

CHESHIRE EAST COUNCIL

Cabinet

Date of Meeting:	31 st March 2015
Report:	Director of Children's Services
Subject/Title:	Determination of Local Authority Coordinated Scheme and Admission Arrangements.
Portfolio Holder:	Councillor Rachel Bailey, Safeguarding Children and Adults

1.0 Report Summary

- 1.1 Cabinet are recommended to approve the coordinated scheme and admission arrangements (attached) for 2016 and subsequent years, subject to any review.
- 1.2 The coordinated scheme (**Annex 1**), which all local authorities are, under section 88M of the School Standards and Framework Act 1998 (SSFA), required to have in place, will apply to applications for places in all publicly funded mainstream primary and secondary schools (i.e. including academies) for the school year 2016-17.
- 1.3 The proposed admission arrangements (**Annex 2**) include the overall procedure, practices, criteria, published admission number (PAN) and supplementary information to be used in deciding on the allocation of school places. Current admission numbers and proposed changes for community and voluntary controlled schools for 2016 (which the Local Authority is responsible for as the admission authority for these schools) are set out in **Appendix 1**.

2.0 Recommendations

- 2.1 Cabinet is recommended to approve
- The proposed **coordinated admission scheme**, which all local authorities are required by section 88M of the School Standards and Framework Act 1998 (SSFA) to have in place (**Annex 1**).
 - The proposed **admission arrangements** for Cheshire East 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 (**Annex 2**).

3.0 Reasons for Recommendations

- 3.1 The recommendation will enable the Local Authority to meet its statutory duty to determine by 15 April 2015 a coordinated admissions scheme and

admission arrangements to apply for 2016 and subsequent years, subject to any further review.

4.0 Wards Affected

- 4.1 Once determined, the coordinated scheme will apply to all Cheshire East publicly funded mainstream primary and secondary schools, including academies and the admission arrangements will apply to all Cheshire East community and voluntary controlled schools.

5.0 Local Ward Members

- 5.1 All wards members.

6.0 Policy Implications

- 6.1 The Coordinate Scheme and Admissions Arrangements are key policy documents for the Council and are a statutory requirement. The process for applying for school places is contained within the coordinated scheme and this applies to all Cheshire East publicly funded schools. How parents' preferences are then considered is set out within an admission authority's admission arrangements. The policy on admission arrangements will apply to applications for community and voluntary controlled schools only, for which the Local Authority is the admission authority.

7.0 Implications for Rural Communities

- 7.1 The Local Authority's coordinated scheme will apply to all publicly funded schools across the Borough and the admission arrangements will apply to applications received for Cheshire East community and voluntary controlled schools. Determination will therefore benefit all communities equally by ensuring that arrangements are in place for families who will be applying for admission in the 2016/17 academic year.

8.0 Financial Implications

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

9.0 Legal Implications

- 9.1 The Authority has a duty to comply with the mandatory requirements imposed by all relevant legislation including the School Admissions Code (or by statutory provisions). The School Admissions Code has been issued under Section 84 of the School Standards and Framework Act 1998 ('SSFA 1998') Chapter 1 of Part 3 of the School Standards and Framework Act (SSFA) 1998 contains the key provisions regarding schools admissions, including the statutory basis for the Code. The Code reflects changes to the law made by the Education Act 2011 and Regulations.

- 9.2 The Regulation that applies for the purpose of this report is the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2014.

10.0 Risk Management

- 10.1 The Local Authority must determine its coordinated scheme and admission arrangements before 15 April 2015 otherwise it will be in breach of its statutory duty to comply with the provisions of the School Admissions Code.
- 10.2 The Local Authority must inform the Secretary of State whether it has secured the adoption of a qualifying scheme by 15 April. The Secretary of State may impose a scheme where a scheme has not been adopted.
- 10.3 Objections to determined admission arrangements can be referred to the Office of the Schools Adjudicator by 30 June in the determination year. The Adjudicator must consider whether the arrangements comply with the Code and the law relating to admissions. Arrangements must therefore be compliant with the provisions set out in the School Admissions Code 2014. An Adjudicator's determination is binding and enforceable.
- 10.4 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. There is a strong presumption in favour of an increase to the PAN to which the Schools Adjudicator must have regard when considering any such objection.
- 10.5 An Equality Impact Assessment is attached as **Annex 3**

