



Cabinet
15 December 2014

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

For Action

Wards Affected:
ALL

**Consultation on proposed community schools
oversubscription criteria and admission arrangements for
the 2016/17 admission round**

1.0 Summary

- 1.1. This report sets out proposals to consult on amendments to the oversubscription criteria for Brent primary community schools. The changes proposed are:
- 1.2. To create an additional criterion which prioritises siblings who live within the catchment area of Brent Community Schools over siblings who live outside the schools catchment.
- 1.3. To change the method of measuring the distance in the 'tie breaker' within each criterion from shortest safe walking distance using public rights of way, to straight line measurement.
- 1.4. To amend the wording and expand the explanation of the social medical criterion to provide clearer information for parents and carers.

2.0 Recommendations

- 2.1. To agree to carry out statutory consultation on the proposed changes to Community Schools Oversubscription Criteria to take effect from September 2016/17. The consultation is as required by the Admissions Code, revised February 2012.
- 2.2. To note that the results of the consultation will be reported back to the Cabinet for final decision on the proposals in March 2015.

3.0 Detail

- 3.1. Currently there are 61 primary schools in Brent made up of Community, Voluntary Aided (VA) Foundation Schools and Academies. VA, Academies and Foundation schools are their own admission authority and determine their own admission arrangements. The council is the Admission Authority for primary community schools in Brent. There are 33 primary community schools. There are no secondary community schools in Brent. The recommendations in this report relate solely to Brent primary community schools a list of which is attached as appendix 1.
- 3.2. A catchment area is the defined neighbourhood in which the school is sited. It is generally bounded by major roads and/or railway/tube. The catchment area is defined by the local authority and is designed to ensure that each address in the borough falls into the catchment area of one school. Information on which streets make up a catchment area is available for parents/carers on the council's web site.
- 3.3. 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 are determined by Admission Authorities.
- 3.4. **Consultation arrangements**
As the Admissions Authority for Brent Community Schools the council is required to consult widely on any proposed changes to the admission arrangements and oversubscription criteria for 2016/17. This consultation must be for a minimum of eight weeks and be completed by 1 March 2015. As part of the consultation officers will ensure that the proposed changes are published on the internet, in the local press, circulated to schools, places of worship, nurseries and children's centres. Consultation meetings will be held locally for parents to attend.
- 3.5. This consultation period allows parents, other schools, religious authorities and the local community to raise any concerns about proposed admission arrangements.

4.0 Proposed changes to be included in the consultation

4.1 Changing the sibling criterion

- 4.2. Currently the Community School Oversubscription Criteria prioritises applications in the following order;
1. A 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, residence, or special guardianship order.
 2. Children attending an infant school on the same site as a junior school.
 3. Children for whom it is essential to be admitted to a *specific school* because of special circumstances to do with significant medical needs, social needs or special educational needs.
 4. Brothers or sisters of a child who attends the school, or an infant or junior school on the same or adjoining site, and who will continue to do so on the date of admission.
 5. Children living within the school's catchment area.
 6. All other applicants.

- 4.3. It is proposed to consult to amend the oversubscription criteria as follows highlighted in bold
1. A 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, residence, or special guardianship order.
 2. Children attending an infant school on the same site as a junior school.
 3. Children for whom it is essential to be admitted to a *specific school* because of special circumstances to do with significant medical needs, social needs or special educational needs.
 4. Brothers or sisters of a child who attends the school, or an infant or junior school on the same or adjoining site, **living in the catchment area of the school** and who will continue to do so on the date of admission.
 5. Children living within the school's catchment area.
 6. Brothers or sisters of a child who attends the school, or an infant or junior school on the same or adjoining site, and who will continue to do so on the date of admission.
 7. All other applicants.
- 4.4. There is considerable pressure on primary school places in Brent with a number of schools heavily oversubscribed. In some of the most popular and oversubscribed schools historically up to 50 per cent of places have been allocated to siblings. Not all siblings who secure a place live within the catchment of the school. Some siblings live up to 9,000 metres from the school they secure a place in. Once a sibling connection is established, the family can move out of the catchment but as long as there is a sibling in the school, retain priority for a place for other children in the family.
- 4.5. This can lead to families securing a place at a particular school and moving out of the area, holding on to the place and then siblings who live a distance away still have priority over local children.
- 4.6. The current sibling criterion (Criterion 4) which does not stipulate that brothers or sisters must live within the catchment of the school significantly reduces the chances of securing a place for local applicants who live within the catchment but do not have a sibling already in the school.
- 4.7. In recognising that it is important for siblings who live locally to the school to have priority it is proposed to create a new criterion which stipulates that siblings who live within the catchment will have a higher priority than those where families have moved out of the schools catchment.
- 4.8. Siblings where the family no longer live in the catchment will still have a priority but will be ranked after children who live in the catchment with no sibling. Wandsworth is carrying out statutory consultation on prioritising siblings living within 800m of a school having a higher priority than those living further away. Ealing currently prioritises siblings living within a school's priority area over those children living outside of the area, but are carrying out statutory consultation on whether all siblings regardless of where they live should have priority.

