

## **Report of Lead Link Officer**

### **Report to the Education & Vulnerable Children Overview and Scrutiny Committee**

**September 2015**

### **A Progress Report on the Education Development Plan**

#### **Purpose of the Report**

To update Education & Vulnerable Children Overview and Scrutiny Committee on the current picture regarding sufficiency of mainstream school places in Birmingham and the ongoing work between school place planning and school admissions to meet basic need in mainstream schools. A report on the sufficiency of special school places is not included and will be presented separately to Overview and Scrutiny.

#### **Recommendation**

That the Committee note the information contained in the report.

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## Executive Summary

### 1 The current picture of sufficiency of mainstream school places in Birmingham to meet Basic Need

- Demand for places is increasing as a result of birth rate increase and cohort growth; more children join our schools than leave them.
- Birth rates appear to be levelling off or declining from the peak starting Reception in 2015. Cohort growth is on an upward trend as increasing numbers of families and young adults choose to re-locate to Birmingham.
- The Local Authority's Additional Primary Places programme is successfully meeting the demand for increased primary places in Reception without creating oversupply. There is, however, a shortage of vacancies in years 1 -6 in some parts of the City as a result of cohort growth. Improved data sharing with schools is essential to support in-year admissions and to monitor vacancies closely so that we can provide additional places in response to cohort growth where needed.
- The supply of secondary school places currently exceeds demand and there is a risk of some schools struggling over the next 3 years due to low numbers. Free Schools have provided a significant number of secondary school places in Birmingham.
- Birmingham schools continue to work in tremendous partnership with the City to meet Basic Need. It is a tremendous challenge to expand a school and maintain momentum on school improvement; significant expertise has developed across our school leaders and their commitment to supporting the Local Authority in our duty to provide sufficient places remains invaluable.

### 2 Plans for meeting growth in demand

- The City's key priority is that every child is able to attend a local school that is good or outstanding. The main priority in selecting schools for expansion is that they are located where places are needed; wherever possible, additional places are provided in schools judged by OFSTED to be good or outstanding, however it is sometimes the case that OFSTED judgements change during or after an expansion project.
- Forecasts of demand over the past two years have been within 2% accuracy for the total numbers of places required in the City. The accuracy of forecasts at District and Ward level is more variable due to the changing patterns of parental preference and the changing supply of places from expanded schools and Free Schools.
- A range of models will continue to be used and developed to create additional places. The strategy to make better use of existing space is proving extremely successful and ensures that we can meet requirements within available resource
- With the exception of Reception 2014, (birth rate dip), there are fewer vacancies in expanded schools than across all schools as a whole. This indicates that the new places are generally popular and have been provided where they are needed.
- An annual cycle of activity sets out what places we expect to need on a 3-year planning horizon. All schools are invited to express interest in expanding and there are clear criteria for identifying preferred options for expansion.
- It is feasible that the large majority of additional secondary places required by 2019 will be created in existing secondary schools, with the majority of capital investment required to re-model and refurbish existing space rather than building entire new schools. (Completely new major housing developments where there are no local secondary schools will be the most likely exception to this).
- It is highly challenging to co-ordinate local plans for expanding schools to meet Basic Need with central government Free Schools programme and with the autonomous decisions taken by some schools to expand independently of the City's basic need requirements.

### 3 Meeting parental preference

- Sufficiency of school places is only one of a number of factors that affects how well we meet parental preference: in some cases, parents do not select local schools due to concerns about standards and therefore risk not getting a place at one of their preferred schools.
- The popularity of grammar schools has a very significant impact on the secondary school figures for meeting first preferences: in 2015, 10% of un-met first preferences were for grammar schools.
- There is substantial variation in the degree to which parental preference is met across different wards. Figures also change significantly from one year to the next depending on a range of factors.
- A number of planned Free Schools are due to open in areas where parental preference is least well served. There is a risk however, particularly in proposals for primary schools, that there will be oversupply of local places due to the size of proposed free schools.
- . The City's objective is to ensure all schools are supported on their journey to becoming good or outstanding; it is therefore a key priority to ensure our least popular schools are effectively supported on their improvement journey to improve their standing in their local communities. It is possible that figures for meeting parental preference at secondary level will reduce over the next 3 years as the surplus places that are currently in the least popular schools fill with the increasing student population.

### 4 Pressure points for school places: do we anticipate pressure points and do we have appropriate admissions processes in place when pressure points arise?

- The Local Authority's Basic Need programme has delivered places to meet birth rate increase and the majority of pressure points have been well anticipated.
- A number of pressure points have arisen due to unpredicted changes in local populations; take up of places, cohort growth and changing popularity of schools. There is swift mobilisation to implement reactive solutions where pressure is emerging from cohort growth.
- There are robust processes in place to manage waiting lists and admissions appeals during this time of rapid growth

### 5 Successes, risks and issues in meeting our statutory duty to provide sufficient school places

- We anticipate the balance of supply and demand for places over the coming years to remain a significant challenge. Co-ordination of local and central government proposals is essential to manage the risk that oversupply raises for the wider school improvement agenda.
- Birmingham is regularly asked to present its approach to meeting Basic Need on a national platform due to the success of the strategy and programme. The City's Admissions processes are also held in very high regard at national level.
- There have been substantial improvements in early engagement with local elected members when we are expanding schools, but this remains challenging where temporary expansions are required at short notice.
- Transport issues continue to create issues at local level when schools are expanded; further work is required on school travel planning and wider sustainable transport solutions to address the growth of the City's population
- A culture of continuous improvement is embedded in the teams delivering the Basic Need programme; improvements to our forecasting methodology continue to be implemented as lessons are learned annually within the Basic Need Cycle.

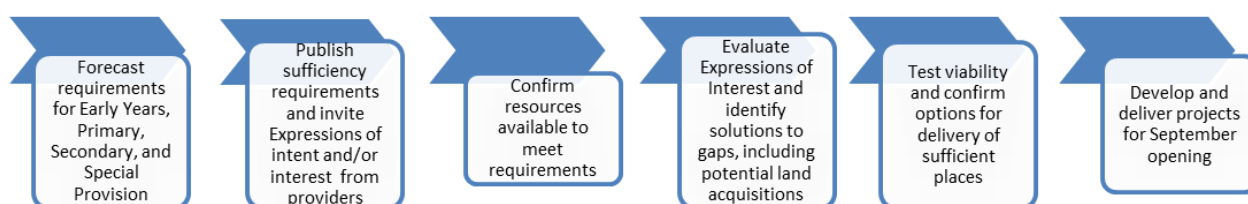
## Context

Birmingham is a growing City and we are getting younger. The City Council has a statutory duty to ensure there are sufficient school places for all Birmingham children and young people. In order to meet this duty, it is essential that we have a robust understanding of the supply of and demand for school places through school place planning, accompanied by a Basic Need Strategy that ensures sufficient school places are provided to meet local need. At its very essence, the Basic Need programme is part of the wider school improvement strategy to deliver our ambition for every Birmingham child to attend a good school.

Under the direction of the Cabinet Member for Children's Services, the responsibility for the Basic Need programme, including school place planning and the schools expansion programme, sits within the Education and Skills Infrastructure Team (EdSI) in the Education and Commissioning section of the People Directorate.

The Basic Need programme covers all school places across mainstream and special schools from the statutory school ages of 4 – 16. Early years and post-16 planning and provision are aligned to the Basic Need Programme but are not in the scope of this report. Special school place planning and provision is addressed inclusively within the Basic Need Programme but is outside the scope of this report.

The Birmingham Education Development Plan (EDP) was adopted by Birmingham City Council in October 2014 and sets out the City's Basic Need Strategy (Appendix 1). An annual cycle of activity takes place to maintain sufficient school places to meet Basic Need:



Education Sufficiency Requirements are published annually setting out the number and location of new places we expect to require and the changes made in the supply of school places. An annual schools capital programme brings forward proposals for school expansions requiring capital investment. School organisation proposals are taken through statutory consultation processes as required.

Co-ordination of place planning and the schools expansion programme has specific complexities in a landscape where more schools have autonomy to increase the number of places they offer and where central government is delivering the Free Schools and Academies programmes. Admissions arrangements and the processes for administering admissions are closely linked to the school place planning process and there are therefore close working relationships between the respective Local Authority teams.

To date, there has been highly effective partnership work between Birmingham schools and the Local Authority to respond to the growth in demand. By 2014/15, 64 primary schools had undertaken the significant challenges of expanding the number of places offered. We are deeply appreciative of the hard work undertaken by schools and governing bodies who step forwards to support the Local Authority to meet its statutory duty.

