

# CHESHIRE EAST COUNCIL

## REPORT TO: CABINET

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Date of Meeting:	16 March 2010
Report of:	John Weeks
Subject/Title:	Determination of Coordinated Scheme and Community and Voluntary Controlled Schools Admission Arrangements
Portfolio Holder:	Councillor Paul Findlow

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### 1.0 Report Summary

- 1.1 This Decision Paper reports on the outcome of the consultations held during the Spring Term 2010 on the Council's proposed coordinated scheme and admission arrangements for the area of Cheshire East Council, in order that arrangements can be determined by 15 April 2010, in accordance with statutory requirements.
- 1.2 The Coordinated Scheme, once determined, will apply to applications for places in maintained schools and Academies received for the relevant age group i.e. at the normal point of entry into reception at 4+ and secondary transfer at 11+ for the school year 2011-12 and to applications received 'in year' (i.e. those received after the first day of the school year into the relevant age group or into any other year group) with effect from September 2010, in accordance with regulations This scheme will apply to subsequent years, subject to any review,
- 1.3 The proposed admission arrangements for Cheshire East community and controlled schools will apply with effect from September 2011, subject to any review.

### 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;
  - the proposed **admission arrangements (Appendix 2)** for its community and controlled schools, which are the overall

procedure, practices, criteria and supplementary information to be used in deciding on the allocation of school places, and;

- notification of the determined arrangements to all consultees within 14 days of determination.

### **3.0 Reasons for Recommendations**

- 3.1 The recommendation will enable the Local Authority to meet its statutory duty to determine by 15 April 2010 a coordinated scheme and admission arrangements as stated in paragraph 1 above, and to notify all consultees of the decision, in accordance with legal requirements.

### **4.0 Wards Affected**

- 4.1 Once determined, the coordinated scheme will apply to all Cheshire East maintained primary and secondary schools; determined admission arrangements will apply to all Cheshire East community and voluntary controlled schools.

### **5.0 Local Ward Members**

- 5.1 As stated in paragraph 4.1 above.

### **6.0 Policy Implications including - Climate change - Health**

- 6.1 Policy once determined will apply for three admissions years, unless further changes are proposed, which will be subject to consultation. The changes proposed to the admission arrangements and particularly the oversubscription criteria, have no implications for the current school transport policy, which provides for assisted home to school transport for pupils attending the local school; defined as the school in which catchment area the pupil lives, or closest available school and the distance by the shortest available walking route exceeds two miles (primary school) or three miles (secondary school).

### **7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)**

- 7.1 Members should note that the costs of School Admissions are charged to the Dedicated Schools Grant within the element for central expenditure.

### **8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)**

- 8.1 As stated in paragraph 7.1 above.

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

- 9.1 The Authority has a duty to comply with the mandatory requirements imposed by the School Admissions Code (or by statutory provisions) The Code is made under section 84 of the School Standards and Framework Act 1998 as amended by section 40 of the Education and Inspection Act 2006. This Code also reflects recent changes to the law made by the Education and Skills Act (ESA) 2008 and Regulations. The new Regulations that apply for the purpose of this report are:
- **The School Admissions (Co-ordination of Admission Arrangements) (England) Regulations 2008**, which requires that all local authorities formulate and determine a scheme for coordinating admission arrangements for maintained schools within their area by 15 April.
  - **The School Admissions (Admission Arrangements) (England) Regulations 2008**, in relation to consultation on admission arrangements, which must also be determined by 15 April.

## **10.0 Risk Management**

- 10.1 If the Local Authority does not determine its admission arrangements and coordinated scheme before 15 April 2010, it will be in breach of its statutory duty to comply with the provisions of the School Admissions Code.
- 10.2 If the Local Authority does not notify the Secretary of State by 15 April 2010 that a scheme has been adopted for the following academic year, the Secretary of State may impose a scheme.

