

SURREY COUNTY COUNCIL

CABINET MEMBER FOR ALL-AGE LEARNING

DATE: 13 OCTOBER 2020

LEAD OFFICER: LIZ MILLS, DIRECTOR FOR EDUCATION, LIFELONG LEARNING AND CULTURE

SUBJECT: CONSULTATION ON ADMISSION ARRANGEMENTS FOR COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS FOR SEPTEMBER 2022



SUMMARY OF ISSUE:

The local authority must consult on any changes it wishes to make to the admission arrangements for community and voluntary controlled schools for 2022. Consultation must run for at least six weeks between 1 October 2020 and 31 January 2021 and admission arrangements for 2022 must be determined by 28 February 2021. The local authority must also consult on its Relevant Area every two years.

This report seeks authorisation to proceed to consultation on the following:

- Removal of use of 'nearest school' for the majority of community and voluntary controlled schools (page 2)
- Beauclerc Infant – introduction of sibling link with Chennestone Primary (page 5)
- Horley Infant – introduction of a reciprocal sibling link with Yattendon (page 5)
- Onslow Infant – reduction of Reception PAN from 90 to 60 (page 6)
- Surrey's Relevant Area (page 6)

RECOMMENDATIONS:

That the Cabinet Member authorises the Service Manager for Admissions and Transport to go out to statutory consultation on the proposed changes to admission arrangements for community and voluntary controlled schools for September 2022 and also to consult on its proposed Relevant Area.

REASON FOR RECOMMENDATIONS:

There is a statutory requirement to consult on admission arrangements every seven years, or sooner if there is a proposal to change any part of a school's admission arrangements. The local authority is proposing some changes to the admission arrangements for community and voluntary controlled schools and, as such, there is a statutory duty to consult on these changes. The consultation will also seek views on the admission arrangements for which there is no proposal for change.

There is also a statutory requirement for the local authority to consult on its Relevant Area every two years and as two years has passed since the last consultation, a further consultation is now due.

DETAILS:

1. The School Admissions (Admission Arrangements and Coordination of Admission Arrangements) (England) Regulations 2014 require all admission authorities to consult on their admission arrangements every seven years,

unless they are proposing any changes to their arrangements, in which case they must consult each year they are proposing a change.

2. Consultation must take place for a minimum of six weeks, between 1 October 2020 and 31 January 2021 and all admission authorities must then determine their arrangements by 28 February 2021, whether or not they have been subject to consultation.
3. Surrey County Council (SCC) is proposing some changes to its admission arrangements for community and voluntary controlled schools and as such is intending to consult on these changes between 20 October 2020 and 1 December 2020.
4. The School Standards & Framework Act 1998 requires local authorities to establish Relevant Area(s) for admission policy consultations. The Relevant Area is the area in which admission authorities must consult with schools regarding their proposed admission arrangements before finalising them.
5. The Education Act 2002 requires the local authority to review and consult on its Relevant Area every 2 years.

Changes proposed to the admission criteria for community and voluntary controlled schools for 2022

Removal of use of nearest school for the majority of community and voluntary controlled schools

6. In October 2019, the Schools Adjudicator issued a determination on the admission arrangements for Stamford Green Primary School (ADA3589) which identified some concerns with the use of 'nearest school' and the objectivity and clarity regarding this. Although this determination applied to Stamford Green Primary School, its key message applies to any school which uses 'nearest school' as part of their admission arrangements.
7. The Schools Adjudicator set out that, by having 'nearest school' as a criterion within a set of admission arrangements, the admission authority creates a catchment area which is defined by a polygonal shape based on the location of the other schools surrounding the school. As a catchment area, admission authorities have a duty to consult on any changes, such as when the inclusion or location of 'nearest' schools change as these can result in a change to the polygonal shape/catchment area and thus which children may receive priority.
8. There are also other requirements in relation to catchment areas that admission authorities must comply with, such as being reasonable and clearly defined. In order to assess whether such a catchment area meets the requirements of the Code it would be necessary to understand the catchment boundaries that are created as a result of using 'nearest school' as an admission criterion.
9. Surrey has 92 community and voluntary controlled schools. Of these, 87 currently give some level of priority to children who have the school as their nearest school. As a result of the OSA's determination, the local authority has reviewed the intakes for these 87 schools to consider the impact of the use of 'nearest school' on the intake.

