

	<b>Children, Education, Libraries and Safeguarding Committee</b>  <b>21<sup>st</sup> February 2017</b>
<b>Title</b>	School Admission arrangements for 2018/19
<b>Report of</b>	Commissioning Director, Children and Young People
<b>Wards</b>	All
<b>Status</b>	Public
<b>Urgent</b>	No
<b>Key</b>	Yes
<b>Enclosures</b>	Appendix A: Proposed admission arrangements for Barnet community schools in 2018/19
<b>Officer Contact Details</b>	<p>Chris Munday, Commissioning Director, Children and Young People  <a href="mailto:Chris.Munday@Barnet.gov.uk">Chris.Munday@Barnet.gov.uk</a>            Telephone: 0208 359 7099</p> <p>Ian Harrison, Education and Skills Director, Barnet with Cambridge Education  <a href="mailto:Ian.J.Harrison@Barnet.gov.uk">Ian.J.Harrison@Barnet.gov.uk</a>            Telephone: 0208 359 7943</p>

## Summary

This report sets out the results of consultation undertaken on proposals to amend the admission arrangements for community schools (2018/19). It proposes that the admission arrangements for 2018/19 provide for a level of priority for children of teaching staff as set out in paragraph 1.6 and the priority for former pupils is amended as set out in paragraph 1.14.

The proposed admission arrangements for 2018/19, as amended, are set out in full in Appendix A.

For all other matters, no change to existing arrangements are proposed.

## **Recommendations**

- 1. That the Children, Education, Libraries and Safeguarding Committee agree the school admission arrangements for community schools for 2018/19 as set out in Appendix A.**
  
- 2. That the Children, Education, Libraries and Safeguarding Committee delegate to the Commissioning Director, Children and Young People (Director of Children's Services) authority to determine future admission arrangements where no change is proposed.**

### **1 WHY THIS REPORT IS NEEDED**

- 1.1 On the 12<sup>th</sup> July 2016, the Children, Education, Libraries and Safeguarding Committee approved consultation on proposed changes to the admission arrangements for Barnet community schools for September 2018. Barnet's admission policy covers all community schools whereas voluntary aided schools, foundation schools and Academies determine their own admissions arrangements. Therefore the council is the admissions authority for 42 community primary schools and Friern Barnet Community Secondary School.
  
- 1.2 The Committee approved consultation on two proposed changes to the school admission arrangements:
  - awarding admissions priority to children of teaching staff
  - amending priority given to former pupils for in-year admissions
  
- 1.3 In accordance with the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012, admission authorities are required to consult on any proposed changes to admission arrangements. The council consulted with schools, parents, residents etc. between December 2016 and January 2017. This reports contains the results of the consultation and seeks approval for the admission arrangements as set out in Appendix A.
  - a) awarding priority to children of teaching staff**
  
- 1.4 The School Admissions Code permits admission authorities to give priority to the children of staff where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made, and/or the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage. In common with many schools in London, some Barnet community schools are experiencing challenges in recruiting and retaining staff. The council has hosted a working group of Barnet headteachers to explore ways to tackle this issue and arising from this, the proposal is to introduce an additional oversubscription criterion which gives priority to children of teaching staff in Barnet community schools. This priority

would be offered where the member of teaching staff has been employed at the school for two or more years at the time at which the application for admission to the school is made for Barnet community schools and will be in employment as a teacher at the school when the child starts school. Some local academies and voluntary aided schools as well as schools in neighbouring boroughs currently give priority to children of staff and extending this to Barnet community schools would help the schools to compete in the current recruitment climate. The council's proposal is to afford priority to children of teaching staff as it is teaching staff that are the most challenging to recruit.

As well as meeting the requirement to have been employed at the school for two or more years at the time at which the application for admission to the school is made, it is proposed that the priority is only given where the teacher is still in employment as their child starts at the school.

1.5 An analysis of admissions among those Barnet primary voluntary aided and Academy schools that currently operate this policy show that the number of places offered each year at primary schools is most commonly none or 1 each year. Out of 641 reception places these schools cover, 5 places in 2015/16 and 7 places in 2016/17 were allocated on the basis of being a child of a staff member. This does not include any subsequent siblings that would be eligible. While this number is small, in one school the number of places in 2016/17 is 5 and therefore, for an individual school, the impact could be significant. For secondary entry, three Academies in Barnet operate this arrangement and between 0 and 3 places are allocated at each school each year.

1.6 The council consulted on the introduction of an additional oversubscription criterion which gives priority to:

*'children of teaching staff of the school where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made and will be in employment as a teacher at the school when the child starts school'.*

### **Consultation responses to the proposal**

1.7 There were 124 survey responses to the proposal to give priority to children of teaching staff in the oversubscription criteria. 123 responses were received on line and a further response was received by email. This email response was supportive of the proposal and provided reasons for the support – this has been interpreted as 'strongly agree' for the purposes of presenting the findings. Of the 124 total responses, 101 agreed or strongly agreed to the proposal, representing 81%. Four disagreed and 12 strongly disagreed representing 13%. Five respondents neither agreed nor disagreed and two didn't know.

