

<b>MAYOR AND CABINET</b>		
Report Title	Nursery, Primary, Secondary and Sixth Form Admissions Arrangements for 2014/15	
Key Decision	Yes	Item No.
Ward	All	
Contributors	Executive Director for Children and Young People	
Class	Part 1	Date: 10 April 2013

## 1. Purpose of the Report

- 1.1 To seek the Mayor's approval for the authority's admissions arrangements for community schools for the academic year 2014/15. The report also seeks approval for Lewisham's co-ordinated schemes for primary and secondary transfer and in-year (casual) admissions for all maintained mainstream schools for 2014/15.

## 2 Recommendations

### 2.1 Admissions arrangements

It is recommended that the admissions arrangements for Lewisham's community schools be agreed.

**Appendix A** sets out the nursery policy arrangements,

**Appendix B** sets out the admissions policy for reception classes,

**Appendix C** sets out the admissions policy for Year 7 (secondary transfer),

**Appendix D** sets out the In Year (mid term) admissions policy for primary and secondary schools,

**Appendix E** sets out the generic arrangements for primary and secondary schools and

**Appendix F** sets out the sixth form admission policy for Lewisham's community schools.

### 2.2 The Admissions Schemes

It is recommended that the Pan London Admission Schemes for reception and secondary transfer and a local scheme for in year admissions as detailed in **Appendix G** be agreed.

## 3. Policy Context

- 3.1 The operation of a fair and equitable system for the admission of children into school supports Lewisham's Corporate priority to raise educational attainment, skills levels and employability. The Admissions Forum has a key role in monitoring and ensuring that children, particularly vulnerable groups e.g. Children in Care, have a speedy admission into school.

- 3.2 This report contributes to the delivery of the 2012-15 Lewisham's Children and Young People's Plan (CYPP) and in particular to the following priority:

EA5 Ensure there are sufficient school places for every Lewisham child

With the aim that :-

- The large majority of families will continue to be able to access a primary school of choice within their locality.
  - All requests for school places are met
  - Percentage of secondary school admissions that have met first parental preference 63%
  - Percentage of secondary school admissions that have met first to third parental preferences 90%
  - Percentage of secondary school admissions that have met one of the parental preferences 96%
  - Sufficient permanent provision is developed to meet demand
  - Offers meet the DfE guidelines on distance
  - Surplus places are minimised
- 3.3 The CYPP 2012-15 sets out how partnership agencies working with children, young people and their families support the delivery of the borough's priorities for the wider community.

#### **4. Background**

- 4.1 The School Standard and Framework Act 1998 (as amended ) requires all Local Authorities (LAs) to introduce co-ordinated schemes for primary admissions with effect from 2006 and secondary admissions with effect from 2005. These schemes enable parents to express a number of preferences which, although ranked by parents, are treated equally by the schools involved. This widens the scope for parents and pupils and tackles the problem of multiple offers which used to clog the transfer system. Lewisham, like all London authorities, participates in the Pan London Admissions scheme which facilitates cross-border applications and sharing of information. Since September 2010 the LA has been required to co-ordinate all phases of admission and London boroughs operate a Pan London scheme for both primary (reception) and secondary transfer. This impacts on resources both in terms of staffing and use of the Pan London Register (the computer system used to electronically exchange applicant details and admissions decisions).
- 4.2 A revised School Admissions Code came into force in February 2012. The previous Code required all Local Authorities to co-ordinate admissions centrally to all phases of education including in year (casual) admissions. The revised Code no longer requires the central co-ordination of in year admissions. However the view of the Admissions

Forum and the majority of primary and secondary school headteachers is that this function should continue to be centralised. No objections to this specific proposal have been made and Lewisham will continue to co-ordinate applications to schools in the borough and will participate in a voluntary London wide scheme by exchanging application details and results of these with the applicants home local authority.

- 4.3 Lewisham's Admissions Forum annually considers a report on the outcome of the secondary transfer process including an equalities assessment. This is possible as the local authority's pupil database holds personal indicators such as ethnicity and eligibility for free school meals.

The report covers:

- The proportion of pupils remaining in the area for their secondary education including historical comparisons
- Number of preferences used – by number and percentage by ethnicity and locality
- Preferences offered – by number, percentage, locality, primary school and band
- Preference offered by Free School Meals.

