

Cabinet Member Decision Note.

Oaktree Primary School – Admission above the Admission Number

Date Issued: 17th January 2012

To: Cabinet Member for Children's Services
From: Director Access & Provision

Parish / Wards Affected: Parks

Purpose

- To inform the Cabinet Member for Children's Services of the intention to increase the number of pupils admitted to Oaktree Primary School for the September 2012 intake.

Recommended Decision to be taken by the Cabinet Member Under Delegated Powers

- To give approval to admit up to 10 pupils over the admission number at Oaktree Primary School for September 2012, therefore, increasing the maximum number of pupils admitted from 45 to 55.

1. Reasons

- 1.1 The Head Teacher and Governing Body at Oaktree Primary School, Priory Road, Swindon, has requested that 10 pupils above the school's published admission number (PAN) of 45 be admitted to the school from September 2012 as this would allow the school to ensure that its Reception classes could be arranged in two classes. The policy of the Governing Body is to retain class sizes under 30 in order for the children to make accelerated progress at the school.
- 1.2 The Local Authority has the discretion in exceptional circumstances to temporarily admit pupils over the published admission number. For any permanent increase in the admission number the consultation process required in the School Admission Code of Practice must be followed. Any increases in the capacity of the school by more than 30 pupils and by 25% or 200 pupils (whichever is the lesser) require statutory proposals and a formal decision by Cabinet Panel.

2. Detail

- 2.1 The 2011 Swindon Primary Care Trust (PCT) data indicates that the number of pre school children in the Oaktree catchment area is higher

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than the Published Admission Number (PAN) for the next 4 years. The current PAN for the school is 45 in Reception for September 2012.

- 2.2 The forecast intake for the reception class at Oaktree is estimated by calculating the historic intake and the birth data in catchment from the PCT to produce an average drop off rate. Therefore, the 4 year average for Oaktree is 67.1% of the births in catchment relate to school starters in the corresponding September. The forecast is shown in the table below.

Intake year	September 2012	September 2013	September 2014	September 2015
No. of pupils in catchment area	71	84	82	76
Oaktree PAN	45	45	45	45
Difference	26	39	37	31
Forecast for reception using 67.1% intake	48	56	55	51

- 2.3 The School approached the Council to increase above its PAN in December 2011. It has requested this as it would enable it to organise the school's year groups into set classes as the cohorts move up the school, instead of mixed key stage classes.
- 2.4 The school has a notional capacity of 420 pupils and therefore has 14 classes available to enable the school to have 2 classes per year group.
- 2.5 As stated above, statutory proposals are not required for the temporary increase of pupils above the admission number for the September 2012 intake.
- 2.6 Because the capacity of the school is not being increased by more than 30 pupils and by 25% or 200 pupils (whichever is the lesser) the Local Authority does not need to follow the statutory process for expanding a school.
- 2.7 The School Admissions Code of Practice sets out guidelines for schools that wish to admit pupils above their admission number. It states 'Once an admission number has been set by the admission authority, schools should not admit children above the published number unless the school and the local authority agree that admitting above that number will not

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adversely affect the school in the longer term and will not have a detrimental effect on neighbouring schools. A school can make representations to the local authority (or the Secretary of State in the case of an Academy) to admit above their published admission number.'

- 2.8 Furthermore the Code of Practice states that 'In the case of maintained schools, the Local Authority, as the strategic commissioner of school places, has the final decision over whether a school can admit above its published admission number.'

Alternative Options

- If additional places are not provided the school will have to continue to arrange their classes into mixed year groups.
- As there are more children in the catchment area than places available at Oaktree, if there are more applications received than places available this will have an impact on parental preference, a rise in the number of appeals and could result in greater transport costs.

