

NORTH YORKSHIRE COUNTY COUNCIL

THE EXECUTIVE

10 November 2009

**REVIEW OF SCHOOL ADMISSIONS ARRANGEMENTS FOR HARROGATE
COMMUNITY SECONDARY SCHOOLS FROM SEPTEMBER 2011**

Report by the Corporate Director – Children and Young People’s Service

1.0 PURPOSE OF REPORT

This paper reports on the outcome of the consultation undertaken on admissions arrangements governing the allocation of school places at Harrogate High School, Harrogate Grammar School and Rossett School. It makes a recommendation for changes to the current arrangements and seeks approval from the Executive to consult on these proposed arrangements as part of the statutory annual admissions consultation process for 2011/12.

2.0 EXECUTIVE SUMMARY

- 2.1 In 2008 a number of parents raised concerns about the fairness of school admissions arrangements relating to the three Harrogate community secondary schools. This led to a number of referrals to the Schools Adjudicator in 2008 and 2009.
- 2.2 Two determinations by Schools Adjudicators have deemed the arrangements unfair. A third determination was set aside. The most recent adjudicator concluded that although the individual elements of the system are lawful, their impact in practice following changes to the school admissions regulations in 2008 has inadvertently created unfairness.
- 2.3 In the light of this the Executive gave approval in August 2009 for a widespread consultation on admissions arrangements for this area, ahead of the statutory annual consultation which will determine the County’s arrangements for 2011/12. A copy of the consultation document is attached at Appendix 1.
- 2.4 This report provides an analysis of the responses received in response to the consultation and looks at them in the context of the key principles agreed by the Executive and outlined in the consultation paper. The report then moves on to suggest an approach to be taken. It proposes a change to the admissions arrangements which aims to address the issues raised by the Office of the Schools Adjudicator and by parents and to arrive at a fairer set of admissions criteria.
- 2.5 In order to meet statutory deadlines for the next stage of consultation it has been necessary to prepare this report shortly before the consultation period ended. An update will be provided at the meeting of any responses received up to and including 2 November.
- 2.6 The Executive is requested to give approval to consult further on these proposed arrangements as part of the statutory annual admissions consultation process. This will enable the Authority to meet the statutory deadline of 15 April 2010 for determination of admissions arrangements for 2011/12.

3.0 ISSUES AND BACKGROUND

- 3.1 On 25 August 2009 the Executive gave approval for a consultation on admissions arrangements for 2011/12 for the three community secondary schools which jointly serve the Harrogate town and rural areas (see map on page 2 of Appendix 1). Authority was delegated to the Executive Member for Schools to decide upon the detailed arrangements for the consultation. A consultation document (Appendix 1) was approved by the Executive Member on 27 August and consultation was launched on 7 September 2009.
- 3.2 The consultation is a response to parental concerns and the views of the Schools Adjudicator about the fairness of the current admissions arrangements for the three community secondary schools serving the town and rural areas of Harrogate.
- 3.3 These concerns largely arose out of the implementation of a new School Admissions Code published in 2008, which outlawed admissions criteria which take account of the order in which parents name their preferred schools when allocating places at oversubscribed schools. The 'first preference first' system which had operated in the Harrogate area for almost 40 years had to be changed as a result of this. This change, combined with an increase in pupil numbers that year and an increase in applications for Harrogate Grammar School, had an impact on the number of places available at that school to children living in the town area. Nine additional children living in the rural area benefited from this change. It resulted in the reduction of the distance from Harrogate Grammar School where pupils in the town were able to be offered places from 1.02 miles to 0.78 miles. This raised concerns among parents in the town.
- 3.4 Parents referred their concerns to the Schools Adjudicator in 2008 and 2009. (extract from the two standing determinations attached at Appendix 2). One adjudication in 2008 was set aside following a legal challenge by the County Council and was re-determined in June 2009. Both adjudications have determined that the arrangements are unfair. Full copies of the adjudications have been placed in the Group Rooms.
- 3.5 The most recent adjudication in September 2009 determined that although the arrangements do not breach any mandatory element of the admissions rules, the impact of the change in the rules in 2008 was inadvertently to create unfairness in a previously fair system. The Schools Adjudicator said in his determination, 'I have considered whether there is any individual element of the arrangements that, taken by itself, is clearly not compliant with the Code. I am satisfied that this is not the case'. He also concluded that 'The County Council inadvertently introduced an unfairness into a set of arrangements which had operated fairly and without significant objection or complaint for many years previously'.
- 3.6 Because the Authority had already given a clear commitment to undertaking a wide ranging consultation, no change was ordered by the Adjudicator to the 2010 arrangements at that time.

4.0 WHY THE CURRENT ARRANGEMENTS ARE DEEMED UNFAIR

- 4.1 The unfairness arises out of the priority currently given to children living in the rural area of Harrogate for places at the three community schools, ahead of the children living in the town area. The two Voluntary Aided Schools (St Aidan's CE and St John Fisher Catholic Schools) also take significant numbers of children from this area. Although their presence is something which clearly needs to be taken account of

each year when allocating places, these schools set their own admissions arrangements so are not part of this consultation.

- 4.2 Parents' key concern was the impact of the change in the law, combined with an increase in pupil numbers, in 2008 on the allocation of places at Harrogate Grammar School which is very popular and historically heavily oversubscribed. However, any review must apply to all three community schools because they were set up on a statutory basis to serve the entire area together.
- 4.3 Prior to 2008, an arrangement, known locally as the 'rural passport' has been in place since the schools were established as comprehensive schools in the 1970s. Its original purpose was to protect the interests of children living up to 16 miles away from Harrogate town in villages which would be served by the Harrogate schools. Without being given some priority for places these children would never have obtained a place at an oversubscribed school if admissions were determined on pure distance criteria. Under this arrangement the priority given to rural children only applied to the school named as the first preference by parents. It allowed for the first preference of town children to be treated as the next highest priority for places, before other rural preferences were met. The adjudicator said in September 2009, 'a simple distance criterion in the circumstances of these schools would be very much to the disadvantage of children living in many of the rural parts of the district, and the County Council is right to have regard to this'. Paragraph 2.38 of the School Admissions Code says that it is good practice to have regard to matters such as length of journeys and distance to alternative schools. Any revision to the current arrangements must therefore take account of the needs of children living at a distance from the schools.
- 4.4 After 2008, in order to comply with the School Admissions Code, this system had to be replaced by an 'equal preference' system. This gave priority to rural children for all of their preferences before any of those of town children were met. This created an absolute priority for places at all three schools for the children living in the rural area. As an inevitable consequence children living in the town area in principle had lower priority for any school that was oversubscribed. It is this combination of features of the existing arrangements which the adjudicator considers to be unfair and which the authority must as a minimum seek to address.
- 4.5 Officers have investigated with the Department for Children, Schools and Families whether there is any possibility for the authority to return to the pre-2008 system in order to remove this absolute priority in the rural area. The Department has confirmed that 'first preference first' systems are now outlawed by the current School Admissions Code and that there are no exemptions from this mandatory provision.

5.0 POLICY IMPLICATIONS

- 5.1 Any revision to the arrangements for school admissions for the Harrogate area would require a change to the published oversubscription policy applying to these schools. As such it must be determined as part of the statutory annual consultation for determining school admissions arrangements. This is subject to a mandatory minimum eight week consultation with parents, schools and other interested parties before a determination is made by the County Council. Arrangements are then published in a Guide for Parents document and on the NYCC website.
- 5.2 There is a statutory deadline of 15 April each year for determining the admission arrangements which apply to the admissions round commencing the following September i.e. determined by 15 April 2010 for September 2011. North Yorkshire County Council usually takes this decision annually at its February meeting. The timetable for the annual consultation for 2011/12 is therefore as follows:

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| Executive approval to include within the annual consultation on admissions, proposed changes to the admission arrangements for Harrogate High School, Harrogate Grammar School and Rossett School | 10 November 2009 |
| Consultation on proposed admission arrangements for North Yorkshire | 27 November 2009 – 22 January 2010 |
| Admissions Forum consultation | Week commencing 1 February 2010 |
| Executive approval of arrangements for submission to County Council | 9 February 2010 |
| County Council determination of arrangements | 17 February 2010 |
| Statutory deadline for determination of arrangements | 15 April 2010 |
| Statutory publication of admission arrangements | June 2010 |

6.0 POSSIBLE APPROACHES

- 6.1 In principle, there are various approaches which are possible under the current School Admissions Code. It is critically important however that any arrangements made are not only fair in principle but also in their impact in the way that they operate in practice.
- 6.2 As Members will see from the consultation document, six approaches have been considered in detail and consulted upon. All of these approaches are identified in the School Admissions Code as potentially fair in principle and all are used by some admissions authorities. A description of how each approach might operate in the Harrogate area and its potential impacts is provided on pages 3-7 of the consultation document (attached as Appendix 1)
- 6.3 Some parents have sought to challenge the inclusion of the current system amongst the potential approaches, on the basis that it has already been deemed to be unfair. The Office of the Schools Adjudicator has advised us that it is expected that any consideration of alternative approaches should include a consideration of the status quo.
- 6.4 Where it has been possible to do so each of the approaches has been mapped using current and forecast pupil data and patterns of parental preference in order to help parents to understand the potential impacts of each approach on families living in particular parts of the area. This information has formed part of the presentation to parents, which has been placed on the County Council website, and the information displays which have been provided at the parental consultation meetings.

7.0 CONSULTATION PROCESS

An extensive consultation process has been undertaken to inform the review. The Schools Adjudicator has said, 'I have been impressed by the arrangements that the County Council is making for the review of secondary school admissions in Harrogate and by the high-level support that has been given to the process'. The consultation took the following form:

- The consultation document (Appendix 1) was circulated individually to the parents of more than 5700 children attending primary schools in the area. It was also sent to all the primary and secondary schools within the Harrogate town and rural areas.

- The consultation document and response form were made available on the NYCC website. Parents were asked to respond either via a Freepost address or online.
- The Diocesan authorities responsible for the two Voluntary Aided Schools and neighbouring admissions authorities were also consulted.
- The Headteachers and Chairs of Governors of all of the schools in the area were invited to briefing sessions held on 4th and 7th September. Governing bodies were offered an opportunity for additional follow-up meetings if they wanted them. The governing body of Harrogate Grammar School took up this offer.
- A briefing for elected Members serving the Harrogate area was held on 8 September.
- The consultation document and a supporting poster were circulated to schools around the perimeter of the Harrogate town and rural area, independent schools in the area, early years settings and children's centres. The consultation was also publicised via libraries, Citizens' Advice Bureaux and GP surgeries.
- A press release was issued and a number of interviews have been given to the Harrogate Advertiser which has provided extensive coverage of the consultation as it has progressed.
- A DVD was produced in order to provide a consistent message about the reasons for the consultation process and to explain the approaches being consulted upon. This was used to support parental consultation meetings and was sent to all school governing bodies.
- A series of 22 meetings took place in primary schools or village halls between 14 September and 21 October across the rural and town areas to which all parents of primary school aged children and other interested parties were invited. Schools were asked to remind parents about the meetings near to each date. An Executive Member and a panel of senior officers from CYPS attended each meeting. The DVD was shown and a detailed presentation given on the various approaches. Parents were given an opportunity to express their views, which were recorded, and to have questions responded to. The presentation was made available to download via the NYCC website. At each meeting a display of maps and data was available illustrating the potential impacts of each of the alternative approaches. A copy of this information was also left with each school after the meeting.
- In addition parents were given access to an email account and telephone number for follow up enquiries.

8.0 RESPONSES TO THE CONSULTATION

- 8.1 At the time of writing this report 286 responses have been received of which 177 were from parents in the town and 77 were from parents in the rural area. The remainder came from parents from outside the area and other members of the public. There have also been 84 letters. A petition has been received from the Friends of Save our Rural Schools. The consultation does not close until 5.00 pm on 2 November, so a final assessment will be sent to Members prior to the meeting.

- 8.2 The results have been analysed to take account of which part of the area parents live. An update will be tabled at the meeting. An analysis of the responses to the questions posed in the response form is attached at Appendix 3a/b. A full copy of all of the responses will be available in the Group Rooms prior to the meeting.
- 8.3 In total 388 people attended the 22 meetings. The comments and questions raised at each of the meetings were recorded and analysed. They will also be available in the Group Rooms prior to the meeting. A summary of points raised at the meetings and the frequency with which they were raised is attached at Appendix 4.
- 8.4 In addition there were 22 follow-up enquires by email to which responses were provided. There were 4 Freedom of Information requests and a number of telephone contacts which were also responded to.

9.0 CONSIDERATION OF POSSIBLE APPROACHES

- 9.1 The consultation document identified a number of key principles on which a decision would need to be taken about admissions arrangements. These were included in the report to the Executive on 25 August. The DVD and presentation also reminded consultees of these principles.

They are:

- The extent to which the arrangements comply with the School Admissions Code 2009
 - How robust the arrangements are. The extent to which parents can be assured that the arrangements have been researched, assessed and evaluated thoroughly
 - How fair the arrangements are. The extent to which parents can see that they are as fair and balanced as is possible in the circumstances.
 - How consistent the arrangements are. The extent to which they provide parents across the admissions area with the same style of arrangements with the same principles for all allocation decisions, thereby making choices and decisions easier for parents to understand.
 - How stable and resilient the arrangements are. The extent to which parents know that admissions can withstand challenge and are not going to be subject to frequent change, which would make it harder for them to make choices or understand decisions.
 - What impact the arrangements have on schools. The extent to which the arrangements create a sustainable solution for the primary schools and the three community secondary schools.
 - The extent to which the arrangements will operate with secure and transparent operational procedures that will command public confidence.
- 9.2 It is also necessary to consider whether any 'rural proofing' of the policy is required. The Rural White Paper 2000, followed by the 2004 Rural Strategy placed an obligation on authorities to consider as part of the policy making process whether a policy is likely to have a different impact in rural areas from elsewhere, because of the particular characteristics of rural areas. If the impacts are deemed to be significant, policy makers are required where appropriate to adjust the policy to meet rural needs and circumstances.
- 9.3 Other matters, notably environmental and financial, need also to be taken into consideration.

10.0 CONCLUSIONS

The matrix at Appendix 5 considers the six potential approaches in turn and their position in relation to the seven key principles. It reflects a detailed analysis of the narrative responses provided by parents on their consultation response forms. It also takes account of parents' and stakeholders' views expressed during the consultation meetings. It highlights the key issues associated with each approach which have emerged from a detailed consideration of their potential impact. The key points relating to each approach are described below. Where an analysis of the responses has pointed to a particular view or level of support amongst parents this has been drawn out. However, it is important to remember that the consultation was not carried out on the basis of a referendum and parents' views whilst important must also be balanced against other considerations, most notably the seven key principles. This has been made clear to parents throughout the consultation.

