

HAMPSHIRE COUNTY COUNCIL

Decision Report/Report

Decision Maker:	Executive Lead Member for Children's Services
Date:	28 February 2022
Title:	Determination of 2023/24 Admission Arrangements
Report From:	Director of Children's Services

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Purpose of this Report

1. The purpose of this paper is to inform the Executive Lead Member on the consultation carried out regarding the admission arrangements for the main admissions round for entry to school in September 2023, following advice from Hampshire's Admission Forum, schools, and other interested parties.

Recommendation(s)

2. That the Executive Lead Member for Children's Services approve the proposed admission arrangements for the admission rounds for applying for school places in the academic year 2023/24. The admission arrangements have gone through the approved consultation process and have been recommended by Hampshire's Admission Forum and are documented in:
 - the admission policies for community and voluntary controlled (VC) schools set out in Annexes A, B, C, D and E, as well as the school specific criteria listed in Annexe F;
 - the 2023 published admission numbers (PANs) for community and VC schools set out in Annexes G and H;
 - the review of Sarisbury Infant School and Sarisbury CE Junior School catchments, set out in Annexe (I)
 - the review of Sarisbury Infant School, Sarisbury CE Junior School, Whiteley Primary School, Botley CE Primary School, The Henry Cort Community College and Brookfield Community School catchments, set out in Annexe (J)

- the review of Botley CE Primary School, Fair Oak Infant School, Fair Oak Junior School, Berrywood Primary School and St James CE Primary School catchments, set out in Annexe (K)
- the admission policy for Nursery Units attached to maintained schools set out in Annexe L.

Executive Summary

3. This report sets out the legislative background to the project, looks at the key issues behind the proposed changes and presents the detail of the proposed admission arrangements.

Contextual Information

4. A new School Admissions Code (SAC) came into force this academic year on 1 September 2021. The School Admissions Appeal Code came into force on 1 February 2012. The infant/primary, junior, secondary, and all-through admissions policies for community and voluntary controlled schools now reflect the mandatory provisions of paragraph 1.7 of the SAC with the definition of previously looked after children being extended to include children adopted from state care outside of England. This change did not require consultation.
5. The County Council is the admission authority for all community and voluntary controlled schools within Hampshire and is therefore responsible for determining the admission arrangements for these schools. Hampshire provides a co-ordinated and centralised main round process. For in-year admissions, schools and the authority support parents in making an application. Regulations require all admission authorities (i.e. the local authority for community and voluntary controlled schools and the governing body or Academy Trust for own admission authority schools: voluntary aided, foundation and trust schools and Academies, referred to in this report as OAA schools) to determine their school admission arrangements for 2023/24 by 28 February 2022 and to have notified other admission authorities and published the admission arrangements on their website by 15 March 2022.
6. The term ‘admission arrangements’ means the overall procedure, practices and oversubscription criteria used in deciding on the allocation of school places including any device or means used to determine whether a school place is to be offered (normally a supplementary information form is used by OAA schools where priority for admission cannot be determined from the information on the LA’s form). In the case of the LA, this includes a county admission policy with which community and voluntary controlled schools’ policies must comply. A list of school specific criteria also forms part of the admission arrangements. In Hampshire there is a separate policy for entry at

Year R, Year 3, and Year 7 and for nurseries. One community secondary school has an appropriate policy for admission to their sixth form. Separate policies for junior schools which are in a federation with their linked infant school and for all-through schools (with the age range 4-16) have also been established. The admission arrangements also include the published admission number (PAN) for each community and voluntary controlled school.

7. Admissions authorities must consult by 31 January in the determination year on their admission arrangements, unless there are no changes proposed. Consultation with schools, neighbouring local authorities and parents on the County's 2023 admission policies and PANs has been carried out in two phases:
 - **6 September – 17 September 2021:** consultations with schools on PANs and school specific criteria.
 - **15 November – 31 December 2021:** statutory consultation with schools, other local authorities, and parents on the intended arrangements, including any revised PANs. Consultation documents included any revisions advised by Forum and recommended by senior management in response to the informal consultation with schools.
8. Throughout the consultation for 2023/24 admissions, special attention has been paid to the consultations on PANs to find a proper balance between the effective management of school places and the successful expression of parental preference. The consultation in September 2021 gathered information on individual schools' requests to change their PAN and schools were asked whether they would like to request an amendment, removal, or additional school specific criterion for their policy. All proposed changes were shown in the consultation documents, with proposed reductions highlighted since any reduction to a PAN requires wider consultation. For all proposed PAN changes the authority carries out the required statutory consultation.
9. The Admission Forum, which ceased to be a statutory body in February 2012, has been maintained by the LA because of the vital scrutiny role that it provides. The Hampshire Admission Forum is made up of advocates for children, schools, and families from a variety of settings including county councillors, Headteachers representing the range of schools in the County, representatives of the Church of England and Roman Catholic dioceses, the armed forces, special educational needs, ethnic minorities, early years providers and school governors. The Forum is advised by LA officers and meets three times a year to consider issues relating to school admissions. The statutory consultation process for the 2023/24 arrangements was considered at the October and January meetings of the Hampshire Admission Forum.

