with the revised National Curriculum and supplied by the National Foundation for Education Research. The new banding arrangements have been welcomed by headteachers because it provides the added benefit, through the specific test items used, of enabling schools to track pupil progress as well as better identify their strengths and weaknesses.

3.7 Co-ordinated Admission Schemes – Reception, Year 3 and Year 7 (Appendix 4)

The Local Authority has a statutory responsibility to co-ordinate admissions for children starting primary school, moving from infant to junior school and those transferring from primary to secondary school. The aim is to ensure that as many children as possible are able to receive an offer of a school place at the earliest stage. The scheme and timetable is devised in conjunction with the 32 other London LAs.

3.8 Co-ordinated Admission Scheme - In-Year Admission (Appendix 5)

The Local Authority also co-ordinates admissions for children who require a school place outside of the normal points of entry. This is not a legal requirement, but it is an essential safeguarding provision which provides the Local Authority with the most effective way of ensuring that children out of school are tracked and then placed as quickly as possible.

A scheme for co-ordinating in-year admissions is also essential at a time when the numbers of children requiring school places outside the normal points of entry are increasing. This together with a rising and mobile child population places significant pressures on the School Admissions Service. The more recent international human rights abuses and the Welfare Reform Act (2012) are two key developments that could potentially have further implications for service demand.

The Local Authority and its partners have put in place a number of measures to support existing residents and new arrivals to the area. Anecdotal evidence suggests that even when families are placed outside of Tower Hamlets they continue to travel back to the borough for schooling. The reasons for this are unknown, although it is acknowledged that school places are at a premium and/or that it has been difficult for families to secure schooling they find satisfactory in the borough where they have been placed.

Central government plans to make further reforms to the welfare system over the next year is likely to affect a significant number of local families. Work is now being undertaken to consider the impact of these changes. Cumulatively, there are a range of factors which would draw the conclusion that there will be a continued demand for school place provision in Tower Hamlets.

3.9 Planned Admission Numbers (Appendix 6)

The planned admissions number (PAN) for schools in Tower Hamlets for the 2017/18 school year seeks to take account of rising pupil numbers and the increased demand in certain areas. Cabinet's attention is drawn particularly to those schools where an increase is indicated.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 This report explains the proposals for determining the admission arrangements to Tower Hamlets community schools and those for which the Council acts as the admission authority for 2017/18.

- 4.2 The capital consequences for the growing number of pupils in schools have already been advised to Cabinet and have been reflected in the Council's capital programme as far as current resources permit. There are no direct revenue funding implications for future years in respect to pupil numbers which are fully funded by the Dedicated Schools Grant. Savings attributed to lower school transport costs, as a result of the introduction of new catchment areas in previous years are on track to be delivered.

5. LEGAL COMMENTS

- 5.1 The Council is the admission authority for all community and voluntary controlled schools in Tower Hamlets. At least one voluntary aided school and one academy also use the same admissions arrangements. The Council is responsible for administering the co-ordinated scheme for all Tower Hamlets schools, including academy and free schools so that parents apply to their home local authority (irrespective of where the school might be) and receive one offer of a school place.
- 5.2 Section 88C of the School Standards and Framework Act 1998 requires the Council in its role as admission authority to determine the admission arrangements that will apply in line with regulations (currently, the School Admissions (Admission Arrangements and Co-Ordination of Admission Arrangements) (England) Regulations 2012 ("the Admission Regulations 2012") and the mandatory requirements of the School Admissions Code ("the Code").
- 5.3 The Admission Regulations and the Code require that for the school year 2017 - 18, the Council must –
- (a) Carry out any consultation required by section 88C and the Regulations between 1 October 2015 and 31 January 2016;
 - (b) Allow consultees at least six weeks to respond; and
 - (c) Determine its admission arrangements on or before 28 February 2016.
- 5.4 Once the Council has determined its arrangements it must notify the appropriate bodies, set out in the Code, and must publish a copy of the determined arrangements on its website by 15 March in the determination year for the whole offer year, for any school or Academy in Tower Hamlets (Regulation 18).
- 5.5 Where changes are proposed to admission arrangements, the Council must first publicly consult on those arrangements. It is noted that the Council intends to modify its testing arrangements for pupil ability banding, so the Council should consult on those changes. Where there are no changes proposed, the Council is not required by the Regulations to consult, but may still do so if it chooses and should do so where it is considered necessary to properly assess the impacts of the arrangements. The Council consults on its arrangements every year.
- 5.6 Any consultation carried out for the purposes of assessing the impact of the admission arrangements should comply with the following principles: (1) it should be at a time when proposals are at a formative stage; (2) the Council must give sufficient reasons for any proposal to permit intelligent consideration and response; (3) adequate time must be given for consideration and response; and (4) the product of consultation must be conscientiously taken into account.

