

Cabinet

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| Report Title: | To Determine the Admission Arrangements to Schools in Suffolk for the 2017/2018 School Year |
| Meeting Date: | 23 February 2016 |
| Lead Councillor(s): | Cllr Gordon Jones, Cabinet Member for Children's Services, Education & Skills |
| Local Councillor(s): | All Councillors |
| Director: | Sue Cook, Corporate Director, Children & Young People's Services |
| Assistant Director or Head of Service: | Nikki Edwards, Assistant Director, Education & Learning, Children & Young People's Services |
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Brief summary of report

1. To determine the Admission Arrangements to Schools in Suffolk for the 2017/2018 School Year.

What is Cabinet being asked to decide?

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| <ol style="list-style-type: none"> 2. To note the overview of proposed Admissions Arrangements to Schools for the 2017/2018 School Year which is set out in Appendix 1, pages 2 and 3. 3. To approve the admissions oversubscription criteria for community and voluntary controlled schools for the school year 2017/2018, (Appendix 1, pages 4 to 7), having taken account of the alternative option to give priority in the oversubscription criteria for the children of all school staff. More details relating to the alternative option are set out in paragraphs 22 to 31 below. In addition, Appendix 3, from page 4 onwards, provides all comments relating to this option. 4. To approve the revised Co-ordinated Admissions Scheme for Schools in Suffolk 2017/2018 which sets out the admissions procedures for all maintained, academy, foundation and free schools in Suffolk, as shown in Appendix 1, pages 8 to 26. 5. To approve the revised Fair Access Protocol which supports the admission of unplaced young people who live in Suffolk, especially the most vulnerable, so that they are offered a suitable school place as quickly as possible, as set out in Appendix 1, pages 27 to 41. 6. To approve the proposed Published Admission Numbers (PANs) for Suffolk's community and voluntary controlled schools, and to note the PANs for own admission authority schools. These are set out in Appendix 1, pages 42 to 49. 7. To approve the Supplementary Information Form to support applications for |
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admission under the religious grounds criterion to Church of England Voluntary Controlled Schools which can be found in **Appendix 1**, pages 50 and 51.

Reason for recommendation

8. The county council is required to comply with the School Admissions Code (December 2014) and legislation. It must determine the Admission Arrangements for the School Year 2017/2018 by 28 February 2016.

What are the key issues to consider?

9. This report seeks approval for the county council's Admission Arrangements for the School Year 2017/2018. It provides information to the Cabinet on the representations made to the consultation on the proposed admission arrangements for the School Year 2017/2018 which was held between Monday 2 November 2015 and Monday 14 December 2015. These are summarised in **Appendix 2**.
10. **Appendix 3** sets out all of the comments received in response to questions relating to the alternative option to give priority in the oversubscription criteria to the children of all school staff. The risks associated with this option are set out in paragraphs 28 to 32 below. Further details are set out in paragraphs 52 to 57 below.
11. The county council received 266 representations in total. These included 260 questionnaires and 6 letters and emails. One of the emails related to a voluntary aided school's proposed policy and has been forwarded to the governing body, as the admissions authority for that school, to consider and respond directly to the representation.
12. The county council's proposed oversubscription criteria for community and voluntary controlled schools in 2017/2018 are found in **Appendix 1**, pages 4 to 7, attached to this report. They are the same as the criteria for the 2016/2017 school year, except that a definition for looked after children has been changed. They comply with the School Admissions Code (December 2014) and legislation.
13. The proposed changes to the Co-ordinated Admissions Scheme for Schools in Suffolk 2017/2018 are minor, as set out in **Appendix 1**, page 2. There are currently two schemes, one for primary schools and one for secondary schools. These two documents have been merged into one Scheme. More information has been added that has previously only been set out in the Admissions to Schools in Suffolk booklets. This ensures that all of the technical information can be found in one place.
14. Information about how to apply for a school place for the 2017/2018 school year will be sent via schools to parents with children in the relevant year groups. This will also be sent to other establishments such as nurseries, pre-schools and libraries. Admissions information for 2017/2018 must be made available on the county council's website by 12 September 2016 so that details are available to parents. The online service also opens on this date.
15. Each Local Authority must have a Fair Access Protocol, agreed with the majority of schools in its area, to ensure that, outside of the normal admissions round, unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible. Suffolk's Fair Access Protocol is a working