Risk Management

Financial and Procurement Implications

- There are no additional capital or premises costs in terms of providing provision of classrooms at the school as the school is already a Two Form of Entry school and has 14 classrooms.
- As the school has requested the additional 10 places over the PAN, the school would be expected to fund any additional staffing or other costs that may be needed. The local fair funding formula does however, in certain circumstances, provide additional in year "trigger funding" which may apply to Oaktree Primary School if their overall pupil numbers increase by above 4%. This policy is however under review by the Schools Forum Sub Group and may be changed for 2012/13.

Legal / Human Rights Implications

- The Education and Inspection Act 2006 and Associated Regulations and Guidance (which came into force on 24 May 2007) sets out the statutory process required for opening and closing schools and making certain alterations or expansions of schools. This process has to be followed to increase the school capacity by more than 30 and by 25% or 200 pupils (whichever is the lesser).

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- The Authority has the discretion in exceptional circumstances to temporarily admit pupils over the published admission number. For any permanent increase in the admission number the consultation process required in the admission code must be followed.

Diversity Impact Assessment (DIA)

- A DIA has not been done for this Decision Note. However, the impact can be referenced to the Diversity Impact Assessment which has been completed for the report on School Place Planning Strategy submitted to Cabinet on the 13th July 2011.

Links to Corporate Plans and Policies

- This report particularly links to the Local Authority's School Organisation Plan and the updated study of long-term school place planning referred to earlier in this report. It also relates to OneSwindon priority: "We can all benefit from a growing economy and a better Town Centre."

Consultees

- The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

Background Papers and Appendices

- Department for Children, Schools and Families Guidance – Expanding a Maintained Mainstream School
- Department for Children, Schools and Families – School Admissions Code of Practice

Declarations of Interest – The Cabinet Member / Shadow or Group Spokesperson / Ward Councillor should consider whether they have any known interests in any of the matters referred to in the Decision Note. They are reminded that if they have such an interest this should be declared to the Monitoring Officer (Committee and Member Services). They should take no part in the consideration of the Decision Note and should refer the Decision Note to the Leader of the Council / Other Cabinet Member Group Leader / Other Group Spokesperson / Other Ward Councillor for consideration.

Consultation with Opposition Spokespersons / Ward Members

Under the Council's Constitution opposition political group Shadow Spokespersons, and where relevant Ward Councillors, will be consulted on all reports where it is proposed that a Cabinet Member will be recommended to make a decision under their

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delegated powers.

Proposed Action:

- To give approval to admit up to 10 pupils over the admission number at Oaktree Primary School for September 2012.

Response required from Opposition Spokespersons / Ward Members by:

- 3 February 2012

Shadow Spokespersons

Cllr Fay Howard, Labour

Cllr N Sewell, LibDem

Response received from Cllr Fay Howard – 27th January

Agreeing the proposed decision to be taken under delegated author

No response received from Cllr Sewell

Ward Cllrs

Cllr Steve Allsopp

Cllr Mark Dempsey

Cllr Fay Howard

Response received from Cllr Steve Allsopp, advising 'although LA Governor on Oaktree Governing Board, fully supportive of proposal in my capacity as councillor'

Name of Spokesperson / Ward Member

Agreed the proposed Decision to be taken under delegated authority –

Note and request the proposed Decision be reconsidered -

Reasons for Reconsideration

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Request Report be Referred to Cabinet - Yes / No

Signed **Date**

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Name of Spokesperson / Ward Member:

Agreed the proposed Decision to be taken under delegated authority – Yes / No

Note and request the proposed Decision be reconsidered - Yes / No

Reasons for Reconsideration

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Request Report be Referred to Cabinet - Yes / No

Signed **Date**.....

Cabinet Member Response -

Proposed Action: -

To give approval to admit up to 10 pupils over the admission number at Oaktree Primary School for September 2012.

Response required by:

Approve the proposed Decision to be take under delegated authority – Yes / No

Note and request the proposed action be reconsidered - Yes / No

Reasons for Reconsideration

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Request Report be Referred to Cabinet - Yes / No

Signed **Cabinet Member**

Date.....

(Decisions of Cabinet Members will be published by way of the Council's 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.)

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