

## **CABINET MEMBER DECISION**

### **Decision:**

Petitions

**(i) Details of decision**

That the response, attached to this decision sheet as Appendix 1, be approved.

**(ii) Reasons for decision**

To respond to the petition.

**(iii) Details of any alternative options considered and rejected**

None

**(iv) Details of any consultation and representations received not included in the published report**

The petition was presented to the Cabinet Member for Education who was informed that Surrey County Council's guidance for parents of summer born children on accessing reception at compulsory school age was misleading and that they felt it did not adhere to guidance produced by the Government on this issue. The Cabinet Member for Education stated that the Government's position on this issue was unclear and that this ambiguity was necessarily reflected in the guidance produced by SCC. She highlighted that SCC's guidance for parents was in line with the Government's current position but stated that officers would review SCC's published policy on accessing reception at compulsory school age for summer born children to ensure that it was as clear as possible for parents.

### **Conflicts of Interest and any Dispensations Granted**

**(Any conflict of interest declared by any other Cabinet Member consulted in relation to the decision to be recorded and any dispensations granted by the Audit and Governance Committee)**

None

### **Decision taken by:**

- (i) Name:** Mrs Mary Lewis
- (ii) Portfolio:** Cabinet Member for Education

**Date of Decision:** 13 June 2017

**Date of Publication of Record of Decision:** 14 June 2017

**Date decision effective (This decision cannot be called-in)** 14 June 2017

## **CABINET MEMBER DECISION**

### **Decision:**

#### **SELECTION OF PREFERRED PROPOSER FOR THE HORLEY NORTH WEST FREE SCHOOL**

##### **(i) Details of decision**

The Cabinet Member for Education reviewed the background to the project and summary of Internal Assessment Panel scoring process provided within the report and associated annexes and, on that basis, decided on Aurora Academies Trust as the preferred proposer to open and operate the new 2FE Primary Free School in North West Horley from September 2020 and to submit this preference to the Secretary of State for Education for their consideration.

##### **(ii) Reasons for decision**

There is an increasing demand for primary school places in the Horley area, which reflects a rise in the primary-age population over recent years. This demand will be augmented by the Westvale Park development in North West Horley which is due to deliver over 1,500 new homes across the period 2016/17 to 2026/27. The proposal to create a new 2FE Primary Free School in Westvale Park represents SCC's strategy to deliver additional places in this area and thereby meet rising demand. Accordingly, SCC has undertaken the requisite competition process to seek proposers for the new Free School and six formal bids were received as part of this. Of these bids, the Internal Assessment Panel scored the submission of Aurora Academies Trust the highest, on the grounds that the '8 Pillars' educational model and vision, together with the 'Paragon' curriculum were particularly well suited to adding an exciting new dimension to the educational offer in the local area (thereby promoting parental choice).

For these reasons, it is recommended that the Cabinet Member approves the selection of Aurora Academies Trust as the preferred proposer in respect of the Horley North West Primary Free School, for onward communication to the Regional Schools Commissioner.

##### **(iii) Details of any alternative options considered and rejected**

None

##### **(iv) Details of any consultation and representations received not included in the published report**

Mrs Kay Hammond; County Councillor for Horley West, Salfords and Sidlow; was in attendance for this item.

Mrs Hammond inquired as to reasoning behind the Panel's decision to recommend to the Cabinet Member for Education that Aurora Academies Trust be submitted to the Secretary of State for Education as the Council's preferred bidder to operate this school. She stated that there was a lack of church schools in Horley highlighting the bid made by Southwark Diocese Board of Education which already operated a school in Horley that was both popular with parents and provided a good standard of education. Officers stated that SCC had a duty to promote parental choice in its selection of a bidder to operate the new school and that Aurora Academies Trust's

educational model was unlike anything else which was available in the area, thereby extending the range of options for parents when selecting a school for their child. The Cabinet Member further highlighted that Aurora Academies Trust had also received the highest bid score arising from its focus on academic attainment as well as their understanding of Horley's specific demography.

**Conflicts of Interest and any Dispensations Granted**

**(Any conflict of interest declared by any other Cabinet Member consulted in relation to the decision to be recorded and any dispensations granted by the Audit and Governance Committee)**

None

**Decision taken by:**

- (i) **Name:** Mrs Mary Lewis
- (ii) **Portfolio:** Cabinet Member for Education

**Date of Decision:** 13 June 2017

**Date of Publication of Record of Decision:** 14 June 2017

**Date decision effective (i.e. 5 working days after date of publication of record of decision unless subject to call-in by the Education and Skills Select Committee):** 21 June 2017

## **CABINET MEMBER DECISION**

### **Decision:**

Proposed Expansion of Oakwood School

#### **(i) Details of decision**

The Cabinet Member for Education agreed to determine the Statutory Notice, thereby bringing into effect the formal expansion of Oakwood School by one Form of Entry (1 FE) for September 2018 and a further 1FE for September 2019 onwards.

#### **(ii) Reasons for decision**

There is an increasing demand for primary school places in the Horley area which reflects a rise in the primary-age population over recent years that is beginning to transition into the secondary sector. In order to meet this demand, Surrey County Council (SCC) is overseeing an ongoing school expansion programme designed to increase the capacity of the school estate. The proposal to expand the capacity of Oakwood School by 1FE represents SCC's strategy to deliver additional places in this area. In line with this, SCC has undertaken the requisite statutory consultation to inform the decision making process, to which there were 90 responses. For these reasons, it was recommended that the Cabinet Member determine the Statutory Notice so as to bring the expansion of the school formally into effect.

