

Cabinet	 TOWER HAMLETS
26 February 2020	
Report of: Debbie Jones, Corporate Director Children and Culture	Classification: Unrestricted
Determination of School Admission Arrangements for 2021/22	

Lead Member	Councillor Danny Hassell, Cabinet Member for Children, Schools and Young People
Originating Officer(s)	Terry Bryan, Service Head (Pupil Services and School Sufficiency)
Wards affected	All wards
Key Decision?	Yes
Forward Plan Notice Published	23 January 2020
Reason for Key Decision	To be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.
Strategic Plan Priority / Outcome	Children and young people are protected so they get the best start in life and can realise their potential

Executive Summary

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

Recommendations:

The Mayor in Cabinet is recommended to:

1. Agree the admissions policy and oversubscription criteria for admission to Community Nursery Schools/Classes in 2021/22, as set out in Appendix 1.
2. Agree the admissions policy and oversubscription criteria for admission to Community Primary Schools in 2021/22, as set out in Appendix 2.
3. Agree the admissions policy and oversubscription criteria for admission to Community Secondary Schools in 2021/22 as set out in Appendix 3.
4. Agree the schemes for co-ordinating admissions to, Nursery, Reception and Year 7 for 2021/22, as set out in Appendix 4.
5. Agree the scheme for co-ordinating 'In-Year' Admissions for 2021/22, as set out in Appendix 5.
6. Agree the planned admission number for each school in Tower Hamlets in 2021/22, as set out in Appendix 6, noting the change in numbers at:
 - Cayley Primary School
 - Malmesbury Primary School.
 - Olga Primary School.
 - Canon Barnett Primary School
 - Bangabandhu Primary School.
 - Stewart Headlam Primary School
 - Oaklands Secondary School.

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 co-ordination of admissions arrangements together with school catchment areas and planned admission numbers provide a framework to plan the provision of school places more coherently, taking account of existing and future school locations; travelling distance; pupil demographics and migration; and changes to school organisation in this and 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 compliant 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 THE REPORT

- 3.1 The council is required to determine its school admission arrangements every year and consult the public on any proposed changes (or consult the public every 7 years, even if there are no proposed changes). Tower Hamlets consults on its arrangements every year. This is to ensure transparency and openness on the contents of our arrangements and to give parents and the wider community opportunity to make informed representation, which can then be considered as part of the determination of the arrangements. An annual consultation is particularly important to those who might not have previously been interested in school admission arrangements, perhaps because they did not yet have a child approaching school age.
- 3.2 A public consultation commenced on 18th November 2019 and concluded on 3rd January 2020. The Tower Hamlets School Admission Forum, representative of schools, parents, community organisations and other key stakeholders in the admission process discussed the proposals at its meeting on the 12 December 2019. There were 131 respondents to the consultation and an analysis of the responses is included as Appendix 9 to this Cabinet report.

Church, Academy and Free Schools

- 3.3 Church, Academy and Free Schools are responsible for determining their own admissions policies. They will therefore consult separately and especially when changes are being proposed. Although these schools decide on their own admissions they must participate in the Local Authority's determined arrangements for co-ordinating admissions for entry to primary and secondary school as set out in paragraphs 3.20 – 3.26 below.

Nursery Admissions Arrangements (Appendix 1)

- 3.4 The LA has a central system for co-ordinating admissions to nursery schools and nursery classes. This scheme enables parents to apply online for a place

at a Tower Hamlets community nursery school, a nursery class or Early Years Unit attached to a community primary school. These schools offer a mixture of part-time and full-time places for children aged 3 to 5 (inclusive).