10.1 Approach 1 – The Current Approach

- 10.1.1 There is a significant level of support for the current arrangements across the town and rural areas. Just under half of all parents who responded to the consultation considered that the current system should be retained. Even within the town area, 25% of parents who responded considered the current approach to be fair. There is overwhelming support for the status quo in the rural areas where parents are principally seeking to protect their existing priority for places at Harrogate Grammar School, although some parents (7% of rural respondents) living in the rural area have acknowledged the unfair advantage the system gives them. Considerable frustration has been expressed by parents in both areas that it is not possible to return to the pre-2008 arrangements.
- 10.1.2 Whilst there is no element of the current arrangement that is unlawful (in terms of breaching mandatory provisions of the code) and it was right that the consultation included this approach, the Schools' Adjudicator has made it clear in his September 2009 determination that he believes the arrangements are unfair in their applications. There is a clear expectation that the review will address as a minimum the absolute priority given to the rural children for all three schools. There is clear risk of further challenge if they remain unchanged.
- 10.1.3 It is acknowledged that as well as being unfair in principle the current arrangements result in an inequitable outcome in the level of preferences that are met in town and rural areas. The only circumstances in which it would be appropriate to recommend retaining the current arrangements unchanged would be where no fairer approach could be found. It is considered that there is an alternative which would potentially be fairer than the existing arrangements.
- 10.1.4 For these reasons it is considered that there is a need to make some changes to the arrangements. It is not considered that the status quo in its current form is a viable solution as it fails to meet a number of the key principles.

10.2 Approach 2 – Distance Only

- 10.2.1 There appears to be little support to move to a system which allocates places purely based on distance. Across the area 68% of parents said that they felt this would be unfair, including the majority of parents responding from the town area. It is overwhelmingly opposed by parents living in the rural area.
- 10.2.2 The Schools Adjudicator has made it clear that he is not convinced that this would be a fairer system saying 'distance to the nearest school as sole criterion would be potentially even less fair for rural applicants than the priority currently given to rural

applicants'. He has said that the authority must ensure that appropriate weight is given to the situation of children living in the rural area.

10.2.3 The impact of this approach on the rural area would be to remove any possibility of a place at any oversubscribed school on a permanent basis for all of the children living in this area. In effect it would reverse the current position, creating absolute priority for places to those living in the centre of the town. It would offer no element of 'rural proofing'.

10.2.4 For these reasons it is considered that this approach fails to meet a number of the key principles and does not represent a viable solution.

10.3 Approach 3 – Catchment Areas

10.3.1 A single catchment approach would be a significant departure from the current arrangements. Instead of having a shared area served by all three schools it would seek to divide the area into three areas, each served by a single secondary school.

10.3.2 Responses from parents acknowledge that there is no easy way of dividing the area into three catchments on any logical basis. The two catchment options that have been considered in detail have looked at creating a local catchment for each secondary school either on the basis of linking primary school catchment areas to a secondary school or giving pupils priority for the school which is the nearest of the three to their homes.

10.3.3 The proximity of the schools to each other, the shape of the primary catchment areas, the presence of two large Voluntary Aided schools and the uneven spread of pupils across the area makes both of these catchment systems problematic. It has not proved possible to identify another catchment solution on any rational basis which would have the effect of balancing the numbers of children with the respective size of schools. To do this on what would in effect be an arbitrary basis, not linked in any way to a sense of community, would be open to challenge. Nationally there have been successful challenges to catchment systems which have been upheld because it could not be demonstrated that the catchment area was founded on a firm rational footing.

10.3.4 A further and significant point about catchment systems is related again to the proximity of the schools and the uneven population distribution and this is that there is an inherent risk of creating multiple priorities for children living close to the schools. This would create a situation very similar to the one that currently exists but in reverse. As such it would create a further significant risk of challenge.

10.3.5 On average more than 60% of parents responding to the consultation consider the catchment approaches unfair. The greatest support for catchments comes from those in the town area but specifically in relation to the 'nearest school' catchment approach (Approach 3B) where almost half felt it could be a fair system. Some parents felt that it would give some certainty of outcome but others felt it would be unfair to those who found themselves outside the catchment area for the most popular schools.

10.3.6 Moving to a catchment area system would represent a major change to the current arrangements and would be likely to create a significantly different pattern of school place allocation in both the town and the rural areas. There would have to be a clear basis for delineating the areas, a rational balance of numbers to places, and substantial evidence that it satisfied the principles established for the consultation before such a fundamental change could be justified. It is concluded that individual

catchment areas for each of the three schools do not offer a viable solution in Harrogate for the long term.

10.4 Approach 4 – Proportional or Quota Systems

- 10.4.1 In their responses to the consultation many parents expressed the view that a two zone proportional system appeared to be the fairest system of all. With its basic premise being to look at town and rural children as two groups, it also has resonance with the existing method, albeit that under a new system each area would be treated in the same manner. There was considerably less support for the multiple zone system which was felt to be too complicated to understand and difficult to administer, although it was considered fair in principle by many.
- 10.4.2 More parents in the town ranked the two zone proportional system as their highest preference compared with the rank given to any of the other approaches. Although a considerable majority of parents in the rural area felt it would be unfair it should be noted that this reflects the strong desire in this area to retain the status quo and the belief that none of the alternative arrangement would fairly serve the rural area.
- 10.4.3 The key concern expressed by parents about the two zone system was to ensure that the proportions were arrived at in the right way to ensure that it protected the interests of all children in the area. There is concern amongst parents in the rural area that any system which reduces choice could have an impact on rural communities.
- 10.4.4 Taking together the top preferences for the status quo and those for a similar two zone system it may be considered that this indicates some degree of mandate for retaining a town/rural split but, significantly, making adaptations to ensure that there is greater equity of treatment and outcome for the two groups.
- 10.4.5 It appears that the two zone proportional system may satisfy the wishes of parents in the town for a fairer system at the same time as being the closest of all of the alternative arrangements to the current position which has the greatest support of parents in both town and rural areas. It may therefore represent the greatest area of common ground that exists between the different parts of this community.
- 10.4.6 The conclusion reached is that some form of proportional system could be a viable alternative to the current arrangements because it has the potential to meet the key principles to a significant extent.

10.5 Approach 5 – Banding by Ability

- 10.5.1 There appears to be no significant support for the use of a 'banding by ability' system, where children would have to be tested in order to be allocated to a band before places are allocated. Overall, only 6% of parents felt that this would be a fair system. Many said that they felt it would increase pressure on children and families. They recognised the additional burden that would be imposed on schools.
- 10.5.2 Many parents appeared to find it difficult to understand how such a system would work and believed, correctly, that it would be extremely complex to operate. A number of parents had difficulty distinguishing this approach from a move to a selective 11+ type system. This level of confusion would be a significant concern in terms of being able to create clearly understood arrangements for the allocation of places.
- 10.5.3 Whilst banding by ability can help to redistribute the ability range across urban schools where this has become skewed in a particular area, it is not considered that

this problem exists in Harrogate to an extent which could justify proposing a system which has so many perceived drawbacks and such poor support amongst parents.

- 10.5.4 It is considered that this approach fails to meet a number of the key principles. For this reason it is not considered that banding by ability is a viable solution.

10.6 Approach 6 – Random Allocation

- 10.6.1 At the consultation meetings there was polarisation of views about random allocation. Some felt it was the only really fair system because it takes no account of where children live and cannot be manipulated in any way. Others were very strongly opposed to any system which relied on chance to determine at which school their child was allocated a place.
- 10.6.2 Of the parents who responded 78% felt it would be an unfair system for allocating all places across the area. This view was shared across the town and rural area.
- 10.6.3 A lottery to determine the majority of places across the area could be fair in so much as it would give every child the same opportunity of a place regardless of where they lived. It would however create uncertainty for all. Parents appeared to have great concern about the level of uncertainty this system would introduce.
- 10.6.4 It is not possible to map the impact of a lottery system geographically as it could vary every year. It is clear though that it would result in a considerable redistribution of places across the area. Parents who currently have a low probability of being offered a place at a very popular school may support it as an approach which could improve the choices available to them.
- 10.6.5 Given that the Schools Adjudicator has been asked by the Secretary of State to consider whether random allocation is a fair system – and the stated view of the Secretary of State that it should be a system of ‘last resort’ which should not be used to determine all of the places – there is a risk that it could be removed from the School Admissions Code as an available approach in the future.
- 10.6.6 Taking account of the lack of parental support for it and the uncertainty over its place in future admission arrangements nationally, it is considered that the introduction of a lottery to determine all school places in the area would not be appropriate. It is considered that if it is used at all it should be as a tie-break solution in combination with one of the other approaches rather than as a whole-system approach.

10.7 Sibling Priority

Parents were asked to give their views about the use of sibling priority. Most felt strongly that sibling links should continue to be protected in whatever system is used in Harrogate. 83% of parents supported the retention of some form of sibling priority. This support was shown across both the town and rural areas. It came across very strongly at the meetings as something which parents wanted the authority to incorporate into any revised arrangements.

11.0 PROPOSED ADMISSION ARRANGEMENTS FOR 2011/12 ONWARDS

- 11.1 Based on this assessment of the relative merits of the various approaches against the key principles which the Authority is seeking to apply to this issue, it is considered that some form of two zone proportional or quota system would represent the most appropriate system. Appendix 6 explores the issues associated with the operation of a two zone proportional system in detail, but the main factors are described below.

- 11.2 The proposed arrangements retain the distinction between the town and rural area which is well understood by parents. It serves an important function in delineating an area requiring special consideration by the authority in terms of recognising the distances that children in the rural area live from the schools. The proposed approach affords no absolute priority for places to any one group of children. It introduces into the existing arrangements an acknowledgement of the different proportions of children living in each area. It addresses the key concerns raised by the Schools Adjudicator and parents in these important respects. It also has a general sense of being fairer than the current arrangements. Importantly it appears to occupy an area of common ground between various sections of the community.
- 11.3 However, adopting a strict pro-rata allocation of places between the town and rural zones without any form of weighting would have a very significant and detrimental impact on the opportunities for rural children. It would significantly reduce the Authority's ability to meet rural parents' preferences for school places. A strict pro-rata split of places based only on the overall numbers of children living in the two zones would see at least 50 places at Harrogate Grammar School redistributed into the town. The result of this would be a far higher percentage of preferences satisfied in the town area for oversubscribed schools than would be met in the rural area. This would be just as inequitable as the existing situation. It is considered that such an approach which swings the advantage so far in favour of the town area would inflict a disproportionate and unjustifiable impact on children in the rural area.
- 11.4 It is therefore proposed to operate a two zone proportional system which is adjusted to achieve, as far as is practicable, a degree of equity between the two areas in terms of parental preferences met. This would allocate 21% of the places at an oversubscribed school to children living in the rural area and 79% to those living in the town area. It would provide a degree of protection for the children living in the rural area but one which is proportionate and balances the needs of children living in both areas. It would provide around 30 additional places to children living in the town area each year.
- 11.5 There is considerable support for the retention of sibling priority within any admissions system. It is therefore proposed that siblings will have first priority within each of the zones.
- 11.6 There is little support for the use of a random allocation system to allocate all school places within an area and it is considered that the tie-break must be consistent across both the town and rural area. For this reason it is proposed that distance will be used as a tie-break across both the town and rural area.
- 11.7 A proposed admissions policy reflecting these arrangements is attached at Appendix 7.

12.0 FINANCIAL IMPLICATIONS

The proposed changes to the current admissions arrangements will require adaptations to the Impulse information system. This could take a number of months to implement and would have an implementation cost which is currently being assessed.

13.0 LEGAL IMPLICATIONS

- 13.1 The consultation process has been carried out in line with statutory provisions and the School Admissions Code. Admissions arrangements including oversubscription criteria must comply with the various provisions of the School Admissions Code.

- 13.2 Assessment of the approaches has been made having regard to their relative robustness in the event of further challenge

14.0 EQUALITIES IMPLICATIONS

- 14.1 During the consultation period parents have made reference to the obligation which the Admissions Code places on admission authorities to avoid discrimination to vulnerable groups. This has been raised particularly with reference to ensuring fair access to pupils living in the most socially disadvantaged parts of the Harrogate town area but clearly applies also in relation to the rural population.
- 14.2 Whilst it is acknowledged that on average there is a greater percentage of pupils living within the town area who are eligible for free school meals (7%) than the rural areas (1%) there are also areas within the town where the eligibility is low or zero. Harrogate town is socially and economically diverse and it is not considered that the pupils living in areas of relative deprivation within the town area represent a single 'social group' who are at a disadvantage as a result of the change in policy.
- 14.3 Although this concern was raised by parents in the objection in 2009 the Schools Adjudicator chose not to single out this concern as a relevant issue.

15.0 SUSTAINABILITY IMPACTS

- 15.1 Some parents have raised the important issue of environmental sustainability particularly in relation to a wish they have expressed that children are able to walk to school.
- 15.2 It is considered that whilst this is an important consideration it must be balanced against other factors. Within the town area all children live within statutory walking distance (3 miles) of all three community schools so could in principle walk to any school, nevertheless parents have understandable concerns about traffic safety. This desire appears to have been translated into some support for a system based on allowing pupils to attend their nearest school. Adjudicators have said that they are not convinced that a straight distance criteria would be fairer than the existing arrangements.
- 15.3 Given the geography of the area it is not possible to create an admissions system which will allow for all children to be able to walk to their chosen school. Many children in the rural area live well outside the statutory walking distance and will therefore always have to be transported to school. The proposed arrangements allocate places within priority groups on the basis of sibling priority and then give priority to those living closest to the school. This addresses environmental concerns as far as possible within a policy that is fair and reasonable. The impact of the change on home to school transport arrangements is likely to be minimal.
- 15.4 Some families in the rural area have raised concerns about the potential impact on the sustainability of rural communities arising from any change which reduces opportunity of access to very popular schools and redistributes them into the town area. There is concern that this could cause parents to move out of rural communities into the town in order to improve their chance of accessing a place at their preferred school. It is important to take account of these concerns and to ensure that sufficient weight is given to the potential impacts on rural communities of any admissions policy. Each approach has been considered with reference to the impact on the rural area.

- 15.5 The proposed arrangements include an additional weighting in the proportional share of places that will be available to children living in the rural area over and above what would be available on a simple pro-rata basis.
- 15.6 The retention of sibling priority will give some transitional protection for families who already have children at schools in Harrogate who would otherwise be unlikely to be offered places on the basis of distance. Free home to school transport will continue to be offered to all three community secondary schools to all children living in the rural area living more than 3 miles away in line with the County Council's home to school transport policy.

16.0 RECOMMENDATION

- 16.1 That the Executive notes the outcome of the consultation and gives approval to consult on the proposed admissions arrangements for Harrogate High School, Harrogate Grammar School and Rossett School for 2011/12 as described in Appendix 7.