Performance

10. The annual review of Admission numbers and subsequent proposal of a reduction to a lower number for the identified schools, will better support those schools in managing their budget pressures and in making efficient use of resources.

Consultation and Equalities

11. There have been three responses to the County Council's proposed PANs for 2023/24. One response was from a member of public raising concern about the impact of PAN reductions on the wider availability of school places. Another response was from a member of public relating to the proposal to reduce the PAN from 100 to 90 at Heatherside Infant School. They raised concern about the impact of the reduction on local children being able to access their local school, in particular siblings of children already on roll at the school, when considered alongside a proposed PAN reduction at another Fleet infant school. A last response was supportive of the PAN reduction at Heatherside Infant School. In all three cases, it is the LA's view that the proposed PAN reductions and the proposed PAN reduction at Heatherside Infant School, do not compromise the LA's duty to provide school places for local residents. All comments are included as Annexe (M (a)).
12. There have been three responses to the County Council's proposed admission policy over-subscription criteria. One response was from a member of public concerned about the admission arrangements relating to the Gosport peninsular, and the impact of the distance tiebreaker on the availability of some schools for children, depending on the school's proximity to the catchment in which they reside. Another response was from a school requesting a change in their admission arrangements, so that all children attending the linked infant school would be automatically accepted into the school. A last response asked if it was possible to grant armed forces families special consideration to have their applications considered on time if they moved into an area after the deadline. In these cases, it is the LA's view that the admission arrangements for the Gosport peninsular, do not compromise the LA's duty to provide school places for local residents. Whilst the suggested change in the school's admission arrangements would not be allowed under the School Admissions Code, the school can request a school specific criterion giving children attending the linked school a higher priority as part of their admission arrangements, but this would need to be included as part of the following years consultation process. In the case of the armed forces response, these applications are treated as on time up to the freeze dates for moving house. Legislation does allow an application to be treated as on-time where exceptional circumstances apply, which would include considering late service personnel applications as on time, but these are considered on a case-by-case basis. All comments are included as Annexe (M (b)).

13. For the catchment area reviews detailed at Annexes (I), (J) and (K), each schools' governing body has been consulted and affected families written to ahead of the statutory consultation on the proposed arrangements. This exercise and the public consultation on the catchment area reviews received eighteen responses, and these are included at Annexe (M (c)). This includes responses about the proposed catchment area changes because of the Greenaway Lane development in the Western Wards, the North Whiteley development in Whiteley and the Boorley Gardens, Woodhouse Lane, and One Horton Heath developments in the Eastleigh Southern Parishes.

Greenaway Lane development, Western Wards

14. There were six responses received in the case of annexe (I) which is the proposed catchment change resulting from the Greenaway Lane development. Two responses did not support the proposal. Three responses supported the proposal. One response made general comments. The two responses that did not support the proposal, raised concern about the potential negative impact on numbers at Sarisbury Infant and Sarisbury CE Junior School, and their sustainability in the future. The three responses that supported the proposal did so based on the geography of the change and the impact on Hook-with-Warsash CE Primary Academy's future pupil numbers. The general comment related to the mapping used to illustrate the change.
15. This proposed change to the schools' catchment areas arises from the planned new housing sites in the Greenaway Lane area. The proposal is that children living in the new housing and in a small number of existing houses, will not have catchment priority at the Sarisbury schools from September 2023, instead having catchment priority at Hook-with-Warsash. A significant proportion of the Greenaway Lane new dwellings are being built within the catchment area of Hook-with-Warsash. Current analysis shows the Sarisbury schools to be nearly full of catchment area children. Forecast data suggests the number of 4 years olds within the catchment area for the Sarisbury schools may exceed the PAN for the school. If further numbers of children are added into the Sarisbury schools' catchment areas, then the schools may not be able to meet catchment demand whereas it is forecast that Hook-with-Warsash can accommodate the children forecast to move into the Greenaway Lane new houses. Transitional arrangements to 2026 are proposed to support the admission of siblings in families whose catchment will change because of the proposed catchment change. Hook-with-Warsash CE Primary Academy have run their own consultation as an OAA to redraw the catchment boundaries.