## 1. The current picture of sufficiency of school places in Birmingham to meet Basic Need

1.1 Demand Overview: How is the demand for school places changing? What do we know about growth in demand?

1.2 Supply Overview: What do we know, control and influence with regard to the supply of school places?

### 1.1 Demand Overview

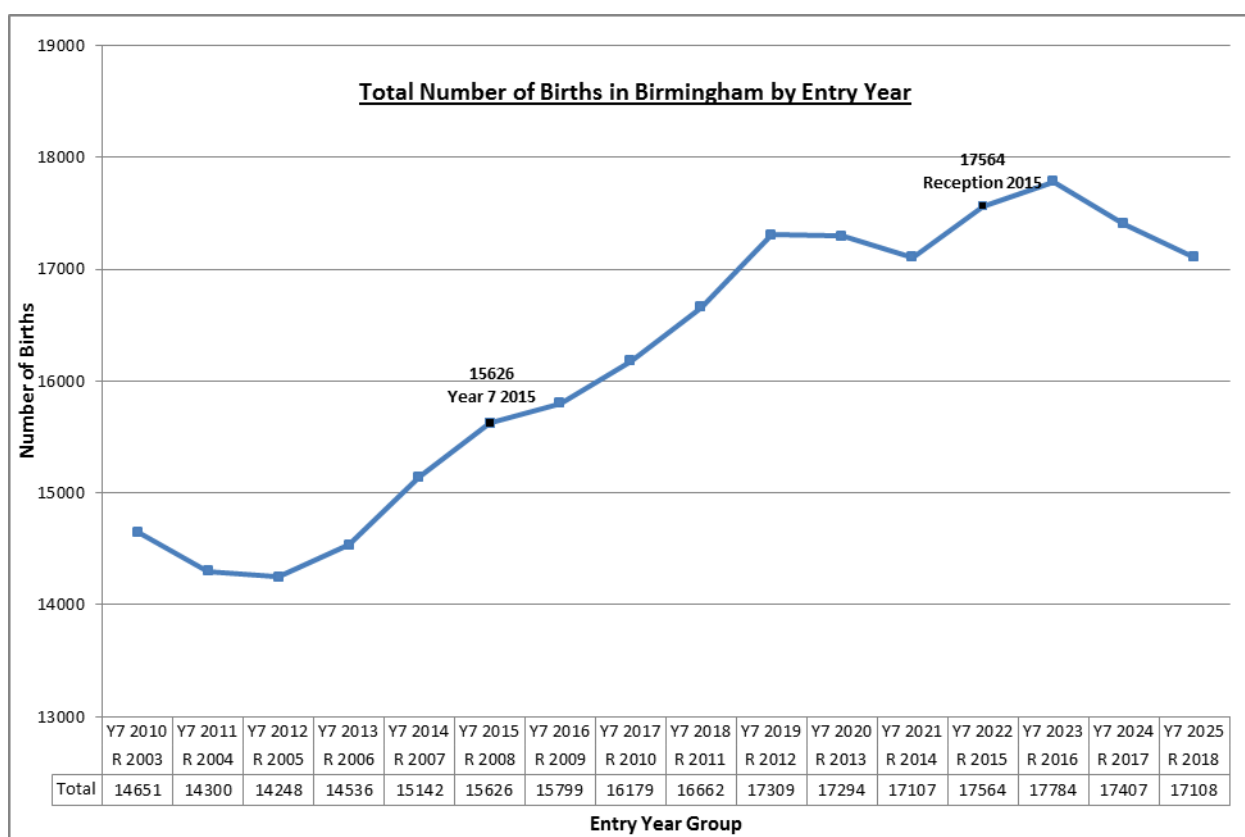
Two distinct elements contribute to growth in demand for school places:

- a) Increased Birth Rates and
- b) Cohort Growth

### Births

Birmingham is a young City and is getting younger: over 12 years from 2000 to 2011, the number of children born in Birmingham increased by 25%.

Graph 1 illustrates the total number of births in Birmingham, by year of entry into Reception “R” and Year 7 “Y7”:



Graph 1: Total number of births in Birmingham by Year of School Entry. Source: ONS Live Birth Data reported annually

The graph highlights the birth rate increase that has already impacted on primary place planning and the imminent impact of this growth on our secondary school pupil numbers. It appears that birth rate increase is levelling off however it is difficult to predict how recent increases in people moving into the City will impact on birth rates.

## Cohort Growth

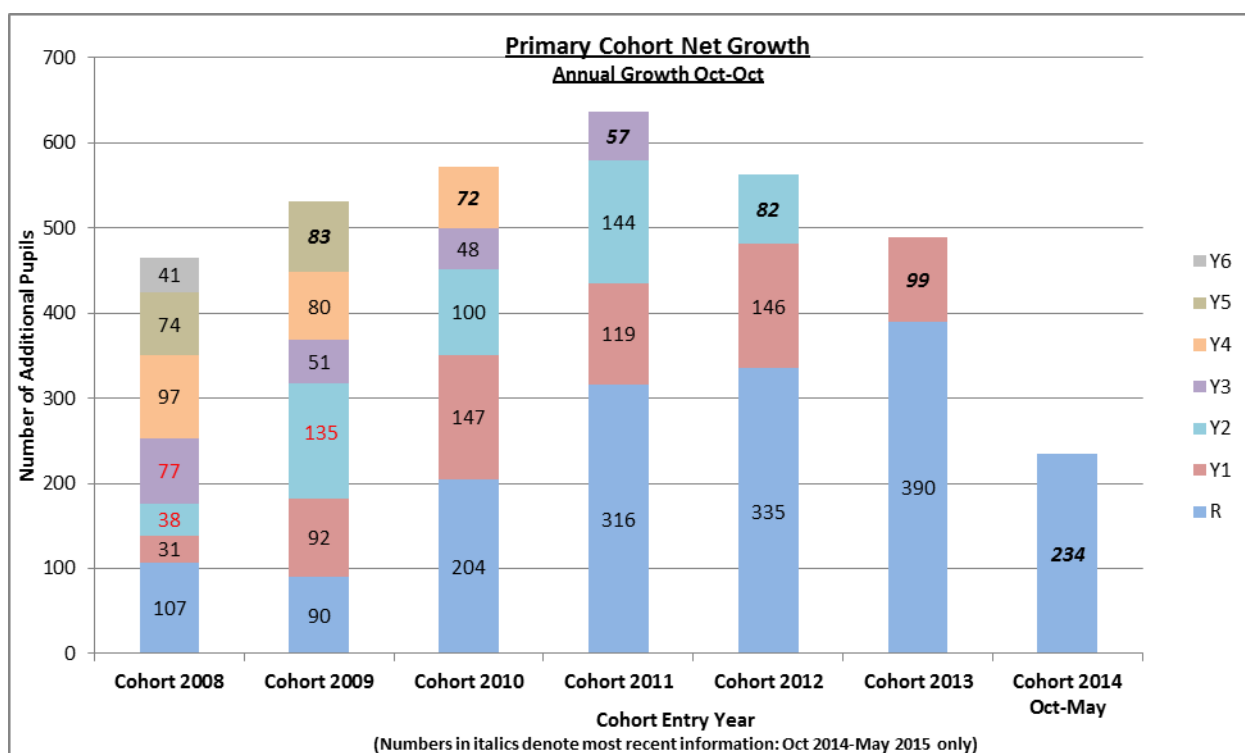
### Primary

In addition to sustained birth rate increase, each cohort of children has increased annually in recent years as a result of more people moving into the City than leaving: there is increasing net growth of each cohort and this is particularly evident during Primary School years, suggesting that families with young children may be particularly attracted to Birmingham as a place to live.

It is reasonable at this time to plan for each primary cohort to grow by between 15 and 30 Forms of Entry (FE) (i.e. 450 – 900 places) between Reception and Year 6, with the majority of cohort growth currently concentrated from Reception to Year 2.

The levels of cohort growth across the City are unprecedented and continue to surpass expectations. In 2013, for example, nearly 400 additional pupils had joined the Reception year group by the time the group became Year 1 in 2014. The May-Oct term sees the largest growth in cohort numbers as a result of families moving into the City and pupils being placed over the Summer months for September start. We can therefore expect further growth between now and Oct 2015 (figures in italics).

Graph 2 shows the net growth to date of each primary cohort group which has started since 2008:



Graph 2: Primary Cohort Net Growth.

Source: School Census Data reported termly

#### Supporting commentary on Graph 2

If we look at the cohort that started Reception in 2011: by the time they reached Year 1 they had grown by 316 pupils, they had grown a further 119 before they reached Year 2, a further 144 by the time they reached Year 3 and a further 57 by the end of Year 3 in May 2015. To date this is a total cohort growth of 636 pupils or over 21FE over 3.75 years. This is the equivalent to more than double the number of pupils that the cohort starting in Reception 2007 grew across all 7 year groups R-Y6.

Table 1 below provides a summary of the total growth by cohort since 2008. It shows the steep increase in cohort growth over time. For example the cohort starting in 2012 has grown by more pupils in the 3 years to date than the cohort of 2008 grew in full over a 7 year period.

Year Cohort	2008	2009	2010	2011	2012	2013	2014
Number of Years Growth R-Y6	7	6	5	4	3	2	1
Total Pupil Net Growth to May 2015	465	531	571	636	563	489	234

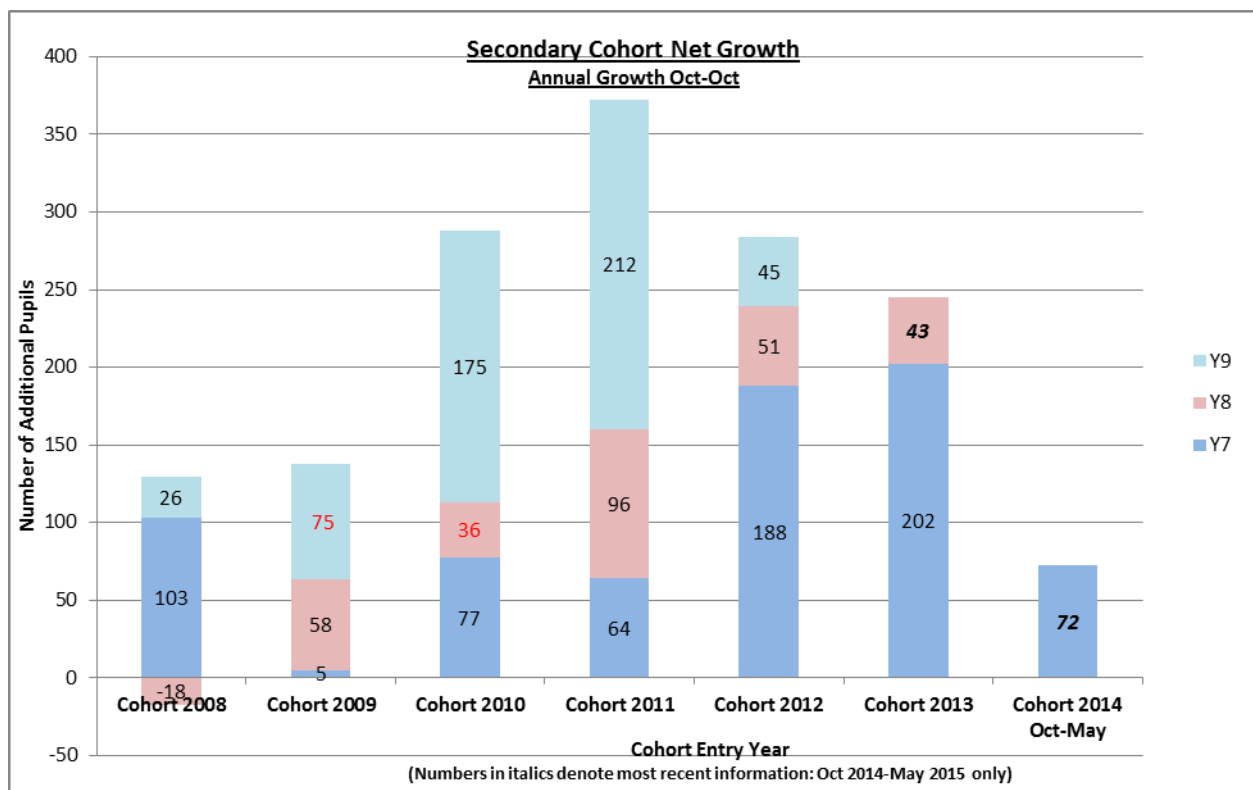
Table 1: Overview of Primary Cohort Net Growth since 2008. Source: School Census Data reported termly