document and is reviewed each year. Last year, In-Year Fair Access Panels (IYFAP) were introduced across Suffolk to apply the protocol in a fair and transparent way, ensuring that no school is asked to admit a disproportionate number of students with challenging behaviour. The panel considers managed moves, pupil referral unit allocations and alternative provision, as well as difficult school admission applications for hard to place children. The panel members include headteachers or their representatives, professionals from a broad range of children's services and county council officers. The proposed amended Fair Access Protocol is set out in **Appendix 1**, pages 27 to 41, and this reflects the developing practice that has stemmed from IYFAP and clarifies entitlement to free home to school travel.

What are the resource and risk implications?

16. There are no anticipated risks associated with the proposed arrangements.
17. Should the School Admissions Code be amended prior to the 2017/2018 normal admission round which will open on 12 September 2016, there would be a requirement to change arrangements to comply with new legislation.

What are the timescales associated with this decision?

18. The School Admissions Code, published in December 2014, makes it clear that admission authorities are responsible for admissions and must act in accordance with this Code, the School Admission Appeals Code, other laws relating to admissions, relevant human rights and equalities legislation. All admission authorities must set ('determine') admission arrangements annually. Where changes are proposed to admission arrangements, the admission authority must first publicly consult on those arrangements. If no changes are made to admission arrangements, they must be consulted on at least every 7 years.
19. The consultation on the Admission Arrangements for the 2017/2018 school year had to be for a minimum of 6 weeks between 1 October 2015 and 31 January 2016. The consultation on the proposed 2017/2018 admission policies for community and voluntary controlled schools in Suffolk commenced on Monday 2 November 2015 and closed on Monday 14 December 2015.
20. Changes to all school admission policies must be determined by the statutory deadline of 28 February 2016 and published by 15 March 2016. This timetable also applies to all own admission authorities in Suffolk.
21. Following determination, parents and others have the right to make representations to the Schools Adjudicator on any admission policy until 15 May 2016. The local authority is then responsible for publishing its admission policy, together with the admission policies for all own admission authorities in Suffolk in a composite booklet. This booklet must be published by 12 September 2016.

Alternative options

22. The School Admissions Code (December 2014) enables admission authorities to give priority to the children of staff, should they wish to do so, in either or both of the following circumstances:
 - a) where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made, and/or

- b) the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.
23. Currently, 17 (11%) of the 152 Local Authorities in England have given some level of priority to the children of school staff within their oversubscription criteria for the 2016/2017 school year. Of the secondary academy and free schools in Suffolk that were established by the end of the 2014/2015 school year, 10 (23%) had given some level of priority to the children of staff for the 2016/2017 school year.
24. Last year, a Suffolk headteacher raised concerns about teacher recruitment and retention and suggested that giving priority in the oversubscription criteria to the children of school staff would help schools to attract and retain good quality candidates. It is important to note that if this were to be introduced it would apply to all school staff and not only teachers.
25. There is no published evidence to confirm that this criteria has improved standards in schools or improved the recruitment and retention of school staff. However, anecdotally, a few Suffolk academies have indicated that this has supported teacher retention in particular.
26. Raising education levels in Suffolk is one of the county council's key priorities. County council officers have been working with schools to develop a significant strategy to support teacher recruitment and retention. This work has recently been presented to the Education & Children's Services Scrutiny Committee at its meeting on 3 December 2015 and was well received.
27. Although there is no qualitative or quantitative data available on giving priority to the children of staff, officers were asked to consider this option and sought the views of parents, school staff, and other stakeholders within the admissions consultation. More information relating to consultation representations can be found in paragraphs 53 and 54 below.

What are the resource and risk implications associated with the alternative option?

