

TITLE	School Admission Arrangements 2018/19
FOR CONSIDERATION BY	The Executive on 23 February 2017
WARD	None specific
DIRECTOR	Judith Ramsden, Director of People Services
LEAD MEMBER	Charlotte Haitham Taylor, Executive Member for Children's Services

OUTCOME / BENEFITS TO THE COMMUNITY

The school admission arrangements address the local authority's statutory duty to ensure that all school places for maintained schools and Academies (excluding special schools) are allocated and offered in an open and fair way and comply with the School Admissions Code and relevant regulations and legislation and support the council's key priorities.

The School Admissions Code (14) requires that in drawing up admission arrangements, admission authorities must ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. Parents should be able to look at a set of arrangements and understand easily how places will be allocated.

RECOMMENDATION

That the Executive determines the 2018/19 admission arrangements for community and controlled schools and co-ordinated admission schemes as set out in the annexes to this report.

SUMMARY OF REPORT

The main co-ordinated admission schemes apply to all state funded schools within the Borough (including free schools and academies), and include the admission arrangements for community and voluntary controlled schools. These schemes deal with applications for entry to primary (F2 reception), junior (year 3) and secondary (year 7) schools. It also allows for co-ordination for middle schools within the primary scheme and upper school entry specifically to year 9 and year 10 (e.g. university technology colleges, The Forest School and selective schools) within the secondary scheme.

There is no longer a legal requirement to co-ordinate in-year admissions except to community and voluntary controlled schools. The local authority has prepared an in-year co-ordinated admissions scheme, which if adopted would apply to all community and voluntary controlled schools; the participation of voluntary aided schools, free schools and academies is subject to agreement by the individual trust/governing body.

Admission matters are reviewed and determined annually, subject to consultation unless no changes are proposed.

A number of changes are proposed which required consultation and are detailed later in this report.

Consultation on the proposed changes opened on December 19, 2016 and closed on January 31, 2017. The consultation was available to view on the council's website and notified to neighbouring local authorities; The Dioceses of Oxford and Portsmouth; all schools and early years settings with a request to notify parents of the consultation.

Seventeen responses to the consultation were received, with only two disagreements to proposals (set out in more detail in an appendix). These are not considered to require amended proposals and therefore no changes will be considered to the original proposed arrangements prior to determination.

The proposals contained in the report do not have any direct implications for the Council's capital or revenue budgets.

Background

Under the Education and Skills Act 2008 (as amended) and the statutory School Admissions Code, admission authorities must consult annually on their admission arrangements (or at least every seven years where no changes are proposed). The Council is responsible for setting the admission arrangements for community and voluntary controlled schools. Individual governing bodies are responsible for setting the admission arrangements for the nine voluntary aided schools and nine academy/free schools in the Borough. Wokingham consulted between December 19, 2016 and January 31, 2017.

In addition to their duties as admissions authorities local authorities must also agree co-ordinated schemes for school admissions in their area. These provide that parents can apply to their home authority for admission to any state-funded schools, including schools in other authorities, and receive a single offer of a place. This applies to the main admission rounds for entry to primary; transfer from infant to junior, and transfer from primary to secondary education. Applications are also co-ordinated for middle and upper schools within the primary and secondary co-ordinated schemes. In addition the Council operates a co-ordinated scheme for in-year applications for school places within its area. Whilst this scheme is no longer a statutory requirement; clarification has been received from the Department for Education that local authorities are required to co-ordinate for community and voluntary controlled schools, and to those voluntary aided and academy/free schools which agree to participate in the scheme. Currently all but one own admission authority schools in the borough are included within the in-year co-ordinated scheme; the exception is Earley St Peter's CE Aided Primary School. This school is still required to notify the local authority when an application is received and the outcome of that application.

The value of the in-year co-ordinated scheme is that it ensures that children who arrive in the borough or whose parents wish to change school mid-year are swiftly allocated school places, where possible in line with parental preference. Where a place cannot be offered in line with parental preference, parents are notified of their statutory right to appeal and allocated the most accessible school with places available. It further ensures that multiple place offers are not held for one child, so maximising the potential supply of places for all children. Without the in-year co-ordinated scheme alternative arrangements would be required to monitor outcomes and to consider applications for places at those schools where the Council administers admissions on behalf of the school.

