

MEETING:	HEREFORDSHIRE LOCAL ADMISSIONS FORUM
DATE:	18 MARCH 2010
TITLE OF REPORT:	ADMISSION ARRANGEMENTS 2011/2012 CONSULTATION
OFFICER:	ADMISSIONS AND TRANSPORT MANAGER

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To consider the results of the consultation of the proposed Herefordshire Admission Arrangements for 2010/2011 as required by The School Admissions Code pursuant to section 85(3) of the School Standards and Framework Act 1998.

Key Decision

This is not a Key Decision.

Recommendation

THAT the Committee:

- (a) Note the draft report and any changes requested by the Local Admissions Forum be adopted.**
- (b) The Forum is requested to agree that the proposed arrangements, shown in Appendix 1, be determined for the 2011/2012 academic year.**

Key Points Summary

None

Alternative Options

1. No alternative options – statutory requirement.

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

Reasons for Recommendations

2. Statutory requirement to determine Admission Arrangements following consultation.

Introduction and Background

3. The relevant sections of the new School Admissions Code are shown below:

“1.26 All admission authorities **must** consult by 1 March in the determination year on the admission arrangements for those schools for which they are responsible, unless (in the case of admission arrangements for entry in 2011-12 and subsequent years) their admission arrangements were consulted on in one or both of the two previous years and they are the same as the arrangements since the last consultation. All admission authorities are required to consult on admission arrangements for 2010-11. For consultation on admission arrangements for 2011-12 and subsequent years, the consultation period **must** last for a minimum of eight weeks, between 1 November and 1 March, to ensure that all consultees have enough time to respond. Admission authorities **must** consult with their local authority, all other admission authorities within the relevant area, the Admission Forum, admission authorities in neighbouring local authority areas, the relevant religious authority (in the case of the admission authorities of faith schools) and, for admission arrangements for entry in 2010-11 and subsequent years, relevant parents and other groups with an interest in the local area (for example, community groups). Where an admission authority proposes an increase in the published admission number for a school in their admission arrangements, the trade unions representing staff at the school that may be affected by the changes **must** also be consulted. Admission authorities **must** determine their admission arrangements by 15 April in the determination year.

1.27 When consulting other admission authorities, local authorities, Admission Forums and religious authorities, the admission authority **must** send a copy of their proposed admission arrangements and invite comments. When considering which groups with an interest in the local area to consult, the admission authority **should** have regard to the views of the Admission Forum¹⁸. Where a school borders on a local authority boundary, the admission authority **should** also seek the views of the neighbouring Admission Forum. Admission authorities may consider, for example, consulting service families, traveller groups, minority ethnic groups, citizens advice bureaux or disability groups if appropriate”.

In addition for ease of reference the proposed Admission Arrangements that have been consulted upon are shown as appendix 1. All Herefordshire Schools, parents and other interested parties have been consulted.

The total number of responses received from the consultation was three.

Brockhampton Primary School queried their proposed PAN of 26, which following a recent sufficiency exercise can potentially be reduced to 18. They have yet to submit a formal request for their PAN to be changed.

Ivington Primary School queried their proposed PAN of 17, stating it should be 15 which is correct (17 was applied for 2009/2010 admissions only).

Pembridge queried their proposed PA of 15, stating it should be 13 which is correct.

Key Considerations

4. The proposed arrangements in appendix 1 are different from last years determined arrangements as a result of in the new School Admissions Code in relation to the “admission of children below compulsory school age”.

Community Impact

5. Not applicable.

Financial Implications

6. None.

Legal Implications

7. See comments under Risk Management.

Risk Management

8. The risk to the LA of non-compliance with statutory regulations is exposure to legal challenge if Herefordshire does not complying with elements of either the School Admissions Code or School Admissions Appeals Code. Failure to comply with the mandatory requirements in these two codes is a breach of the Local Authority’s statutory duty to act in accordance with the provisions of these Codes. The Schools Adjudicator is responsible for enforcing the mandatory requirements of these Codes. Any subsequent School Adjudicator determination of objections and decisions made about admission or appeal arrangements that come to his attention are final. Any Local Authorities so affected are required to implement any such determination or decision. If they do not the Secretary of State may direct them to do so.

Also if we don’t apply the Codes correctly then we leave ourselves open to the challenge of maladministration during the course of the Independent School Appeal process.

There are no direct financial costs associated with breaches to these Codes but we may lose repute and suffer impaired standing which could impact upon any performance standards review undertaken by Central (or Local) Government.

Consultees

- 9 Schools, neighbouring Authorities and members of the public.

Appendices

- 10 Appendices 1 and 2

Background Papers

None