



Leicester
City Council

**WARDS AFFECTED:
ALL WARDS (CORPORATE ISSUE)**

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

CABINET

9 April 2001

SCHOOL ADMISSION ARRANGEMENTS FOR SEPTEMBER 2002

Report of the Director of Education

SUPPORTING INFORMATION

1. Report

- 1.1 The Authority is required by law to consult every year about its school admission arrangements.
- 1.2 There was only one proposal for change to the published admission arrangements for September 2002. Views were sought on the proposal to add an additional criterion for over subscribed schools to give a higher priority to pupils with a statement of Special Educational Need (SEN):

Pupils with a statement would have second priority for a place at an over subscribed school, after pupils living in the priority area of a school and before pupils with siblings.

Rationale for Proposal:

- 1.3 Approximately 200 pupils with statements transfer from primary to secondary mainstream school each year. The parents of pupils with statements do not have the right of appeal to local independent appeal admission appeal panels but must appeal to the SEN Tribunal, even where this related to school preference. There is, typically, a period of 4-5 months between parents lodging an appeal with the SEN Tribunal and the hearing date. When parents do appeal to the SEN Tribunal for a place at their preferred school, the decision often comes after the start of the autumn term. Pupils have, in the past, missed out on induction and in some cases, the beginning of term at their new school. This change would help to improve planning and induction for this small but educationally vulnerable group of pupils at the point of transfer between phases.

- 1.4 The Government is proposing new regulations which would require changes to a child's statement for transfer from primary to secondary school to be completed by 15 February each year for the following September. However, Tribunal decisions are still likely to come after local appeal panel decisions and after secondary schools have started their programme of visits and induction. In Leicester in the last two years, the SEN Tribunal has decided in favour of parents in all but one of 12 appeals, which relate to mainstream school preference. This experience is not unique to Leicester and is the same in Leicestershire and other LEAs.
- 1.5 The proposed change should reduce the need for parents to appeal to the SEN Tribunal. This would significantly reduce the stress for parents of this small group of educationally vulnerable pupils and reduce the professional and administrative time currently spent on preparing and presenting appeals to the SEN Tribunal.
- 1.6 These changes would not affect the normal arrangements for consulting schools about being named on a child's statement. As at present the Authority would continue to need to decide whether a mainstream school was appropriate and, in for example the case of pupils with particular physical difficulties, whether the parents' preferred school was appropriate. The number of pupils with statements who are unsuccessful in their mainstream school preference each year and who have recourse to appeal is relatively small (an average of 6 each year). Although the change would be very significant in respect of the individual children and their families it is unlikely to have a major impact on the distribution of pupils with statements across all mainstream schools. Annex 2 sets out the current distribution of City pupils with statements across all secondary schools. It will be noted that the more popular schools in the schools have generally lower numbers of pupils with statements. Although the effect is likely to be marginal, it may contribute to a more even distribution of pupils with statements across secondary schools. The effects of this change to the admission arrangements on secondary schools would need to be monitored carefully. It is unlikely to have any significant impact on primary schools.
- 1.7 If pupils with statements were allocated a place early in the process it would help limit the extent to which popular schools were obliged to admit pupils over their published admission number because of later Tribunal decisions. Albeit on a small scale, the change would in this way help in the management of school places. Bringing forward decisions about school places for this small group of pupils would also improve the accuracy of the data about pupils with statements used to allocate resources to schools.
- 1.8 The table below sets out the current and the proposed oversubscription criteria for school admissions:

Current oversubscription criteria:

- (i) First preferences from within the priority area.
- (ii) First preferences for siblings.
- (iii) First preferences from the areas of 'linked' or closed schools (specified secondary schools only).

- (iv) First preferences on the grounds of child protection.
- (v) First preferences on denominational grounds (Voluntary Controlled CE Primary schools only).
- (vi) First preferences on the grounds of distance in a straight line.
- (vii) Second Preferences (in the same order as above)
- (viii) Third preferences (in the same order as above)

Proposed oversubscription criteria:

- (i) First preferences from within the priority area.
- (ii) First preferences for siblings.
- (iii) First preferences for pupils with statements
- (iv) First preferences from the areas of 'linked' or closed schools (specified secondary schools only).
- (v) First preferences on the grounds of child protection.
- (vi) First preferences on denominational grounds (Voluntary Controlled CE Primary schools only).
- (vii) First preferences on the grounds of distance in a straight line.
- (viii) Second Preferences (in the same order as above)
- (ix) Third preferences (in the same order as above)

2 Research

- 2.1 The proposal is consistent with changes proposed by Leicestershire County Council and shared through the County and City Admissions Forums.

3 Consultation

- 3.1 All schools in the City together with the Diocesan Boards of Education, schools outside the City boundary within the relevant area, professional associations and other agencies represented through the Admissions Forum were consulted about this possible change.