- 4.4 It is not possible to provide a similar analysis of the outcome of primary admissions as the Common Application Form should only contain information to enable the admissions authority to determine the application. Personal data for example eligibility for free school meals and ethnicity are not collected at the point of application.

- 4.5 The Admissions Forum also considers the proposed admissions arrangements prior to consultation and, where submitted, considers responses to the consultation. By 1 March 2013 when consultation ended there were no comments expressed about any aspect of the admissions arrangements for 2014/15.

- 4.6 As is the usual practice, Lewisham LA consulted schools and governors neighbouring LAs and any other interested parties during the latter part of the autumn term 2012 and early spring term 2013. For this particular round the consultation was also published on Lewisham's web site and a public notice placed in a local newspaper .

- 4.7 The consultation included:

- The admissions policies for community schools,
- The admissions policy for community sixth forms,

- 4.8 Lewisham specifically consulted on a proposal to extend the definition of a sibling for those community schools which do not have a sixth form.

- 4.9 Previous to the introduction of the School Admissions Code which came into force in February 2012 schools were prevented from giving priority to children whose older sibling had already left the school or who would have done so by the time the younger child was admitted to the school. Therefore children whose older brother or sister were in Year 11 during

the year of the younger child's transfer from secondary school did not qualify as a sibling.

- 4.10 The revised School Admissions Code allows the introduction of 'former siblings' (para 1.11) providing the definition is 'clear and simple'. Community secondary schools in Lewisham which have a sixth form already give priority to siblings of children in Years 11 and 12 as there is an expectation that the older child will remain on the school roll when the younger child is admitted. However schools where there is no sixth form only confer sibling priority for older children up to Year 10. To give parity to all children attending a community school in Lewisham the authority consulted on whether Lewisham, as the admissions authority for community schools, should consult on introducing 'former siblings' for those secondary schools that do not have a sixth form.

Lewisham defines these siblings as:

- 4.11 Children whose older brother or sister is on roll of the school on the closing date for applications as well as those whose sibling was a former pupil of the school and who transferred to a 16-18 education provision at the end of the previous academic year. If the school is over-subscribed entirely with siblings, priority will be given
- (i) to those with exceptional social and medical need and
  - (ii) to those living nearest the school.
- Siblings include all blood and adoptive siblings, half-siblings, foster siblings of Looked After Children and step siblings. Siblings must all live at the same address as the child. Proof of the sibling relationship may be required.

## **5. Responses to the Consultation**

- 5.1 By 1 March when the consultation on Lewisham's admissions arrangements for community schools in the borough ended, no written response had been received.

## **6. Provision of school places**

- 6.1 In response to the increasing demand for primary school places in the borough the Local Authority is reviewing its existing provision.
- 6.2 The Local Authority is currently managing the increased demand for primary places by; creating permanent increases, bulge classes where capacity allows and new provision. Planning for school places will be subject to separate reports.

## **7 Financial implications**

- 7.1 The requirement to co-ordinate the transitional phases of school admission mean that Lewisham must electronically transfer application details and results via the Pan London Register (PLR). The cost is set annually and Lewisham charged a proportion based on its use. The cost is met within existing budgets.

- 7.2 The cost of the Admissions Team is met from the Dedicated Schools Grant and does not impact on the Council's General Fund.
- 7.3 Under the new Schools Funding Regulations the budget for the Admission's Team is capped at historic levels in 2012/13. The costs this year will be absorbed within this budget. However, additional workload required due to increasing population will be difficult to manage with the cap in place.

