


<b>Cabinet</b> 4 March 2015	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Robert McCullough Graham Corporate Director (Education, Social Care and Wellbeing)	<b>Classification:</b> Unrestricted
<b>Determination of School Admission Arrangements for 2016/17</b>	

<b>Lead Member</b>	Cllr Gulam Robbani, Cabinet Member for Education and Children's Services
<b>Wards affected</b>	All wards
<b>Community Plan Theme</b>	A Prosperous Community
<b>Key Decision?</b>	Yes

### Executive Summary

This report presents recommendations for Cabinet to agree the Council's school admission arrangements for Tower Hamlets Community Schools and for 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 2016/17, as set out in Appendix 1.
- **Agree** the arrangements, oversubscription criteria and catchment areas for admission to Community Primary Schools in 2016/17, as set out in Appendices 2 and 3.
- **Agree** the arrangements and oversubscription criteria for admission to Community Secondary Schools in 2016/17, as set out in Appendix 4.
- **Agree** the schemes for co-ordinating admissions to the Reception Year of primary school and Year 7 of secondary school for 2016/17, as set out in Appendix 5.
- **Agree** the scheme for co-ordinating 'In-Year' Admissions for 2016/17, as set out in Appendix 6.
- **Agree** the planned admission number for each School in Tower Hamlets in 2016/17, as set out in Appendix 7.

## **1. REASONS FOR THE DECISIONS**

- 1.1 The Council decides and implements 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 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 2013/14. This equates to 435 more places available for the Reception year and 3045 places when the additional capacity is filled in all year groups.
- 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 in the report, 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 proposed changes to the community school admissions arrangements that were consulted upon and approved by Cabinet for the 2015/16 school year. However, the Council has consulted again this year as it is particularly concerned to ensure that its existing arrangements continue to promote and enable fair access, secure choice and diversity, giving the parents and the wider community opportunity to make representation.

- 3.2 The public consultation took place between 1st November 2014 and 5th January 2015. An analysis of the responses is attached as Appendix 8. The overall number of responses was very low, but not unexpected, given that no changes were being proposed from the admission arrangements agreed previously.
- 3.3 The Tower Hamlets School Admission Forum, which discussed the proposals in detail at its meeting on 10<sup>th</sup> December 2014, has endorsed all the recommendations in this report. The Forum's approval is of significant importance, given that it is representative of all the key stakeholders in the admission process, including parents, schools, community organisations, diocesan bodies and the Council of Mosques.

3.4 Nursery School Admissions Arrangements (Appendix 1)

Following last year's changes to bring the nursery admission policy into line with arrangements for primary admissions, there are no proposals to make further changes this year.

- 3.5 Primary School Admission Arrangements (Appendices 2 and 3) – There are no proposals to alter the existing arrangements and oversubscription criteria for admission to primary schools. The outcomes of the primary school catchment system first introduced in 2013/14 remain positive with a higher proportion of children now gaining a place at a local primary school. However, there will continue to be a need for periodic modifications to the school catchment areas, in recognition of the rising pupil population and planned school developments

- 3.6 Secondary School Admission Arrangements (Appendix 4) - There are no proposals to alter the existing arrangements and oversubscription criteria for admission to secondary schools. Following representations made last year the Authority considered whether or not there was a need to implement a designated priority admission (catchment) area for Morpeth School or another school in or around the Bow area. Consideration was also given to whether or not the 'nearest school' tie-break criterion should be introduced as part of the admissions arrangements for secondary schools. The detailed analysis included an equalities impact assessment (Appendix 9) on the effects of the relocation of Bow School and its change of designation from a single sex to a mixed (boys and girls) school. The results determined that children living in Bow were now able to access a nearby school and most had secured a place at either Morpeth or Bow School during the September 2014 secondary transfer round. The Authority therefore decided that no changes were necessary.

- 3.7 Co-ordinated Admission Schemes (Appendices 5 and 6) - The Local Authority is responsible for administering a co-ordinated scheme for children starting primary school and those moving 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 Local Authority is no longer required to co-ordinate admissions for children who require a school place outside of the normal points of entry, but it will continue to do so because it remains the most effective way of ensuring that children out of school are tracked and then placed in school as quickly as possible. This safeguarding provision has been a particular strength of in-year co-ordination since the Council's introduction in 2011.

- 3.8 Planned Admission Numbers (Appendix 7) - The planned admissions number (PAN) for schools in Tower Hamlets for the 2016/17 school year seek to take account of rising pupil numbers and the increase demand in certain areas.

Cabinet's attention is drawn particularly to those schools where an increase is indicated.

- 3.9 There were no objections to the planned school admissions numbers for 2016/17.

#### **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 2016/17.
- 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 new system of catchment areas introduced last year 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. The Council is responsible for administering the co-ordinated scheme for all Tower Hamlets schools, including academy and free schools.
- 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.
- 5.3 The Admission Regulations require that for the school year 2016-2017, the Council must –
- (a) complete any consultation required by section 88C and the Regulations on or before 1 March 2015;
  - (b) allow consultees at least eight weeks to respond; and
  - (c) determine its admission arrangements on or before 15 April 2015.
- 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 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).
- 5.5 Where changes are proposed to admission arrangements, the Council must first publicly consult on those arrangements. As no changes are proposed for 2016/2017, 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. When considering the proposed admission arrangements, the Council should have due regard to the responses to the consultation.

- 5.6 Any consultation carried out for the purposes of assessing the impact of the admission arrangements should comply with the following criteria: (1) it should be at a time when proposals are still 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. The duty to act fairly applies and this may require a greater deal of specificity when consulting people who are economically disadvantaged. It may require inviting and considering views about possible alternatives.
- 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 School Admissions Code, which applies to admissions to all maintained schools. One requirement of the Code is that the Council must set an admission number (the Planned or Published Admission Number or 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 same 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 don't. Relevant information on these considerations is provided in the One Tower Hamlets section of the report. The equality analysis referred to in Appendix 9 was not available at the time of clearing this report for MAB. This will need to be provided prior to the report being published for Cabinet and the report will need further legal clearance when the analysis is available.

## **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 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. 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 the Council 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.

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### **Linked Report**

- None

### **Appendices**

- Appendix 1 Proposed admission arrangements and oversubscription criteria for Tower Hamlets community nursery classes in 2016/17.
- Appendix 2 Proposed admission arrangements and oversubscription criteria for Tower Hamlets community primary schools in 2016/17.
- Appendix 3 Proposed changes to the catchment areas for community primary schools in 2016/17.
- Appendix 4 Proposed admission arrangements and oversubscription criteria for Tower Hamlets community secondary schools in 2016/17.
- Appendix 5 Proposed scheme for co-ordinating admissions to Reception and Year 7 for 2016/17
- Appendix 6 Proposed scheme for co-ordinating In-Year admissions for 2016/17
- Appendix 7 Planned Admission Number for each Tower Hamlets School in 2016/17
- Appendix 8 An Analysis of the Responses to the Public Consultation
- Appendix 9 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