

Birmingham City Council

Report to Cabinet

13th February 2023



Subject: **ADMISSION ARRANGEMENTS AND PUBLISHED ADMISSION NUMBERS FOR COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS AND THE LOCAL AUTHORITY CO-ORDINATED SCHEME 2025/2026**

Report of: **Sue Harrison, Director Children and Families**

Relevant Cabinet Member: **Cllr Karen McCarthy – Children Young People and Families**

Relevant O&S Chair(s): **Cllr Kerry Jenkins, Education, Children and Young People**

Report author: **Alan Michell, Head of Service School Admissions, Attendance, Exclusions and Pupil Tracking**

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|---|---|---|
| Are specific wards affected? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No – All wards affected |
| If yes, name(s) of ward(s): | | |
| Is this a key decision? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| If relevant, add Forward Plan Reference: 012234/2024 | | |
| Is the decision eligible for call-in? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Does the report contain confidential or exempt information? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential: | | |

1 Executive Summary

- 1.1 All admission authorities, of which Birmingham City Council is one, are required to set ('determine') admission arrangements annually by 28 February.

The arrangements so determined will apply to the next-but-one academic year (i.e., arrangements determined on 28 February 2024 will apply to the academic year 2025/26). Where changes are proposed to admission arrangements, the admission authority must first publicly consult on those arrangements by 31 January each year. If no changes are made to admission arrangements, they must be consulted on at least every seven years. The local authority is also required to determine, on an annual basis, a co-ordinated admissions scheme which is to apply to the next-but-one academic year, and to inform the Secretary of State that such a scheme has been adopted by no later than 28 February each year. Where substantial changes are proposed to the co-ordinated scheme from that adopted from the previous academic year, the local authority must consult the other admission authorities in the area.

- 1.2 Substantial changes are not proposed to the co-ordinated scheme for 2025/2026.
- 1.3 The decision to consult on the local authority's admission arrangements was due to the proposed changes to the published admission numbers (PAN) of three primary schools (other related changes are minor).
- 1.4 The purpose of this document is to report the outcome of the consultation on the proposed admission arrangements, including published admission numbers, for community schools and voluntary controlled schools for the academic year 2025/2026; agree the admission arrangements for community and voluntary controlled schools, including published admission numbers, as detailed in **Appendix 1A** and **Appendix 1B** respectively; and agree the proposed co-ordinated scheme for admissions to schools (**Appendix 2**) for the academic year 2025/2026.
- 1.5 Failure of Cabinet to formally determine both the admission arrangements and the co-ordinated admissions scheme by 28th February 2024 and associated failure to notify the Secretary of State the same will place the council in breach of the School Admissions Code (2021) which has been issued under Section 84 of the School Standards and Framework Act 1998.

2 Recommendations

- 2.1 That Cabinet approves the:
 - 2.1.1 Proposed admission arrangements, including published admission numbers, for community and voluntary controlled schools for the academic year 2025/2026, as set out in **Appendices 1A** and **1B**.

- 2.1.2 Proposed scheme for co-ordinated admissions to schools for the academic year 2025/2026, as set out in **Appendix 2**.

3 Background

- 3.1 Admission authorities must set (determine) admission arrangements annually. Where changes are proposed to admission arrangements, it is a statutory requirement that the admission authority must first publicly consult on those arrangements. The proposed admission arrangements for community and voluntary controlled schools include the criteria by which school places are allocated when a school receives more applications than places.
- 3.2 The local authority is also required to determine, on an annual basis, a Co-ordinated Admissions Scheme which is to apply to the next-but-one academic year, and to inform the Secretary of State that such a scheme has been adopted by no later than 28 February each year. Where substantial changes are proposed to the co-ordinated scheme from that adopted from the previous academic year, the local authority must consult the other admission authorities in the area.
- 3.3 The Co-ordinated Admissions Scheme includes key dates for co-ordinating admissions with other admission authorities for the normal secondary transfers, entry to reception class, year 2-3 and year 14-19 rounds, as well as appeals and waiting list arrangements.
- 3.4 All admission authorities – aside from those for 14-19 schools/University Technical Colleges, who are able to opt out – must participate in co-ordination and provide the local authority with the information it needs to co-ordinate admissions by the dates agreed within the scheme.
- 3.5 The consultation process included the proposals to reduce the PAN of three community schools for September 2025. These schools were Sladfield Infant School, William Murdoch Primary School and Clifton Primary School. We have met with all three schools and listened to their feedback. Following this feedback and on the basis that William Murdoch Primary and Clifton Primary are financially stable and able to manage substantial vacancies and ongoing in-year admissions, we are proceeding with the following one change only which is supported by the school in question:

| DfE | School Name | Phase | Type | Intake | PAN 2024 | PAN 2025 | Change | Comments |
|------|--------------------------|---------|-----------|-----------|----------|----------|--------|---|
| 2174 | Sladefield Infant School | Primary | Community | Reception | 120 | 90 | -30 | Proposed change due to reduced local forecasts. |