## Secondary

Secondary year groups (Years 7 -9) are also starting to show a considered increase in cohort growth. In 2013, for example, over 200 additional pupils had joined the Year 7 cohort by the time they entered Year 8 in 2014. (NB Years 10 and 11 traditionally see a decrease in cohort size as schools are far less likely to take new students in during the GCSE phase).

The cohort starting Year 7 in 2011 has seen exceptionally high cohort growth into a secondary phase cohort and it appears that subsequent cohorts are set to grow at an even faster rate.

Graph 3 illustrates the net growth to date of each secondary cohort since 2008:



Graph 3: Secondary Cohort Net Growth.

Source: School Census Data reported termly

### Supporting commentary on Graph 3

If we look at the cohort that started in Year 7 in 2011: by the time they reached Year 8 they had grown by 64 pupils, they had grown a further 96 before they reached Year 9 and a further 212 by the time that they reached Year 10 in 2014. This is a total cohort growth of 372 pupils or over 12 FE over 3 years. Secondary cohorts traditionally reduce in size during years 10 and 11.



Table 2 below provides a summary of the total growth by cohort since 2008. It shows the increase in cohort growth over time. For example the cohort starting in 2009 has grown by 138 pupils over 3 years (Y7-Y9), whilst the cohort starting in 2013 has already grown by 245 pupils during 2 academic years (up to May 2015).

Year Cohort	2008	2009	2010	2011	2012	2013	2014
Number of Years Growth Y7-Y9	3	3	3	3	3	2	1
Total Pupil Net Growth to May 2015	111	138	288	372	284	245	72*

Table 2: Overview of Secondary Cohort Net Growth. Source: School Census Data reported termly

\*Whilst the growth in 2014 to date seems to show a lower rate of growth, the increase in pupils over the summer months is anticipated to increase this figure.

## Mobility

While the cohort growth figures paint a clear picture of the change in the total numbers of students per year group, these numbers do not represent the actual numbers of children who move in and out of Birmingham during the year. As such, the figures do not provide a true picture of pupil mobility which is extremely high in a number of our schools.

## 1.2 Supply Overview

### Primary

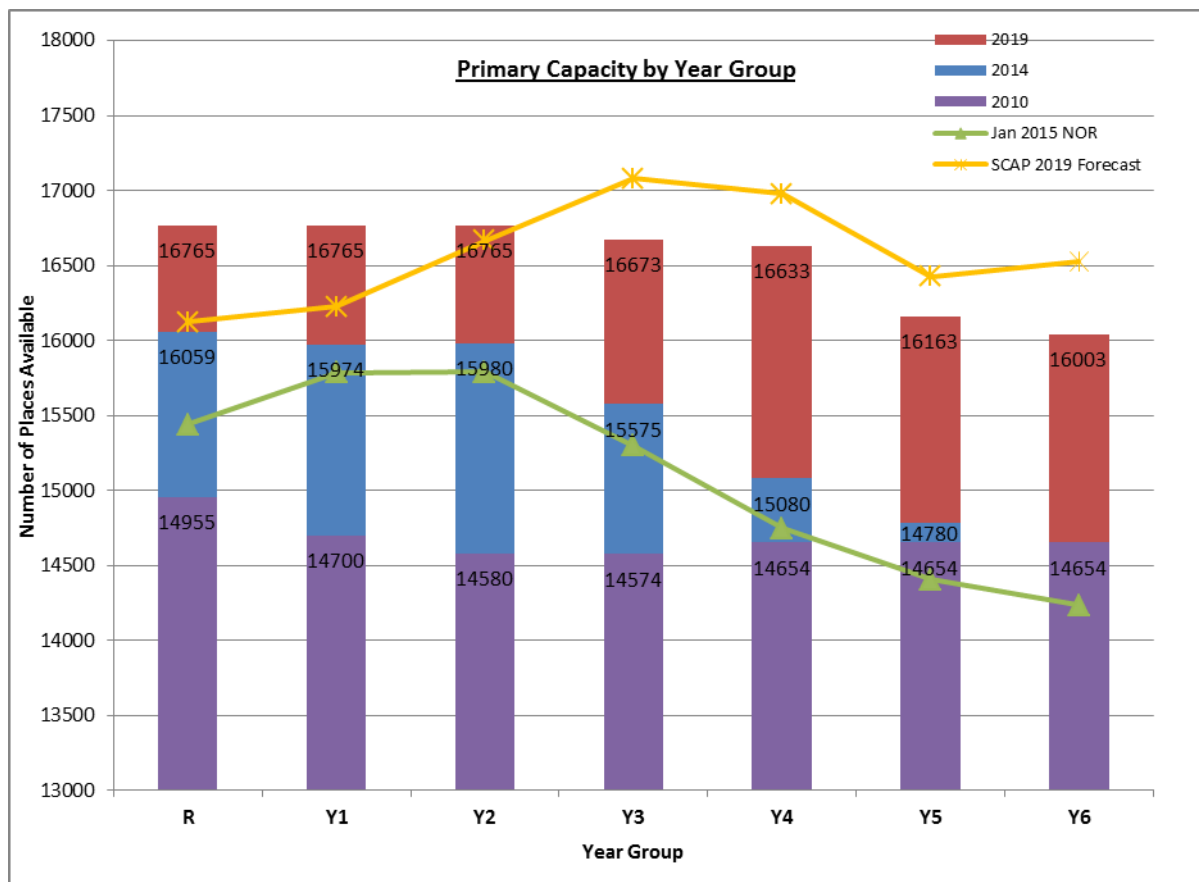
In Birmingham, we began to provide Additional Primary Places (APP) in 2010 in response to the growth in demand. We began providing Additional Secondary Places (ASP) in specific pressure areas in September 2014.

The total supply of places across our primary schools will increase year on year as the schools that we have expanded gradually fill. In addition, new places are being provided by Free Schools. In the secondary phase in particular, schools that are their own admissions authority are also offering more places; this includes Academies, Free Schools and schools in the Voluntary Aided (VA) sector.

When we determine what additional places we require, we map our forecast of demand for places against what we know about the supply of school places. There is a specific challenge for us to know whether schools that are their own admissions authorities intend to expand and it is also a challenge for us to have certainty about the number of places that will be provided in a particular year of entry by new Free Schools. We request this information in full from all partners supplying school places in our annual Basic Need Cycle and we publish what we know (including approved free schools) in our annual Sufficiency Requirements. The landscape of supply against demand continues to change as a result of these different variables.

Graph 4 illustrates how the supply of primary places in 2010, 2014 and 2019 will change based on the Additional Primary Places programme, confirmed additional places created by own admissions authorities and new approved Free Schools. The capacity within our primary schools is compared to current numbers on roll (NOR) at Jan 2015, and forecast numbers for May 2020 (2019 academic year). This graph assumes that when schools open or expand, year groups will fill

year on year (i.e. for example a Free School will only open with places in Reception and will fill one year at a time).



Graph 4: Primary capacity by year group against forecast pupil numbers.  
Source: School Census Data Jan 2015, SCAP 2015 plus EDSI Capacity records

2014 saw a birth rate drop from previous and subsequent years. This can be seen on the graph where there are slightly more places in Reception than required, however this provides a level of comfort that we will be better placed to meet cohort growth for this particular year group.

Of the additional 706 Reception places being created between 2015 and 2019, 460 are from 5 new free schools due to open across 2015-2017 and the remainder are from the Local Authority's planned Additional Primary Place projects.

It is striking that the provision of additional reception places may exceed demand by 2019, particularly because the Free Schools generally provide relatively high numbers of places in single locations. However, there may remain pockets of local pressure that are not visible when looking at whole City data.

The graph above clearly illustrates the need for additional places in years 3-6 by 2019 in year groups 3-6. Given the potential for a birth rate decline, there may be opportunities to make use of existing and additional places already provided / built to accommodate the growing cohort. For example, an expanding or new school might open classes in higher year groups simultaneously to meet local need; or in an expanded school where birth rate dips, additional places could be re-allocated from Reception to Years 3-6. The annual sufficiency cycle will therefore create opportunities for further discussion with the Regional Schools Commissioner, Education Funding Agency and local schools on different ways to make use of existing resource to meet changing patterns of demand.