Cynthia Welbourn
Corporate Director – Children and Young People's Services

COUNTY HALL
NORTHALLERTON

Report prepared by Suzanne Firth, Strategic Planning Manager
30 October 2009

Background documents

Report to the Executive – 25 August 2009
School's Adjudicator Determinations 2008 and 2009
Consultation Document (Attached as Appendix 1)
School Admissions Code

Papers available from Suzanne.firth@northyorks.gov.uk

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7 September 2009

Dear Parent

ADMISSIONS TO SECONDARY SCHOOLS IN HARROGATE FOR SEPTEMBER 2011 ONWARDS

You may be aware that some concerns have been raised by parents about school admission arrangements in Harrogate. These have been raised with the Schools Adjudicator, who is responsible nationally for fair school admissions. He has concluded that the existing system creates unfairness but acknowledges that there may not be another system which would be any fairer. We want to see if there is another system that could be introduced which would create equal or greater fairness for children and families in the whole area, and we would like your views.

You will find attached to this letter a copy of a consultation document. We realise the consultation paper is long and complicated. We are sorry about that. However, this is important and complex, and needs careful consideration.

Enclosed with the consultation document is a response form with a FREEPOST address. The consultation will end on **2 November 2009** and all forms must be returned by that date to allow your views to be taken into account when making a decision about future arrangements. The consultation document is also available on the North Yorkshire County Council website at www.northyorks.gov.uk/cypsconsultations and response forms can be downloaded or be completed and submitted online.

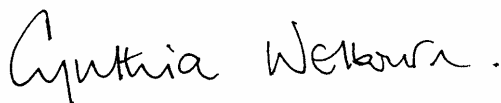
To support the written consultation we are holding a number of meetings for parents, staff and governors in the area. We would like to invite you to a meeting to be held at

School on # at 6.30 pm

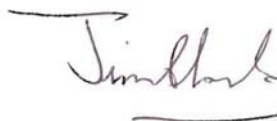
The purpose of that meeting is to explain about options for admission arrangements for Harrogate and to seek your views. You will have the opportunity at that meeting to ask questions about any part of the consultation. The meeting is open to parents, staff and governors.

If you would like any further information please telephone **01609 532644** or email harrogate.consultation@northyorks.gov.uk

Yours sincerely



Corporate Director - Children and Young People's Service

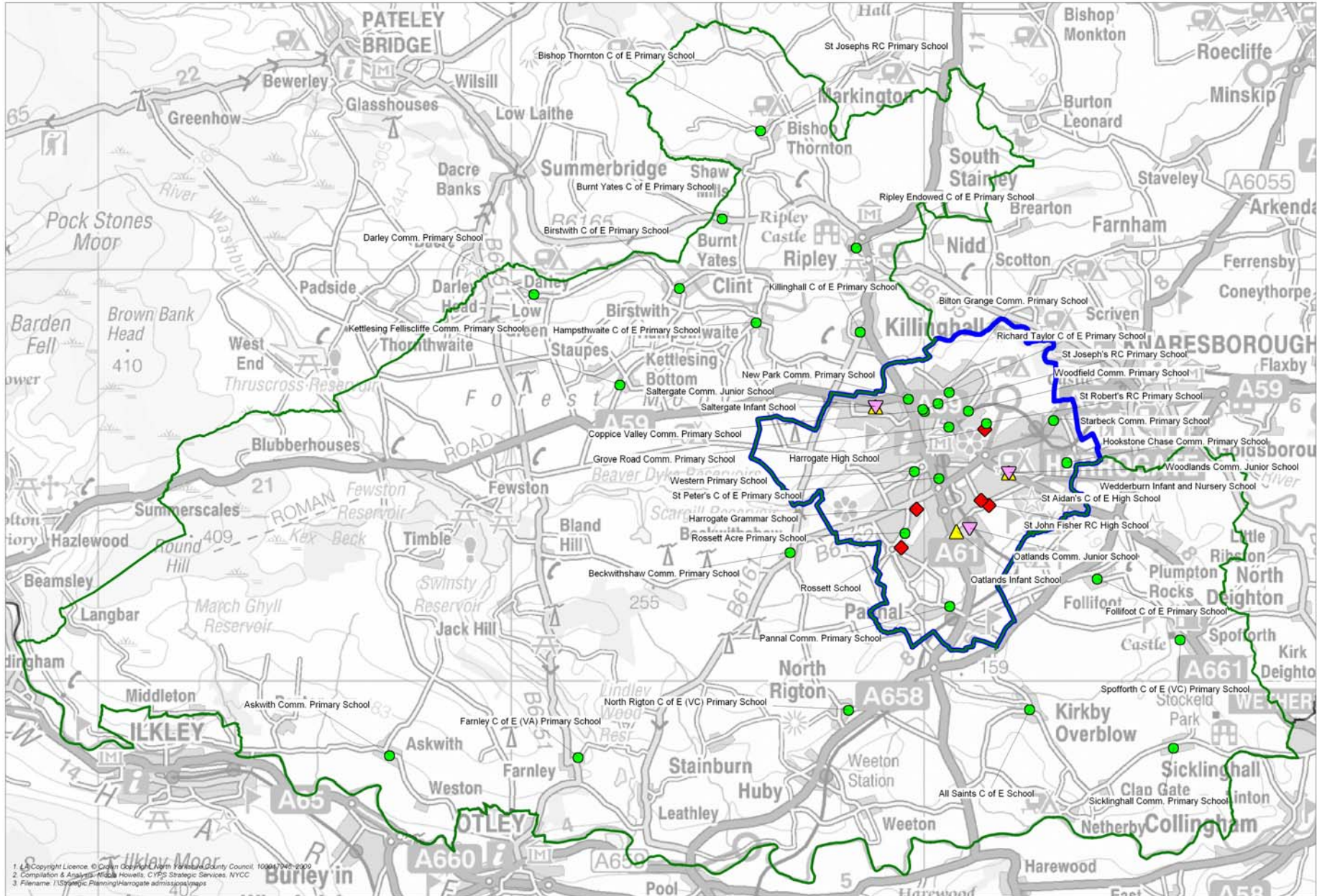


Executive Member for Schools



Excellence for all

Map to show Harrogate Town & Rural Areas with schools



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 3. Filename: I:\Strategic Planning\Harrogate admissions\maps

Consultation on Admission Arrangements for Community Secondary Schools in the Harrogate Town and Rural Areas for 2011/2012

Part 1 - Background

Why are parents being consulted on admission arrangements in the Harrogate area?

The County Council consults parents in North Yorkshire on proposed admission arrangements every year in its role as admissions authority.

In addition to this, some wider consultation with parents is needed specifically in relation to admission arrangements for the Harrogate town and rural areas this year. This has arisen because a group of Harrogate parents asked the Schools Adjudicator to consider the fairness of Harrogate admission arrangements for 2009/2010. The Adjudicator came to the view that the current system does not break the national admissions rules but that it gives an unfair advantage to one group of pupils in the way it operates.

The County Council has decided to review the arrangements for the whole area to see if there is a fairer way forward.

Which schools are involved?

The consultation applies to the admission arrangements for the three Harrogate community secondary schools, namely Harrogate Grammar School, Harrogate High School and Rossett School. These schools serve the Harrogate Town and Rural areas (see map).

The two other Secondary Schools in Harrogate – St Aidan's CE High School and St John Fisher Catholic High School are Voluntary Aided Schools. The Governing Bodies of those schools decide their admission arrangements and so they are not part of the consultation. Both schools serve a wider area than the Harrogate Town and Rural areas.

Why did the Adjudicator intervene?

Schools Adjudicators are public appointees of the Secretary of State for Children, Schools and Families. They are responsible for ensuring that admission arrangements are fair. In July 2008 a group of Harrogate parents referred the Harrogate admission arrangements to the Schools Adjudicator because they were concerned about how places were allocated at Harrogate Grammar

School, which had around 170 more applicants than it had places.

The admission arrangements are set out in full in the Guide for Parents. This says that:

"If the number of applications exceeds the Maximum Admission Limit after the admission of children where the school is named in the Statement of Special Education Needs (SEN) the following oversubscription criteria will apply:

- Priority Group 1: children and young people in public care
- Priority Group 2: children the Authority believes have special social or medical reasons for admission
- Priority Group 3: children living in the normal area of the school. Within this criterion children living in the Harrogate Rural area are given priority over children living in the Harrogate Town area.
- Priority Group 4: Children living outside the normal area of the school

When considering priority group 3 applications, priority is currently given to children living there because, without it, children living in the Harrogate Rural area would rarely get a place at the community secondary school of their choice because of distance from the town schools. This is known locally as the "rural passport".

What caused the problem in 2008?

In 2008 there was a change in the way the "rural passport" operates because of national changes in the rules for allocating places at oversubscribed schools.

The changes apply to all other Authorities as well as North Yorkshire. It means that we can no longer give priority "according to the order of the other schools" named on parents' application forms. In effect, we have to treat all the preferences named as equal.

Before the new rules were introduced, we gave priority to first preferences from Harrogate Rural area, then first preferences from Harrogate Town area, then second preferences from the Harrogate

Rural area, then second preference from Harrogate Town area and so on down through the order of choice.

Under the new national rules, we have to allocate all rural preferences first before town preferences. This gives children living in the Harrogate Rural area priority to the three community secondary schools in Harrogate whether they have named them as first or fifth preference.

The effect of this has been that a small number of extra children from the rural area have gained priority for places at Harrogate Grammar School over children from the town area as shown in the table below:

| Places Allocated at Harrogate Grammar School - Harrogate Rural Area Pupils | | | | |
|---|----------------|----------------|----------------|-----------------------------|
| Year of Admission | 1st Preference | 2nd Preference | 3rd Preference | Total Pupils Offered places |
| 2007/8 | 63 | 0 | 0 | 63 |
| 2008/9 | 73 | 8 | 1 | 82 |

The number of children from the rural area allocated places at Harrogate Grammar School in 2008 rose to 82 from 63 the previous year. However, the rise of 19 pupils from the rural area offered places at the school was not all a result of the change in the law. Only 9 rural pupils benefited in this way. The remaining increase was due to a change in the total number of rural pupils which varies each year. Between 2003 and 2008 it varied between 136 and 170 pupils.

In 2008, the effect of these changes was that the distance from Harrogate Grammar School within which children in the town area were offered places reduced from 1.02 to 0.78 miles. The distance varies according to numbers. It will be 0.98 miles for 2009/10 admissions. It may continue to vary each year if the arrangements stay unchanged.

What did the Schools Adjudicator say?

Three Adjudicators have been involved. The first said the system was unfair, could not identify an alternative, but said we should consult about a change for the following year. In practice this was impossible to do, so the judgement was challenged and set aside.

The second Adjudicator made his ruling in May 2009. He upheld the objection made to the admission arrangements for 2009/10, but did not require the County Council to change them. Nevertheless, the County Council has decided that it will consult parents on admission arrangements for 2011/12 to allow full consideration of the

options before admissions arrangements for that year are set.

A third Adjudicator is currently looking at similar complaints some parents have made about admission arrangements for 2010/11. At the time of writing the consultation document, we have not received a decision from the Adjudicator. He is aware, however, that we are reviewing the arrangements and carrying out a consultation anyway.

It is important to stress that the adjudication we have received is about the way the admission arrangements operate. It is not a judgement about who should get places at which school.

Part 2 – Taking a fresh look

How to assess the options

In addition to the current arrangements, there are several other approaches to consider. Whatever approach is chosen, it will need to satisfy the following key criteria:

- It must comply with the School Admissions Code 2009
- It must be robust. Parents need to be assured that the arrangements are robust in the way they have been researched, assessed and evaluated.
- It must be fair. Parents need to be able to see that the approach is as fair and balanced as is possible in the circumstances.
- It must allow consistency. It must provide parents across the admissions area with the same style of arrangements, with the same principles for allocation decisions, thereby making choices and decisions easier for parents to understand.
- It must be stable and resilient. Parents need to know that admissions can withstand challenge and are not going to be subject to frequent change, which would make it harder for them to make choices or to understand decisions.
- The arrangements should create a sustainable solution for the primary schools and the three community secondary schools.
- It must have secure and transparent operational procedures that command public confidence.

We will refer back to these criteria when we are considering views from the consultation and deciding what to do.

For school admissions it is not possible to say that one system is inherently better than others in all circumstances. It is very much a matter of local detail as to whether one system is fairer than another, or less unfair than another, in practice. The following section summarises some of the key local details for us to keep in mind.

School admissions in the Harrogate area

Local planning factors

The Harrogate area is complicated for secondary school admissions. This is largely because of three things:

- where children live and how they are spread out across the area
- where the three Community secondary schools are located
- the presence of two large Voluntary Aided schools which serve a wider area than the Community schools and admit children in a different way.

Where children live

The area is geographically large. Most children live in the town area, at varying distances from the three Community secondary schools. Some children live in the villages around the town, at a greater distance from these three schools, and some much further away than others. Distance from school often plays a part in school admissions, and is a significant factor in the Harrogate area.

Where the Community secondary schools are located

The three schools are quite close together. Harrogate High School is 1.2 miles from Harrogate Grammar School. Harrogate Grammar School and Rossett School are only 0.6 of a mile apart.

Their size and location, relative to where children live, mean that they are not individually well positioned to provide even coverage across the area. To illustrate this, Rossett and Harrogate Grammar are very close together and, together, have the most places to offer each year (235 at Rossett and 256 at Harrogate Grammar). But most children live closer to Harrogate High than to any other school (about 399), which would not be big enough to take them all since it has 257 places. Taking all three together, however, they are able to meet the need for Community school places in the area as a whole.

This is one of the main reasons why all three schools were established to serve the whole of the Harrogate area as a single, shared area in the 1970s.

Admissions to St Aidan's CE and St John Fisher Catholic High Schools

These two schools are separate admissions authorities. They take children from the Harrogate area and beyond, and admit them on

denominational grounds. They offer 422 places each year, of which about 217-250 come from the Harrogate area.

Admissions to these two schools have an impact on admissions to the three Community schools. They do not form part of the current review, but will continue to be a variable in any arrangements considered for the Community schools.

What admissions arrangements can we consider?

We have examined 17 different approaches, and there are even more combinations than that. All the approaches are variations on five basic systems, all of which the Schools Admissions Code considers potentially fair in principle. These are:

1. catchment areas
2. distance
3. pro rata or quota based allocations
4. banding by ability
5. ballot or lottery

Under 1 we have examined catchment areas for individual Community secondary schools. Under 2-5 we have examined how things would work under a shared area system in which all three schools serve all parts of the area.

What follows is an assessment of a number of approaches based on these five systems. We identify some of the key issues associated with each one. It is not an exhaustive list of options but includes the most widely used systems nationally, including those which some parents have suggested to us.

It is clear that any change would improve some children's chances of getting a place at their preferred school but may reduce the chances of other children. Any change would impact on children in the town area as well as the rural area. Different systems would affect different families in different ways depending on where they live.

It is important to stress that the County Council's job is **not** to try to ensure that children from a particular part of the area attend a particular school. It is to try to ensure that we are even-handed across the area, and that where a school is oversubscribed places are shared out in a sound way. We always aim to meet as many parents' first preferences as possible.

