

## **REPORT FOR: HARROW ADMISSIONS FORUM**

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<b>Date of Meeting:</b>	10 <sup>th</sup> February 2010
<b>Subject:</b>	Feedback from consultation on community school Admission Arrangements for 2011-12
<b>Key Decision:</b>	Yes
<b>Responsible Officer:</b>	Heather Clements, Director Schools and Children's Development
<b>Portfolio Holder:</b>	Councillor Anjana Patel, Schools and Children's Development
<b>Exempt:</b>	No
<b>Enclosures:</b>	Appendix 1: Protocol for Nursery admissions Appendix 2: Draft admission arrangements for 2011-12 PART A Definitions (i.e. terms used in community school admission rules). PART B How places will be allocated in Harrow's community school nursery classes. PART C(i) How places will be allocated in community reception classes PART C(ii) How places will be allocated in community junior schools PART C(iii) Admission to community primary schools after the main allocation of places PART D(i) How places will be allocated in community co-educational high schools. PART D(ii) How place will be allocated to Bentley Wood High School for Girls PART D(iii) Admission to community high schools after the main allocation of places

PART E	Schemes of co-ordination <ul style="list-style-type: none"> <li>• Primary</li> <li>• Secondary</li> <li>• Infant to Junior</li> <li>• In-year</li> </ul>
PART F	Admission to Harrow Sixth Form Collegiate
PART G	Fair Access Protocol
PART H	Relevant Area

Appendix 3: Recommendations from Nursery Working Group

Appendix 4: Change to School Admissions COP

Appendix 5: Schools' arrangements to consult parents

Appendix 6: Parent/carers' consultation responses

Appendix 7: Governors' consultation responses

Appendix 8: List of community group consultees

Appendix 9: Cover note to nursery application form

## Section 1 – Summary and Recommendations

### **RECOMMENDATIONS:**

- To consider the feedback from consultation on admission arrangements for the 2011-12 academic year, including the comments from Nower Hill governors about the extension of the sibling link to sixth forms.
- To make the following recommendations to the Cabinet :
  1. To amend the nursery criterion as follows

If more applications are received than there are places in a Nursery, places will be allocated to children in date of birth order, with older children being offered places before younger children, as follows:

First        Children, in date of birth order, who are Looked After by a local authority.

Next        Children, in date of birth order, referred by Harrow's Special Education Needs Assessment and Review Service.

Next        Other children, in date of birth order.

If, under any criterion, there are more children with the same date of birth than there are places remaining in the nursery, then the available places will be offered to child(ren) who live closest. Distance will be measured in a straight line from the home address to the entrance to the nursery. Home to school distance will be measured by Harrow's School Admissions Service.

Parents will only be able to apply to one nursery. However, all unsuccessful applicants to be advised that their child's name can be added to the waiting list for any school.

In addition, and to ensure transparency and consistency across the borough, nursery class headteachers to agree a protocol, including a timetable for nursery applications and ways of dealing with multiple applications to ensure each child is only offered one nursery place (see Appendix 1).

2. To request nursery headteachers to indicate in the offer letter that a place in the nursery does not give automatic entry to the school and to confirm that parents must make a separate application for Reception.
3. To adopt the admission arrangements including the amended oversubscription criteria for primary and high schools (See Appendix 2) to ensure twins and other multiple birth children can attend the same school, with the proviso that the School Admissions Code of Practice is changed to include twins and other multiple birth children as exceptions for infant class sizes.
4. To agree clarification of the medical criterion as follows:

For primary and high school

The letter from the hospital consultant must name the school and state why, in his/her view, this school is the most suitable to meet the child's / parent's medical needs.

If the school is not the closest to home, the consultant must set out in detail the wholly exceptional circumstances for attending this school and the difficulties if the child had to attend another school.

For high school only

Parental medical claims solely on the grounds of the young person's need to be accompanied on the journey to school will not be allowed as at secondary school age young people are expected to travel independently.

## Assessment of medical claims for parents

For parent(s) making a medical claim on mental health grounds advice will be sought from the council's liaison officer based at Harrow's Mental Health Service. Forum Members will be updated on the arrangements put in place to assess other medical claims when this information is confirmed.

