

MEETING:	LOCAL ADMISSIONS FORUM
DATE:	5 NOVEMBER 2009
TITLE OF REPORT:	CO-ORDINATION OF IN YEAR TRANSFERS
ADMISSIONS AND TRANSPORT MANAGER	ANDREW BLACKMAN

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To consider a scheme that Herefordshire can adopt to meet the government requirement for all Local Authorities to have a "Co-ordinated In Year Transfer" application process in operation from September 2010.

Key Decision

This is not a Key Decision.

Recommendation(s)

THAT Local Admissions Forum:

- (a) **agree and submit the In Year Transfer application process to the Department of Children's Schools and Families for their approval**

Key Points Summary

The intent behind the new responsibility is to significantly improve the experience of parents and children transferring from one school to another, with two main aims:

- To improve fairness – stopping unlawful/covert selection by some schools
- To improve the application/offer process for parents and children

Alternative Options

- 1 There are no alternative options as this is a statutory requirement.

Further information on the subject of this report is available from
Andrew Blackman Admissions & Transport Manager (01432) 260927

Reasons for Recommendations

- 2 This is a statutory requirement

Introduction and Background

- 3 The current School Admissions Code sets out in section 3.4 the following:

“From the 2010-2011 academic year, local authorities must formulate schemes for co-ordinating applications made during the academic year and applications for admissions to age groups other than the normal year of entry (“in year applications”)

The Code then goes on in section 3.5 to state: “They (LA’s) must formulate schemes for the 2010-2011 academic year by 1st January 2010. Such schemes must comply with the requirements set out in paragraphs 3.6 to 3.18 below.”

Co-ordination of admissions from 2011-2012 onwards

3.6 For admissions to schools in the academic year 2011-2012 onwards, local authorities must formulate schemes for co-ordinating all applications to maintained schools and Academies from parents in their area, whenever received, and for whichever age group, under one scheme.

3.7 The following paragraphs reflect the law as it applies to in-year applications for 2010 onwards, and to all applications for admission in 2011 onwards. While it is for each local authority to decide the scheme that best suits its residents and its schools, they must ensure that they:

a) comply with law and regulations, including all the procedural requirements (for example, the scheme must require a common application form to be completed, allowing at least 3 preferences, the scheme must provide for information sharing with other local authorities, and it must ensure, so far as is reasonably practicable, that the local authority sends out not more than one offer to all parents seeking places at its schools); and

b) do not disadvantage families resident in other local authorities who apply for schools in their area (which would be contrary to the rule established by the Greenwich Judgment⁵²).

3.8 Co-ordination schemes do not affect the rights and duties of the governing bodies of voluntary aided and foundation schools to set and apply their own admission arrangements and oversubscription criteria nor for Academies to agree their own arrangements with Secretary of State. Admission authorities do not have to determine the same or similar oversubscription criteria, but must ensure that their own admission arrangements are compatible with, and do not undermine, the co-ordination scheme for their area. A summary of how the co-ordination scheme works must be included in the local authority’s composite prospectus.

3.9 Academies are required by their funding agreements to participate in co-ordination schemes and local authorities must consult them, as well as other admission authorities, when required, in order to agree the scheme. Local authorities must also invite City Technology Colleges to participate in the scheme.

Formulation and adoption of co-ordination schemes

3.11 All local authorities must have a scheme in place each year for co-ordinating admission arrangements for all maintained schools and Academies within their area. Local authorities must formulate schemes by 1 January in the determination year. If the local authority decides to continue to use the scheme from the previous year, this will fulfil the legal requirement to formulate a scheme. Local authorities must consult the Admission Forum every year, and

admission authorities for schools affected by the scheme (including Academies) and other local authorities every three years as a minimum. If the Admission Forum advises that the scheme has changed substantially since the previous year, the local authority must consult school governing bodies and other local authorities on it, even if that is less than three years since the last consultation.

3.12 From the academic year 2010-11 onwards local authorities must coordinate all “in-year applications”. In relation to academic year 2010-11 only, the arrangements for co-ordinating these applications must be formulated by 1 January 2010. They must then consult the bodies mentioned in paragraph 3.11.

Schemes imposed by the Secretary of State

3.13 If a local authority does not notify the Secretary of State by 15 April in the determination year that a scheme has been adopted for the following academic year, the Secretary of State may impose a scheme; or where an imposed scheme was in place for the previous year, he may notify the local authority that the scheme will continue for a further year.

3.14 Where the Secretary of State has imposed a scheme and not revoked it a local authority and its schools may decide to adopt the scheme in a subsequent year. In this case, the duty to formulate is met. If the local authority subsequently adopts a scheme agreed with other admission authorities, in accordance with the Co-ordination Regulations, they must notify the Secretary of State so that the imposed scheme can be revoked. Where a scheme from a previous year is being adopted, or has been imposed in relation to the previous year (and all admissions authorities have agreed to adopt it for a further year), confirmation must be sent to the Secretary of State by 15th April each year. It will not be necessary to send a copy of the scheme.

