

<b>Decision maker:</b>	<b>Cabinet member children and families</b>
<b>Decision date:</b>	<b>21 February 2020</b>
<b>Title of report:</b>	<b>Herefordshire's co-ordinated admissions arrangements for 2021/2022</b>
<b>Report by:</b>	<b>Admissions &amp; 14-19 Curriculum Manager / Early Help Manager</b>

## **Classification**

Open

## **Decision type**

Non-key

## **Wards affected**

(All Wards);

## **Purpose and summary**

To approve Herefordshire Council's proposed admissions arrangements for the academic year 2021/2022.

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 2020 for admission in school year 2021/2022 for those schools in Herefordshire for whom the council is the admissions authority.

There have been no changes made to the arrangements previously published on the council's website. [https://www.herefordshire.gov.uk/info/200144/schools\\_and\\_education](https://www.herefordshire.gov.uk/info/200144/schools_and_education)

## **Recommendation(s)**

**That:**

- (a) The proposed admission arrangements for 2021/2022, 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 2018. 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 2018.
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 is 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.

## Community impact

9. 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

10. 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.
11. 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

12. There are no resource implications arising from the recommendations in this report.

## Legal implications

13. 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)
14. 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 2021/2022 by 28 February 2020 (paragraph 1.46). This has been completed in accordance with this guidance.
15. 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
16. Academies are required by their funding agreements to comply with the admissions code and any relevant legislation regarding admissions.

## Risk management

17. 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 appeal as stated within the admissions information that will be published and made available for download from the council website.

18. 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**

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

## **Appendices**

Appendix A – Admissions arrangements for 2021/2022;

Appendix B – Admissions arrangements consultation responses

Appendix C – Schools for whom the Local Authority is the Admission Authority and Own Admission Authority schools

## **Background papers**

None identified