

TITLE OF REPORT: **Variation to Primary and Secondary School Admission Policies from September 2021 Onwards**

REPORT OF: **Caroline O'Neill, Strategic Director, Children, Adults and Families**

Purpose of the Report

1. The purpose of this report is to request Cabinet to recommend Council to approve the variation of the Primary and Secondary Schools Admission Policies from 2021/22 onwards.

Background

2. The Department for Education have recently issued a new School Admissions Code which comes in to force with effect from the 1 September 2021. It applies to all maintained schools in England. Academies, including those that are free schools are required, to comply with the code and the law relating to admissions, though the Secretary of State has the power to vary this requirement where there is a demonstrable need.
3. The code and the related legislation ensure that school admission authorities, whether local authorities, schools or academies, must operate in a fair way that promotes fair access to school choice, social equity and community cohesion. The Code has a statutory basis and imposes mandatory provisions. Admission authorities must ensure that their school admission arrangements comply with the mandatory provisions of this Code.
4. The new 2021 School Admissions Code (the Code) requires children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted to be given equal first priority in admission arrangements, alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC). This advice refers to these children as internationally adopted previously looked after children "**IAPLAC**".
5. This new provision will necessitate variations to determined admission arrangements to take effect from 1 September 2021. Admission authorities will need to vary their admission arrangements for 2021/22 (which were determined by 15 February 2020) and their admission arrangements for 2022/23 (which were determined by 15 February 2021). Without these variations, admission arrangements that have already been determined will no longer comply with the Code from this date.

Proposal

6. Cabinet is asked to consider the proposed variation to Primary and Secondary Schools admission policies for both 2022/23 and beyond as attached in Appendix 2 and agree the variation to the 2021/22 policy.

Recommendations

7. It is recommended that Council be asked to agree that:
 - (i) the Community and Voluntary Controlled Primary and Secondary Admissions Policy set out in Appendix 2 is adopted for September 2021 onwards; and
 - (ii) the approved admissions policies for September 2022/23 are used as a basis of consultation, if necessary, with schools and others for formulating the relevant admissions policies from September 2023/24 onwards.

For the following reason:

- To enable the Council to comply with statutory legislation as it relates to school admissions policies and admission arrangements.

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APPENDIX 1

Policy Context

1. This report supports the Council's strategic approach of Making Gateshead a Place Where Everyone Thrives.
2. The proposals also support the Council's Equal Opportunities policy. The report reflects the duties placed on the Council by legislation and statutory guidance.

Background

3. At its meeting in April 2016, the Council agreed that the approved school admissions policies for September 2017 be used as a basis for future school admissions policies.

Admission Policies

4. The revised admission policies for community and voluntary controlled primary and secondary schools are contained within Appendix 2.

Consultation

5. As this is a mandatory requirement to vary agreed admission policies a consultation has not been carried out, however, published admission information for parents on admissions from September 2021 onwards will reflect this change.
6. The Cabinet Member for Children and Young People has been consulted on this report.

Alternative Options

7. There is no alternative as this is a mandatory requirement.

Implications of Recommended Option

8. **Resources:**
 - a) **Financial Implications** – The Strategic Director, Resources and Digital confirms that there are no financial implications arising from this report
 - b) **Human Resources Implications** – Nil
 - c) **Property Implications** - Nil
9. **Risk Management Implication** - Nil

10. **Equality and Diversity Implications** - The policies comply with equal opportunities requirements in that all persons are treated equally with criteria being applied objectively.

The Equality Act 2010 consolidates the law prohibiting discrimination, harassment and victimisation. All schools must have due regard to their obligations under the act and an admission authority must not discriminate on the grounds of disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation as to who is offered admission as a pupil. All schools must have due regard to their obligations under the Act and review their policies and practices to make sure these meet the requirements of the Act, even if they believe that they are already operating in a non-discriminatory way.

11. **Crime and Disorder Implications** – Nil
12. **Health Implications** - Nil
13. **Climate Emergency and Sustainability Implications** – Nil
14. **Human Rights Implications** - School Admissions Policies have Human Rights Implications. It is a convention right that no person should be denied the right to education. The Policy pursues a legitimate aim and is proportionate. It is necessary to assist the local authority and governors in distinguishing between competing applications. It is also necessary to allow parents to more accurately assess the prospects of their being able to obtain a place at the schools they prefer.
15. **Ward Implications** - All Wards are covered by this report

Appendix 2

Gateshead Council Primary School Admission Policy 2022/2023

We allocate places at Gateshead Primary, Infant and Junior Schools using this policy and co-ordinate admissions to Gateshead schools using the coordinated admission scheme.

The policy is as follows:

- Children start school at the beginning of the academic year in which they will reach the age of five. (An academic year lasts from 1 September in one year to 31 August the following year). Children are entitled to a full-time place as soon as they start school, however in most schools, the first term will include an induction period, (a period for children to get used to school life gradually, generally from September to October). Although, you may request that your child attends school part-time until later in the school year, but not beyond the point that your child reaches compulsory school age.

