

**From:** Matt Dunkley, CBE, Corporate Director of Children, Young People and Education

**To:** Roger Gough, Cabinet Member for Children, Young People and Education

**Decision No:** 18/00069

**Subject:** Proposed Coordinated Schemes for Primary and Secondary Schools in Kent and Admission Arrangements for Infant, Junior and Primary and Secondary Community and Voluntary Controlled Schools 2020/21

**Classification:** Unrestricted

**Key Decision:** Yes

**Past Pathway of Paper:** Children's, Young People and Education Cabinet Committee – 25 September 2018

**Future Pathway of Paper:** Cabinet Member Decision

**Electoral Division:** All

**Summary:**

To report on the outcome of the consultations on the proposed admissions arrangements for infant, junior and primary and secondary community and voluntary controlled schools and the proposed scheme for transfer to infant, primary, junior and secondary schools in September 2020 including the proposed process for non-coordinated In-Year Admissions.

**Recommendation(s):**

The Cabinet Member for Children, Young People and Education is asked to determine:

- a) The Coordinated Primary Admissions Scheme 2020/21 incorporating the In-Year admissions process as detailed in Appendix 2A
- b) The Co-ordinated Secondary Admissions Scheme 2020/21 incorporating the In-Year admissions process as detailed in Appendix 2B
- c) The oversubscription criteria relating to Community and Voluntary Controlled Infant, Junior and Primary Schools in Kent 2020/21 as detailed in Appendix 2C (1)
- d) The oversubscription criteria relating to Community and Voluntary Controlled Secondary Schools in Kent 2020/21 as detailed in Appendix 2D (1)

- e) The Published Admissions Number for Community and Voluntary Controlled Infant, Junior and Primary Schools 2020/21 as set out in Appendix 2C (2)
- f) The Published Admissions Number for Community and Voluntary Controlled Secondary Schools 2020/21 as set out in Appendix 2D (2)
- g) The relevant statutory consultation areas for Kent Infant, Junior and Primary Schools 2020/21 as detailed in Appendix 2C (3) and the relevant statutory consultation areas for Kent Secondary Schools 2020/21 as set out in Appendix 2D

## **1. Introduction**

- 1.1 The Local Authority (LA), as the admissions authority for Community and Voluntary Controlled schools, is required to determine its admission arrangements for these schools by 28 February each year.
- 1.2 The Education Act 2002 includes a duty on each LA, to formulate a scheme to co-ordinate admission arrangements for all maintained schools in its area and to take action to secure the agreement to the scheme by all admission authorities. CYPE Cabinet Committee is requested to comment and inform the forthcoming Cabinet Member decision to agree the Co-ordinated scheme for Admissions to Infant, Junior and Primary and Secondary schools in Kent for 2020/21 and determine the proposed admission arrangements for Community and Voluntary Controlled schools.
- 1.3 All admission arrangements identified in this document are outside the arrangements for pupils with Education, Health and Care Plans (EHCP).
- 1.4 KCC has consulted the Headteachers and Governors of all Kent Infant, Junior, Primary and Secondary schools; the neighbouring LAs and diocesan bodies on its scheme proposals to co-ordinate admissions to all Kent Infant, Junior, Primary and Secondary schools in September 2020. Admissions authorities have been advised that non-response to the consultation, constitutes full acceptance to the proposals.
- 1.5 KCC has consulted with Parents of children age 2 to 18, admission authorities, school governing bodies, school staff members, neighbouring LAs, faith organisations associated with schools and any other interested party that wished to respond on its proposed admission arrangements for Infant, Junior and Primary and Secondary Community and Voluntary Controlled schools.

## **2. Consultation Processes**

- 2.1 The LA consultation for the admission scheme ran from 2 November 2018 until 14 December 2018 and considered the following aspects:
  - a) The Primary Co-ordinated Admission Scheme including the In-Year admissions process for 2020/21;
  - b) The Secondary Co-ordinated Admission Scheme including the In-Year admissions process for 2020/21

Responses to this consultation are summarised below.

2.1 The LA consultation for admission arrangements ran from 29 October 2018 until 10 December 2018 and considered the following aspects:

- a) The Primary Admission Arrangements for Community and Voluntary Controlled schools for 2020/21 intake;
- b) The Secondary Admission Arrangements for Community and Voluntary Controlled schools for 2020/21 intake

Responses to this consultation are summarised in Appendix 1.