28. It is not possible to establish how many children of staff would apply for places in the normal admissions round for a school's first year of entry each year. Therefore, the impact that this might have on school places for local children cannot be quantified.
29. There is a risk that introducing such criteria could make it even more difficult for schools that require improvement or go into special measures to appoint good quality staff.
30. There is a risk that catchment area children would be displaced and have to travel further to alternative schools. Where an alternative school is the next nearest with places available, taking account of the availability of transport, free home to school travel may have to be provided and funded by the County Council. This would apply to a child aged between 5 and 16 years of age who lives:
- a) two miles from the school and is under 8 years of age; or
- b) three miles from the school and 8 years of age or over.

- c) There are further statutory requirements in relation to pupils from low income families when the nearest suitable school is beyond 2 miles (for children over the age of 8 and under 11); the school is between 2 and 6 miles (if aged 11-16 and there are not three or more suitable nearer schools); or the school is between 2 and 15 miles and is the nearest school preferred on the grounds of religion or belief (aged 11-16).
31. The average annual cost of travel to and from a mainstream school is currently £919.25 per pupil. This would potentially increase the cost of home to school travel and put even more pressure on the Home to School Travel budget.

Who will be affected by this decision?

32. Families who will be seeking school places for their children in the 2017/2018 school year and schools in Suffolk will be affected by the decisions made.

Main body of report

33. Suffolk County Council is the admission authority for community and voluntary controlled schools in Suffolk. Governing bodies are responsible for admissions to voluntary aided schools in Suffolk, foundation/trust schools, academies and free schools (which are, in effect, academies) and are therefore the admission authorities for their schools, and referred to in this report as own admission authorities (OAA).
34. There is currently one foundation secondary school in Suffolk.
35. At the time of writing, there are 82 academies, including free schools, in Suffolk. This doesn't include any special schools or pupil referral units. It is known that other schools are actively seeking academy status.
36. OAAs are responsible for carrying out consultations on their admission arrangements, but to assist them in doing so the county council has published their policies on its website, where requested to do so. The academy trusts or governing bodies of these schools are required to consider any representations made and to determine their own admission arrangements.
37. Normally, the statistics for the most recent admissions round are included in the Cabinet report which seeks determination of admission arrangements. However, the date to determine admission arrangements has been brought forward from 15 April to 28 February and so this is not possible. The statistics for 2015/2016 were reported to the Cabinet on 24 March 2015. The statistics for the 2016/2017 will be reported to the Cabinet in February 2017.

Representations to the consultation survey on Admission Arrangements for 2017/2018

38. The consultation related to Admission Arrangements to Schools in the 2017/2018 school year and included proposals on the following:
- a) The oversubscription criteria for community and voluntary controlled schools for the 2017/2018 school year;

- b) The revised co-ordinated scheme for admissions to schools in Suffolk in 2017/2018;
 - c) The Fair Access Protocol;
 - d) The Published Admission Numbers (PANs) for 2017/2018 for all schools in Suffolk; and
 - e) The Supplementary Information Form (SIF) to support applications for admission under the religious grounds criterion to Church of England Voluntary Controlled Schools.
39. Views on whether or not to include the children of school staff in the oversubscription criteria were also included.
 40. Respondents were asked to complete a questionnaire online, to email or send comments in writing. The questionnaire gave an opportunity for comments to be made at each section and for any general comments to be made about the proposed admission policies. All of the comments will be made available in the County Councillor area in Endeavour House prior to the Cabinet meeting.
 41. There were 260 responses to the survey, as detailed in this report. These are summarised in **Appendix 2**.
 42. In considering the responses to the survey, where a consultee described themselves under more than one category, for example as a parent and a teacher, their responses have been registered against each category.
 43. There were 152 responses to the question **“Do you find the oversubscription criteria for admission to community and voluntary controlled schools easy to understand?”** This included representation from 118 parents, 5 governors, 1 headteacher, 31 teachers and 8 others. Overall, 114 (75%) of the representations were in favour of this option, 21 (14%) were against and 17 (11%) did not know. The vast majority of respondents thought the oversubscription criteria were clear and easy to understand and that it did not seem open to judgement or bias. There was some concern that many parents find the whole process confusing and that some are able to access the system to their advantage.
 44. There were also a few comments relating to the sibling criterion. For example, one representation suggested the sibling priority should be separated into catchment and out-catchment whilst another fully supported priority for all siblings to have priority to attend the same schools. The current criterion was reviewed last year and was, on the whole, supported by families. Other comments were that children should be able to walk to local schools.
 45. There were 152 responses to the question **“The co-ordinated scheme sets out the full details of the admission arrangements. Does the co-ordinated scheme give you enough information?”** There were 121 (80%) representations in favour of this option, 3 (2%) against and 28 (18%) did not know. Although there were some comments about the length of the document, and one in particular that there was not enough information and it was not well explained, the majority of comments were generally positive. These included that the scheme was clear and straightforward and that it gives an in-depth background about how to apply and how applications are dealt with.

