

Cabinet - 10 September 2014

Walsall Council School Admissions Policy

Portfolio: Councillor Cassidy, Children's services and education

Service: Children's Services

Wards: All

Key decision: Yes

Forward plan: Yes

1. Summary

- 1.1 The proposed Admissions Policy was produced following a review of the admissions process in Walsall.
- 1.2 The proposed policy, which is included as **Appendix A**, sets out the principles which Walsall Council will apply when planning the provision of school places and responding to consultations about proposed new schools, and when setting admission arrangements for community and voluntary controlled schools and responding to consultations on admission arrangements.
- 1.3 At the meeting on 19 March 2014, Cabinet approved a period of consultation on the proposed policy.
- 1.4 Approving the policy at the 10 September 2014 cabinet meeting will enable schools and academies which are their own admission authority and Walsall Council as admission authority for Community and Voluntary Controlled schools to review their admission arrangements in light of the policy and consult on admission arrangements for 2016/17 between 1 November 2014 and 1 March 2015.

2. Recommendations

That Walsall Council adopts the proposed Admissions Policy from September 2014.

3. Report detail

- 3.1 The Council has a statutory duty to ensure that there are sufficient school places to meet the need for every Walsall child, to comply with School Admissions Code (2012) and to make arrangements for enabling parents to express a preference for a school. The policy sets out the principles which Walsall Council will apply when planning the provision of school places and

responding to consultations about proposed new schools, and when setting admission arrangements for community and voluntary controlled schools and responding to consultations on admission arrangements for school and academies which are their own admission authority.

4. Council Priorities

- 4.1 The Policy will provide clear principles for the Council to apply when making decisions on pupil place planning and producing admission arrangements for community and voluntary controlled schools and responding to consultations on admission arrangements and where necessary referring non complaint admission arrangements to the Office of the School's Adjudicator. This will help to ensure fair access to local schools for Walsall children and a fair and equitable application process for children wishing to attend Walsall schools.

The Policy will particularly support the Council priority:

'Improving Safeguarding, Learning and the Life Chances for Children and Young People – Recognising that a person's early years crucially help determine what kind of future they will have'

5. Risk Management

- 5.1 The Policy will be published on the Walsall Council website alongside the Local Authority's composite admissions prospectus ("Information for Parents' on primary, secondary and 14-19 admissions") which includes the admission arrangements for all Walsall schools. The provision of clear information will help parents to decide upon their preferences when applying for a school place for their child and should contribute to a reduction in the number of appeals. A clear policy will also provide a standard to review proposed admission arrangements giving the Council, parents and other consultees a clear framework to judge whether proposed admission arrangements are fair and equitable for children and to respond accordingly to consultations.

6. Financial Implications

There are no direct financial implications arising from this report.

7. Legal Implications

- 7.1. The Education Act 1996 (as amended by later legislation) Under Section 14 'Functions in respect of provision of primary and secondary schools' states;
- (1) A local education authority shall secure that sufficient schools for providing:
- (a) Primary education
- (b) Secondary education
- 7.2 All local authorities are required by section 88M of the School Standards and Framework Act and the Co-ordination Regulations, to have in place a scheme

each year for co-ordinating admission arrangements for maintained schools and academies within their area.

- 7.3 Walsall Council, as the admission authority, has a statutory duty to consult on the proposed admission arrangements for community and voluntary controlled schools.

8. Property Implications

There are no direct property implications arising from this report.

9. Staffing Implications

There are no direct implications arising from this report.

10. Equality implications

In line with the requirements of the School Admissions Code (2012) and in order to ensure greater equity and fair access, the proposed policy will enable full consideration has been given to the possible impact, direct or indirect, of the proposed admission arrangements for all Walsall Schools.

11. Consultation

- 11.1 A three week period of open consultation on the proposed policy has been held. The consultation period began on Friday 27 June 2014 and ended on Friday 18 July 2014.

The consultation document included a copy of the proposed Admissions policy and a consultation response form and was sent to:

All Walsall schools

Walsall head teachers' task and finish group members

Parents of school age children, resident in the Borough.

Neighbouring Local Authorities (Birmingham, Dudley, Sandwell, Solihull, Staffordshire and Wolverhampton)

Diocesan representatives.

The consultation document was also published on the Walsall Council website and on the Staffroom website which is targeted at schools and is accessible by to school and council staff.

- 11.2 A total of 8 responses were received to the consultation. 1 response was received from the Task and Finish group, which was set up by Walsall Council to review and contribute to the policy before it was submitted for consultation. 1 response was received from the principal of an all through academy, 2 responses were received from secondary academies, 1 response was received from a sponsor of 14-19 provision, 1 response was received from the headteacher of a community infant school and 2 responses were received from parents or carers of pupils.