North Whiteley development, Whiteley

16. There were nine responses received in response to the proposed catchment change resulting from the North Whiteley development. Five responses did not support the proposal. Two responses supported the proposal. Two responses made more general comments. For the five responses that did not support the proposal, there was a concern raised relating to the possible impact on existing transport arrangements to Swanmore College, two objections to the proposal to include the whole of Whiteley in the catchment area of Henry Cort Community College, primarily around the distance, and two objections about losing the current transition from linked junior / primary schools to secondary school. The two supportive comments related to numbers on roll at Henry Cort School and the clarity over primary phase schooling in the area. The general comments related to the difference in catchment area proposed by Cornerstone CE (Aided) Primary School as an OAA school.
17. This proposed change to the schools' catchment areas arises from the new homes being built on the major North Whiteley development. There are two parts to the proposal, one affecting secondary schools and their catchment areas phase and the other primary phase schools' catchments.
 - The secondary phase proposal is that the whole of the existing Whiteley development and the new North Whiteley development would all be part of one school's catchment area. It is proposed that Henry Cort Community College would give catchment priority to these children. Whilst Wildern Academy Trust will need to run their own consultation to no longer include portions of the development currently in their catchment area, this would mean that the new development would be taken out of the Brookfield Community School catchment area.
 - The primary phase proposal is that the catchment boundary would be redrawn, so that Whiteley Primary School provides catchment priority to children living in the original Whiteley housing. Cornerstone CE Aided Primary School is proposed to provide catchment priority for children in houses in the newer North Whiteley development. This would mean that the new development would be taken out of the Sarisbury Infant and Sarisbury CE Junior Schools and Botley CE Primary School catchment areas.
18. For secondary phase children, if Henry Cort Community College becomes the catchment secondary school for the extended Whiteley development, children attending the school will have transport eligibility for LA funded transport. Henry Cort Community College has capacity to expand from its current PAN of 180 and accommodate the children on the extended Whiteley developments. Transitional arrangements to 2026 are proposed to support

the admission of siblings in families whose catchment will change because of the proposed catchment change. Wildern Academy Trust, as the academy trust for Deer Park School and Wildern School would have to run their own consultation as an OAA to redraw the catchment boundaries, and were they not to agree, this would lead to a shared catchment area for these children.

19. For primary phase children, Cornerstone Primary School moved into their new school building in September 2021, in the North Whiteley development. The school has been designed to expand as demand increases as part of the local authority strategy, and to pick up the local housing in North Whiteley, currently situated in the Sarisbury and Botley school's catchment areas. Cornerstone, as a voluntary aided school has been working with the Portsmouth and Winchester Diocesan Board of Education to align its catchment area with the Church of England Parish for Whiteley. That Parish differs very slightly from the catchment area. The Admissions Forum supported the Local Authority adopting new catchment areas that differ slightly from the area in its proposal. This will lead to the newly established catchment areas in HCC schools being the same as Cornerstone and all homes having catchment area priority at only one school. Transitional arrangements to 2026 are proposed to support the admission of siblings in families whose catchment will change because of the proposed catchment change. Cornerstone CE (Aided) Primary School have run their own consultation as an OAA to redraw the catchment boundaries.

Boorley Gardens, Woodhouse Lane, One Horton Heath developments, Eastleigh Southern Parishes

20. There were three responses received in response to the proposed catchment changes resulting from the Boorley Gardens, Woodhouse Lane, and One Horton Heath developments. One response supported the proposal. Two other responses made more general comments. The supportive comment related to the proposal to increase the catchment area for St James CE Primary School. One of the two general comments sought reassurance about the inclusion of transitional arrangements to 2026, whilst the other commented on the accessibility of the consultation.
21. This proposed change to the schools' catchment areas arises from the planned new housing sites at Boorley Gardens, Woodhouse Lane and One Horton Heath. The proposal is in three parts.
 - The first part is that children living in the new housing in Boorley Gardens will not have catchment priority at the Fair Oak Schools and Botley CE Primary School, instead having catchment priority at Boorley Park Primary School.

