

Decision maker:	Cabinet member children and families
Decision date:	21 February 2019
Title of report:	Herefordshire's co-ordinated admissions arrangements for 2020/21
Report by:	Admissions & 14-19 Curriculum Manager / Early Help Manager

Classification

Open

Decision type

Non-key

Wards affected

(All Wards);

Purpose and summary

To approve Herefordshire Council's proposed admissions arrangements for 2020/21

The proposed arrangements comply with the current School Admissions Code which came into force on 19 December 2014. The recommendation applies to admission arrangements determined in 2019 for admission in school year 2020/21 for those schools in Herefordshire for whom the council is the admissions authority.

Following a consultation process held in the autumn of 2018 the following changes were made in accordance with Minister of State guidance, priority is now given to Looked after children and children who were looked after outside England as well as those in England:

Priority 1 - Looked after children and children who were looked after in England, but ceased to be due to being adopted or became subject to a residence order or special guardianship order

Priority 2 - Looked after children and children who were looked after outside of England, but ceased to be due to being adopted or became subject to a residence order or special guardianship order

Recommendation(s)

That:

- (a) The proposed admission arrangements for 2020/21, as at appendix A, are approved.

Alternative options

1. There are no alternatives. The proposed admission arrangements are the result of considering the responses to the formal consultation undertaken in the autumn of 2016. No other alternative arrangements were suggested via the consultation process. It is a statutory requirement to determine its admissions arrangements each year.

Key considerations

2. Admissions arrangements for each council area, including Herefordshire, should outline:
 - a) the oversubscription criteria for community and voluntary controlled schools i.e. those schools for which the local council is the admission authority. As per the list of Herefordshire schools shown in appendix C.
 - b) the co-ordinated admission arrangements for reception class; and
 - c) the co-ordinated admission arrangements for secondary transfer.
3. It is the responsibility of the council to ensure that its admission arrangements are compliant with the School Admissions Code.
4. The proposed arrangements are based on those currently in place and responses received as part of the consultation processes in 2016 and 2018. An amendment to the existing admission arrangements for hard federated primary and secondary schools has been made as a result of responses received to the recent formal consultation in 2016; further changes that have been made as a result of the consultation in 2018 are shown above.
5. Where the council is not the admissions authority then those schools (including voluntary aided, foundation, trust, free schools and academies) also have a responsibility to determine their own admission arrangements on an annual basis by 28 February. In Herefordshire this applies to 41 primary, 12 secondary and 1 through schools, including 29 academies and 2 free schools. A list of these schools is given in appendix C
6. Information regarding the admission arrangements for those schools and academies where the council is the admissions authority is published (after it has been determined) on the council's website as well as the individual school websites.
7. The council retains the responsibility to co-ordinate the reception class and transfer rounds across all schools within the county whether or not the council is the admissions authority. This means it ranks all preferences received for the schools for which it is the admissions authority. All own admission authority schools and academies rank their own preferences and then supply the council with a list to include within its co-ordination role.
8. Admission arrangements must be consulted upon at least every seven years and were last consulted on in Herefordshire in 2018. As a result of this requirement Herefordshire's co-ordinated admission arrangements for 2020/21 have been consulted upon during the autumn of 2018.

9. The changes made to the admissions policy for 2020/21 following recommendations by the Secretary of state for education to all local authorities have been adopted. These changes will be communicated to schools and parents via the Herefordshire Council website and associated school admissions literature.

Community impact

10. If there is no admissions policy that governs the co-ordination of school places then it would become a 'free for all', with some parents holding offers of places at two or more schools and others with no offers at all. This occurred prior to the implementation of the current statutory requirements. Therefore the impact upon the community is reduced by having the admissions arrangements in place to ensure that we meet our corporate responsibilities and ensure that children get the best start in life.

Equality duty

11. By complying with the requirements of the School Admissions Code as passed by parliament then Herefordshire Council is paying due regard to its public sector equality duty under section 149 of the Equality Act 2010. The 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
12. The Equality Act 2010 established a positive obligation on local authorities to promote equality and to reduce discrimination in relation to any of the nine 'protected characteristics' (age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion or belief; sex; and sexual orientation). In particular, the council must have 'due regard' to the public sector equality duty when taking any decisions on service changes. Children subject to an Education Health and Care Plan (EHCP) are offered a place that meets their identified needs.

Resource implications

13. There are no additional resource implications arising from the recommendations. Admissions arrangements are covered within existing staffing, resources and budget.

Legal implications

14. This is an executive function to be approved by the Cabinet Member for Children and Families as set out in Part 3 of the council's constitution (paragraph 3.3.11)
15. The Department for Education issued statutory guidance on school admissions in December 2014 – Schools Admissions Code. The code applies to all maintained schools in England and places a mandatory obligation on the council to officially determine the admission arrangements for 2020/21 by 28 February 2019 (paragraph 1.46). This has been completed in accordance with this guidance for 2020/21

16. Regulation 17 School Admission Regulations 2012 requires all admission authorities to formally agree admission arrangements every year, even if they have not changed from previous years. The council is complying with this requirement
17. Academies are required by their funding agreements to comply with the admissions code and any relevant legislation regarding admissions.

Risk management

18. If the co-ordinated admissions arrangements are not in place there may be issues of places not being available, as some families may hold multiple offers and some families none. In order to mitigate this, the policy needs to be implemented to provide a fair admissions process for parents. The parents have the right to challenge and appeal as stated within the parents admissions information that will be available for download from the council website.
19. In addition if the policy is not implemented then Herefordshire Council will be in breach of its statutory requirement to have admissions arrangements in place

Consultees

20. A public consultation on Herefordshire's school admission arrangements for 2020/2021 ran from 12 November 2018 until close of play on 27 December 2018. This has informed the revised admissions arrangements.
21. The consultation is outlined in appendix B

Appendices

Appendix A – Admissions arrangements for 2020 / 2021; the changes required are set out in the arrangements and are as follows and were made in accordance with Minister of State guidance:

- Priority 1 - Looked after children and children who were looked after in England, but ceased to be due to being adopted or became subject to a residence order or special guardianship order
- Priority 2 - Looked after children and children who were looked after outside of England, but ceased to be due to being adopted or became subject to a residence order or special guardianship order

Appendix B – Admissions arrangements consultation responses

Appendix C – Schools for whom the Local Authority is the Admission Authority

Appendix D - Own Admission Authority schools

Background papers

None identified