

Birmingham City Council

Report to Cabinet

11 February 2020



Subject: **ADMISSION ARRANGEMENTS AND PUBLISHED
ADMISSION NUMBERS FOR COMMUNITY AND
VOLUNTARY CONTROLLED SCHOOLS AND THE
LOCAL AUTHORITY CO-ORDINATED SCHEME
2021/2022**

Report of: **Dr Tim O'Neill
Director of Education & Skills**

**Relevant Cabinet
Member(s):** **Cllr Jayne Francis - Education, Skills and Culture
Cllr Kate Booth - Children's Wellbeing**

Relevant O &S Chair(s): **Cllr Kath Scott - Education and Children's Social Care**

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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: 007290/2019		
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, 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 2020 will apply to the academic year 2021/22). 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 Changes are proposed to the co-ordinated scheme for 2021/2022 focused on the following areas:
- The process for considering requests for a child's deferred entry outside of the normal age range (reception)
 - Other local authorities' Looked After Children proof of status
 - Clarity as regards 'exceptional reasons' considered for treating any late applications as 'on time'.
 - Up to a maximum of six secondary and a maximum of three primary preferences to be held at any one time
- 1.2.1 The more significant change is the proposal to formally limit the number of preferences held at any one time for the secondary and reception transfer rounds following National Offer Day. Families will still be allowed to make as many late applications as they would like, but the total number of active applications will be limited. This is a more efficient and effective arrangement that will enable the further automation of the system and mirrors the already established approach for on-time applications.'
- 1.3 Changes to the published admission numbers of three schools are proposed hence the decision to consult on the local authority's admission arrangements which include the published admission numbers for each of its schools.
- 1.4 The purpose of the report is to report the outcome of the consultation on the proposed 'Admission Arrangements', including published admission numbers, for Community and Voluntary Controlled Schools for the academic year 2021/2022, and the outcome of the consultation of the co-ordinated scheme for 2021/2022 and to agree the 'Admission Arrangements' for community and voluntary controlled schools, including published admission numbers, as detailed in **Appendix 1A and 1B** respectively, and agree the proposed Scheme for Co-ordinated Admissions to schools (**Appendix 2**) for the academic year 2021/2022.

2 Recommendations

2.1 That Cabinet approves the:

- 2.1.1 Admission arrangements including published admission numbers, for community and voluntary controlled schools for the academic year 2021/2022, as set out in **Appendices 1A and 1B**.
- 2.1.2 Scheme for co-ordinated admissions to schools for the academic year 2021/2022, as set out in **Appendix 2**.

3 Background

- 3.1 Birmingham Local Authority has traditionally consulted annually on its admission arrangements including published admission numbers for community and voluntary controlled schools and the Local Authority co-ordinated scheme.
- 3.2 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 schools' places are allocated when a school receives more applications than places.
- 3.3 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.
- 3.4 The co-ordinated admission scheme includes key dates for coordinating admissions with other admission authorities for the normal secondary transfers, entry to reception class, year 2-3 and year 14-19, appeals and waiting list arrangements.
- 3.5 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.
- 3.6 The number of pupils admitted to resource bases is not included in a school's overall Published Admission Number (PAN). Resource bases are units at mainstream schools with specially resourced provision (staff and facilities) to support children that have an Education, Health and Care Plan (EHCP).
- 3.7 Community and voluntary controlled schools making changes to their PANs for 2021 are;

DfE	Establishment Name	Phase	Type	Entry Year	PAN 2020	PAN 2021	PAN Change	Rationale
2062	Anderton Park Primary School	Primary	Community School	Reception	90	60	-30	Removal of 1FE as a result of reduced local birth rates.
4237	Swanshurst School	Secondary	Community School	Year 7	330	300	-30	School has admitted additional places in 2019 and 2020 and has no further capacity
4193	Wheelers Lane Technology College	Secondary	Community School	Year 7	130	134	4	Proposal to admit 4 additional places within existing capacity

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

4.1 16th December 2019 – 27th January 2020

Consultation on proposed admission arrangements, including PANs for community and voluntary controlled schools and the co-ordinated admission scheme was published on the council's website; www.birmingham.gov.uk/schooladmissions and comments made at www.birminghambeheard.org.uk

4.2 28th February 2020

Admission arrangements and 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 2020

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 2021/22, it is proposed that Cabinet approves the admission arrangements including PANs for community and voluntary controlled schools for the academic year 2021/2022 (September 2021 entry), as set out in **Appendices 1A and 1B** and approves the Scheme for Co-ordinated Admissions to schools for the academic year 2021/2022, as set out in **Appendix 2**.