Admission arrangements for each school year must be decided by March 15 in the previous year. Therefore the 2018/2019 arrangements must be decided by March 15, 2017. Once decided, there is a statutory duty to administer admissions strictly in accordance with the determined arrangements, without variation except in prescribed circumstances to meet a change in school organisation; a change in law, or to comply with a decision by the Office of the Schools Adjudicator.

Determination of the co-ordinated admission schemes must be notified to the Secretary of State for Education by March 15 in the previous year, failure to do so can mean that a scheme is imposed on the local authority.

All determined admission arrangements for schools within its area must be sent to the local authority to enable it to publish the details on its website and notify how objections can be made by 15 March of the determination year.

Analysis of Issues

The changes proposed are:

- That the designated area of Loddon Primary School be extended to include that of Aldryngton Primary School.
- That the designated area of Whiteknights Primary School be extended to include that of Radstock Primary School
- That the community are invited to consider wording to make it more difficult for owner occupiers to game the admissions arrangements of popular schools by moving temporarily to their designated areas.
- That where processes are referred to these are made fully electronic (removing any formal reliance on paper systems) in accordance with the Lean principles underpinning the transfer of admissions arrangements to Customer Services.

Background

The admissions arrangements for 2017/18 have proved generally robust and there have been no changes in national guidance over this period, so it is not proposed to make further changes (other than those listed) to the arrangements.

Historically the Council has been unable to offer places at Radstock and Aldryngton Primary Schools to some children living in the designated areas of those schools. Amending the designated areas as proposed would give families living in the current Radstock and Aldryngton designated areas additional priority for another school. Although there is a proposal for the expansion of Aldryngton Primary School this will not be determined by the date at which the admissions arrangements must be determined. The arrangements for Radstock and Aldryngton schools would remain unchanged.

A number of families “game” the admissions process by moving temporarily to addresses close to popular schools (such as Aldryngton and Radstock), intending to move back to their permanent homes outside the designated areas once their child has started school. Note that this is not fraud (such as a claim to live at an address while actually living elsewhere) and fraud is already dealt with under existing arrangements. The admissions arrangements need to be updated to reflect the move to on-line systems as the only route to make applications. Where families cannot use the online systems they will be supported by the WBC customer services team who will manage the on-line process on their behalf. As part of the lean review waiting lists will operate for one year only (parents will need to re-apply to remain on waiting lists).

Analysis of Issues

Admissions arrangements 2018/19: temporary and short term address restrictions

Executive summary

After a review of practise in neighbouring authorities (Appendix H) it is proposed to modify Wokingham’s arrangements using principles underpinning those adopted by Surrey County Council. This has a well-developed “address of convenience” definition that has provided a model for the development of the proposed Wokingham arrangements.

There is a known issue whereby parents make temporary arrangements to live near popular schools that they do not intend to maintain once a child has started at that school. This may be considered to be distinct from fraud (e.g. where a parents declares a false address, such as a business address), which is dealt with separately.

Wokingham has a number of statements in its determined arrangements for 2017/18 that work to counter this practise. They do however leave determined parents with avenues to pursue that will enable them to secure a school place through a longer term but still temporary arrangement. In particular they allow parents that own a property to rent out their nearby home, with the expectation that they will re-enter their home once their child has secured a place at a popular school.

Note though that whatever bar is set sufficiently determined parents can secure school places through (relatively) short term arrangements. Parents are free to choose a permanent home because they hope that their child will be admitted to a particular school because of the advantage that location gives them. If they are successful and subsequently move to a new permanent home their child cannot be excluded because of the move. All that can be done is to tighten up on the definition of permanent home. One other solution that is not recommended for further development is to introduce a length of residence criterion into admissions criteria. Admissions authorities have used these in previous years and they have been struck out by the Schools Adjudicator for breach of Equalities legislation and the Military Compact. Some groups of people with protected characteristics are likely to be more mobile than groups that do not have these characteristics and so would be less likely to secure places at popular schools under such criteria. For example there is an over representation of minority groups in insecure private rented accommodation, and due to the relative lack of security lengths of occupancy will often be less than for non-minority residents who are better represented in the owner occupied sector.

