

MAYOR AND CABINET			
Report Title	Nursery, Primary, Secondary and Sixth Form Admissions arrangements for 2020/21		
Key Decision	Yes	Item No.	
Ward	All		
Contributors	Executive Director for Children and Young People Head of Law Head of CYP Resources and Performance		
Class	Part 1	Date:	13 February 2019

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 2020/21. The arrangements include:
- The admissions policy for mainstream community schools;
 - the pan London admissions schemes for the planned reception and secondary transfer rounds;
 - the locally coordinated in year admissions scheme; and
 - the Published Admissions Number (PAN) for all mainstream schools including own admission authority schools.

2. Summary

- 2.1 This report sets out details of the:
- Local Authority's admissions policy for community schools for the academic year 2020/21;
 - pan London admissions schemes for the planned reception and secondary transfer rounds, the locally coordinated in year admissions scheme; and
 - Published Admissions Number (PAN) for all mainstream schools for the academic year 2020/21.

This report also includes proposals for the reduction of the PAN for:

- Holbeach Primary School from 90 to 60 places and
- Deptford Green School from 234 to 180 places.

Following a separate consultation, the governors of St George's CE Primary School (an Academy) have determined a reduction to the places available for 2020/21 from 60 places to 30 places.

This report does not propose any changes to the Council's admissions policy or arrangements as determined for the 2019/20 academic year by Mayor and Cabinet in February 2018.

3. Recommendations

The Mayor is asked to agree that:

- 3.1 The admissions arrangements for mainstream community nursery, primary, secondary schools and sixth forms as set out in **Appendix A to G**.
- 3.2 The Published Admissions Number (PAN) for each mainstream school in the borough as detailed in **Appendix H** including the reductions to the PAN for

Deptford Green and Holbeach schools and to note the reduction of PAN for St George's CE Primary School (an Academy)

- 3.3 The pan London Admissions Schemes for reception and secondary transfer and a local scheme for in year admissions as detailed in **Appendix I**.
- 3.4 That the council continues to co-ordinate in year admissions and that a full consultation exercise amongst all own admission authority schools is undertaken during the autumn of 2019 on co-ordination arrangements which will inform Lewisham's admissions arrangements for 2021/22.

4. Policy Context

- 4.1 The School Admissions Code was revised and published in December 2014 and amended the formal consultation timetable. In accordance with this time table, admissions authorities are required to determine their arrangements no later than 28 February 2019 for the policy which applies to school admissions for the 2020/21 academic year. Once determined, the admissions arrangements must be published no later than 15 March 2019. Any objections to the determined arrangements must be made to the Office of the School Adjudicator by 15 May in the same year.
- 4.2 Lewisham local authority is the admissions authority for community schools in the area and acts as the coordinating authority for its residents applying during the planned admissions rounds for mainstream schools both within the area and outside the area. In relation to in-year applications Lewisham acts as the coordinating authority for applications to mainstream schools in the area too.
- 4.3 Lewisham's relevant area has been determined as the administrative area for the London Borough of Lewisham.
- 4.4 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. The admissions arrangements for the planned and in year rounds ensure that children, particularly vulnerable groups and especially Children in Public Care, have a fair, transparent and timely admission into school.
- 4.5 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.
- 4.6 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).
- 4.7 This report contributes to the Council's 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, Children in Local Authority Care 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 education, take up employment or training at the end of their statutory education.
- 4.8 This report contributes both to Lewisham's Corporate Priorities, specifically in relation to young people's achievement and involvement and to Lewisham's Sustainable Community Strategy (2008-2020) – Ambitious and achieving, where people are inspired and supported to fulfil their potential.
- 4.9 The report is consistent with the seven priorities identified in the emergent Corporate Strategy which replaces the 2008 Community Strategy. These priorities are:
- 1 Open Lewisham - Lewisham is a welcoming place of safety for all where we celebrate the diversity that strengthens us.
 - 2 Tackling the housing crisis - Everyone has a decent home that is secure and affordable.
 - 3 Giving children and young people the best start in life - Every child has access to an outstanding and inspiring education and is given the support they need to keep them safe, well and able to achieve their full potential.
 - 4 Building an inclusive local economy - Everyone can access high quality job opportunities, with decent pay and security in our thriving and inclusive local economy.
 - 5 Delivering & defending: Health, Social Care and Support - Ensuring everyone receives the health, mental health, social care and support services they need.
 - 6 Making Lewisham greener - Everyone enjoys our green spaces and benefits from a healthy environment as we work to protect and improve our local environment.
 - 7 Building safer communities - Every resident feels safe and secure living here as we work together towards a borough free from the fear of crime.

5. Background

5.1 Education Act 2002

The Education Act 2002 required all local authorities to introduce coordinated 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 widened the choice for parents and pupils and tackled 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 local authorities 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 for all mainstream schools including own admission authority schools as it enables officers:

- to safeguard all children, especially those who are vulnerable, ensuring that children are placed in school without unreasonable delay; and
- to have a strategic overview on the demand for school places so that any pressure can be addressed without delay to children's education.

The workings of this arrangement have been queried by the Leathersellers' Federation of Schools; Prendergast School, Prendergast Ladywell School and Prendergast Vale School. Details of the Federation's comments and Lewisham's response is given in paragraphs seven and eight of this report.

5.3 There are no proposals to amend the existing policies as Lewisham's arrangements for 2017/18 have been subject to scrutiny by the Office of the Schools Adjudicator. Therefore officers were confident that Lewisham's admissions arrangements were compliant with the mandatory provisions of the School Admissions Code 2014.

