

Committee/Meeting: Cabinet	Date: 5 June 2013	Classification: Unrestricted	Report No: CAB 001/134
Report of: Corporate Director (Education, Social Care and Wellbeing) Originating officers Terry Bryan, Head of Pupil Admissions and Exclusions Anne Canning, Service Head: Learning and Achievement		Title Determination of School Admission Arrangements for 2014/15 Wards affected: all	

Lead Member	Cllr Oliur Rahman
Community Plan Theme	A Prosperous Community
Strategic Priority	Improving educational aspiration and attainment

1. **SUMMARY**

- 1.1 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.

2. **DECISIONS REQUIRED**

The Mayor in Cabinet is recommended to:-

- 2.1 **Agree** the admission criteria for Tower Hamlets primary and secondary community schools in 2014/15, as set out in Appendices 1 and 2.
- 2.2 **Agree** the scheme for co-ordinating admissions to Reception and Year 7 for 2014/15, as set out at Appendix 3.
- 2.3 **Agree** the scheme for co-ordinating 'In-Year' Admissions for 2014/15, set out at Appendix 4.
- 2.4 **Agree** the planned admission number for each Tower Hamlets School in 2014/15, set out at Appendix 5.
- 2.5 **Agree** the revised constitution of the Tower Hamlets School Admission Forum as outlined in in Appendix 6.

3. **REASONS FOR THE DECISIONS**

- 3.1 The Council's aim is to determine and implement its school admission arrangements through local consultation, 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 arrangements are both lawful and fair, ensuring that every effort is made to meet the needs of all children.

- 3.2 The Council is particularly concerned that its school admission arrangements should promote and enable fair access to educational opportunity, secure choice and diversity as well as respond to parental and community representations. Each recommendation in this report is consistent with the Council's Statutory Duties as set out in the current School Admissions Code.

4. ALTERNATIVE OPTIONS

- 4.1 The Council has a statutory duty to annually determine admission arrangements for its community and voluntary controlled schools and to formulate a complying scheme for coordinating 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.
- 4.2 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 in the report, particularly as to the legal requirements.

5. BACKGROUND

- 5.1 Following revisions to the School Admissions Code in 2012, a Local Authority must now consult on its school admission arrangements every seven years, unless it is proposing changes. Last year the Council, following consultation, made changes to its schools admission arrangements to take effect for admissions in 2013/14. There were no significant changes being proposed for 2014/15, but the Council did consult stakeholders on the arrangements that were previously determined. These stakeholders included parents, schools, community organisations and neighbouring authorities. Although there were no responses received regarding the general arrangements, two responses were received from schools concerning the new Bow School, which will change from boys only to a mixed school. This is explained in paragraphs 7.1 – 7.2.
- 5.2 The Tower Hamlets School Admission Forum, a group representative of stakeholders, was separately consulted on: the proposed school admissions criteria; co-ordinated schemes; and planned admissions numbers. The forum endorsed all the recommendations pertaining to these items in this report.
- 5.3 For the 2013/14 school year, 93 per cent of families applying to primary school gained a place at one of their top three school choices in Tower Hamlets. 84 per cent of Tower Hamlets families secured a place at their first choice school. This outcome means that Tower Hamlets has performed significantly above the London average since this measure was introduced. A further key performance indicator is that the majority of children will have access a local school place, under the Authority's new admission system.

- 5.4 Although the results are extremely positive, the Authority continues to work to address the need for more primary school places. 285 additional places have been created since 2008 and a further 60 places have been agreed for September 2014. Strategies continue for both school place planning and school admission arrangements to work in harmony, to ensure that as many children as possible are able to access a local school place

6. ADMISSION TO PRIMARY SCHOOLS

- 6.1 For primary school admissions in 2013/14 the Council introduced a new Catchment area system. A system designed to create a more even distribution across the available school place provision, enabling as many children as possible to have access to a local school place. The early outcomes of the new system are not yet known. It is therefore not possible to determine what modifications, if any, will be needed for 2014/15.
- 6.2 The Council will keep the catchment system under review in order to ensure that, as far as possible, pupil numbers closely match the number of places available in each area. However, no changes are being proposed for the oversubscription criteria for admission to community primary schools 2014/15, as set out in Appendix 1.

7. ADMISSION TO SECONDARY SCHOOLS

- 7.1 There are no proposals to alter the existing oversubscription criteria for admission to secondary schools, which are set out in Appendix 2. However, the enlargement and change of character of Bow School necessitates the use of transitional arrangements to deal with admissions to Year 7. These were presented separately to Cabinet on 10 April 2013 and were agreed by the Mayor. Under normal admission arrangements and taking account of equalities duties, it is not possible to restrict or cap the number of places in a mixed school for either gender. However, where the intention is to support the school with the change of character, transitional arrangements are able to assist the promotion of a balanced roll of boys and girls over time.
- 7.2 For four years from September 2014, girls will only be admitted to Bow School at Year 7, until the year groups have both girls and boys. The Year 7 places will be designated equally with 135 places for girls and 135 places for boys. The places will be filled in this priority order:
- Pupils who apply from each gender will be considered in accordance with banding arrangements and the admissions criteria for community schools up to a maximum of 135 places for boys and 135 places for girls. This may mean that some pupils may be initially refused a place because the target number for that gender has been filled.
 - Any places remaining after national offer day and applications received outside the normal point of entry will be filled in accordance with the admission criteria regardless of gender.
 - After September 2018, the school will operate the normal admission arrangement for community schools in Tower Hamlets.