<http://www.ethnicity.ac.uk/medialibrary/briefingsupdated/how-has-the-rise-in-private-renting-disproportionately-affected-some-ethnic-groups.pdf>)

Current Wokingham wording (2017/18 admissions arrangements):

“A temporary address cannot be used to obtain a school place. Temporary addresses will only be considered where evidence is provided of a genuine reason for the move e.g. flooding or subsidence.”

Residency Requirements

Home address

Applications are processed on the basis of the child’s single permanent home address living with parent(s) or a carer/legal guardian at the closing date for applications. An address will not be accepted where the child was resident other than with a parent or carer unless this was part of a private fostering or formal care arrangement.

.....If there are two or more homes, evidence will be required as to which is the main home showing that the other property is either let out on a long term rental (6 months plus), that the property is uninhabitable, or that the address is in the process of being sold and the family live permanently in the declared property. This evidence is required to prove where an applicant was living at the time of making the application.
.....

Applicants will be asked to declare that the address used is expected to be their place

of residence beyond the date of the pupil starting school. Applicants are required to advise of any change of circumstance at any time prior to the child starting school. If you do not declare such arrangements, or a different address is used on the application where the child does not usually live; it will be considered that a false declaration has been made and it may be decided to decline to offer a place at a particular school, or to withdraw the offer of a place.”

Comment

Although the arrangements make it clear that temporary addresses cannot be used, they do allow for relatively short term occupancy of an address near a school, provided the main home is let out for at least six months.

Proposed Wokingham arrangements (2018/19):

Shaded/yellow highlighted section above has been amended to read:

“..... Some residential arrangements will be considered to be temporary arrangements. The Council will consider the available evidence to determine if, on the balance of probability, the declared home address is the child’s permanent home. Where the applicant, or their partner or spouse reasonably considered to be living with them as a single family unit own another property, have previously lived in it and chose not live in it (including where a home is rented out to a third party) the owned property will ordinarily be considered to be the permanent home. Special circumstances that might lead to the declared address being considered as a permanent home despite another home being owned or otherwise available for occupation will need to be declared at the point of application by parents. Without being exhaustive these might include:

- an owned property being a considerable distance from the preferred school, indicating that the family had permanently relocated to the new home, or
- that the owned property is uninhabitable and cannot reasonably be made habitable in the period leading up to admission to the school or
- that the owned property is in the process of being sold and the family live permanently in the declared property or
- that following divorce or separation the family home cannot be occupied by the applicant or otherwise treated as the child’s permanent home

Where the declared address is rented and the applicant has no claim on any other property the declared address may be considered to be a temporary address if there is evidence the applicant has chosen to rent the property solely for the period necessary for a child to be admitted to a particular school.

Applicants should note that should any evidence arise after a child has been offered a place or admitted to a school that indicates that the declared home was not a permanent home, the place may be withdrawn, even when a child has started school..”

Further background information
School admissions code requirements

The local authority (as admissions authority) can withdraw places where it has established that “it has been offered in error, a parent has not responded within a reasonable period of time, or it is established that the offer was obtained through a fraudulent or intentionally misleading application.” (2.12)

A place can be withdrawn, but only in prescribed circumstances:

“A school **must not** withdraw a place once a child has started at the school, except where that place was fraudulently obtained. In deciding whether to withdraw the place, the length of time that the child has been at the school **must** be taken into account. For example, it might be considered appropriate to withdraw the place if the child has been at the school for less than one term” (2.13)

Investigation of fraud

Following Paton v Poole DC 29.7.10, (a decision of the Investigatory Powers Tribunal under the Regulation of Investigatory Powers Act 2000) local authorities are unable to use covert surveillance, so must rely on a range of documentary evidence to make decisions.