10. 11 community and voluntary controlled primary schools have an intake at both Reception and Junior and so, for these schools, each intake has been looked at separately.

11. Considerations as part of this review have been as follows:

- Whether the school is undersubscribed
- Whether most children allocated under 'nearest school' would have been allocated a place on straight line distance if 'nearest school' had not been used
- Whether any children would be displaced if 'nearest school' was removed

12. As a result of this review, each intake of these 88 schools has been categorised as follows (see Enclosure 5):

- Category 1 (17 schools) - Schools which did not fill up on preferences **in each of the past three years** (2018, 2019 & 2020)
- Category 2 (13 schools) - Schools which allocated to 'distance' criterion and the furthest distance allocated was **further** than the last child allocated under 'nearest school' **in each of the past three years** (2018, 2019 & 2020)
- Category 3 (2 schools) - Schools which allocated to 'nearest school' criterion and there were **no children left unplaced** under 'distance' criterion who lived closer than the furthest distance allocated under 'nearest school' **in each of the past three years** (2018, 2019 & 2020)
- Category 4 (34 schools) - Schools which experienced a combination of the scenarios set out in categories 1, 2 and/or 3 **in each of the past three years** (2018, 2019 & 2020)
- Category 5 (9 schools) - Schools which allocated to 'distance' criterion and the furthest distance allocated was **further** than the last child allocated under 'nearest school' **in TWO of the past three years**
- Category 6 (1 school) – Schools which allocated to 'nearest school' criterion and there were **no children left unplaced** under 'distance' criterion who lived closer than the furthest distance allocated under nearest school **in TWO of the past three years**
- Category 7 (6 schools) - Schools which allocated to 'distance' criterion and furthest distance allocated was **nearer** than the last child allocated under 'nearest school' **in TWO of the past three years**
- Category 8 (4 schools) – Schools which allocated to 'nearest school' criterion and there **were children left unplaced** under 'distance' criterion who lived closer than the furthest distance allocated under 'nearest school' **in TWO of the past three years**
- Category 9 (2 schools) – Schools which allocated to 'distance' criterion and furthest distance allocated was **nearer** than the last child allocated under 'nearest school' **in each of the past three years** (2018, 2019 & 2020)
- Category 10 (1 school) – Schools which allocated to 'nearest school' criterion and there **were children left unplaced** under 'distance' criterion who lived closer than the furthest distance allocated under nearest school **in each of the past three years**

- Category 11 (9 schools) – Schools which experienced a combination of scenarios where no regular pattern exists
13. As a result of this analysis, it is proposed that Surrey consult on removal of the ‘nearest school’ criterion for all 76 schools in categories 1 to 6 as, for these schools, use of ‘nearest school’ has no or minimal impact on the intake to the school i.e. based on the previous three years’ intake, the allocation would be no different or minimally different if ‘nearest school’ was not used as a criterion.
 14. Further analysis of the schools within categories 7 to 11 indicates that, for 14 of these schools, the impact of removing the ‘nearest school’ criterion is low. It is therefore proposed that Surrey consult on the removal of the ‘nearest school’ criterion for these 14 schools in categories 7 to 11.
 15. However, for the following eight schools, removal of ‘nearest school’ is more likely to have an impact on the pattern of admission to the school:

Elmbridge

Hurst Park Primary School

Epsom & Ewell

Southfield Park Primary School
 Stamford Green Primary School
 Wallace Fields Junior School

Guildford

Tillingbourne Junior School

Reigate & Banstead

Langshott Primary School
 Meath Green Infant School
 Walton on the Hill Primary School