### 3. Outcome

#### **(a) The Co-ordinated Primary Admissions Scheme 2020/21 incorporating In Year admissions process**

a.i The Primary scheme dates are set out in a similar way to last year following broadly similar scheme dates. The scheme specifies a process for schools to follow when making offers for “in year” applications and includes a requirement to inform the LA of all applications and outcomes to enable continued monitoring of pupil movement to maintain essential safeguarding duties. All Admissions Authorities within Kent agreed to the proposed Co-ordinated Primary Admissions Scheme for 2020/21. No Infant, Junior or Primary schools or Academies have refused to accept the scheme.

a.ii The LA is required to assist parents where they have difficulty securing a school place. Schools and academies must keep the LA informed about the vacancies in each year group as they arise in order for the LA to carry out its statutory duty to ensure every eligible child has a school place.

a.iii The details of the scheme for determination are located in Appendix 2A

#### **(b) The Co-ordinated Secondary Admissions Scheme 2020/21 incorporating the In Year Admissions Process**

b.i The scheme dates are set out broadly in line with those used in previous years, however, an adjustment was proposed to move the Kent Test date a week later than usual because of the early start to the academic year. This was intended to allow longer for the successful delivery of test materials to schools and would not require testing to take place as soon as pupils started Year 6. Dates for subsequent years naturally provide a more advantages timing, so this would not be a permanent change.

The proposed dates are:

Test date for pupils in Kent Primary schools	Thursday 12 September 2019
Test date for pupils not in Kent Primary schools	Saturday 14 September 2019
Assessment decision sent to parents	Thursday 17 October 2019
National closing date for application forms	Thursday 31 October 2019

While no Primary or Secondary schools or Academies refused to accept the proposed scheme, a number raised concerns in regarding the impact of releasing the results on Thursday 17 October when half term begins on 21 October and may start earlier or continue later in schools which break for two weeks. Respondents requested dates closer to last year's scheme:

Test date for pupils in Kent Primary schools	Thursday 5 September 2019
Test date for pupils not in Kent Primary schools	Saturday 7 September 2019
Assessment decision sent to parents	Thursday 10 October 2019
National closing date for application forms	Thursday 31 October 2019

The concerns expressed to date relate to the timing of secondary school open evenings which normally follow the release of results and of other grammar school selection tests within Kent which are traditionally held on the same Saturday as Kent tests for pupils not in Kent primary schools. Either set of dates is compatible with the expected 11+ test dates of neighbouring Local Authorities.

b.ii The consultation received 61 responses. 37 responses were in favour of the later date as it would allow for pupils more time to adjust after the summer holiday to be school ready ahead of taking the Test. Some respondents highlighted this time would be of particular importance to children from disadvantaged backgrounds as they are less likely to have had ongoing preparations for the Kent Test during the school holidays and may as a consequence be further disadvantaged when compared to their peers.

24 respondents were in favour of the earlier time and responses were split between Primary schools who were keen to get the Kent Test completed as quickly as possible to allow students more time to focus on the Year 6 curriculum and Secondary schools who raised concerns about their ability to discuss Kent Test outcomes with potential applicants.

b.iii While Officers are mindful of the concerns raised by schools that requested the Test be held on an earlier date, the majority of responses were in favour of the proposed later date. In addition, while the closing date for secondary school applications is set by national legislation, Kent's application process allows parents to amend their preferences after 31 October. This would allow parents that were unable to discuss school preference selection at an earlier time to still meet with schools and adjust their preferences as a result of any new information they may receive during school visits. Officers therefore propose that Members determine the Secondary admissions scheme with the later Kent Test date as potential advantages are retained and most issues can be offset using other features of the scheme.

b.iv The details of the proposed scheme for determination are located in Appendix 2B

**(c) The Over-subscription Criteria for Community and Voluntary Controlled Infant, Junior and Primary Schools in Kent 2020/21**

c.i In December 2017, Nick Gibb, Minister for School Standards sent an open letter to all Local Authorities and Admissions Authorities requesting that they vary their admission arrangements to include priority for children that were adopted from outside of England. The 2012 Admissions Code required admission authorities to amend their admission arrangements to extend the Looked After criterion to include children who were in care but

ceased to be so because they were adopted or became subject to a child arrangements order or special guardianship order. In its current form, this criterion only applies to children that were in care in England. The Children and Social Work Act 2017 extended education provision to children adopted from outside of England. To ensure parity between both sets of legislation, Mr Gibb expressed an intention to expand the requirements of the Looked After and Previously Looked After criterion further to include children who were in care outside of England, however, this is not possible until such a time that the Admissions Code is revised. As an interim measure, Mr Gibb requested that all admissions authorities consulted to add this as a new criterion immediately after the current Looked After and Previously Looked After criterion.

c.ii Following this request, KCC consulted on the addition of this new criterion to all Infant Junior and Primary Community and Voluntary Controlled school's oversubscription criteria. KCC also consulted to create a priority zone in the oversubscription criteria of St Peters CE Primary school to account for a forthcoming change of site.

c.iii A full breakdown of consultation feedback is available in Appendix 1 however, it is clear the proposal to include priority for children adopted outside of England received significant resistance with 78% of respondents disagreeing with its inclusion. Officers have had discussions with multi academy trusts within Kent and faith groups that have indicated their intent to not consult on the addition of this criterion to their oversubscription criteria. The vast majority of neighbouring LAs have also chosen not to consult in line with Mr Gibb's request, instead choosing to wait until such a time that this becomes a legal requirement.

