

<b>MAYOR AND CABINET</b>			
<b>Report Title</b>	Nursery, Primary, Secondary and Sixth Form Admissions arrangements for 2019/20		
<b>Key Decision</b>	Yes	Item No.	
<b>Ward</b>	All		
<b>Contributors</b>	Executive Director for Children and Young People Head of Law Head of CYP Resources and Performance		
<b>Class</b>	Open	Date:	7 February 2018

## **1. Purpose of the Report**

- 1.1 This report seeks the Mayor's approval for the Local Authority's admissions arrangements for the academic year 2019/20 including:
- The admissions arrangements for mainstream community schools,
  - the admissions schemes for the planned and in year admissions rounds and
  - the Published Admissions Number (PAN) for all mainstream schools.

## **2. Summary**

- 2.1 This report sets out details of the Local Authority's admissions arrangements for community schools for the academic year 2019/20, the admissions scheme for the planned and in year admissions rounds and the Published Admissions Number (PAN) for all mainstream schools for the academic year 2019/20. This report does not propose any changes to the Council's admissions arrangements determined for the 2018/19 academic year by Mayor and Cabinet in February 2017.

## **3. Policy Context**

- 3.1 The School Admissions Code was revised and published in December 2014 and amended the formal consultation timetable. Admissions authorities are required to determine their arrangements no later than 28 February 2018 for the policy which applies to school admissions for the 2019/20 academic year. Once determined the admissions arrangements must be published no later than 15 March. Any objections to the determined arrangements must be made to the Office of the School Adjudicator by 15 May in the same year.
- 3.2 The operation of a fair and equitable system for the admission of children to school supports Lewisham's corporate priority to raise educational attainment, skills levels and employability ensuring that children, particularly vulnerable groups and especially Children in Care, have a fair, transparent and speedy admission into school.
- 3.3 This report contributes to the delivery of the Children and Young People's Plan (CYPP) and our vision of improving the lives and life chances of the children and young people in Lewisham and values of:

- having the highest aspirations and ambitions for all our children and young people;
  - putting children and young people first every time and
  - making a positive difference to the lives of children and young people.
- 3.4 The CYPP underpins Lewisham's priority of Raising Achievement and Attainment, particularly in relation to ensuring there are sufficient school places for every child resident in Lewisham (AA1).
- 3.5 This report contributes to the delivery of Lewisham's Sustainable Communities Strategy 2008-2020. In particular, our principles of reducing inequality, deprivation and poverty. Lewisham is ambitious for all its children and our schools will continue to strive to break down barriers for those who traditionally face the greatest challenges; black and ethnic minority children, white working class children, looked after children and those living in poverty. We will do this by:
- creating and maintaining schools in Lewisham that are ambitious and achieving, where children are inspired and supported to fulfil their potential,
  - encouraging children and their parents to be empowered, responsible and actively involved in their local school and wider community and
  - enabling children to go onto further their education, take up employment or training at the end of their statutory education.

#### **4. Recommendations**

The Mayor is asked to agree:

- 4.1 The admissions arrangements for mainstream community nursery, primary, secondary schools and sixth forms as set out in **Appendix A to H**;
- 4.2 The pan London Admissions Schemes for reception and secondary transfer and a local scheme for in year admissions as detailed in **Appendix I**.

#### **5. Background**

##### **5.1 Education Act 2002**

The Education Act 2002 required all Local Authorities (LA) 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 maximum of six mainstream preferences of school 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 previously clogged the transfer system. Lewisham participates in the Pan London Admissions scheme which facilitates cross-border applications and sharing of information amongst all 33 London boroughs and five LAs bordering the capital; Surrey, Kent, Hertfordshire, Essex and Thurrock. Since September 2010 London boroughs have operated a Pan London scheme for both primary (reception) and secondary transfer and, since 2016 admissions, infant to junior applications too. 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).

- 5.2 A revised School Admissions Code came into force in December 2014. The Code no longer requires the central co-ordination of in-year admissions. However, Lewisham has maintained the view that this function should continue to be centralised. No objections to this specific proposal have been made by

mainstream schools in Lewisham. Therefore, Lewisham will continue to co-ordinate in-year applications to mainstream schools in the borough during the 2019/20 academic year.

- 5.3 As there were no proposed changes to the policy determined for the 2018/19 academic year Lewisham LA was not required to consult on its admissions arrangements for 2019/20. As Lewisham's arrangements for 2017/18 had been subject to scrutiny by the Office of the Schools Adjudicator the LA was confident that its admissions arrangements were compliant with the mandatory provisions of the School Admissions Code 2014.

