

# North Yorkshire County Council

## Executive

11 January 2022

### School Admission Arrangements for the School Year 2023/24

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

#### 1.0 Purpose of Report

- 1.1 To seek views from Members on the response to the proposed admission arrangements for Community and Voluntary Controlled schools for the school year 2023/24 and to seek approval for recommendation to the County Council for determination.

#### 2.0 Background

- 2.1 Under his delegated decision making powers in the Officers’ Delegation Scheme in the Council’s Constitution, the Chief Executive Officer has power, in cases of emergency, to take any decision which could be taken by the Council, the Executive or a committee. Following on from the expiry of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, which allowed for committee meetings to be held remotely, the County Council resolved at its meeting on 5 May 2021 that, for the present time, in light of the continuing Covid-19 pandemic circumstances, remote live-broadcast committee meetings should continue (as informal meetings of the Committee Members), with any formal decisions required being taken by the Chief Executive Officer under his emergency decision making powers and after consultation with other Officers and Members as appropriate and after taking into account any views of the relevant Committee Members. This approach will be reviewed in February 2022.
- 2.2 As the Admission Authority for all Community and Voluntary Controlled schools in North Yorkshire, the local authority consults annually on admission arrangements. The local authority is currently required to determine its admission arrangements, which includes admissions policy and admission limits, annually by 15 April each year. When changes are proposed to admission arrangements, all admission authorities must consult by 1 March. Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities must consult on their admission arrangements at least once every seven years, even if there have been no changes during that period.
- 2.3 Consultation must last for a minimum of six weeks and take place between 1 October and 31 January in the determination year. This means that schools are consulted in the autumn term each year for admissions nearly two years later. The process is therefore, based to some degree on schools’ best estimates of the numbers of requests for places informed by the local authority’s forecasting model, which takes into account the patterns of parental preference over the years. Since the Council is the only body that may determine the matter, it falls to the Council in February each year.
- 2.4 The Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999 (SI 1999 No. 124) require local authorities to determine relevant areas for consultation on admission arrangements. The relevant areas for schools maintained by North Yorkshire County Council are as follows:
- For Community and Voluntary Controlled Schools, the relevant area for consultation is the entire County of North Yorkshire, plus the City of York and the area of Bradford Metropolitan Authority served at secondary level by South Craven School.

- For Voluntary Aided, Foundation, Trust Schools and Academies the relevant area for consultation is North Yorkshire County Council and admission authorities within a radius of 3 miles of the school, including admission authorities in neighbouring local authority areas.

2.5 It is proposed that the relevant areas for consultation remain unchanged.

2.6 Consultation has taken place with the headteachers and governors of three Nursery Schools, 302 Primary schools (93 Community, 86 Voluntary Controlled (VC), 24 Voluntary Aided (VA), 76 Converter Academy Schools, 20 Sponsored Academy schools, two Free Schools and one Foundation Trust). The local authority also consulted 43 Secondary schools (14 are Community, one Voluntary Aided (VA), 19 Converter Academy Schools 8 Sponsored Academy Schools and one Free School), parents and other groups in the local area, the 13 neighbouring authorities, and with the relevant diocesan authorities. The consultation took place between 11 October and 3 December 2021 and was published on the NYCC website; all schools are asked to display a poster promoting the consultation and providing a link to the consultation and giving details of how to obtain a hard copy of the consultation documents. The County Council undertook a social media campaign with the aim of promoting the consultation more widely to raise awareness and give people an opportunity to engage.

2.7 At the closing date of 3 December 2021 a total of 214 responses (all of which were from schools) had been submitted. The majority of responses were in respect of the published admission numbers (PAN). Any Member wishing to see the detail of a response from a school in their area may do so by contacting the Admissions Team at [schoolorganisation@northyorks.gov.uk](mailto:schoolorganisation@northyorks.gov.uk)

2.8 Schools were asked to express their agreement or otherwise with the proposals relating to their own proposed Published Admission Number (PAN), the proposed admissions policy for Community and Voluntary Controlled schools, the proposed admissions policy for Nursery schools and classes, pre-reception classes and pre-schools under school governance. In addition, they had the opportunity to make any other comments. Not all school respondents commented on every proposal within the consultation.

2.9 As in previous consultations it has been seen that many consultees simply respond to the agree/disagree questions. In an effort to encourage greater interaction with the wider range of consultees, all respondents were asked to put forward comments on any aspect of the consultation. The Local Authority received no comments.

2.10 There are three key areas to the consultation, details of which are set out below:

### **3.0 Admission Policy**

3.1 Admissions policy (criteria for determining admissions where schools are oversubscribed):

- The proposed admission policy for community and voluntary controlled schools, and the proposed policy for nursery schools and schools with nursery and pre-reception classes have been amended in line with the School Admissions Code 2021. The change is to award children who appear (to the admissions authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted, the highest priority, along with looked after and previously looked after children. The priority for children in state care outside of England was originally priority two. The priority numbers have been realigned to reflect this change.
- The format of Ripon Grammar School's boarding oversubscription criteria has been updated and incorporated into a table format within the admissions policy.

3.2 A total of 214 schools responded to the proposed Admission Policy for Community and Voluntary Controlled Schools. No comments were received regarding the proposed policy.

