

## Cabinet Member Decision Note

### Relevant Area for Admission Arrangements 2022-23 and 2023 -24

**To: Deputy Leader of the Council and Cabinet Member for Commercialisation, Education and Skills**

**Date: 10<sup>th</sup> November 2020**

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Author: Corporate Director Children's Services/ Strategic School Admissions Manager

Wards: All Wards

Parishes Affected: All Parishes

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#### **1. Purpose and Reasons**

- 1.1 To determine the relevant area for the consultation of admissions arrangements for 2022-23 and 2023-24 academic years.
- 1.2 The local authority is required to determine a relevant area under the Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999 for future consultations of admission arrangements.
- 1.3 This report links to the Council's Education Place Planning Study 2020 and relates to Priority 2: "Offer education opportunities that lead to the right skills and right jobs in the right places."

#### **2. Recommended Action to be authorised by a Cabinet Member Under Delegated Powers**

##### Recommended that:

- 2.1 The 10 responses to the consultation (eight in favour, two opposed) summarised in the body of the report and set out in full at Appendix One be noted,
- 2.2 The Corporate Director Children's Services be authorised to retain the current relevant area for admissions for the 2022-23 and 2023-24 academic years, as set out in Appendices Two and Three.

#### **3. Detail**

##### Legal Requirement

- 3.1 Section 89(2) of the School Standards Framework Act 1998 requires each admission authority to consult other admission authorities before determining school admission arrangements for a school year. This includes schools within the 'relevant area.'

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- 3.2 Having reviewed the previous arrangements, the local authority has proposed the same relevant area for all schools within the Swindon Borough Council area, and the proposed area set is the geographical area for the Borough.
- 3.3 The local authority carried out a statutory consultation with required consultees for 30 days between 13<sup>th</sup> July 2020 and 17<sup>th</sup> August 2020. This has included all schools within the Swindon area and schools outside the Swindon area but in the case of primary schools within 1.6 km of the Borough boundary and in the case of secondary schools within 4.8 km of the boundary. The two Dioceses Clifton and Bristol and the neighbouring education authorities were also consulted. Local Councillors were consulted via the Members' Bulletin on the 16<sup>th</sup> July 2020 no comments received.
- 3.4 The consultation was published on the Council's website and there were 10 responses to the consultation. There were eight (80 %) in agreement with the proposed area, and two (20%) that disagreed, although only one gave a reason and one with no comments for this the full consultation details are set out at Appendix One.
- 3.5 The proposal to adopt the same relevant area as we have had for previous years. Therefore, it is proposed to determine the relevant area for school admissions as set out in paragraph 3.2 above

#### **4. Alternative Options**

- 4.1 The relevant area is set prior to the consultation of admission arrangements by any local admission authority (e.g. the Local Authority and schools, which determine their own admission arrangements). Not setting the relevant area could bring into question whether a legal consultation has been carried out.

#### **5. Consultation**

- 5.1 The following Opposition and Minority Group Spokespersons / Ward Members have been consulted on the recommendations of the report and their responses are also summarised below:

Councillor Carol Shelley	No Comment received
Councillor Oliver Donachie	No Comment received
Councillor Stan Pajak	No Comment received

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#### **6. Implications, Diversity Impact Assessment and Risk Management**

##### Financial and Procurement Implications

- 6.1 The admission budget is funded through the Dedicated Schools Grant (DSG) and therefore no corporate funding is required to support this service

##### Legal and Human Rights Implications

- 6.2 The Council is required to comply with the statutory provisions referred to in the report. All other legal and human rights implications have been considered in the preparation of this report. The recommendations are considered compatible with Convention Rights.

- 6.3 Under Section 89b of the School Standards and Framework Act 1998 and associated regulations, and the Education Act 2011 the Council, in its role as a Local Authority, has to determine the co-ordinated scheme and other admission arrangements that are to apply in their area. The relevant area determination is used as part of the admission arrangements consultation for all Swindon schools

##### Climate Change Impact

- 6.4 The proposals would not bring a change in service delivery and Officers believe that there is no expected effect on the Council's carbon footprint.

##### All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 6.5 The proposals for additional school places comply with Section 17 of the Crime and Disorder Act 1998 to develop school policy to maximise school attendance.

##### Diversity Impact Assessment

- 6.6 The determination of a relevant area does not require a diversity impact assessment as no change in service proposed.

##### Risk Management

- 6.7 The admissions arrangements which will be set using the relevant area, would strengthen the measures in place for safeguarding children through the coordinated Admissions Scheme as the Admissions Team are aware of every child in Swindon and are aware of transfers coming into or out of the Borough.

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#### **7. Consultees**

7.1 The Corporate Director of Finance and Assets (s151 officer) and Chief Legal Officer (Monitoring Officer) are consulted in respect of all reports.

7.2 In relation to the consultation carried out with Admission Authorities, etc. the following were consulted:

7.2.1 All Swindon Schools including academy trusts

7.2.2 All neighbouring local authorities

7.2.3 All schools outside Swindon (within 1.6 km for primary schools and 4.8 km for secondary schools)

7.2.4 All Councillors through the Members' Bulletin

#### **8. Background Papers**

8.1 None

#### **9. Appendices**

9.1 Appendix One: consultation responses

9.2 Appendix Two: Maps of the relevant area

9.3 Appendix Three Description of the relevant areas

#### **10. Declarations of Interest**

##### Opposition and Minority Group Spokespersons / Ward Members

10.1 Opposition spokespersons / Ward Members are reminded to consider whether they have any known interests in any of the matters referred to in this Decision Note. If such an interest exists this should be declared to the Monitoring Officer (or Senior Committee Clerk), and they should take no part in the consideration of the Briefing Note and should refer the Briefing Note to their Group Leader.

##### Cabinet Member(s)

10.2 Cabinet Members are reminded to consider whether they have any known interests in any of the matters referred to in this Decision Note. If such an interest exists this should be declared to the Monitoring Officer (or Senior Committee Clerk), and they

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should take no part in the consideration of the Decision Note and should refer the Decision Note to the Leader of the Council instead for consideration.

#### **11. Sign-off**

- 11.1 The Cabinet Member is requested to respond with 5 days of the date of this report (by 15<sup>th</sup> November 2020).
- 11.2 Decisions of Cabinet Members will be published in the Members' Bulletin. The Decision must not be implemented until such time that a five-day "Call-in" period has expired. This date will be specified in the Members Bulletin. If a Decision is 'called-in' it will be referred to the Scrutiny Committee for consideration. It must only be implemented if the Scrutiny Committee has raised no objection. If an objection is forthcoming, the matter will be referred back to the Decision-Maker.
- 11.3 The Cabinet Member is requested to indicate one of the following responses to the Recommendations set out in Section 2 of this report.

[To be signed electronically and redacted for publication.]