



CABINET – 11 FEBRUARY 2022

LEICESTERSHIRE'S POLICY ON ADMISSIONS TO MAINSTREAM SCHOOLS: DETERMINATION OF ADMISSION ARRANGEMENTS

REPORT OF THE DIRECTOR OF CHILDREN AND FAMILY SERVICES

PART A

Purpose of the Report

1. The purpose of this report is to seek the Cabinet's approval of a revised Leicestershire's School Admissions Policy, for admissions from September 2023 and the three associated Coordinated Arrangements for first-time admissions, secondary transfers and mid-term transfers.
2. Since last being approved by the Cabinet in February 2021, mandatory changes have been made to the Policy as a result of a new National Schools Admissions Code that came into force from 1st September 2021.

Recommendation

3. It is recommended that the Leicestershire School Admissions Policy for entry from September 2023 and associated coordinated admissions arrangements for first-time admissions, secondary transfers and mid-term transfers, as set out in the Appendix to the report, be approved.

Reasons for Recommendations

4. The School Standards and Framework Act 1988 places an obligation on the County Council to determine the admission arrangements for community and voluntary controlled schools in Leicestershire. As an admitting authority the County Council is required to determine the admission arrangements for such schools in Leicestershire from September 2023 by 28 February 2022 and make them available on the Council's website no later than 15 March 2022. This will then provide all parents and carers over a year's notice to allow them to make informed preferences when applying for a school place from 2023.

Policy Framework and Previous Decisions

5. The County Council's policy in this area is relevant to admissions to community schools, voluntary controlled schools, and those Academies that wish to model their policy on the Local Authority's (LA) policy. The Policy must

contain clear criteria for parents' requests for school places and all applications must be treated fairly, regardless of whether or not the applicants lives in Leicestershire. To this end, the County Council must have regard to the Department for Education (DfE) School Admissions Code (September 2021) and School Admission Appeals Codes (February 2012). The County Council also has a statutory duty under the Education Act 1996 to ensure the availability of sufficient school places.

6. The current Policy was approved by the Cabinet on 5 February 2021.

Resource Implications

7. There are no resource implications arising from this report. The cost of administering the admission arrangements is borne from within existing budgets.
8. The Director of Corporate Resources and Director of Law and Governance have been consulted in the preparation of this report.

Circulation under the Local Issues Alert Procedure

9. All Elected Members will be advised once the Policy has been published on the County Council's website.

Officers to Contact

Jane Moore, Director of Children and Family Services
Tel: 0116 305 2649
Email: Jane.Moore@leics.gov.uk

Paula Sumner, Assistant Director Education and SEND
Tel: 0116 305 0546
Email: Paula.Sumner@leics.gov.uk

David Atterbury, Head of Service (Education Sufficiency)
Tel: 0116 305 7729
Email: David.Atterbury@leics.gov.uk

Gurjit Singh Bahra, Service Manager School Admissions and Pupil Services
Tel: 0116 305 6324
Email: Gurjit.Bahra@leics.gov.uk

PART B

Background

10. The School Admissions Policy sets out the Council's admission arrangements for the purposes of allocating school places at community and voluntary controlled schools within Leicestershire, for which the Council is the admission authority. The Policy does not apply to other schools, including those within other local authority areas (including Leicester City), voluntary aided schools, foundation schools, independent schools or academies, studio schools or admission to post-16 education.
11. Leicestershire's current Admissions Policy was approved by the Cabinet in February 2021. It was at the time indicated by the Department for Education that a new National School Admissions Code was imminent as the then current Code had not been revised since 2014. The new statutory Code was issued in July 2021 and came into force from 1st September 2021. Changes as a result of the new statutory guidance are reflected in in the revised policy.
12. The required changes focus on clarifying and improving the school admission process, specially those seeking to move outside the normal rounds otherwise known as mid-term (in-year) transfers. The revised Code now provides further details that assists admissions authorities in discharging their duties. A summary of the main changes is included below;
 - A requirement that all oversubscription priority criteria must be reasonable, clear, objective, procedurally fair and comply with all relevant legislation, including equality legislation;
 - Looked after children (LAC) in state care or adopted from outside of England or subject to a child arrangement order or special guardianship order will have the highest ranking;
 - Clarification that the LA's Co-ordination of mid-term (in-year) arrangements remains optional for an Academy to participate in or not. (In Leicestershire as the School Admission Service continued to co-ordinate mid-term applications for community schools, the majority of academies also requested to participate, and therefore the arrangement is offered to academies on a traded basis). However, where academies do NOT participate in the LA's arrangements, they are required to provide the LA with their arrangements and contact details which will then be hosted on the Council's website;
 - LA requirement to publish mid-term arrangements by 28 August in subsequent years;
 - A requirement that all academies and schools publish on their own websites their mid-term arrangements, to enable parents to understand how they apply to each academy or school as a mid-term applicant. For those academies that agree to the LA's co-ordinated mid-term arrangements, the academy trust will merely have to provide a link to the

LA website. For those academies that do not adopt the LA's scheme, they must instead publish the information on their website. Failing to publish their arrangements will be considered as non-compliance;

- All applications to Reception, Infant to Junior transfers, Secondary Year 7 transfers and Upper School transfers from the 1 September will be considered as mid-term applications and not as late transfer applications;
- A requirement that the LA must provide parents on request information about numbers of students on roll across all year groups in academies and schools. To enable the LA to perform this function, academies and schools must on request supply numbers on roll to the LA. Failing to share the information will be considered as non-compliance;
- An emphasis that admission authorities must not refuse a place if there is availability even if the application was received late, for faith reasons (if a faith school) or if the previous academy or school did not follow the same curriculum (specifically Years 10 and 11);
- A requirement that all academies and schools must aim to make a decision within 10 school days following receiving an application and notification by 15 school day is a requirement. Where the academy or school make their own decisions as admission authority, they must inform the LA of the outcome, failing to do so will be considered a breach of the Code. Where the decision is to offer the place, it will be incumbent on the academy or school to allow the student to start as soon as possible (or to report the child to the LA's Children Missing Education team);
- A revision to the definition of Challenging Behaviour. This includes being able to evidence significant interference with the student's (or other students education), jeopardising the right of staff and pupil(s)/student(s) to be in a safe and orderly school environment where it can be evidenced the challenging behaviour is of such intensity, frequency or duration that it is beyond the range that an academy or school can tolerate and where a range of demonstrable interventions to address the challenging behaviour have been ineffective.

13. Due to the revised Policy having only been amended to reflect mandatory changes to comply with the national School Admissions Code, there was no requirement to consult on its contents.

Equality and Human Rights Implications

14. An Equality and Human Rights Impact Assessment (EHRIA) screening questionnaire was completed to ensure the variation applied equally to all children, a full EHRIA was not required.

Appendix

School Admissions Policy for entry from September 2023 and Leicestershire's Co-ordinated Admission Schemes for First Time Admissions Infant to Junior transfers, Secondary School transfers and Mid-Term Arrangements during the 2022-23 Academic Year

Background Papers

National School Admissions Code December 2021 -

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1001050/School_admissions_code_2021.pdf

Report to the Cabinet on 5 February 2021 - Leicestershire's Policy on Admission to Mainstream Schools: Determination of Admission Arrangements:

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&Mid=6440&Ver=4>

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