## **11.0 Background and Options**

- 11.1 On 16 November 2009 the Admissions Forum considered the draft consultation document on the proposed arrangements and recommended that the consultation document (copy attached as Annex 1) and its appendices be approved.
- 11.2 Consultation on the proposed changes to existing *admission arrangements* commenced prior to 1 January 2010 in order to ensure that the minimum 8 weeks statutory consultation period was met prior to the deadline of 1 March 2010. In addition, the Council's *coordinated scheme* was formulated by the statutory date of 1 January 2010 following consultation with the Admissions Forum at its meeting of 16 November 2009. All statutory consultees received notification of the proposed arrangements and advice on how comments could be submitted to the Local Authority up until the deadline of 1 March 2010.
- 11.3 Consultation on proposed changes to existing arrangements were notified as follows:

- Schools were advised in the Schools Bulletin of 7 December that consultation on the proposed admission arrangements and coordination scheme was underway. Reminders were also communicated in the Schools Bulletin in January and February 2010.
- Information about the consultation was included as an agenda item in the Head of Children and Families Services Spring Term Report to Governing Bodies, with full details being made available on Cheshire East Council's website.
- Notification was sent out to all neighbouring and diocesan authorities at the end of December 2009.
- Notices were published at the end of December 2009 in newspapers across Cheshire to inform relevant parents and carers and local groups with an interest of the consultation on proposed admission arrangements and inviting feedback, in accordance with the mandatory provisions of the School Admissions Code.
- Information was presented to CEAPH and discussed at the meeting of the CEASH in January.

11.4 To comply with new statutory requirements, the changes proposed to the existing **coordinated scheme** include:

- A revised timetable and procedure for coordinating primary school admissions, with all applications being made to the 'home' authority and not the maintaining authority;
- A national closing date for secondary coordination;
- A procedure for making requests for admission above the Published Admission Number, to comply with changes introduced in the School Admissions Code 2009;
- The inclusion within the scheme of the arrangements for coordinating applications received 'in year'.

11.5 It is proposed that the current **admission arrangements** for community and voluntary controlled schools, determined by Cabinet on 24 March 2009, be agreed for September 2011 with the following proposed changes:

- Amendment to the title 'looked after child' to be renamed 'cared for child';
- Amendment to the current oversubscription criteria to give a higher priority to siblings;
- Proposals to vary some schools' current admission numbers for September 2010 admissions, in line with net capacities.

11.6 It should be noted that further changes have been made to the consultation document to ensure determined arrangements fully reflect the requirements of the Schools Admissions Code, to ensure clarity

and to rectify any errors or omissions but these do not affect the overall procedures proposed during consultation.

- 11.7 It should also be noted that the original proposal to remove the category of feeder/partner primary from the oversubscription criteria has not been recommended for approval for 2011 in light of the responses to the consultation, as summarised below in paragraph 11.15.

## Responses to the Proposed Coordinated Scheme

- 11.8 The consultation exercise has produced a small number of responses. Overall, little opposition has been received to the proposed arrangements, although the proposed changes to the scheme to include primary coordination with effect from 2011 (item 1) and 'in year' coordination from 2010 (item 4) have, as might be expected, raised questions from representatives of schools.
- 11.9 The 12 responses received to the proposed changes to the Local Authority's coordination scheme have been summarised in **Table 1** below.

**TABLE 1**

Proposed Changes	Support	Do not Support	No View	Total Responses
1) Revised timetable and procedure for coordinating primary school admissions	4	6	2	12
2) National closing date for secondary coordination	8	0	4	12
3) Procedure for making requests for admission above the Published Admission Number	9	0	3	12
4) The inclusion within the scheme of the arrangements for coordinating applications received 'in year'	3	7	2	12

- 11.10 ***Revised timetable and procedure for coordinating primary school admissions.*** A total of 6 schools have responded that they have concerns that the dates proposed in the scheme of 29 April for making primary school offers to parents and carers is too late. These concerns are largely in relation to the impact that this will have on the setting of budgets, agreeing and appointing staff, particularly where compliance with infant class size is jeopardised by further admissions and class organisation. The consultation papers explained the reasons for the proposed date, which are a consequence of the statutory requirement to exchange data with other authorities up until the end of March. These concerns were raised at the meeting of the Admissions Forum of 26 January 2010 and it was agreed that representation would be

made by the Forum to the Secretary of State regarding the new coordination Regulations referred to in paragraph 1 above. Cheshire East Council has taken into account these Regulations and has in addition considered the dates proposed by other authorities due to the necessity to coordinate applications before proposing 29 April. Further information is contained within **Annex 1**.

