

# Southend-on-Sea Borough Council

## Report of the Executive Director, Children & Public Health

to  
**Cabinet**

on  
**14 January 2021**

Report prepared by:  
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Manager

Agenda  
Item No.

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### School Admissions Arrangements for Community Schools

**Pupil scrutiny committee**  
**Executive Councillor: Councillor Anne Jones**  
Part 1 (Public Agenda Item)

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#### **1. Purpose of Report**

- 1.1 To consider the outcome of the consultation on the Admission Arrangements for the community schools in the borough and
- 1.2 To determine the oversubscription criteria (including explanatory notes) and Admission Limit within Admission Arrangements for Community Schools for the academic year 2022/23
- 1.3 To note that the Determined Coordinated Admission Scheme for the academic year 2021/22 was published on 31st December 2019 (Appendix 3).

#### **2. Recommendations**

- 2.1 **To determine the oversubscription criteria (including explanatory notes) and Published Admission Number (PAN) within Admission Arrangements for Community Schools as set out in Appendix 1**
- 2.2 **To note that the Determined Coordinated Admission Scheme for the academic year 2021/22 was published on 31st December 2019 (Appendix 3).**

#### **3. Background**

- 3.1 The Council has the responsibilities to determine in relation to school admissions:
  - a) the Admission Arrangements for Community Schools (admission numbers, admission criteria and catchment areas);
  - b) set up a coordinated admission scheme for delivering admissions to the main rounds.

- 3.2 The local authority (as the admission authority for all community schools) must consult on the admission arrangements for community schools, if it proposes to make any changes to the existing arrangements or, at least every seven years, even if there are no changes.
- 3.3 Own Admission Authorities, (academy, foundation and voluntary aided schools) have the responsibility to consult on and determine their own admission arrangements including catchment areas.
- 3.4 The Admissions Code 2014 determines that the official window for formal consultation on proposed arrangements for admissions (including catchment areas) is between 1 October and 31 January and the consultation must last for a minimum of 6 weeks.
- 3.5 Admission arrangements for Community Schools in Southend must be determined by 28<sup>th</sup> February 2018 and included in a composite prospectus for all schools by 15<sup>th</sup> March 2018. These are statutory deadlines and must be adhered to by all admission authorities.
- 3.6 The current admission arrangements for Community Schools (including catchment areas) were last consulted on and approved by the Council for the admissions in the academic year 2019/20.
- 3.7 The local authority (as the admission authority for community schools) must consult the governing body of each community school where it proposes either to increase or keep the same published admission number (PAN).
- 3.8 The Council must balance the duty to ensure sufficient school places alongside its duty to make efficient use of resources. The DfE recommends Councils have a surplus of around 5% within each planning cluster. Where surplus becomes too low or too high consideration is needed to either increase or reduce the number of available places in the town. This results in changes to some school PANs. The proposal is to keep the same PAN for all schools except Chalkwell Hall Infant School, where a reduction in PAN from 120 to 90 for the year 2022 reception is proposed.
- 3.9 There are currently no proposed changes to the Admission Limits from 2022/23 for the remaining community schools. The governing body of each of the community schools was consulted on their proposed PAN and proposed arrangements and all agreed.
- 3.10 The proposed admission limits for all community primary schools for September 2022/23 are shown on **Page 2** of the Admission Arrangements for Community Schools at **Appendix 2**.
- 3.11 Reducing admission limits across the borough has been an ongoing project Temple Sutton and Bournemouth Park Primary schools are also consulting to reduce by one form of entry for 2022. Discussions continue with other schools in the town. Due to the lowering birth numbers, the need for less primary school places will continue for at least the next 3 years. Numbers will be monitored on an annual basis and changes proposed. Consultations will take place if this is the case.