- The second part is that children living in the new housing in Woodhouse Lane will not have catchment priority at Botley CE Primary School, instead having catchment priority at Berrywood Primary School.
 - The third part is that children living in the new housing at One Horton Heath, will not have catchment priority for the Fair Oak Schools, instead having catchment priority at St James CE Primary School. Transitional arrangements to 2026 are proposed to support the admission of siblings in families whose catchment will change because of the proposed catchment change. Wildern Academy Trust as the admission authority for Boorley Park Primary School have run their own consultation as an OAA to redraw the catchment boundaries.
22. The proposed catchment area changes are in response to new housing developments and are in keeping with school place planning decisions to ensure the correct balance to meet forecast demand from the new housing in the best located schools predicted to have capacity for children in the new houses. St James CE Primary School will provide catchment priority for children moving into new houses on One Horton Heath. As the development grows, new primary provision will be provided.

Other Key Issues

23. The informal consultation with all Hampshire Community and Voluntary Controlled schools carried out during September 2021, provided an opportunity for governing bodies, and headteachers to indicate whether they wished to change their PAN for the 2023/24 academic year and whether they would like to retain, change or to request a new school specific criterion for their school's admissions policy. With no significant changes being proposed in Hampshire's admissions arrangements for 2023, schools were not asked for their views on any other policy changes.

Infant/primary, junior, secondary and all-through admissions policies for community and voluntary controlled schools 2023/24 (Annexes A, B, C, D and E)

24. Admission policies set out how applications for each school are prioritised and provide key dates for the year in question. All admission policies for these schools were updated on 1 September 2021 for 2021/22 and 2022/23 with the definition of previously looked after children being extended, to comply with the mandatory provisions (paragraph 1.7) of the School Admissions Code (September 2021), but this change did not require consultation.
25. There were no other changes that the Admission Forum was asked to support at their meeting in October 2021.

The policies provided in Annexes A, B, C, D and E are recommended with the support of the Admission Forum to the Executive Member for her agreement.

School specific criteria (Annexe F)

26. The County Council's policies apply to admissions for all community and voluntary controlled schools within Hampshire. The Admission Forum has, in the past, recognised that there are some cases where a small amount of flexibility is advised in relation to individual school policies. This is to avoid situations where rigid implementation of the LA policy would lead to unacceptable anomalies. The required flexibility is delivered through school specific criteria, which includes, for example, the use of walking route as the method for measurement of distance for tiebreaker purposes (as an alternative to measuring by straight line) to suit local circumstances, or a criterion giving priority to children attending the linked infant school.

27. The need to centralise the administration of the main admissions round makes it more difficult to accommodate school specific criteria. Schools are advised that inclusion of a school specific criterion in their school policy may require them to directly support the processing of applications to the school.

Annexe F lists all proposed school specific criteria for 2023, supported by the Admission Forum who considered these at their October and January meetings. It is proposed that the Brighton Hill school specific criterion be removed from their policy as the transitional arrangement will no longer be needed. However, there is a proposal for inclusion of a school specific criterion in the admission policy of Cupernham Junior School to give priority to children attending the linked infant school and support continuity of education for those children. There is also a proposal for the inclusion of a school specific criterion in the admission policy of Endeavour Primary School to allow distances to be measured to both school sites and ensure a fairer and clearer measuring system for parents. There are also several school specific criteria relating to those schools affected by the proposed catchment changes.

The list given at Annexe F, therefore, is recommended with the support of the Admission Forum to the Executive Member for her agreement.

Published Admission Numbers (PANs) for infant/primary, junior and secondary schools (Annexe G and Annexe H)

28. Every year, the LA must, as part of its admission arrangements, publish on its website the number of pupils who will be admitted to each school (the PAN). The LA consults governing bodies of community and voluntary controlled schools annually on the proposed PAN for their school. At its meeting in October 2021, Hampshire Admission Forum considered all PANs where a

change from the 2022 figure was proposed. The enclosed tables for primary phase schools (Annexe G) and secondary schools (Annexe H) give the PAN for 2022 and the proposed PAN for 2023. If a school has specialist resourced SEN provision, the pupils to be admitted to this provision are usually, but not always, included within the PAN.

29. It is proposed that the PANs for two primary phase schools increase in line with strategic planning of places or as requested by the school. It is also proposed that there be increased or new specialist resourced SEN provision at nine primary phase schools. These have been highlighted in green, on Annexe G and H. It should be noted that there is also a proposal to reduce the PAN at sixteen primary phase schools, which are highlighted in red on the annexed documents. Each school's governing body has made cogent educational and curricular arguments in favour of the reduction, and it is the LA's view that the proposed reductions do not compromise the LA's duty to provide school places for local residents.
30. The governors of community and voluntary controlled schools can object to the Schools Adjudicator if they consider that the PAN proposed by the LA is not appropriate for their school. An objection to a decision by the LA to increase or keep the same PAN at a community or voluntary controlled school cannot be brought, except where the objection is brought by the governing body of the school. An objection to the lowering of a PAN may be made to the Schools Adjudicator by a parent or other interested party.

