

# CHESHIRE EAST

## CABINET

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12 August 2008

**Date of meeting:**

**Report of:**

JOHN WEEKS – LEAD OFFICER PEOPLE EAST

**Title:**

**SCHOOL ADMISSIONS**

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### EXECUTIVE SUMMARY

School Admissions is one of the most sensitive and high profile services that a local authority provides. This is a service area bound by statute and with strict statutory timescales, which must be adhered to. There are long lead-in times (almost two years) for admissions to any given academic year.

The County Council's Admissions Team (comprising 11 FTE staff) delivers a highly effective service, with 90% of parents initially receiving an offer of a place at their first preference school, and almost 96% of parents receiving an offer for one of their three preferences. This compares very well to other authorities in the north-west and to the situation nationally. Around 33% of parents in 2008 used the on-line admissions application facility.

In summary, the recommendations, in order to ensure a safe and seamless transition to Vesting Day are:

- Continuation by both Shadow Authorities of the County Council's school admissions services until 31 August 2009 with phased disaggregation from 1 September 2009 at the earliest. This should ensure service delivery continuity over the period 31 March 09 – 1 Sept 09;
- County Council and Shadow Authorities to agree on deliverable proposed policies for September 2010, prior to statutory consultation on the proposals within the relevant area. (The Shadow LAs to be decision makers for 2010 policy in line with DCLG proposed Transitional Regulations.)
- The relevant area for consultation to be revised according to one of the options set out at 7.4.
- The establishment of two separate Admission Forums to commence in October / November 2008 to advise on policy for September 2010.

Please Note: The Admissions policies for admission in Sept 2009 must remain unaltered as they were determined by 15 April 2008, in accordance with statutory requirements.

### Purpose of Report

- 1.1 To advise the Shadow Authority of its statutory duty and powers in relation to school admissions, and to seek some key decisions in relation to:

- **admissions processes**, beyond 1 April 2009 to ensure the continued application of the already determined admissions policy and coordinated scheme for admission to school in September 2009;
- the **formulation and determination of an admissions policy, which will include the admission arrangements and coordinated scheme for 2010**, which must be in compliance with the mandatory requirements (or statutory provisions) of the School Admissions Code 2007, and which is subject to consultation within the 'relevant area'. The arrangements set out the overall procedure, practices and criteria to be used in deciding on the allocation of school places to community and controlled schools, whereas the scheme outlines the process of exchanging applications between admission authorities and across local authority borders to ensure that, as far as is practical, a single offer of a school place will be made.
- **admissions forums**, which are charged with monitoring the effectiveness and efficiency of local admissions arrangements and compliance with the Admissions Code, and to recommend actions and decisions in order to ensure arrangements are in place by December 2008.
- **relevant areas**, the area for a school (determined by its local authority) within which the admission authority for that school must consult all other prescribed schools on its admission arrangements

## 2.0 Decisions Required

### 2.1 That the Shadow Authority

- Approves the continuation from 1 April 2009 until 31 August 2009 of the pan-Cheshire delivery by the current admissions service of the process relating to admissions and appeals for the September 2009 intake (which commenced in June 2008) and relates to the current determined admissions policy and coordinated scheme. The admissions team to then be disaggregated on a phased basis from 1 September 2009, subject to both new LAs satisfying themselves that they have in place suitable staffing and systems arrangements to ensure delivery of their statutory duties.
- Approves the commencement by the County Council of the formulation of the September 2010 policy and the statutory consultation process on this, which must be completed by 1 March 09 (with determination by the statutory date of 15 April 2009) .
- Approves immediate action\* to set up two separate Admissions Forums to be established by Autumn 2008 in line with the proposed timetable shown at para 7.4. in order that each LA can be advised on issues and policies in relation to its local area and local schools. (\*i.e. determines the constitution and membership in line with statutory requirements and

approves the commencement of seeking new nominations, including nominations from existing members of the pan-Cheshire Forum).

- Approves the drawing up by the County Council of proposals in liaison with the existing admissions forum for the 'relevant area' (or areas), which will be subject to a 30 day consultation period prior to determination.