- 3.12 Other reductions in admission limits for the admission years 2020 to 2022 are provided for information below:
- 2020: Greenways primary School: Lowered PAN from 150 to 120 reception  
Darlinghurst Academy: Lowered PAN from 120 to 90 for all year groups
- 2021: Hamstel Infant School: lowered PAN from 150 to 120 reception  
St Mary's, Prittlewell, CofE Primary School from 120 to 90 for years R-6 but year 3 is 120  
Darlinghurst Academy: Lowered PAN from 90 to 60 for reception
- 2022: Consultation for Chalkwell Hall Infant School to lower from 120 to 90  
Consultation for Temple Sutton Primary School to lower PAN from 120 to 90  
Consultation for Bournemouth Park Primary to lower PAN from 90 to 60
- 3.13 The consultation also included a change for Heycroft Primary School. Currently pupils of staff are given priority above pupils who live outside the catchment area who have a sibling at the school. It was agreed to provide priority of pupils who live outside the catchment area with a sibling attending the school above pupils of staff. The criteria therefore have been amended to reflect this proposal.
- 3.14 The criteria of 'pupils of staff' was introduced for the 2019 round of admissions. In the years 2019 and 2020 two children have been admitted under these criteria. Changing the order of the criteria will have no impact on children applying with a sibling at the school or the children in the catchment area. In the years 2019 and 2020 every child that applied for the school and did not gain a higher offer, was offered a place at the school.
- 3.15 All Southend schools were consulted on the proposed admission scheme. The consultation identified that schools agreed and as such no changes to the content of the scheme as shared with Cabinet in September 2020 was made. The Scheme (**Appendix 3**) was formally ratified and determined by the Executive Director for Children and Public Health in December 2020 for publication as required by law, 1 January 2021.
- 3.16 Cabinet is asked to note that the previously agreed scheme has now been determined and published.

#### **4. Formal Consultation of Primary Community School Admission Arrangements 2022/23**

- 4.1 The consultation during the statutory timeframe was run by Southend Borough Council, from 2 November to the 11 December 2020. A full evaluation of the formal consultation including the reasons for and against change can be found in **Appendix 1** identified under each individual school.
- 4.2 The consultation was run via the 'Your Say Southend' portal and in total there were 9,481 site visits to the site, with 1,365 site registrations and 1,316 activated participants in the last 30 days. In total 20 surveys were submitted.

Only four emails were sent, two general emails and two emails from parents seeking further information.

4.3 Below is a summary for each school, with a full breakdown provided in Appendix 1.

4.3.1 **Barons Court Primary and Nursery School** Three parents of the school completed the survey and all three agreed with the proposals, and found them reasonable, clear, and fair.

4.3.2 **Chalkwell Hall Infant School** Out of 26 people that responded to the consultation for Chalkwell Hall Infants:

- 18 were parents of a child at a school; 12 of these were parents of the school and 8 were parents of Chalkwell Hall Junior School
- 15 were parents of a preschool aged child, 7 of 2 year old, 7 of 3 year old and 2 of another age
- 1 was a governor of the school
- 2 were members of staff (one teaching and one support staff)
- 1 responded on behalf of a local authority, Southend-on-Sea Borough Council
- and 1 response out of interest for the school
- 11 Respondents agreed with the proposed admission limit;
- 15 Respondents did not agree with the proposed admission limit
- 11 respondents agreed that the proposals are fair, clear and reasonable
- 15 respondents did not agree and of those, 1 found them unclear; 6 felt they are unfair, 7 found them unreasonable and 4 had other reasons (some selected more than one option).

4.3.3 **Chalkwell Hall Junior School** Out of 18 people that accessed the consultation for Chalkwell Hall Juniors, 8 completed responses, of these:

- 5 were parents of a child at a school; 2 at Chalkwell Hall Infant and at the Junior School, and 3 parents at Chalkwell Hall Junior school
- 3 were parents of a preschool aged child, 1 of a 2 year old child, and 2 of a 3 year old
- and 3 responses out of interest for the school
- 5 Respondents agreed with the proposed admission limit
- 3 Respondents did not agree with the proposed admission limit
- 5 respondents agreed that the proposals are fair, clear and reasonable
- 3 respondents did not agree and of those, all 3 had 'other' reasons for not agreeing

4.3.4 **Earls Hall Primary School** Out of 2 visitors, both were parents of the school and completed the survey. Both found the proposed admission limit and the arrangements reasonable, clear, and fair. No matters arose for the admission arrangements for Earls Hall from the consultation.

4.3.5 **Edwards Hall Primary School** Out of 7 visitors there were no responses to the consultation for Edwards Hall. No matters arose for the admission arrangements for Edwards Hall from the consultation.