- 5.7 When determining its admission arrangements, the Council is required by section 84(3) of the School Standards and Framework Act 1998 to act in accordance with the relevant provisions of the Code, which applies to all maintained schools. One requirement of the Code is that the Council must set an admission number (the Planned or Published Admission Number (PAN) for each relevant age group. For a community or voluntary controlled school, the Council (as admission authority) must consult at least the governing body of the school where it proposes either to increase or keep the PAN.
- 5.8 In determining the admission arrangements, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not. Relevant information on these considerations is provided in the One Tower Hamlets section of the report.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. The Council aims to establish and promote admission arrangements that seek to eradicate inequality and maximise the accessibility of school places. These policies are circumscribed by law and statutory guidance. They comply with equalities legislation and, as far as possible, are inclusive of the community. The Council is also mindful of its duty to ensure that school admission decisions meet parental preference, where possible. It monitors outcomes to ensure that any proposed policy change explains the background, identifies the issues of concern and highlights the potential benefits.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1 The underpinning principle for the admission policy to community schools is to provide local places for local children. This reduces the need for pupils to travel long distances to school. The existing admission arrangements aligned with proposed school expansions seeks to alleviate the pressure on school places in parts of Tower Hamlets and reduce the number of children who are travelling out of their immediate areas to access the nearest available school place.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1. Admission arrangements must be reviewed periodically in accordance with the DfE School Admissions Code (2014). Failure to do so could lead to legal challenge and a loss of confidence in the Council as an admission authority.
- 8.2. Although, in practice, the Council reaches a high standard in ensuring that a very high percentage of families obtain a place at one of their preferred schools, there is still the need for it to regularly monitor and review its school admissions arrangements. The Council also needs to ensure that these arrangements continue to provide fair and equal access to school places for all children. The risk of not implementing the proposed changes could mean that arrangements would no longer reflect these underlying social equity principles.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 9.1 There are no crime and disorder implications.

10. EFFICIENCY STATEMENT

- 10.1 The Council's seeks to ensure there is an adequate level of accessible school place provision. Reducing the potential for surplus places whilst providing for the delivery of efficient education and the efficient use of resources. Arrangements are reviewed regularly and policies are adequately resourced to ensure effective service delivery.

Linked Report

- None

Appendices

- Appendix 1 Proposed admission arrangements and oversubscription criteria for Tower Hamlets community nursery classes in 2017/18.
- Appendix 2 Proposed admission arrangements and oversubscription criteria for Tower Hamlets community primary schools in 2017/18.
- Appendix 3 Proposed admission arrangements and oversubscription criteria for Tower Hamlets community secondary schools in 2017/18.
- Appendix 4 Proposed scheme for co-ordinating admissions to Reception and Year 7 for 2017/18
- Appendix 5 Proposed scheme for co-ordinating In-Year admissions for 2017/18
- Appendix 6 Planned Admission Number for each Tower Hamlets School in 2017/18
- Appendix 7 An Analysis of the Responses to the Public Consultation
- Appendix 8 Equalities Impact Assessment on the Admission Arrangements for Tower Hamlets Schools (2015).

Background Documents – Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012

- None