16. As such, no change is proposed for these eight schools for 2022 admission. Further analysis will be done on the pattern of admission to these schools and the options for change ahead of consultation for 2023 admission. Respondents to the consultation may however choose to comment on the arrangements for these schools, even though no change is proposed.
17. The assessment of nearest school for 2022 admission will remain as it was for 2021 admission and no changes are proposed to the list of schools to be excluded from the assessment of nearest school, as set out in Appendix 3 to Enclosure 1.
18. No change is proposed to the admission arrangements for the following schools, which do not currently give priority according to ‘nearest school’:
 - Walsh Church of England Junior School - Guildford
 - Banstead Community Junior School - Reigate & Banstead
 - Meath Green Junior School - Reigate & Banstead
 - Shottermill Junior School - Waverley
 - West Byfleet Junior School - Woking

Beauclerc Infant School – Spelthorne

19. It is proposed to introduce a sibling link for Beauclerc Infant School with Chennestone Primary School. In this way, families with an older child attending

Chennestone Primary School would receive sibling priority for a younger child to attend Beauclerc Infant School.

20. The admission criteria for Beauclerc Infant School would not change but would be described as operating shared sibling priority with Chennestone Primary School for 2022 admission (see Enclosure 1 – Appendix 2).
21. It is not intended to make this a reciprocal link and so the same arrangement will not apply to Chennestone Primary School. This is because families applying for a place at Chennestone Primary School already have the benefit of being able to claim sibling priority if a sibling is in Reception to Year 6 at the school, unlike Beauclerc Infant School which only has year groups from Reception to Year 2.
22. This proposal is supported by the headteacher and Governing Body of the federated schools of Beauclerc Infant and Chennestone Primary.
23. In line with Surrey County Council policy, the introduction of a sibling link with Chennestone Primary School would enable sibling priority to be given to a child who is applying to start at Beauclerc Infant School in Reception even if they have a sibling who would have left Year 2 of the school by the time the younger child starts. This is because the feeder link within the admission criteria for Chennestone Primary would provide for them to be admitted to that school, thereby retaining their sibling priority.
24. This proposal is consistent with Surrey's planning principles set out in the School Organisation Plan which undertake to consider sympathetically the desirability of separate infant schools feeding into junior or primary provision where this reduces transport needs for young children.
25. The introduction of a sibling link with Chennestone Primary School would provide a greater chance of families keeping their children together or at schools in close proximity.

Horley Infant School – Reigate & Banstead

26. It is proposed to introduce a sibling link for Horley Infant School with Yattendon. In this way, families with an older child attending Yattendon would receive sibling priority for a younger child to attend Horley Infant School.
27. The admission criteria for Horley Infant School would not change but would be described as operating shared sibling priority with Yattendon for 2022 admission (see Enclosure 1 – Appendix 2).
28. This proposal is in line with a proposal being considered by Yattendon to introduce a reciprocal sibling link with Horley Infant School. As a foundation school, the governing body of Yattendon is responsible for consulting on any proposals for change to their admission arrangements.
29. Implementation of this proposal for Horley Infant School would be subject to Yattendon also implementing a reciprocal sibling link with Horley Infant School.
30. This proposal is supported by the headteacher and Governing Body of Horley Infant School. It is also broadly supported by Yattendon, although this school's governing body has yet to formally agree to introduce a reciprocal sibling arrangement.

31. In line with Surrey County Council policy, the introduction of a reciprocal sibling link with Yattendon would enable sibling priority to be given to a child who is applying to start at Horley Infant School in Reception even if they have a sibling who would have left Year 2 of the school by the time the younger child starts. This is because the feeder link within the admission criteria for Yattendon would provide for them to be admitted to that school, thereby retaining their sibling priority.
32. This proposal is consistent with Surrey's planning principles set out in the School Organisation Plan which undertake to consider sympathetically the desirability of separate infant schools feeding into junior or primary provision where this reduces transport needs for young children.
33. The introduction of a reciprocal sibling link between the two schools would provide a greater chance of families keeping their children together or at schools in close proximity.

Onslow Infant School – Guildford

34. It is proposed to formally consult on a reduction to the Reception PAN at Onslow Infant School from 90 to 60. This change is reflected in bold in Appendix 1 of Enclosure 1 which sets out the proposed PANs for all community and voluntary controlled schools for 2022 admission.
35. Onslow Infant School currently has a Reception PAN of 90. However the school is not filling to its PAN and is currently running with an operational cohort of two classes in each of its year groups.
36. Surrey's Education Place Planning team are satisfied that this reduction will not impact the sufficiency of places for the next two years. There is a suggestion that additional places may be needed in 2024/25 and the school has indicated that they would be willing for the PAN to be reviewed at that stage if numbers increase at that time, with a view to taking a bulge class and a subsequent increase in PAN should the demand be sustained to require it.
37. This decrease in PAN would have no impact on children who are currently on roll at the school.