5. To adopt the proposed schemes of co-ordination for:
- Primary admissions
  - Secondary transfer
  - Infant to Junior transfer
  - In-Year admissions.

## 6. **ADMISSION ARRANGEMENTS 2010**

To agree the proposal to amend the nursery tie-breaker to distance from home to school for the 2010 nursery admissions round as follows:

If more applications are received than there are places in a Nursery, places will be allocated to children in date of birth order, with older children being offered places before younger children, as follows:

First Children, in date of birth order, who are Looked After by a local authority.

Next Children, in date of birth order, referred by Harrow's Special Education Needs Assessment and Review Service.

Next Other children, in date of birth order.

If, under any criterion, there are more children with the same date of birth than there are places remaining in the nursery, then the available places will be offered to child(ren) who live closest. Distance will be measured in a straight line from the home address to the entrance to the nursery. Home to school distance will be measured by Harrow's School Admissions Service.

## 7. **FAIR ACCESS PROTOCOL**

To amend the Fair Access Protocol as follows:

1. To include that "wherever possible children will be allocated to a school of their faith".
2. To clarify that the protocol does not cover newly arrived children where a school place has been allocated but the parents have not taken up the place / the child has not started at the school.

3. To clarify that As far as is possible, primary pupils will be shared equally across the borough.

**REASON:** There is a requirement under the School Standards and Framework Act 1988 for admission authorities to determine admission arrangements by 15 April in the determination year (ie by 15 April 2010).

## **Section 2 – Report**

Under the School Standards and Framework Act 1998 (as amended by the 2002 Schools Standards and Framework Act) Harrow is required to consult before determining its admission arrangements. The proposed admission arrangements for co-educational high schools are given at Appendix 2.

At its meeting on 18 November 2009 the Harrow Admission Forum (HAF) considered the current admission arrangements for Harrow community schools to assess how well they served the interests of local parents and children. Forum Members agreed on the following:

1. The recommendations proposed by the Nursery Admissions Working Group (see Appendix 3).
2. The oversubscription criteria for primary and high schools amended to ensure twins and other multiple birth children can attend the same school, with the proviso that the School Admissions Code of Practice is changed to include twins and other multiple birth children as exceptions for infant class sizes. The arrangements also included the Fair Access Protocol and Harrow's relevant area
3. The proposed schemes of co-ordination (see Appendix 2 – Part E):
  - Primary admissions
  - Secondary transfer
  - Infant to Junior transfer
  - In-Year admissions.

The School Admissions Code which is published by the DCSF will be amended on 10 February 2010 in respect of the admission of children below statutory school age (see Appendix 4).

In line with the recommendations of the Cambridge Review on Primary Education and the changes to the Code, Harrow's admission arrangements already make provision for children to be admitted to reception classes in the

September immediately following their fourth birthday. In addition, the current Code of Practice makes provision for parents to defer entry to reception and this is reflected in Harrow's arrangements. Before making any further recommendations about flexible entry to reception, HAF members agreed to await updated guidance from the DCSF.

Parents of children starting in reception will be able to request that their child attends part-time until the child reaches compulsory school age. Schools will be advised about this new requirement.

## Consultation

Full details of the proposed schemes of co-ordination, the proposed admission arrangements for 2011-12, Harrow's relevant area and Fair Access Protocol were circulated to:

- Governors and headteachers of all Harrow schools
- All other admission authorities in the relevant area
- Neighbouring Local Authorities as required under The Education (Determination of Admission Arrangements) Regulations 2002.
- Local community groups.

Notices / posters were provided for schools, nurseries, pre-school playgroups, libraries, community notice boards, medical centres, doctors' surgeries, supermarkets, etc. to display in order to inform parents about the consultation.

Schools were provided with A4 flyers and response pro-formas and were asked to use their normal channels of communication to consult with parents (eg school newsletters, parents' evenings, school notice boards, etc.). Appendix 5 details the arrangements schools made to consult.

Additionally, a notice advising of the consultation was placed in the local press, the January edition of the Harrow People magazine, which is delivered to all households in Harrow, and the consultation documents and a survey were posted on the Harrow website.