- 3.2 The results of consultation are set out below.

Type School	Broadly Agree	Disagree	Other
Primary	24	6	1
Primary VA	3	1	0
Special	2	0	0
Secondary	2	4	1
Secondary VA	0	0	0
Other	6	5	1
Total	37	16	3

- 3.3 Consultees were also invited to suggest where the new priority criteria should be ranked were it to be introduced.

Type School	Priority Criteria						
	One	Two	Three	Four	Five	Six	Not recorded
Primary	3	3	14	4	4	0	3
Primary VA	1	0	1	0	0	1	1
Special	0	0	1	0	0	0	1
Secondary	0	1	3	0	0	0	2
Secondary VA	0	0	0	0	0	0	0
Other	1	0	4	1	0	0	6
Total	5	4	23	5	4	1	13

- 3.4 As the tables clearly indicate a significant majority of schools support the inclusion of the proposed additional criterion. Of those who supported inclusion of the new criterion in principle, a significant majority considered that it should be included as the third priority over-subscription criterion.
- 3.5 Consultees were also asked whether they wished to comment on the proposed change to the over subscription priority criteria. Examples of schools responses can be found in Annexe Two.

4 Financial Legal And Other Implications

Financial Implications

- 4.1 There are no financial implications arising directly from this report.

Legal Implications

- 4.2 The School Standards and Framework Act 1998 provides that admission arrangements must be reviewed on an annual basis. The Act and Regulations prescribe a consultation and determination process which must be followed. The consultation has been carried out consistently with that process.

4.3 Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph References within this report
School Improvement	Yes	1.3
Equal Opportunities	Yes	1.3 & 5
Policy	Yes	1.2 & 5
Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	Yes	1.2 , 1.3 & 5

5. Recommendations

- 5.1 To change the published admission over-subscription priority criteria to include pupils with a statement as the third priority criterion, after those living in the priority area and those who have a sibling at the same school, with effect from September 2002.

6. Background Papers – Local Government Act 1972

- 6.1 The Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999
- 6.2 The Education (Determination of Admission Arrangements) Regulations 1999

7. Reasons for Treating the Report as Not for Publication

The report may be published.

ANNUAL CONSULTATION ABOUT SCHOOL ADMISSION ARRANGEMENTS

1. Purpose of consultation

- 1.1 The Authority is required by law to consult every year about its school admission arrangements. I would be grateful if you would please use the attached reply form for your response. You are welcome to include any continuation sheets or additional information as you wish. Responses should be returned to Louise Bath (Service Manager Admissions & Exclusions) at Marlborough House by 28 February 2001.

2. First-time Admissions

- 2.1 A formative consultation was carried out during the summer term 2000 setting out a range of options for simplifying the current arrangements. The option, which attracted the highest level of support, was to move towards a single date of admission at the beginning of the autumn term after pupils' 4th birthday. The issues surrounding a major change to the first-time admission arrangements are complex. These will be the subject of further, formative consultation during the spring and summer term 2001 with a view to setting out firm proposals during the autumn term 2001. A summary report of the outcome of the consultation, together with a planned programme of development will be circulated shortly. **The earliest possible date for implementing any change would be September 2003.**

3. Proposed Change

- 3.1 There is only one proposal for change to the published admission arrangements for September 2002. Your views are sought on the proposal to add an additional criterion for over subscribed schools to give a higher priority to pupils with a statement of Special Educational Need (SEN):
- 3.2 **Pupils with a statement would have second priority for a place at an over subscribed school, after pupils living in the priority area of a school and before pupils with siblings.**

4. **Rationale for Proposal:**

- 4.1 Approximately 200 pupils with statements transfer from primary to secondary mainstream school each year.
- 4.2 The parents of pupils with statements do not have the right of appeal to local independent appeal admission appeal panels but must appeal to the SEN Tribunal, even where this related to school preference.
- 4.3 There is, typically, a period of 4-5 months between parents lodging an appeal with the SEN Tribunal and the hearing date.

- 4.4 When parents do appeal to the SEN Tribunal for a place at their preferred school, the decision often comes after the start of the autumn term. Pupils have, in the past, missed out on induction and in some cases, the beginning of term at their new school.
- 4.5 The Government is proposing new regulations which would require changes to a child's statement for transfer from primary to secondary school to be completed by 15 February each year for the following September. However, Tribunal decisions are still likely to come after local appeal panel decisions and after secondary schools have started their programme of visits and induction.
- 4.6 In Leicester in the last two years, the SEN Tribunal has decided in favour of parents in all but one of 12 appeals, which relate to mainstream school preference. This experience is not unique to Leicester and is the same in Leicestershire and other LEAs.
- 4.7 These changes would not affect the normal arrangements for consulting schools about being named on a child's statement.
- 4.8 If pupils with statements were allocated a place early in the process it would help limit the extent to which popular schools were obliged to admit pupils over their published admission number because of later Tribunal decisions.
- 4.9 The change would help to improve induction for pupils with statements transferring between phases.

