



Cabinet
16 November 2023

**Report from the Corporate Director,
Children and Young People**

**Lead Member – Cabinet Member for
Children, Young People and
Schools
(Cllr Grahl Grahl)**

Consultation on Admissions Arrangements for 2025/26

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
List of Appendices:	Two Appendix 1: List of Primary Community Schools in Brent Appendix 2: Proposed Admissions Arrangements for Brent Community Schools for 2025/26
Background Papers:	None
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1.0 Executive Summary

1.1 This report sets out proposed amendments to the Admission Arrangements for Brent Community Schools for 2025/26. It seeks Cabinet's view on whether Brent Council should carry out a formal consultation to be completed by 31 January 2024.

2.0 Recommendations

2.1 It is recommended that Cabinet agrees a consultation is undertaken on the following amendments to existing admission arrangements (these proposals are not inter-dependent and can be agreed individually):

- a) The reduction of the Published Admission Number (PAN) for Mitchell Brook Primary School from 90 to 60.
- b) The reduction of the Published Admission Number (PAN) for Fryent Primary School from 120 to 90.

3.0 Detail

3.1 Cabinet Member Foreword

- 3.1.1. Brent's school admission arrangements support the Borough Plan Strategic Priority 4: The Best Start in Life. By ensuring there are suitable admissions arrangements for children and young people in Brent, the local authority is meeting its statutory obligations and supporting every child and young person to access high quality education locally to them in the borough.
- 3.1.2. This report relates to the admission arrangements and oversubscription criteria of Brent community primary schools only. It includes two proposals for two schools, and no amendments to the existing admissions oversubscription criteria which were consulted on last year.

3.2. Background

- 3.2.1 Brent Council is the Admission Authority for 30 community primary schools in the borough (listed in 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.
- 3.2.2 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 Admissions Authority.
- 3.2.3 Admission authorities are only required to consult on their admission arrangements if they are proposing any changes, or if seven years have passed since the last consultation. Brent Council last consulted on a change to its admission arrangements in 2023 for the 2024/25 offer year. The proposal to consult on admissions arrangements for 2025/26 admission arrangements is required because changes are proposed.
- 3.2.4 Any consultation to amend or maintain admissions arrangements must last for a minimum of 6 weeks and must take place between 1 October and 31 January in the determination year (which is the school year immediately preceding the offer year).
- 3.2.5 Admission authorities are required to determine their admission arrangements by 28 February in the determination year.

3.3 Proposals

3.3.1 Two amendments are proposed to the existing admission arrangements. These proposals are not inter-dependent and can be agreed individually.

- a) The reduction of the Published Admission Number (PAN) for Mitchell Brook Primary School from 90 to 60
- b) The reduction of the Published Admission Number (PAN) for Fryent Primary School from 120 to 90

3.3.2 No amendments are proposed to the existing admissions oversubscription criteria, or to any other explanatory text. Other minor drafting changes may be made to the full admission arrangements text which do not require consultation, such as updates to the dates throughout the document. The proposed oversubscription criteria are included as Appendix 2.

3.4 The reduction of the Published Admission Number for Mitchell Brook Primary School

3.4.1 Mitchell Brook Primary School is a three-form entry school located in Primary Planning Area 4. The planning area has an excessive surplus of capacity in the primary phase, and the council is implementing a number of measures to reduce this capacity.

3.4.2 The latest pupil place planning projections indicate that removing this capacity in the planning area will still leave enough places to meet demand, with at least a 5% surplus available at any time.

3.4.3 The Senior Leadership Team at the school have expressed an interest in supporting the Local Authority in managing the supply of places by suggesting a reduction of their PAN. This would support the school to continue to deliver suitable and effective education by:

- Reducing the number of pupils attending the school which will ease pressure on constrained areas, such as hallways, dining area and the hall.
- Maximise budget opportunities for the school by allowing it to operate at maximum effectiveness. The school is popular, but not full at three-forms of entry. Reduction of the school to two forms of entry would lead to the school to be full in each new year of entry, based on historical demand patterns.

3.4.4 In the context of the measures available to reduce school place capacity in the area, the local authority considers this proposal to have the lowest negative impact, as it does not affect any pupils currently attending the school.

3.4.5 Reduction of the PAN at the school may limit the likelihood of some parents receiving one of their higher preference schools, where they have chosen Mitchell Brook Primary School but are not ranked highly enough to receive an offer if it is oversubscribed.

- 3.4.6 If the PAN is reduced and Mitchell Brook becomes an oversubscribed school, there may be an increase in appeals for the school. To put this in context, Uxendon Manor Primary School reduced its PAN in 2020. It has become oversubscribed in the Reception cohort since 2021, and to-date, 4 appeals have been lodged.
- 3.4.7 In mitigation to this, there is a wide selection of schools available in the planning area and in the surrounding planning areas that are rated good or outstanding by Ofsted. The local authority would still be meeting its obligation to ensure that sufficient schools for providing education are available in its area (Education Act 1996).
- 3.4.8 The building capacity of the school would remain in place and would be available if there was a future increase in demand in the area that required an increase in the number of places.