Under the Schools Admissions Code we must ensure we do not discriminate against children who can be particularly vulnerable in school admissions. So, in any arrangements we consider for North Yorkshire we would continue to give highest priority at all three schools to children with a statement of special educational needs which

named that school, looked after children and those who have evidence of particular social and medical needs.

Approach 1 – the current system

The current system is a shared school area in which places are largely allocated on home to school distance, except in the designated rural area. Children in the rural area have always had some priority because they would be at a permanent disadvantage in a system which used distance alone. Their degree of priority increased as a result of national changes in 2008. They currently have priority for places at all three Community secondary schools before those living in the town.

Although the Schools Adjudicator has concluded this does not appear fair, he has acknowledged that it complies with the School Admissions Code and advised that it is appropriate to include it in the options in case there is not a fairer one available under the current national rules.

Key points to consider

- The Schools Adjudicator has come to the view that it is unfair because it gives unconditional priority to some children.
- Some parents in the town area consider it unfair for town children because some of them may not get a place at their preferred school depending on how far they live from the school.
- It prevents absolute discrimination against those living in the most rural area who would otherwise never get a place in their preferred school if it was oversubscribed and decisions were based on distance.
- It has been a stable system for the area.

Approach 2 – A shared area in which places are allocated on distance

As now, the three Community secondary schools would jointly serve the whole area. Places would be allocated on the basis of distance from home to school. Distance would be used to sort out who should get places when a school is oversubscribed.

Key points to consider

- The first Adjudicator has said that she was not persuaded that “distance alone is a fair criterion for town or rural applicants”. The second Adjudicator shared that view.
- It would improve the chances of children living closest to all three schools being offered places in their closest school if it was oversubscribed and it was their preferred school.
- It would remove the protection for children in the rural area who would be placed at a permanent disadvantage due to their distance from the three Community schools. It would

prevent them having priority for any Community school.

Approach 3 – Introduce a catchment area system

A catchment area system would try to create a series of geographical areas across the Harrogate town and rural area, each of which would have priority for places at only one of the three Community secondary schools. In North Yorkshire, catchment areas take account of where children live, not which primary school they attend.

The Community secondary schools in Harrogate were not developed in this way, and there are no natural patterns into which schools easily divide.

We have considered drawing up catchment areas in a number of ways. We have considered allocating each primary school catchment area to one of the three Community secondary schools. Alternatively, we have considered catchment areas based on where children live and which would be the closest of the three secondary schools.

Approach 3A – Catchments based on areas served by nearest primary schools

Key points to consider

- Drawing up catchment areas for the three Harrogate Community secondary schools is complicated for the reasons set out earlier in the document.
- Deciding which is the nearest primary school catchment area to which secondary school is not always straightforward. For example, Rossett Acre Primary School is next to Rossett School, but has a catchment area boundary within yards of Harrogate Grammar School.
- The rural areas stretch around Harrogate in a large C shape, so that no rural area is next to Harrogate High School.
- A catchment system would result in some children who live very close to their preferred school being outside its catchment area whilst others from further away would gain priority which they currently would not have..
- Some children would lose any priority for their preferred school as a result of being allocated to a different catchment area and because of their distance from their preferred school. These effects would be significant in rural and town areas.
- Catchment areas do not give an absolute guarantee of a place at a school; it remains subject to the Maximum Admission Limit. This may be a particular complication in Harrogate because each Community school catchment area would need to have more children in it than there were places at the school in order to allow for the 250 or so area children each year who may obtain places in the two Voluntary

Aided schools. It is difficult to predict whether, and where, this might produce oversubscription in a Community secondary school. Alternatively, it is difficult to predict where there may be places available in Community secondary schools once the needs of their catchment areas were met.

- Based on current figures and previous patterns, building catchment areas on the basis of the areas served by the nearest primary schools would not account for all of the places available at Harrogate Grammar School and Rossett School. The available places would then be allocated according to criteria which would need to include distance if it was to be consistent with the basic principle of the system, which is proximity. This would then give children closest to the two schools priority to a second school, and possibly a third or fourth if they make successful application for an Aided school place.
- By contrast, children living further away would have little, or no, prospect of priority for an alternative school to the one in whose catchment area they are placed, although it may not be their preferred school.

Parents are likely to have strong views about which secondary school's catchment area they should be in. There are likely to be conflicting views about this within and between town and rural areas.

In considering Approach 3A, although it would theoretically create priority to a single secondary school for each child, in practice it is unlikely that this is how it would work. The strong probability is that it would confer the advantage of multiple high priority for at least two Community schools on children living in close proximity to both, whilst resulting in some children losing any priority for their preferred school due to the catchment and distance. It may be vulnerable, therefore, to similar concerns to those about the current system.

Approach 3B – Catchment areas based on allocating places according to the nearest of the three Community secondary schools to which the child lives

This system would operate by measuring the distance from each child's home address to each of the three Community schools in Harrogate. Priority for places at each school would then be given to those children for whom that school is the closest. This could then convert into a catchment map for each of the three schools, although the precise boundaries may vary at the margins between years.

Key points to consider

- There would be an imbalance between the numbers of children in the priority group for each school and the number of places available

in each of the schools. For example, there would be more children for whom Harrogate High School would be the nearest school than for the other two schools combined. Harrogate High School does not have the capacity to take all of the nearest children if they wished to attend.

- There would be too few children living nearest to Harrogate Grammar School and Rossett School to fill the places there, especially if children from those parts of the town continued to obtain places at the two Voluntary Aided schools in line with the current pattern.
- Places available at Harrogate Grammar and Rossett Schools would then have to be allocated, on the basis of distance if it was to be consistent with the basic principle of the system.
- As with Approach 3A, the effect of this would be to create an area in the vicinity of Harrogate Grammar School and Rossett School in which some children had multiple priority to popular schools, whilst children living at a distance had little or none.
- If a mechanism other than distance was to be used for allocating any places not allocated on grounds of "nearest school" (ie within the catchment) this would
 - in effect again recognise that distance alone is not a fair criterion in Harrogate's circumstances
 - involve a second system for children who lose out on the basis of catchment and distance grounds. This may be by random allocation or next nearest school. Either system is very difficult to predict by parents or the Local Authority. It would introduce both reduced opportunity and increased uncertainty for some parents. For others it would provide increased certainty and, in some cases, multiple priority.

Like Approach 3A, 3B offers theoretical simplicity, but in practice is complex and is vulnerable to the same concerns about undue priority for some children, and none for others, that are raised about the current system.

Approach 4 – Introduce a pro rata or proportional system.

This system would operate by allocating places at schools in proportion to the number of children living in a particular geographic area. A number of variations of this system might be possible but there are two distinct ones.

Approach 4A – Two zones

The first system would give a proportion of available places in each of the three secondary schools to pupils living in the town and rural areas based on the proportion of children living in each of

those two areas. It may help to explain an example based on one of the secondary schools as follows.

Harrogate Grammar School has 256 places for Year 7 pupils each year. After allocating children with statements of special educational need, Looked After children and those with medical/social priorities, there would be approximately 250 places left.

If, for example, in a particular year the proportion of children living in the town area relative to the children living in the rural area was four town children to every rural child, under this system 200 places would be allocated for children from the town area and 50 places for children from the rural area. The same approach would be taken to allocating places for each of the three Community secondary schools to the two zones.

It would then be necessary to allocate the quotas of places in the two zones. Where there were more applications for particular schools from within the zone than the number of places allocated in the quota, priority would need to be sorted out. This could be done by using distance or a lottery.

Distance in this system would in general be more predictable, though not always straightforward, and would disadvantage those pupils living furthest away in both the town and rural areas. A lottery is harder to predict, and although non-discriminatory, can produce results that still seem unfair.

Where places in any of the schools were not required for children within a zone, they would be available for reallocation in the other zone.

Approach 4B – Zones based on primary school catchment areas

This system would give an allocation of places in each of the three secondary schools to each of the areas served by the 34 primary schools in the Harrogate area. It removes the distinction between town and rural areas. Again, it may help to explain an example based on Harrogate Grammar School to compare 4A and 4B.

In this system, the 250 places would be allocated on a pro rata basis to children based on where they live in the 34 primary school catchment areas. This would average out at seven or so places per school, but individual zones' allocations would be linked to the size of the primary school. So, a large primary school area might have up to 12 places allocated, a medium size school area six or seven school places, whilst a village school area might have one or two places.

As under 4A, these would then be allocated within the zone, probably using distance rather than a

lottery to sort out priority where there were more applicants than places available within the quota.

Key points to consider

- The second system would result in intakes being spread more widely and evenly across the area.
- For each system to work it would have to be agreed how to set the proportions as the proportion would vary each year as pupil numbers went up or down.
- Neither of these pro rata systems would work on its own. There would need to be a tie-breaker of distance or a lottery to decide which children were offered places if there were too many children applying in any of the zones for a particular school.
- With the first system, a distance tie-break would mean that children living at the furthest points in both the town and rural areas would be unlikely to be offered places in a secondary school which was oversubscribed.
- With the second system, it would be the children living at the furthest points within individual primary school catchment areas who would be least likely to be offered places in the oversubscribed schools. There would, however, be a more even distribution of places for each Community secondary school across the whole area, so that distance was a less decisive factor than in 4A.
- Whilst the widespread redistribution of places may be welcomed by some parents, it would cause concern to others where it reduced the chances of securing places in oversubscribed schools. Both town and rural areas would be affected in this way.

Other approaches to quotas

Other approaches can be taken to

- how the zones are drawn
- how proportions of places at each secondary school for each zone are decided.

In particular, variations could be devised which may help to offset the disadvantages caused for some children by distance. For example, the line between the inner and outer zones could be drawn further in or further out, with pro rata allocations adjusted accordingly. This may help children in the town disadvantaged by distance under 4A.

Another variation could be to weight the quotas to take account of the greatest distance disadvantages, rather than working on a strict pro rata basis.

Since any variations of this kind would reduce the places otherwise potentially available in oversubscribed schools for children living closer to them, it would be important to use such an

approach sparingly. In particular it would need to be

- limited, to avoid unconditional or multiple priority being created in a zone, and
- capped to a maximum number of places so that other parts of the area were protected against undue variability.

Approach 5 - Introduce a “banding system”

Under this system each child would be allocated to a “band” by ability. Each of the three secondary schools would take a number of children from each of the ability bands. It would have to be determined how many different bands to use and how many places to allocate to each band. **This is different from a system which selects children by ability and allocates them to separate selective schools.** It does, nonetheless, link testing for ability levels with school place allocations, and would be likely to increase pressures on children, parents and schools. It would also make admissions significantly more complex. We do not regard this as a helpful or appropriate approach to explore further. It is included in the consultation only for completeness.

Key points to consider

- Theoretically, each school would have an even spread of pupils across the ability range
- A method of assessing each pupil’s ability and giving them a band would have to be introduced. Key Stage 2 SAT Tests, which are currently undergoing change, could not be used as they take place too late, in the last term at primary school. There is currently no single testing system operating in the Harrogate area which could be used for this purpose.
- Parents may be unhappy with and wish to challenge the band their child has been placed in, although admissions authorities using banding do not have to tell parents what band their child is in.
- If a school was oversubscribed within a band, then a tie-breaker criterion, again either distance or random allocation, would be used.
- Additional testing would be likely to create extra pressure for parents and children.
- A separate testing regime would be potentially costly for the admissions authority to administer.

Approach 6 – Introduce a lottery system (also called random allocation or ballot system)

There are two ways in which a lottery system could be used. Firstly as a single system to allocate all the remaining places after children with a Statement of Special Educational Needs, Looked

After children and those with social/medical need have been allocated places.

It could also be used as a tie-breaker in combination with other systems to determine which children from within a group should be offered a place where there are insufficient places available for all of the children in that group.

Key points to consider

- Some parents may have strong views about the use of a lottery or ballot system in any form to decide their child’s school place.
- The use of a lottery as a single system is theoretically equally fair to all.
- However, it would create uncertainty for everyone.
- It does not allow parents to be able to assess the likely chance of obtaining a place at their chosen school.
- It would make the planning of the authority’s contracts and routes for home to school transport more difficult as the pattern may vary every year.
- The Chief Schools Adjudicator has been asked by the government to carry out a review of the fairness of random allocation and it is seen by the Secretary of State as a criterion of ‘last resort’.

What about priority for children with brothers and sisters at the school?

All of the above options could give some degree of priority (or none at all) to children with siblings at the school. Siblings include children living in the same family unit at the same address. There would be some parents who would support this as a priority and others who would not. Sibling priority is recognised by the School Admissions Code as potentially fair and it operates as a criterion elsewhere in the County.

How would any change affect entitlement to free home to school transport?

At the moment children in the Harrogate Town and Rural area are entitled to free home to school transport to any one of the three community schools as all are considered their ‘normal’ school. The home to school transport policy allows for free home to school transport for attendance at the normal or a nearer school if it is beyond three miles from home. Some of the above options would see the introduction of catchment systems which would change the current entitlement. This might mean that some children who currently get free home to school transport may no longer be entitled to it if they are not attending their normal or a nearer school. The County Council will have to consider entitlement to free home to school transport when making a decision on the admission arrangements.

How can parents tell us what they think?

We would like your views about the type of system you think would be fair for allocating places to pupils in the Harrogate area. We will be holding a meeting in your local area between 14 September and 2 November 2009 to help you consider this complex issue.

If you would like to tell us what you think please complete and return the attached response form no later than 2 November 2009. It can be returned by post to the address on the response form or you can complete the form online at: www.northyorks.gov.uk/cypsconsultations.

What happens after the consultation period?

Once the consultation period ends on 2 November we will propose specific admission arrangements for 2011/12. The County Council will consult on proposed admission arrangements for the whole of North Yorkshire for 2011/12 during December 2009 and January 2010. Parents will have a further opportunity to comment on the proposals at that time. The County Council will then determine the admission arrangements by the national deadline on 15 April 2010.

The final decision on the admissions arrangements will be taken by the County Council. It will need to balance a number of considerations which will include:

- The views of parents expressed during the consultation periods
- The extent to which the alternative systems meet the 7 key principles outlined above including legality, fairness, robustness, stability, consistency, sustainability and transparency
- In particular, the relative fairness of each of the available options and their impacts on all of the children living in the Harrogate town and rural area
- The extent to which the arrangements allow the County Council to meet parents' preferences to the maximum extent possible
- The potential impact on educational provision in the area

- The impact on the environment of any change in relation to the way children travel to school
- The financial impact of any change on the cost to the local authority of administering the arrangements and providing home to school transport

Why wait until 2011/12? Why not make changes in 2010/11?

By law, the admissions arrangements for September 2010 had to be consulted upon and determined by 15 April 2009. This is to allow parents to have the information they need, so that they can read the Guide for Parents, attend open evenings and complete their application form by October 2009.

The Guide for Parents went out to parents in June and many parents have already completed application forms for transfer to secondary school in September 2010.