The list given at Annexes G and H, therefore, is recommended with the support of the Admission Forum to the Executive Member for her agreement.

Catchment Area Reviews (Annexe I, J, K)

31. The SAC states that a catchment area is a geographical area, from which children may be afforded priority for admission to a particular school. A catchment area is part of a school's admission arrangements and must therefore be consulted upon, determined, and published in the same way as other admission arrangements. Catchment areas must be designed so that they are reasonable and clearly defined. Catchment areas do not prevent parents who live outside the catchment of a particular school from expressing a preference for the school. Hampshire's admission arrangements include catchment areas to reinforce the LA's commitment to ensuring that, as far as possible, schools serve their local community.
32. Every year, the LA must, as part of its school place planning function, ensure that there are sufficient school places for Hampshire residents and for any new communities arising from housing development. Where the development is sufficient in scale to require a new school to be built, the LA will follow up all relevant guidance in relation to establishing an academy (free school) via the

'free school presumption'. The LA must then review the catchment areas of any surrounding community and voluntary controlled schools to ensure that they remain reasonable: ensuring extended communities are not fractured by a catchment boundary; the forecast size of the child population for the area can be accommodated within the school's capacity and that the new school has an established area that they might operate as a catchment area within their admission arrangements.

33. It should be noted that there is a proposal to change the catchment areas of the following schools: Sarisbury Infant and Junior Schools, Hook-with-Warsash CE Primary Academy, Whiteley Primary School, Botley CE Primary School, The Henry Cort Community College, Brookfield Community School, Fair Oak Infant and Junior Schools, Berrywood Primary School and St James CE Primary School catchments (detailed in paragraphs 12 to 21 above and in Annexes I, J and K).
34. Transitional arrangements are proposed to support the admission of siblings in families whose catchment will change because of the proposed catchment change.

The three sets of catchment area changes provided in Annexe I, J and K, therefore, are recommended with the support of the Admission Forum to the Executive Member for her agreement.

Admission policy for Nursery Units (Annexe L)

35. There are no proposed changes to the Nursery policy for 2023.

Objecting to admission arrangements determined by schools which are their own admission authority (OAA schools)

36. It should be noted that admission arrangements for academies are approved by the Secretary of State as part of an academy's Funding Agreement and requires compliance with admissions legislation and relevant Codes. Academies and other OAA schools are required to consult in the same way as any other admission authority: at least once every seven years or annually if there are changes to arrangements.
37. OAA schools are responsible for setting their own PAN and must inform the LA of their decision. They are not required to consult on their PAN where they propose either to increase or keep the same PAN.
38. Local authorities must refer an objection to the Schools Adjudicator if they are of the view that a PAN reduction will create a shortage of school places in an

area or suspect that the admission arrangements that have been determined by OAA schools in its area are unlawful. *Objections to a decision by an academy or other OAA school to increase or keep the same PAN cannot be brought. An objection to a variation from the School Admissions Code agreed by the Secretary of State in relation to the admission arrangements for an Academy cannot be brought.* Objections to any other aspect of an OAA school's admission arrangements will be considered by the Schools Adjudicator.

Future direction

39. The County Council's Admission Arrangements will be subject to review again in the autumn term 2022, when the statutory timeframes for consulting on the arrangements for 2024 commence.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	Yes
People in Hampshire live safe, healthy, and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	Yes
People in Hampshire enjoy being part of strong, inclusive communities:	Yes

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

No adverse impact in regard to race, culture, gender or disability arising from this report has been identified. However, to ensure that the admission arrangements allow for the best interests of all children to be properly considered when applying the published policy an equality impact assessment has been undertaken.

By its very nature, the purpose of a school admission policy is to prioritise one group of children over another based on a set of oversubscription criteria. Oversubscription criteria must be reasonable, clear, objective, procedurally fair, and comply with all relevant legislation, including equalities legislation. Admission authorities must ensure that their arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs. All the admission criteria proposed in Hampshire's admission

arrangements for 2023 are permissible in the School Admissions Code (DfE 2021) and therefore do not breach equality legislation.