46. There were 152 responses to the questions “**Do you agree with the amendments to the Fair Access Protocol?**” There were 81 (53%) responses in agreement, 7 (5%) disagreed and 64 (42%) did not know.
47. Some of the respondents were unclear about the proposed amendments. For the sake of clarity, these included:
- a) clarification on funding between schools (paragraph 2.11)
 - b) clarification that parents can apply for a school place at any time (paragraph 2.15)
 - c) how the home to school travel policy is applied (paragraphs 2.19 and 7.14). These two paragraphs have been amended further to make the policy clearer still.
 - d) reinstatement of paragraphs omitted in error from the December 2014 Fair Access Protocol relating to children living at a women’s refuge, new arrivals into a catchment area for whom the local authority considers an alternative offer to be unsuitable and other children who for exceptional circumstances need to be considered as vulnerable (paragraph 3.1)
 - e) removal of reference to the Suffolk Pupil Support framework to support the integration process
 - f) amendment to paragraph 10.1 relating to how dual registered pupils should be placed on roll
 - g) deletion of the section relating to Year 11 in-year arrivals which had never been implemented because these pupils must be treated in the same way as pupils in other year groups.
48. Other comments on the Fair Access Protocol were that:
- a) it sounds fair; reasonable and clearly defined;
 - b) it is proportionate;
 - c) vulnerable children should be given the first priority;
 - d) it will never meet everyone’s requirements;
 - e) it provides significant opportunities for fairer and more beneficial admissions to schools and an incentive to the public;
 - f) staff and parents help their local schools improve;
 - g) it is important that provision is available so that pupils don’t slip through the gaps; and
 - h) that it provides the best chance of all schools working together for the benefit of all pupils. However, the rules must be applied consistently and where schools are failing to admit pupils against the principles laid out the Local Authority should stand firm and demand the relevant pupil is admitted.
49. There were 152 responses to the question “**Do you agree with the Published Admission Number (PAN) for the school(s) in your area?**” Of these, 91 (60%) agreed, 9 (6%) disagreed and 52 (34%) did not know. Some respondents said they did not have enough knowledge to comment or that the PAN worked well for their particular school. However, there were some concerns raised about

the need for more places to meet the demand from housing developments or to give parents choice when schools go into special measures. There were also comments that more transparency was needed to manage parents' expectations about getting a school of their choice and that schools of a similar size, with similar staffing did not necessarily have the same PAN.

50. Some consultees made general observations that were noted but did not require any changes to the proposed arrangements.

