

Mr Jupp, Cabinet Member for Education and Skills	Ref No: ES12 (19/20)
March 2020	Key Decision: Yes
Admission Arrangements for Community and Controlled Schools 2021/2022	Part I or Part II: Part I
Report by Director of Education and Skills	Electoral Divisions: All

Summary

The County Council has a statutory duty to consult on community and controlled school admission arrangements each year where there are proposed admission arrangement changes and once every seven years, if there are no proposed changes.

A public consultation has been undertaken in relation to a range of proposed changes which would take effect in 2021 and the outcome of this is set out in section 3.

The proposed changes to school admission arrangements for 2021 are outlined in section 2.

West Sussex Plan: Policy Impact and Context

It is essential that children living in West Sussex have the best start in life and we support this by ensuring that all children have access to education that meets the needs of the child.

Financial Impact

The proposed changes to school admission arrangements will have no financial impact on the County Council's budget.

Recommendation

The Cabinet Member for Education and Skills is asked to approve:

- (1) The proposal to remove the Kilnwood Vale development in Horsham from the catchment area for Waterfield Primary School/Ifield Community College in Crawley, creating a new catchment area for Kilnwood Vale Primary School. The Kilnwood Vale development will also be moved into the catchment area for Millais School and The Forest School in Horsham for the secondary phase.
- (2) The proposal to give priority under the oversubscription criteria for all community and controlled schools to children of staff, in order to assist schools with the recruitment and retention of staff.

- (3) The proposal to give priority under the oversubscription criteria for all community and controlled schools to children who are placed under a Special Guardianship Order who have not previously been in the care of the local authority.

1. Background and Context

- 1.1 The County Council is the admission authority for community and voluntary controlled schools in West Sussex. The admission authority for a voluntary aided school is the Governing Body and for an Academy is the Academy Trust.
- 1.2 All Local Authorities must consult those parties prescribed by the Secretary of State for Education on their Admission Arrangements for September 2021 by 31st January 2020. Admissions Arrangements must be published by 15th March 2020. Any objections must be lodged with the Schools Adjudicator by the 15th May 2020.
- 1.3 Admission Arrangements in West Sussex work well, as all children receive an offer of a school place on time; the overwhelming majority (89% in September 2019) at the school requested as a first preference by their parents.
- 1.4 Alterations to the Admissions Arrangements are required to reflect a number of changes in recent years. These include the building of a new school on a large development in West Sussex, the impact of own admission authorities giving priority to children of staff in their admissions arrangements and the disadvantage present in current arrangements for children who are subject to a Special Guardianship Order but, where they have not been previously looked after by the local authority. These proposed changes are set out in more detail in section 2.

2. Proposal Details

2.1 Proposal to move the Kilnwood Vale Development from the catchment area for Waterfield Primary School and Ifield Community College to a separate catchment area for the Kilnwood Vale Development for Primary Education and into the catchment for Millais School and The Forest School in Horsham for Secondary Education .

- 2.1.1 In 2016 the local authority moved the catchment area for the Kilnwood Vale development from Colgate Primary School and Millais School/The Forest School into Waterfield Primary School and Ifield Community College. The development is situated on the A264 between Crawley and Horsham. Although the development borders Crawley the residents pay their Council Tax to Horsham District Council.
- 2.1.2 The decision to place the Kilnwood Vale development into the catchment area for Waterfield and Ifield Community College was taken as families were

moving into Kilnwood Vale, before the proposed new Primary School was built and there were concerns that there would be insufficient capacity in Colgate Primary School to meet the demand for places within the catchment. The catchment area for secondary aged pupils was also changed to ensure continuity between primary and secondary schools. The intention was to review this arrangement once the new primary school was built on the Kilnwood Vale site.

