



## Mayor and Cabinet

**Report title: Determined Admissions Arrangements for 2023/24.**

**Date:** 9 February 2022

**Key decision:** Yes.

**Class:** Part 1 .

**Ward(s) affected:** All

**Contributors:** Executive Director for Children and Young People

Director of Law, Governance and Elections

## **Outline and recommendations**

This report seeks the Mayor and Cabinet's approval for the local authority's admissions arrangements for the academic year 2023/24 which have not changed from the existing policies. The report's appendices A-I set out the following arrangements:

- The admissions policy for mainstream community nursery, primary, secondary schools and sixth forms as set out in Appendix A to G ;
- the pan London admissions schemes for the planned reception and secondary transfer rounds in Appendix I;
- the locally coordinated in year admissions scheme in Appendix E
- the Published Admissions Number (PAN) for all community mainstream schools for the academic year 2023/24 in Appendix H.

## **Timeline of engagement and decision-making**

In accordance with the mandatory provisions of the School Admissions Code 2021, admission authorities must, if they wish to make any changes to the existing admissions arrangements, consult for a minimum of six weeks.

For the 2023/24 round of admissions the Local Authority has not needed to consult on any changes.

The arrangements for 2023/24 must be determined no later than 28 February 2022.

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## 1. Summary

This report's appendices A to I sets out details of the:

- Local authority's admissions policy for community schools for the academic year 2023/24.
- Pan London admissions schemes for the planned reception and secondary transfer rounds, the locally coordinated in year admissions scheme.
- Published Admissions Number (PAN) for all community mainstream schools for the academic year 2023/24.
- There are no proposals to amend the existing admissions policies for community schools. Lewisham's arrangements for 2017/18 were scrutinised by the Office of the Schools Adjudicator (OSA). The OSA did not find any fault with the arrangements and officers are confident that Lewisham's admissions arrangements remain fully compliant with the mandatory provisions of the School Admissions Code 2021.
- There are no proposed reductions to the Published Admissions Number (PAN) for any Lewisham maintained school.

## 2. Recommendations

The Mayor and Cabinet is asked to determine:

- 2.1 The admissions arrangements for mainstream community nursery, primary, secondary schools and sixth forms as set out in **Appendix A to G**.
- 2.2 The Published Admissions Number (PAN) for each community mainstream school in the borough as detailed in **Appendix H**.
- 2.3 The pan London Admissions Schemes for reception and secondary transfer and a local scheme for in year admissions as detailed in **Appendix I**.

## 3. Policy Context

- 3.1 The School Admissions Code, revised and published in May 2021, amended the formal consultation and annual determination timetable. In accordance with this time table, admissions authorities are required to determine their arrangements no later than 28 February 2022 for the policy which applies to school admissions for the 2023/24 academic year.
- 3.2 Once determined, the admissions arrangements must be published no later than 15 March 2022. Any objections to the determined arrangements must be made to the Office of the School Adjudicator by 15 May the same year.
- 3.3 Lewisham local authority is the admissions authority for community schools in the area. It also 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 most mainstream schools in the area too.
- 3.4 Lewisham's relevant area has been determined as the administrative area for the London Borough of Lewisham.
- 3.5 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

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ensure that children, particularly vulnerable groups and especially Children in Public Care, have a fair, transparent and timely admission into school.

- 3.6 This report contributes to the delivery of the Children and Young People's Plan (CYPP) 2019-2022 and our vision of improving the lives and life chances of the children and young people in Lewisham. Data obtained from the planned admissions processes for reception and secondary transfer will demonstrate the popularity of Lewisham schools particularly secondary schools (Priority 3.10).
- 3.7 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. Background**

### **4.1 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 a maintained school which, although ranked by parents, are treated equally by the schools involved. This widens 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 demand on the pan London Register (the computer system used to electronically exchange applicant details and admissions decisions).

- 4.2 A revised School Admissions Code (Code) came into force in May 2021. The Code no longer requires a mandatory centrally coordinated in-year admissions scheme. However, Lewisham has maintained the view that this function should continue to be centralised for mainstream schools including own admission authority schools as it ensures:
- a safeguard for all children, especially those who are vulnerable, ensuring that they are placed in school without unreasonable delay; and
  - a strategic overview on the demand for school places so that any pressure can be addressed without delay to children's education.

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

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- 5.1 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, infant or junior schools and Year 7 places at secondary school.
- 5.2 There are no proposed reductions to formally reduce the the Published Admissions Number (PAN) of any Lewisham maintained school. However, a number of schools will agree to cap numbers on an informal basis if required.
- 5.3 These reductions follow on from the continued review and revision of pupil forecasts, which over the last few years have been revised downwards, resulting in both a current and projected oversupply of places in both primary and secondary schools. 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, to certainty of pupils on roll and allow efficient use of resources. This also includes implementing local caps in schools with an excess of places. It should be noted that in all 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.
- 5.4 Over the past few years we have reduced PANs in 7 primary schools and 4 secondary schools. Moving forwards it is anticipated that we will need to put in place further controls regarding the supply of places in our primary schools and we are currently utilising the capping of local authority allocations in a number of schools, and have ongoing dialogue with those schools with spare places about how best to help them on an individual school by school basis. We are aware that some non-local authority schools are currently consulting on PAN reductions. In addition, St Mary Magdalen Catholic Primary School officially closed on 31 December 2021.

## **6. Financial implications**

- 6.1. There are no financial implications to this report.

## **7. Legal implications**

- 7.1 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.
- 7.2 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 2023/24. Admission authorities are also required to act in accordance with the relevant provisions of the School Admissions Code (The Code) issued in May 2021.
- 7.3 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 2023 by 28 February 2022. The determination of these arrangements complies with the regulatory requirements.
- 7.4 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

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racial group, or a child with a disability or special educational needs.

- 7.5 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.
- 7.6 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.
- 7.7 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.
- 7.8 As was the case for the original separate duties, 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.
- 7.9 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/>.
- 7.10 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.
- 7.11 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.
- 8. Equalities implications**
- 8.1 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

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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.

- 8.2 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)
- 8.3 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.

## **9. Climate change and environmental implications**

There are no direct climate change or environmental implications arising from this report.

## **10. Crime and disorder implications**

There are no crime and disorder implications arising from this report.

## **11. Health and wellbeing implications**

There are no direct health and wellbeing implications arising from this report.

## **12 . Environmental implications**

There are no direct environmental implications arising from this report.

## **13. Background papers**

### **14. Report author and contact**

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### **15. Comments for and on behalf of the Director of Law, Governance and Elections**

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