SUMMARY OF COMMENTS

1.0 Inclusion of pupils with a statement as the second priority category for admission to over subscribed schools

1.1 Consultees were asked to comment about the proposed change to the over subscription priority criteria. Of those schools, Governing Bodies and other groups that responded, fifteen commented upon the proposed changes.

1.2 The file containing all the responses to the consultation is available in the Members' Area.

2.0 Should pupils with a statement be included as a priority category for over subscribed schools?

2.1 "Would speed up the process of SEN Tribunal – but not above siblings. "

Avenue Infants School

2.2 "Current 2 should stay as siblings. Don't mind it being new 3. "

Crown Hills Community College

2.3 "Over subscribed school – have large class sizes already. It would be inadvisable to exacerbate the situation, as this would be to the detriment of both the special needs child and also the children presently at the school.

It would be very unfair to split families with siblings already at the school. "

Montrose Primary School

2.5 "I would prefer to see an improvement in the time taken by SEN Tribunal to make decision about SEN children. Children with statements could still be allocated a school place early in the transfer process. "

Anon.

2.6 "(a) It could lead to schools with effective SEN departments gaining excessive numbers of statemented pupils. i.e over 5% of intake.

(b) It will be unpredictable in terms of the delegated SEN mainstream statemented budget.

(c) It has the obvious possibility of creating a backlash amongst parents against pupils with statements who are getting preference whilst having no previous links with the school. "

TCC Teachers Panel

- 2.7 “Broadly agree but think it should come after pupils with siblings. Schools could be put in the position of losing older siblings if they cannot take younger ones because of priority being given to a pupil with a statement. “

Caldecote Infant School

- 2.4 Sibling connection should remain second priority. “

Alderman Richard Hallam Primary School

- 2.8 “The governing body of Beaumont Leys School is totally opposed to a Statement of Special Educational Needs being a major criterion for out of priority area admissions; the education of statemented children should be dealt with on a city-wide basis. The claims of siblings to join their brothers/sisters should be affirmed as paramount for out of priority area admissions. “

Beaumont Leys School.

- 2.9 “We broadly agree, but only with a key proviso that appropriate funding be available for a student with a statement. This means having a different basis for funding special needs compared with that which appears to be the new education policy within the LEA. How can a formula driven finance package take this type of situation into account. If such funding is not available we disagree.”

City of Leicester School

3.0 Other Issues

- 3.1 Consultees were asked to identify any other issues they believed relevant should the consultation process result in pupils with statements being included as an over subscription priority criteria.

- 3.2 “Liaison with feeder school/parents is needed as soon as possible if late admissions occur. The school needs to have appropriate physical environment for certain students – this also needs to be taken into account. For example, the physical size of the site and lack of access to many classrooms. “

City of Leicester School

- 3.3 “There should be some central monitoring to ensure that some schools are not over subscribed with SEN pupils and the school population become disproportionate. “

Avenue Infants School

- 3.4 “We feel that denying siblings the opportunity to attend the same school could be damaging to family life and could make collection of children very difficult, especially for working parents. “

Parkfield Nursery

- 3.5 “Concern that this may lead to a dramatic increase in the number of statemented students allocated to particular schools and the implications of that. We would hope that this would be monitored. “

Rushey Mead Secondary School

- 3.6 “The Governing Body and Principal express strong disagreement over your proposal to give pupils with a statement of Special Educational Needs (SEN) second priority for a place on admission to an oversubscribed school – a criterion which Fullhurst already meets significantly. Fullhurst has never been reluctant to receive SEN students and already has a well representative number, but this proposal will have a potentially very serious adverse impact on the fine balance of students within the college in terms of academic achievement, making it highly difficult and perhaps impossible for the college to meet the government’s minimum target over the percentage of students who achieve five A-C Grade passes at GCSE.”

Fullhurst Community College

**CURRENT DISTRIBUTION OF CITY PUPILS WITH STATEMENTS OF SEN
ACROSS CITY COMMUNITY SCHOOLS (as at January 2001)**

School	No.of pupils with statements	NOR 11 -16	% of pupils with statements
Babington TCC	66	896	7.37
Beaumont Leys	41	1022	4.01
City of Leicester	44	1093	4.03
New College	102	1462	6.98
Crown Hills CC	43	1201	3.58
Fullhurst CC	38	873	4.35
Hamilton CC	79	1112	7.10
Judgemeadow CC	29	1219	2.38
Moat CC	31	1031	3.01
Riverside CC	49	904	5.42
Rushey Mead	33	1263	2.61
Sir Jonathan North	32	1111	2.88
Soar Valley CC	40	1216	3.29
The Lancaster School	40	1108	3.61