Surrey's Relevant Area

38. The Relevant Area that Surrey intends to publish for schools for the next two years is set out in ENCLOSURE 3.
39. There are no changes proposed and this remains as it was determined in 2019.

Other changes that are not subject to consultation

Increase in PANs

40. Admission authorities are not required to consult on proposed increases to PANs but must include the proposed increase within the admission arrangements. Appendix 1 of Enclosure 1 sets out the proposed admission numbers for all community and voluntary controlled schools for 2022 admission.
41. Surrey is proposing to increase the Year 3 PAN at William Cobbett from 50 to 60. The Reception PAN was decreased from 40 to 30 in September 2019 to

enable the school to operate with one class of 30 throughout KS1, rather than having mixed aged classes in Year 1 and Year 2. 2022 will be the first year that there will be 30 children transferring from KS1 and an increase to the Year 3 PAN from 50 to 60 will provide consistent class sizes of 30 throughout the school. It will also provide a greater likelihood that all children at Badshot Lea who want a place would be able to secure one at the initial allocation. No consultation is required for this.

Points of clarification

42. Wording has been added to Section 12 to clarify current practice that where a mainstream child has a sibling with a final EHCP that names the same school, they will be given sibling priority for that school as long as the sibling with the EHCP is expected to start at the school before or on the same date as the mainstream child.

CONSULTATION:

43. The Education Place Planning team has been involved in considering the proposals for change.
44. All schools directly affected by the proposed changes have been consulted.
45. Parents, schools and other stakeholders will have the opportunity to comment on the proposed admission arrangements, including any changes being proposed, throughout the six week consultation.
46. As the local authority is only responsible for consulting on the admission arrangements for community and voluntary controlled schools, the details of any school that becomes an academy before consultation begins will be removed from the paperwork.

RISK MANAGEMENT AND IMPLICATIONS:

47. The risks of consulting on these changes are low. There may be some local opposition to some of the proposals from those cohorts or groups that may be disadvantaged by the proposals but it is important to identify those concerns as part of the consultation.

Financial and value for money implications

48. The admission criteria for the majority of community and voluntary controlled schools in Surrey conform to Surrey's standard criteria. The more schools that have the same admission criteria, the more the processes can be streamlined and thus present better value for money. However, where required, the admission criteria for some schools vary from Surrey's standard but these can currently be managed within existing resources.

Section 151 Officer commentary

49. Although significant progress has been made over the last twelve months to improve the Council's financial position, the medium term financial outlook is uncertain. The public health crisis has resulted in increased costs which are not fully funded in the current year. With uncertainty about the ongoing impact of this and no clarity on the extent to which both central and local funding sources might be affected from next year onward, our working assumption is that

financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority in order to ensure stable provision of services in the medium term. As such, the Section 151 Officer supports the proposed consultation to ensure the most effective allocation of school places.

Legal Implications – Monitoring Officer

50. The proposed admission arrangements comply with legislation on School Admissions and the requirements of the School Admissions Code.
51. The local authority will carry out a consultation on all changes for a period of six weeks between 20 October 2020 and 1 December 2020, which is in accordance with statutory requirements.
52. The consultation will be carried out with all persons required under the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2014.
53. The local authority will give due regard to the responses to the consultation before considering the recommendations to put before Cabinet.
54. The public sector equality duty (Section 149 of the Equality Act 2010) applies to the decision to be made by the Cabinet Member in this report. There is a requirement when deciding upon the recommendations to have due regard to the need to advance equality of opportunity for people with protected characteristics, foster good relations between such groups and eliminate any unlawful discrimination. These matters are dealt with in the equalities paragraphs of the report and in the attached equalities impact assessment (EIA).