## **8. Legal Implications**

- 8.1 Admission authorities for maintained schools in England must in accordance with the provisions of section 88C of the School Standards and Framework Act 1998 (as amended) and the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 ("Admission Regulations 2012") must before the beginning of each school year determine the admission arrangements that are to apply for that year.
- 8.2 Before determining the admission arrangements that are to apply for a year the admission authority is required to carry out consultation in accordance with the "Admission Regulations 2012". These Regulations which came into force on the 1<sup>st</sup> February 2012 determine the necessary arrangements under which pupils are to be admitted to schools in England for the academic year 2014/15.
- 8.3 Admission authorities are not required to consult on their proposed admission arrangements for the academic year 2013-2014 and any subsequent admission year where they consulted on their proposed admission arrangements in accordance with s 88C(2) of the School Standards and Framework Act 1998 in any of the 7 preceding determination years, and the proposed arrangements are the same as those determined following the last such consultation.
- 8.4 Admission authorities must take all steps necessary to ensure that they have completed any consultation required by section 88c of the School Standards and Framework Act 1998 (as amended) and the Admission Regulations 2012 by the 1st March in the determination year. Any such consultation must allow consultees at least 8 weeks to respond. Admission authorities must determine their admission arrangements by the 15<sup>th</sup> April in the determination year.
- 8.5 Admission authorities are required to, act in accordance with the School Admissions Code which is issued under section 84 of the School Standards and Framework Act 1998 (as amended) and which came into force on the 1 February 2012. The Admission Code requires that oversubscription criteria must be reasonable, clear, objective, procedurally fair, and comply with all relevant legislation, including equalities legislation. Admission authorities must ensure that their arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs.

- 8.6 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.7 In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - advance equality of opportunity between people who share a protected characteristic and those who do not.
  - foster good relations between people who share a protected characteristic and those who do not.
- 8.8 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 8.9 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:  
<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>
- 8.10 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
1. The essential guide to the public sector equality duty
  2. Meeting the equality duty in policy and decision-making
  3. Engagement and the equality duty
  4. Equality objectives and the equality duty
  5. Equality information and the equality duty
- 8.11 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended

actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at: <http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

## **9. Equalities implications**

- 9.1 The purpose of the School Admissions Code is to ensure that places in maintained schools and Academies are allocated and offered in an open and fair way. Admission authorities must ensure that criteria are fair, clear and objective. This includes ensuring that parents are easily able to understand how places for a particular school will be allocated.
- 9.2 Admission authorities must act in accordance with the Code, the School Admissions Appeal Code, other laws relating to admissions and relevant human rights and equalities legislation. Authorities must also ensure that their arrangements will not disadvantage, either directly or indirectly, 'a child from a particular social or racial group, or a child with a disability or special educational need' (Code, paragraph 1.8).
- 9.3 Looked After Children are redefined in the Code to include children who were previously looked after, but ceased to be so because they were adopted, or became subject to residence orders or special guardianship orders.
- 9.4 The Code lists various factors that admission authorities must not take into account when formulating their arrangements. These include the practical or financial support parents may be able to give to a school, or children's past behaviour, attendance, attitude or achievement, or that of any other child in the family.
- 9.5 Lewisham's arrangements comply with these requirements and vigilance is embedded in our processes. Lewisham has a well established Admissions Forum which serves as an important function in monitoring the content of school admission policies and arrangements and their impact. The Forum meets termly. Any instances of poor practice would be challenged and referred to the Schools Adjudicator if necessary.
- 9.6 The adoption of the admissions arrangements including the co-ordinated admissions schemes complies with the Authority's equality assessment duties. Outcomes of both the secondary transfer and reception admissions processes are considered annually at the Autumn Term meeting of the Admissions Forum.

## **10. Environmental implications**

- 10.1 There are no direct environmental implications arising from this report.

## **11. Summary**

- 11.1 Lewisham Local Authority is required under the Schools Standards and Framework Act to consult on its admissions arrangements both as the admissions authority for community schools in the area and the

maintaining authority for schools. Consultation must last for a period of not less than 8 weeks ending on 1 March. The Admissions Arrangements must be determined by the Authority no later than 15 April. This report sets out Lewisham's admissions arrangements for community schools and the pan London admissions scheme for reception and secondary transfer admissions.

## **12. Background Papers**

Admissions Report – Outcome of Secondary Transfer Process for admission in September 2012 and Equalities Impact (15 October 2012)

Admissions Report – Outcomes of reception admissions 2012 (15 October 2012)

If you have any questions on this paper, please contact Linda Fuller, Team Leader – Admissions & Appeals, 3<sup>rd</sup> Floor, Laurence House, SE6 4RU (telephone 0208 314 6212 or email [linda.fuller@lewisham.gov.uk](mailto:linda.fuller@lewisham.gov.uk)).