#### Key policy decisions for the Shadow Authorities and Admissions Forums:

- 2.2 The determined policy for September 2009 includes designated catchment areas for all maintained schools. Under LGR the catchment areas of some schools will cross over the boundaries of the two new authorities and therefore a decision will need to be made about the policy (for 2010) in relation to this for future admission arrangements;
- 2.3 The September 2009 policy also includes 'feeder/partner primary school' criterion. Under LGR these arrangements will cross over the boundaries of the two new authorities and therefore a decision will need to be made about the policy in relation to this for future admission arrangements for 2010;
- 2.4 The 'Relevant Area' is the area for consultation by the admission authorities for the local schools as determined by the local authority and then reviewed every two years. The current 'relevant area' for Cheshire Community and Controlled Schools, for which the local authority is the admissions authority, has been determined as the Cheshire Administrative County and its neighbouring authorities. In order to change a Relevant Area it is necessary to consult on the proposed changes first over a 30 day period, before determining. Therefore, a revision of the current arrangements could take place this Autumn in readiness for consultation within the Relevant Area on the proposed admission policies for September 2010.

### **3.0 Financial Implications for Transition Costs**

- 3.1 There are potentially significant transition costs to disaggregating the admissions service due to the duplication of current resources (e.g. staffing, ICT packages, software licences). The main costs are in relation to ICT systems (see 4.0 below and Appendix 1) and staffing (in particular the probable need for one LA to recruit an Admissions and Appeals Manager and IT Systems Administrator before 1 September 2009).

### **4.0 Financial Implications 2009/10 and beyond**

- 4.1 Such implications would have to be identified at the time and in the light of the precise changes that were proposed. However, as an example, the indicative costs of setting up a second Children and Young Peoples Database for one LA are approximately £488,500 for set up costs with on-going costs of £203,500 each year. The alternative option would be to consider retaining the current CYPD as a shared pan-Cheshire service. Both LA's will also need to ensure

that they will have an Admissions and Appeals Manager and IT Systems Administrator in post for 1 September 2009.

- 4.2 Members should note that the costs of School Admissions are charged to the Dedicated Schools Grant within the element for central expenditure. Increases in central expenditure need to be carefully monitored to ensure this element does not increase at a faster rate than budgets delegated to schools. The specific consent of the Schools Forum is required should pressure on central expenditure lead to this situation.

## **5.0 Legal Implications and Admissions Timeline**

- 5.1 The admissions arrangements that will apply for **September 2009** were determined by **15 April 2008** in accordance with legal requirements.
- 5.2 Although the determined admission arrangements for September 2009 entry to schools is for admission after the new Councils will have taken over from Cheshire County Council, the statutory national admissions timetable entails the County Council (which has already determined the arrangements to apply in September 2009) to implement those arrangements, with places being offered to parents/children in March 2009 prior to vesting day.
- 5.3 Admission arrangements for **September 2010** will be the subject of the annual statutory consultation (to be carried out by the County Council on behalf of the Shadow LAs) to be completed by **1 March 2009**, with determination of the arrangements by **15 April 2009** by the Shadow LA. Discussions will need to take place between August and December 2008 with and between both Shadow LAs about what policy options they have and what they wish to consult on.
- 5.4 It is a statutory requirement that consultation on a coordinated admissions scheme must also be completed prior to 1 March 2009 deadline to apply to arrangements for September 2010. If the Local Authority does not notify the Secretary of State by 15 April each year that it has adopted a coordination scheme, the Secretary of State may impose one.

## **6.0 Risk Assessment**

- 6.1 Members need to be aware of a number of risks and dependencies that are set out in **Appendix 1** to this decision paper.

## **7.0 Background and Options**

- 7.1 The attached **Appendix 2** provides background information on statutory duties and powers and the current policies of the County Council.

7.2 The recommended option is for the continuation by both Shadow Authorities of the County Council's school admissions services until 31 August 2009 with disaggregation from 1 September 2009 at the earliest.