Equalities and diversity

55. An Equality Impact Assessment (EIA) is attached as Enclosure 4. The adoption of determined admission criteria is a mandatory requirement supported by primary legislation. The policy as it relates to community and voluntary controlled schools does not discriminate by age, gender, ethnicity, faith, disability or sexual orientation.
56. Measures have been taken to reference vulnerable groups both in terms of exceptional arrangements within admissions, the Special Educational Needs & Disability (SEND) process and the Fair Access Protocol. In addition, a right of appeal exists for all applicants who are refused a place at a particular school.

Corporate Parenting/Looked After Children implications

57. As required by the School Admissions Code, the proposed admission arrangements give top priority to children who are Looked After by a local authority and to those children who have left care through adoption, a child arrangements order or a special guardianship order.
58. The admission arrangements also provide for children previously in state care outside of England who have ceased to be in state care as a result of being adopted to be given second highest priority within the exceptional

social/medical need criterion. This is in line with advice issued by the Department for Education and the stated wish of the Minister of State for School Standards. The DfE are currently consulting on an amendment to the School Admissions Code to give this group of children top priority for a school place but this change cannot be made until a new Code comes into force.

Safeguarding responsibilities for vulnerable children and adults implications

59. The efficient and timely administration of the school admissions process coupled with the equitable distribution of school places in accordance with the School Admission Code and parental preference contribute to the County Council's priority for safeguarding vulnerable children.

Environmental sustainability implications

60. The County Council attaches great importance to being environmentally aware and wishes to show leadership in cutting carbon emissions and tackling climate change.
61. The admission arrangements enable the majority of pupils to attend their nearest school and in doing so reduces travel and supports policies on cutting carbon emissions and tackling climate change.

WHAT HAPPENS NEXT:

- If approval is given to consult, the local authority will consult on the proposed admission arrangements for six weeks between 20 October 2020 and 1 December 2020.
- As the local authority is only responsible for consulting on the admission arrangements for community and voluntary controlled schools, the details of any school that becomes an academy before consultation begins will be removed from the paperwork.
- Details will be distributed to:
 - all schools and nurseries in the county including a form of wording that they may wish to display on their website, in newsletters or on notice boards.
 - out of County schools which are close to the border of Surrey
 - each of Surrey's neighbouring local authorities
 - each Diocesan Body representing schools in the county
 - all Surrey County Council Members and Borough/District Members, asking them to share the details with local community and resident groups as appropriate
 - Parish Councils within the area of Surrey County Council
 - Surrey MPs
- A paper summarising the outcome of the consultation and making recommendations will then be passed to Cabinet on 26 January 2021 for decision and then to Full Council on 9 February 2021 to ratify the decision so that the admission arrangements for Surrey's community and voluntary controlled schools and the coordinated schemes for 2022 can be determined before the statutory deadline of 28 February 2021.
- As the local authority is only responsible for determining the admission arrangements for community and voluntary controlled schools, the details of

any school that becomes an academy before determination will be removed from the paperwork.

- The admission arrangements for September 2022 will then be published by 15 March 2021 on Surrey's website and a notice will be sent to all those consulted.
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Contact Officer:

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Consulted:

School Commissioning Team
Schools affected by the proposals
Director – Education, Lifelong Learning & Culture
Assistant Director for Education

Annexes:

ENCLOSURE 1	Proposed admission arrangements for C&VC schools
APPENDIX 1	Proposed published admission numbers
APPENDIX 2	Proposed schools to be considered as on adjoining/shared sites
APPENDIX 3	Proposed schools to be considered as nearest school
APPENDIX 4	Catchment map for Southfield Park
APPENDIX 5	Supplementary Information Form for children of staff applicants
ENCLOSURE 2	Proposed coordinated schemes
ENCLOSURE 3	Draft Relevant Area
ENCLOSURE 4	Equality Impact Assessment
ENCLOSURE 5	School category following review of intake for past three years

Sources/background papers:

- School Admissions (Admission Arrangements and Coordination of Admission Arrangements) (England) Regulations 2014
- School Standards and Framework Act 1998
- Education Act 2002
- School Admissions Code
- Equality Act 2002
- DfE advice on the admission into school of children previously in state care outside of England
- OSA determination on Stamford Green - ADA3589