

School Admission Arrangements and Mainstream Home to School Transport Policies 2022-23

Cabinet

Date: 3rd February 2021

Author:	Cabinet Member for Commercialisation, Education and Skills Commissioner Education Place Planning and Admissions
Wards:	All
Parishes Affected:	All

1. Purpose and Reasons

- 1.1 To seek Cabinet's agreement to put in place co-ordinated admission arrangements for the normal point of entry (Reception, Year 3, Year 7), In-year admission arrangements for all Swindon Schools, and the Admissions Policy and Published Admission Numbers (PAN) and Catchment Areas for Community and Voluntary Controlled Schools in Swindon for September 2022.
- 1.2 To seek Cabinet's agreement on the Mainstream Home to School Transport Policy for 2022-23
- 1.3 This report particularly links to the Council's updated study of long-term school place planning. It also relates the Vision priority 2: "Offer education opportunities that lead to the right skills and right jobs in the right places."

2. Recommendations

Cabinet is recommended to:

- 2.1 Approve the co-ordinated scheme of admission arrangements for the normal point of entry (Reception Year, Year 3 and Year 7) for all primary schools and secondary schools in Swindon from September 2022 (attached at Appendix 1);
- 2.2 Approve the co-ordinated In Year admission arrangements for all primary schools and secondary schools in Swindon from September 2022 (attached at Appendix 4);
- 2.3 Approve the admission numbers and arrangements for Community and Voluntary Controlled schools from September 2022 (attached at Appendix 2);
- 2.4 Approve the Mainstream Home to School Transport Policy 2022-23 (attached at Appendix 5).

3. Detail

Admission Arrangements

- 3.1 The admission arrangements and co-ordinated scheme are consulted upon annually. There is a proposed change with the timeframe and the way the Admissions Team will

Further information on the subject of this report can be obtained from Emily Heaton, eheaton@swindon.gov.uk.

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process in-year admissions through the in-year coordinated scheme, with further implementation of the admissions process online. We have also incorporated changes in the arrangements that would ensure they are compliant with the new School Admissions Code, should this be approved and become law.

- 3.2 The school admission arrangements are used for the purpose of allocating school places at the point of entry for children at age 4 (Reception), 7 (Infant to Junior) and 11 (Secondary).
- 3.3 There are a number of different elements relating to arranging an overall admissions process, especially with the rapidly changing education landscape and greater autonomy granted to schools. It is the responsibility of all admission authorities to ensure that admission arrangements are compliant with the School Admissions Code.
- 3.4 The following table outlines where the responsibility lays for the different admissions processes:

Table 1 Different admissions processes

Type of School	Admission Authority
Academies (including Free Schools)	Academy Trust
Community Schools	Local Authority (LA)
Voluntary Aided Schools	Governing Body
Voluntary Controlled Schools	LA

- 3.5 An admission authority is responsible for determining their admission policy, published admission number (PAN), oversubscription criteria including the determination of catchment areas if appropriate. Individual admission authorities within Swindon are required to consult the LA on their admission policies. However, the LA is not responsible for the contents of their arrangements; this is the responsibility of the Academy Trust or Governing body as indicated in the above table.
- 3.6 In addition to the responsibilities set out in paragraph 3.4, the LA is required to formulate a co-ordinated scheme for the point of entry to manage the application process for all schools within the LA area.
- 3.7 This report outlines those policies written and consulted on by the LA with regard to the allocation of school places. The document contains the following sections:
- 3.7.1 Co-ordinated admissions scheme (applicable to all schools);
- 3.7.2 In Year Admissions Scheme (applicable to all schools – even those that are opting out of the scheme)

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- 3.7.3 Admission Policy and oversubscription criteria (Community and Voluntary Controlled Schools only), which also includes Published Admissions Numbers and School Catchment Areas for these particular type of schools.

Consultation

- 3.8 The School Admissions Code places a duty on the LA and all admission authorities to consult upon its admission arrangements above for a minimum of 6 weeks, which must be completed by 31st January in the determination year. The consultation ran between the 23rd November until the 8th January 2021.
- 3.9 The School Admissions Code outlines the list of relevant bodies that must be consulted as outlined in section 6 below. The LA publicised the consultation on its website , members bulletin and through all local schools and the pre-schools, neighbouring Local Authorities and the Diocesan Boards of Education,
- 3.10 Schools were also asked to advertise the consultation on their websites, publish information in their school newsletters, and by displaying posters.
- 3.11 Survey responses could be made in writing or by using an online survey tool. The survey tool allowed responses to all the arrangements. The LA received a total of 2 responses to the consultation, both online.