7.3 The shadow authorities to delegate consultation on proposed policies for September 2010 to the County Council before consultation is carried out within the Relevant Area. Discussions will need to take place with each Shadow LA and its Admissions Forum as to what exactly is put out for consultation.  
**However, both Shadow Authorities are strongly advised to consult on identical or fully compatible policies in light of the unresolved boundary and catchment issues arising from LGR.**

7.4 The Relevant Area for consultation can be revised now (consult during Autumn 2008), or alternatively as part of the consultation on admissions policy for September 2010 (consult during Dec-March 09). If the latter option is preferred this would mean that all schools across Cheshire and all neighbouring authorities will need to be consulted on the 2010 arrangements proposed by the two separate authorities. Thereafter, for admissions for September 2011 only admission authorities within the revised and determined 'relevant area' will need to be consulted. If the former option is preferred as recommended then the expected timescale is as set out below:

- **September 2008** – Cheshire County Council brings a report to the current pan-Cheshire Admissions Forum for it to advise the Shadow LAs on what new Relevant Areas(RA) the shadow LAs should consult on (we will have to use the current Forum, which comprises of representatives from the two new authorities as the new Forums will not be set up by this date);
- **October 2008 (15<sup>th</sup> and 7<sup>th</sup>)** – Implementation Executive and Cabinet approves the new Relevant Areas for consultation;
- **November 2008** – Both Shadow LAs hold statutory 30 day consultations on those areas.
- **Early December 2008** - The new Admissions Forums for CW&C and CE (which should be set up by Nov 08) can review the outcomes of the consultation and advise their Shadow LA on what RA to approve.
- **By end December 2008** – Each Shadow must approve the new RA so that 2010 admissions policy (scheme and arrangements) can go ahead.

7.5 The establishment of **two admission forums** to commence in September/October 2008 to advise on policy for September 2010 and to report on the arrangements applied to admissions in September 2008.

## **8.0 Overview of Day One, Year One and Term One Issues**

8.1 Day 1 – The critical issue is to ensure the seamless continuation of current policies and procedures and those key activities performed by the School Admissions Service on behalf of Children's Services. Both LA's will need to

ensure that they will have an Admissions and Appeals Manager and IT Systems Administrator in post for 1 September 2009.

- 8.2 Year 1 – Each new LA should review its policies for September 2010 admission (to be approved by 15 April 2009) and procedures for September 2009 with a view to identifying any changes that it wishes to consult on during Year 1.
- 8.3 Term 1 –Subject to any necessary policy development, consultations and formal decision making process the LA can implement major policy changes (subject to any legal restrictions) from the start of an Academic Year.

## **9.0 Reasons for Recommendation**

- 9.1 To achieve a safe and seamless transition to Vesting day without incurring significant transitional costs or giving rise to complaints and objections about maladministration and failure to apply determined arrangements correctly from the Local Government Ombudsman, Office of the Schools Adjudicator, the Secretary of State, DCSF, parents and carers. To highlight to the Shadow LAs the key issues that they need to consider in the lead up to, and during, Year 1.

### ***For further information:***

*Portfolio Holder: Councillor Paul Findlow*

*Officer: John Weeks*

*Tel No:*

*Email:*

### ***Background Documents:***

An extensive set of detailed papers on Admissions issues were submitted to the Full Joint Implementation Team on 8 July for Officer consideration. A summary Shared Services report was subsequently submitted to the Joint Liaison Committee on 1 August including a section on the Admissions service.

*Documents are available for inspection at: Room 330, County Hall, Chester*

### RISK ASSESSMENT

#### Procedures

In order to maintain current school admissions operations and procedures the Shadow Authority will need to have in place by 1 September 2009 the resources and systems to support all the activities that are involved in delivering the local authority duties and policies in relation to school admissions. **That includes services provided by CYPD, the Transport Coordination Service, the Customer Access Service, Legal and Committee Services, Choice Advisory Service and many teams within the Children's Services Department.** It is recommended that current procedures continue beyond 1 April 09, operating as a *Pan Cheshire* service, through at least to August 2009 in readiness for the start of the application process for parents and carers on 1 September 2009 (for September 2010 admission). The Shadow Authority will need to assure itself that any decisions taken in relation to the school admissions service will enable the continued delivery of school admissions operationally and within the current cost envelope.