Most importantly, we consider it vital that parents are given enough time to find out about all the possible alternatives and their likely impact and to make their views known before we decide what to do. Even if it was clear now what arrangements we should put in place there is not enough time to consult parents between now and October 2009, when they have to return their application forms.

What is the timetable for making changes to the 2011/12 admissions arrangements?

School admissions in Harrogate are complex and the consultation exercise will need to be carried out carefully and thoroughly. This needs to be a two stage process which will allow parents to understand the possible effects of any changes and to comment on them before detailed proposals are put forward for new arrangements. The initial consultation will take place in the Autumn Term between 7 September and 2 November 2009. The second stage will follow in December. This will allow admission arrangements to be determined in line with the statutory national deadline of 15 April 2010 and administrative systems to be put in place to deal with application forms when they start to arrive after June 2010.

Consultation on Admission Arrangements for Community Secondary Schools in the Harrogate Town and Rural Areas Response Form

Please complete all of the following questions. You are given an opportunity to indicate whether there is a system you would prefer towards the end of the questionnaire but we would be grateful if you would consider each option in turn and give your views on whether or not you think it would be a potentially fair system for allocating places in the three community secondary schools to children living in the Harrogate Rural and Town areas.

| | | | | |
|---|------------|--|-----------|--|
| Q1: Do you think that the current admission arrangements for Harrogate need to be changed? (Approach 1) | YES | | NO | |
| Reasons: | | | | |
| Q2: Would you consider it fair if the distinction between the town and rural areas was removed and places were allocated to all three schools on distance from home to school alone? (Approach 2) | YES | | NO | |
| Reasons: | | | | |
| Q3: Would you consider it fair if we introduced a 'catchment area' system where each child had priority for one of the three community schools, based on a geographical area defined on a map? (Approach 3A) | YES | | NO | |
| Reasons: | | | | |
| Q4: Would you consider it fair if we introduced a system which gave priority for a place at the community secondary school which was nearest to the child's home? (Approach 3B) | YES | | NO | |
| Reasons: | | | | |
| Q5: Would you consider it fair if we introduced a system which allocated places to pupils proportionately based on two zones? (Approach 4A) | YES | | NO | |
| Reasons: | | | | |

| | | | | |
|---|------------|--|-----------|--|
| Q6: Would you consider it fair if we introduced a multiple zone system which allocated places to pupils based on the proportion of children living in each of the <u>primary school</u> catchment areas, ie a number of places for each primary school area? (Approach 4B) | YES | | NO | |
|---|------------|--|-----------|--|

Reasons:

| | | | | |
|--|------------|--|-----------|--|
| Q7: Would you consider it fair if we introduced a system which allocated places to pupils based on banding them by ability and allocating a proportion of places to each band? (Approach 5) | YES | | NO | |
|--|------------|--|-----------|--|

Reasons:

| | | | | |
|--|------------|--|-----------|--|
| Q8: Would you consider it fair if we introduced a system which allocated places by random allocation or lottery? (Approach 6) | YES | | NO | |
|--|------------|--|-----------|--|

Reasons:

| | | | | |
|--|------------|--|-----------|--|
| Q9: Is there another system you think would be fairer than any of those described above? If so please describe it below | YES | | NO | |
|--|------------|--|-----------|--|

| |
|---|
| Q10: In your opinion which would be the fairest system for <u>all</u> children in the Harrogate area? Please rank each of the methods from 1 (most preferred) to 7 (least preferred) |
|---|

- Approach 1: Retain the current system
- Approach 2: Allocate on the basis of distance alone
- Approach 3A: A catchment area system
- Approach 3B: Nearest school
- Approach 4A: Pro rata allocation
- Approach 4B: Proportional allocation
- Approach 5: Banding by ability
- Approach 6: Random allocation/lottery

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|---|------------|--|-----------|--|
| Q11: Do you think that priority should be given to pupils with siblings already at the school? | YES | | NO | |
|---|------------|--|-----------|--|

Reasons:

Q13: Are there any other comments you would like to make?

Name (please print):

Address:

..... Postcode:

Interest/status (please delete as appropriate): Parent/Governor/Staff

Early Years Setting(s) currently attended by your children:

Primary School(s) currently attended by your children:

Secondary School(s) currently attended by your children:

Thank you for completing this questionnaire. Please return it to:

**North Yorkshire County Council
Strategic Services
Children and Young People's Service
FREEPOST NEA10908
NORTHALLERTON
DL7 8BR**

Alternatively you can complete the form online at www.northyorks.gov.uk/cypsconsultations.

The closing date for comments is **2 November 2009**.

To help us assess whether we have provided clear information, please let us know whether you found this consultation easy to understand? **YES** **NO**

Do you have any suggestions for improvement?

.....
.....
.....
.....

Adjudicator's Conclusions and Determinations – June and September 2009

Date of decision: 3 September 2009

Conclusion

I find that the arrangements objected to are unfair in that they give some families priority for admission at three schools whilst others have no such priority at any of those schools. However, I consider that any change that I might make for 2010 admissions, which would necessarily be without the sort of careful consideration and consultation to which the County Council is now committed to for 2011, would be disruptive and counter-productive.

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection lodged by a group of parents about the admission arrangements for secondary schools in Harrogate. In view of the work that North Yorkshire County Council is committed to do to address these matters for 2011, I make no order for change to the arrangements for 2010.

Date of decision: 3 June 2009

Conclusion

I uphold the objection to the admission arrangements for community secondary schools in Harrogate. The LA has rightly tried to ensure that rural applicants are not disadvantaged when applying for a place at a Harrogate community school, but the priority given to rural applicants places them, in my opinion, at an unfair advantage compared to town applicants in securing a place at an oversubscribed school.

The information made available to me has not demonstrated that consideration has been given to oversubscription criteria that would achieve fairer admission arrangements for both town and rural applicants.

In determining the admission arrangements for Harrogate's community schools for 2010 I note that the LA will need to have complied with the requirements of the Code and will need to have consulted with parents and others on those arrangements.

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements determined by North Yorkshire County Council for community secondary schools in Harrogate.

I make no amendment to the admission arrangements for the year 2009/2010 as determined by North Yorkshire County Council.

Summary of Consultation Responses

| Overall % | | |
|------------------|----------|-------------|
| Approach | Top Pref | Bottom Pref |
| Status Quo | 37 | 5 |
| Distance Only | 8 | 12 |
| Catchment A | 7 | 4 |
| Catchment B | 15 | 4 |
| Two zone | 14 | 4 |
| 34 zone | 7 | 6 |
| Banding | 4 | 32 |
| Random | 3 | 34 |
| Rural % | | |
| Approach | Top Pref | Bottom Pref |
| Status Quo | 96 | 0 |
| Distance Only | 0 | 26 |
| Catchment A | 2 | 10 |
| Catchment B | 0 | 11 |
| Two zone | 2 | 10 |
| 34 zone | 2 | 12 |
| Banding | 0 | 21 |
| Random | 1 | 24 |
| Town % | | |
| Approach | Top Pref | Bottom Pref |
| Status Quo | 17 | 8 |
| Distance Only | 13 | 7 |
| Catchment A | 11 | 2 |
| Catchment B | 23 | 1 |
| Two zone | 22 | 1 |
| 34 zone | 11 | 5 |
| Banding | 5 | 27 |
| Random | 3 | 44 |

| Is the approach fair? % | | | | |
|--------------------------------|-------|------|---------|----|
| | Rural | Town | Overall | |
| Status Quo | | 90 | 24 | 46 |
| Distance Only | | 1 | 41 | 28 |
| Catchment A | | 8 | 41 | 31 |
| Catchment B | | 10 | 54 | 36 |
| Two zone | | 7 | 48 | 31 |
| 34 zone | | 6 | 22 | 16 |
| Banding | | 3 | 7 | 6 |
| Random | | 8 | 13 | 10 |

| Is the approach unfair? % | | | |
|----------------------------------|-------|------|---------|
| | Rural | Town | Overall |
| Status Quo | 9 | 75 | 53 |
| Distance Only | 98 | 56 | 68 |
| Catchment A | 89 | 54 | 63 |
| Catchment B | 88 | 43 | 51 |
| Two zone | 89 | 45 | 54 |
| 34 zone | 90 | 74 | 71 |
| Banding | 94 | 90 | 81 |
| Random | 91 | 86 | 78 |

| No Preference Expressed % | | | |
|----------------------------------|-------|------|---------|
| | Rural | Town | Overall |
| | 20 | 19 | 27 |

Percentages based on 514 responses (130 rural parents, 302 town parents, 82 out of area or address not known)

Summary of Consultation Responses

| Overall % | | |
|------------------|----------|-------------|
| Approach | Top Pref | Bottom Pref |
| Status Quo | 39 | 5 |
| Distance Only | 9 | 5 |
| Catchment A | 8 | 3 |
| Catchment B | 13 | 2 |
| Two zone | 14 | 3 |
| 34 zone | 7 | 5 |
| Banding | 2 | 13 |
| Random | 4 | 27 |
| Rural % | | |
| Approach | Top Pref | Bottom Pref |
| Status Quo | 95 | 0 |
| Distance Only | 0 | 14 |
| Catchment A | 2 | 6 |
| Catchment B | 0 | 4 |
| Two zone | 3 | 6 |
| 34 zone | 0 | 6 |
| Banding | 0 | 18 |
| Random | 0 | 18 |
| Town % | | |
| Approach | Top Pref | Bottom Pref |
| Status Quo | 17 | 7 |
| Distance Only | 14 | 8 |
| Catchment A | 11 | 2 |
| Catchment B | 19 | 1 |
| Two zone | 21 | 2 |
| 34 zone | 11 | 6 |
| Banding | 3 | 12 |
| Random | 4 | 27 |

| Is the approach fair? % | | | |
|--------------------------------|-------|------|---------|
| | Rural | Town | Overall |
| Status Quo | 92 | 25 | 48 |
| Distance Only | 2 | 43 | 30 |
| Catchment A | 7 | 37 | 28 |
| Catchment B | 11 | 50 | 35 |
| Two zone | 8 | 46 | 32 |
| 34 zone | 6 | 24 | 18 |
| Banding | 2 | 7 | 6 |
| Random | 7 | 14 | 12 |

| Is the approach unfair? % | | | |
|----------------------------------|-------|------|---------|
| | Rural | Town | Overall |
| Status Quo | 7 | 74 | 51 |
| Distance Only | 99 | 53 | 68 |
| Catchment A | 90 | 58 | 67 |
| Catchment B | 89 | 47 | 57 |
| Two zone | 87 | 46 | 55 |
| 34 zone | 91 | 72 | 71 |
| Banding | 94 | 90 | 84 |
| Random | 91 | 82 | 78 |

| No Preference Expressed % | | | |
|----------------------------------|-------|------|---------|
| | Rural | Town | Overall |
| | 24 | 20 | 26 |

Percentages based on 286 responses (77 rural parents, 177 town parents, 32 not known)

| | | | | | | | | | | |
|--|-------------------|---------------|-------------|---------------|-----------|---------------|------------|---------------|-------------|---------------|
| Q1 Do you think that the current admission arrangements for Harrogate need to be changed? Approach 1 | Address not known | % Total | Out of area | % Total | Rural | % Total | Town | % Total | Grand Total | % Total |
| No | 20 | 95.24 | 5 | 71.43 | 69 | 92.00 | 43 | 24.29 | 137 | 47.90 |
| Yes | 7 | 33.33 | 2 | 28.57 | 5 | 6.67 | 131 | 74.01 | 145 | 50.70 |
| Blank | | 0.00 | | 0.00 | 1 | 1.33 | 3 | 1.69 | 4 | 1.40 |
| Grand Total | 27 | 100.00 | 7 | 100.00 | 75 | 100.00 | 177 | 100.00 | 286 | 100.00 |
| Q2 Would you consider it fair if the distinction between the town and rural areas was removed and places were allocated to all three schools on distance from home to school alone? Approach 2 | Address not known | % Total | Out of area | % Total | Rural | % Total | Town | % Total | Grand Total | % Total |
| No | 18 | 85.71 | 7 | 100.00 | 74 | 98.67 | 93 | 52.54 | 192 | 67.13 |
| Yes | 8 | 38.10 | | 0.00 | 1 | 1.33 | 75 | 42.37 | 84 | 29.37 |
| Blank | 1 | 4.76 | | 0.00 | | 0.00 | 9 | 5.08 | 10 | 3.50 |
| Grand Total | 27 | 100.00 | 7 | 100.00 | 75 | 100.00 | 177 | 100.00 | 286 | 100.00 |
| Q3 Would you consider it fair if we introduced a 'catchment area' system where each child had priority for one of the three community schools, based on the geographical area defined on a map? Approach 3A | Address not known | % Total | Out of area | % Total | Rural | % Total | Town | % Total | Grand Total | % Total |
| No | 16 | 76.19 | 5 | 71.43 | 68 | 90.67 | 102 | 57.63 | 191 | 66.78 |
| Yes | 9 | 42.86 | 1 | 14.29 | 5 | 6.67 | 65 | 36.72 | 80 | 27.97 |
| Blank | 2 | 9.52 | 1 | 20.00 | 2 | 2.67 | 10 | 5.65 | 15 | 5.24 |
| Grand Total | 27 | 100.00 | 7 | 100.00 | 75 | 100.00 | 177 | 100.00 | 286 | 100.00 |
| Q4 Would you consider it fair if we introduced a system which gave priority for a place at the community secondary school which was nearest to the child's home? Approach 3B | Address not known | % Total | Out of area | % Total | Rural | % Total | Town | % Total | Grand Total | % Total |
| No | 7 | 33.33 | 5 | 71.43 | 66 | 88.00 | 83 | 46.89 | 161 | 56.29 |
| Yes | 3 | 14.29 | 2 | 28.57 | 8 | 10.67 | 87 | 49.15 | 100 | 34.97 |
| Blank | 17 | 80.95 | | 0.00 | 1 | 1.33 | 7 | 3.95 | 25 | 8.74 |
| Grand Total | 27 | 100.00 | 7 | 100.00 | 75 | 100.00 | 177 | 100.00 | 286 | 100.00 |
| Q5 Would you consider it fair if we introduced a system which allocated places to pupils proportionately based on two zones? Approach 4A | Address not known | % Total | Out of area | % Total | Rural | % Total | Town | % Total | Grand Total | % Total |
| No | 6 | 28.57 | 6 | 85.71 | 65 | 86.67 | 80 | 45.20 | 157 | 54.90 |
| Yes | 1 | 4.76 | 1 | 14.29 | 6 | 8.00 | 81 | 45.76 | 89 | 31.12 |
| Blank | 20 | 95.24 | | 0.00 | 4 | 5.33 | 16 | 9.04 | 40 | 13.99 |
| Grand Total | 27 | 100.00 | 7 | 100.00 | 75 | 100.00 | 177 | 100.00 | 286 | 100.00 |
| Q6 Would you consider it fair if we introduced a multi zone system which allocated places to pupils based on the proportion of children living in each of the primary school catchment areas, ie a number of places for each primary school area? Approach 4B | Address not known | % Total | Out of area | % Total | Rural | % Total | Town | % Total | Grand Total | % Total |
| No | 6 | 28.57 | 5 | 71.43 | 68 | 90.67 | 126 | 71.19 | 205 | 71.68 |
| Yes | 2 | 9.52 | 2 | 28.57 | 4 | 5.33 | 42 | 23.73 | 50 | 17.48 |
| Blank | 19 | 90.48 | | 0.00 | 3 | 4.00 | 9 | 5.08 | 31 | 10.84 |
| Grand Total | 27 | 100.00 | 7 | 100.00 | 75 | 100.00 | 177 | 100.00 | 286 | 100.00 |
| Q7 Would you consider it fair if we introduced a system which allocated places to pupils based on banding them by ability and allocating a proportion of places to each band? Approach 5 | Address not known | % Total | Out of area | % Total | Rural | % Total | Town | % Total | Grand Total | % Total |
| No | 6 | 28.57 | 4 | 57.14 | 70 | 93.33 | 158 | 89.27 | 238 | 83.22 |
| Yes | 2 | 9.52 | 2 | 28.57 | 1 | 1.33 | 11 | 6.21 | 16 | 5.59 |
| Blank | 19 | 90.48 | 1 | 20.00 | 4 | 5.33 | 8 | 4.52 | 32 | 11.19 |
| Grand Total | 27 | 100.00 | 7 | 100.00 | 75 | 100.00 | 177 | 100.00 | 286 | 100.00 |