5.4 There are proposed reductions to the Published Admissions Number (PAN) for; Deptford Green School and Holbeach Primary School so a complete consultation exercise was undertaken starting on Monday 26 November 2018 and completed on Friday 11 January 2019. This complies with the required minimum 6 week mandatory consultation period as set out in 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 To address an oversupply of reception class places the governors of Holbeach Primary School have requested a reduction of the school's PAN from 90 places to 60 places. As their own admissions authority the governors of St George's CE Primary School have undertaken a consultation to reduce the number of places available from 60 to 30 places.

6.3 To address an oversupply of Year 7 places, especially in the north of the borough, the governors of Deptford Green School have requested a reduction of the school's PAN from 234 places to 180 places.

6.4 These reductions follow on from the continued review and revision of pupil forecasts, which for the past two years have been revised downwards, resulting in both a current and projected oversupply of places in both primary and secondary schools over the coming 4 years. As such, the council has been working with schools on a number of ways in which we can help support those that are particularly effected, so as to help enable certainty of pupils on role and allow effective (resource) planning. It should be noted that in all cases, schools have agreed that should the need arise for further places in the future that they will play their part in ensuring sufficient places are available.

7. Outcomes from the consultation

7.1.1 The single substantive response to the consultation on admissions this year was received for the Leathersellers' Federation. The Leathersellers'

Federation commented that, in their view, Lewisham's arrangements, for in-year admissions do not adequately recognise the admission authority and legal status of foundation and voluntary aided schools and has the potential to put the Governing Board in breach of its statutory obligations under the School Admissions Code 2014.

- 7.1.2 The Leathersellers' Federation asked the LA to consider some changes to the current processes.

8. Lewisham's Response to the consultation

- 8.1 The Government brought in a requirement for all local authorities to coordinate in year admissions from the start of the academic year 2010. However when a revised School Admissions Code was published in February 2012 it removed the mandatory requirement for local authorities to co-ordinate in year admissions for the offer year 2013/14 and all subsequent years. Lewisham Council has taken the approach that, to ensure a fair and equitable system a centrally coordinated scheme should continue. This is the first objection to the arrangement received.
- 8.2 The Council is committed to coordinating in year admissions to all mainstream schools including faith, foundation and free schools and academies. This enables the local authority to:
- Safeguard vulnerable children who are at risk;
 - monitor and track children's placement in school;
 - refer cases to the Children Missing Education (CME) Officer when a school offer is not taken up and there is no evidence that the child is not receiving education otherwise;
 - inform the Place Planning Manager of demands for school places;
 - identify and address trends in applications including outward or inward migration; and
 - identify and address if a child has moved in from abroad with significant additional needs.
- 8.3 By centrally coordinating admissions the local authority is able to refer unplaced children, including those who have difficulty in securing a school place to the Fair Access Panel for placement. By doing this the local authority is able to monitor admissions and ensure there is an equal distribution of such children across all schools. It is essential that the local authority has an overview of each school roll and demand for places.
- 8.4 A centrally coordinated in year admissions process provides the local authority with an early warning of any school issues where there is a high number of children applying to transfer out mid-year. Such evidence enables issues to be addressed early.
- 8.5 In the light of queries raised by the Leathersellers' Federation and the need to ensure our arrangements are up to date and clear, it is recommended that a full and detailed consultation amongst all 33 own admission authority schools, both primary and secondary, should be undertaken. Meanwhile the local authority will maintain its current arrangements for the 2020/21 academic year whereby the LA coordinates in year admissions.

It should be recognised that for the 2017/18 academic year, Lewisham centrally coordinated a total of 3390 (2558 primary and 832 secondary) in year applications. So far this academic year (2018/19) the admissions team have coordinated 1429 applications.

- 8.6 On 4 December 2017, the Minister of State for School Standards wrote to all local authorities and admission authorities about giving priority in their oversubscription criteria to children who have previously been in state care outside of England, and have ceased to be in state care as a result of being adopted. Like other boroughs, Lewisham has not consulted on introducing priority for such children until the Schools Standards and Framework Act 1998 or other relevant legislation is amended and a revised School Admissions Code is issued. No 'own admission authority' school in Lewisham has consulted on such an amendment to their arrangements.

9. Financial implications

There are no additional financial implications to this report.

10. Legal Implications

- 10.1 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.
- 10.2 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 2020/21. Admission authorities are also required to act in accordance with the relevant provisions of the School Admissions Code (The Code) issued in December 2014.
- 10.3 Admission authorities must 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 2020 by 28 February 2019. The determination of these arrangements complies with the regulatory requirements.
- 10.4 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.
- 10.5 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 as soon as possible before 15 March and displaying them for the whole offer year. Following determination of admission arrangements any objections to those arrangements must be made to the Schools Adjudicator by the 15th May.
- 10.6 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.

- 10.7 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
- 10.8 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.
- 10.9 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/>.
- 10.10 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.
- 10.11 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.

11 Equalities implications

- 11.1 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.
- 11.2 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)

- 11.3 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.

12. Environmental implications

- 12.1 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 2020/21
Appendix B	Lewisham's determined admissions criteria for community primary school reception classes and who will start school in September 2020
Appendix C	Lewisham's determined admissions criteria for community secondary schools for pupils transferring from primary to secondary school in September 2020
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) 2020/21
Appendix I	Pan London Admissions Scheme for Co-ordination of Admissions to Year 7, Reception and Junior Class in Maintained Schools and Academies in 2020/21 and Lewisham's scheme for In Year Admissions 2020/21

If you have any questions on this paper, please contact Linda Fuller, Access and Inclusion Manager, 4th Floor, Laurence House, SE6 4RU (telephone 0208 314 6212 or email linda.fuller@lewisham.gov.uk).