As a large number of KCC schools and neighbouring LAs have decided not to include this criterion in their oversubscription criteria, this could potentially create an unbalanced admissions system across Kent. Officers anticipate parents will want and expect a consistent approach to decision making in this area and an uneven distribution of priority could lead to a more confusing and less fair admissions process overall.

Officers therefore recommend that the new oversubscription criterion is not included in the determined admission arrangements for Primary Community and Voluntary Controlled schools for 2020/21 intake year. Officers will continue to monitor this area until changes in guidance or legislation drive a wider uptake in schools in and around Kent.

c.iv KCC received 4 responses to the consultation to include a priority zone in the oversubscription criteria for St Peters CE Primary School. While 3 of these responses disagreed with revision, the related comments did not reference the priority zone or why it should not be included. As the proposed priority zone is in place to ensure children in the Tunbridge Wells area including those residing close to its former location continue to receive priority, officers recommend that Members determine the arrangements as proposed.

c.v Details of the proposed final over-subscription criteria for Community and Voluntary Controlled Infant, Junior and Primary Schools are located in Appendix 2C (1)

#### **(d) The Over-subscription Criteria for Community and Voluntary Controlled Secondary schools in Kent 2020/21**

d.i As detailed above, KCC consulted on the addition of a new criterion to prioritise applications for children adopted from outside England to all Secondary Community and

Voluntary Controlled schools. KCC also consulted to adjust the current priority zone included in Tunbridge Wells Grammar school for Boys admission arrangements to account for recent changes to parish boundaries which resulted in some areas that were previously included no longer receiving priority.

d.ii For the reasons detailed above, Officers propose that admission arrangements for Community and Voluntary Controlled Secondary schools are determined with the omission of the criterion to enable priority for children adopted from outside of England.

d.iii KCC received 7 responses to the consultation to revise the priority zone included in the oversubscription criteria for Tunbridge Wells Grammar school for Boys. While 4 of these responses disagreed with revision, the comments relating to these cases did not reference the priority zone or why it should not be amended. As the proposed revisions are in place to maintain priority that would have previously been afforded to children in that area, officers recommend that Members determine the proposed changes as detailed in the appendices.

d.ii Details of the proposed final over-subscription criteria for Community and Voluntary Controlled Secondary Schools in Kent are located in Appendix 2D (1)

**(e) The Published Admissions Number for Community and Voluntary Controlled Infant, Junior and Primary Schools 2020/21**

e.i The proposed Published Admission Numbers (PAN) for Community and Voluntary Controlled Primary, Infant and Junior schools are identified in Appendix 2C (2). The LA can only determine the admission number for schools where it is the admissions authority and the schools listed fall into this category, at the time of going to print.

e.ii The LA is no longer required to hold a local consultation where Published Admissions Numbers are proposed to stay the same or increase. Area Education Officers worked with Community and Voluntary Controlled schools to monitor interest in PAN increases and these are highlighted within Appendix 2C (2) where agreement was reached.

**(f) The Published Admissions Number for Community and Voluntary Controlled Secondary Schools 2020/21**

f.i The proposed Published Admission Numbers (PAN) for Community and Voluntary Controlled Secondary schools are detailed in Appendix 2D (2). The LA can only determine the admission number for schools where it is the admissions authority and the schools listed fall into this category, at the time of going to print.

f.ii The LA is no longer required to hold a local consultation where Published Admissions Numbers are proposed to stay the same or increase. Area Education Officers worked with Community and Voluntary Controlled schools to monitor interest in PAN increases and these are highlighted within Appendix 2D (2) where agreement was reached.

**(g) Relevant Statutory Consultation Areas 2020/21**

g.i Relevant statutory consultation areas have not changed from 2019/20. Details for the Primary arrangements are in Appendix 2C (3) and Secondary arrangements in Appendix 2D (3).

#### **4. Recommendations**

4.1 The Cabinet Member for Children, Young People and Education is asked to determine:

- a) The Coordinated Primary Admissions Scheme 2020/21 incorporating the In-Year admissions process as detailed in Appendix 2A
- b) The Co-ordinated Secondary Admissions Scheme 2020/21 incorporating the In-Year admissions process as detailed in Appendix 2B
- c) The oversubscription criteria relating to Community and Voluntary Controlled Infant, Junior and Primary Schools in Kent 2020/21 as detailed in Appendix 2C (1)
- d) The oversubscription criteria relating to Community and Voluntary Controlled Secondary Schools in Kent 2020/21 as detailed in Appendix 2D (1)
- e) The Published Admissions Number for Community and Voluntary Controlled Infant, Junior and Primary Schools 2020/21 as set out in Appendix 2C (2)
- f) The Published Admissions Number for Community and Voluntary Controlled Secondary Schools 2020/21 as set out in Appendix 2D (2)
- g) The relevant statutory consultation areas for Kent Infant, Junior and Primary Schools 2020/21 as detailed in Appendix 2C (3) and the relevant statutory consultation areas for Kent Secondary Schools 2020/21 as set out in Appendix 2D (3)

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