The consultation responses have been analysed and are summarised below:

### Response from parents

Parents can comment on any area of the admission arrangements. However, responses received concentrated mainly on the inclusion in the nursery oversubscription criteria of children looked after and the change to the tie-breaker. For primary and high schools responses mainly covered the change to admissions for twins and multiple birth children.

92 individual responses were received from parents (including 6 website responses). A summary of the responses is as follows:

Nursery Admission Arrangements		Infant Classes	Other Year Groups
Children looked after to be the highest criterion in the oversubscription criterion	Tie-breaker to be distance measured in a straight line from home to nursery	Twins/multiple birth children to be offered the same primary school (provided COP is amended)	In cases where only one place is available and twins/multiple-birth tie for the last available place, then both will be offered even if this exceeds the planned admission number
<b>In favour:</b>			
70 (87.5%)	67 (87%)	93 (96%)	79 (94%)
<b>Against:</b>			
10 (12.5%)	10 (13%)	3 (4%)	5 (6%)

			When using the random allocation criterion for admission to Bentley Wood High School, twins will be allocated the same random number.
<b>In favour:</b>			
			89% (72)
<b>Against:</b>			
			11% (9)

**Any other comments:**

Few comments were made, but no common themes occurred.

A full analysis of responses is provided at Appendix 6. The response proformas are available at the Admissions Service office.

**Responses from schools and governors** (See Appendix 7). Responses were received as follows:

High schools(1)	Headteacher	Chair of governors	Individual governors
	1	1	0
Primary schools(4)	Headteacher	Chair / VA admissions cttee	Individual governors
	1	2	6

<b>Schemes of co-ordination</b>	<b>Fair access protocol</b>	<b>Relevant area</b>
<b>In favour</b>		
0	7	0
<b>Against</b>		
0	0	0

<b>Nursery Admission Arrangements</b>			
Children looked after to be the highest criterion in the oversubscription criterion	Tie-breaker to be distance measured in a straight line from home to nursery	HT to sign up and publish annual timetable	HTs to agree protocol for dealing with multiple-applications
<b>In favour:</b>			
8	8	8	8
<b>Against:</b>			
1	0	0	



Infant classes		Other year groups	
Twins/multiple birth children to be offered the same primary school (provided COP is amended)		In cases where only one place is available and twins/multiple-birth tie for the last available place, then both will be offered even if this exceeds the planned admission number	When using the random allocation criterion for admission to Bentley Wood High School, twins will be allocated the same random number.
<b>In favour:</b>			
9		9	10
<b>Against:</b>			
0			0

**Any other comments:**

The Governors of Nower Hill High School submitted the following comments about high school admission arrangements:

“We support the oversubscription criteria for High School admission at Year 7 except for the exclusion of a sibling link to students in the sixth form.

The guidelines on setting fair oversubscription criteria (paragraph 2.21 - 2.24) encourage priority in admissions to siblings and paragraph 2.23 states "... an older sibling is expected to be on roll including in the school sixth form when a younger child starts at the school...". We are aware of the prohibition conditions in paragraph 2.16 h) about the situation when the older sibling will have left the school when the younger one is due to start.

Nevertheless we feel that the Harrow proposals to exclude the link to sixth form siblings contravenes paragraph 2.24 and may render the Local Authority open to challenge from an objection made to the Schools Adjudicator. We feel that the proposal is discriminatory to families with wider age gaps. We do not think that a large number of pupils are affected, but we feel strongly that where an older sibling has already had some 4 years at Nower Hill then moves into the Sixth Form then a sibling link for a younger child should be available.

There are significant benefits for both families and schools in recognising, supporting and fostering ongoing relationships. Furthermore there are benefits for the community at large in building on the community links established through work in the curriculum at Years 10 and 11 (eg Citizenship, PSHE, Duke of Edinburgh award, Community Arts Programme, charity work etc).”

The Code of Practice gives guidance on the admission of siblings as follows:

2.23 Sibling criteria may apply where, at the time of application, an older sibling is expected to be on roll (including in the school sixth form) when a younger child starts at the school.

This guidance is not a requirement (ie a must) but is something to which the authority should give consideration.

The Code also specifies:

- 2.24 As with other oversubscription criteria in giving priority to siblings, admission authorities **must** ensure that their admission arrangements as a whole do not unfairly disadvantage other families

Whilst acknowledging the rationale for the proposal, Forum members may also wish to consider other factors.