- 2.1.3 In September 2019 Kilnwood Vale Primary School opened as a 1FE school (expandable to 2FE when the demand for places increases). The current admission arrangements for the school give priority to the children living on the Kilnwood Vale development whilst remaining in the catchment area for Waterfield Primary School. The proposal is to create a separate catchment area for Kilnwood Vale Primary School and move the development back into the catchment area for Millais School/The Forest School for secondary aged pupils.
- 2.1.4 Also taken into consideration in making these changes is the arrival of the new Bohunt Horsham School, which opened in temporary accommodation in Hurst Road, Horsham in September 2019, but is scheduled to move into its new permanent building in 2021. The admission number for pupils on the new site will be 240 and we anticipate that this will create sufficient capacity for all children living in Horsham. The new school site will be north of Horsham with access via the A264 Rusper Road.
- 2.1.5 It is therefore proposed to move the Kilnwood Vale development from the catchment area in which it currently sits, the catchment area for Waterfield Primary School, Crawley for the primary phase and Ifield Community College, Crawley for the secondary phase to create a new catchment area for Kilnwood Vale Primary School.

2.2 **Proposal to amend the current admission arrangements for all community and controlled schools to allow priority for children of staff.**

- 2.2.1 Section 1.39 of the School Admissions Code allows admission authorities to give priority in their oversubscription criteria to children of staff in either or both of the following circumstances:
 - a) Where the member of staff has been employed at the school for two or more years at the time which the admission to the school is made, and/or
 - b) The member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.
- 2.2.2 Many academies already allow this priority as part of their oversubscription criteria. It is the intention of the local authority to provide the same opportunities to community and controlled schools and avoid any disadvantage in terms of being able to attract and retain strong members of staff.

2.2.3 West Sussex County Council are proposing to add this criteria to their oversubscription criteria after all children in catchment and those outside of the catchment area with siblings already attending the school, so as not to displace local children from local schools or to split families that already have a sibling at the preferred school.

2.3 Proposal to provide equal priority for children subject of a Special Guardianship Order as a Child Looked After in regard to priority in school admissions.

2.3.1 Section 1.7 of the School Admission Code states that all schools must have oversubscription criteria for each 'relevant age group' and the highest priority must be given, unless otherwise provided in this Code, to looked after children and all previously looked after children. Previously looked after children are children who were looked after, but ceased to be so, because they were adopted (or became subject to a child arrangements order or special guardianship order).

2.3.2 The Code requires Admission Authorities to give priority to children who have been made subject of Special Guardianship Orders following a period of local authority care, however it is proposed that when families step in and care for children through a Special Guardianship Order, without necessitating a period of local authority care, that we provide the same priority for these children through the oversubscription criteria for community and voluntary controlled schools as those who are looked after by the local authority.

Factors taken into account

3. Consultation

3.1 Regulations set out who should be consulted about proposed changes to admission arrangements. Consultees include all schools, neighbouring Local Authorities, the Diocese and parents. District, Borough and Parish councils were also consulted. The consultation was advertised in the County times and some other local newspapers and the County Council E-panel.

3.2 Consultation took place between 16th December 2019 and the 31st January 2020, to comply with the requirement that the consultation be a minimum of 6 weeks. The [consultation](#) was made available via the County Council's Have Your Say website.

3.3 There were a total of 155 respondents to the consultation. A summary report of consultation responses is provided in the Appendix. The full analysis is made available to the Cabinet Member for Education and Skills only, in order to protect individuals being identified and to comply with GDPR legislation.

3.4 It seems that respondents were broadly in favour of all the proposals.

4. Financial (revenue and capital) and Resource Implications

- 4.1 The County Council's admission arrangements are a statutory function, managed by the Pupil Admissions Team. The proposed admission arrangements will be implemented within the existing budget provision for this team.

5. Legal Implications

- 5.1 The proposals comply with the requirements of the School Admissions Code December 2014 which requires school places to be allocated and offered in an open and fair way. The arrangements are fair, clear and objective. Parents will be able to understand easily how places will be allocated.

6. Risk Management Implications

- 6.1 All Local Authorities must consult those parties prescribed by the Secretary of State for Education on their admission arrangements for September 2021 by the 31st January 2020. Arrangements must then be published by 15th March 2020. Providing the arrangements are approved and are in accordance with the law and the School Admissions Code, there are no risk management implications for the County Council, parents/carers and their children.

