

REPORT FOR:

CABINET

Date of Meeting:	4 April 2012
Subject:	Determination of Community School Admission Arrangements – Academic Year 2013/2014
Key Decision:	Yes
Responsible Officer:	Catherine Doran, Corporate Director Children and Families
Portfolio Holder:	Councillor Brian Gate, Portfolio Holder for Schools and Colleges
Exempt:	No
Decision subject to Call-in:	Yes
Enclosures:	Annexe 1: Draft admission arrangements for community schools for 2013/2014 Annexe 2: Recommendation from Harrow Admissions Forum 14 March 2012

Section 1 – Summary and Recommendations

Harrow is required to consult before determining admission arrangements for community schools. Consultation took place between 3 January 2012 and 28 February 2012. Members of the Harrow Admissions Forum (HAF) at their meeting on 14 March 2012 made the following recommendations for the Cabinet's consideration

Recommendations:

Cabinet is requested to determine the admission arrangements to apply to

Harrow community primary and high schools for the 2013/2014 academic year, taking into account the recommendations of Harrow Admissions Forum as follows;

1. Determine the admission arrangements Part A –G without any further changes to the proposed arrangements and schemes other than the following:

- 1.i Use the new definition for 'looked after children' as required by the School Admissions Code and reword the first criterion in the oversubscription to:

“A 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, residence, or special guardianship order. A looked after child is a child who is (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions (see the definition in Section 22(1) of the Children Act 1989).”

An adoption order is an order under Section 46 of the Adoption and Children Act 2002. A 'residence order' is an order settling the arrangements to be made as to the person with whom the child is to live under Section 8 of the Children Act 1989. Section 14A of the Children Act 1989 defines a 'special guardianship order' as an order appointing one or more individuals to be a child's special guardian (or special guardians).

2. Change the wording on shared responsibility in the definition of “home address” to:

‘Where a child lives with parents with shared responsibility, each for part of a week, the address where the child lives is determined using a joint declaration from the parents stating the pattern of residence. If a child's residence is split equally between both parents, then parents will be asked to determine which residential address should be used for the purpose of admission to school. If no joint declaration is received where the residence is split equally by the closing date for applications, the home address will be taken as the address of the parent who receives child benefit. In cases where parents are not eligible for child benefit the address will be that of the parents where the child is

registered with the doctor. If the residence is not split equally between both parents then the address used will be the address where the child spends the majority of the school week. ‘

- 3 To note the work undertaken by officers in relation to the Fair Access Protocol as detailed in Paragraph 13.

Reason:

There is a statutory requirement under the School Standards and Framework Act 1998 for admission authorities to determine admission arrangements by 15 April in the determination year (i.e. by 15 April 2012).

Section 2 – Report

Introduction

1. Under the School Standards and Framework Act 1998 Harrow is required to consult before determining its admission arrangements. The 1998 Act (as amended by the Education Act 2002) also requires each Local Authority to establish an Admissions Forum to provide a vehicle for admission authorities and other key interested parties to get together to discuss the effectiveness of local admission arrangements.
2. At its meeting on 28 November 2012 the Harrow Admissions Forum considered the current admission arrangements to assess how well they served the interest of local parents and children and agreed to consult on the oversubscription criteria for Harrow community schools attached to this report. The consultation proposals were agreed and a consultation undertaken from 3 January 2012 to 28 February 2012.
3. The Harrow Admission Forum (HAF) met on 14 March 2012 to consider the feedback from the consultation and agreed a number of recommendations, detailed at the front of the report, to Cabinet to be effective from the 2013-14 Academic Year.
4. HAF also considered the admission arrangements for own-admission schools, the voluntary aided school and academies in Harrow.
5. The draft admission arrangements for community schools are at Annexe 1. The arrangements are presented as Part A to Part G.

Options Considered

6. The Department for Education's School Admission Code provides the legislative framework for admission arrangements. In developing proposals for the admission arrangements for community schools consultation guidance from the new code of practice was considered and revisions developed accordingly.