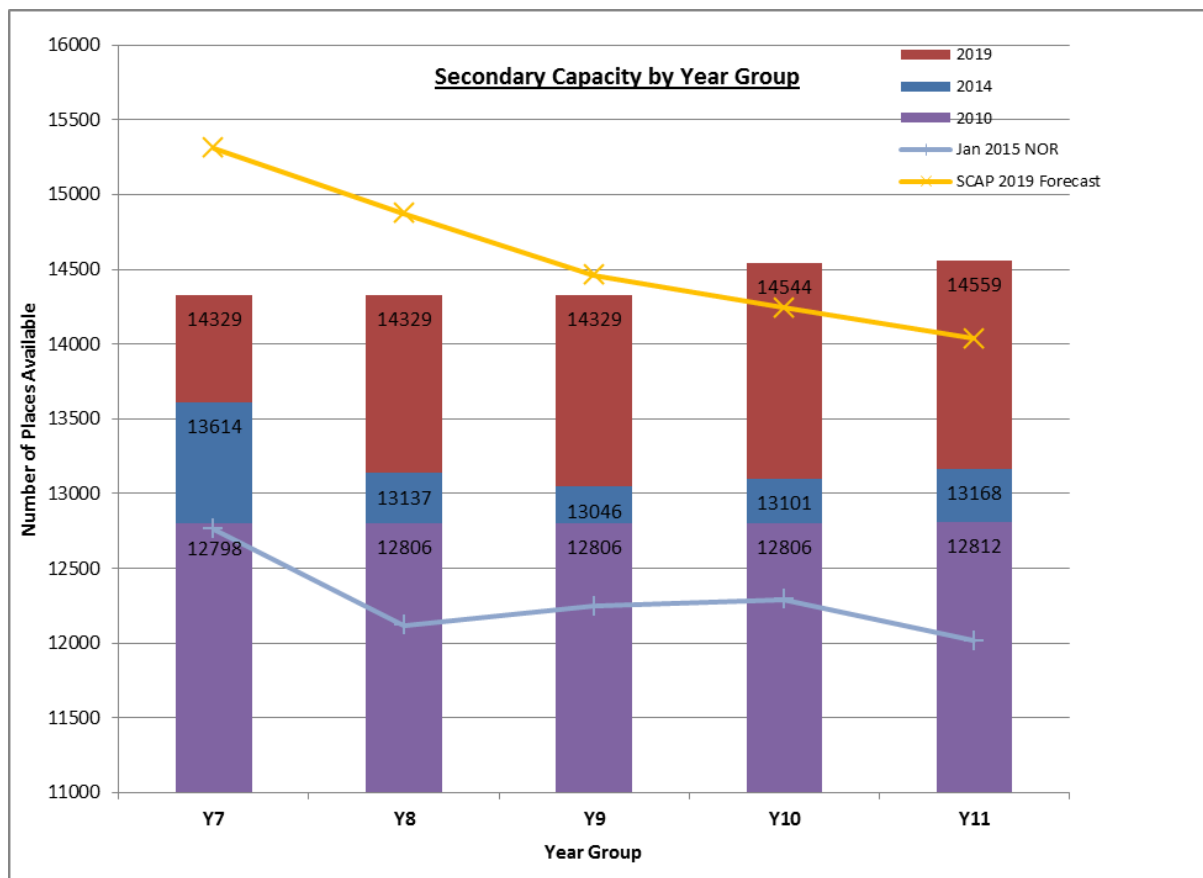
Table 3 is an overview of how the current numbers on roll (NOR) compare to 2019 forecasts.

Year Group	R	Y1	Y2	Y3	Y4	Y5	Y6
Jan 2015 NOR	15439	15787	15790	15300	14747	14405	14235
2019 Forecast NOR	16124	16225	16663	17078	16979	16427	16526

Table 3: Total numbers on roll by year group in Birmingham mainstream schools against forecast pupil numbers for 2019. Source: School Census Data Jan 2015, SCAP 2015

## Secondary

Graph 5 illustrates how the supply of secondary places in 2010, 2014 and 2019 will change based on the Additional Secondary Places programme, confirmed additional places created by own admissions authorities and new approved Free Schools. The capacity within our secondary schools is compared to current numbers on roll (NOR) at Jan 2015, and forecast numbers for May 2020 (2019 academic year). This graph assumes that when schools open or expand, year groups will fill year on year (i.e. for example a Free School will only open with places Year 7 and will fill one year at a time).



Graph 5: Secondary capacity by year group against forecast pupil numbers.

Source: School Census Data Jan 2015, SCAP 2015 plus EDSI Capacity records

Of the additional 715 Year 7 places being created between 2015 and 2019, 540 are from 5 new free schools due to open across 2015-2017 and the remainder are from Local Authority's planned additional secondary place projects. Work is underway to establish the appetite among existing secondary schools to expand within existing buildings and it is entirely possible that the large majority of the increased secondary demand to 2019 will be met through expansions of existing schools.

The graph also highlights the oversupply of places in Key Stage 4 (Y10 and Y11), with supply planned to already be greater than numbers forecast for 2019. This is in large part the result of increased places provided by Studio Schools and University Technical Colleges and Alternative Provision Free Schools. The increasing appetite among FE providers to extend provision and pathways for young people aged 14-16 may further impact on the oversupply of places at Key Stage 4.

Table 4 is an overview of how the current numbers on roll compare to 2019 forecasts.

Year Group	Y7	Y8	Y9	Y10	Y11
Jan 2015 NOR	12761	12119	12247	12294	12017
2019 Forecast NOR	15312	14872	14461	14244	14038

Table 4: Total numbers on roll by year group in Birmingham mainstream schools against forecast pupil numbers for 2019. Source: School Census Data Jan 2015, SCAP 2015

The large majority of additional secondary school places provided in the City since 2010 have been created by new Free Schools and by schools that are their own admissions authorities. It is striking that these additional secondary places have been provided somewhat in advance of the growth in the secondary school population. This creates specific issues for our least popular schools struggling to fill places and facing increased uncertainty over pupil numbers and school budgets.

We anticipate that all of the surplus places in years 7-9 currently provided in our secondary schools will be needed over the next 3 – 5 years to meet the impending growth (subject to the management of further supply from Free Schools and schools expanding autonomously). The immediate issues associated with low pupil numbers are therefore predicted to reduce year on year. Work is underway to develop effective support and share best practice with those schools facing the most significant sustainability challenges.

## Free Schools

A full list and map of Free Schools opened or approved to open in Birmingham is provided in Appendix 2.

The central government Free Schools programme invites applicants to set up new schools in areas where there is considered to be a demand for more high quality school places. Studio Schools are a sub-set of Free Schools offering provision for young people aged 14-19 usually with one or more specific links to business / industry. While there is increasing consideration of whether Free School places will meet Basic Need, this is not an essential criterion for the Free Schools programme. It has been indicated that there will be further funding waves for Free Schools with closing dates in March and September each year for the rest of this Parliament. The deadline for the next round of Free School applications to establish a Wave 10 Free School is 7<sup>th</sup> October 2015.

The capacity figures provided above include approved Free Schools, communicated to us by the EFA. This carries with it a certain level of risk as schools may not end up opening, their opening may be delayed or there could be a change to the location originally planned for the free school. This risk is managed within the Basic Need programme and related project identification process.

The large majority of Free School or Studio School applicants do seek to discuss their proposals with the Local Authority in advance of submitting applications. The Local Authority encourages Free School applicants to consider pressure areas as published in the annual Sufficiency Requirements when developing their proposals and we share information about potential sites that align to our Basic Need requirements. However, there is no obligation for applicants to either

discuss or inform the Local Authority of their plans. Applications are not necessarily shared by the Education Funding Agency until they have passed the first stage of the approval process.

The availability of buildings and/or sites affects the EFA's decision on an eventual Free School location and opening date. In reality, lack of available sites often means that the exact location of a Free School is determined very late in its approval process, well after the Local Authority has been consulted by the EFA on the Free School proposal. Indeed, the proposed location may change as close to 8 months before the opening of the Free School. In this context, it is highly challenging to co-ordinate the Local Authority's Basic Need programme with Free School proposals due to the very different timescales and processes for approvals, school organisation, land acquisition, planning requirements and development. More recently, regular dialogue has been established between the EFA Free Schools Team and the Local Authority's School Place Planning explicitly in order to reduce the risk of duplication and co-ordinate local and central government planning.

As of July 2015, the Government has published new guidance for all Local Authorities advising that any new school required by the Local Authority in response to Basic Need must be an Academy (Free School) and the Local Authority must provide the land and capital for the school buildings. A new process has been set out through which Local Authorities must take forwards establishing a new school:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/451377/Academy\\_and\\_free\\_school\\_presumption\\_departmental\\_advice\\_2.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/451377/Academy_and_free_school_presumption_departmental_advice_2.pdf)

## **2. Plans for meeting growth in demand**

- 2.1 How accurately can we and do we forecast where additional places will be needed?
- 2.2 What models of school expansion do we use to meet growth in demand from both birth rate increase and cohort growth?
- 2.3 How well are the places we have provided to date meeting growth in demand?
- 2.4 What is under way within the Basic Need programme?

### **2.1 Forecast Accuracy**

#### **Forecasting Methodology**

Birmingham is a large city and for planning and governance purposes is divided into 40 wards. While School Place Planning remains a city-wide strategy, our forecasting builds in a range of factors that influence demand for school places at Ward and District level, including:

- Birth rates (Office of National Statistics, ONS live births data)
- Conversion of birth rates to applications for Reception places (past 3 years)
- Conversion of Year 6 students to Year 7 applications (past 3 years)
- Demand for Birmingham school places from neighbouring / other authorities (past 3 years)
- Cohort growth annually by year group (termly school census data over last 3 years)
- Parental Preference (last 3 years admissions data)
- Housing growth (housing plans with outline or detailed planning permission or known to be under construction)
- Long term ONS projections for our City's population

Our annual school place forecasts of demand build in allowances for in-year growth that are adjusted every year to reflect the latest available school census data. In addition, we factor in additional places expected to be required as a result of new housing.

