

Committee: Cabinet

Date of meeting: 30 January 2020

Title of Report: 2021-2022 School Admissions Arrangements

Report by: Nick Jarman, Interim Executive Director – People

Cabinet Member: Councillor Sue Sanderson, Cabinet Member – Schools and Learning

What is the Report About? (Executive Summary)

1. The paper sets out the proposed admission arrangements for Community and Voluntary Controlled schools, for which the county council is the statutory admission authority. The Local Authority (LA) is required to consult other admission authorities on any changes to the policy, including catchment areas and proposed reductions to published admission numbers (PANs). The LA must also consult the governing bodies of Community and Voluntary Controlled schools where it proposes to increase or retain the existing Published Admission Number (PAN) for 2021-22.
2. On 17 October 2019, after considering the options set out in the published report and the reasons set out in the report, Cabinet resolved that:
 - the proposed admissions policy for Community and Voluntary Controlled schools go out to consultation with the required groups as set out in the School Admissions Code 2014. This included consultation on proposals to reduce the Published Admission Number (PAN) for Ewanrigg Junior School and the inclusion of an additional paragraph relating to children of UK service personnel;
 - the co-ordinated scheme for 2021-22 for all maintained schools and academies in Cumbria be approved;
 - consultation be undertaken on an increase to the PAN at Haverigg Primary School and Jericho School, Whitehaven, and on the retention of the existing PANs at all other Community and Voluntary Controlled schools;
 - the nursery admissions policy for 2021-22 for Community and Voluntary Controlled nursery schools and infant/primary schools providing nursery education be approved.

Recommendation of the Executive Director

3. **Recommendation 1:** Approve the proposed admissions policy for Community and Voluntary Controlled schools at Appendix A, including the reduction in the Published Admission Number (PAN) for Ewanrigg Junior School and an increase in PAN at Haverigg Primary Schools and Jericho School, Whitehaven.

Background to the Proposals

4. The School Admissions Code 2014 came into force on 19 December 2014 replacing the School Admissions Code 2012.
5. The county council retains the role of admissions authority for Community and Voluntary Controlled schools in the county, and must determine admission arrangements by 28 February 2020 for the 2021-22 academic year.
6. Admission arrangements for Community and Voluntary Controlled schools include catchment areas and the criteria that will be applied to applicants in the case of oversubscription.
7. Voluntary Aided, Foundation, Free schools and Academies have responsibility for determining their own admission arrangements, also including catchment areas and oversubscription criteria.
8. Voluntary Aided, Foundation, Free schools and Academies are own admission authority schools. The governing body or academy trust is responsible for the admissions policy and make any decisions about the allocation of places. The Local Authority is not responsible for allocation decisions made by Voluntary Aided, Foundation, Free schools or Academies. The parental information booklets for starting school and transfer to junior and secondary school make clear the distinction between own admission authority schools and those schools to which the Local Authority admissions policy applies.
9. Where changes are proposed to admission arrangements (or at least every seven years where no changes have been proposed), including reductions in PANs (see paragraph 18), the county council is required to consult with:
 - a) Parents of children between the ages of two and eighteen;
 - b) Other persons in the relevant area which in the opinion of the admission authority have an interest in the proposed admissions;
 - c) All other admission authorities within the relevant area (except that primary schools need not consult secondary schools);
 - d) Whichever of the governing body and the local authority who are not the admission authority;
 - e) Any adjoining neighbouring local authorities where the admission authority is the local authority; and
 - f) In the case of faith schools, the body or person representing the religion or religious denomination.

(School Admissions Code 2014: paragraph 1.44)
10. There is also a requirement to consult the governing bodies of individual schools on the PAN the county council proposes to use for their school in September 2021 where it is proposed to remain unchanged or to increase.
11. The consultation process must last for a minimum of 6 weeks and can begin no earlier than 1 October 2019. Consultation related to the proposed admission arrangements for 2021-22 for Community and Voluntary Controlled schools.

The Consultation Process

12. The 6 week consultation opened on 22 October 2019 and closed on 2 December 2019. The LA consulted on all aspects of the proposed admission arrangements. 'Arrangements' technically includes the PAN for every Community and Voluntary Controlled school, and the oversubscription criteria which specifically include reference to catchment areas.
13. As part of the consultation process, information about the process and the consultation arrangements was made available to the Scrutiny Advisory Board – Children and Young People in order to seek Members' views. Local Committee Area Managers also received similar information at the beginning of the consultation period.

Children of UK Service Personnel (UK Armed Forces)

14. During the consultation on the proposed admission arrangements for 2020-21 that took place between 3 October and 13 November 2018 the LA was asked to consider amending the admission arrangements to include a section on children of UK service personnel.
15. At the time the request was received, the inclusion of an additional paragraph in the 2020-21 admission arrangements had not been consulted on widely.
16. An additional paragraph has been added to the proposed admission arrangements for 2021-22 (Appendix A, paragraph 15) which were subject to consultation between 22 October 2019 and 2 December 2019.
17. Consultation Responses – The consultation closed on 2 December 2019. One response was received stating that as there were no significant changes to the proposed admission arrangements, there was no comment to make. No other responses were received.

PAN Changes

18. It is proposed that the following schools change their PAN from September 2021:

School	Current PAN	Proposed PAN
Ewanrigg Junior School	45	40
Haverigg Primary School	18	25
Jericho School, Whitehaven	52	60

19. As the statutory admission authority for the schools listed above it is for the LA to determine whether or not to amend the PANs; there is no compulsion to do so.