In addition, parents may request that their child is admitted to school later in the school year following September 2022, but not beyond the point at which they reach compulsory school age, and not beyond the beginning of the final term of the school year.

- We will accept pupils up to the schools agreed Planned Admission Number for the year group unless we feel there are lawful grounds not to do so.

Oversubscription Criteria

We will consider applications from parents who have named the school as any ranked preference on their application form this is called the equal preference system. If there are more applications for the number of places available at a school, we will then allocate places by using the following order of priority:

Order of Priority	Oversubscription Criteria
Criteria 1	Children in Public Care (and as deemed under Section 22 of the Children Act 1989) including a child who was previously “looked after” but immediately after being “looked after” became subject to an adoption, residence, or special guardianship order (see definition*). Children who appear to have been in state care outside of England and ceased to be in state care as a result of being adopted.
Criteria 2	Children who live in the school’s catchment area and who will have a brother or sister at the school, or at the feeder junior school during the coming academic year. (see definition*).
Criteria 3	Other children who live in the school’s catchment area.

Criteria 4	Other children who will have a brother or sister at the school or at the feeder junior school during the coming academic year (see definition*).
Criteria 5	Other children who have exceptional medical or social grounds see point 1 below.
Criteria 6	All other children.

(*see definitions of our criteria in priority 1, 3 and 5 above in our parent's information booklet and at www.gateshead.gov.uk).

Point 1

We can consider exceptional individual applications, particularly in cases involving medical or social needs. If you wish to apply on medical or social grounds you must provide written evidence from relevant registered health professionals i.e. a doctor or social worker. The evidence must demonstrate why the chosen school is more appropriate and what difficulties would be caused if they were to travel to and attend alternative schools. We will not consider such applications if the relevant professional evidence is not provided. The evidence will be presented to the Primary Fair Access Panel for consideration. No assumption should be made that submission of the relevant evidence will be, in itself, sufficient to allocate a place.

Whickham Parochial Church of England Controlled Primary School

This school has the same oversubscription criteria as priorities 1 to 6 above except that criteria 4 and 5 above are reversed. Priority 1, 2, 3, 6 and 7 remain in the same order however for this particular school their oversubscription criteria places priority 5 children above those children in priority 4.

Oakfield Junior School

The school has the same oversubscription criteria as priorities 1 to 6 above, however, they have an additional criterion (8 in total). Criteria 7 is also different that above. Please see below;

Criteria 1 to 6 same as criteria 1 to 6 above.

Criteria 7 children that attend Oakfield Infant School.

Criteria 8 all other children.

Admission of children outside their normal age group

Parents may request a place for their child outside their normal age group, for example gifted and talented children, children that have suffered ill health or parents of summer born children (children born from 1 April 2018 to 31 August 2018).

All cases of admission of children outside their normal age group must be discussed with the Council and relevant school Head Teacher prior to the application being made.

Such requests must be made on the Common Application Form which is available from 10th September 2021. Parents must detail the circumstances of their request and include any supporting information from relevant professionals.

The Council will consider each case individually and parents will be notified of the outcome of their request before 18th April 2022. *(Please refer to the 'Admission to Primary School' booklet for further information regarding deferred entry and admission of children outside their normal age group).*

Address

For the purposes of deciding whether a child lives in the catchment area of a school we will use the parent or legal guardian's address or the address of a relevant adult who has parental responsibility, as defined under the 1989 Children's Act, for the child.

Tie breaker

If, within any of the above criteria, there are more applicants than places available priority will be given to those children based on the distance they live from the school, measured 'as the crow flies' i.e. in a straight line from the central of the home residence to the school's main entrance. Children living nearest to the school will have priority. We measure the distance using a geographical information system (GIS). Where two or more applicants share the exact same distance, a random allocation process will be used to determine the ranked order of the applications in question.

Waiting list

If places become available, we will consider all relevant applications based on a waiting list. The waiting list will be maintained by the council from the start of the academic year and be kept for the rest of the academic year. All applicants on the waiting list are placed according to the admission criteria and priorities set out above. However, children who are the subject of a direction to admit by the LA or who have been referred for admission and have been allocated a place through the Fair Access Protocol will take precedence over any child on the waiting list.

Application Dates

From 10th September 2021 Gateshead residents can apply on-line at:
www.gateshead.gov.uk

On-line applications must be submitted by **15 January 2022**. Alternatively, parents can request a paper application from The School Admissions Team on 0191 433 2757. Paper applications must be returned to The School Admissions Team, Dryden Centre, Evistones Road, Gateshead, NE9 5UR by **15 January 2022**.

If you live outside Gateshead and want to apply to a Gateshead school, you must obtain an application form from your home Council and return it to them by their closing date, even if the schools you want to apply to are in Gateshead. However, you must still consider the information in Gateshead Council's 'Admission to Primary School' booklet so that you know what the admission arrangements are to Gateshead schools. This information is available at www.gateshead.gov.uk. Your own Council will send us notification of your application and they will let you know the final allocation of a school place for your child.