5.2 The admission arrangements and co-ordinated scheme are proposed having duly considered all related consultation feedback. The approval of those arrangements and the co-ordinated scheme will support the Corporate Plan and particularly

outcome 2 'Birmingham is an aspirational city to grow up in' and the 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 Consultation should include those that have an interest in the decisions recommended. To this end, consultation on the proposed Admission Arrangements, (including admission numbers) and proposed Local Authority Co-ordinated Scheme for the September 2021 intake took place from 16th December 2019 to 27th January 2020 with the following stakeholders: -

6.1.1 Internal

- An email was sent to all councillors on 16th December 2019 inviting comments on the proposed admission arrangements and the proposed Local Authority Co-ordinated Scheme.
- Senior council officers from Special Educational Needs Assessment and Review (SENAR), School Organisation, Early Years, Alternative Provision, SENDIASS, Access 2 Education and Birmingham Children's Trust.

6.1.2 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 all Birmingham nurseries.
- Information regarding the consultation was included on the School Noticeboard on 19th December 2019.
- 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 the consultation.

- Consultation with the religious bodies representing the schools of a religious denomination 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**.

6.2 The consultation outcome on Birmingham Local Authority's Proposed Admission Arrangements, including proposed published admissions numbers for community and voluntary controlled schools and the Local Authority Co-ordinated Scheme for 2021/22 is identified below.

6.2.1 Four responses were received in total. Respondents can respond to one or more areas of the consultation.

6.2.2 The responses have been separated into the relevant categories by numbers as stated below;

Category		<u>Feedback/ responses</u>
Local Authority co-ordinated Scheme	-	0
Proposed Admission Arrangements	-	3
Other comments made	-	0
No comment made	-	1

6.2.3 The responses were fully considered and did not result in any changes to the proposed admission arrangements or co-ordinated scheme.

Feedback in respect of the use of catchment areas will result in a review of their use across the three relevant council schools (Chilcote Primary, Hall Green Infant and Hall Green Junior) prior to the determination of the 2022/23 admission arrangements.

A further respondent identified the 'Proposed Admission Arrangements' as the subject of their feedback but the related form was blank, another requested consideration of priority for children of school staff in the council schools admission arrangements and the remaining response related to special educational needs provision which is not in scope for this consultation process (**Appendix 3**)

7 Risk Management

7.1 The council is legally required to determine the admission arrangements for community and voluntary controlled schools and 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 requirements.

7.3 The proposed increases in the Published Admission Numbers of the listed schools (see **Appendix 1B**) supports the council in meeting its statutory requirements 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-ordinate scheme for 2021/2022 will support the Council Plan 2018 – 2022 and particularly outcome 2 'Birmingham is an aspirational city to grow up in' and the 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 and the statutory School Admissions Code, December 2014 and statutory School Admissions Appeals Code, February 2012, to determine the admission arrangements for maintained 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 maintained schools and academies in the authority's area.

9 Financial Implications

9.1 The costs associated with these admission arrangements are funded from the School Admissions and Fair Access Service budget, Directorate for Education and Skills. Where additional planned places are referred to in **Appendix 1B**, the associated Full Business Cases brought forward for approval will detail the funding arrangements.

10 Procurement Implications (if required)

10.1 There are no direct procurement issues

11 Human Resources Implications (if required)

11.1 There are no direct resources implications.

12 Public Sector Equality Duty

12.1 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. An initial Equality Impact Assessment (**Appendix 4**) was completed on 27th January 2020 (EQUA462), and the need for a full assessment was not indicated. There is no anticipated adverse impact. The admissions arrangements and co-ordinated scheme are designed to ensure a fair and transparent system for school admissions and consider the particular needs of vulnerable groups including children with Education, Health and Care Plans and Looked After and previously Looked After Children.

12.2 The Equality Impact Assessment will ensure the service monitors actions including; managers monitoring the use of the comments, compliments and complaints process taking particular account of equality and diversity; managers to monitor the number of preferences not received and the number of unrealistic preferences submitted.

13 Appendices

1A Proposed Admission Arrangements for Community and Voluntary Controlled schools September 2021-22

1B Proposed Published Admission Numbers for Community and Voluntary Controlled schools September 2021-22.

2 Proposed Scheme for Co-ordinated Admissions to Schools September 2021-22

3. Consultation Responses

4. Equality Impact Assessment (EQUA462) - 27th January 2020

14 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 DfE - December 2014
- School Admission Appeals Code statutory guidance issued by the DfE – February 2012
- Proposed Admissions Arrangements and Published Admissions Numbers for Community and Voluntary Controlled Schools consultation responses.