11.3 Full consideration was given to all responses to the consultation that were received and the policy has been amended as appropriate in light of the responses. The sections of the policy which have been changed as a result of the consultation are listed below:

- Section 2 – The purpose of the policy: the wording has been amended to aid clarity;
- Section 4 – Siblings: there has been a change to the wording to aid clarity;
- Section 15 – Looked after children: there has been a change to the wording to aid clarity;
- Section 16 – Midyear Admissions: a typing error has been corrected.

Background papers

DfE: School Admissions Code 2012

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Rose Collinson
Interim Executive Director
11 August 2014



Councillor B Cassidy
Portfolio holder
1 September 2014

Walsall Metropolitan Borough Council

Children's Services

Policy on School Places and School Admissions

Background

The Council has statutory duties to:

- ensure that there are sufficient school places to meet the need for every Walsall child;
- comply with the School Admissions Code;
- make arrangements for enabling parents to express a preference for a school and to give reasons for their preference.

The statutory duties are set out in more detail in the Annexes.

This Policy sets out the principles which Walsall Council will apply when planning the provision of school places and responding to consultations about proposed new schools, and when setting admissions arrangements for community and voluntary controlled schools and responding to consultations on admissions arrangements.

In this Policy **bold type** is used to indicate the policy, with *italic* type being used to give explanation and interpretation.

Walsall Metropolitan Borough Council

Policy on School Places and School Admissions

1. When the Council will use this Policy

The Council will act in accordance with its statutory duties and powers and this Policy when:

- **setting admissions arrangements for community and voluntary controlled schools;**
- **responding to consultations on admissions arrangements by voluntary aided, foundation and trust schools, and by academies (together known as ‘own admission authorities’);**
- **planning and deciding on the provision of school places;**
- **responding to proposals by school proposers.**

2. The purpose of the Policy

The primary customers of the Council are its residents, and the over-riding principle of this Policy is that the Council should aim to meet the needs of its residents through school planning and school admissions arrangements that are compliant with the current School Admissions Code and are fair, clear and objective.

There will be occasions when it is not possible to meet parental preferences, but in these cases the Council must always be able to show clearly how its decisions are fair.

The Council will work with schools and academies that are their ‘own admissions authorities’ to promote consistency of practice, including definition and terminology, so that all Walsall residents have a positive experience, regardless of the type of school for which they are expressing a preference.

There may be occasions when special circumstances require the Council to vary the implementation of this Policy. In such cases, the paragraph above will be the over-riding principle.

3. Distance

Children should be able to attend a school within reasonable walking distance when using a safe walking route, and where this is not practicable, a school that is reasonably accessible by public transport.

This principle maximises the convenience to parents, and minimises the cost and carbon footprint of home-to-school transport.

The Council has a statutory duty to provide free home-to-school transport when the distance from home to school is above a limit set in statute. Such provision is expensive and uses resources that could otherwise be expended on the provision of education services.

4. Siblings

Where a family has one child already attending a primary or secondary school (other than selective grammar schools), the parents should be able to expect that a second child living permanently at the same address would be admitted to the same school, other than in the case of schools which select by ability, provided that the first child is still on roll when the second child starts.

Parents, particularly those with two or more primary aged children who need accompanying to school, should not be required to travel to different schools. In addition, parents should be encouraged to take an active part in a single school community rather than dividing their support between two or more schools.

The Council does not support admission arrangements which give priority to children with siblings who previously attended a school but are no longer on roll (other than in the case of paired infant and junior schools). Where a family has moved house since a former sibling left a school, admission arrangements which give priority for admission to children with former siblings could result in a child who lives a considerable distance away from a school being given priority for admission over a children who lives much closer and admission arrangements of this kind would be contrary to the Council's policy on distance (section 3).

5. Size of primary schools

Primary schools should have an admission number of 30, 45, 60 or 90, allowing the year groups in Key Stage 1 to be arranged so that infant classes consist of no more than 30 children.

Since infant classes are required to have no more than 30 children, an admission number that is not 30,45, 60 or 90 could require the employment of an extra teacher at considerable cost. An admission number that does not

allow pupils to be taught in infant classes of 30 makes the school vulnerable to successful admission appeals.

6. The number of school places

Where there are too few or too many primary or secondary school places in an area, or where demographic projections indicate that this might become the case in the foreseeable future, the Council will act to increase or reduce school capacity either by increasing or reducing the size of existing schools, or by seeking to open new schools or close existing schools.

The Council will seek to increase provision of school places in an area where demographic projections indicate that the total of the planned admission numbers in an area falls short of the number of children who will be seeking a school place.

The Council will consider taking steps to reduce the provision of school places in an area where the reducing number of children attending any school is leading to its educational and financial viability being put at risk.

Changing school provision in an area requires careful planning and consultation, but where schools are overcrowded new provision must be commissioned, and where schools have far too few children, there are problems of instability and management, and the surplus capacity must be reduced to a sensible level.

7. Distance measurements

Every school and academy should use distance as the final over-subscription criterion. Distance should be measured in a straight line between the child's home and the school. Every school and academy should use the same basis of measurement.