- Sixth form education is not statutory and there is a parallel with nursery non-statutory nursery education, in that attendance at a nursery does not give any priority for attendance in the primary school.
- Sixth Form provision in Harrow has been formalised through the Harrow Collegiate. As a result some students may not attend one establishment but may be required to attend other sixth forms/colleges in order to meet their academic requirements.
- Some students, who did not attend the school, may be admitted to the sixth form from other establishments/other areas. To give the sibling priority for attendance at the sixth form would discriminate against local families without the sixth form connection.
- The closing date for receipt of applications is around 12 February. The national offer date for secondary transfer is 1 March. There would be insufficient time to incorporate information about sixth form placements into the transfer process.

## **Community groups**

A letter and consultation response pro-forma was sent to a number of community groups (see Appendix 8). No responses were received.

## **Other LAs and admission authorities**

A copy of the consultation report and schemes of co-ordination were sent to neighbouring LAs. No responses were received.

## **Westminster Diocese**

The Roman Catholic Diocese of Westminster raised the following issues regarding the Fair Access Protocol

- Would it be possible to add that where possible children will be allocated to a school of their faith (or something along those lines).
- I'm slightly concerned at the maximum of one permanently excluded child per school year. In a primary school with a PAN of 30, 7 excluded children would be quite a lot.

- Where you refer to children not covered by the protocol it may be a good idea to include those newly arrived for whom a school place can be identified (otherwise parents could refuse a place hoping they'll get the school of their choice)
- For primary pupils there seems to be no guarantee that pupils will be distributed evenly throughout the borough. I know this may not always be possible but it may be good to let parents and schools know that an effort will be made to do this as there may be an influx of asylum seekers for example who are all housed in one area.

Forum Members may wish to consider making the following amendments to the Fair Access Protocol (FAP).

1. To include that "wherever possible children will be allocated to a school of their faith".
2. To clarify that the protocol does not cover newly arrived children where a school place has been allocated but the parents have not taken up the place / the child has not started at the school.
3. To clarify that as far as is possible, primary pupils will be shared equally across the borough

As there are few primary exclusions the issue of any school being required to take one child in each year group has not arisen. However, during the next academic year a review of how primary pupils who have been permanently excluded are reintegrated to another school is due to take place and the comment from the Diocese will be fed into this.

## **Independent Appeal Panel**

Following a recent admission appeal hearing, members of the Independent Appeals Panel requested that the Harrow Admissions Forum ask nursery headteachers to indicate in the offer letter that a place in the nursery does not give automatic entry to the school and to confirm that parents must make a separate application for Reception. This information is already part of the nursery application form and parents sign a declaration to confirm their understanding of it. In addition, a cover sheet (see Appendix 9) is attached to each nursery application form advising of the need to make separate applications for nursery and reception. The Appeal Panel members felt that a further reminder contained in the offer letter would be helpful to parents.

## **Medical claims under the admission rules**

Although not raised in any of the consultation responses, issues have been identified by the Admissions Service. More claims on medical grounds have been received for the 2010 admissions round than in previous years. This is possibly due to the change in the admission criteria for high schools, ie the move from linked schools to distance.

Most of these claims have not met the requirement for the medical criterion and the claims have not been allowed. To ensure there is consistency in decisions on agreeing medical claims Members of the Forum may wish to provide additional clarification on what may qualify as a medical claim.

The main areas that require clarification are as follows:

1. Claims for the medical priority being made in respect of a number of schools rather than for a specific school.
2. Claims for a school which is not the nearest to home not being specific about why the preferred school is the only one that can meet the young person's needs.
3. Medical claims regarding a parent's medical condition being made on the grounds of the pupil's ability to travel to school.

The current medical criterion for both pupil and parent is as follows:

Where there are special medical reasons for seeking a place at the preferred school. Except in wholly exceptional circumstances such applications will only be considered for the school nearest the child's home. Applications made on medical ground must be accompanied by supporting evidence from a hospital consultant at the time of application. This letter must provide:

- Information about the child's / parent's medical condition
- The effects of this condition
- Why in view of this condition the child must attend the preferred school.