Members are also alerted to the risks of making any mid-academic year changes to the operations that support school admissions – such as Legal and Member services (admissions appeals), CYPD, Customer Access. Members are advised to consider the implications of any changes to procedures if it proposed to implement them during the school year and assure themselves that any risks to continuity of service delivery on admissions are minimised.

#### Admissions Policy

Members are advised that they cannot change the already approved school admissions policy for September 2009 due to legal requirements. Policies determined for 1 September 2009 will be retained with disaggregated policies drawn up and determined for September 2010.

Currently most maintained Cheshire schools (excluding Catholic schools) serve a defined catchment area from which they draw most of their pupils. These catchment areas are also used by the transport policy to judge which is the local or 'zoned' school for a child's home address. Members attention is therefore drawn to the links between the policies – and the fact that changes to admissions policies and transport policies generally need to be considered in parallel.

#### Admissions forums

Members are alerted to the fact that a decision on the establishment of Admission Forums needs to be reached by early August 2008 in order that nominations can be sought for two new forums in readiness for seeking advice on the proposed arrangements from the newly established Admissions Forum in September/October 2008, with Executive member approval to

consult on proposals being sought in December 2008 on the arrangements for September 2010.

### Data

It is unclear at this time what decisions will be made in relation to the Children and Young People's Database and other Children's Services ICT systems. Consideration will need to be given at the time of those decisions about any impacts on school admissions management and coordination. Shadow Authorities also need to consider the costs of disaggregation or duplication of critical ICT systems such as CYPD and the cost implications of purchasing Admissions software for processing applications, exchanging data electronically with other local authorities, and to allow parents to make online applications in accordance with mandatory requirements.

### Budgets

As the current budget for school admissions (allocated within the Dedicated Schools Grant), will be disaggregated as of vesting day, it is anticipated that there will be adequate funding for each Shadow Authority to continue to support current staffing and service delivery arrangements, subject to their own budget setting decisions prior to Vesting Day up until the proposed disaggregation date of 31 August 2009.

The overall school admissions budget (£398,495) for 2007/08 has no in-built flexibility any financial impacts arising from decisions about the future of the service budget cannot be absorbed within existing resources.

### **Members are invited to note:**

- the critical dependencies between the delivery of the current (determined) school admissions policy and coordinated scheme and other transitional decisions relating to: Consultation on future admission arrangements; formulation of a coordinated admissions scheme; establishment of admission forums; school admission appeals (Committee and Legal Services); school transport policy (Transport Coordination); data and/or system disaggregation decisions relating to the Children and Young People's Database (CYPD) and other ICT packages; and the disaggregation of current and related resources.
- additional dependencies and other transitional decisions for the continued delivery of the school admission policy and coordinated scheme relating to the Customer Access Centre (Front line admissions service to parents and carers); the Choice Advisory Service (Independent and impartial advice on school admission applications and the Assessment and Monitoring Service (admission of Statemented children – mainstream).



## **Advice on the Children and Young Persons Database (CYPD)**

This system contains a record for every child in a Cheshire school as well as children under Cheshire's remit but educated out of County. Each record includes information where applicable on Key Stage achievement, Special Educational Needs (SEN), Psychological and Autism service provision, Sensory Impairment support, Behaviour Support including Exclusions, Medical Needs, Attendance and Educational Welfare, Traveller and Minority Group services. Another major process within the system is the School Admissions process. Work is under way to develop a process to identify and maintain information on Looked after Children although the main record in this case is held in PARIS.

The Inclusion and Education Service forms the main user base for the CYPD system. The Admissions process for September 2009 entry is already under way. Both the Autism and Sensory Impaired Teams use CYPD as their case management system.

One option is that the CYPD system is maintained as a single pan Cheshire system until September 2009 in order to support the above transitional pan Cheshire services. A further options appraisal for arrangements for the system from September 2009 onwards will be undertaken and completed by the end of the year. Indicative costs for implementing a second separate system for East and West are as follows.