4 Timeline for consultation and determining admission arrangements and the Local Authority Co-ordinated Scheme

- 4.1 **20th November 2023 – 8th January 2024:** Consultation on proposed admission arrangements, including PANs for community and voluntary controlled schools, was published on the Council’s website: www.schooladmissions@birmingham.gov.uk. Comments could be made at Birmingham BeHeard: www.birminghambeheard.org.uk.
- 4.2 **28th February 2024:** Admission arrangements, including PANs for community and voluntary controlled schools and the Local Authority Co-ordinated Scheme, must be formally agreed (determined) by this date.
- 4.3 **15th March 2024:** Admission arrangements, including PANs for community and voluntary controlled schools, as well as all own authority schools in Birmingham and the Local Authority Co-ordinated Scheme, will be published on the Council’s website: www.birmingham.gov.uk/schooladmissions.

5 Options considered and recommended proposal

- 5.1 It is not a viable option for the Council to not determine the relevant school admission arrangements or a co-ordinated scheme. To comply with the local authority’s duties to determine primary and secondary admission numbers and admission arrangements, and to have a single scheme for co-ordinating admissions to schools for 2025/2026, it is proposed that Cabinet approves the admission arrangements including PANs for community and voluntary controlled schools for the academic year 2025/2026 (September 2025 entry) as set out in **Appendices 1A and 1B**, and approves the Scheme for Co-ordinated Admissions to Schools for the academic year 2025/2026, as set out in **Appendix 2**.
- 5.2 The admission arrangements are proposed after due consideration of all related consultation feedback. The approval of these arrangements and the Co-ordinated Scheme will support the Corporate Plan, particularly outcome 2, ‘Birmingham is an aspirational city to grow up in’, and its related priorities:
- ‘We will improve protection of vulnerable children and young people.’
 - ‘We will work with Early Years and schools to improve educational attainment and standards.’
 - ‘We will inspire our children and young people to be ambitious and achieve their

full potential.’

6 Consultation

6.1 External

- Governing bodies of community and voluntary controlled primary and secondary schools in Birmingham.
- Governing bodies of academies, voluntary aided and foundation primary and secondary schools (admission authorities) in Birmingham.
- Neighbouring local authorities (admission authorities that share a boundary with Birmingham).
- An email was sent to all Birmingham schools asking them to include in their newsletters details of where parents could view the proposed admission arrangements.
- An email was sent to Birmingham nurseries.
- Information regarding the consultation was included on the School Noticeboard on 30 November 2023.
- Information regarding the consultation was published on Birmingham City Council’s social media sites (Twitter/X and Facebook) on 27 November 2023, 11 December 2023 and 3 January 2024.
- The consultation was published on the Birmingham City Council website to ensure all Birmingham residents and parents of all children aged between 2 and 18 had the opportunity to contribute to it.
- Consultation with the religious bodies representing schools of a religious denomination took place via email.
- The consultation was published on the ‘BeHeard’ website. Consultation was based on the proposed admission arrangements for community and voluntary controlled schools (**Appendix 1A**), including the proposed published admission numbers set out in **Appendix 1B**.
- The three schools whose PANs were proposed to change were consulted on the proposed reductions in their respective published admission numbers.

6.2 Internal

- An email was sent to all Councillors on 17th November 2023 inviting comments on the proposed admission arrangements for community and voluntary controlled

schools including the proposed published admission numbers.

- Senior council officers from Special Educational Needs Assessment and Review (SENAR), Education Infrastructure Team, Early Years, Alternative Provision, SENDIASS, Access to Education and Birmingham Children's Trust were consulted.