3.3 A total of 214 schools responded to the proposed Admission Policy for Nursery Schools, Schools with Nursery and Pre-reception classes.. No comments were received regarding the proposed policy.

#### **4.0 Published Admission Numbers (PAN)**

4.1 The proposed Published Admission Numbers (PAN's) for 2023/24 are attached at appendices 4 and 5. The County Council sets the admission limits of Community and Voluntary Controlled schools in consultation with the governing body of the school.

4.2 An own admission authority school (Voluntary Aided, Foundation, Trust Schools, Academies or Free Schools) is not required to include a proposal to increase or keep the same admission number in any consultation on admission arrangements. Conversely, all admission authorities must consult if they propose a decrease in PAN. As the admission authority for a community or voluntary controlled school the local authority **must** consult the governing body of each school whether it proposes to increase, decrease or keep the same admission number. Community and Voluntary Controlled schools have the right to object to the Schools Adjudicator if the PAN set for them is lower than they would wish.

4.3 The Authority has consulted with the governing bodies of all community and voluntary controlled schools as part of this annual consultation process. There are 194 Community and Voluntary Controlled schools of which 117 agreed, six requested a PAN change and 71 schools didn't respond. Of the six requesting a change the authority has been able to agree all of them.

4.4. The local authority is responsible for school place planning across the whole of the county and must ensure that there are sufficient school places for every child of statutory school age. This means that schools cannot be considered in isolation, and the wider impact of any change in admission numbers must be taken into consideration.

#### **5.0 Co-ordinated Admission Arrangements**

5.1 All admission authorities must participate in co-ordination and provide the local authority with the information it needs to co-ordinate admissions for the normal admission rounds by the dates agreed within the scheme. There is no longer a mandatory requirement that local authorities undertake in-year co-ordination on behalf of all schools within their area and in liaison with their neighbouring LA's. This does not mean that local authorities cannot propose to continue to do so within their own local area. The Co-ordinated Admission Arrangements Scheme (Appendix 1) proposes the retention of in-year co-ordination of admissions by the local authority. As the number of own admission authority schools increases parents may find it increasingly difficult to navigate a system which is fragmented in terms of numbers of admission authorities, proliferation of different admissions criteria and a lack of clarity about where accountability sits for securing their rights.

5.2 It is proposed that within North Yorkshire the local authority will continue to co-ordinate in-year admissions for all community and voluntary controlled schools. In order for the scheme to operate effectively across all schools, including own admission authority schools, it is proposed that the local authority will also continue to co-ordinate in-year admissions on behalf of the governing bodies of own admission authority schools which elect to be party to the scheme. It is considered that as the admission authority for community and voluntary controlled schools the local authority should retain responsibility for in year co-ordination within these schools and in the interests of parents and children it is proposed to continue to deal with in year admissions for all own admission authority schools which request us to do so.

5.3 The School Admissions Code states that 'local authorities must, on request, provide information to a parent about the places still available in all schools within its area. Any parent can apply for a place for their child at any time to any school outside the normal admission round.

5.4 Own admission authority schools must, on receipt of an in-year application, notify the local authority of both the application and its outcome, to allow the local authority to keep up to date figures on the availability of places in the area.

5.5 Of the 214 school respondents, no schools made comment in respect of the proposed arrangements. No responses have been received from any of North Yorkshire's neighbouring LA's.

## **6.0 General Comments**

6.1 All schools were given the opportunity to submit any general comments in relation to the consultation, the majority of schools did not do so.

## **7.0 Legal Implications**

7.1 The consultation on proposed admissions arrangements for 2023/24 is in accordance with the requirements of the School Admissions Code 2021 and associated legislation. Failure to comply with admission arrangements as determined can lead to challenge by way of objections to the Schools Adjudicator or complaints to the Local Government Ombudsman.

7.2 The authority has considered that if the recommendations are accepted they have universal application, and therefore no adverse impacts upon any person or groups who have protected characteristics under the Equality Act 2010.

<p><b>8.0 Recommendations</b></p> <p><b>8.1</b> Executive Members are asked to recommend to the Chief Executive Officer that using his emergency delegated powers he recommend the Admission Arrangements for approval to full Council at its meeting on 16 February 2022, to include:</p> <ul style="list-style-type: none"><li>• the proposed co-ordinated admission arrangements appendix 1</li><li>• the proposed admission policy for community and voluntary controlled schools appendix 2</li><li>• the proposed admission policy for nursery schools, schools with nursery classes and pre-reception classes, appendix 3</li><li>• the proposed published admission numbers (PAN's) for community and voluntary controlled schools as shown in appendices 4(Primary) and 5 (Secondary)</li></ul>
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COUNTY HALL  
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January 2022

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### **Relevant Legislation**

- School Admissions Code 2021
- The Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999 (SI 1999 No. 124)

### **Appendices**

Appendix 1 - proposed co-ordinated admission arrangements scheme

Appendix 2 - proposed admission policy for community and voluntary controlled schools

Appendix 3 - proposed admission policy for nursery schools, schools with nursery classes, pre-reception classes and school run pre-schools under school governance

Appendix 4 - proposed PAN's – primary

Appendix 5 - proposed PAN's – secondary