Admissions Consultation responses:

- 3.12 In terms of the Admission Arrangements for Community and Voluntary Controlled Schools 2021, we have 2 responses with 100% agreement
- 3.13 For the proposed In Year Co-ordinated Scheme, we have 2 responses with 100% agreement

Co-ordinated Admissions Scheme for the Point of Entry

- 3.14 The LA is legally required to consult on the co-ordinated admission arrangements that all the schools and admissions authorities in their area must comply.
- 3.15 The Education Act 2002 introduced the statutory requirement for every LA to draw up a scheme for co-ordinating admission arrangements to cover every maintained school in its area. The regulations also require Local Authorities to co-ordinate arrangements across LA boundaries. Therefore, the scheme sets out the admissions timetable and the responsibility to exchange information between schools and Local Authorities to ensure Swindon makes one fair offer to all residents of the Borough.

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- 3.16 The purpose of the co-ordinated scheme is to ensure that every parent of a child living in Swindon who has applied for a school place receives the offer of one school place on the same day.
- 3.17 This applies to admission for the point of entry for Reception, Year 3 and Year 7 for all categories of schools including Community, Voluntary Controlled, Voluntary Aided, Foundation and Academies. The proposed co-ordinated scheme and timescales for the 2022-23 academic year is attached in Appendix 1.

Admission Arrangements

- 3.18 All schools are required to set fair and transparent arrangements for assessing priority for admission.
- 3.19 The key part of the admission arrangements is to set criteria used to determine admission where more parents / carers have expressed a preference for a particular school than it has places available in a particular year. The published oversubscription criteria must be applied to decide which preferences should be met.
- 3.20 The oversubscription criteria must be set out clearly and unambiguously, making clear not only what the criteria are but also the way and order in which they will be applied.
- 3.21 The proposed admission arrangements for Community and Voluntary Controlled Schools are set out in Appendix 2. A full analysis of the response is set out within Appendix 3.

In Year Coordinated Admissions

- 3.22 In Year Admissions in Swindon have been considered under the In Year Coordinated Admissions Scheme since September 2017. The scheme operates a shorter version of the co-ordinated scheme from paragraph 3.14 by opening and closing on average 20 admissions rounds during the course of the year. The scheme is efficient and effective in ensuring that an entire application (preferences 1 to 3) can be considered at the same time, children can be offered places quickly, and that the LA is aware of every child in the Borough at the time the application is received, increasing safeguarding. The scheme is also much easier for parents to navigate having only to apply to the LA who will coordinate the application with all schools on the parent's behalf.
- 3.23 The scheme was further enhanced in September 2018, when the School Admissions Team implemented the In Year Co-ordinated Admissions Scheme as an online process, which has been hugely successful and we now receive 100% of in year applications online. This online process has a number of benefits for the user and includes parents / carers being able to make their applications in the comfort of their own home day or night, receive an automatic email to confirm receipt of the application and receive

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notifications of the offer of a school place via email. This also allows the offers to be accessed instantly instead of waiting 2-3 days for a letter in the post and has reduced printing costs of the team significantly, as the LA no longer sends any hard copy letters.

- 3.24 The number of in year admissions in Swindon is high, and on average the School Admissions Team receive approximately 260 applications per month via the online process. As part of the coordinated process if parents are unsuccessful in gaining a place at one of their preferred schools and they do not have a school place, then we will allocate them a place the next nearest school with a place available. Last academic year we allocated 280 places to children within this category, all of which otherwise would have been out of school for much longer whilst they reapplied for a school place. It is also important to note that 53 % of the applications received are from those that are new to the area with no school place, and therefore this cohort it is extremely important that school places are offered quickly.
- 3.25 The LA continues to improve the in-year scheme and is in the process of implementing the Admissions Portal which is an online platform that will allow Swindon Schools that are part of the scheme to see the entire online application form and be able to rank the applications. This will mean that the LA will no longer need to send the Schools lists of applications, which will speed up the admissions process. This will ensure the admissions cycles are more efficient and therefore more effective, and the time saved by this Portal will be used to reduce the length of the cycles.
- 3.26 We have therefore proposed that applications will be processed within 15 days from receipt of application, thus reducing the amount of time a child is out of school if they are new to Swindon. If the new code comes in to force this will be reduced to 10 days to be compliant with the 2021 code.
- 3.27 The LA has been informed by some schools, which are their own admitting authority that they will be opting out of the scheme. The scheme is not a statutory requirement of the School Admissions Code and despite the benefits of the scheme for Swindon parents and children, own admitting authority schools are able to opt out of this if they consult to do so through the proper processes. From September 2021, we are aware of 1 primary school (Holy Family Primary school) and 3 Secondary Schools (Lydiard Park Academy, Abbey Park and St Joseph's Catholic College) that will be opting out of the scheme.
- 3.28 Through the consultation process for 2022 admission arrangements, we are also aware of 4 other Primary Schools that will be opting out. This is result in all Catholic Schools in Swindon no longer being part of the in year coordinated scheme from September 2022. We have contacted the Clifton Diocese and they confirmed that it is the policy of the Diocese that these schools retain and administer their own in year admissions in all LA's.

