

Committee: Cabinet

Date of meeting: 16 December 2021

Title of Report: School Admission Arrangements 2023-24

Report by: John Readman, 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, at Appendix A, 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 2023-24.
2. On 23 September 2021, 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 for 2023-24 go out to consultation with the required groups as set out in the School Admissions Code 2021;
 - the establishment of a dual secondary school catchment area for Millom School and West Lakes Academy to better support children and families living in the primary catchment areas of Gosforth, Seascale and St Bega's schools go out for consultation;
 - the proposed co-ordinated scheme for 2023-24 for all maintained schools and academies in Cumbria be approved (appendix 1);
 - the proposed definition of relevant areas for admission authorities in Cumbria for the period 2023-24 go out for consultation (appendix 2); and
 - the nursery admissions policy for 2023-24 for Community and Voluntary Controlled schools and infant/primary schools providing nursery education be approved.

Recommendation of the Executive Director

3. **Recommendation 1:** Approve the proposed Policy for Admission to Community and Voluntary Controlled Schools 2023-24 including the establishment of a dual catchment area between West Lakes Academy and Millom School

Recommendation 2: Approve the proposed definition of relevant area for Admission Authorities in Cumbria

Background to the Proposals

4. The School Admissions Code 2021 came into force on 1 September 2021 replacing the School Admissions Code 2014.
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 2022 for the 2023-24 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. The county council also retains responsibility for co-ordinating the main admissions round for all maintained schools and academies in the county. It is required to formulate a co-ordinated scheme setting out the various stages in the admissions process by 1 January 2022 for the 2023-24 academic year.
9. Where the co-ordinated scheme is substantially different from the scheme for the previous year the LA must consult. If the scheme has not changed from the previous year there is no requirement to consult, subject to the requirement that the LA must consult on the scheme at least once every seven years, even if there have been no changes.
10. 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.
11. Where changes are proposed to admission arrangements (or at least every seven years where no changes have been proposed), including reductions in PANs, 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 is 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 2021: paragraph 1.47)

12. 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 2023 where it is proposed to remain unchanged or to increase.
13. The consultation process must last for a minimum of 6 weeks and can begin no earlier than 1 October 2021. Consultation relates to the admission arrangements for Community and Voluntary Controlled schools for 2023-24, including the proposal of a dual catchment area between West Lakes Academy and Millom.

The Consultation Process

14. The 6-week consultation opened on 1 October 2021 and closed on 11 November 2021. 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.

Other Consultation Responses – Catchment Areas

15. Admission arrangements include the PAN for every Community and Voluntary Controlled school, and the oversubscription criteria, which specifically include reference to catchment areas.
16. Voluntary Aided, Foundation, Free schools and Academies have responsibility for determining their own admission arrangements, including catchment areas and oversubscription criteria.
17. A total of 94 responses to the consultation were received. 78 of the responses were relevant to the consultation. 77 related to the establishment of the dual catchment area between West Lakes Academy and Millom and all were in favour. One response was related to the criteria of the relevant area and was in favour of the proposed definition. A more detailed analysis of the consultation responses can be viewed at Appendix 3.

Options Considered and Risks Identified

Options for Recommendation (1)

- Members can approve the admissions scheme for 2023-24 for Community and Voluntary Controlled schools to include the proposed dual catchment area between West Lakes and Millom; or
- Members could decide to retain the previously approved policy, without any of the changes consulted upon

Options for Recommendation (2)

- Members can approve the proposed arrangements for the definition of the Relevant Area; or
- Members can retain the previous arrangements.

Reasons for the recommendation/Key benefits

- The School Admissions Code 2021 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 for 2023-24 would mean that the LA does not fulfil its statutory duty in relation to the admission function.
- The establishment of a dual catchment area would ensure families in this area who are in a unique position compared with others in the rest of the county; as they are the only ones who are unable to gain a place at their catchment secondary school during the main admissions round. They have applied for places in their catchment area secondary school but, through a combination of circumstances, have been unable to secure them. They see Millom as part of their community, and Millom School as a 'natural' alternative if they cannot access places at WLA. It is forecast that no more than a single bus would be required at any time between the affected areas and Millom, at an estimated cost of between £61,750 (assuming one feeder vehicle was to be required) and £71,250 (assuming 2 feeder vehicles).
- The proposed new Relevant Area definition reduces burdens for some own-Admission Authority schools, and provides for greater equity in the consultation requirements.

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

18. There are no direct financial consequences arising from the recommendation to approve admission policies.
19. The consultation on admission arrangements includes the potential establishment of a dual secondary catchment area for Millom School and West Lakes Academy. If approved this may result in increased Home to School Transport costs but these cannot be quantified until affected children and required routes are known.

Legal Aspects – What needs to be considered?

20. Cabinet can adopt either of the options set out above in respect of recommendation 1. The requisite consultation in respect of admission arrangements has now been carried out and a summary of the responses is set out above.
21. Cabinet can adopt either of the options in respect of recommendation 2. Regulation 11 of the Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999 compels the County Council to review its

'relevant area' periodically and in any event every two years. The requisite consultation is now complete.

22. Cabinet must give due regard to the outcome of the consultation but is not obligated to follow the dominant view in the consultation.

Health and Safety Aspects – What needs to be considered?

23. 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).
24. Any health and safety implications resultant from the school admission process or a change in pupil numbers should be assessed with associated controls implemented if and when required.
25. 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 property related 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)

26. The proposals ensure that children and families have access to school places locally, helping to ensure that places in Cumbria are thriving and well connected.

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

27. All families applying for a place in a Community or Voluntary Controlled school do so on an equal footing, with places allocated objectively in cases of oversubscription.

Appendices

Appendix A – Coordinated Admissions Scheme 2022-23

Appendix B – Proposed Definition of relevant area

Appendix C – Summary of responses received to the consultation

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	N/A	N/A

Approved by the relevant Cabinet Member on 19 November 2021

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

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