| Q8 Would you consider it fair if we introduced a system which allocated places by random allocation or lottery? Approach 6 | Address not known | % Total | Out of area | % Total | Rural | % Total | Town | % Total | Grand Total | % Total |
|--|-------------------|---------|-------------|---------|-------|---------|------|---------|-------------|---------|
| No | 5 | 23.81 | 5 | 71.43 | 68 | 90.67 | 145 | 81.92 | 223 | 77.97 |
| Yes | 1 | 4.76 | 2 | 28.57 | 5 | 6.67 | 24 | 13.56 | 32 | 11.19 |
| Blank | 21 | 100.00 | | 0.00 | 2 | 2.67 | 8 | 4.52 | 31 | 10.84 |
| Grand Total | 27 | 100.00 | 7 | 100.00 | 75 | 100.00 | 177 | 100.00 | 286 | 100.00 |
| | | | | | | | | | | |
| Q9 Is there any other system you think would be fairer than any of those described above? If so please describe below | Address not known | % Total | Out of area | % Total | Rural | % Total | Town | % Total | Grand Total | % Total |
| No | 3 | 14.29 | 4 | 57.14 | 46 | 61.33 | 91 | 51.41 | 144 | 50.35 |
| Yes | 1 | 4.76 | 2 | 28.57 | 21 | 28.00 | 32 | 18.08 | 56 | 19.58 |
| Blank | 23 | 109.52 | 1 | 20.00 | 8 | 10.67 | 54 | 30.51 | 86 | 30.07 |
| Grand Total | 27 | 100.00 | 7 | 100.00 | 75 | 100.00 | 177 | 100.00 | 286 | 100.00 |
| | | | | | | | | | | |
| Q11 Do you think that priority should be given to pupils with siblings already at the school? | Address not known | % Total | Out of area | % Total | Rural | % Total | Town | % Total | Grand Total | % Total |
| No | 2 | 9.52 | | 0.00 | 2 | 2.67 | 16 | 9.04 | 20 | 6.99 |
| Yes | 4 | 19.05 | 7 | 100.00 | 73 | 97.33 | 152 | 85.88 | 236 | 82.52 |
| Blank | 21 | 100.00 | | 0.00 | | 0.00 | 9 | 5.08 | 30 | 10.49 |
| Grand Total | 27 | 100.00 | 7 | 100.00 | 75 | 100.00 | 177 | 100.00 | 286 | 100.00 |

| Count of Town / Rural preferred approach | | | | | | | | | | |
|--|-----------|------------|-------------|------------|-----------|------------|------------|------------|-------------|------------|
| | Not Known | % of total | Out of Area | % of total | Rural | % of total | Town | % of total | Grand Total | % of total |
| Q10 Approach 1 | | | | | | | | | | |
| No choice stated | 20 | 74.07 | | 0.00 | 2 | 2.67 | 31 | 17.51 | 53 | 18.53 |
| 1 | 5 | 18.52 | 5 | 71.43 | 71 | 94.67 | 29 | 16.38 | 110 | 38.46 |
| 2 | | 0.00 | 1 | 14.29 | | 0.00 | 11 | 6.21 | 12 | 4.20 |
| 3 | | 0.00 | | 0.00 | 1 | 1.33 | 12 | 6.78 | 13 | 4.55 |
| 4 | | 0.00 | 1 | 14.29 | | 0.00 | 36 | 20.34 | 37 | 12.94 |
| 5 | | 0.00 | | 0.00 | | 0.00 | 10 | 5.65 | 10 | 3.50 |
| 6 | | 0.00 | | 0.00 | 1 | 1.33 | 18 | 10.17 | 19 | 6.64 |
| 7 | 1 | 3.70 | | 0.00 | | 0.00 | 19 | 10.73 | 20 | 6.99 |
| 8 | 1 | 3.70 | | 0.00 | | 0.00 | 11 | 6.21 | 12 | 4.20 |
| Grand Total | 27 | 100 | 7 | 100 | 75 | 100 | 177 | 100 | 286 | 100 |
| Q10 Approach 2 | | | | | | | | | | |
| No choice stated | 22 | 81.48 | 2 | 28.57 | 21 | 28.00 | 29 | 16.38 | 74 | 25.87 |
| 1 | 1 | 3.70 | | 0.00 | | 0.00 | 24 | 13.56 | 25 | 8.74 |
| 2 | 2 | 7.41 | | 0.00 | 3 | 4.00 | 29 | 16.38 | 34 | 11.89 |
| 3 | | 0.00 | 1 | 14.29 | 3 | 4.00 | 22 | 12.43 | 26 | 9.09 |
| 4 | | 0.00 | | 0.00 | 5 | 6.67 | 18 | 10.17 | 23 | 8.04 |
| 5 | 1 | 3.70 | 2 | 28.57 | 4 | 5.33 | 15 | 8.47 | 22 | 7.69 |
| 6 | | 0.00 | | 0.00 | 8 | 10.67 | 14 | 7.91 | 22 | 7.69 |
| 7 | | 0.00 | 1 | 14.29 | 21 | 28.00 | 13 | 7.34 | 35 | 12.24 |
| 8 | 1 | 3.70 | 1 | 14.29 | 10 | 13.33 | 13 | 7.34 | 25 | 8.74 |
| Grand Total | 27 | 100 | 7 | 100 | 75 | 100 | 177 | 100 | 286 | 100 |
| Q10 Approach 3A | | | | | | | | | | |
| No choice stated | 22 | 81.48 | 2 | 28.57 | 14 | 18.67 | 33 | 18.64 | 71 | 24.83 |
| 1 | 1 | 3.70 | | 0.00 | 1 | 1.33 | 19 | 10.73 | 21 | 7.34 |
| 2 | | 0.00 | | 0.00 | 9 | 12.00 | 25 | 14.12 | 34 | 11.89 |
| 3 | 1 | 3.70 | 1 | 14.29 | 7 | 9.33 | 38 | 21.47 | 47 | 16.43 |
| 4 | 2 | 7.41 | 3 | 42.86 | 15 | 20.00 | 27 | 15.25 | 47 | 16.43 |
| 5 | | 0.00 | 1 | 14.29 | 9 | 12.00 | 21 | 11.86 | 31 | 10.84 |
| 6 | | 0.00 | | 0.00 | 6 | 8.00 | 7 | 3.95 | 13 | 4.55 |
| 7 | | 0.00 | | 0.00 | 10 | 13.33 | 5 | 2.82 | 15 | 5.24 |
| 8 | 1 | 3.70 | | 0.00 | 4 | 5.33 | 2 | 1.13 | 7 | 2.45 |
| Grand Total | 27 | 100 | 7 | 100 | 75 | 100 | 177 | 100 | 286 | 100 |
| Q10 Approach 3B | | | | | | | | | | |
| No choice stated | 22 | 81.48 | 2 | 28.57 | 26 | 34.67 | 39 | 22.03 | 89 | 31.12 |
| 1 | 2 | 7.41 | 1 | 14.29 | | 0.00 | 32 | 18.08 | 35 | 12.24 |
| 2 | | 0.00 | 1 | 14.29 | 6 | 8.00 | 30 | 16.95 | 37 | 12.94 |
| 3 | 2 | 7.41 | 1 | 14.29 | 7 | 9.33 | 22 | 12.43 | 32 | 11.19 |
| 4 | | 0.00 | | 0.00 | 6 | 8.00 | 14 | 7.91 | 20 | 6.99 |
| 5 | | 0.00 | 1 | 14.29 | 12 | 16.00 | 23 | 12.99 | 36 | 12.59 |
| 6 | | 0.00 | 1 | 14.29 | 4 | 5.33 | 11 | 6.21 | 16 | 5.59 |
| 7 | 1 | 3.70 | | 0.00 | 11 | 14.67 | 5 | 2.82 | 17 | 5.94 |
| 8 | | 0.00 | | 0.00 | 3 | 4.00 | 1 | 0.56 | 4 | 1.40 |
| Grand Total | 27 | 100 | 7 | 100 | 75 | 100 | 177 | 100 | 286 | 100 |
| Q10 Approach 4A | | | | | | | | | | |
| No choice stated | 22 | 81.48 | 2 | 28.57 | 26 | 34.67 | 36 | 20.34 | 86 | 30.07 |
| 1 | | 0.00 | | 0.00 | 2 | 2.67 | 37 | 20.90 | 39 | 13.64 |
| 2 | 1 | 3.70 | | 0.00 | 7 | 9.33 | 19 | 10.73 | 27 | 9.44 |
| 3 | 1 | 3.70 | 1 | 14.29 | 11 | 14.67 | 15 | 8.47 | 28 | 9.79 |
| 4 | 1 | 3.70 | 1 | 14.29 | 8 | 10.67 | 20 | 11.30 | 30 | 10.49 |
| 5 | 1 | 3.70 | | 0.00 | 9 | 12.00 | 31 | 17.51 | 41 | 14.34 |
| 6 | 1 | 3.70 | 3 | 42.86 | 4 | 5.33 | 11 | 6.21 | 19 | 6.64 |
| 7 | | 0.00 | | 0.00 | 4 | 5.33 | 6 | 3.39 | 10 | 3.50 |
| 8 | | 0.00 | | 0.00 | 4 | 5.33 | 2 | 1.13 | 6 | 2.10 |
| Grand Total | 27 | 100 | 7 | 100 | 75 | 100 | 177 | 100 | 286 | 100 |

| | | | | | | | | | | | | |
|-------------------------|-----------|------------|-------------|------------|-------|------------|------|------------|-------------|------------|--|--|
| Q10 Approach 4B | Not Known | % of total | Out of Area | % of total | Rural | % of total | Town | % of total | Grand Total | % of total | | |
| No choice stated | 22 | 81.48 | 2 | 28.57 | 19 | 25.33 | 39 | 22.03 | 82 | 28.67 | | |
| 1 | | 0.00 | | 0.00 | | 0.00 | 19 | 10.73 | 19 | 6.64 | | |
| 2 | 1 | 3.70 | 1 | 14.29 | 9 | 12.00 | 16 | 9.04 | 27 | 9.44 | | |
| 3 | 1 | 3.70 | | 0.00 | 12 | 16.00 | 16 | 9.04 | 29 | 10.14 | | |
| 4 | 2 | 7.41 | | 0.00 | 9 | 12.00 | 15 | 8.47 | 26 | 9.09 | | |
| 5 | | 0.00 | 2 | 28.57 | 7 | 9.33 | 19 | 10.73 | 28 | 9.79 | | |
| 6 | | 0.00 | 1 | 14.29 | 11 | 14.67 | 33 | 18.64 | 45 | 15.73 | | |
| 7 | 1 | 3.70 | 1 | 14.29 | 4 | 5.33 | 10 | 5.65 | 16 | 5.59 | | |
| 8 | | 0.00 | | 0.00 | 4 | 5.33 | 10 | 5.65 | 14 | 4.90 | | |
| Grand Total | 27 | 100 | 7 | 100 | 75 | 100 | 177 | 100 | 286 | 100 | | |
| | | | | | | | | | | | | |
| Approach 5 | Not Known | % of total | Out of Area | % of total | Rural | % of total | Town | % of total | Grand Total | % of total | | |
| No choice stated | 21 | 77.78 | 2 | 28.57 | 15 | 20.00 | 38 | 21.47 | 76 | 26.57 | | |
| 1 | | 0.00 | 1 | 14.29 | | 0.00 | 4 | 2.26 | 5 | 1.75 | | |
| 2 | | 0.00 | 1 | 14.29 | 3 | 4.00 | 3 | 1.69 | 7 | 2.45 | | |
| 3 | 1 | 3.70 | 1 | 14.29 | 8 | 10.67 | 6 | 3.39 | 16 | 5.59 | | |
| 4 | | 0.00 | 2 | 28.57 | 6 | 8.00 | 4 | 2.26 | 12 | 4.20 | | |
| 5 | 1 | 3.70 | | 0.00 | 5 | 6.67 | 7 | 3.95 | 13 | 4.55 | | |
| 6 | 3 | 11.11 | | 0.00 | 12 | 16.00 | 33 | 18.64 | 48 | 16.78 | | |
| 7 | | 0.00 | | 0.00 | 13 | 17.33 | 61 | 34.46 | 74 | 25.87 | | |
| 8 | 1 | 3.70 | | 0.00 | 13 | 17.33 | 21 | 11.86 | 35 | 12.24 | | |
| Grand Total | 27 | 100 | 7 | 100 | 75 | 100 | 177 | 100 | 286 | 100 | | |
| | | | | | | | | | | | | |
| Q10 Approach 6 | Not Known | % of total | Out of Area | % of total | Rural | % of total | Town | % of total | Grand Total | % of total | | |
| No choice stated | 21 | 77.78 | 2 | 28.57 | 15 | 20.00 | 36 | 20.34 | 74 | 25.87 | | |
| 1 | | 0.00 | 1 | 14.29 | | 0.00 | 8 | 4.52 | 9 | 3.15 | | |
| 2 | 1 | 3.70 | 1 | 14.29 | 10 | 13.33 | 10 | 5.65 | 22 | 7.69 | | |
| 3 | | 0.00 | | 0.00 | 3 | 4.00 | 7 | 3.95 | 10 | 3.50 | | |
| 4 | | 0.00 | | 0.00 | 6 | 8.00 | 4 | 2.26 | 10 | 3.50 | | |
| 5 | 1 | 3.70 | | 0.00 | 2 | 2.67 | 2 | 1.13 | 5 | 1.75 | | |
| 6 | | 0.00 | | 0.00 | 4 | 5.33 | 6 | 3.39 | 10 | 3.50 | | |
| 7 | 2 | 7.41 | 2 | 28.57 | 22 | 29.33 | 44 | 24.86 | 70 | 24.48 | | |
| 8 | 2 | 7.41 | 1 | 14.29 | 13 | 17.33 | 60 | 33.90 | 76 | 26.57 | | |
| Grand Total | 27 | 100 | 7 | 100 | 75 | 100 | 177 | 100 | 286 | 100 | | |