Further details on the forecasting methodology used is reported annually to the DfE as part of the School Capacity Return (SCAP) and can be found in the latest published Sufficiency Requirements: [www.birmingham.gov.uk/schools/esr](http://www.birmingham.gov.uk/schools/esr).

Our forecast represents the best estimate of the number and location of places that will be needed if most recent patterns of parental preference, cohort growth, housing proposals and supply of places were to remain constant. Many of these variables change considerably from one year to the next, sometimes with limited predictability. There is therefore always a level of expected variance between our forecasts and the actual demand. For example, it may be that the popularity of one or more schools in a particular area changes as a result of an OFSTED inspection; this will inevitably have an impact on parental preferences and may reduce or increase the likelihood of local parents attaining a school of first preference.

Ward and District boundaries are to an extent artificial lines in the context of school place planning as families living close to a border may be best served by schools in neighbouring Wards or Districts. While solutions to meeting Basic Need are not driven by these boundaries, we are able to assess how well we are meeting demand and parental preference at Ward and District level as a guide to the success of our Basic Need programme.

### Forecast Reliability

Given the complexity of the different variables involved in the demand for school places, there will always be a gap between actual demand and forecast demand and we expect to be within 2.5% accuracy as a minimum performance standard at City level, with an aspiration to remain within 1.5%.

The next phase in our forecasting development is to establish the reliability of different variables that are used to build up the forecast and to explore upper and lower limits for our forecasts at City, District and Ward levels.

Table 5 compares the forecast total number of pupils submitted in SCAP 2013 and 2014 versus the actual numbers on roll at the start of the year (Oct) and at the end of the year (May) to provide the error rate or reliability figure.

Year Group	2013/14			2014/15		
	Forecast	Actual	% Error Oct	Forecast	Actual	% Error Oct
Reception	15543	15326	1.4	15152	15306	-1.0
Year 7	12122	11886	2.0	12686	12734	-0.4

Table 5: Error rates at SCAP 2013 and 2014 forecasts

Source: School Census Data Jan 2015, SCAP 2013 and 2014 submissions

## 2.2 Models of school expansion to meet Basic Need

There is a need to consider a variety of models provide additional places where appropriate with the flexibility to meet both expected and unpredicted Basic Need including cohort/'in-year' growth..

As identified within the Sufficiency Requirements, the models currently being implemented are:

- a) **Permanent Expansion** creates permanent capacity to take additional pupils year on year. It usually means expanding a school by 1 form of entry (1FE or 30 places) until every year group has increased by 1FE. A permanent expansion will start either in Reception, Year 3 or Year 7. Historically, permanent expansions have filled year-on-year, however it is our expectation moving forwards that permanently expanded schools may open classes in some year groups simultaneously when needed. A permanent expansion can also include a change of age range e.g. primary to all-through.
- b) **Temporary or Bulge Expansion** A 1FE Bulge expansion starting in Year 2 would create 30 places in Year 2, moving into Year 3, 4, 5, 6 as the children move through the school. Once a bulge class has left, we would hope to negotiate a potential new bulge in a year group where there is a demand for additional places. A temporary expansion creates capacity on a temporary basis, sometimes prior to a permanent solution.
- c) **Flexible Expansion** creates additional places across a number of year groups where needed. Schools implementing this model are developing a range of ways in which classes and intervention programmes are organised so that the class sizes are preserved while the school is able to offer places flexibly to meet demand, in particular for sibling places. The advantages of flexible expansion are that schools can offer places to siblings who are in different year groups.

A strategy explored over the last 18 months has been to open some "bulge" classes during the year and not at the start of a term. When a school opens a new class, all places have to be offered in strict waiting list order in accordance with School Admissions legislation. At times this has meant that children have moved from a neighbouring school based on parental preference particularly if places are offered before summer holidays. Offering additional places after the beginning of a school term is likely to reduce waiting list movement so that undersubscribed and/or less popular schools are not adversely affected on their school improvement journeys. However, this needs to be balanced against the impact on an expanding school of opening places after the start of term; the places fill more slowly, sometimes with children who live some distance from the school, which in itself creates significant school improvement challenges.

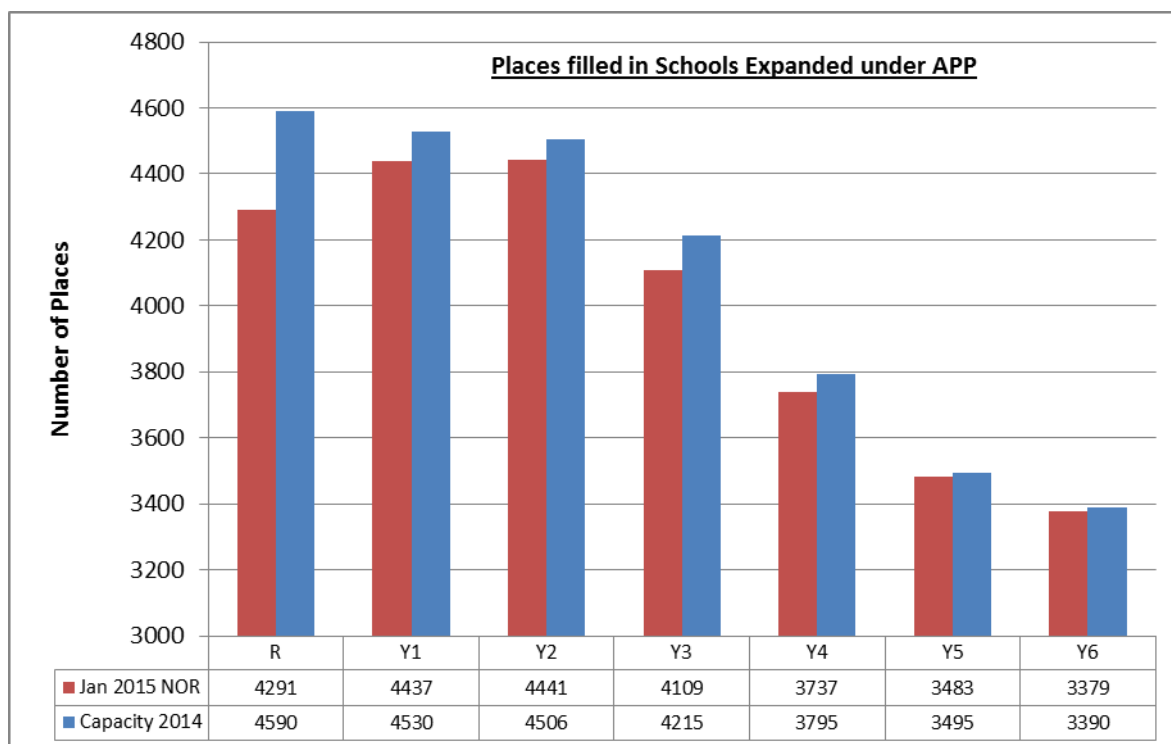
To date, no entirely new schools have been proposed by the LA to meet Basic Need: expansions of existing schools have been considered largely cost-effective and have enabled us to provide additional places where they are needed without creating oversupply in a locality (see section 2.3).

As a next step, we intend to work with the Birmingham Education Partnership on models for expansion that support system-wide school improvement. This will include the potential develop school-led collaborative models to meet Basic Need across a group of schools in a locality, in particular to respond to in-year admissions more flexibly and equitably.

## 2.3 Success of Additional Places provided to date

Graph 6 illustrates how many of the places provided to date on the APP programme were filled in January 2014. The dip in births in 2014 is evident in the spare capacity for that cohort; the small number of spare places in years 1 – 6 evidences the recent cohort growth pressures that have

eaten into the additional places provided to meet birth rate increase. There is a very limited supply of vacant school places for in-year admissions in many parts of the City and it can be challenging for families moving to the City to find places at the same school for siblings across different year groups.



Graph 6: Places filled in schools expanded to provide Additional Primary Places by looking at places available and numbers on roll. Source: School Census Data Jan 2015 and EDSI Capacity Records.

Table 6 below summarises the percentage of places filled in those schools expanded under APP and the percentage of places filled for the whole school estate.

Year Group	R	Y1	Y2	Y3	Y4	Y5	Y6
% APP Schools Filled	93%	98%	99%	97%	98%	100%	100%
% All Schools Filled	96%	98%	98%	97%	97%	97%	97%

Table 6: Total numbers on roll by year group in Birmingham mainstream schools against forecast pupil numbers for 2019. Source: School Census Data Jan 2015

This data is highly encouraging: it indicates that the additional places provided in our expanded schools are in demand and, with the exception of places in Reception, are filling at a faster rate than non-expanded schools. We would expect this pattern in Reception because of the necessity to create some spare capacity to meet cohort growth.

### Case Studies of APP Schools

Case studies of some of the schools expanded to meet Basic Need illustrate some of the factors that impact on how quickly the new places are filled.

- Case Study A, Waverley All-Through School:

Waverley School was expanded in September 2012 under the Building Schools for the Future programme to become an all-through school, offering 3FE primary alongside its



original 6FE secondary element. The school is popular but places in year 1 and 2 still filled over the first two years of the school opening. While the school is now operating at 100% capacity in Years 1 and 2, it is currently only 84% full in Reception due to a fall in local birth rates for this entry year.

- Case Study B, Cofton Primary School

Cofton Primary School took an additional 1FE Reception bulge class in 2012. This class had only 2 vacancies at January 2015. While starting as a temporary expansion, the school has subsequently expanded from 1FE to 2FE permanently from September 2015 to meet basic need in the area.

- Case Study C, Park Hill Primary School

Park Hill Primary School was expanded from Sept 2010 to take the school permanently from 2 to 3FE. They are now in their 5<sup>th</sup> year of growth. Up until 2014, additional places at the school were immediately taken with only 20 vacancies across Y1-Y6. However, the last academic year Reception 2014 saw the school struggle to fill over 2FE due to a fall in birth rates. At Jan 2015 there were 23 vacancies in Reception. We are now working with the school to consider future intake numbers and will consider the option to open classes in different year groups in order to meet Basic Need and make best use of available resources.