20. The head teacher and governing body of Ewanrigg Junior School have formally requested that the PAN for the school is reduced from 45 to 40. In recent years the September Year 3 intake has reduced. Numbers generally in the area indicate that even with the PAN reduction sought there are likely to be sufficient places available to meet demand for the foreseeable future.
21. The headteacher and governors at Haverigg Primary School have requested that the PAN is increased from 18 to 25. The net capacity assessment indicates a PAN that is well above the current level. In recent years the school has shown that it can comfortably accommodate higher numbers if there is a demand for places.
22. Jericho School, Whitehaven has been completely rebuilt and the new accommodation will increase capacity at the school that will allow for an increase in the PAN from 52 to 60.
23. Funding to rebuild the school was secured through the government's Priority Schools Building Programme (Wave 2). Previously, the 14 classrooms were below the current area standards and also included areas for circulation routes. The new classrooms have all been built to current size standards, as set out in Building Bulletin 103, and there is separate circulation. This will give a net capacity of 420 which indicates a PAN of 60.
24. Consultation Responses – The consultation closed on 2 December 2019. One response was received stating that as there were no significant changes proposed, there was no comment to make. Allerdale Local Committee requested more detail about the proposed reduction in PAN for Ewanrigg Junior School. This was provided and no further response was received. No other responses were received.

Options Considered and Risks Identified

Options for Recommendation (1)

- Members can approve the admissions policy for 2021-22 for Community and Voluntary Controlled schools to include the changes to PAN and the additional paragraph in relation to children of UK service personnel; or
- Members can seek to retain the existing policy without the additional paragraph in relation to children of UK service personnel and without approving the PAN changes; PANs would remain at their existing level; or
- Members can retain the existing policy without the additional paragraph in relation to children of UK service personnel and with some of the PAN changes approved and others rejected.

Reasons for the recommendation/Key benefits

- The School Admissions Code 2014 imposes mandatory requirements in relation to the discharge of functions relating to admissions. The LA as the admission authority for Community and Voluntary Controlled schools in Cumbria has a statutory duty to act in accordance with the relevant provisions of the Code.
- Admission authorities must determine admission arrangements by 28 February every year, even if they have not changed from previous years and consultation has not been required.
- Failure to determine admission arrangements for Community and Voluntary Controlled schools in Cumbria and to formulate a co-ordinated scheme for 2021-22 would mean that the LA does not fulfil its statutory duty in relation to the admission function.

Financial – What Resources will be needed and how will it be Funded?

25. There are no direct financial consequences relating to the recommendations to approve admissions policies and to consult on those policies.
26. Schools are funded through the Dedicated Schools Grant and funding is allocated through a National Funding Formula. The recommendations to reduce the PAN at Ewanrigg Junior School and to increase the PAN at Haverigg Primary School and Jericho School will have no effect on the distribution methodology of school budget shares. In accordance with the National Funding Formula, changes in pupil numbers will impact individual schools' budget shares but greater certainty of pupil numbers will allow schools to plan budgets and expenditure with corresponding certainty.
27. There may be a small effect on school transport budgets as a result of changes to PANs if pupils need to be transported to their allocated schools but this is unlikely to be material.

Legal Aspects – What needs to be considered?

28. Cabinet are able to approve recommendation 1 as suggested at paragraph 3. The requirements to consult in respect of the changes regarding the children of service personnel and the decrease/increases to the PANs at Ewanrigg Junior School, Haverigg Primary School and Jericho School have now been complied with.
29. In respect of all of the consultations, Cabinet must carefully consider the responses received back before making any decision on implementation of the changes to the schemes/policies. It is noted at paragraphs 17 and 24 that only one response was received and no comment was made.

Health and Safety Aspects – What needs to be considered?

30. The County Council has a duty under the Health and Safety at Work Act 1974 and associated legislation and regulations to ensure that, as far as reasonably practicable, adequate health and safety management arrangements are in place to protect employees, members, customers, pupils and visitors to County Council related services (including schools within County Council governance arrangements).
31. Any health and safety implications resultant from a change in pupil numbers should be assessed with associated controls implemented if and when required. It is however noted that following analysis of the consultation feedback and Equality Impact Assessment, there have not been any direct health and safety related concerns identified.
32. It is a requirement that all staff and volunteers should be made aware and understand each Schools Health and Safety Policy together with the supporting arrangements and complete an induction which covers key health and safety information such as any risks identified and for example emergency procedures, fire, first aid and fire arrangements.

Council Plan Priority – How do the Proposals Contribute to the Delivery of the Council’s Stated Outcomes? (Outcomes - People in Cumbria are Healthy and Safe, Places in Cumbria are well connected and thriving, the Economy in Cumbria is growing and benefits everyone)

33. By allowing parents to express preferences for a range of schools and by giving top priority in oversubscription criteria to children with education, health and care plans and those looked after or previously looked after by a local authority or outside of England, the arrangements will support the outcome of ensuring that, ‘people in Cumbria are healthy and safe’.

What is the Impact of the Decision on Health Inequalities and Equality and Diversity Issues?

34. There are no equality and diversity issues arising from this report. The School Admissions Code 2014 ensures that all school places for maintained schools (excluding maintained special schools) and academies are allocated in a fair and open way.

Appendices and Background Documents

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| Appendix A | Proposed Admissions Policy for Community and Voluntary Controlled Schools 2021-22 |
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Key Facts

Electoral Division(s): All

Executive Decision	Key Decision Included in Forward Plan	Exempt from call-in	Exemption agreed by scrutiny chair	Considered by scrutiny, if so detail below	Environmental or sustainability assessment undertaken?	Equality impact assessment undertaken?
Yes	Yes	No	N/A	No	No	No

Approved by the relevant Cabinet Member/s on 11 December 2019 (please state date)

Previous relevant Council or Executive decisions

No previous relevant decisions

Consideration by Overview & Scrutiny

Not considered by Overview and Scrutiny

Background Papers

No background papers

Report Author

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