

Title of report: Herefordshire's co-ordinated admissions arrangements for 2022/2023

Decision maker: Cabinet member children and families

Decision date: Thursday 11 March 2021

Report by: Admissions and 14 to 19 curriculum manager

Classification

Open

Decision type

Non-key

Wards affected

(All Wards);

Purpose

To approve Herefordshire Council's proposed admissions arrangements for the academic year 2022/2023.

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 2021 for admission in school year 2022/2023 for those schools in Herefordshire for whom the council is the admissions authority.

There have been some minor clarification changes made to the arrangements previously published on the council's website.

https://www.herefordshire.gov.uk/info/200144/schools_and_education

These clarification changes were as a result of feedback from the school ombudsman and were consulted on for 6 weeks from December 2020 to 31 January 2021.

Recommendation(s)

That:

- a) The proposed admission arrangements for 2022/2023, 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 Winter of 2020/21. No other alternative arrangements were suggested via the consultation process. It is a statutory requirement to determine 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 2020/21.
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 school, 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 December 2020 – January 2021.

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.
10. The admissions policy whilst statutory takes into account the aspirations of both the Herefordshire County Plan, and the children and young people's plan
11. Children in care are required under the statutory requirements to be at the top of the over subscription list; this is included and made clear within the Herefordshire Council admissions policy.

Environmental Impact

12. Whilst this is a decision on back office functions and will have minimal environmental impacts, consideration has been made to minimise waste and resource use in line with the Council's Environmental Policy.

Equality duty

13. 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.

14. 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

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

Legal implications

17. 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).
18. 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 2022/2023 by 28 February 2021 (paragraph 1.46). This has been completed in accordance with this guidance.
19. 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.
20. Academies are required by their funding agreements to comply with the admissions code and any relevant legislation regarding admissions.

Risk management

21. 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.
22. 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

23. A public consultation on Herefordshire's school admission arrangements ran from 16 December 2020 until close of play on 31 January 2021. This has informed the revised published admissions arrangements.
24. The consultation is outlined in appendix B

Appendices

Appendix A – Admissions arrangements for 2022/2023;

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.