- 4.3.6 **Fairways Primary School** Out of 10 visitors for the schools page, one parent of the school, who also is a parent of preschool aged child (2 year old) completed the survey and agreed with the admission limit and that the proposed admission arrangements reasonable, clear, and fair. No matters arose for the admission arrangements for Fairways from the consultation.
- 4.3.7 **Heycroft Primary School** Out of 6 visitors, 3 parents of the school, 2 parents of a preschool aged child (3 year old) and one a member of 'other' staff at the school completed the survey. Both found the proposed admission limit and the arrangements reasonable, clear, and fair. No matters arose for the admission arrangements for Heycroft from the consultation.
- 4.3.8 **Leigh North Street Primary School** There was one parent of the school and completed the survey. Who agreed with the proposed admission limit and the arrangements reasonable, clear, and fair. No matters arose for the admission arrangements for Leigh North Street from the consultation.
- 4.3.9 **West Leigh Infant School** There was one parent of a preschool aged child (2 year old) completed the survey. Who agreed with the proposed admission limit and the arrangements reasonable, clear, and fair. No matters arose for the admission arrangements for Leigh North Street from the consultation.
- 4.3.10 The proposals for Barons Court Primary, Earls Hall Primary, Edwards Hall Primary, Fairways Primary, Heycroft Primary, Leigh North Street Primary and West Leigh Infant School received no objections and therefore it is recommended they are agreed.
- 4.3.11 The proposals for Chalkwell Hall Infant School and Chalkwell Hall Junior School were the only proposals that some respondents did not agree were fair, clear and/or reasonable. For this reason responses are evaluated in summary, as provided in **Appendix 1** as well as a full uncut version of the responses provided in Annex 1 B&C.
- 4.3.12 After considerable consideration to the matters raised, the small percentage of the school population feeling a need to respond to the consultation and the majority of those being dissatisfied living outside of the schools catchment area, it is recommended that the proposal to reduce PAN at Chalkwell Hall Infant school by 1FE are agreed, noting some respondents concerns.

## **5 Other Options: for Chalkwell Hall Infant School Consultation**

- 5.1 The Council could decide not to reduce the Admission Limit for Chalkwell Hall Infant School. Taking this action would add undue pressure on a small number of local schools for 2022, where a significant surplus of places is forecast, creating financial and organisational challenges. The impact of doing nothing to adjust the growing surplus of places, increases the risk of school closure and further pupil displacement across the cluster and town as a consequence.
- 5.2 The Council could decide to lower PAN and change the criteria for Chalkwell Hall Infant School and group all siblings so that the criteria change to:
1. Looked after children and previously looked after children

2. Pupils who have a sibling attending the school or Chalkwell Hall Junior School
  3. Pupils of staff at the school
  4. Pupils who live in the catchment area
  5. Pupils who live outside the catchment area
- 5.3 Although this would reduce the risks to 'out of catchment siblings', it would instead negatively impact catchment children. This was not proposed in the consultation as it is not seen as a suitable solution for this school. This model is only suitable where a school has a significant surplus of catchment places.
- 5.4 The Council could decide to reduce the admission limit to 105, which was the admission limit previously. This would place the school in a likely financial difficulty due to infant class size regulations. The school would be required to fund four classes, with a teacher for each group. Under the proposed lowering of 1FE, the school has time to reorganise staffing and resources to operate just three classes for each year group.

## **6 Reasons for Recommendations**

- 6.1 The council has a duty to balance maintaining sufficient places within the borough whilst ensuring surplus places do not exceed levels where schools would be unable to maintain financial viability. In line with the requirement from the Department of Education, a surplus of around 5% is maintained across the borough in both primary and secondary phases. The surplus is not required at each school but as a wider community. For Southend primary schools' surplus is calculated within cluster groups. There will continue to be sufficient places with above 5% surplus for all local children from each of the primary planning clusters if all proposed reductions are determined for 2022. (Consultations to lower PANs for other schools are all foundation and academy schools.)
- 6.2 Due to the decline in births in the Leigh Cluster, as well as other areas not covered in this report, there is a need to reduce the admission limits across the borough for 2022. Lower birth figures mean more school places than we need and more than the required surplus. Left without action would have a negative impact on some schools in the area, as a school with too many vacancies would be in danger of closing due to financial viability. It has been agreed locally to work together so that no school is inadvertently affected and closed, as places may be required in the future with planned housing developments across the town.
- 6.3 Planning indicates that an admission limit of 90 for Chalkwell Hall Infant School from 2022 onwards is not legally unreasonable. This is due to places being available for pupils within a reasonable distance where a school is oversubscribed. Chalkwell Hall Infant School is a popular school and therefore oversubscription is expected (as it is currently). However, due to the overall decline in birth's within the catchment area, it is not anticipated that catchment siblings, and catchment pupils will be displaced
- 6.4 The Determined Admission Arrangements 2022/23 must be available by 28 February 2021, and will be available for public scrutiny in the period of 15 March to 15 May 2021. Any objections can be raised with the Office of the schools adjudicator in that period.