#### **(iii) Details of any alternative options considered and rejected**

None

#### **(iv) Details of any consultation and representations received not included in the published report**

Mrs Kay Hammond; County Councillor for Horley West, Salfords and Sidlow; was in attendance for this item and expressed her support for the proposal to expand Oakwood School.

### **Conflicts of Interest and any Dispensations Granted**

**(Any conflict of interest declared by any other Cabinet Member consulted in relation to the decision to be recorded and any dispensations granted by the Audit and Governance Committee)**

None

### **Decision taken by:**

- (i) Name:** Mrs Mary Lewis
- (ii) Portfolio:** Cabinet Member for Education

**Date of Decision:** 13 June 2017

**Date of Publication of Record of Decision:** 14 June 2017

**Date decision effective (i.e. 5 working days after date of publication of record of decision unless subject to call-in by the Children and Education Select Committee):**  
21 June 2017

**CABINET MEMBER FOR EDUCATION**

Tuesday 13 June 2017

**RESPONSE TO THE PETITION TO GUARANTEE THAT SUMMER BORN CHILDREN HAVE ACCESS TO RECEPTION AT COMPULSORY SCHOOL AGE (CSAGE) AND TO ENSURE THAT THEY REMAIN WITH THE SAME COHORT THROUGHOUT THEIR EDUCATION IN SCHOOLS WHERE SURREYCC IS THE ADMISSION AUTHORITY**

**The Petition**

Guarantee summer born children access to reception at compulsory school age (CSAge). And ensure that they remain with the same cohort throughout their education in schools where SurreyCC is the admission authority

Children born 1Apr–31Aug are not required to start school until the September following their 5th birthday (Compulsory School Age or CSAge). If parents wish for them to start in reception at CSAge, rather than year1, they must ask the admissions authority. Legally, the decision about \*when\* a child starts full time education is solely down to the parents. The School Admissions Code states that the admissions authority must then decide \*which year group\* is in the child's best interests to join - reception or year1. If placed in year1, the child will miss a whole year of \*essential/critical\* education, which is not in their best interests, and defies the government's position on school attendance. Unlike other LAs, SurreyCC does not adopt a flexible approach to these requests. Parents are routinely advised that, without exceptional circumstances, their child will be placed directly into year1 or miss a year later on if reception entry is agreed. We urge SurreyCC to allow summer born children to start at CSAge in reception and continue their education with that cohort, if this is their parents' wish.

By Elena van der Graaf

Signatures: 575

**Response**

The guidance issued by the Department for Education on the admission of summer born children ([www.gov.uk/government/publications/summer-born-children-school-admission](http://www.gov.uk/government/publications/summer-born-children-school-admission)) makes clear that whilst there is no statutory barrier to children being admitted outside their normal age group, 'parents do not have the right to insist that their child is admitted to a particular age group'. In addition, the guidance makes clear that once a decision is made it is only binding on that school and at the point of transition the parent must make a fresh application to the admission authority of any new school they are considering.

The School Admissions Code sets out that it is for admission authorities to make the decision on out of year group requests. The local authority is the admission authority for community and voluntary controlled schools and either the governing body or academy trust is the admission authority for academies, foundation, trust and voluntary aided schools. Each admission authority has a statutory duty to consider requests for summer born children to be admitted to reception a year later and, in order to comply with the Code and guidance, must take in to account the circumstances of the case, what is in the child's best interests and the views of the head teacher, as well as bearing in mind the age group the child has been educated in up to that point.

Whilst there is not currently any policy to automatically agree requests for summer born children to start Reception a year late, Surrey operates flexibly and the majority of requests are agreed. In 2016 Surrey agreed 27 out of 35 requests for decelerated entry to reception

for community and voluntary controlled schools. In addition, according to the data held by Surrey, own admission authority schools agreed 31 out of 45 requests.

The admission of summer born children has been debated within the House of Commons and it is clear that Ministers have been reviewing whether the parents of summer born children should be allowed to decide that their child will start Reception in the term after they turn five, rather than leave the decision to the admission authority of the school. However in an adjournment debate in the House of Commons on 10 October 2016, Nick Gibb, the Minister for Schools, made clear that it was important that the Government considered the wider impact of any policy changes; that it would not be right for every summer-born child to delay starting school until they were five, as many would be ready to take on the challenges earlier; that parents did not use the flexibilities as a mechanism by which to gain an unfair advantage in the admissions system; and that there were not unintended consequences for the early years sector. He went on to indicate that early indications showed the costs of full implementation were high and that more information and data needed to be collected.

As such, until the Government has completed its review and issued a revised School Admissions Code, Surrey, as admission authority for community and voluntary controlled schools, will continue to work within the current requirements of the Code. This includes considering each request flexibly according to the circumstances of the case, considering what is in the child's best interests and seeking the view of the Headteacher of the school concerned.

At this current time, Surrey is therefore unable to agree to the petitioners request to *'guarantee summer born children access to reception at compulsory school age' or 'ensure that they remain with the same cohort throughout their education in schools where SurreyCC is the admission authority'*.

**Mrs Mary Lewis**  
**Cabinet Member for Education**  
**13 June 2017**