- 7.3 Secondary headteachers have expressed concern that the creation of mixed places at an expanded Bow School will mean there will be twice the number of places available each year in single sex girls schools than in single sex boys schools. This is likely to have an impact on the gender distribution of those applying for places at mixed schools, adversely affecting the ability of mixed schools to have a reasonably balanced roll.
- 7.4 The Authority recognises this concern, but is also mindful of the need for more school places overall, which cannot be provided in a way that will give balance to the provision of mixed and single sex places. The Council is also mindful that the geographical location of the relocated and mixed Bow School will provide opportunity for a school place nearer to home for more children than previously, particularly girls.
- 7.5 The Authority has agreed to undertake a modelling exercise to look at the likely impact and to see how admission arrangements might be modified to promote a more equal gender balance in mixed schools, taking account of projected capacity requirements and the necessary equalities legislation.

8. **UNDER FIVES AND SIXTH FORM ADMISSIONS**

- 8.1 The responsibility for determining the admissions arrangements for nursery schools/classes and sixth forms in community schools is that of the local authority. Administration of nursery and sixth form admissions is delegated by the Authority to schools. It will be necessary to make adjustments to the under-fives policy as a result of changes in national policy. Sixth form policies will be reviewed in line with new School Admissions Code and in consultation with the relevant schools, to ensure compliance with applications timelines, entry criteria and place offer arrangements. The wider issues to consider are the introduction of funded places for 2 year olds and the raising of the participation age for sixth form age pupils.

9. **CO-ORDINATED ADMISSION ARRANGEMENTS AND TIMETABLE**

- 9.1 The Local Authority is responsible for administering a co-ordinated scheme for its area, in relation to all Tower Hamlets schools, including academy and free schools. The purpose of a co-ordinated admission scheme is to ensure that (as far as is reasonably practicable) every parent of a child living in Tower Hamlets, who has applied for a school place in the normal admission round, receives an offer of a school place as early as possible.
- 9.2 **Primary and Secondary Co-ordination:** For admissions to the reception year and Year 7 of secondary School the process and timescales have not altered from the previous year. They are in line with national closing and offer dates and the procedures for cross-borough applications to be made through the home local authority.
- 9.3 The existing schemes for Primary and Secondary Co-ordination in 2014/15 are set out in Appendix 3 to this report.

- 9.4 **In-Year Co-ordination:** From September 2013 there is no longer a statutory requirement for a local authority to co-ordinate the admission of children to school outside the normal points of entry i.e. reception and Year 7. However, the Authority recognises that co-ordinated admissions provides the most effective way for ensuring that children out of school are tracked and placed as quickly as possible. This safeguarding element has been a particular strength of in-year co-ordination since its introduction and there is a significant risk that children may slip through the net if things revert back to a system whereby applicants submit applications direct to individual schools.
- 9.5 The Authority will therefore continue to co-ordinate in-year admissions as a maintaining local authority and in accordance with the scheme set out in Appendix 4 to this report. However, if schools that are their own admission authority decided not to co-ordinate centrally, they could not be compelled to do so. This could lead to safeguarding issues, very likely lead to duplicate offers and uncertainty for schools on whether or not children would take up places offered. The Authority has therefore written to schools that are their own admission authority requesting that they support the Council's measures to safeguard children by agreeing to the proposed scheme for 2014/15.
- 9.6 The Authority is aware that the main issue schools have with in-year admissions is the time taken to centrally co-ordinate the process. This concern has led to the Authority developing new procedures and software to minimise delay, as well as provide the flexibility for schools that are their own admission authority to administer their admissions in conjunction with the Authority's Pupil Admissions Team. This gives schools the option of having a greater involvement in the central admissions process and enables the Authority to have a better overview on the provision and demand for school places in the area. The software has been rolled out to over half of Tower Hamlets schools and the feedback has been very positive. The remaining schools are due for completion by the end of the 2013 calendar year.

10. PLANNED ADMISSION NUMBERS

- 10.1 The Authority is required to consult annually on the planned admission numbers (PAN) for its community schools. The School Admissions Code now permits own admission authority schools to increase their PAN without consulting. However, for the normal years of entry, these schools must notify the Authority in good time so that it can carry out its co-ordination duty. Community schools can also ask for their PAN to be raised. If the Authority refuses the matter can be referred to the School Adjudicator, and the assumption will be that the school will be allowed to raise its PAN. Particularly, a school that is rated by Ofsted as good or outstanding.
- 10.2 A document, which specifies the maximum number of pupils that can be admitted to a school in the 2014/15 year of entry, is attached as Appendix 5. Cabinet's attention is drawn particularly to those schools where proposed changes are indicated. These changes reflect the demand for school places in those areas. The consultation responses did not raise any objections.