- 3.5 There are no proposals to change the existing admissions policy and oversubscription criteria for admission to community nursery schools/classes for the 2021/22 school year.
- 3.6 Six of the 131 respondents to the public consultation identified the need for improvements to the arrangements for nursery admissions, citing the need for improved communications and better support for parents in navigating the application process. Concerns were raised about the effect that government funding changes were having on the sustainability and availability of nursery provision which, it is believed, has caused there to be a shortfall of early years places in some areas.
- 3.7 Alongside the feedback from the consultation the LA also considered that, in the first year of nursery admission arrangements being administered under a co-ordinated system, over 2700 applications were received by the closing date with 90% of families securing a place at their first preference school. The Tower Hamlets Admission Forum, a group representative of parents, headteachers and other key stakeholders, acknowledged that the LA's coordination of nursery admissions had been a success with a high level of engagement from parents. It was noted that schools were able to fill the majority of their places at the earliest opportunity and there had been a noticeable decrease in the number of families receiving multiple school offers.
- 3.8 The LA will continue to seek to make improvements to its nursery admission arrangements through the work of the Nursery Admissions Working Group
- 3.9 The Mayor in Cabinet is recommended to agree the admissions policy oversubscription criteria for admission to Community Nursery Schools/Classes in 2021/22, as set out in Appendix 1.

Primary School Admission Arrangements (Appendix 2)

- 3.10 There are no proposed changes to the existing admissions policy and oversubscription criteria for admission to community primary schools.
- 3.11 The primary school catchment system continues to ensure positive outcomes for Tower Hamlets residents. In 2019, the percentage of Tower Hamlets children securing a place at one of the top three school preferences remained above the London average, as shown in the table below:

School Year	% of LBTH children securing a place at one of their top three preferences of primary school	London Average
2017/18	96.4%	95.7%
2018/19	96.5%	96.1%
2019/20	97.4%	95.5%

- 3.12 The earlier report to cabinet on pupil place planning advised of the changes being made to school organisation in the borough. The aim is to ensure that the majority of schools in Tower Hamlets remain sustainable, during a period of significant population change and falling pupil rolls at schools in particular areas. However, these changes will be mindful of the need to maintain a school admissions system whereby preference outcomes for children in Tower Hamlets remain amongst the highest in London.
- 3.13 The main points raised in response to the consultation on primary school admissions concerned the oversubscription criteria and particularly a need for greater clarity on the sibling criterion and ‘tie-breaker’. There were requests for the LA to consider giving admissions priority to children in a school’s nursery and for those children whose parents work in Tower Hamlets. The LA would not support the idea of children in a School’s nursery class having priority for the reception year group as this is likely to place eligible children who attend other early years settings, such as a PVI or a local childminder, at an unfair disadvantage and limit their parents childcare options. The LA would also not support giving priority to children of parents who work in the borough as this could then limit the availability of local school places for families and local taxpayers who live, but do not work in Tower Hamlets. There was a further request for priority to be given for children of teaching staff, but this is already part of the existing policy.
- 3.14 One respondent felt that parents should be free to choose any nearby school in the borough, regardless of whether they live in one catchment area or another. At present, those living on the edge of catchment areas may end up having to travel a long way to a school that is ranked as a lower preference. It should be noted that the current policy does not prevent parents from applying to schools in different catchment areas. However, priority will first be given to those applying from within the schools catchment area.
- 3.15 The Mayor in Cabinet is recommended to agree the admissions policy and oversubscription criteria for admission to Community Primary Schools in 2021/22, as set out in Appendix 2.

Secondary School Admission Arrangements (Appendix 3)

- 3.16 There are no proposed changes to the existing admissions policy and oversubscription criteria for admission to community secondary.
- 3.17 The outcomes for children starting secondary school remain positive and continue to exceed the London average with the percentage of Tower

Hamlets children securing a place at one of their top three preferences for the past three years shown in the table below:

School Year	% of LBTH children securing a place at one of their top three preferences of secondary school	London Average
2017/18	91.3%	88.7%
2018/19	91.2%	87.3%
2019/20	88.3%	86.3%

- 3.18 The decrease in the Tower Hamlets and London percentage success rates from the previous two years reflects the pressure on secondary school places as a result of rising Year 7 pupil numbers. It also reflects the impact of the unpopularity of one or two secondary schools, which has contributed to the increased demand at others. The LA is progressing with changes to its secondary school organisation as well as developing plans to establish a new secondary school at London Dock and this should enable the percentage success rates to be sustained at a high level going forward.
- 3.19 The Mayor in Cabinet is recommended to agree the admissions policy and oversubscription criteria for admission to Community Secondary Schools in 2021/22, as set out in Appendix 3.