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In accordance with this, the LA has included a section in the In Year Scheme – Part 4 for those schools to adhere to if they opt out. The LA will endeavour to work with these schools to ensure that they are adhering to the School Admissions Code and that parents applications are considered correctly and timely and that there is no adverse effect to the schools opting out of the scheme. We will also ensure that the LA is still informed about any applications made to those schools, and decisions made, to ensure that a child is not unknown to the Borough. This is paramount to ensure that the LA maintains safeguarding of all children in the Borough.

3.29 The proposal in this report is to agree the In Year Co-ordinated Admissions Scheme for the 2022-23 taking into account the new online process and timescales.

3.30 The proposed In Year Coordinated Scheme is included as Appendix 4.

Published Admission Numbers (PAN)

3.31 All schools must have an admission number for each age group. The admission number is the upper limit of pupils that will be offered places in the particular year. Admission numbers should be set with regard to the capacity assessment for the school.

3.32 Once an admission number has been set, the Admission Authority must respect that number. Pupils should not be admitted above the published admission number unless exceptional circumstances apply.

3.33 As above, Governing bodies of Academies and Voluntary Aided Schools are responsible for setting their own PAN and the LA is a stakeholder in their consultation. This section relates to the PANs set by the LA in consultation with schools as the Admission Authority for Community and Voluntary Controlled Schools.

3.34 The proposed published admission numbers have been included as part of Appendix 2. Under the School Admissions Code 2014, the LA, as the Admitting Authority for Community and Voluntary Controlled schools, is not required to consult on the admissions number as part of the consultation on admission arrangements if they are requesting the school to increase or keep the same PAN. However, they must consult the Governing Body of the school. Consultation would be required where it is intended to reduce the published admission number.

Community and Voluntary Controlled Schools were asked to inform the LA if they disagreed with the proposed PAN for their school for 2022-23. The LA received notification from the Governing bodies of Wroughton Infants and Greenmeadow Primary that in accordance with their forecast numbers for the area they wished to reduce their PAN September 2022. The LA have agreed with these request. The LA also received a request to reduce the PAN of Even Swindon to 60 for September 2022, but

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due to the most recent birth data, which shows an increase of births in the area, the LA, have not agreed this.

Catchment Areas

- 3.35 All existing catchment areas remain the same. The catchment areas were available on the Council's website for comments.

Impact of Brexit

- 3.36 As we have passed the transition period for leaving the European Union (EU) the new guidance for processing applications from children overseas has come into effect. We have updated the in year Co-ordinated scheme to incorporate these and ensure it is compliant.
- 3.37 Up until the 31st December 2020 children needed to be resident in the UK for in year application to be considered. This has now changed and any application must be considered, regardless of where the child is residing.

New School Admissions Code:

- 3.38 A new School Admissions Code was consulted upon last year is due to be laid before Parliament in the Spring 2021. The changes to the Code seek to clarify admission authority and local authority responsibilities in relation to managing the in-year admission and Fair Access Protocol (FAP) processes, stipulating a specific timescale all admitting authorities must follow. It also proposes to extend the provisions already in place for LAC to also extend to those previously looked after in state care outside England. These changes are primarily intended to support the most vulnerable children and come in response to the recommendations and conclusions from the Children in Need Review and the Domestic Abuse White Paper.
- 3.39 The new Code also introduces changes to the Fair Access Protocol to improve its effectiveness by:
- 3.39.1 Making clear the purpose of Fair Access Protocols, what they should be used for and setting out a clear process as to how they should operate.
 - 3.39.2 Introducing timescales as to when placement decisions need to be made by.
 - 3.39.3 Extending the specific categories of children who may be admitted via the Fair Access Protocol to include children on a Child in Need/Child Protection Plan and children in refuge and those in safe accommodation

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3.39.4 Clarifying the provisions relating to the use of Fair Access Protocols for children with challenging behaviour, including setting out what is meant by challenging behaviour in that context.

- 3.40 The arrangements for 2022 have been written in line with the new Code should it be agreed to ensure that the LA is compliant. One of the most significant changes is to the timescale for in year admissions, as these must be considered within 10 school days of receipt of the application. We are already best placed to deliver this with our in year coordinated scheme.

Mainstream Home to School Transport Policies 2022-23.