NORTH YORKSHIRE COUNTY COUNCIL

CHILDREN AND YOUNG PEOPLE'S SERVICE

Consultation on Admissions Arrangements for Harrogate Town and Rural 2011/12Summary of Issues Raised at Consultation Meetings

| General Points | No of Comments |
|--|-----------------------|
| Fairness of admissions policies and funding arrangements of Voluntary Aided schools | 30 |
| Support for retaining the existing system unchanged | 30 |
| Questions about the decision-making process | 24 |
| Impact of the variability of quality of educational provision in Harrogate on school popularity | 23 |
| Importance of meeting parental preference/questions about levels of parental preferences met | 20 |
| Presence and priority of non North Yorkshire children in Harrogate schools – Leeds children attending Rossett School | 15 |
| Impact of admissions policy on friendship groups | 14 |
| Requests for further data/clarification of data | 13 |
| Housing costs/impacts | 12 |
| Importance of taking account of environmental impacts particularly transport/walking to school | 10 |
| Current unfairness of system for children in the town area | 10 |
| Potential impact of change on sustainability of rural communities | 8 |
| Potential for promoting social equity through change of policy | 5 |
| Potential for new school/federation/amalgamation of schools to increase capacity/improve standards | 5 |
| Availability of admissions appeals under new arrangements | 5 |
| Likelihood of future changes/challenges | 5 |
| Potential for changing boundaries of town/rural area | 5 |
| Phasing-in of changed arrangements | 4 |
| Impact on admissions to other secondary schools in the area | 4 |
| Primary school 'feeder' systems | 4 |
| Potential for introducing selection by ability | 3 |
| Propriety of inclusion of the status quo among the consultation options | 3 |
| Likelihood of secondary schools becoming Trust status | 3 |
| Scale of the objections | 2 |
| Potential expansion/growth of schools | 2 |
| Annual admissions consultation | 2 |
| Impact of independent schools | 2 |
| Fraudulent admissions | 2 |
| Secondary school open evenings | 1 |
| Comments on Approaches to Admissions Arrangements | No of Parents |
| Support for retaining sibling priority | 19 |
| Random allocation as the fairest approach | 12 |
| Concerns/Issues associated with testing/banding by ability | 11 |
| Zones/Proportional approaches as fairest approach | 10 |
| Concerns/issues associated with catchment areas | 9 |
| Random allocation creating uncertainty | 6 |
| Use of distance as an admissions criteria | 5 |
| Importance of SEN/Medical criteria | 4 |
| Opposition to retaining sibling priority | 3 |
| Complexity of 34 zone approach | 1 |
| Need to take account of twins | 1 |

Comparison of alternative approaches against the 7 Key Principles

| | Compliant with School Admission Code | Robust evaluation undertaken | Extent to which approach is fair and balanced | Extent to which approach is consistent | How resilient to challenge the approach would be | Whether the approach offers a sustainable solution | Secure and transparent operational procedures commanding public confidence |
|-------------------------------|---|--|--|--|--|--|--|
| 1. Current arrangement | Not in breach of mandatory provisions of code. | Existing approach modelled in considerable detail. | <p>Adjudicator deems the current arrangements unfair.</p> <p>Many town parents feel it gives unfair advantage to rural children.</p> <p>No parity between the proportions of parental preferences met in town and rural areas.</p> <p>Seen to help balance the needs of town and rural children.</p> <p>Some parents feel that other approaches may be equally unfair</p> <p>Parents concerned that it is vulnerable to parents renting/buying accommodation to put themselves into an advantageous position</p> | Treats town and rural children differently. | <p>Already challenged.</p> <p>Likely to be challenged again.</p> | Given the lack of resilience to challenge, this is unlikely to be sustainable. | Easily understood by parents. Easy to administer. |
| 2. Distance only | Unlikely to breach mandatory provisions of code | Impacts have been modelled in detail. | <p>Adjudicators have said it is even more unfair for rural children than current arrangements are for town children.</p> <p>Parents in both town and rural areas acknowledge its unfairness for children living furthest away.</p> <p>Potentially reverses the current unfairness making the arrangements unfair for rural children.</p> <p>May create multiple priorities for some town children while removing priority for all rural children.</p> | Treats town and rural children the same in principle but creates permanent disadvantage for rural children in the way it operates. Concerns expressed by parents that it restricts entry to popular schools to those who can afford houses in expensive areas. | High potential for challenge especially as Adjudicator not convinced it is fair for rural children. Would be stable over time as parents would know which schools they were likely to be able to apply for successfully for. | Unlikely to be sustainable long term due to potential challenge. Parents concern that it may impact on the sustainability of rural communities. Some town parents favour their children being able to walk to school and support this option in furthering that aim. | Easily understood by parents. Easy to administer |

| | Compliant with School Admission Code | Robust evaluation undertaken | Extent to which approach is fair and balanced | Extent to which approach is consistent | How resilient to challenge the approach would be | Whether the approach offers a sustainable solution | Secure and transparent operational procedures commanding public confidence |
|---|---|---|---|--|--|--|--|
| <p>3A. Catchment by primary area</p> <p>and</p> <p>3B. Catchment by nearest school</p> | Not in breach of mandatory provisions of code | <p>Impacts have been modelled in detail.</p> <p>Difficult to arrive at a logical area to be served by each school due to the geography, school location and pupil spread.</p> | <p>Creates disproportional advantage to children living close to a number of schools.</p> <p>Parents may feel it unfair if they are not in the catchment area of their preferred school.</p> <p>Concern over impact of catchment areas on rural children.</p> <p>Felt that catchments are only fair if schools are of the same standard.</p> | <p>Would treat town and rural children the same but has disproportionate impact on the rural area.</p> <p>Parental concerns over being able to afford housing in the right catchment area.</p> | <p>High potential for successful challenge if catchment boundaries felt to be arbitrary.</p> <p>Unlikely to remain unchallenged due to the scale of the impact of the change.</p> <p>Would be stable over time as parents would know which catchment they were in.</p> | <p>Potentially vulnerable to changes in popularity of schools due to uneven spread of population.</p> <p>Concern about impact on rural communities outside of the most popular catchments.</p> | <p>Although the map would be easily understood parents have concerns about its complexity in practice.</p> <p>Relatively easy to administer once catchment agreed.</p> |
| 4A. Two zone proportional | Not in breach of mandatory provisions of code | Impacts have been modelled in detail. | <p>Many parents have commented that this is the fairest alternative to the current system as it balances the needs of town and rural children.</p> <p>Potentially fair although use of distance as a tie-break could disadvantage some rural and some town children.</p> <p>A straight pro-rata approach would have a significant impact on the rural area.</p> <p>Weighted proportions could produce greater equity of parental preferences met.</p> <p>Potentially occupies an area of common ground between the town and rural areas</p> | Addresses the absolute priority currently held by rural children | <p>Some support from parents in both areas. Rehearsed by on Adjudicator in 2008. It does address the issue of unconditional priority for rural children as required by the latest adjudicator.</p> | The setting of proportions needs to be considered carefully to minimise the impact of changes in cohort size. | Relatively easy to understand and administer |

| | Compliant with School Admission Code | Robust evaluation undertaken | Extent to which approach is fair and balanced | Extent to which approach is consistent | How resilient to challenge the approach would be | Whether the approach offers a sustainable solution | Secure and transparent operational procedures commanding public confidence |
|---------------------------------|--|--|--|---|---|--|--|
| 4B. 34 Zone Proportional | Not in breach of mandatory provisions of code | Impacts have been modelled in detail. | Likely to redistribute places across the area more widely. Creates a large impact on the current rural area. May be seen as more socially inclusive. Others see it as potentially divisive within communities. Some parents feel that primary catchment areas are irrelevant to arrangements for allocating secondary school places. Concern over the impact of sibling priority on this approach. Concerns about the impact of potential tie-breaks on rural and town children. | Removes distinction between town and rural areas | Some support from parents but some potential for challenge | Proportions need to be configured carefully. Concerns expressed by parents over the volatility of this approach year on year. Concerns about impact on travel patterns. Concern about breaking up of friendship groups | Parents have expressed concern over its complexity. Complicated to administer e.g. creates 34 waiting lists |
| 5. Banding by Ability | Not in breach of mandatory provisions of code | Difficult to model due to absence of appropriate testing regime. Geographical impacts not clear. | Likely to redistribute places across the area more widely but not clear to what extent. Impact of change therefore significant. Seen by some as more socially inclusive in achieving a wider spread of ability in each school. Parents concern that it would be divisive. Still requires a tie-break system to determine allocation which would make it a very complex system Heads' concern about educational and workload implications of a further set of tests. | Removes distinction between town and rural. Treats all children equally. | Very little support from parents. Considerable potential for challenge. | Impact on children, parents and schools of introduction of new testing regime. Impact on transition planning. Parents very concerned about additional pressure. | Serious concerns about the complexity from parents. Complicated and costly to administer. |
| 6. Random Allocation | Does not currently breach mandatory provisions of code but under | Impossible to model impact geographically. Could create different clusters each year. | Seen as technically fair but very likely to generate discontent as parents unhappy with chance playing a major role in the allocation of places. Likely to redistribute places across the area more widely. | Removes distinction between town and rural. Treats all children equally. | Potential for challenge if Secretary of State restricts its use | May not be retained as possible system for a whole area. Creates uncertainty for parents and removes their | Easy for parents to understand. Relatively easy to administer. |

| | Compliant with School Admission Code | Robust evaluation undertaken | Extent to which approach is fair and balanced | Extent to which approach is consistent | How resilient to challenge the approach would be | Whether the approach offers a sustainable solution | Secure and transparent operational procedures commanding public confidence |
|--|---|-------------------------------------|---|---|---|---|---|
| | review by Secretary of State | | <p>Significant impact on current pattern</p> <p>May be seen as more socially inclusive. Removes link between home address and school place allocation</p> | | | ability to plan. Makes transition planning difficult . Parental concerns over transport arrangements. | |

PROPOSED TWO ZONE PROPORTIONAL ALLOCATION

The key features of this system would be:

- to treat each of the two groups equally
- to take account of the respective sizes of the two cohorts
- to seek equity of outcome for the two groups

During the consultation we discussed the possibility of two zones, with percentages of places based upon the numbers of children in the two zones. We made it clear that other approaches could be taken. In listening to parents, reading responses, and coverage in the media, it is clear that there is a sense that it is the concept of “fairness” that drives many people’s responses. There is also clearly, after forty years, some degree of stability in the system, affected only recently by the nationally imposed changes in 2008, and the authority does need to be mindful of the potential destabilising effect of any changes it may seek to make.

In principle, under any proportional system the rural children would only have priority for the places available to children living in that zone. The town children would no longer be in the position of having their preferences considered only after those for the rural area had been addressed. Town children would be ‘competing’ against other children in the town area for the places available in that zone only. This would remove the absolute priority for places at all three schools for rural children, which the Adjudicator has said we must address as a minimum. However, it is important to consider how this would operate to ensure the setting of the proportions did not create unfairness in practice.

There are four approaches that could be taken to a Two Zone System.

Approach I

To split places at oversubscribed schools on the simple basis of the percentages of children transferring from the two zones (Town and Rural)

Based on the current total number of pupils in the Harrogate town and rural area allocating places on a strictly pro-rata basis between the town and rural area would give 85% of the places available at an oversubscribed school to children living in the town area and 15% to those living in the rural area. Looking ahead to forecast pupil numbers transferring to secondary school between 2010 and 2015 living in the town and rural areas this could move as far as an 88 / 12% split.

At **Harrogate Grammar**, the most oversubscribed school, an 85/15% split would translate into the following allocation, after places have been allocated to children who have a statement of special educational needs naming that school; looked after children and those with exceptional social or medical reasons (based on historical average percentages). Also shown is the position if this moves to an 88/12 split.

| | 85-15% Split | 88-12% Split |
|-------|--------------|--------------|
| Town | 211 | 218 |
| Rural | 37 | 30 |

Based on 2009 Year 7 pupil numbers this would represent a shift of between 45 and 52 places from children in the rural area to those in the town, a very significant change. As there is little movement of places after allocation date at HGS this would be felt as a real impact on rural children.

For **Rossett School** and **Harrogate High School** the current level of preferences allows for 100% of rural and town pupils to eventually be offered places, so the introduction of a proportional two zone system would in practice have no impact on our ability to meet parental preference within the shared area.

A proportional allocation would be likely in most years to need to operate for Rossett School at the time of allocation due to oversubscription until sufficient places become available after appeals and other movement. A proportional allocation system may result in a reduction in the number of places being offered to town pupils at the time of allocation (because those rural pupils who no longer have absolute priority for HGS may seek to take up more of the places that would be available to rural children at Rossett School than they currently do). There may also be a reduction in town parents naming Rossett as their highest preference because of the extra places which would be available at HGS to town parents. The 34% of town parents who currently name HGS as their highest preference may increase. This is speculative; the impact on parents' preferencing behaviour is impossible to predict with any degree of certainty.

Harrogate High has not been oversubscribed in recent years and has surplus capacity. It can therefore meet all preferences. However, in principle if the school were oversubscribed in future a 15% / 85% split would result in a similar distribution of places between the town and rural children as at Rossett and Harrogate Grammar.

The impact on parents who live in the rural area of moving to a strictly pro-rata allocation is significant due to the loss of places that would result. It would significantly affect the extent to which the authority would be able to meet this group of parents' preferences. They have a long established preference for Harrogate Grammar School. On average 58% of rural parents currently name the school as their highest preference.

Some adjustment of the proportions could reduce the impact of this change and afford some protection to those living furthest away from the schools. It would address the County Council's responsibility to have regard to the impact of policy changes on rural communities and take account of the comments made by the Schools Adjudicator on the same issue. However, care would be needed in seeking to set an alternative proportion to ensure that we avoid creating the sort of unconditional or disproportionate priority for any group of children which the current system gives to the children in the rural area. Even where unconditional priority is avoided there would need to be strong justification for weighting the proportions to ensure it could be robustly defended against challenges from parents living in the town area who may feel that any weighting is disproportionate to the disadvantage which the rural children have due to distance from all of the schools.

The key to this, therefore, is to find a methodology which achieves as far as possible a more equitable position for the two groups of children.