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

- 3.20 The LA co-ordinates the admission to nursery schools and 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 schemes and timetables are devised in conjunction with the other London LAs which enable parents to apply for a place in their own borough as well as in other boroughs through a single application form.
- 3.21 There are no proposed changes to the existing co-ordinated schemes.
- 3.22 As no changes have been proposed, there were limited comments on the co-ordinated admissions schemes. Other than the concerns raised by headteachers at three LA's nursery schools on the need for improvements to the co-ordination of nursery admissions, the respondents felt that the existing arrangements were working well. This included support from the wide ranging representation on the Tower Hamlets Admissions Forum. A full analysis of the consultation response is provided in Appendix 9.

Co-ordinated Admission Scheme – In-Year Admission and school transfers (Appendix 5)

- 3.23 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 statutory requirement, but it is an essential safeguarding provision that provides the

Local Authority with the most effective way of ensuring that children missing from education can be identified and supported back into education quickly, particularly children who have experienced more complex problems and would therefore face tougher obstacles to them getting suitable education provision.

- 3.24 A scheme for co-ordinating in-year admissions is also essential at a time of significant demographic change and the increased pupil mobility that this can sometimes create. The Local Authority and its schools have put in place a number of measures to support existing residents and new arrivals to the area, including an established Fair Access Protocol that enables vulnerable children to be placed in education provision quickly as well as ensuring that every school takes its fair share of children who are difficult to place.
- 3.25 There are no proposed changes to the existing co-ordinated scheme for in-year admission and school transfers.
- 3.26 The majority of respondents did not comment on the existing arrangements. However, four of the 131 wanted to see changes ranging from an online applications system; greater challenge to schools on pupil exclusion; consideration of air pollution and other environmental factors when placing children; improvements in the application arrangements for families with siblings; and more clarity on the operation of school waiting lists. These suggestions are not all directly related to in-year admissions and transfers

Published Admission Numbers for Schools in Tower Hamlets (Appendix 6, 7, 8)

- 3.27 The Published Admission Number (PAN) sets the maximum number of children that each school will admit to the reception year (primary), Year 7 (secondary) or Year 9 (UTC) in the school year 2021/22. The proposed PANs for each school in Tower Hamlets are listed in Appendix 6.
- 3.28 There are no changes to the PANs for the majority of primary schools, but the LA is proposing to reduce the PAN at six of its community primary schools as follows:

Catchment Area 1 (Stepney)

- Cayley Primary School - Reduction of the PAN from 90 to 60

Catchment Area 2 (Bow)

- Malmesbury Primary School - Reduction of the PAN from 75 to 60
- Olga Primary School – Reduction of the PAN from 90 to 60

Catchment Area 5 (Wapping)

- Canon Barnett Primary School - Reduction of the PAN from 45 to 30

Catchment Area 6 (Bethnal Green)

- Bangabandhu Primary School – Reduction in the PAN from 60 to 30
- Stewart Headlam Primary School – Reduction in the PAN from 60 to 30

