

## CHESHIRE EAST COUNCIL

### REPORT TO: CABINET

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<b>Date of Meeting:</b>	2 April 2012
<b>Report of:</b>	Barbara Dale, School Admissions and Organisation Manager
<b>Subject/Title:</b>	Determination of Local Authority Coordinated Scheme and Admission Arrangements.
<b>Portfolio Holder:</b>	Councillor Hilda Gaddum, Cabinet Member for Children and Families

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#### 1.0 Report Summary

- 1.1 This Decision Paper reports on the outcome of the statutory consultation undertaken during the Spring Term 2012 on the Local Authority's proposed admissions arrangements and coordinated admission scheme for 2013 and seeks Cabinet approval to determine these arrangements, which must be completed by 15 April 2012, in accordance with legal requirements.
- 1.2 The Local Authority's Coordinated Admissions Scheme, once determined, will apply to applications for places in publicly funded schools, including Free Schools and Academies, received for the relevant age group<sup>1</sup> and to all applications received 'in year'<sup>2</sup> for places in publicly funded schools in Cheshire East . This scheme will apply to subsequent years, subject to any review.
- 1.3 The proposed admission arrangements, once determined, will apply to applications for places in Cheshire East community and voluntary controlled schools.
- 1.4 Admission arrangements for all other publicly funded schools are determined by the relevant admission authority, which will be the governing body or Academy Trust.

#### 2.0 Decision Requested

- 2.1 Cabinet is recommended to approve:
- The proposed **coordinated admission scheme (Appendix 1)**, which all local authorities are required by section 88M of the School Standards and Framework Act 1998 (SSFA) and the Co-ordination Regulations to have in place;

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<sup>1</sup> Applications for admission at the normal point of entry into the reception class at 4+ and secondary transfer at 11+ for the school year 2013-2014

<sup>2</sup> Applications for admission received after the first day of the school year into the relevant age group or into any other year group.

- The proposed **admission arrangements (Appendix 2)** for Cheshire East community and voluntary controlled schools, which include the overall procedure, practices, criteria and supplementary information to be used in deciding on the allocation of school places, and;
- Confirmation to the Secretary of State by 15 April that a coordinated scheme has been adopted, in accordance with legal requirements.
- Notification of the determined admission arrangements to all appropriate bodies<sup>3</sup> within 14 days of determination.

### **3.0 Reasons for Recommendations**

- 3.1 Regulations made under provisions of the School Standards and Framework Act 1998 require that following consultation on any proposed changes to admission arrangements and local authority coordinated admissions schemes, arrangements must be determined by 15 April in the year preceding the admission year.
- 3.2 This recommendation will enable the Local Authority to meet its statutory duty to determine by 15 April 2012 a coordinated admissions scheme and admission arrangements for 2013 and subsequent years and to notify all appropriate bodies of the determination, in accordance with legal requirements.

### **4.0 Wards Affected**

- 4.1 All wards
- 4.2 Once determined,
- the coordinated scheme will apply to all Cheshire East mainstream publicly funded schools, including Free Schools and Academies and to applications received from Cheshire East resident parents and carers;
  - the determined admission arrangements will apply to all Cheshire East community and voluntary controlled schools.

### **5.0 Local Ward Members**

- 5.1 All ward members

### **6.0 Policy Implications including - Carbon reduction - Health**

- 6.1 None

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<sup>3</sup> For admission arrangements this includes Cheshire East admission authorities, governing bodies and diocesan authorities.

## **7.0 Financial Implications (Authorised by the Director of Finance and Business Services)**

- 7.1 The costs of School Admissions are charged to the Dedicated Schools Grant within the element for central expenditure.

## **8.0 Legal Implications (Authorised by the Borough Solicitor)**

- 8.1 The Local Authority has a statutory duty to comply with the mandatory requirements imposed by The School Admissions Code 2012, which has been issued under Section 84 of the School Standards and Framework Act 1998. The Code reflects changes to the law made by the Education Act 2011 and The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012
- 8.2 Members are advised that that the changes in admission legislation, which came into effect in on 1 February 2012, apply to admission arrangements for 2013 and subsequent years. Of particular relevance are the changes as set out below:
- the removal of the statutory requirement placed on local authorities to coordinate 'in year' applications;
  - The removal of the requirement to consult on changes to published admission numbers (PAN) other than where a reduction is proposed. Where the local authority is the admission authority, it must consult the governing of the relevant school as a minimum. Community and voluntary controlled schools have the right to object to the Schools Adjudicator if the PAN set for them is lower than they would wish.
  - Following determination of the PAN, admission authorities can admit above their PAN during the normal admission round and in response to in year applications.
  - Published admission numbers can now be increased at any time during the year without reference to the Schools Adjudicator.

## **9.0 Risk Management**

- 9.1 The Local Authority would be in breach of its statutory duty if it failed to comply with the Law, which requires that,
- admission arrangements are determined annually by 15 April with full details published on the Council's website by 1 May, and
  - the Secretary of State receives confirmation by 15 April that the Local Authority has secured the adoption of a qualifying scheme.

- 9.2 Failure to comply will result in unlawful arrangements and could result in complaints and challenge. In the event that the Local Authority is unable to confirm that a qualifying scheme has been adopted, the Secretary of State may impose one.