- 11.11 ***The proposed arrangements for coordinating applications received 'in year'***. It should be noted that 7 of the 12 schools that returned a response indicated that they 'do not support' the proposed inclusion within the Authority's scheme for coordinating applications received 'in year' explaining that the system currently in place, with parents applying to the school and not the Authority, is working well and should not be changed. This view was discussed in detail at the autumn 2010 meetings of the Admissions Forum. The consultation report (**Annex 1**) provided the justification for the changes explaining that this is in response to new legislation and the mandatory requirement now placed on all English local authorities to administer the 'in year' application process for its residents and to coordinate with 'neighbouring' authorities on applications for schools in their area with effect from September 2010.

## **Responses to the Proposed Admission Arrangements**

- 11.12 A total of 34 responses have been received to the consultation on arrangements for community and voluntary controlled schools with the majority being supportive of the proposed changes or returning a 'no view' response. Responses were received from 18 representatives of primary schools, 5 from secondary schools and a further 11 responses from parents. These are summarised in Table 2 below.

**TABLE 2**

<b>Proposed Changes</b>	<b>Support</b>	<b>Do not Support</b>	<b>No View</b>	<b>Total Responses</b>
1) Amendment to the title "looked after child" to be renamed "cared for child"	19	0	15	34
2) Amendment to the current oversubscription criteria to give a higher priority to siblings	23	0	11	34
3) Removal from the oversubscription criteria of the category of "feeder/partner" primary schools.	14	8	12	34
4) Proposals to vary some schools' current admission numbers for September 2011 admissions, in line with net capacities (Appendix 4)	17	2	15	34

- 11.13 Overall, little opposition has been received to the proposed arrangements, although the proposed changes to the oversubscription criteria to give a higher priority to 'siblings' (item 2) and the removal of the 'feeder' criterion (item 3) have, as might be expected, prompted comments from respondents.
- 11.14 In relation to the change proposed to give a higher priority to 'siblings', 23 respondents showed support and the remaining 11 returned a 'no view' response. Comments received showed support for the change, stating that it was necessary to ensure that siblings can attend the same school, as far as possible. No objections were received.
- 11.15 8 schools expressed concern about the proposed removal of the category of 'feeder school' from the oversubscription criteria. The reasons stated were
- that parents choose the primary school based on the secondary school that it feeds into
  - the importance of developing strong links between the high school and primary schools that feed into it
  - that children should start secondary school with their peers
  - the potential impact for children currently on roll in years reception through to year 5.
- 11.16 Other comments received show support for the proposed change stating that this criterion can influence decisions by parents and carers about primary school applications but stating that this would need to be applied to all schools within an area and not just community and voluntary controlled schools. Concern was raised that the designation of feeder schools appeared disproportionate and that this should be reviewed. For these reasons it is recommended that this criterion is retained for 2011 and that further investigation into the admission arrangements for future years is undertaken.
- 11.17 The Admissions Forum is due to consider the responses to the consultation at its meeting of 9 March of 2010 and any further recommendations that it wishes to make to Cabinet will be reported to Members orally at the meeting of 16 March.
- 11.18 The arrangements are referred to this meeting for approval, with any further changes as recommended by the Admissions Forum.

## **12.0 Overview of Year One and Term One Issues**

- 12.1 The coordination scheme will be implemented with effect from September 2010 for all Cheshire East home residents making 'in year' applications for schools in Cheshire East and for schools maintained by other English authorities. Once determined, the Scheme will also apply to applications made for admission into primary and secondary schools from September 2011 i.e. at the normal point of entry. For future years,

the Local Authority must consult the Admission Forum every year, and admission authorities for schools affected by the scheme and other local authorities every three years as a minimum. If the Admission Forum advises that the scheme has changed substantially since the previous year, the local authority must consult school governing bodies and other local authorities on it, even if that is less than three years since the last consultation.

### **13.0 Access to Information**

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

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