- 3.29 These proposals address the need for the LA to ensure that, within each of the school catchment (planning areas), there is the right balance between the numbers of places available against the current level of demand.
- 3.30 The current school roll and school admissions data confirm that primary rolls in the Reception year have been falling year on year in particular areas of the borough over the past few years. A significant surplus of places can lead to financial and organisational difficulties and is challenging for individual schools to manage. The LA and its school leaders have therefore been working together to consider options and take steps to address this. A recent review of the rolls of all primary schools in the borough has been undertaken. Schools where rolls were falling and/or where there is already spare capacity, due to them not filling all of their available places over a sustained period, have therefore been identified and put forward for reduction.
- 3.31 The aim of the proposals to reduce school PANs is to help stabilise each school's intake and enable school leaders to plan and deliver school provision effectively and meet local demand.
- 3.32 The reduction of the PAN in the areas identified will not lead to a shortage of school places - there are currently over 300 spare reception places in these catchment areas and these proposals have the potential to reduce this by half (150) places. There will still be a sufficient number of places available at other primary schools in these areas to accommodate Reception and in-year demand at current levels. A reduction in PAN would apply to the Reception intake for each of the proposed schools from 2021 onwards and not to children already in attendance at these schools. However, the Council may seek to bring forward these changes from September 2020 on condition that no child is refused a place.
- 3.33 Long term value for money will be achieved by ensuring that schools are of the right size to meet local demand. The Council will continue to monitor the demand for school places across the borough and act accordingly to provide places should the situation change and additional places be required.
- 3.34 These changes will assist the schools in their long-term planning and allow them to continue to achieve improved educational outcomes for pupils. The proposals are supported by the governing bodies at each school. There is also sufficient provision in the local areas to mitigate these reductions and they will not impact parental preference.
- 3.35 Responses to the public consultation were largely positive. Out of the 131 individuals who responded to the questions, 97 (78%) were in agreement with the proposals, 25 (20%) against, and 3 (2%) with no preference. A full analysis of the consultation response is provided in Appendix 9.

- 3.36 The Tower Hamlets Admissions Forum agreed with the proposal, as it recognised that the proposed changes would not limit parental choice (due to falling rolls in the area) and would enable these schools to better organise and sustain the quality of provision.

Oaklands Secondary School (Bethnal Green)

- 3.37 There are no proposed changes to the PAN at the majority of secondary schools in the LA. However, given the need for additional capacity to address the gradual increase in secondary applications, the LA is proposing to increase the PAN of Oaklands Community Secondary School from 120 to 180. This will now be for as early as the start of the 2020/21 school year, following the earlier Cabinet decision in January to progress the closure of Raine's Foundation School by the 31 August 2020.
- 3.38 The public consultation questionnaire set the context for the proposal to expand Oaklands School and invited respondents to confirm whether or not they agreed with the proposal and to express their views. Out of the 131 individual responses to this question, 104 respondents (83%) agreed with the proposal. 21 respondents (17%) disagreed with the proposal. There were two comments made. One concerned objecting to the proposal as it relates to the closure of Raine's School. The other asked for the council to consider increasing the traffic calming measures on the Bethnal Green Road, given the increase in pupil numbers. The Tower Hamlets Admissions Forum supported the proposal, as it recognised that an increased PAN would enable Oaklands, as a popular school, to meet the likely pupil demand and improve the quality and sustainability of its provision going forward.
- 3.39 The Mayor, in Cabinet, is recommended to agree to the Planned Admission Numbers for Schools in Tower Hamlets 2021, noting the reductions for those schools listed at 3.28.
- 3.40 The Mayor, in Cabinet, is also recommended to agree to the increased Planned Admissions Number at Oaklands Secondary School, with effect from 2020/21 school year.

4 EQUALITIES IMPLICATIONS

- 4.1 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 explain the background, identifies the issues of concern and highlights the potential benefits. An equalities assessment has been undertaken in respect of the proposed changes to the

planned admission numbers and this has been included with this report as Appendix 8.

5 OTHER STATUTORY IMPLICATIONS

5.1 BEST VALUE (BV) IMPLICATIONS

Best Value is a core objective of the proposals outlined as they seek to secure the best outcomes for the population in the context of fair access to high quality local school provision.

5.2 CONSULTATIONS

The public consultation that informs this report has been undertaken in accordance with statutory guidance and advice from the Council's Strategy, Policy and Performance Directorate.

5.3 ENVIRONMENTAL IMPLICATIONS

The proposed school admission arrangements, aligned with the Authority's pupil place planning strategy, seek to make best use of the provision available and provide local places for local children. This reduces the number of children who are travelling out of their immediate areas to access a school place and promotes sustainable modes of travel to and from school.

5.4 RISK MANAGEMENT IMPLICATIONS

School Admission arrangements must be reviewed periodically in accordance with the requirements of the DfE's 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.

Although, in practice, the Council maintains 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 ensure that its school admission arrangements continue to provide fair and equal access to school places for all children. The risk of not implementing the proposed policies could mean that arrangements would no longer reflect these underlying social equity principles.