## 10.0 Background and Options

- 10.1 The changes proposed to the Local Authority's **coordinated scheme (Appendix 1)** are:

- A revision to the procedure for Local Authority coordination of 'in year' applications i.e. those received outside the normal admissions process into any year group during the course of the year, including the removal of inter local authority coordination of applications.
- A revised procedure for processing late applications

- 10.2 Listed below is a summary of the changes proposed by the Local Authority to the **admission arrangements for community and voluntary controlled schools (Appendix 2)** (schools for which the Local Authority is the admission authority):

- A change to the oversubscription criteria to include 'previously cared for children' as a first priority alongside 'Cared for Children'. This proposal will ensure compliance with the revised admissions Code.
- The removal of criterion 2 (Medical and Social Reasons)
- Proposals to vary some schools' current admission numbers for September 2013 admissions, in line with net capacities. **(Appendix 2.1)**
- Proposed re- zoning arrangements. **(Appendix 2.2)**

- 10.3 Consultation on the changes proposed to the **coordinated scheme** involved all Cheshire East schools through the Schools Bulletin, governing bodies through the Director's Spring Term Report and, in accordance with legal requirements, the Admission Forum and other local authorities. Additional measures employed included presentation to the Cheshire East primary headteachers group (ECaph) and secondary headteachers group (CEASH).

- 10.4 During consultation, which concluded by 1 March, no feedback was received on the proposed changes to the Coordinated Scheme.

- 10.5 Comments on the proposed changes to **admission arrangements for community and voluntary controlled schools** were invited from representatives of Cheshire East schools and this was delivered via the

Schools Bulletin and Director's Spring Term Report alongside the consultation on the changes to the coordinated scheme. Additional measures employed included presentation to the Cheshire East primary headteachers group (ECaph) and secondary groups (CEASH). In accordance with the requirements set out in the School Admissions Code 2010<sup>4</sup>, consultation also involved neighbouring local authorities, diocesan authorities and parents, carers and members of the local communities. The latter involved publishing a notice in local newspapers informing interested parties that proposed admission arrangements were available for comment and informing readers that full details were published on the council's website together with information on where comments can be sent and by when. Hard copies could be requested by telephone if preferred.

- 10.6 During consultation, which concluded by the statutory date of 1 March, a total of 11 responses were received (Table 1). This included 8 submitted by representatives of Macclesfield schools, 1 from a staff governor representative of a Sandbach primary school and 2 from parents including 1 parent/governor. As a comparison, last year only 6 responses were received. A summary of the responses received is attached as **Appendix 3**.

**Table 1**

Change proposed	Support	Do Not Support	No View	Total
1) In line with new legal requirement -'previously cared for children' as a first priority alongside 'Cared for Children'.	4	0	7	11
2) Proposed removal of criterion 2 Children for whom there are particular medical or social reasons	3	0	8	11
3) Proposed re-zoning arrangements	1	1	9	11
4) Proposals to vary some schools published admission numbers	1	9	1	11
<b>Total</b>	<b>9</b>	<b>10</b>	<b>25</b>	<b>44</b>

- 10.7 Seven of the comments received during consultation make specific reference to the changes to published admissions numbers for Macclesfield primary schools. One of these respondents expressed the view that the proposed increase for Puss Bank should be approved on the basis that existing accommodation is sufficient to allow for the admission of further pupils and that such an increase would provide for

<sup>4</sup> Replaced on 1 Feb 2012 by the School Admissions Code 2012

greater parental choice and additional capacity to meet demand for places arising from new or planned housing developments in the area.

- 10.8 Six respondents expressed concern about the requests by governing bodies to increase published admission numbers in the Macclesfield area stating that existing surplus capacity would increase potentially impacting negatively on some schools and their ability to manage budgets and organise classes efficiently and effectively.
- 10.9 In response to this feedback, Members are advised that,
- Pupil forecasts indicate that, based on January 2012 school census data, there are 738 primary school places for the Macclesfield area with a surplus capacity of nearly 14%. (13.91%) This is compared with a Cheshire East surplus of 7.16%.
  - For the Macclesfield schools, there have been 4 requests from governing bodies for PANs to be increased, which if agreed would deliver an additional 33 reception class places from 2013 and an overall increase in capacity of 231 places across the 7 year groups.
  - Pupils resident in recent/new housing developments in the area admitted to maintained mainstream school places have already been taken into account in producing surplus place data. Any additional housing in the future will be reviewed as part of the planning application process and in the event that further capacity is needed to meet increased demand, this will be identified by the Local Authority in consultation with schools in the area.
- 10.10 One respondent expressed concern about the proposed increase in the published admission number from 40 to 45 for Elworth CE, Sandbach expressing concern about the impact on nearby schools.
- 10.11 Members are advised that in addition to an overall shortfall in the number of school places in the area with surplus places forecast at only 1% by 2016, there are three housing developments proposed for this location with full planning permission approved for two and one with outline planning. Once Section 106 agreements have been signed, developers will have three years to commence building works. The combined pupil yield from these developments is calculated at 118 primary aged children.
- 10.12 The proposed reduction in the PAN for Rainow Primary from 25 to 24 has been removed following consultation in response to a request from the school.
- 10.13 Full details about the proposed changes and the feedback received during consultation were presented to the Admissions Forum on 13 March.

10.14 The Forum resolved to recommend to the Council's Cabinet that the proposed admission arrangements and coordinated scheme, which will apply for 2013 and subsequent years subject to any review, be approved. (draft)

10.15 This paper, together with its appendices and an oral update, was presented to the Children and Families Midpoint Scrutiny Committee on 13 March. The report was accepted. (draft)

## **11.0 Access to Information**

11.1 The background papers relating to this report can be inspected by contacting the report writer:

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Background information includes:

- School Admissions Code 1 Feb 2012
  - The School Admissions (Admission Arrangements and Coordination of Admission Arrangements) (England) Regulations 2012 (reg2)
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