## **7 Corporate Implications**

### **7.1 Contribution to the Southend 2050 Road Map**

These arrangements will assist pupils within the Borough to access quality learning opportunities to achieve the best possible outcomes for all children. It fits well into the ambition of opportunity and prosperity, in that it supports sharing our prosperity amongst all of our people. It further supports the ambition in that our children are school and life ready and our workforce is skilled and job ready.

### **7.2 Financial Implications**

There are no direct financial implications for the Council. The administration of school admission, and core revenue funding for the running of a School is funded through the Dedicated Schools Grant.

### **7.3 Legal Implications**

The determination of admission arrangements for community schools and the provision of a coordinated admissions scheme is a statutory requirement.

### **7.4 People Implications**

The proposed changes to one schools PAN have been considered in line with the pupil product for the schools catchment area. Based upon historical admission trends and numbers of births that have declined in the area, the changes are not expected to impact catchment residents negatively.

### **7.5 Property Implications**

None

### **7.6 Consultation**

The local authority (as the admission authority for community schools) must consult the governing body of each community school where it proposes either to increase or keep the same published admission number (PAN). The recommendation is to keep the same PAN for all schools except Chalkwell Hall Infant School, for which a reduction in PAN from 120 to 90 for the year 2022 is proposed. Consultation was in line with the requirements within the Admission Code and ran between 2 November and 11 December 2020.

### **7.7 Equalities and Diversity Implications**

A coordinated admissions scheme and clear oversubscription criteria are necessary to ensure fair access to school places. Admission Arrangements for Community Schools and the Coordinated Admission Scheme for Southend Schools have been written in line with mandatory requirements set by the Admissions Code 2014. The code determines that authorities must ensure that the practices and criteria used to decide the allocation of school places are fair, clear and objective and that parents should be able to easily understand how places are allocated.

In line with the Equality Act 2010, the arrangements and scheme are reviewed annually against an expanded list of protected characteristics as identified within the Admission Code: disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

The proposed Scheme, arrangements and decisions made through their administration are clear that there is no discrimination on the grounds of disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; or sexual orientation, against a parent who is applying for a school place or offered admission as a pupil.

There are limited exceptions to the prohibition of discrimination on grounds of religion or belief and sex. Schools designated by the Secretary of State as having a religious character are exempt from some aspects of the prohibition of discrimination on the grounds of religion or belief and this means they can make a decision about whether or not to admit a child as a pupil on the basis of religion or belief. Single-sex schools are lawfully permitted to discriminate on the grounds of sex in their admission arrangements.

#### 7.8 Risk Assessment

The need to reduce PANs in the Borough is based upon an assessment of forecast need inclusive of surplus places. The risks to a small number of schools becoming financially unviable to continue in the long run is great if nothing is done to reduce excessive surplus places. Discussions with other cluster schools to gain agreement to consult on lowering PANs, has also been undertaken and Trust and Governing Bodies are considering consulting in the Autumn as well.

If the Council does not agree a scheme, one will be imposed by the DfE, and the Council's reputation will suffer.

#### 7.9 Value for Money

No direct implications.

#### 7.10 Community Safety Implications

None envisaged.

#### 7.11 Environmental Impact

None envisaged

### 8 Background Papers

8.1 [School Admissions Code 2014](#)

8.2 [School Admission Appeals Code 2012](#)

#### Appendices

8.3 Appendix 1 - Report on the Consultation for the proposed Admission Arrangements for community schools for September 2022; including Annex 1 A-H.

8.4 Appendix 2 - Admissions Arrangements for Community Schools for September 2022 including Published Admission Numbers on Page 2.

8.5 Appendix 3 - Determined Coordinated Admissions Scheme 2022