

**STATUTORY CONSULTATION ON ADMISSION RULES FOR COMMUNITY AND
VOLUNTARY CONTROLLED NURSERY, INFANT, JUNIOR AND PRIMARY SCHOOLS**

Report of the Director of Children, Schools and Families

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1. Purpose of the Report

To enable the Scrutiny Committee to:

- comment on the statutory consultation proposals.
- consider responses received to the statutory consultation proposals for community and voluntary controlled primary schools.

2. Summary

- 2.1 The statutory consultation involved four proposed changes to the admission rules: -
- (a) To add the words “and those who are in public care” to Rule 2.
 - (b) To reword Rule 4 in order to achieve greater clarity.
 - (c) To measure all children against their nearest school and to prioritise them for places at that school. This will help to ensure that families will have a better chance of securing places at their nearest school.
 - (d) To measure all distances from home to school along metalled roads and paths, in the same way that distances are measured for secondary allocations.
- 2.2 It is proposed to extend the co-ordinated scheme to the junior school process.
- 2.3 Five responses were received from primary schools, two from parish councils and one from a parent commenting on the proposals.

3. Conclusion

The Committee will wish to make its views known so that they can inform the Cabinet Meeting on 24 March 2003, prior to County Council agreeing the admission rules at their meeting on 1 April 2003.

1. Background

- 1.1 The Cabinet agreed at its meeting of 28 January 2002 to consult on the following admission rules for oversubscribed community and voluntary controlled nursery, infant, junior and primary schools :-
- Rule 1: Children who have a Statement of Special Educational Needs which names the school
 - Rule 2: Children who can prove that they have a particular medical or social reason why they must go to the school, and those who are in public care.
 - Rule 3: In the case of junior schools, children who attend the linked infant school at the time of their application.
 - Rule 4: Children who have a brother or sister on the roll of the school, or linked school in the nursery through to Year 5 at the time of application.
 - Rule 5: Children for whom the school is their nearest Hertfordshire community or voluntary controlled school.
 - Rule 6: Children who live nearest to the school.
- 1.2 This method of measuring home to school distances for allocation purposes has been changed in order to provide greater clarity and consistency with secondary school measurements. The requirement for a path to be lit has been removed and it is proposed that all metalled paths and roads should be used. This will not affect a child's right to free transport where a route is considered to be unsafe.
- 1.3 It is proposed to extend the proposed co-ordinated scheme (Appendix 1) to the junior school admission process in order to ensure that each parent gets one, and only one, offer of a Year 3 place on allocation day.
- 1.4 Copies of the consultation document were distributed to schools and statutory consultees. It was also posted on the Hertsdirect website for parents and other members of the public. Consultation closed on 1 March but comments received after this date are also being analysed.
- 1.5 Comments are invited from the Scrutiny Committee so that they can be taken into account as part of the process of formulating a proposed response to the consultation.

2. Responses to the Consultation

2.1 The following responses to the consultation were received about the admission rules and co-ordinated scheme:

- a. The Governing Body of Merry Hill Infant and Nursery School (Bushey) stated that they agree with the amended rules for the primary, junior & nursery process and are pleased the junior admissions timetable has been moved to January. However, they raise concerns regarding the timetable for nursery and reception admissions citing difficulties accommodating parental visits early in the Autumn term and requesting a later start for the reception process in the autumn term with nursery moving to after Christmas. In addition, they requested that schools take over the admissions process immediately after initial allocation.
- b. The Governors of Shenley Primary School felt the new primary rules were clearer and welcomed the removal of the old rule 5 (greater extra distance rule).
- c. The Governors of St. Peter Primary School (St. Albans) commented that the new primary rules are an improvement, particularly removal of extra journey rule. They also felt that it was helpful to use the same wording on the sibling rule as for secondary schools, i.e. sibling at the time of *application* rather than *admission* as it is at present.
- d. Monksmead School (Borehamwood) commented that teacher recruitment and retention is an issue in primary schools as well as secondary and would like to be able to give priority to the children of teaching staff.
- e. Garden Fields Primary School commented that consideration should be given to introducing priority for the children of staff in order to address recruitment and retention difficulties.
- f. Shenley Parish Council felt rules were an improvement on the current situation.
- g. Ickleford Parish Council asked why the distance rules had been amended. Furthermore, it commented that children living in a village should have a priority over sibling children from outside the village, and that there should be separate rules for urban and rural primary schools.
- h. A parent expressed concern that in the rules for separate infant and junior schools, a child is measured to an infant school, but no account is taken as to whether the linked junior school is further away. He suggests that for infant school admissions, where the infant and junior schools are on separate sites, the furthest school should be the one used to measure distances.