	<b>Number of respondents</b>	<b>%</b>
Strongly agree	75	60
Agree	26	21

Neither agree nor disagree	5	4
Disagree	4	3.
Strongly disagree	12	10
Don't know	2	2
<b>Total</b>	<b>124</b>	

1.8 The respondents were then asked to give reasons for their response. Reasons fell within the following broad themes.

**For those that agreed with the proposal**

- Benefit to teacher recruitment and retention
- To get and attract the best teachers to Barnet
- Encourage teachers to return to work
- Benefit to the member of staff 'making life easier'
- Teachers will be more effective, not worrying about childcare
- Potential to reduces absenteeism among staff

**For those that disagreed with the proposal**

- Loss of spaces for local children
- All working parents face the same issues
- Favours teachers and discriminates against other professionals
- All children should have an equal opportunity of a school place
- Not healthy for children to be at the school where their parent teaches.

1.9 This is the second time that the council has consulted on a proposal to offer a level of priority to school staff. As reported to the Children, Education, Libraries and Safeguarding Committee on 12<sup>th</sup> July 2016, the response to the earlier consultation in the year was felt to be too low to recommend a change to the admission arrangements and this further consultation was approved. For this later consultation, additional avenues to reach residents, parents and schools have been pursued. The consultation was advertised in Barnet First, on the council's website, advertisements were taken out in local newspapers and schools were provided with the material to advertise the consultation in their home/parent newsletters. We are confident that residents, parents and schools have now had sufficient opportunity to comment and to respond to the consultation.

1.10 On balance, given the support by 81% of respondents for the request by Barnet community schools to address an increasing recruitment and retention issue by offering priority for children of staff, it is recommended that Barnet adopts this proposal. This will bring the admission policy for community schools in line with those of some voluntary aided schools and Academies in Barnet that already incorporate this priority.

1.11 Appendix A contains the proposed admission arrangements for community schools 2018/19 and shows the level of proposed priority that would be afforded to this new category of applicant in relation to other priority criteria.

## **b) Amending priority given to former pupils for in-year admissions**

- 1.12 The current arrangements for In-Year admissions give priority to children who are without a school place and to those wishing to transfer schools who have already been a pupil at the school. This priority provides continuity for former pupils who leave the school, maybe as they have moved away or accompany their family on extended leave, if they return to Barnet. However, as it currently stands, a former pupil who may live outside of the local area would attract some priority ahead of some other children without a school place within the local area. With the high demand of school places the council is proposing to change this oversubscription criterion restricting priority to former pupils without a school place, that live in the geographical area and who have attended the school in the previous 12 months.
- 1.13 The statutory School Admission Code confirms that oversubscription criteria must be reasonable, clear, objective and procedurally fair. It must not disadvantage unfairly, a child from a particular social or racial group or a child with a disability or special educational need. Whilst there is no specific category related to former pupils within the admission code, the rationale for the criteria relates to the need to ensure that certain children who have left an area for a short period of time, have an opportunity to continue their education within their former school.
- 1.14 The council consulted on amending the oversubscription priority for former pupils to restrict priority to

*'Children without a school place who live within the school's associated geographical area (as defined in the admissions policy), who are a former pupil of the school and who have attended the school in the 12 months prior to the date of the application'.*

### **Consultation responses to the proposal**

- 1.15 There were 103 responses to this proposal. Of these, 69 agreed or strongly agreed (67%) and 15 disagreed or strongly disagreed (15%). The remaining 19 respondents neither agreed nor disagreed, or didn't know.

	<b>Number of respondents</b>	<b>%</b>
Strongly agree	28	27
Agree	41	40
Neither agree nor disagree	16	16
Disagree	7	7
Strongly disagree	8	8
Don't know	3	3
<b>Total</b>	<b>103</b>	

- 1.16 The respondents were then asked to give reasons for their response. Some provided reasons for the principle of affording any priority at all for former pupils rather than for the proposal to amend the existing proposal.

Taking this into account, reasons fell within the following broad themes.

#### **For those that agreed with the proposal to amend the criteria**

- It seems fairer
- a local connection to the area is important
- where a child now lives in a different geographical area, they should go to school in their new geographical area

#### **For those that disagreed with the proposal**

- there should be no restriction on the length of time
- some children leave schools for urgent medical and social reasons and should be allowed to return, without the restrictions proposed.

1.17 Again, this is the second time the council has consulted on amending this priority. Given the pressure on school places and balancing the needs of former pupils with those children who may be awarded a school place under other priority categories (such as distance), it is recommended to adopt the amended criteria. It is felt that this achieves a fair balance by affording former pupils a level of priority where they reside in the geographical area and had been a recent pupil, defined as within the last 12 months.