The Council believes that the best, fairest and most transparent basis for the final over-subscription criterion is the distance from the child's home to the school.

It is important for public understanding and confidence that all schools and academies use the same basis for measuring home-to-school distance. The Council will support schools and academies by providing distance measurements as assessed by the Council's GPS measuring system.

8. Catchment areas

Catchment areas should not be used as a basis of over-subscription criteria as these can lead to unfairness and unrealistic expectations. Instead the Council supports the use of straight line distance. (Section 6)

Where a school is under-subscribed, a catchment area has no effect, as every child applying must be admitted. Where a school is over-subscribed, it is entirely possible that some children living in the catchment area will not be admitted. Either case leads to confusion and complaints among parents.

9. Feeder schools

Feeder school arrangements, where attendance at one school gives priority in admission to another school, are not supported, with the exception of paired infant and junior schools.

Linking a primary school to a secondary school through feeder arrangements can distort admissions and be seen by parents as unfair, leading to complaints and appeals. It is likely with feeder school arrangements that children living close to a secondary school may not be admitted while children living much further away may be admitted because they attended the feeder primary school.

10. Social and medical need

‘Social and medical need’ is a valid oversubscription criterion, with the supporting evidence being a letter from an appropriate medical practitioner or social worker setting out the reasons why the child should be admitted.

This will be relatively rarely used but will enable the Council, schools and academies effectively to support vulnerable families.

11. Selection by aptitude

Selection by aptitude is not supported.

Selection by aptitude was linked to the specialist school programme which ended some years ago. No new selection by aptitude is allowed by the School Admissions Code. Assessing aptitude fairly has proved very contentious with many complaints that assessments and tests measure achievement not aptitude. So, for example, if a child has Grade 4 Piano, or demonstrates that they can play the piano, that is a measure of achievement not aptitude.

12. Selection by banding

Selection by banding is not supported.

Selection by banding leads to considerable confusion among parents and leads to admissions arrangements in an area that are complex and confusing for parents and neither transparent nor fair especially where one school or academy uses banding and others do not.

13. Faith-based oversubscription criteria

The use of faith-based oversubscription criteria by schools designated as having a religious character is supported provided that the criteria are clear, reasonable and equitable.

It is for the school to decide its faith-based over-subscription criteria, but these should avoid any possibility of being seen as discriminatory or unfair, or subject to abuse.

14. Children of staff

Giving of priority in school admission arrangement to children of school staff is not supported.

It is unfair for any school to give priority for admission to the children of staff as that could result in fewer places being available for local children.

15. Looked after children and previous looked after children

Looked after children and previously looked after children are to be given the highest priority for admission in the admission arrangements of all schools. Where a looked after child without a school place is seeking midyear admission, it is the view of the Council that where necessary schools should admit above number to ensure that the child is admitted promptly to the most appropriate school.

Where necessary and appropriate the Council will use its power of direction to direct other admission authorities for maintained schools to admit a looked after or previously looked after child.

16. Midyear admissions

Applicants for midyear admission in all year groups should be admitted promptly. There must be no delay in the admission of any child who is without a school place.

Annexe

Excerpts from the Education Act 1996 as amended by later legislation

Section 12 General responsibility for education.

- (1) A local education authority shall (so far as their powers enable them to do so) contribute towards the spiritual, moral, mental and physical development of the community by securing that efficient primary education and secondary education are available to meet the needs of the population of their area.

Section 13A Duty to promote high standards in primary and secondary education

- (1) A local education authority shall ensure that their functions relating to the provision of education to which this section applies are (so far as they are capable of being so exercised) exercised by the authority with a view to promoting high standards.

Section 14 Functions in respect of provision of primary and secondary schools

- (1) A local education authority shall secure that sufficient schools for providing (a) primary education, and (b) education that is secondary education by virtue of section 2(2)(a), are available for their area.

Excerpts from the School Standards and Framework Act 1998 as amended by later legislation

Section 84 Code of practice

- (1) The Secretary of State shall issue, and may from time to time revise, a code of practice containing such practical guidance as he thinks appropriate in respect of the discharge by (a) local education authorities, (b) the governing bodies of maintained schools, (c) appeal panels, and (d) adjudicators, of their respective functions under this Chapter.
- (3) It shall be the duty of each of the bodies and persons mentioned in subsection (1) when exercising functions under this Chapter to have regard to any relevant provisions of the code.

Section 86 Parental preferences

- (1) A local education authority shall make arrangements for enabling the parent of a child in the area of the authority (a) to express a preference as to the school at which he wishes education to be provided for his child in the exercise of the authority's functions, and (b) to give reasons for his preference.

Note on academies and school admissions

Academies are not covered by the requirements of the School Standards and Framework act 1998. However, as stated in the 2012 Admissions Code, "*Academies are required by their funding agreements to comply with the Code and law relating to admissions, through the Secretary of State has the power to vary this requirement where there is a demonstrable need.*" The Secretary of State has not varied the requirement for any Walsall academy.