Priority for the Children of School Staff in the Oversubscription Criteria

51. The consultation document set out in **Appendix 1**, page 8, asked consultees for their views on whether or not the oversubscription criteria should include a priority for the children of school staff, as set out in the School Admissions Code (December 2014). It also asked where such a priority should be placed within the oversubscription criteria.
52. There were 152 responses to the question **“Should Suffolk Council give priority to the children of staff employed at the school for two or more years by the relevant closing date for applications?”** This included representation from 118 parents, 5 school governors, 1 headteacher, 31 teachers (11 of whom are also parents and were counted twice) and 8 others. Overall, there were 100 (66%) representations in favour of this option, 39 (26%) against and 13 (8%) did not know.
53. There were 152 responses to the question **“Should Suffolk County Council give priority to children of staff where the member of staff is recruited to fill a vacancy post for which there is a demonstrable skills shortage?”** Of the responses 96 (63%) agreed, 38 (25%) did not agree and 18 (12%) did not know.
54. Whilst the majority of the 152 consultees who responded supported the option to give priority to the children of staff, this only represents a small proportion of parents and school staff across Suffolk. Therefore, in order to enable the Cabinet to give these questions full consideration, all of the comments received through the online questionnaire have been set out from the 4th page of **Appendix 3** onwards.
55. In addition, three emails representations were received. Two of which were in favour of giving priority to the children of staff. The first stating that it is important to include this to attract good teachers and that the benefit would override the disadvantage to the few pupils who may miss out on an opportunity to join the school. The second hoped this would help to tackle some of the teacher recruitment and retention issues and see greater parity between similar schools. However, as admissions authorities can decide their own policies there is unlikely to be any level of standardisation between schools under the current School Admissions Code. The third respondent, strongly objected to the whole concept of introducing any priority for the children of staff, stating that the admissions policy is designed to ensure school places are offered to children in an open and fair way, yet it would be extremely unfair to those children who don't happen to have a parent working in an oversubscribed school. Furthermore, noting that in the 2009 School Admissions Code, such criteria was expressly prohibited and to include it now would in their view be a retrograde step.
56. The Department for Education consulted in 2012 on proposed changes to the School Admissions Code, including the option to give priority to children of staff

in the oversubscription criteria. At that time, the National Union of Teachers (NUT) made representation that “The Union believes that giving children of staff priority when applying for a pupil place is seriously flawed. ‘Jumping the queue’ in this way will be perceived as unjust by the wide school community.”

57. These options and the representations received have been given very careful consideration. However, the recommendation is that the oversubscription criteria should not include any priority for the children of school staff for the following reasons:
- a) Introducing such criteria is unlikely in itself to increase the number of high calibre people moving into Suffolk to teach or be employed in other roles in our schools. Nor would it support recruitment at all schools. Whilst it may attract more staff to good and outstanding schools this may well have the unintended consequence of making it even more difficult for schools that require improvement or are in special measures to recruit. It would also muddle recruitment and admission arrangements.
 - b) Given that all working parents have to manage the logistics of getting their children to and from school each day, it would be fundamentally unfair to give priority to the children of school staff at the expense of other families as this could put even more pressure on other working parents and their childcare arrangements. It would be inequitable for the children of school staff to be given priority for school places.
 - c) Furthermore, it would conflict with the overriding principle of ensuring that school places are offered to all children in an open and fair way.

Sources of further information

- a) The consultation on the proposed admission arrangements for 2017/2018
<https://www.suffolk.gov.uk/council-and-democracy/consultations-petitions-and-elections/consultations/consultation-on-admissions-to-schools-in-suffolk-for-20172018/>
- b) The School Admissions Code (December 2014)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/389388/School_Admissions_Code_2014_-_19_Dec.pdf
- c) The Equality Impact Assessment for the Determination of Admission Arrangements for the 2017/2018 school year
http://pandp.suffolkcc.gov.uk/searchResult.aspx?qry=FreeTxtPhrase%7e%7eschool+admissions%7c%7cFreeTxt3%7e%7e%7c%7cc_policy_service_area%7e%7e%7c%7cc_policy_sub_type%7e%7e%7c%7ctitle%7e%7e%7c%7cc_doc_type%7e%7e%7c%7cc_policy_from%7e%7eBefore%7c%7cf_c_policy_from%7e%7e%7c%7ct_c_policy_from%7e%7e%7c%7cc_policy_to%7e%7eBefore%7c%7cf_c_policy_to%7e%7e%7c%7ct_c_policy_to%7e%7e%7c%7c