- 2.2 The following comments apply to the specific suggestions made above:
- i It would be possible to distribute “Starting School” booklets a week later than proposed. This would still allow parents the required six weeks to consider applications and will ensure that schools are not asked to arrange visits in the first week of the Autumn Term. [point 2.1(a)].
 - ii It would not be possible to start the nursery process after Christmas and still ensure that children could take up places, where appropriate, at the start of the Summer term. This is because the process would not be completed by that time. . [point 2.1(b)].
 - iii There does not seem to be widespread support for schools taking over continuing lists at an earlier stage. This would place an additional administrative burden on schools. . [point 2.1(c)].
 - iv It is not possible to prioritise the children of teaching staff without breaking equal opportunities legislation. If the children of all staff were to be prioritised, then it would be necessary to do more research about possible impact, given the much higher numbers of non-teaching staff in primary schools. . [point 2.1(d) & (e)].
 - v It would be possible to prioritise children on geographical grounds ahead of siblings, but this would be a major shift in policy and require widespread consultation. . [point 2.1(a)].
 - vi It would not be consistent to measure children against the furthest of the infant or linked junior school, as all children are currently measured against their nearest school and the school for which they apply. . [point 2.1(h)].
- 2.3 Comments on these responses and the rules are invited from the Scrutiny Committee, so that they can be taken into account by the Resources Panel.

If you would like to know more about the issue referred to in this report please contact
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THE SCHEME OF CO-ORDINATION

The proposed Scheme of Co-ordination is set out below. The dates relating to the admissions process for the school year 2004-2005 are attached at Annex A.

Interpretation

i. In this scheme –

“the LEA” means Hertfordshire County Council acting in their capacity as local education authority;

“the LEA area” means the area in respect of which the LEA are the local education authority;

“the schools” means all maintained schools (other than special schools) which are in the LEA area, and which will be admitting pupils into the first year of secondary education in the specified year;

“VA schools” means such of the schools as are voluntary aided schools;

“Foundation schools” means such of the schools as have foundation status;

“admission authority” means, in respect of any of the schools which is a community or voluntary controlled school, the LEA and, in respect of any of the schools which is a foundation or VA school, the governing body of that school;

“the specified year” means the school year beginning at or about the beginning of September 2004;

“admission arrangements for the specified year” means the arrangements for a particular school or schools which govern the procedures and decision-making for the purposes of admitting pupils to the school(s) during the specified year.

“application form” means the application form supplied by the LEA on paper or electronically.

Commencement and extent

- ii. This scheme applies in relation to the admission arrangements for the schools for the admission year 2004-2005 (the specified year).
- iii. The LEA will include in its admission arrangements for the specified year the provisions set out in the Schedule to this scheme, or provisions having the same effect.
- iv. The governing body of each of the VA and foundation schools will include in its admission arrangements for the specified year the provisions set out in the Schedule, so far as relevant to that school, or provisions having the same effect.

SCHEDULE

Co-ordinated Arrangements

- i. There will be a standard application form, supplied by the County Council. Parents will also be able to apply on-line for a school place, at www.hertsdirect.org/admissions
- ii. The application form will be used for the purpose of admitting pupils in the specified year.
- iii. The application form must be used:
 - (a) as a means of expressing one or more preferences for the purposes of section 86(1) of the School Standards and Framework Act 1998, by parents resident in the LEA area wishing to express a preference for their child to be admitted to any of the schools for which the LEA's arrangements under that section should apply; and
 - (b) as a means of applying for one or more school places,
 1. by parents wishing their child to be admitted to any of the foundation or VA schools; and
 2. by parents resident outside the LEA area wishing their child to be admitted to any of the schools.
- iv. The application form will –
 - (a) invite the parent to express a preference – or to apply for a place – by completing the form and by nominating up to three of the schools;
 - (b) invite the parent, where they wish to nominate more than one school, to rank their nominations in the order in which they desire their child to receive an offer of a place at the respective schools;
 - (c) explain that the parent will receive no more than one offer of a school place in response to the application form;
 - (d) explain that, where such an offer is made, it will be for the highest ranked school nominated at which a place has been allocated;
 - (e) explain that, if more than one school is nominated and no order of ranking is stated, or a wish expressed that they be ranked equally, the parent will be regarded as having ranked the schools in the order appearing on the form (the first-mentioned being ranked the highest).
- v. The application form will also specify the closing date and where it must be returned, in accordance with paragraphs x and xi.

- vi. The LEA will make appropriate arrangements to ensure –
 - (a) that the application form is available on request from the LEA; and
 - (b) that the application form is accompanied by a written explanation of the key features of the co-ordinated admissions scheme.

- vii. The LEA will take all reasonable steps to ensure that all parents resident in the LEA area of children of the appropriate age receive a copy of the application form (and written explanation) and understand the process.

- viii. The governing body of a foundation or VA school is entitled to request or require parents who wish to nominate, or have nominated, that school on the application form to provide additional information to the school on a supplementary form. Where this is requested or required, the details and procedural arrangements are entirely at the discretion of the foundation or VA school in question, except that –
 - (a) the form must not request any information about the ranking which the parent attaches to any school they have nominated or may nominate, except in the case of denominational schools, where the school may ask whether a school of that denomination has been ranked first by the parent, if required by the school's admission rules.
 - (b) A parent cannot be required to collect a form in person.
 - (c) The arrangements must be such as to enable relevant decisions to be made in conformity with the timing requirements of this scheme.