4.9. **Social or medical needs**

4.10. Criterion 3 refers to the social or medical needs of a pupil and while the published explanation provides interpretation of the criterion it is often misunderstood by parents and carers, leading to increased admission appeals and parental dissatisfaction. The current wording is set out below:

4.11. "Children for whom it is essential to be admitted to a *specific school* because of special circumstances to do with significant medical needs, social needs or special educational needs."

4.12. It is open to any parent to make an application under this criterion. The application should be supported, where possible, with a recommendation in writing from a recognised professional of senior status; medical consultant, head teacher of current school or other appropriate officer.

4.13. The recommendation for this specific school should demonstrate knowledge of the school in terms of resources and organisation which deems it essential that the named pupil be admitted to the specific school.

4.14. *This criterion relates to the child's medical, social and special needs and not to the needs of any other member of the child's family. Decisions regarding whether children fall under this criterion are made by the local authority. If you are unsure if your application meets this criterion, please contact the Brent School Admissions Service for further advice. It is better to send information to support your application. The local authority can only consider information it has received.*

4.15. It is proposed to amend the wording of the criterion and explanation to the following:

4.16. **Special circumstances to do with significant medical needs and or social needs.**

4.17. This criterion relates to the child's medical and or social needs. Such requests will only be considered for the school closest to the home address. The application must be supported by written evidence that set out the particular reasons why the school in question is the most suitable and the difficulties that would be caused if the child had to attend another school. The recommendation for this specific school should demonstrate knowledge of the school in terms of resources and organisation which deems it essential that the named pupil be admitted to the specific school. The council will not give higher priority to children under this criterion if the required documents have not been submitted.

4.18. **Medical Needs**

4.19. Applications made on medical grounds must be accompanied by compelling medical evidence from a hospital Consultant at the time of application. The letter from the hospital consultant must provide information about the child's medical condition, the effects of this condition and why, in view of this, the child needs to attend the parent's preferred school. If the school is not the closest to home, the consultant must set out in detail the wholly exceptional circumstances for attending this school and the difficulties if the child had to attend another school. Medical claims will only be considered for one school and this should be named by the consultant. In assessing these applications, advice will be sought from Brent's Special Education Needs Service.

4.20. **Social Needs**

- 4.21. Applications made on social grounds must be accompanied by compelling evidence at the time of application. Social needs claims will be considered where there is involvement from a social worker, or other professional and where it can be demonstrated that the child has exceptional social needs that cannot be met at any other school. Parents' circumstances can have an impact on a child's social needs and evidence of this will be considered.

4.22. **Distance measurement**

- 4.23. 'Tie Break' measurement. Within each criterion priority will be given to the applicant who lives closer to the school. This has been done by measuring the shortest safe walking distance using road networks including public rights of way* from the child's home to the school gate. Where a school has more than one gate as defined in the admission arrangements distances will be measured to the nearest school gate from the child's home. Where schools have an agreed travel plan, this also includes any routes which schools have determined as being "safe routes to walk". (The travel plan used for this purpose will be the plan which is operational for the school at the closing date for applications.)
- 4.24. *A public right of way is one which is determined by The Countryside Act 1968. Where applicants live in the same block of flats, internal walkways will be treated as public rights of way when calculating distance travelled (measurements will be taken from the door of each individual dwelling).
- 4.25. Given the scale of housing development in the borough it is difficult to ensure that the street maps are continuously updated and accurate. Parents often cite short cuts across estates and through underpasses as the routes they take to a particular school.
- 4.26. It is recommended to change the method for measuring the distance from the child's home to school from the shortest safe walking distance to straight line measurement. A straight line measurement undertaken by the Admissions software is the most straightforward to operate for the admissions service, dispenses with the requirement to update street maps, and is easy to understand for parents and carers.
- 4.27. The distance from home to school will be measured by straight-line, from a point in the property to a point in the school determined by the grid references for the centre of the school's postcode. The measuring system is an integral part of the admission software produced by Tribal Technology Ltd. It uses Ordnance Survey maps and the LLPG (Local Land Property Gazetteer) and is accurate to one metre. Adopting this method would bring Brent into line with current practice in Harrow and Ealing.

5.0 Financial Implications

- 5.1. There are no specific financial implications for this report.

6.0 Legal Implications

- 6.1. The School Admissions Code has been issued under Section 84 of the School Standards and Framework Act. The suggested changes to the council's oversubscription criteria adhere to the requirements of the Admissions Code, revised 1 February 2012.

- 6.2. Admission Authorities are responsible for admissions and must act in accordance with the Code, the School Admissions Appeals Code, other laws relating to admissions and relevant human rights and equalities legislation.
- 6.3. As the Admissions Authority for Brent Community Schools the council is required to consult widely on any proposed changes to the admission arrangements and oversubscription criteria for 2016/17.
- 6.4. This consultation must be carried out for a minimum of eight weeks ending on 1 March 2015.

7.0 Diversity Implications

- 7.1. The predictive Equalities Impact Assessment is attached. In general the admissions policy aims to protect the interests of those who are disadvantaged or vulnerable. The changes should benefit those less able to 'work the system' by for example moving into specific catchment areas of popular schools. The consultation will however look for unintended consequences and downsides, in particular in relation to the consequences of welfare reform.

8.0 Staffing/Accommodation Implications

- 8.1. There are no staffing or accommodation implications from this report.

Appendices

- i) List of community primary schools
- ii) Equalities Impact Assessment

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