## 2.4 Basic Need Programme – what is underway?

The following tables set out the extensive programme of work being delivered by the Local Authority's Education Infrastructure team in partnership with Birmingham schools to meet Basic Need. Over 20 projects were delivered in Summer 2015 to meet Basic Need.

Table 7 below sets out the breakdown of additional places required for the 2015/16 academic year with details of the anticipated date the places will be available.

Year Group	How many additional places are you creating in total to meet this demand?	How many of these places are now complete and in existence?	How many of these places are still being created but will be available on 1st September?	How many of these places will be created and available during 2015/16?
R	370	190	90	60 places identified for Oct half-term, and further 30 during 2015/16
Y1	90	45	0	45 during 2015/16
Y2	120	60	0	60 during 2015/16
Y3	324	150	69	90 places identified by Jan 2016, and a further 105 during 2015/16
Y4	144	75	9	plus 60 during 2015/16
Y5	90	90	-	-

Table 7: Requirements and plans for additional primary places for 2015/16 Sufficiency Requirements, March 2015

Source: Education

Table 8: School Basic Need projects underway through Additional Primary Places (APP) programme 2014/15 and 15/16

<b>Academic Year places start to be available</b>	<b>School name</b>	<b>Starting year group</b>	<b>End year group</b>	<b>Total places created/to be created</b>	<b>Type of Expansion</b>	<b>Ward</b>
2014/15	Rednal Hill Juniors	3	6	30	Permanent	Longbridge
2014/15	Lea Forest Academy	1	1	30	Temporary	Shard End
2014/15	Greenholm Academy	R	6	210	Permanent	Oscott
2014/15	Starbank All Through	R	6	630	Permanent	Bordesley Green
2014/15	Nonsuch Academy	3	3	30	Temporary	Bartley Green
2014/15	Rednal Hill Infants	Nursery	2	30	Permanent	Longbridge
2014/15	Timberley Academy	R	6	210	Permanent	Shard End
2014/15	Billesley Academy	R	6	210	Permanent	Billesley
2014/15	St Josephs RC	R	6	210	Permanent	Sutton Trinity
2014/15	Paganel Primary	R	6	210	Permanent	Bartley Green
2014/15	Benson Primary	1	3	90	Temporary	Soho
2014/15	St Barnabus CE	R	6	210	Permanent	Erdington
2014/15	Whitehouse Common	R	6	0	Permanent	Sutton Trinity
2015/16	Ward End Primary	R	7	0	Permanent	Ward End
2015/16	Benson Primary	5	5	30	Permanent	Soho
2015/16	Guardian Angels RC	R	R	30	Temporary	Shard End
2015/16	Harborne Primary	R	6	420	Permanent	Harborne
2015/16	Lakey Lane Primary	R	6	28	Permanent	Acocks Green
2015/16	Maney Hill Primary	R	6	30	Temporary	Sutton Trinity
2015/16	Mere Green Academy	R	6	30	Temporary	Sutton Four Oaks
2015/16	Yenton Primary	R	6	30	Temporary	Erdington
2015/16	New Hall Primary	1	5	75	Permanent	Sutton Trinity
2015/16	St Clare's RC	3	3	15	Temporary	Lozells & EH
2015/16	St Thomas More RC	R	R	105	Permanent	Sheldon
2015/16	St Margaret Marys RC	R	R	15	Temporary	Kingstanding
2015/16	St Marys CE	R	2	30	Temporary	Lozells & EH

Table 8: Primary Basic Need Projects currently underway for 2014/15 and 2015/16

Source: SCAP 2015

Table 9: School Basic Need projects underway through Additional Secondary Places (ASP) programme 2014-17

Academic Year places start to be available	School name	Starting year group	End year group	Total places created/to be created	Type of Expansion	Ward
2014/15	Starbank	7	11	900	Permanent	Bordesley
2014/15	Queensbridge	7	11	150	Permanent	Moseley and KH
2015/16	Bishop Walsh Catholic	7	11	25*	Temporary	Sutton New Hall
2015/16	John Willmott	7	11	15	Temporary	Sutton Trinity
2016/17	Turves Green Boys' <sup>1</sup>	7	11	125	Permanent	Northfield
2017/18	Plantsbrook <sup>1</sup>	7	11	150	Permanent	Sutton Trinity

Table 9: Secondary Basic Need Projects currently underway for 2014/15 to 2017/18

Source: SCAP 2015

<sup>1</sup> This project is being completed under the Priority Schools Building Programme (PSBP) and managed through the Education Funding Agency (EFA).

\*10 of which have been opened due to Appeal

### Basic Need Programme Next Steps:

Forecasts to 2020 have just been completed and by November 2015 we expect to have analysed the demand against the expected supply. This will be presented in the next annual Education Sufficiency Requirements, at which point all schools will be invited to express interest in expanding to meet Basic Need.

Once Expressions of Interest (EOIs) are received, options appraisal will take place to identify the optimum solutions for meeting Basic Need in each locality. Assessment of the availability of existing space will take place and this will drive solutions that are most cost-effective to be taken forwards in the annual schools capital programme.

In addition to planned expansions to meet known growth in demand, there is ongoing work to monitor availability and sufficiency of local school places, particularly in light of increased cohort growth in our schools. We expect to react at times to this growth and provide additional places sometimes at short notice where specific pressures emerge that cannot always be predicted.

Improved data sharing with schools is key to us maintaining a live picture of all vacancies so that we can be confident when and where additional places are definitely required. It is generally the case that existing vacancies are in less popular schools. The Local Authority's position is that schools will only be expanded if there is a need for additional places; we do not expand schools purely to meet parental preference but when we do expand schools, parental preference is a key consideration. In areas where there is a lack of popular local school places, the emphasis will remain on improving standards through a system-wide school improvement model so that all children are attending a good school and parents are consistently satisfied and happy with the education their child is receiving.

Ongoing dialogue with the Education Funding Agency regarding Free Schools Proposals is intended by all parties to secure improved alignment of future Free Schools to local need. There is a significant risk that large new primary Free Schools will create oversupply at local level, leading to excessive vacancies and unsustainable schools. This has been successfully mitigated through dialogue in one recent Primary Free School proposal through use of admissions nodes so that places serve areas where there is Basic Need.

### 3. Meeting parental preference:

- 3.1 How well are we meeting parental preference?
- 3.2 What impact does growth in the school population have on how well we meet parental preference?

### 3.1 Meeting parental preference

The data provided in Appendix 3 provides information on preferences for ward of residence for 2015 entry, numbers of pupils placed and also the number of appeals. It is evident that there is significant variation between wards and also that this can vary hugely from year to year.

It is absolutely essential to note that the Basic Need programme is not a programme to provide additional places to meet parental preference. The Local Authority's overarching priority is to support every school on its journey to good or outstanding provision. When places are provided to meet growth in pupil numbers, the first priority is to ensure those places will be close to the increased demand. Parental preference is considered in appraising which schools to expand so that wherever possible, expansions increase the number of places in Good or Outstanding schools. It is also important to note that a school's OFSTED rating may change before, during or after an expansion programme. The emphasis therefore remains on supporting all schools to maintain their school improvement journeys and to ensure additional places are provided in the right places to meet local need and improve the local offer.

### Reception Entry 2015

The following data tables provide information on how well different areas are served to meet first preference applications.

Table 10 shows the 10 wards with highest percentage first preference places for Reception entry.

DISTRICT	WARD	FIRST PREF	%
Hodge Hill	Bordesley Green	696	93.80%
Perry Barr	Lozells And East Handsworth	503	92.80%
Hodge Hill	Washwood Heath	594	90.83%
Hall Green	Sparkbrook	542	89.29%
Perry Barr	Oscott	297	88.39%
Hodge Hill	Hodge Hill	461	88.15%
Ladywood	Aston	522	87.88%
Perry Barr	Perry Barr	324	87.80%
Ladywood	Soho	430	87.76%
Hall Green	Springfield	491	87.52%

Table 10: Highest ten wards for % of first preference offers, Reception 2015. Source: Schools Admissions

The District areas of Hodge Hill, Hall Green, Ladywood and Perry Barr feature in the ten wards achieving highest first preference offers, with the ward achieving highest rates of parental preference being Bordesley Green in East Birmingham. Thirty-three additional place projects have taken place to date within these four districts.

Table 11 shows the 10 wards with lowest percentage first preference places for Reception entry.

DISTRICT	WARD	FIRST PREF	%
Perry Barr	Handsworth Wood	274	80.59%
Edgbaston	Quinton	293	80.49%
Selly Oak	Bournville	278	80.12%
Northfield	Kings Norton	287	78.63%
Sutton Coldfield	Sutton Trinity	219	77.94%
Northfield	Longbridge	295	77.84%
Erdington	Stockland Green	261	76.32%
Erdington	Erdington	263	75.57%
Edgbaston	Edgbaston	124	75.15%
Ladywood	Ladywood	185	70.08%

Table 11: Lowest ten wards for % of first preference offers, Reception 2015. Source: Schools Admissions

The District areas of Edgbaston, Erdington and Northfield mainly feature in the ten wards achieving lowest first preference offers, with the ward achieving lowest rates of first preference being Ladywood in central Birmingham. There is a concentration of new free schools set to open within Ladywood and Edgbaston districts from 2015 which should improve these figures. Additional primary place projects are also planned for Sutton Trinity and Edgbaston wards from 2015 which too should improve these figures.

Appendix 3 provides further information on other parental preference measures: number of pupils placed and number of appeals. The data evidences that in general, for areas where first preference offers are less successful, more placements are likely and more appeals are submitted.

### **Year 7 Entry 2015**

The following data tables provide information on how well different areas are served to meet first preference applications.