11. SCHOOL ADMISSION FORUM

- 11.2 The function of the School Admissions Forum is a strategic one, to consider and promote a fair and effective schools admission system, which advances social equity and ensures local parental views are addressed; and to advise the Local Authority and other admission authorities on admissions related issues. The forum should therefore represent and engage all the key stakeholders: parents, schools (including academies and free schools), diocesan authorities, the Council of Mosques and local community organisations, such as, those supporting vulnerable children and families. This is especially important, given the new statutory frameworks and the many different agencies now involved in the provision of school places. The forum can therefore play a key role in ensuring that equalities issues remain at the heart of the school admissions process.
- 11.3 Given the on-going and growing public interest in school admissions and the Admissions Forum's now defined role in representing the community and influencing decisions on its behalf, the revised constitution allows for the addition of two members from the newly established Tower Hamlets Parents Council, a further representative from a community/voluntary organisation, and a local authority education appeals panel member. The aim is for the forum to acquire a more strategic and independent role and provide greater opportunity for sufficient participation and influence from parents and the wider community.

12. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 12.1 This report informs cabinet of the proposals for determining the admission arrangements to community and voluntary controlled primary and secondary schools in Tower Hamlets for 2014/15.
- 12.2 There are no financial implications for future years in respect of pupil numbers which are fully funded by the Dedicated Schools Grant. The admissions arrangements were revised for 2013/14 to include catchment areas in primary schools which will assist in lessening the requirement to provide travel assistance to families who are not successful in getting a school place close to home. Officers will be monitoring the impact of admission patterns on the home-school travel budget on an on-going basis, but savings in the travel budget may take up to 7 years to be realised.

13. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)

- 13.1 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 2012.
- 13.2 The Council is required, as an admission authority, to set ("determine") admission arrangements annually by 15 April every year, even if the arrangements have not changed from previous years (Regulation 17 of the School Admission Regulations). Where changes are proposed to admission arrangements, the Council must first publicly consult on those arrangements.

The report states that there have been no significant changes proposed for 2014/15 but that the Council did consult stakeholders on the arrangements that were previously determined for 2013/14.

- 13.3 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 1 May in the determination year for the whole offer year, for any school or Academy in Tower Hamlets (Regulation 18 of the School Admission Regulations).
- 13.4 In 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 School Admissions Code 2012, which applies to admissions to all maintained schools. The report states that all requirements of the Code have been taken into account in preparing the admission arrangements.
- 13.5 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 don't. Information is provided in the One Tower Hamlets section of the report relevant to these considerations.

14. ONE TOWER HAMLETS CONSIDERATIONS

- 14.1 An Equalities Impact Assessment was conducted when the Authority last proposed changes to its admission arrangements for community schools. As no general changes have been proposed to the admission arrangements, a further analysis has not been carried out.
- 14.2 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 therefore monitors outcomes to ensure that any proposed policy change explains the background, identifies the issues of concern and highlights the potential benefits.
- 14.2 A further equalities analysis has been carried out in relation to the transitional admission arrangements, following proposals for the enlargement and change of character to Bow School, which will admit boys and girls from September 2014. That analysis is set out in Appendix 7 and shows that the proposed transitional admission arrangements for Bow School enable some justifiable, temporary support to the school to assist achieving a balanced roll as far as possible as the school undertakes the process of the change of character.

15. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 15.1 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.

16. RISK MANAGEMENT IMPLICATIONS

- 16.1 Admission arrangements must be reviewed periodically in accordance with the DfE School Admissions Code. Failure to do so could lead to legal challenge and a loss of confidence in the Council as an admission authority.
- 16.2 Although, in practice, the Council reaches a high standard in ensuring that 93% 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. It is incumbent upon the Council 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 the Council arrangements would no longer reflect these underlying social equity principles.

17. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 17.1 There are no crime and disorder implications.

18. EFFICIENCY STATEMENT

- 18.1 The Council seeks to ensure there is an adequate level of accessible school place provision. Reducing surplus places whilst at the same time ensuring the delivery of efficient education and the efficient use of resources. It will therefore continue to review its arrangements so that policies are adequately resourced to ensure effective service delivery.

18. APPENDICES

- Appendix 1 Proposed admission criteria for Tower Hamlets community primary schools in 2014/15
- Appendix 2 Proposed admission criteria for Tower Hamlets community secondary schools in 2014/15
- Appendix 3 Proposed scheme for co-ordinating admissions to Reception and Year 7 for 2014/15
- Appendix 4 Proposed scheme for co-ordinating 'In-Year' admissions for 2014/15
- Appendix 5 Planned Admission Number for each Tower Hamlets School (2014/15)
- Appendix 6 The revised constitution for the Tower Hamlets School Admission Forum
- Appendix 7 Equality analysis for Bow transitional arrangements
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**Local Authorities (Executive Arrangements) (Access to Information) (England)
Regulations 2012**

List of “Background Papers” used in the preparation of this report

List of “background papers”

Name and telephone number of holder
and address where open to inspection.

Equality analysis for last significant amendments
to the admissions scheme

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