



Cabinet
19 October 2015

**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 2017/18 admission round**

1.0 Summary

- 1.1. This report seeks approval of Cabinet to consult on proposed amendments to the oversubscription criteria for Brent primary community schools. The changes proposed are:
- 1.1.1. Introduction of a criterion prioritising children of staff.
 - 1.1.2. Introduction of criterion prioritising children of families who attract the pupil premium funding.
- 1.2. The consultation is intended to open discussion and generate fair and transparent dialogue regarding the proposed changes.
- 1.3. Outcomes from consultation and any proposals to amend the oversubscription criteria will be brought back to Cabinet in February 2016 for consideration and decision.
- 1.4. The proposed changes would affect Community Schools Oversubscription Criteria and take effect for admissions from September 2017 and onward

2.0 Recommendations

- 2.1. Cabinet to agree to statutory consultation period between 1 December 2015 and 12 January 2016 as required by the Admissions Code (December 2014).

3.0 Background

- 3.1. Currently there are 64 primary schools in Brent made up of Community, Voluntary Aided (VA), Free and Foundation Schools and Academies. For VA, Foundation and Free schools and Academies the governing body are the Admission Authority and

determine their own admission arrangements. The council is the Admission Authority for the 36 primary community schools in Brent. There are no community secondary 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. Admission arrangements for each school are determined by the Admission Authority for that school. All Admission Authorities must have admission arrangements that clearly set out how children will be admitted, including the criteria that will be used to rank applications in priority order if there are more applications than places at the school.
- 3.3. 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.
- 3.4. 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 2017/18.
- 3.5. This consultation run for a minimum of six weeks and be completed by 31 January 2016.

4.0 **Requirement to consult**

- 4.1. 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 2017/18. This consultation must be for a minimum of six weeks and be completed by 31 January 2016. 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. This consultation period allows parents, other schools, religious authorities and the local community to raise any concerns about proposed admission arrangements.

5.0 **Proposed changes to be included in the consultation**

5.1. **Introduction of 'Children of Staff' criterion**

- 5.1.1. The DfE revised the Admissions Code in 2012 to allow oversubscription criterion prioritising children of staff. Previous to this children of staff criterion were not allowed.
- 5.1.2. With the current teacher shortage a number of schools have enquired about the introduction of children of staff criterion. Schools have suggested that introduction of this rule will assist in attracting and retaining valued staff.
- 5.1.3. It is proposed to consult on the addition of a new criterion (highlighted in bold) to prioritise children of staff members.
 1. A 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order.
 2. Children attending an infant school on the same site as a junior school.

3. Special circumstances to do with significant medical needs and/or social needs.
4. **Children whose parent is a member of staff who has been employed at the school for two or more years at the time of application or has been recruited to fill a vacancy for which there is a demonstrable skill shortage.**
5. 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.
6. Children living within the school's catchment area.
7. 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.
8. All other applicants.

5.1.4. The numbers of children expected to be admitted under this rule are low. Enfield Council, who prioritise children of staff, allocated 7 out of 1840 (0.4%) places under this rule across all community primary schools in 2015

5.1.5. None of Brent's neighbouring authorities prioritise applicants for community schools using children of staff criteria. Of Brent's admitting authority schools two secondary schools, 11 primary and junior schools and three all through schools currently prioritise applicants on this basis.

5.2. **Introduction of criterion prioritising children who attract pupil premium funding.**

5.2.1. The government is keen that admission authorities seek to tackle the particular educational disadvantages faced by children eligible for the Pupil Premium. The Admissions Code was changed in 2012 to allow authorities the option to include oversubscription criteria that prioritise children eligible for the Pupil Premium.

5.2.2. Children from low-income families who are eligible for free school meals (or have been at any time in the past 6 years) qualify for the pupil premium. To qualify for free school meals families must be in receipt of one of the following benefits:

- 5.2.2.1. Income Support
- 5.2.2.2. Income-based Jobseekers Allowance
- 5.2.2.3. Income-related Employment and Support Allowance
- 5.2.2.4. Support under Part VI of the Immigration and Asylum Act 1999
- 5.2.2.5. The guaranteed element of State Pension Credit
- 5.2.2.6. Child Tax Credit (provided you're not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190)
- 5.2.2.7. Working Tax Credit run-on-paid for four weeks after you stop qualifying for Working Tax Credit
- 5.2.2.8. Universal Credit

5.2.3. The consultation would consider two points as follows;

- 5.2.3.1. The merits of introducing criteria prioritising applicants qualifying for the pupil premium at the time of application and
- 5.2.3.2. The order in which this criterion would be best placed amongst the existing oversubscription criteria.

- 5.2.4. Since the government allowed the introduction of criteria based on qualification for the pupil premium in 2012 the authority considers it appropriate to gauge the attitude of Brent residents and schools to their introduction.

6.0 **Financial Implications**

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

7.0 **Diversity Implications**

- 7.1. An equalities analysis has been carried out and is attached to this report at Appendix 2. A full Equalities analysis will be undertaken in accordance with the consultation process.

8.0 **Legal Implications**

8.1. **Equality Act 2010**

The public sector equality duty under section 149 of the Equality Act 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, and 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 covered under the Act are Age, disability, gender reassignment, marriage and civil partnership (only in respect of eliminating unlawful discrimination) pregnancy and maternity, race (this includes ethnic or national origins, colour or nationality), religion or belief (this includes lack of belief) sex, and sexual orientation. Due regard means giving relevant and proportionate consideration to the duty, in that whenever significant decisions are being made or policies developed consideration must be given to the impact/effect that implementing a particular policy or decision will have in relation to equality before making that decision. An equality analysis has been carried out and is attached to this report at Appendix 2. A full Equalities analysis will be undertaken in accordance with the consultation process.

8.2. **School Standards and Framework Act 1998**

The Local Authority has a statutory duty to comply with the requirements of The School Admissions Code issued under Section 84 of The School Standards and Framework Act 1998 when discharging its functions. The suggested changes to the Brent Admission Authority's oversubscription criteria are in accordance with the requirements of the School Admissions Code dated December 2014.

9.0 **Staffing/Accommodation Implications**

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

Background Papers

- i) List of community primary schools
- ii) Equalities Analysis

Contact Officer(s)

Cate Duffy, Operational Director Early Help and Education

Brent Civic Centre, Engineers Way, Wembley Middlesex HA9 OFJ.

Tel: 020 8937 3027

Email: sara.williams@brent.gov.uk

Gail Tolley, Strategic Director Children and Young People

Brent Civic Centre, Engineers Way, Wembley Middlesex HA9 OFJ.

Tel: 020 8937 6422

Email: gail.tolley@brent.gov.uk