1.18 Appendix A contains the proposed admission arrangements for community schools 2018/19 that reflects the revised priority for former pupils.

#### **Determining admission arrangements in future years**

1.19 In future years, where no change to admission arrangements are proposed, the report seeks delegated authority for the Commissioning Director, Children and Young People (Director of Children's Services) to determine admission arrangements on behalf of the council.

## **2 REASONS FOR RECOMMENDATIONS**

2.1 The reasons for the first recommendation are set out in paragraphs 1.4 to 1.18 above.

2.2 The second recommendation seeks delegated authority for the Commissioning Director, Children and Young People (Director of Children's Services) to determine future annual admission arrangements where no change to admission arrangements is proposed.

## **3 ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

Maintaining the current admission arrangements for 2018/19 with no further consideration of change was considered but rejected for the reasons set out above.

## **4 POST DECISION IMPLEMENTATION**

The school admission arrangements for September 2018/19 will be determined and become effective for admissions to Barnet's community schools for pupils starting in September 2018.

## **5 IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

The quality of the education offer is at the heart of Barnet's continuing success as a place where people want to live, work and study. It plays a crucial part in making Barnet family friendly, with many families attracted to the area by the good reputation of Barnet's schools. Ensuring appropriate and sufficient local school places are available for children supports the delivery of the council's Corporate Plan to ensure that 'Barnet's children and young people will receive a great start in life' and that 'Barnet schools will be amongst the best in the country, with enough places for all and with all children achieving the best that they can'.

### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

There are no financial implications arising directly from this report.

### **5.3 Legal and Constitutional References**

Under section 14 of the Education Act 1966, Barnet Council has a statutory duty to ensure that sufficient school places for providing primary and secondary education are available in the borough. The School Standards and Framework Act 1998 sets out the statutory framework for school admissions. This requires the local authority and admission authorities to act in accordance with the statutory school admission code. Whilst some functions in relation to admissions have been contracted out to Cambridge Education, the duty to determine admission arrangements for community schools remains with the Council. This encompasses duties within regulations to consult on proposed changes to admission arrangements.

School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 require admission authorities to consult on proposed changes to admission arrangements between 1 October and 31 January in the determination year, allow a minimum of 6 weeks and to determine the arrangements by 28 February. There are prescribed groups who must be consulted, including the governing bodies of community schools, other admission authorities in the local area, neighbouring local authorities, parents of children between the ages of two and eighteen who are resident in the local area and other interested parties as required.

Annex A, Responsibility for Functions, of the council's constitution states that the committee has responsibility for :

- Planning the adequate provision of school places in the borough
- To be responsible for those powers, duties and functions of the Council in relation to Children's Services (including schools)

#### 5.4 Risk Management

Individuals can make an objection to the Office of the Schools Adjudicator (OSA) if they think that the admissions arrangements of a maintained school or an academy do not comply with the statutory School Admissions Code or legislation relating to school admissions. There is a risk that any change to Barnet's admission arrangements could result in objections to the OSA. However, this risk has been mitigated as the proposed change to the admissions criteria have been subjected to an assessment of its compliance with the Schools Admissions Code.

#### 5.5 Equalities and Diversity

The Council has a duty contained in section 149 of the Equality Act to have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The protected characteristics are:

- age
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

In reviewing its admission arrangements, the Council must ensure that it does not discriminate unfairly, either directly or indirectly, children from particular racial or social groups or a child with a disability or special educational need.

#### 5.6 Consultation and Engagement

In accordance with the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012, admission authorities are required to consult on any proposed changes to admission arrangements and regulations set out requirements for this consultation.

The consultation was undertaken between 23<sup>rd</sup> November 2016 and 31<sup>st</sup> January 2017. 124 responses were received in total – 123 through the on-line survey and one received by email. The results of the survey are contained in paragraphs 1.7-1.8 and 1.15-1.16 above. Of the respondents that completed the survey and also provided information about their characteristics

- 73% of respondents were Barnet residents, 17% were from pre-schools, 3% were representing voluntary/community organisations, 2% were residents from a neighbouring borough.
- 39% were of Christian faith, 18% were Jewish, 1% were Muslim, 1% Sikh, 1% Hindu. The remaining respondents either recorded no faith or

preferred not to say.

- 3 responses were from a school, all of these represented primary schools.
- 30% of respondents who were parents of a school age child had children that attended a secondary school.

## **6 BACKGROUND PAPERS**

Children, Education, Libraries and Safeguarding Committee, 12th July 2016  
Agenda item 7, School Admission Arrangements 2018/19

<http://barnet.moderngov.co.uk/documents/s33139/School%20Admission%20arrangements%202018-19.pdf>