- 3.41 For the Mainstream Home to School Transport Policy, all 2 respondents were in agreement. The Mainstream Home to School Transport Policy is attached as **Appendix 5**.
- 3.42 The Transport policy was included with the Admission Arrangements consultation and was sent to the same bodies as reported in paragraph 3.9
- 3.43 The LA has a legal duty, following consultation, to publish by September of each year its transport policy, which will apply 12 months later. The previous Education Transport Policy was made up of both the Mainstream and SEND policies, but these have now been separated into defined policies in order to make it clear to parents / carers and children which policy applies.
- 3.44 Free home to school transport is set out within the Education Act 1996, which was extended in and provides for free home to school transport to be offered to all pupils who meet the following criteria:
- 3.44.1 Are of statutory school age (5-16);
 - 3.44.2 Attend their designated appropriate area school (or another school at which the LA has offered a place); and
 - 3.44.3 Live more than three miles from their catchment area school (or two miles if under eight years of age) or do not have a safe walking route when accompanied by an adult to their catchment area school.
- 3.45 In addition, the Education & Inspections Act 2006 widened statutory home to school transport for pupils from low-income families, in certain circumstances. Low-income families are defined as those who are entitled to free school meals or are in receipt of their maximum level of Working Tax Credit. These provisions are therefore, as follows:
- 3.45.1 Primary – to the nearest suitable school if more than two miles from home;

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- 3.45.2 Secondary – to any of the three nearest suitable schools if between two and six miles from home (which, in practice, applies to all Swindon pupils who travel beyond two miles);
- 3.45.3 Primary/Secondary – to the nearest school preferred on the grounds of religion or belief (as defined by the Equality Act 2006) if between two and fifteen miles from home.
- 3.46 As mentioned above in paragraph 3.1, children must currently be attending the ‘designated appropriate area school’ and live over the 2 or 3 mile statutory distances, in order to qualify for assistance with transport.
- 3.47 The Education Transport Policy 2014 introduced ‘designated transport areas’ which defined the designated transport area for a school
- 3.48 If a parent chooses to send their child to a school other than the designated appropriate area school, then (apart from the provisions of the Education & Inspections Act 2006) free school transport is not provided and the parent is responsible for any travel costs.
- 3.49 Due to the addition of William Morris Primary School opening in September 2019, and the forthcoming Primary School, Abbey Farm Primary School, in North Swindon, the designated transport areas for Primary Abbey Park / Great Western, Secondary Abbey Park / Great Western and Secondary Highworth areas for September 2022. This ensures that the LA can offer a school within the designated transport within the statutory distance criteria.

4. Alternative Options

- 4.1 The School Admissions Arrangements and Transport Policies must be determined annually for parents / carers applying for school places in the following year. In relation to the arrangements proposed there are no alternatives proposed that differ from the arrangements for 2022-23.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 The admission budget is funded through the Dedicated Schools Grant (DSG) for 2022-23 and therefore no corporate funding is required to support this service. However, changes to the admissions policy may have direct impact on the number of pupils in each school, which will affect the level of funding which they receive from the DSG. There are also implications more generally for the DSG of creating additional school places in terms of both set up funding and on-going revenue funding.

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- 5.2 Mainstream Home to School Transport is funded by the general fund, but there is no impact from any changes made from recommendations in this report to the budget.

Legal and Human Rights Implications

- 5.3 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.

- 5.4 Under Section 89b of the School Standards and Framework Act 1998 and associated regulations, in its role as a LA, has to determine the co-ordinated scheme and other admission arrangements.

Climate Change Impact

- 5.5 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)

- 5.6 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

- 5.7 A Diversity Impact Assessment was undertaken and a copy can be obtained from the report author.

- 5.8 The admission arrangements in the report are used for the purposes of prioritising individual applications for admission to school based on family arrangements and the distance they reside from a school. The admission criteria set out in the report are based on published guidance from the Department for Education to ensure that they are arranged and operated in a clear, fair and transparent way according to a nationally imposed timescale.

- 5.9 It is considered that the admission arrangements set out in the report do not discriminate against disability, ethnicity, religion, sexual orientation, marital/civil partnership status or pregnancy/maternity

Risk Management

- 5.10 The co-ordinated admissions scheme, including in year admissions, has strengthened the measures in place for safeguarding children as the Admissions Team are aware of every child in Swindon and are aware of transfers coming into or out of the Borough. This will continue if the proposals for in year admissions are agreed.

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6. Consultees

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

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 Appendix 1 - Proposed Co-ordinated Scheme 2022-23 and the Delayed and Deferred Admissions Policy.
- 8.2 Appendix 2 – Proposed Admission Arrangements for all Community and Voluntary Controlled Schools 2022-23
- 8.3 Appendix 3 – Consultation responses
- 8.4 Appendix 4 – Proposed In Year Coordination Scheme for 2022-23
- 8.5 Appendix 5 – Mainstream Home to School Transport Policy 2022-23

9. Key Decision/Decision in Cabinet Work Programme and Forward Plan

- 9.1 This is Key Decision and is included in the Cabinet Work Programme and Forward Plan for February 2021