To ensure that decision making is objective and applicants have clear information in advance of making a medical claim the following clarifications are proposed for the Forum's consideration:

- For primary and high school

The letter from the hospital consultant must name the school and state why, in his/her view, this school is the most suitable to meet the child's / parent's medical needs.

If the school is not the closest to home, the consultant must set out in detail the wholly exceptional circumstances for attending this school and the difficulties if the child had to attend another school.

- For high school only

Parental medical claims solely on the grounds of the young person's need to be accompanied on the journey to school will not be allowed as at secondary school age young people are expected to travel independently.

## **Assessment of medical claims**

The current admission arrangements advise the Harrow Special Education Needs Service will assess applications made on medical grounds. The Manager of that Service has recently informed the Admissions Service that whilst they can continue to give advice on applications for children made on medical grounds, they do not feel they have the expertise or capacity to provide similar input for parents. In the circumstances, help has been sought on alternatives and the following is proposed:

For parent(s) making a medical claim on mental health grounds advice will be sought from the council's liaison officer based at Harrow's Mental Health Service. It has not yet been possible to identify a similar professional to provide advice on other medical needs. Approaches are currently being made within Adult Physical and Sensory Services and Forum Members will be updated as soon as an outcome is available.

## **NURSERY ADMISSION ARRANGEMENTS 2010**

Concern has been raised about the current tie-breaker for nursery class admissions, which gives priority to children whose first language is not English and next, to children whose parents are in receipt of income support/income based job seekers allowance. These tie-breakers have been in place since 1997 and were introduced following consultation with Governing Bodies of Harrow schools during the Autumn 1996 Term. In the main, Governing Bodies supported the proposals made. At the meeting on 11 February 1997 Members of the Education Services Committee agreed to adopt this as the tie-breaker for Nursery admissions. The rationale behind the criteria was to support children within the most disadvantaged sections of the community. The basis of this lay in research undertaken by HMI which pointed to the need to address a deficit in educational attainment amongst those young children who do not speak English as a main language at home.

The main criterion for admission to nursery remained date of birth (ie older children are offered places before younger children). The tie-breaker is only applied in those rare cases where there are two children with the same date of birth but there is only one place remaining in the nursery.

Recent legal advice has recommended that strong consideration be given to changing the tie-breaker for nursery admissions. At present the legal view is that the policy is justifiable and therefore not discriminatory under s1 Race Relations Act 1976 however whilst the tie-breakers were relevant at the time they were agreed neither is now considered to be appropriate. The number of children in Harrow schools whose first language is not English has grown and is currently 51%. Also other benefits / tax arrangements have been introduced to help a wider range of families (eg family tax credits) which means that income support is no longer the main determinant of deprivation.

It is proposed therefore to change the tie-breaker for the 2010 nursery admission round as follows:

From:

First Children whose first language is not English.

Next Children whose parents are in receipt of Income Support / Income Based Job Seekers Allowance.

To:

Distance measured in a straight line from the home address to the entrance to the nursery. Home to school distance will be measured by Harrow's School Admissions Service.

Contact with the Office of the Schools Adjudicator has confirmed that as nursery education is non-statutory there is no requirement to seek a variation to the determined admission arrangements. Therefore, if the proposal is adopted it can be communicated immediately to nursery headteachers for implementation for admissions for September 2010.

## **Options considered**

See above

## **Financial Implications**

There are no financial implications arising from this report

## **Risk Management Implications**

Risk included on Directorate risk register? No

Separate risk register in place? Yes

## **Corporate Priorities**

This report supports the Corporate Priority to improve support for vulnerable people. Inclusion of Children Look After as the highest priority in the oversubscription criteria ensures that the most vulnerable children have priority for the allocation of nursery places.

### Section 3 - Statutory Officer Clearance

Name: ...Emma Stabler....	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: ... 2.2.10.....		
Name: ...Linda Cohen.....	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: ... 2.2.10.....		

\*Delete the words "on behalf of the" if the report is cleared directly by Myfanwy or Hugh.

### Section 4 - Contact Details and Background Papers

**Contact:** Madeleine Hitchens, Manager, Place Planning & Admissions  
Service 020 8424 1398

Background Papers: N/A