<b>System</b>	<b>Hardware</b>	<b>Software</b>	<b>Staff *</b>	<b>Total Costs</b>
CYPD	Purchase = £15,000	Purchase = £270,000 approx  Annual Maintenance Charge (also due in Year1) = £82,500	Support staff in Children's Services  = £121,000 pa	Setup = £488,500  On-going = £203,500

*\*These costs do not include County Information Services (CIS) staffing support costs. The level of funding required for this support will depend upon whether central ICT support is delivered as a pan Cheshire or separate service for East and West Authorities.*

*Work will still need to be undertaken on the system before 1<sup>st</sup> April 09 in order to identify the children as East or West. This work is under way in conjunction with the supplier. Any branding issues also need to be identified, costed and addressed in relation to outputs (reports). Other related pieces of work before 1<sup>st</sup> April may include changes to the On-line Admissions Application process to link to the new East and West web sites and to address the implications for any changes to the Contact Centre which supports Admissions and Free School Meals enquiries.*

### School Admissions Background Information

All local authorities are required by Regulations to formulate and consult on a coordinated scheme for each academic year for coordinating admission arrangements for all maintained within their area, to ensure that, as far as is practical, every child living in a local authority area receives a single offer of a school place on the same day.

#### Coordinating Admissions:

All local authorities are required by the School Admissions (Coordination of Admission Arrangements) (England) Regulations 2007, made under Section 89B and 89C of the School Standards and Framework Act 1998 to formulate and consult on a *scheme* for each academic year for coordinating admission arrangements for all maintained schools within their area.

Coordinated schemes establish a mechanism for ensuring that, as far as is practical, every child living in a local authority area receives a single offer of a school place on the same day. This is achieved through the exchange of data with admission authorities within the Cheshire administrative boundary (aided and foundation school governing bodies) and with other local authorities where applications (preferences) are received in respect of secondary transfer.

In the case of applications for places in Cheshire County Council *Reception* classes for September admission, the Authority coordinates all applications from Cheshire residents and from residents in other authorities and exchanges information on applications and offers across their borders to seek to eliminate multiple offers across local authority borders wherever possible.

In 2004, in response to the changes in admissions legislation, the County Council implemented a service restructure to centralise the school admissions administrative process in County Offices, Northwich. This service now consists of 11 full-time equivalent staff responsible for the administration of approximately 17 000 applications (based on 2008 data) which includes approximately 9500 secondary transfer applications and 7500 primary admission received as part of the \*normal admission round. (\*admission in September for the first time).

In addition, the service coordinates appeal applications and prepares and presents the Local Authority's case for maintained community and voluntary controlled schools at appeal hearings in respect of appeals from parents and carers against decisions resulting in unsuccessful applications. For admission in September 2008 there have been a total of 700 appeal applications received (340 for Secondary transfer and 360 for primary admission).

Casual mid year applications are administered by schools with the Admissions Service becoming involved if the relevant year group is full and admission is refused or if a parent or carer exercises their legal right of

appeal. During 2007-2008 academic year, 342 appeal applications have so far been received.

### **The School Admissions Code 2007:**

The School Admissions Code (the Code) came into force on 28 February 2007, and applies to admissions to all maintained schools and Academies. The Code is made under section 84 of the School Standards and Framework Act 1998 as amended by section 40 of the Education and Inspections Act 2006. Authorities or bodies to which the Code applies include admission authorities, governing bodies (when not admission authorities), Local authorities (when not acting as admission authorities), Admission Forums, Schools Adjudicators and admission appeal panels.

Admission authorities must ensure that their determined admission arrangements comply with the mandatory provisions of the Code. Admission arrangements include the overall procedure, practices and criteria to be used in deciding on the allocation of school places.

The Code imposes mandatory requirements pertaining to school admissions and refers to statutory requirements (i.e. those imposed by primary or secondary legislation) which must be complied with. Failure by an authority or body to comply with the mandatory requirements is a breach of that authority's or body's statutory duty to act in accordance with the provisions of the Code and may result in an objection being made to the Schools Adjudicator or a complaint to the Secretary of State.

**Additional Note:** The DCSF is currently consulting on changes to the 2007 Admissions and Appeals Codes. Ministers are committed to reviewing the school application and allocation process and have therefore outlined proposed changes to make the admissions process for parents as fair, transparent and straightforward as possible. The consultation exercise commenced on 12 June and runs until 2 October 2008. Changes proposed in the draft Codes relate to arrangements for September 2010.