Approach 2:

To use weighted proportions

The impact of the change in the rules in 2008 combined with increased pupil numbers has resulted in the following average proportional split of places at HGS since 2008.

| Area | Average proportional split 2008 and 2009 | Places at HGS |
|-------|--|---------------|
| Town | 65% | 167 places |
| Rural | 32% | 81 places |

The remaining places were allocations made on the grounds of special educational needs, to children in public care, and those with particular social or medical needs.

On average this has meant around 26 fewer places going to town children each year since 2008 compared with the previous 5 year average. Within this about 9 places on average are attributable to the 2008 'equal preference' change and about 17 places are due to the increased size of the rural cohort.

Before 2008 when only the first preferences of the the rural children were met the five year average proportional split for Harrogate Grammar School was:

| Area | Average proportional split Pre 2008 | Places at HGS |
|-------|-------------------------------------|---------------|
| Town | 76% | 188 places |
| Rural | 24% | 60 places |

If it is thought reasonable to seek a solution which weights the proportional split to reflect the pre-2008 position for rural pupils but without affording them absolute priority, a 24 / 76% split might seem reasonable. It would have the effect of 're-setting' the position to pre-2008 levels which resulted from a system which was perceived by the Schools Adjudicator and many parents to be fair. At 24% we would in most years be able to satisfy only a number of rural preferences which would be equivalent to the previous number of first preferences expressed. If this preferencing pattern continued, some rural preferences would be likely not to be met each year.

However, setting the proportion at this level could result in a situation where in some years we might be able to meet all preferences. This may be perceived as re-creating absolute priority for children living in the rural area in some years. This scenario appears quite likely based on the five year cohort forecasts where the proportion of rural children could fall as low as 12%. However, rural parents would not be able to rely on the certainty of this on a permanent and ongoing basis as they currently can.

A weighted proportion would remove the absolute certainty of a place for all rural children and provide a number of additional places to town children. The challenge is how to set an appropriate level of weighting. In principle the rural proportion would have to be set very low or at variable levels to avoid any possibility of giving absolute certainty of a place to all rural children in any year, so the scope for weighting may be limited if this were to be one of the parameters.

Setting the proportions at around 20/80 would provide 198 places at Harrogate Grammar to the town zone and 50 places available to the rural zone. This would represent a shift of around 32 places in favour of town children compared with 2009 allocations. This would allocate at least as many places to town children as were available to them on average before the law changed, based on five year's pre-2008 data (with the exception of 2004 which had a very small cohort which resulted in 210 places being offered to town children that year).

The following table illustrates the potential impact on the number of places available at Harrogate Grammar School to town and rural children based on increasing the rural proportion by single percentage points. Clearly the scale of the impact depends on where this level is set.

Indicative Impact of Proportional Allocation on HGS places

| %Rural | %Town | Rural Places | Town Places | Shift from Rural to Town compared with 2008/9 average |
|--------|-------|--------------|-------------|---|
| 12 | 88 | 30 | 218 | 51 |
| 13 | 87 | 32 | 216 | 49 |
| 14 | 86 | 35 | 213 | 46 |
| 15 | 85 | 37 | 211 | 44 |
| 16 | 84 | 40 | 208 | 41 |
| 17 | 83 | 42 | 206 | 39 |
| 18 | 82 | 45 | 203 | 36 |
| 19 | 81 | 47 | 201 | 34 |
| 20 | 80 | 50 | 198 | 31 |
| 21 | 79 | 52 | 196 | 29 |
| 22 | 78 | 55 | 193 | 26 |
| 23 | 77 | 57 | 191 | 24 |
| 24 | 76 | 60 | 188 | 21 |
| 25 | 75 | 62 | 186 | 19 |
| 26 | 74 | 64 | 184 | 17 |
| 27 | 73 | 67 | 181 | 14 |
| 28 | 72 | 69 | 179 | 12 |
| 29 | 71 | 72 | 176 | 9 |
| 30 | 70 | 74 | 174 | 7 |
| 31 | 69 | 77 | 171 | 4 |
| 32 | 68 | 79 | 169 | 2 |

A weighted proportion could be:

- a fixed percentage split which could operate for a number of years with a commitment to some form of regular review
- based on the actual pro-rata split for that whole year group with the addition of an additional percentage (fixed or variable) to afford some protection for the children in the rural area
- based on reserving a fixed number of school places for rural children combined with a strict pro-rata allocation of the remaining places.
- tied to the actual pro-rata split based on the cohort that year
- a fixed number of places available to each zone based on weighted proportions averaged over a number of years.

Each of these approaches could be vulnerable to shifts in proportion of pupils between the town and rural area e.g. a fixed number of places would become a greater proportion of the total if rural proportions fell. Using fixed numbers has the drawback that any increase in town children would erode the advantage to the rural area that year and vice versa. These approaches make it difficult to give parents the sense that they are in a position to take informed judgements about preferencing schools. So it may fall short against a number of our key principles.

A further difficulty might arise in a year when pupil numbers are generally low that the number of places available to the rural area at a particular school would be lower than the number of children expressing a preference. This may be seen to recreate a de-facto priority for the rural children and could be challenged.

Approach 3**To use a proportionate split which aims to achieve parity of parental preferences met**

One of the issues that has emerged from the consultation is that parents have concerns about the inequality that exists in the current system regarding the relative proportion of parents in the town and rural areas who are allocated places at their most preferred school. There is also the need to consider the potential impact on overall preferences met since this is key to complying with the School Admissions Code which is one of our key principles. Parents have said they would not consider fair a system which delivers fewer first preferences than the current arrangement.

The current system has resulted in an average 88% of parental first preferences met across the three schools, which is around 74% for Harrogate Grammar School. This conceals a different rate of 'success' for rural and town parents. In 2008 for rural parents, in respect of Harrogate Grammar, this was 100% for rural children whereas for parents in the town it was 64%.

It would seem reasonable to attempt to set the proportional split of places for rural and town children in such a way that seeks to equalise this position across the area as far as possible, so that rural and town parents can expect a similar outcome in terms of the extent to which their preferences are met. Being able to demonstrate that the system seeks to achieve parity of parental preferences may help to meet many parents' test of fairness. Seeking the most equitable solution may help to establish some common ground among parents.

Based on the 2008 cohort the proportional split of places between rural and town would have had to be set at the level of 22% rural to 78% town in order to achieve approximate parity between the two groups. That is to ensure that both groups had 74% of their first preferences met. This compares to the actual outcome which saw rural parents offered 32% of the places because we also met a number of lower preferences in the rural area creating a significant gap in parity (100% rural, 64% town). A 22% / 78% split would have given 55 places at HGS to the rural area and 193 to the town, which would have represented a shift of about 20 more places going to the town area compared with the actual outcome.

Allocating any more than 29% of the places to the rural area that year would have given that group 100% of their first preferences. In the event the rural proportion was pushed up to 32% of the places because of the impact of successful lower preferences.

What this demonstrates is that the 15% / 85% split that represents a straightforward pro-rata allocation would actually have reduced the rural parents' first preferences met to 50% whilst giving the town 80% of theirs. This has the appearance of creating inequity between the rural and town children, but in the opposite direction to the current position. In effect the impact of a strict pro-rata allocation would be to swing the pendulum too far in favour of the town area. This may not meet the test of 'rural proofing' the policy nor does it have the general appearance of fairness.

Looking at 2009 pupil numbers the proportion would have had to be nearer to 24% / 76% to achieve parity. This would achieve 79% first preferences met in both town and rural areas. At 14% / 86%, which is the actual pro-rata split of the cohort, the town parents would have had more than 90% of their preferences met compared with only 48% for the rural parents. In terms of places, the 24% / 76% split would have given about 17 more places to the town area than they actually were given that year.

Modelling this for the next five years using the predicted cohort figures it appears that parity of preferences would be achieved in the range of 20-24% rural, 76-80% town. Taking account of the past two years' actual pupil data and forecast pupil data across the town and rural areas until

2015 it is possible to arrive at an average 21% / 79% split which might represent an equal balance between the preferences we could meet within the two zones. This could offer a solution to the setting of the proportions for a number of years which would offer a degree of stability that parents could understand and plan around. It would allow the authority to publish details of the proportional split at the time the arrangements were determined each year which could stand for a number of years.

Were Members to agree to adopt a fixed proportion it would be wise to include a commitment to review the position after a number of years to monitor the impact of the policy in practice in the meantime. This is important because the above analysis assumes that the same proportion of the total town and cohort group that currently preference Harrogate Grammar first would continue to do so. At present 34% of town parents name Harrogate Grammar as their first choice compared to 58% from the rural area – this is the reason why a strict pro-rata split based purely on the size of the cohort will not achieve parity of first preferences met. It means that the model is vulnerable to changes in popularity between the schools. We cannot predict the impact that a change in the arrangements may have on patterns of parental behaviour.

If the proportion of parents in each area naming the school as highest preference changes it will impact on the point at which parity would be achieved. It is vulnerable to relatively small percentage shifts. For example an increase of 10% of town applicants and 5% fewer rural applicants in a year would push the point at which parity was reached down to a 15% / 85% split for example. The more equal the proportion of parents naming a school as first preference between the two zones, the nearer to a straight pro-rata division of places would be needed to achieve parity. If there was a significant shift in the town of first preferences for Harrogate Grammar this could result in a significant loss of places to the rural area. The probability of this happening may depend on a number of factors including parents' perceptions of the likelihood of success under this system.

At first glance it might seem that an argument could be advanced for setting a variable proportion each year based on the predicted point of parity for that particular year i.e. introducing 'parity of preference' into the annual calculation. However, actually setting the proportional split with reference to parity depends on using numbers of first preferences expressed. This has the feeling of being inconsistent with a system of allocating places which is based on equal preferences. Therefore the issue of parity of preferences might more properly be seen as a way for the authority to test how fair in practice a proportional split at a particular level appears to be, rather than as something which should be built into the methodology by which places are allocated each year.

Approach 4

To change the zones to arrive at a different balance of children from the two areas

As an alternative to weighting the proportions it would be possible to change the boundary between the town and rural zone to take in more of the rural area so that children in some areas would benefit from being able to access the increased number of places available. It would also be possible to increase the number of zones beyond two. However, there is no basis on which to do either of these things which has any rational justification. An arbitrary change would leave the system vulnerable to challenge.

Parental responses are indicating a greater degree of support for two zones and some considerable concerns over the complexity of the multiple zone option, which would also be much more complex to administer.

| |
|---|
| Sibling priority and tie breaks: |
|---|

The only tie-breaks which appear appropriate for a proportional solution are siblings, distance or random allocation.

To be consistent with the approach taken elsewhere in the County and to reflect the stance taken on siblings in the Admissions Code it would seem reasonable to give siblings priority within each of the town and rural zones (and then within the out-of-area priority group).

Considerable support for retaining sibling priority has been expressed during the consultation so far. However it should be noted that the number of siblings that would benefit from this may limit the effect that the additional places produced by this system would have on town parents in terms of the additional addresses that would be brought into the area where places at HGS may be offered.

Tie-Breaks

A tie break would be needed to determine which children within each zone are offered places.

It is considered that in order to meet the key principle of consistency that the same tie-break should apply to the town area as to the rural area and that anything else would be inequitable.

A lottery tie-break would have the effect of dispersing the rural places across the rural zone to some extent, potentially affording some protection to the children living furthest away. Using random allocation in the town would tend to share the places out more evenly across primary school catchments. This may advantage parents living in the town area furthest from HGS who do not currently have the opportunity of a place at the school. It would be likely to result in a far greater re-distribution of places compared with the current system so may satisfy concerns about the social/economic mix of pupils. However, some children living very close to a school may lose their existing priority for places. This approach may also generate concerns about children being able to walk to their nearest school which has come across very strongly during the consultation so far.

If random allocation is used across town and rural areas it would essentially be the means by which all school places are allocated at oversubscribed schools and as such may fall foul of the Secretary of State's view that this approach should be a system of last resort and one which should not be responsible for allocating all places. Parents have expressed very strong opposition to it in the consultation responses so far, although there are notable exceptions where individual parents have said they feel it is the only fair system.

The lack of support for it across the area, the uncertainty over its future as a potentially fair system and the major impact it would have in redistributing places across the town suggest it would not be a sustainable solution.

A distance tie-break would have far less impact on the current pattern within the town. The distance from HGS would be pushed out a little due to the additional places. However, it would not give other parents in the town area any increased opportunity for a place at an oversubscribed school.

Similarly a distance tie-break applied to the rural area would create an area at the furthest point of the rural area where no child would be likely to be offered a place. Children in this area would in essence be in the same position as those in the town area who are too far away to be offered a place and they would have similar opportunities for places at other schools. In that sense it is an even-handed approach particularly if linked with some degree of weighting for rurality which provides some mitigation of the distance disadvantage of the rural area whilst avoiding the unconditional advantage which was created by the 2008 changes.

On balance although both tie-break solutions have their drawbacks it appears that the use of distance would be the fairer and most robust tie-break which could be applied consistently across the entire area.

Unallocated places in either priority group would be assigned to the other group before giving priority to children from outside the shared catchment area.

Waiting Lists

In effect two waiting lists would be required (or three including the one for those children living outside the shared area) in order to allow rural places which became free after allocation date to be allocated to rural children (and town places for town children) up to the maximum places available for that zone.

**PROPOSED ADMISSIONS CRITERIA FOR HARROGATE HIGH SCHOOL,
HARROGATE GRAMMAR SCHOOL AND ROSSETT SCHOOL**

Children with a statement of special educational need naming that school will be allocated a place in line with section 324 of the Education Act 1996

- Priority 1 Children and young people in public care for whom the school has been expressed as a preference
- Priority 2 Children the Authority believes have special social or medical reasons for admission
- Priority 3 Children living in the Harrogate rural zone and Harrogate town zone
- Priority 4 Children living outside the Harrogate rural and Harrogate town zones

If there are not enough places for all children in Priority 3 at any of the three community secondary schools in Harrogate places will be allocated on the following basis:

Once places have been allocated to those with a statement of special education need and those in priority groups 1 and 2, the remaining places will be allocated on the basis of 21% of places being available to children living in the Harrogate rural zone and 79% of places being available to children living in the Harrogate town zone.

Unallocated places in either of the Priority 3 zones would be assigned to the other zone before giving priority to children from outside the Harrogate zones.

Tie break:

If there are not enough places for all of the children in one of these priority groups we will give priority first to those with a sibling at the school in September 2011.

Within Priority 3, town children with a sibling will have highest priority for town places and rural children with a sibling will have highest priority for rural places.

If, within each Priority 3 zone, there are not enough places for all those with a sibling at the school in September 2011, we will give priority within that zone to those children living nearest the school.

Priority will then be given within each zone to Priority 3 children without a sibling at the school but who live nearest to the school.

If, within Priority 4, there are not enough places for all those with a sibling at the school in September 2011, we will give priority to those children living nearest the school. Priority will then be given to Priority 4 children without a sibling at the school but who live nearest to the school.