7. Other Options Considered (and reasons for not proposing)

- 7.1 There was an option to leave the current arrangements for the Kilnwood Vale Development catchment area as they were. This wasn't followed through because the County Council had always made it clear that the arrangements would be reviewed once the new primary school was built and operational. This has been carried out to regularise the school arrangements for the Kilnwood Vale children and avoid reputational risk. This decision was fully supported by the Academy Trust for Kilnwood Vale Primary School.
- 7.2 The option not to give priority under the oversubscription criteria to children of staff would result in the County Council continuing to disadvantage maintained schools in their ability to recruit and retain good staff, as many own admission authority schools now have this as part of their admissions arrangements.
- 7.3 It is considered wholly appropriate to allow priority under the oversubscription criteria for children who are subject to a Special Guardianship Order who have not previously been in the care of the Local Authority, as these children cannot access the same level of support as children who have previously been in care of the Local Authority, yet they face the same challenges. To leave the criteria as it currently stands would further disadvantage the children who find themselves in these circumstances.

8. Equality and Human Rights Assessments

- 8.1 The consultations on the Have Your Say website are specifically designed to help to gather the correct information so that protected groups, and those with protected characteristics, are identified within the data. We also considered the impact that the proposals would have on these groups and are confident that the impact will only be a positive one.
- 8.2 Notifying schools, parents/carers, special interest groups and other interested parties has helped to ensure that there is sufficient data to inform the Cabinet Decision specifically regarding those with protected characteristics.
- 8.3 The consultation included gathering information on nine protected characteristics including race 'sex 'disability and religion or belief and the documentation has taken into account the diverse communication needs of the population.
- 8.4 An equalities analysis of the results of the consultation was undertaken and no significant differences were apparent.

9. Social Value

Not applicable

10. Crime and Disorder Reduction Assessment

Not applicable

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Appendix - Consultation Summary

Background Papers - None

Analysis of Responses to Public Consultation
Summary Report

Consultation on School Admission
Arrangements for 2021/2022

A public consultation exercise was undertaken by West Sussex County Council between 16th December 2019 and the 31st January 2020, to comply with the requirement that the consultation be a minimum of 6 weeks. The consultation was made available via the County Council's Have Your Say website.

There were a total of 155 respondents to the consultation. The responses are shown below:

The following questions were asked in the consultation:-

Do you have any comments on the Scheme of Co-ordination for starting school/transfer for 2020/2021 changes for non –statutory dates?

There were 28 responses to this question.

9 comments

19 no comments.

Summary

The comments did not relate to the question, they ranged from comments on individual schools' oversubscription criteria to comments on other areas covered in the consultation. There was also a comment on the statutory time scales which the local authority is not permitted to change.

What is your view on the proposal to move Kilnwood Vale development from the catchment area of Waterfield Primary School and Ifield Community College?

Agree: 53

Disagree: 35

No Comment: 34

There were 17 additional comments.

Summary

The majority of people supporting this proposal were families who live on the development who feel that they should have priority for a school in Horsham as this is where their Council Tax contributions are made. Those disagreeing with the proposal were primarily concerned about the current

oversubscription of secondary schools in Horsham. This is being addressed by the additional places coming on board at Bohunt School, Horsham. There was one response from a Parish Council who is concerned that the children living on the Kilnwood Vale development would no longer have the option to cycle to school, as there were no direct cycle routes available between Kilnwood Vale and Faygate where the children could then get a train to school. The children currently living on Kilnwood Vale already travel to Horsham Schools.

The consultation was wide and included all Parish Councils and was also sent to all schools.

What is your view on the proposal to allow priority to children of Staff?

Agree: 73

Disagree: 48

No comment: 34

There were 13 additional comments

Summary

The majority of comments were from parents concerned that local children would be displaced by children of staff however we have addressed this by making it a lower priority than children in catchment and those outside of the catchment with siblings already at the school.

Do you agree or disagree with the proposal to allow priority for children who are subject to a Special Guardianship Order who have not previously been in Local Authority care?

Agree: 83

Disagree: 35

No comment: 37

There were 8 additional comments.

Summary: The majority of comments were in support of this proposal. The others were not relevant to the question.

Do you have any comments on the Published Admission Number (PAN) for your school for September 2021 or for any other school? Please include any requests for consideration of a change to your existing PAN in this section.

There were various comments throughout the consultation but no emerging themes rather individual views on a range of school issues.

Do you have any other comments on the admission arrangements for 2021/22

There were 20 responses

13 comments

7 no comments

Summary

There was a wide range of comments regarding specific schools and areas but not relevant to the proposed changes; these are being managed and actioned as necessary.