- ix. Any secondary school which operates criteria for selection by ability or aptitude must ensure that its arrangements for assessing ability or aptitude are such as to enable decisions to be made on nominations in conformity with the timing requirements of this scheme.

Processing of Application Forms

- x. Completed application forms are to be returned to the LEA by the due date and time.

- xi. Completed application forms which are received after the closing date will be considered, except that the procedure must not prevent the proper processing under the scheme of application forms received on time.

- xii. The LEA will process all application forms. Any completed application forms must be treated as a confidential communication between the parent and the LEA. All ranked applications received by the deadline will be considered before any ranked applications received after this deadline.

- xiii. The process of allocating places at schools not ranked on an application form will be carried out after all ranked applications have been considered, including those received after the closing date.

- xiv. All processing and notifications in the following paragraphs must be completed in accordance with the written timetable.

Determining offers in response to the application form

- xv. The LEA will act as a clearing house for the allocation of places by the relevant admission authorities in response to the application form. Except where acting in its separate capacity as an admission authority, the LEA will not be making any decision with respect to the offer or refusal of a place in response to any application form.
- xvi. The admission authority for each school will provide the LEA with a list of pupils indicating the order in which places should be allocated under each criterion. This list will exceed the school's admission number by 25%, and will include only pupils for whom the LEA received an application form.
- xvii. Following the allocation process, the admission authority for each school will provide the LEA with a waiting list of nominations for which they were not able to allocate a place provisionally.
- xviii. The LEA will notify the admission authority for each of the schools of every nomination that has been made for that school, regardless of ranking, including all relevant details (but not any details of any parent's ranking).
- xix. No decision by an admission authority on any nomination shall pay any regard to the ranking expressed by any parent (except as provided in paragraph vii).
- xx. At the end of the allocation process, all admitting authorities will receive from the LEA an audit trail demonstrating how the final allocations were made through the iterative process.
- xxi. During the allocation process, the LEA will match the provisional allocations of places against each parent's ranking and proceed as follows:
- **Where a parent has been provisionally allocated a place at the school which they ranked first** – the allocation will become firm. The LEA will then withdraw any provisional allocation of a place for that parent at schools which the parent ranked second or third or remove the parent's nomination from a school's waiting list (as the case may be).

- **Where a parent has not been provisionally allocated a place at the school which they ranked first, but has been provisionally allocated a place at the school which they ranked second** – the LEA will hold the provisional allocation for that parent, pending further rounds, and will withdraw any provisional allocation of a place for that parent at the school which the parent ranked third or remove the parent’s nomination from the school’s waiting list (as the case may be).
 - **Where a parent has not been provisionally allocated a place at the school which they ranked first or second, but has been provisionally allocated a place at the school which they ranked third** – the LEA will hold the provisional allocation for that parent, pending further rounds.
- xxii. When a provisional allocation is withdrawn, the LEA will provisionally allocate the place instead to one of the nominations on the waiting list in accordance with their relevant entry and over-subscription criteria for that school. The processes in paragraph xxi will then be repeated and will continue until the LEA is unable to withdraw any provisional allocations. The LEA will require additional names (25% above the admission number of the school) at the start of the process, so that schools will not need to be contacted at each iteration.
- xxiii. All allocations then in existence will become firm allocations of a place at the school concerned and parents will be offered those places accordingly. All parents whose nominations then remain on the waiting list for a school will be treated as having been refused a place by the admission authority for that school.
- xxiv. Late applications will be processed after the admission rules have been applied to all ranked applications received on time.
- xxv. The LEA will match:
- (a) those children of parents resident in the LEA area that require to be admitted in the specified year but have received no offer of a place under the above procedure, against
 - (b) those of the schools that, on the basis of their published admission number, appear to the LEA likely to have places remaining unfilled after the procedure above.
- xxvi. The criteria used by the LEA for matching will allocate pupils to their nearest school using the shortest designated route, unless that route would require transport to be provided on safety grounds and there is an alternative safe walking route, which is under the statutory distance for entitlement to free transport.
- xxvii. The LEA will notify each of the schools in paragraph xxv (b) of the children which it has matched to that school.
- xxviii. The admission authority for the school will consider each of the children notified under paragraph xxiii for a place at the school on the same basis as if the LEA’s notification were an application (or preference) made by the child’s parent falling within section 86 of the 1998 Act. The admission authority will notify the LEA of the children to whom it has allocated (or refused) a place.

- xxix. Further rounds of the procedure in paragraphs xxv to xxviii may be undertaken if necessary.

Notification to parents

- xxx. The LEA will write to all parents to whom offers can be made, notifying them of an offer of a place:
- (a) at one of the schools nominated on their application form; or
 - (b) at another school – in addition in such a case they will provide the parent with a list of all other Community schools in Hertfordshire with suitable secondary places available and of any foundation or VA schools that have notified the LEA that they have places available.
- xxxi. The LEA's letter will give parents appropriate information about their right of appeal against any refusal of a place by the admission authority for a school under the procedures in this scheme.

Diagram to show Key dates timeline for Admissions 2004