## **6. Published Admissions Number (PAN)**

- 6.1 Each mainstream school is required to set a Published Admissions Number (PAN) specifying the number of places available at the normal point of entry that is for reception places in primary or infant schools and Year 7 places at secondary school.
- 6.2 Separately Mayor and Cabinet has agreed to conduct a further period of representation to be able to make a decision to revoke the previously agreed expansion of Addey and Stanhope School. The result of this is likely to be that the school's PAN will remain at 120 places.
- 6.3 The governors of the Leathersellers' Federation have consulted separately to reduce the PAN for Prendergast Ladywell School (Foundation School) from 240 to 180 places. Lewisham LA does not object to the governors' proposal given that there is no shortage of secondary places until about 2022 and has formally responded to the consultation.

## **7. Financial implications**

There are no additional financial implications to this report.

## **8. Legal Implications**

- 8.1 In accordance with the provisions of section 88C of the School Standards and Framework Act 1998 (as amended) (SSFA) and the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 (as amended) admission authorities for maintained schools in England 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 the admission authority is required to carry out consultation in accordance with the "Admission Regulations 2012" (as amended). The amended regulations determine the necessary arrangements under which pupils are to be admitted to schools in England for the academic year 2019/20. Admission authorities are also required to act in accordance with the relevant provisions of the School Admissions Code (The Code) issued in December 2014.
- 8.3 Admission authorities must now take all steps necessary to ensure that they have completed their consultation by 31 January in the determination year. Admission authorities must determine their admission arrangements for entry in September 2019 by 28 February 2018. The determination of these arrangements complies with the regulatory requirements.
- 8.4 The 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.

- 8.5 Once admission arrangements have been determined the local authority is required to notify appropriate bodies and publish a copy of their determined arrangements on their web site by 15 March and displaying them for the whole offer year.
- 8.6 The Equality Act 2010 (the Act) brings together all previous equality legislation in England, Scotland and Wales. The Act includes a new public sector equality duty (the equality duty or the duty), replacing the separate duties relating to race, disability and gender equality. The duty came into force on 6 April 2011. The new duty 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 As was the case for the original separate duties, the new 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 (EHRC) issued guidance in January 2011 providing an overview of the new public sector equality duty, including the general equality duty, the specific duties and who they apply to. The guidance covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The guidance can be found at: <http://www.equalityhumanrights.com/adviceand-guidance/new-equality-act-guidance/equality-act-guidancedownloads/>.
- 8.10 The EHRC guidance does not have legal standing, unlike the statutory School Admissions Code on the public sector equality duty which was due to be produced by the EHRC under the Act. However, the Government has now stated that no further statutory codes under the Act will be approved. The EHRC has indicated that it will issue the draft code on the PSED as a non statutory code following further review and consultation but, like the guidance, the non statutory code will not have legal standing.
- 8.11 In deciding whether to agree the recommendations in this report, the Mayor must be satisfied that to do so is a reasonable exercise of his discretion on a consideration of all relevant matters and disregarding irrelevancies and having regard to the School Admissions Code which the local authority is statutorily required to comply with in the discharge of its function as an admissions authority.

## 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 objectives. 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 Lewisham's arrangements comply with these requirements and vigilance is embedded in our processes. Any instances of poor practice may be challenged and referred to the School Adjudicator if necessary.

## 10. Environmental implications

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

## Appendices

Appendix A	Lewisham's determined admissions criteria for nursery schools and nursery classes in community primary schools during the academic year 2019/20
Appendix B	Lewisham's determined admissions criteria for community primary school reception classes and who will start school in September 2019
Appendix C	Lewisham's determined admissions criteria for community secondary schools for pupils transferring from primary to secondary school in September 2019
Appendix D	Lewisham's determined admissions arrangements for community school's sixth form
Appendix E	Lewisham's determined arrangements for In Year Admissions to Lewisham community schools
Appendix F	Generic protocols for admitting children under the In Year Admissions Arrangements
Appendix G	Generic admissions arrangements
Appendix H	Published Admissions Limits (PAN) 2019/20
Appendix I	Pan London Admissions Scheme for Co-ordination of Admissions to Year 7, Reception and Junior Class in Maintained Schools and Academies in 2019/20 and Lewisham's scheme for In Year Admissions 2019/20

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)).