Main obligations imposed by the Co-ordination Regulations

3.15 The Co-ordination Regulations prescribe national closing dates for primary and secondary applications and, in the case of primary applications, prescribe the date by which the exchange of information described in sub-paragraphs b) and c) below must be completed. Local authorities must include these dates in their co-ordination schemes. Aside from this, the main requirements of the Co-ordination Regulations with regard to schemes are:

- a) A common application form must be completed, which allows parents to express at least 3 preferences in rank order of preference, which may be for schools within or outside their home local authority area, and to give reasons for their preferences. The common application form must allow parents to provide their name, their address (including documentary evidence in support), and the name, address and date of birth of the child.
- b) Local authorities and admission authorities in the area must exchange information on applications made and potential offers by the dates specified in the scheme.
- c) The home authority must pass information on applications to other local (“maintaining”) authorities about applications to schools in their area. The maintaining authority must determine the application in the normal way, and inform the home local authority if a place is available, by the dates specified in the scheme. The maintaining authority must not tell parents of the offer.
- d) Where a place is available for a child at more than one school, the home local authority must ensure, so far as is reasonably practicable, that the parent is offered a place at whichever of these schools is their highest preference.
- e) For applications made in the course of a normal admission round, offers of secondary places must be sent by the home authority on 1 March, and offers of primary places on a date specified by the local authority (or the next working day if either date is not a working day) in the year during which a child will be admitted to school.

f) Offers of primary and secondary places must be sent by the home local authority. Schools must not contact parents about the outcome of their applications until after these offers have been received. Only the home local authority can make an official offer.

g) Parents who cannot be offered one of their preferred schools must, if there are places available, be offered a place at another school.

3.16 Where admission authorities normally admit children to primary school at two or three points in the academic year, they should make all offers at the same time. Places allocated to children whose parents have deferred their entry until later in the same academic year cannot be offered to another child, unless the parent withdraws acceptance of the place.

Applications to schools with a different age of transfer

3.17 The Education (Middle Schools) (England) Regulations 2002 define 'middle schools' and whether they are classified as primary or secondary schools which depends on the age range of the pupils. For the purposes of co-ordination, middle schools with an entry age before 11 are to be treated in the same way as primary schools; upper schools (with an entry age after 11) are to be treated as secondary schools.

3.18 For middle deemed secondary schools (not applicable to Herefordshire), the home local authority must make an application form available to any parent in the area who wishes to apply to a school in a neighbouring area which operates a different age of transfer. The home local authority must accept applications in the same way as it would for its own normal admissions round. It must, if preferred schools are in another area, pass forms to neighbouring authorities, who must apply their co-ordinated scheme. The maintaining local authority must inform the home local authority if a place is to be offered in one of its schools. The home local authority must inform the parent of the outcome of the application.

Contribution to the Herefordshire CYP Plan

Has the greatest impact potentially upon the "Enjoy and Achieve" outcome

The scheme will link directly with the local "School attendance strategy" in Appendix 2 of the Herefordshire C & YP Plan. And will benefit those Categories of Vulnerable Groups listed in Appendix 3 of the same C & YP Plan.

Key Considerations

- 4 For a number of years Herefordshire has been running a voluntary scheme where we centrally (within the Admissions & Transport teams) process in year transfer requests generated by parents for most of the community schools but not for any of the VA schools.
- 5 We estimate that we currently process about 70% of all in year transfer requests generated for all the maintained schools in Herefordshire. The new overarching responsibility will lead to the need to deal with 100% of all transfer requests.
- 6 There is a direct interface/link between any In Year Transfer scheme and the proposed "In Year Fair Access" protocol currently being consulted on within Herefordshire. The "In Year Fair Access" is designed to handle, in a professional way, all In Year Transfers that are not straight forward. This will include children who have been permanently excluded, children attending PRU's integrating back into mainstream education, traveller children, children with SEN (but without statements), children who display behavioural difficulties, "serial" movers (children who been transferred at least twice before without an address change reason) etc.
- 7 The In Year Transfer scheme will impact upon all maintained schools within Herefordshire and subsequently upon any parent (from within and outside Herefordshire) seeking an in year

transfer into these schools. All applications will be dealt with in a consistent and fair manner, which may not be the case at the moment for schools who do not participate either fully or partially in the current voluntary arrangements.

- 8 Details of the proposed scheme, a Co-ordination Timeline, In Year Transfers Flow Chart and an In Year Transfer Application Form can be found in the attached Appendix – “Co-ordination of In Year Transfers”

Community Impact

- 9 Not applicable.

Financial Implications

- 10 At the present time the equivalent of 0.7 of a full time employee (fte) occupying a principally administration role at HC4 is required. This will rise to 1.0 fte at a higher level of competency/skill at probably HC5 (the same grading as the two Admissions & Transfers staff who manage the two existing Co-ordinate schemes (Reception class and Transfer from primary to secondary school)).

No additional funding is being made available by DCSF to meet this new additional responsibility. The Access and Capital Commissioning Manager is looking at how to meet these additional requirements, within the current review of Admissions and Transport.

Legal Implications

- 11 Statutory requirement.

Risk Management

- 12 Non compliance with statutory requirement.

Consultees

- 13 Herefordshire Schools.

Appendices

Appendix - Co-ordination of In Year Transfers Consultation

Background Papers

None identified.