

CHESHIRE EAST COUNCIL

Cabinet

Date of Meeting:	9 th February 2016
Report:	Director of Children's Services
Subject/Title:	Determination of Local Authority Coordinated Scheme and Admission Arrangements
Portfolio Holder:	Councillor Rachel Bailey, Children and Families

1.0 Report Summary

- 1.1 Cabinet are recommended to approve the coordinated scheme and admission arrangements (attached) for 2017 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 2017-18.
- 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 2017 (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 28 February 2016 a coordinated admissions scheme

and admission arrangements to apply for 2017 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 ward 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 2017-18 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 by 28 February 2016 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 28 February. 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 15 May 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 2017.

11.2 If changes are proposed, consultation is required by 31 January (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 **28 February** 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 2017-18 is the same as the current scheme (2016-17), which was adopted by the Local Authority in March 2015, other than the insertion of wording at paragraph 1.6 to confirm that applicants must be resident in the UK and that the only exceptions to this are for service

personnel with a confirmed posting to their area and crown servants returning from overseas to live in that area.

11.4 The **Admissions Arrangements** once determined, will apply to community and voluntary controlled schools only. The following minor changes are inserted into the admission arrangements for clarification.

- i. Criterion 4: The words “not resident within a school’s designated catchment area but” have been removed, to ensure clarity. This does not affect the prioritising within this feeder school criterion and does not therefore require consultation (**page 2-3, Annex 2**).
- ii. The removal of the definition of measuring distances for applicants resident outside the UK. This has been replaced with a paragraph that explains that applications cannot be accepted from families resident overseas. This is to ensure compliance with the School Admissions Code, paragraph 2.19 and does not therefore require consultation (**pages 3 and 8, Annex 2**).

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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