Table 12 shows the 10 wards with highest percentage first preference places for Year 7 entry.

DISTRICT	WARD	FIRST PREF	%
Northfield	Longbridge	271	85.49%
Yardley	Sheldon	229	84.81%
Sutton Coldfield	Sutton Trinity	240	81.36%
Northfield	Kings Norton	225	78.95%
Edgbaston	Bartley Green	265	75.93%
Hodge Hill	Hodge Hill	377	75.70%
Selly Oak	Bournville	214	74.31%
Northfield	Northfield	211	74.30%
Perry Barr	Oscott	218	73.65%
Ladywood	Aston	426	73.45%

Table 12: Highest ten wards for % of first preference offers, Year 7 2015. Source: Schools Admissions

The District area of Northfield features highly in the ten wards achieving highest first preference offers. All districts are mentioned in this list apart from Erdington. The ward achieving highest rates of parental preference is Longbridge in south Birmingham.

Table 13 shows the 10 wards with lowest percentage first preference places for Year 7 entry.

DISTRICT	WARD	FIRST PREF	%
Perry Barr	Perry Barr	203	65.06%
Perry Barr	Handsworth Wood	227	64.67%
Hall Green	Hall Green	250	64.27%
Erdington	Kingstanding	249	63.36%
Northfield	Weoley	223	62.99%
Hodge Hill	Washwood Heath	451	62.64%
Hodge Hill	Bordesley Green	427	62.43%
Yardley	South Yardley	290	57.54%
Edgbaston	Harborne	111	50.92%
Edgbaston	Edgbaston	75	44.91%

Table 13: Lowest ten wards for % of first preference offers, Year 7 2015. Source: Schools Admissions

The District areas of Edgbaston, Hodge Hill and Perry Barr mainly feature in the ten wards achieving lowest first preference offers, with the ward achieving lowest rates of first preference being Edgbaston in central Birmingham. New Free Schools set to open in 2015 and 2017 and located in some of the areas where parental preference is currently least well served (Perry Barr, Edgbaston, Hodge Hill).

Appendix 3 provides a full break down of these and a number of wider parental preference measures including number of pupils placed and number of appeals by ward. The data evidences that in general, for areas where first preference offers are less successful, more placements are likely and more appeals are submitted.

Further work is underway to review those wards and areas where parental preference is least well met. It is important to understand there are a host of reasons that may lie behind these figures: for example, in some areas of the City parents may be more likely to include unrealistic preferences and/or be unwilling to put a local school due to concerns regarding quality of provision.

### 3.2 Impact of growth in pupil numbers on how well we meet parental preference

A breakdown of the number of applications and how well preference is met is published annually by School Admissions.

Table 14 below provides data at Offer Day for the last 4 Reception admissions entry rounds 2012 to 2015:

Birmingham pupils applying for a Birmingham school	2012		2013		2014		2015	
	%	Pupil Nos	%	Pupil Nos	%	Pupil Nos	%	Pupil Nos
Number of Applicants	100	15028	100	15011	100	15358	100	15785
Offered 1 <sup>st</sup> preference	85.3%	12819	85.6%	12849	86.9%	13346	84.7%	13369
Offered a preference 1-3	95.7%	14429	95.8%	14380	95.5%	14667	94.8%	14964

Table 14: Numbers of applicants and offers for Reception admissions rounds 2012-15.

Source: Schools Admissions data

While the numbers of pupils being offered a first preference or a preference 1-3 has increased year on year since 2012, the increased cohort size in 2015 has led to a drop in the percentage figures for meeting parental preference. Birth rates for 2016 and 2017 drop from those in 2015 so we expect parental preference figures for Reception places to improve next year accordingly.

Table 15 provides data at Offer Day for the last 4 Year 7 admissions entry rounds 2012 to 2015:

Birmingham pupils applying for a Birmingham school	2012		2013		2014		2015	
	%	Pupil Nos	%	Pupil Nos	%	Pupil Nos	%	Pupil Nos
Number of Applicants	100	13426	100	13303	100	14000	100	14625
Offered 1 <sup>st</sup> preference	68.4%	9177	73.6%	9786	70.3%	9842	68.5%	10016
Offered a preference 1-6	94.7%	12709	94.9%	12621	93.7%	13120	93.4%	13661

Table 15: Numbers of applicants and offers for Year 7 admissions rounds 2012-15.

Source: Schools Admissions data

In comparing this parental preference data with national benchmarks and statistical neighbours, it must be noted that the very high demand for grammar schools and faith schools in Birmingham skews the data; the number of applicants submitting preferences for those schools far exceeds the number of places available. For entry in September 2015, there were 1,492 Birmingham pupils who unsuccessfully placed a grammar school as their first preference; this equates to 10.2% of the entire cohort of applicants. This factor significantly reduces the number of children who were offered their first preferred school.

It should be noted that the percentage figures above for meeting parental preference do not include children who receive a place at a school of preference where that school is in a neighbouring authority. In addition, we are unable to calculate a figure that includes admissions to free schools in their first year of opening when their admissions are not co-ordinated with the Local Authority. These factors impact on the comparability of data from one year to the next due to changing factors that impact on the data set.

#### **4. Pressure points for school places: do we anticipate pressure points and do we have appropriate admissions processes in place when pressure points arise?**

##### 4.1 Case Studies

##### 4.2 How are waiting lists managed when there is high demand for local places?

##### 4.3 What mechanisms are in place to check validity of applications?

##### 4.4 What are the implications of growth on numbers and management of appeals?

##### 4.5 Summer-born pupils

##### 4.6 Looked After Children

We are able to offer places to all children who apply for a mainstream school place in Birmingham. However, in certain hotspots, there are times that we cannot always offer places close enough to home. In addition, it is often the case that we cannot offer siblings a place in the same school when families arrive into the City part way through the children's education.

Pressure points for places emerge at different times in different locations for a range of reasons, however to date the Local Authority has been exceptionally fortunate in our working relationship with our schools to provide solutions where needed. Next steps to better anticipate hotspots and avoid shortage zones includes strengthening the data sources that inform our knowledge of demand for places, including access to robust GP, Public Health, housing and schools data.

## 4.1 Case Studies

- **Case Study 1 - Boldmere Reception September 2012 and 2015: demand for places exceeding supply.**

In 2012, parents in Boldmere, Sutton Coldfield, raised concerns regarding the lack of availability of reception places at the local primary school, Boldmere Infants. The school, having been relatively unpopular locally in previous years, had received an improved OFSTED rating. At the same time as there being an increased number of Reception applications in 2012, the popularity of the school increased and there was also an unprecedented spike in sibling applicants. Many of these siblings were from further away as a result of the school's previous low popularity (i.e. it had been a school that families from Erdington could access previously due to relatively low local popularity). As a result of this local pressure, more detailed analysis was undertaken. There is an identified risk that a combination of factors can leave a specific area in Boldmere underserved by local school places. However, it is always possible to offer those children a place within 2 miles. There is a specific issue that some of the schools that can offer a place are unpopular locally and parents therefore do not consider this to be a good enough local offer.

Solutions: Comparisons of access to places within a 1 and 2 mile radius from Boldmere indicate that the area is not underserved relative to many other parts of the City. Given the popularity of local schools and pressure further to the North in Sutton, a number of other expansion proposals are currently being taken forwards in the District and it is anticipated that this will alleviate the specific Boldmere hotspot of pressure identified by parents.

- **Case Study 2 - Northfield Reception September 2015: Lack of solution for 2 Forms of Entry (2FE) additional reception place requirements**

Annual Sufficiency Requirements published in February 2015 identified the need for 1FE (30 additional primary places). This increased at a later date to 2FE as a result of a local academy reducing its PAN by 1FE for September 2015 as a specific school-improvement measure.

Options to expand among the 27 schools in the area are severely limited by a number of factors:

- 9 schools are currently rated OFSTED Grade 3 or 4 and therefore unlikely to be considered for expansion
- 2 are located very close to a neighbouring school already undergoing expansion
- Several are already restricted for space / site
- Of the remaining 18, 10 are their own admissions authority (Academy status or Voluntary Aided); to date this has not proved a barrier but in the event that the Local Authority has to move to direct a school to expand these schools would be out of scope

Solutions: Two preferred options have been identified and at least 1FE is likely to be opened during the Autumn Term 2015. This has not been achieved in time to alleviate local pressure on places for starting in September but will ensure there is sufficient capacity to meet Basic Need during 15/16 and may also enable some families to move children to a school closer to home than that available at the start of term.

## 4.2 Waiting List Management

In accordance with the School Admissions Code, following the offer of school places in the normal admission rounds, each admission authority must maintain a clear, fair and objective waiting list until at least 31<sup>st</sup> December of each school year of admission, stating in their arrangements that each added child will require the list to be ranked again in line with the



published oversubscription criteria. Priority must not be given to children based on the date their application was received or their name was added to the list.

In accordance with Birmingham's coordinated admissions scheme, any child who has not been offered a place at one of their parent/carers preferred schools is automatically added to the waiting list at that school. If places become available, they are offered strictly in accordance with the school's oversubscription criteria.

Birmingham Local Authority is the admission authority for community and voluntary controlled schools and School Admissions manage the waiting lists for each of these schools following the offer of places on each of the national offer dates.

### 4.3 Checking of validity

The Local Authority and own admission authority schools in Birmingham place great emphasis on the home address provided by parent/carer's as the vast majority of schools and academies use distance from home to school as an oversubscription criterion. The distance from home to school is calculated on the basis of a straight line measurement between the applicant's home address and a specific point at the school. This is usually the main gate or centre point of the school. In order for the offer of school places to be fair and robust, the Local Authority must be as confident, as far as practicably possible, that the address provided by parent/carers is the child's normal and permanent home address.