3.5 The reduction of the Published Admission Number for Fryent Primary School

- 3.5.1 Fryent Primary School is a four-form entry primary school located in Primary Planning Area 1.
- 3.5.2 The school was established as a three-form entry school but was reduced to a two-form entry school in 2003 due to falling demand. In 2012, the school was expanded to four forms of entry at a time of rising demand.
- 3.5.3 Demand for places at Fryent Primary School is lower than the full capacity of the school. Although 120 places are made available each year for a place in the Reception cohort, demand for the school has not exceeded 90 places since before 2015.
- 3.5.4 In order to maximise use of the spare capacity, an Additionally Resourced Provision was established in the school in 2017. The ARP now utilises the spare accommodation of the school.
- 3.5.5 Reducing the PAN will normalise the typical operating approach of the school and will ensure that only a maximum of 90 places will be offered for Reception from 2025. If the PAN remains at 120 and more places than 90 are offered, this could create operational difficulties for the school as it would have to reclaim some capacity from the ARP to establish an additional mainstream classroom.
- 3.5.6 Primary Planning Area 1 operates with a small surplus of places in most year groups, with a small deficit in some year groups. Projections indicate this is likely to remain the case until 2026/27, after which there will be a small surplus in all year groups in the following year. There is additional capacity in neighbouring planning areas which could meet any demand beyond the number of places available. If the local authority is unable to make an in-year offer of a place to a child who needs a school within a reasonable distance, it can utilise the Fair Access protocol to make an offer at a school that is already oversubscribed.

4.0 Stakeholder and ward member consultation and engagement

- 4.1. Local Authority officers have consulted directly with ward members in Primary Planning Area 4 that includes Mitchell Brook Primary School to discuss potential measures to reduce spare capacity.
- 4.2. Local Authority officers have liaised with the Senior Leadership Teams of Mitchell Brook Primary School and Fryent Primary School, including the schools' governing bodies to confirm their agreement to the proposed PAN reductions.
- 4.3. The Local Authority is required to formally notify the governing boards of Mitchell Brook Primary School and Fryent Primary School of any intention to consult to reduce their PAN following Cabinet approval.

5.0 Financial Considerations

- 5.1. There are no specific financial costs in relation to changes to the admissions criteria. However, schools receive funding via the Dedicated Schools Grant (DSG) which is driven by pupil numbers. Reducing the PANs will enable the schools to reconfigure their planned spend within the funding available giving the schools more financial stability, as vacant school places can put a school at risk of going into a deficit.

6.0 Legal Considerations

- 6.1. The School Admissions Code has been issued under Section 84 of the School Standards and Framework Act. The proposed admission arrangements and oversubscription criteria (Appendix 2) adhere to the requirements of the School Admissions Code, revised September 2021.
- 6.2. Admission Authorities are responsible for admissions and must act in accordance with the School Admissions Code, the School Admissions Appeals Code, other laws relating to admissions and relevant human rights and equalities legislation.
- 6.3. Any Consultation must take place for a minimum of six weeks between 1 October 2023 and 31 January 2024. The local authority must agree ("determine") admission arrangements for 2025/2026 by 28 February 2024.
- 6.4. No other amendments are proposed to the admission arrangements which require consultation. Minor drafting amendments and date updates will be made as required and are permissible without a consultation.

7.0 Equality, Diversity & Inclusion (EDI) Considerations

- 7.1. The Public Sector Equality Duty under section 149 of the Equality Act 2010 requires the Local Authority 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 Admissions Criteria ensure fair access to school places.

8.0 Climate Change and Environmental Considerations

8.1. The local authority plans school places on the basis of children attending local schools, encouraging children to walk to school and reducing travel by car or public transport to reduce the carbon footprint.

9.0 Human Resources/Property Considerations

9.1 Schools are directly responsible for managing staff recruitment based on the number of teachers required in any year group, in any academic year.

9.2. There are no property implications.

10. Communication Considerations

10.1 Any proposed amendments would be subject to public consultation with parents and stakeholders in accordance with statutory guidance, legal frameworks and the Council's public consultation process.

10.2 The School Admissions Code requires we must consult with:

- parents of children between the ages of two and eighteen – this will be achieved through the consultation portal and details on a dedicated page within the Admissions pages of the Brent website;
- other persons in the relevant area who, in the opinion of the admission authority, have an interest in the proposed admissions – this would be achieved through direct communication with those persons or organisations;
- all other admission authorities in the relevant area – this will be achieved through an article sent in the Headteachers' Bulletin;
- any adjoining neighbouring local authorities – this will be achieved through direct contact with the neighbouring authorities' admissions lead officer.

10.3 A communication will be sent, via the schools, to the parents of children attending the school's whose PANs are proposed to be reduced.

Report sign off:

Nigel Chapman

Corporate Director of Children and Young People