



Cabinet
14 January 2019

**Report from the Strategic
Director of Children and Young
People**

Brent Council's School Admission Arrangements for 2020/21

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	Three: <ul style="list-style-type: none">• Appendix 1: List of Primary Community Schools in Brent• Appendix 2: Proposed Admissions Arrangements and Scheme of Coordination for 2020/2021• Appendix 3: Consultation on oversubscription criteria for Brent Community Primary Schools for 2020/2021 entry
Background Papers:	N/A
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Brian Grady Operational Director - Safeguarding, Partnerships and Strategy Email: Brian.grady@brent.gov.uk Tel: 020 8937 4713

1.0 Purpose of the Report

1.1 Cabinet is asked to agree the proposed admission arrangements and scheme of co-ordination for Brent community schools for 2020/21 in accordance with statutory requirements. Admission authorities are required to determine their admission arrangements by 28 February in the determination year.

2.0 Recommendations

That Cabinet:

2.1 Agrees the proposed admission arrangements for Brent community schools and scheme of co-ordination for maintained schools in Brent for the 2020/2021 academic year (Appendix 2).

3.0 Detail

- 3.1 This report relates to the admission arrangements and oversubscription criteria of Brent community primary schools only. Brent Council is the admission authority for 30 community primary schools in the Borough (Appendix 1). Voluntary Aided (VA) and foundation schools, academies and free schools are their own admission authority and determine their own admission arrangements and oversubscription criteria.
- 3.2 The School Admissions Code issued under Section 84 of the School Standards and Framework Act is the legal framework for school admissions matters. The Admissions Code requires that admission authorities have a mechanism to rank applications in order of priority. All schools and admission authorities must have admission arrangements that clearly set out how children will be admitted, including the criteria that will be applied if there are more applications than places at the school. Admission arrangements for Brent community schools are determined by the Council as the admission authority.
- 3.3 At its meeting on 15 October 2018, Cabinet granted approval for the council to carry out public consultation to amend its admission arrangements for the academic year 2020/2021.
- 3.4 Consultation was carried out with all relevant parties, as identified in the School Admissions Code 2014, for a period of six weeks between 30 October 2018 and 10 December 2018.

4.0 Outcome of consultation

- 4.1 Consultation was undertaken on the following amendments to the existing admission arrangements:
 - a) reducing the Published Admission Number (PAN) for primary schools that have seen a reduction in demand over recent years; and
 - b) the introduction of a criterion for all community schools to give priority to children previously in state care outside of England and who have ceased to be in state care as a result of being adopted.

The consultation document on the proposed changes can be reviewed in Appendix 3.

- 4.2 One formal response to the consultation was received during the consultation period. The respondent was in agreement with the proposed changes.
- 4.3 The proposals to reduce the PAN of both Uxendon Manor Primary School and Harlesden Primary School have been put forward after careful analysis of primary school demand in each school's local area. The impact of this proposal is considered to be low. There are sufficient places in other schools to meet forecast demand if these changes are implemented.
- 4.4 It is anticipated that primary school demand will rise again in the future, in which case the PAN for both schools could be increased without the need for further consultation. The local authority is also able to introduce bulge classes in schools at short notice to respond to unanticipated local demand.

- 4.5 A number of other London LAs are consulting on reducing the published admission number of some primary schools in response to recent reduced demand.
- 4.6 The proposal to introduce a criterion for all community schools to give priority to children previously in state care outside of England and who have ceased to be in state care as a result of being adopted will have very little impact on the majority of schools. In 2018, 9 places were offered in community primary schools to children under the highest criterion for Looked After Children and Previously Looked After Children. It is expected that the number of children eligible under the new criterion will be at a similar or lower level.
- 4.7 Other local authorities in London and the surrounding area consulting on introducing a similar criterion for 2020/2021 include London Borough of Redbridge, Hertfordshire, Kent and Surrey. Some London authorities have considered introducing this criterion, but have not yet started a consultation, while others have indicated that they will introduce the criterion when it becomes a requirement under a revised School Admissions Code.

5.0 Financial Implications

- 5.1 There are no specific financial implications arising from this report.

6.0 Legal Implications

- 6.1 The Council as admission authority has a duty to undertake consultation on admission policies in order to determine admission arrangements, including admission numbers under Part III of the School Standards and Framework Act 1998 and the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012/8.
- 6.2 Admission authorities must act in accordance with the mandatory requirements of the School Admissions Code 2014 and have due regard to the discretionary elements of the Code. They must also act in accordance with other laws relating to admissions and relevant human rights and equalities legislation
- 6.3 Oversubscription criteria must be reasonable, clear, objective and comply with all relevant legislation, including equalities legislation. Highest priority in the oversubscription criteria must be given to looked after children and previously looked after children (Regulation 7, Admission Arrangements Regulations 2012). Subject to these requirements it is for the admission authority to decide which criteria would be suitable according to the local circumstances. The criterion proposed to be consulted upon to give priority to children previously in state care outside England, is not referenced by legislation or the School Admissions Code 2014, but may be considered for inclusion as the School Admissions Code does not give a definitive list of acceptable oversubscription criteria.
- 6.4 The local authority must determine admission arrangements for 2020/21 by 28 February 2019.

7.0 Equality Implications

- 7.1 The public sector equality duty, as set out in section 149 of the Equality Act 2010, requires the Council, when exercising its functions, to have “due regard” to the need to eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act, to advance equality of opportunity and foster good relations between those who have a “protected characteristic” and those who do not share that protected characteristic. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 7.2 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 7.3 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary. The Admissions Criteria ensure fair access to school places. Cabinet is referred to the contents of this report for further information, in particular section 4.0.

8.0 Consultation with Ward Members and Stakeholders

8.1 This report affects all wards.

9.0 Human Resources/Property Implications (if appropriate)

9.1 There are no human resources or property implications.

Report sign off:

BRIAN GRADY

Operational Director - Safeguarding, Partnerships and Strategy

On behalf of:

GAIL TOLLEY

Strategic Director of Children and Young People