The Local Authority's published admission arrangements, information booklets and website provide information to parent/carers on the definition of what is considered to be a normal and permanent home address; what is deemed as acceptable proof of address. The Local Authority position is also stated clearly that if a school is offered on the basis of an address that is subsequently found to be different from a child's normal and permanent home address, then that place is liable to be withdrawn.

Table 16 provides data regarding investigations of addresses since 2012/13:

	12/13	13/14	14/15
Number of addresses investigated	34	42	48
Number of applications indicating a change of address that was not accepted by the LA	9	13	19
Number of places withdrawn as a result of invalid address	2	3	6

Table 16: Address investigations 2012-14.

Source: Schools Admissions data

### Validation of home address

When a child is due to start school or transfer from primary to secondary school, (normal admissions round), parent/carers receive a letter from the Local Authority containing details of how to apply for a school place; how and where they can access information to assist with understanding how school preferences are dealt with and how school places are offered. If the address included on the letter is incorrect then parent/carers are advised that they must provide proof of the new address with their application.

The parent information booklet and the school admissions website, informs parent/carers that a home visit may be undertaken by officers of the Local Authority without prior notice to verify a child's home address.

For applications for school places made during the academic year (in-year admissions) schools and academies, parent/carers are required to submit their application directly to their preferred school(s). All schools and academies are advised to receive proof of the child's home address at the time of submission of the application. If the school has vacancy a place should be offered to the child (unless the child has challenging behaviour and the governors wish to make a referral to the Local Authority for consideration under the Fair Access Protocol). If the school is full to its admission number then the child should be added to the schools waiting list, in accordance with the schools' oversubscription criteria and a referral made to the School Admissions Team. The School Admissions Team, on behalf of the Local Authority will then allocate the child a place at the nearest school with a vacancy to the family's home address.

### **Change of address**

Parent/carers are advised that if they are planning to change address during the normal admissions round they should provide proof of the new address with their application. Acceptable proof of address includes a letter from a solicitor confirming exchange of contracts. In accordance with DfE advice and guidance the Local Authority will consider the information provided by parent/carers, however it may not always be possible to take the new information into account before the places are offered.

### **Improved home address validation procedures from September 2015.**

Following successful negotiations with the Birmingham City Council's Audit Team, School Admissions and Pupil Placements Service has secured data sharing with a *Data Warehouse* for the purposes of validating home addresses, preventing and detecting fraud and locating vulnerable pupils who have become disconnected from the education system. The Data Warehouse contains information, including various types of personal data, most of which is collected by or on behalf of Birmingham City Council, but some of which is supplied through partnerships with other organisations. The data includes information held within council tax and housing benefits teams and those registered on the electoral register. This data access will further assist with address queries and validation. The use of the Data Warehouse for address validation will become fully integrated within the Service from 1<sup>st</sup> September 2015.

## **4.4 Appeals and impact of growth in numbers**

When an admission authority informs a parent of a decision to refuse their child a place at a school for which they have applied, it must include the reason why admission was refused; information about the right to appeal; the deadline for lodging an appeal and the contact details for making an appeal. Parents must be informed that, if they wish to appeal, they must set out their grounds for appeal in writing.

In Birmingham, Birmingham's Legal Services facilitate the appeal hearing process so that it is independent from the education functions of the Local Authority.

Legal Services, on behalf of the Local Authority, appoint independent appeal panels that are comprised of a chair and at least two other panel members. Each panel must consist of the following persons with at least one from each category:

- a) lay people (someone without personal experience in the management of any school or provision of education in any school (except as a school governor or in another voluntary capacity);

- b) people who have experience in education, who are acquainted with educational conditions in the local authority area, or who are parents of registered pupils at school.

Legal Services also appoints a clerk to the panel who must be independent from the school and the admission authority. The clerk's role is to make the necessary administrative arrangements for hearings; to notify the parties of the order of proceedings in advance of the hearing; to respond to queries from appellants in advance of the hearing, or to identify the appropriate person to provide a response; to be an independent source of advice (or to seek appropriate advice) on procedure and on admissions law; to keep an accurate record of proceedings; and to provide the parties with written notification of the panel's decision.

### **Infant class size appeals**

Regulations made under Section 1 of the School Standards and Framework Act 1998 limit the size of an infant class (a class in which the majority of children will reach the age of 5, 6 or 7 during the school year) to 30 pupils per school teacher. Only in very limited circumstances can admissions over the limit be permitted.

As a result of the legal limits placed on infant class sizes, the circumstances in which an appeal panel may uphold an infant class size appeal are extremely limited. To uphold such an appeal, an appeal panel must be satisfied that:

- The admission of additional children would not breach the infant class size limit;
- The child would have been offered a place if the published admission arrangements had been properly implemented;
- The child would have been offered a place if the arrangements had not been contrary to mandatory provisions in the School Admissions Code and the School Standards and Framework Act 1998; and/or
- The decision to refuse admission was not one which a reasonable admission authority would have made in the circumstances of the case.

### **4.5 Summer-born pupils**

The School Admissions Code, states that *"Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health. In addition, the parents of a summer born child may choose not to send their child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group, to Reception rather than Year 1"*.

The Code also indicates that admission authorities must make decisions on the basis of the circumstances of each case and in the best interests of the child concerned. This should include taking account of the parent's view, information about the child's academic, social and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously educated outside their normal age group and whether they may have naturally fallen into a lower age group if the child had not been born prematurely. The views of the head teacher must also be considered. When informing a parent of their decision on the year group the child should be admitted to, the admission authority must set out clearly the reasons for their decision.

In Birmingham each request for a child to be admitted to school outside of their normal age group is considered on a case by case basis. DfE have confirmed that Birmingham Local Authority's

process and procedures when dealing with summer born applications is a model of “good practice”.

In May 2015, DfE issued further guidance and confirmed that the question admission authorities need to consider, when making a decision on a summer born application is, if the child is admitted at age 5, should the child be admitted to Reception Class or to Year 1? Admission authorities should inform the child’s parents of the decision and set out clearly the reasons for their decision.

During academic year 2014/2015, of the 15,785 Reception Class applications School Admissions Team received 8 applications from parent/carers who wish for their child to be taught outside the normal admissions round (summer born applications.) Currently the number of applications received by the LA is statistically insignificant for the purposes of school place planning and therefore not incorporated within our forecasts. This will be monitored over time.

#### **4.6 Looked After Children**

Looked After Children have priority access in the admissions criteria for all schools other than those that are selected on academic ability. As a consequence, there is no lack of availability of places for Looked After Children and very low if any risk of the Local Authority being unable to provide the most appropriate and preferred place for a looked-after child.

### **5.0 Successes and challenges in meeting our statutory duty to provide sufficient school places**

#### **Successes**

- Highly effective strategic and operational partnerships underpin the way that sufficient school places are provided to meet Basic Need in Birmingham. Relationships between Head Teacher Fora and individual schools are key to the success of the programme. Strengthened relationships between the City Council and the Department for Education are yielding improved co-ordination of place planning. In addition, there is a strong and increasingly effective integrated delivery team working across Acivico, BCC and schools to deliver high quality build projects on time and on cost with minimum disruption to education continuity.
- The strategy to make best use of existing space, introduced in 2012, has been highly successful. Careful analysis of potential for refurbishment and re-modelling of spaces within existing buildings has released additional resource to invest in the requirements for additional special school places and to address the key suitability issues that will also lead to education improvement in expanded schools. This strategy is absolutely essential to us meeting the demand for more places and improved learning environments within available resource.
- The move to inviting all schools to express an interest in expansion has been successful in building stronger partnerships with our school partners. The model continues to rely on the good will and expertise of school leaders and Governing bodies to provide additional places where and when needed. By producing annual Education Sufficiency Requirements, there is greater clarity for school partners on what is needed and a growing understanding that requirements can change rapidly as a result of changing patterns of supply and demand.

- Birmingham's approach to Basic Need has attracted significant national interest: City Council officers have been invited to present at four national conferences and also hosted a very successful Basic Need Day for 17 other local authorities in May 2014.

## Challenges

- The oversupply of school places creates a major risk to the sustainability of our least popular schools. The vast majority of school places that are currently vacant will be needed to meet future growth in demand. There is therefore an interim period where those schools, many of whom contend with extremely high mobility of pupils, require additional support. Work is underway to share best practice in managing high numbers of in-year admissions and to explore local collaborative models in partnership with Birmingham Education Partnership.
- It is an on-going challenge to provide the additional places we require within the Basic Need capital funding allocations made by the Education Funding Agency. The demand for additional special school places has put additional pressure on the capital funding available. There are risks that future allocations will be reduced as a result of Free School places provided by central government, regardless of whether those places in fact meet Basic Need. This could mean that capital funding is diverted from providing places where they are most needed. We are at the forefront of implementing lean construction processes to ensure we squeeze maximum value from the capital funding without compromising the quality of provision.
- Co-ordination of place planning remains highly challenging in the context of increased autonomy for individual schools. Schools that are their own admissions authorities have freedom to expand without the agreement of the Local Authority. The Local Authority does not control the supply of places by all individual schools in the area, however we have the statutory duty to ensure there are sufficient places while attempting to limit the oversupply that can be detrimental to the wider school improvement agenda.
- The continued upward trend in cohort growth across all year groups from Reception to Year 9 is placing additional pressure as each cohort moves through the school system. This means we will need increasingly flexible solutions to meet Basic Need so that we do not build schools or classrooms now to find them empty in ten years' time. The increased landscape of places for students in years 10 and 11 creates a significant level of surplus but at present it remains completely unpredictable whether young people will move from current provision in year 10 and therefore there is little opportunity to make use of the surplus places at Key Stage 4 to meet basic need in other year groups.
- It remains a challenge to align the Basic Need programme with housing and transportation developments. This is addressed through regular joint working. As the rate of housing growth increases, it will be imperative that we monitor closely the yield of pupils from different types of housing to ensure that we maximise developer and ensure there is high quality, sufficient education provision ready for families moving into new housing developments.