5.5 CRIME REDUCTION

There are no specific implications arising.

5.6 SAFEGUARDING

This report deals with the Council's approach to providing fair access to good quality school places for the local population. The ability to provide access good quality school places contributes to the safeguarding of children by ensuring their early access to education.

Its proposals, particularly the arrangements for the Local Authority to co-ordinate admissions at all points of entry, enable it to work collaboratively with schools and other agencies to safeguard and promote the well-being of all children in the borough.

5.7 DATA PROTECTION

The proposals presented in this report have followed a full public consultation. All responses received through these mechanisms or made directly to council officers or members have been included in the analysis of the feedback received. These responses have only been used to assess the community's view of the proposals and not for any other purpose.

Tower Hamlets Council will handle information in accordance with the Freedom of Information Act 2000 and the Data Protection Act 2018 and is the data controller for the purposes of the Data Protection Act 2018. For more information the privacy notice for Pupil Services can be accessed [here](#).

6 COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 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 2021/22.
- 6.2 There are no direct financial implications arising from the decision on 'Determination of School Admission Arrangements'.

7 COMMENTS OF LEGAL SERVICES

- 7.1 Cabinet is asked to agree the admission arrangements (including oversubscription criteria) for 2021/2022 as set out page one of the report. The full details of the arrangement are set out in the Appendices. The recommended proposals comply with the provisions outlined below.
- 7.2 The Council is the admission authority for all community and voluntary controlled schools in Tower Hamlets. At least two voluntary aided schools and four academy schools 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.
- 7.3 Section 88C of the School Standards and Framework Act 1998 ("SSFA") 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”) as amended and the mandatory requirements of the School Admissions Code (“the Code”).

- 7.4 The Admission Regulations and the Code require that for the school year 2021/2022, the Council must –
 - (a) Carry out any consultation required by SSFA section 88C and the Regulations between 1 October 2019 and 31 January 2020;
 - (b) Allow consultees at least six weeks to respond; and
 - (c) Determine its admission arrangements on or before 28 February 2020.
- 7.5 Once the Council has determined its arrangements it must notify the appropriate bodies, set out in the Code, and 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.
- 7.6 The Council must consult the public on its admission arrangements at least once every 7 years unless it is proposing changes then it must consult on the changes. Where there are no changes proposed, the Council is not required by the Regulations to consult, but can 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.
- 7.7 The consultation carried out for the purposes of assessing the impact of the admission arrangements complies with the requirements in paragraphs 5.4(a) and (b) above. Further once the consultation has concluded, adequate time must be given for consideration and response. Finally, the product of consultation must be conscientiously taken into account before any final decision is taken.
- 7.8 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 (Appendix 6).
- 7.9 The function of setting the admission arrangements is an Executive one and therefore it is for the Mayor in Cabinet to make.
- 7.10 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.

Linked Reports, Appendices and Background Documents

Linked Report

- Planning for School Places – 2019/20 Review and Recommendations (October 2019)

Appendices

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| Appendix 1 | Proposed admission arrangements and oversubscription criteria for Tower Hamlets community nursery classes in 2021/22. |
| Appendix 2 | Proposed admission arrangements and oversubscription criteria for Tower Hamlets community primary schools in 2021/22. |
| Appendix 3 | Proposed admission arrangements and oversubscription criteria for Tower Hamlets community secondary schools in 2021/22. |
| Appendix 4 | Proposed scheme for co-ordinating admissions to Reception and Year 7 for 2021/22 |
| Appendix 5 | Proposed scheme for co-ordinating In-Year admissions for 2020/21 |
| Appendix 6 | Published Admission Number for each school in Tower Hamlets for 2021/22 |
| Appendix 7 | An analysis of the responses to the public consultation on school admission arrangements for community schools. |
| Appendix 8 | An Equalities Impact Assessment on the proposal to reduce the planned admission numbers at schools in areas of the borough with falling pupil rolls. |

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

- None

Officer contact details for documents:

N/A