11.0 Background and Options

- 11.1 The Local Authority's school admission arrangements and coordinated scheme are for implementation from September 2016.
- 11.2 If changes are proposed, consultation is required by 1 March (determination year) in accordance with the requirements set out in the School Admissions Code. Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities must consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period. Arrangements must nevertheless be determined by **15 April** every year, even if they have not changed from previous years and a consultation has not been required.
- 11.3 The **Coordinated Scheme**, once determined, will apply to applications for places in all Cheshire East publicly funded schools including Academies. The scheme planned for 2016-17 is not substantially different to the current scheme, which was adopted by the Local Authority in April 2014 for admission in September 2015-16. There are a small number of minor changes to the policy, which are highlighted in the policy and these include:

- I. Rewording to further explain that residency is based on the address of the child and the parent with whom the child is permanently resident and that where care is shared jointly, this will be the address of the parent considered to be the primary carer. This is expanded to confirm that the child will be resident at that address for the majority of the week between Monday to Friday and not including weekends.
- II. The definition of a late applicant is unchanged. However, to ensure that all late applications are treated equally, the scheme has been amended slightly to explain that late applications will not be processed until after all on-time applicants have been notified of their decision.
- III. To ensure compliance with changes included in the new School Admissions Code 2014, the wording has been changed to reinforce the responsibility of admission authorities for making decisions on applications and a minor change to the process by making mandatory the requirement that decision letters are sent out by admission authorities. This is particularly relevant to community and voluntary controlled schools for which the Local Authority has that role. This change has already been communicated to these schools and feedback so far has been very positive.

11.4 The **Admissions Arrangements** once determined, will apply to community and voluntary controlled schools only. The following changes are inserted into the admission arrangements for clarification. These are not a change in process other than in relation to special educational needs, which is a legal requirement and therefore not subject to consultation.

- I. The definition of a child with special educational needs has been extended to include children with Education Health and Care Plans, as defined under section 37 of the Children and Families Act 2014.
- II. A more detailed explanation about how straight line distance measurements are calculated confirming that addresses outside the UK that cannot be obtained using Ordnance Survey Address Point Data are measured using latitude and longitude published at www.gridreferencefinder.com
- III. An explanation is inserted to feeder/partner primary school status, which is a level of priority within the Council's oversubscription criteria for children 'attending' the primary school. The additional wording is considered necessary to ensure that the 'attendance' condition is clear for parents and that it is understood that if a child no longer attends the named feeder/partner primary school, the advantage no longer applies.
- IV. Changes to published admission numbers (**Appendix 1**).
- V. Wording is inserted into the policy to make it clear that address checks will be made against Council Tax records. The wording that states that copies of Council Tax may be requested from the applicant is therefore removed.

- VI. Sixth form admission arrangements have been reviewed with representatives of Wilmslow High and Poynton High schools. The published admission numbers for these two schools remain unchanged, as do the oversubscription criteria. However, additional information is included within the admission arrangements this year to fully explain the academic entry criteria for admission in 2016-17 for the two schools, as required under the school Admissions Code 2014, paragraph 2.6. The requirement to have a minimum of 5 GCSEs remains, with additional explanation that this must include 4 full GCSEs. Feedback on the arrangements has therefore been invited from parents of children attending the high schools but no comments have been received.

- 11.5 Governing bodies of community and voluntary controlled schools have the right to object to the Schools Adjudicator if the PAN set for them by the Local Authority is lower than they would wish. There is a strong presumption in favour of an increase to the PAN to which the Schools Adjudicator must have regard when considering any such objection.

12.0 Access to Information

- School Admissions Code 2014
- School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2014

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

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