Consultation

Consultation arrangements

7. Full details of the proposed schemes of co-ordination, the proposed admission arrangements for 2013/2014, 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.

6. 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.
7. Schools were provided with A4 flyers and response pro-formas and were asked to use their normal channels of communication to consult with parents (e.g. school newsletters, parents' evenings, school notice boards, etc.).
8. Additionally, a notice advising of the consultation was placed in the local press and the January edition of the Harrow People magazine, which is delivered to all households in Harrow. The consultation documents and a survey were also posted on the Harrow website for parents to respond on-line.

Consultation Responses

9. The consultation responses were analysed and reported to HAF. A summary is outlined below:
10. From the eight responses received from school governing bodies, there were no comments received regarding the co-ordinated schemes and admission arrangements. All respondents agreed to the proposed schemes and admission arrangements.
11. Two comments were received in relation to the Fair Access Protocol. One school has not agreed to the protocol and have noted their concerns in writing.
12. The admissions code requires each local authority to have a fair access protocol, agreed with the majority of schools in its area to ensure that outside the normal admissions round, unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible. In agreeing a protocol, the local authority must ensure that no school, including those with available places, is asked to take a disproportionate number of children who have been excluded from other schools, or who have challenging behaviour. The protocol must include how the local authority will use provision to ensure that the needs of pupils who are not ready for mainstream schooling are met. All admission authorities are expected to participate in the fair access protocol and there is no duty for local authorities or admission authorities to comply with parental preference when allocating places through the fair access protocol.
13. In response to earlier concerns raised by the academy high schools about the role they play in the fair access protocol, officers have met with the chair of the Secondary Headteachers' Executive. Officers have also discussed the protocol with the chairs of the Primary Headteachers' Executive and have agreed to investigate headteacher representation on the School Placement Admissions Panel. In response to the concerns raised by the primary school, officers will consider the current arrangements for determining school places for

unplaced children and whether an alternative approach should be investigated. This work will take account of best practice from other authorities and the views of primary and secondary schools. It is proposed that the final details are agreed with the Corporate Director of Children's Services in consultation with the Portfolio Holder for Schools and Colleges. The process to make any necessary changes to the terms of reference for the School Placement Admissions Panel will be followed accordingly.

14. From the eight responses received from parents four comments were received which have been summarised below with an Officer response. These are:

- Priority to children of staff should be included as a criterion
- Concern that schools may introduce 11+ exams
- Sibling sixth form link
- Address verifications

Priority to children of staff

15. Forum members are reminded that this is now permissible as per 1.39 of the Schools Admissions Code. This point was raised in the last meeting where officers asked whether this should be included in the proposed admission arrangements and it was determined that the inclusion of such a criterion would not be deemed as being fair to pupils of the local community. It should be noted that two voluntary aided primary schools are considering adding in priority to school staff.

Concern that schools may introduce 11+ exams

16. In accordance with the Code, schools are not able to introduce 11+ exams in their admission arrangements and there are no proposals to do this in the reports that have been consulted upon.

Sibling sixth form link

17. Whilst acknowledging the rationale for the proposal to include sibling link for sixth pupils, there are other factors that members may also wish to consider:

18. 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;

19. 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;

20. To give the sibling priority for attendance at the sixth form would disadvantage local families without the sixth form connection and,

21. 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.

Address verifications

22. Over recent years there has been a great deal of concern from parents, who have been unsuccessful in gaining a place in the school of their preference, that insufficient checks are undertaken to confirm where a pupil lives. To alleviate some of this concern, and to ensure that places are offered in the fairest way possible, independent documentary confirmation of address is requested. It is possible to confirm where the majority of Harrow residents live by checking the Council Tax or Electoral Register. Where applicants for school places are not registered, other independent confirmation is requested.
23. Examples of documentary proof are council tax bill, tenancy agreement, letter from housing department/association. In addition, the Admissions Service can access the Council Tax database and the Electoral Register provided the applicant was living at the new address at the time the Register was collated. Parents sign a declaration to confirm the information they are giving is true and they are advised that deliberately giving false information can result in the offer of a place at a school being withdrawn.
24. During the consultation it became apparent that there were different definitions to determine the address for those pupils where there was shared responsibility. To provide greater consistency it is proposed that the following definition is now adopted:

‘ Where a child lives with parents with shared responsibility, each for part of a week, the address where the child lives is determined using a joint declaration from the parents stating the pattern of residence. If a child’s residence is split equally between both parents, then parents will be asked to determine which residential address should be used for the purpose of admission to school. If no joint declaration is received where the residence is split equally by the closing date for applications, the home address will be taken as the address of the parent who receives child benefit. In cases where parents are not eligible for child benefit the address will be that of the parents where the child is registered with the doctor. If the residence is not split equally between both parents then the address used will be the address where the child spends the majority of the school week. ‘

Responses from other local authorities and admission authorities

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

Performance Issues

26. Harrow is a high performing Local Authority and the large majority of local services are judged to be good or better by Ofsted. Schools in Harrow perform well in comparison to national and statistically similar local authorities. Most primary schools and all secondary schools are judged good or outstanding.
27. The Schools White Paper and Education Act 2011 maintain a focus on driving up standards in schools, and place more of the responsibility with the schools directly for their improvement. The role of the Local Authority in measuring performance and driving improvement is changing significantly and will reduce from its current level. However, the Local Authority will maintain a strategic oversight and enabling role in local education, and is likely to retain some role in monitoring educational achievement and key measures such as exclusions and absence. The exact nature of the respective roles and responsibilities is still emerging and is being discussed with the schools.
28. Although the national indicator set has been abolished by the Department for Communities and Local Government, all of the key education indicators remain in place and continue to be reported to the Department for Education (DfE). This situation remains under review and the DfE is yet to provide clear guidance on if and how educational performance will be judged at a borough level.
29. There are implications for the provision of performance and management information to other services within Children's Services where schools' data is not transferred to and held by the Council. This includes data from academies and other schools not taking up some interdependent SLAs.

Financial Implications

30. There are no financial implications arising from this report.

Environmental Impact

31. There are no environmental impact implications arising from this report.

Risk Management Implications

32. Risk included on Directorate risk register? No
33. Separate risk register in place? No

Equalities implications

34. The equality impact assessment indicates that the equalities impact of Cabinet's decision will be effectively neutral. The Equalities Impact Assessment is available as background papers.
35. The statutory admissions code confirms that higher priority can be given to children or parents with medical issues that affect which school they or their child can attend.

36. Under the fair access protocol, pupils are permitted to be allocated a school affiliated to their faith where possible. Submission of a Supplementary Information Form will ensure that parents are clear of the requirements when requesting a faith school under the protocol.

Corporate Priorities

37. These considerations will support the Council's Corporate Priorities for 2011-2012:

- United and involved communities: A Council that listens and leads.
- Supporting and protecting people who are most in need.

Section 3 - Statutory Officer Clearance

Name: Emma Stabler	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 14 March 2012		
Name: Sarah Wilson	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 14 March 2012		

Section 4 – Performance Officer Clearance

Name: David Harrington	<input checked="" type="checkbox"/>	on behalf of the Divisional Director Partnership, Development and Performance
Date: 12 March 2012		

Section 5 – Environmental Impact Officer Clearance

Name: Andrew Baker	<input checked="" type="checkbox"/>	on behalf of the Divisional Director (Environmental Services)
Date: 12 March 2012		

Section 6 - Contact Details and Background Papers

Contact: Johanna Morgan, Education Professional Lead, Education Strategy and School Organisation, 020 8736 6841.

Background Papers:

Department for Education School Admissions Practice
HAF Report 14 March 2012 – Feedback from the consultation on Community
schools admission arrangements for September 2013/14

**Call-In Waived by the
Chairman of Overview
and Scrutiny
Committee**

NOT APPLICABLE

[Call-in applies]