6.3 Consultation responses

- 26 consultation responses were received in total during the consultation period as shown in **Appendix 4 –Consultation response (redacted)**. Respondents were able to respond to one or more areas of the consultation.
- 25 of the consultation responses were in relation to the proposed admissions arrangements for Al-Furqan Primary School. 8 of those responses were objections regarding the removal of priority for admission for children of staff for the school. 1 respondent stated the school 'was amazing'. 1 response stated that they think the school should reduce their published admissions number. The remaining 15 responses were regarding the faith criterion and the supplementary information form.
- 1 of the consultation responses was from a Councillor objecting to the proposed reduction to the published admissions number for Clifton Primary School from 120 to 90. As reflected in 3.6, the proposed reduction will not go ahead.
- As a result of the consultation responses, relevant amendments have been made to the faith criterion for Al-Furqan Primary School and the supplementary information form.
- The children of staff criterion (for priority admission) will be removed as consulted on for Al-Furqan Primary School. This is to bring the school's admissions arrangements in-line with all the other schools that Birmingham City Council is the admission authority for. Al-Furqan Primary School and parent/carers of children attending the school were made aware that this change was going to be made as part of the separate consultation process that was undertaken when the school changed status from voluntary aided to voluntary controlled (1 January 2023).

7 Risk Management

- 7.1 The Council is legally required to determine the admission arrangements for community and voluntary controlled schools, to determine a co-ordinated scheme which explains the co-ordination of arrangements for all publicly funded schools in the Birmingham area, and to consult as appropriate.

7.2 The approach outlined in this report is designed to ensure that the Council meets its related statutory obligations.

7.3 The proposed decreases in the published admission numbers of the listed schools (see **Appendix 1B**) support the Council in meeting its statutory obligations to provide sufficient school places.

8 Compliance Issues:

8.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

8.1.1 The determining of the admission arrangements and the Local Authority Co-ordinated Scheme for 2025/2026 will support the Council Plan, particularly outcome 2, 'Birmingham is an aspirational city to grow up in', and its related priorities: -

- 'We will improve protection of vulnerable children and young people.'
- 'We will work with Early Years and schools to improve educational attainment and standards.'
- 'We will inspire our children and young people to be ambitious and achieve their full potential.'

8.2 Legal Implications

8.2.1 The Council has duties under Part III of the School Standards and Framework Act 1998, in particular sections 88C and 88M, the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012, the statutory School Admissions Code (September 2021), and statutory School Admissions Appeals Code (October 2022), to determine the admission arrangements for community and voluntary controlled schools for which the authority is the admission authority, and to formulate a qualifying scheme for co-ordinating the arrangements for the admission of pupils to all schools and academies in the authority's area.

8.3 Financial Implications

8.3.1 The direct costs associated with managing these admission arrangements are funded from the School Admissions, Attendance, Exclusions and Pupil Tracking Service budget, Children and Families Directorate. Revenue costs associated with pupil places in schools are funded directly from the Dedicated Schools Grant. Any changes to pupil numbers will result in either a reduction or increase to this Dedicated Schools Grant.

8.3.2 Full details of school financial implications related to changes in the published admission numbers of schools are reported separately via colleagues in the

Education Skills Infrastructure team in relation to school expansions. Reductions in PANs and related funding are managed by schools.

8.4 Procurement Implications (if required)

8.4.1 There are no direct procurement issues.

8.5 Human Resources Implications (if required)

8.5.1 There are sufficient officers in place in Schools Admissions and Fair Access Team to ensure that the proposals set out in this Cabinet report can be successfully delivered. There are no other human resources implications resulting from this report.

8.6 Public Sector Equality Duty

8.6.1 The local authority has a statutory duty to co-ordinate centrally the admission arrangements of all schools in its area. The admission arrangements for community and voluntary controlled schools aim to provide for equality of access by parents and their children. The authority's admission criteria do not disadvantage particular social groups or those with special educational needs. There is no anticipated adverse impact on those individuals with protected characteristics. The admission arrangements and Co-ordinated Scheme are designed to ensure a fair and transparent system for school admissions and consider the needs of vulnerable groups including children with Education, Health and Care Plans and Looked After and Previously Looked After Children. Please refer to the completed Equality Impact Assessment attached as **Appendix 3**.

8.7 Environmental and Sustainability Implications

8.7.1 There are no direct environmental and sustainability implications.

9 Appendices

1A - Proposed Admission Arrangements for Community and Voluntary Controlled Schools September 2025-26.

1B - Proposed Published Admission Numbers for Community and Voluntary Controlled Schools September 2025-26.

2 - Proposed Scheme for Co-ordinated Admissions to Schools September 2025- 26.

3 - Equality Impact Assessment - EQUA462.

4 - Consultation responses (redacted).

10 **Background Documents**

- School Standards and Framework Act 1998.
- School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012.
- School Admissions Code statutory guidance issued by the DfE – September 2021.
- School Admission Appeals Code statutory guidance issued by the DfE – October 2022.