Offer Date – 18th April 2022

A letter will be sent to parent's resident in Gateshead on or around 18th April 2022 informing them of the school they have been offered for their child. Gateshead residents who apply on-line are also informed by e-mail on 18th April 2022.

General Information and definitions

For information on our admission arrangements and definitions of the terms used in this policy please refer to our "Admission to Primary School" booklet for 2022 available at www.gateshead.gov.uk.

Gateshead's co-ordinated admission scheme and catchment areas referred to in this policy can also be viewed online or at The Dryden Centre.

Gateshead Council Secondary School Admission Policy 2022/23

We allocate places at Gateshead secondary schools using this policy and co-ordinate the admissions to Gateshead schools using the co-ordinated admission scheme.

The admission policy is as follows:

- Secondary schools will normally admit pupils between the ages of 11 and 16, or 11 and 19, depending upon the school.
- We will accept pupils up to the school's agreed planned admission number for the year group unless we feel there are lawful grounds not to do so.

Oversubscription Criteria

We will consider applications from parents who have named the school as any ranked preference on their application form, this is called the equal preference system. If there are more applications for the number of places available at a school, we will then allocate places using the following order of priority:

Order of Priority	Oversubscription Criteria
Criteria 1	Children in Public Care (and as deemed under Section 22 of the Children Act 1989) including a child who was previously "looked after" but immediately after being "looked after" became subject to an adoption, residence, or special guardianship order (see definition*). Children who appear to have been in state care outside of England and ceased to be in state care as a result of being adopted.
Criteria 2	Children who appear to have been in state care outside of England and ceased to be in state care as a result of being adopted.
Criteria 3	Children who live in the school's catchment area.
Criteria 4	Children who will have a brother or sister at the secondary school during the coming academic year.
Criteria 5	Other children who have exceptional medical and social grounds see point 1 below.
Criteria 6	All other children.

(*see definitions of our criteria in priority 1 and 3 above in our parent's information booklet and at www.gateshead.gov.uk)

Point 1- We can consider individual applications in cases involving exceptional medical or social needs. Such applications must be supported in writing from relevant registered health professionals i.e. a doctor or social worker. The evidence must demonstrate why the chosen school is the most suitable and what difficulties

would be caused if the child were to attend another school. We will not consider such applications if the relevant evidence is not provided. The evidence will be presented to the Council's Pupil Placement Panel for consideration. Each case will be considered individually, and no assumption should be made that the submission of the relevant evidence will, in itself, be sufficient to allocate a place.

Tie breaker

If within any of the above criteria there are more applicants than places available, priority will be given to those children based on the distance they live from the school, measured 'as the crow flies' in a straight line from the centre of the home residence to the school's main entrance. Children living nearest to the school will have priority. Distance is measured using a geographical information system (GIS). Where two or more applicants share the same distance, a random allocation process will be used to determine the ranked order of the applications in question.

Sibling link

For your child to receive priority because of an older brother or sister in the sixth form at the school, the brother or sister must have been at the school at the start of Year 11.

Address

For the purposes of deciding whether a child lives in the catchment area of a school we will use the parent or guardians address or the address of a relevant adult who has parental responsibility, as defined under the 1989 Children Act, for the child.

Waiting list

If places become available, we will consider all relevant applications using a waiting list. The waiting list will be maintained by the council from the start of the academic year and be kept for the rest of the academic year. All applicants on the waiting list are placed according to the admission criteria and priorities set out above. However, children who are the subject of a direction to admit by the LA or who have been referred for admission and have been allocated a place through the Fair Access Protocol will take precedence over any child on the waiting list.

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From 10th September 2021 Gateshead residents can apply on-line at:

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On-line applications must be submitted by **31st October 2021**. Alternatively, parents can request a paper application from The School Admissions Team on 0191 433 2757. Paper applications must be returned to The School Admissions Team, Dryden Centre, Evistones Road, Gateshead, NE9 5UR by **31st October 2021**.

If you live outside Gateshead and want to apply to a Gateshead school, you must obtain an application form from your home Council and return it to them by their closing date, even if the schools you want to apply to are in Gateshead. However, you must still consider the information in Gateshead Council's 'Admission to Secondary School' booklet so that you know what the admission arrangements are to Gateshead schools. This information is available at www.gateshead.gov.uk . Your

own Council will send us notification of your application and they will let you know the final allocation of a school place for your child.

Offer Date – 1st March 2022

A letter will be sent to parent's resident in Gateshead on or around 1st March 2022 informing them of the school they have been offered for their child. Gateshead residents who apply on-line are also informed by e-mail on 1st March 2022.

General Information and definitions

For information on our admission arrangements and definitions of the terms used in this policy please refer to our "Admission to Secondary School" booklet for 2022 at www.gateshead.gov.uk

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