PROPOSED TIMETABLE CO-ORDINATED ADMISSION SCHEMES 2018/2019	
Date	Action
July 9, 2017	State-funded schools to provide school information to enable composite prospectus to be compiled
By September 11, 2017	Application packs for secondary transfer to be distributed via primary schools and on request
By September 12, 2017	Composite prospectus published on council's website
September 11, 2017	Online admissions open for applications for transfer to secondary school
October 31, 2017*	National closing date for secondary transfer applications
November 24, 2017	Secondary transfer applications to be forwarded to Wokingham Borough own admission authority schools for consideration
November 2017	Application packs to be posted for entry to primary to parents who are either attending Wokingham borough early years' settings or who have registered with the school admissions team or who are transferring to junior school to be distributed via infant schools or on request,
November 10, 2017	Online admissions open for applications for entry to primary and transfer to junior school
January 15, 2018*	National closing date for evidence to be provided to meet Wokingham Borough Council criteria for those transferring to secondary school; transferring to junior school; or starting school.
January 15, 2018	Ranked lists to be submitted to the local authority by own admission authority schools for secondary transfer
February 10, 2018	Entry to primary and junior transfer applications to be forwarded to Wokingham Borough own admission authority schools for consideration
February 16, 2018	SEN Team to inform parents of pupils transferring to secondary

	school or to junior school with statements of special education need of their allocated school
By February 28, 2018	Appeals timetable published to website (own admission authority schools will publish details on the school's website)
March 1, 2018	National secondary offer day – letters posted by first class post
March 15, 2018	Secondary transfer: Deadline for accepting the offer of a place Late applications to be processed Waiting list information available
March 15, 2018	Ranked lists to be submitted to the local authority by own admission authority schools for the entry to primary and junior transfer
March 30, 2018	Closing date for notification of a secondary appeal to be heard together
March 31, 2018	Final co-ordination with other local authorities for entry to primary and junior school transfer
April 18, 2018 (next working day)	National offer day for primary applications for those starting school and transfer to junior school offer day – letters posted by first class post
May 3, 2018	Entry to primary and junior transfer: Deadline for accepting the offer of a place Late applications to be processed Waiting list information available
May 18, 2018	Closing date for notification of an entry to primary or junior transfer appeal to be heard together
End May/early June 2018	Local authority to advise schools of final allocation details
May/June 2018	Secondary appeals to be heard in accordance with published timetable
June/July 2018	Starting school and junior transfer appeals to be heard in accordance with published timetable

Appendices

Appendix A - WBC Draft Coordinated admissions scheme and WBC admission policy 2018 19

Appendix B – WBC proposed F1 policy 2018 19

Appendix C – WBC proposed local in year co-ordinated scheme 2018 19

Appendix D – WBC proposed sixth form policy 2018 19

Appendix E – Consultation Response Form

Appendix F – Consultation responses

Appendix G – Proposal to amend the Designated areas of Aldryngton and Loddon Primary Schools and Whiteknights and Radstock Primary Schools

Appendix H - Brief summary of neighbouring local authority arrangements regarding temporary addresses.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	Nil	Yes	N/A
Next Financial Year (Year 2)	Nil	Yes	N/A
Following Financial Year (Year 3)	Nil	Yes	N/A

Other financial information relevant to the Recommendation/Decision

The proposals contained in the report do not have any direct implications for the Council's capital or revenue budgets.

Cross-Council Implications

The School Admissions Code expects admission arrangements to promote sustainable travel and equal access to educational opportunities, in providing a fair system of school admissions that allows families to express school preferences and to access places at local schools.

Robust and fair admission arrangements mitigate the risk of unforeseen additional revenue and capital costs to the local authority and individual schools arising as a consequence of successful admission appeals.

List of Background Papers

Proposed admission arrangements
School Admissions Code 2014 and School Admissions Appeals Codes (2012) and associated School Admissions Regulations.

Contact Paul Feven	Service Children's Services
Telephone No	Email paul.feven@wokingham.gov.uk
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