

<b>Item No.</b> 11.	<b>Classification:</b> Open	<b>Date:</b> 18 January 2022	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Admission arrangements for community primary schools - September 2023	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education	

## **FOREWORD – COUNCILLOR JASMINE ALI, DEPUTY LEADER AND CABINET MEMBER FOR CHILDREN, YOUNG PEOPLE AND EDUCATION**

Southwark Council has a statutory responsibility for coordinating school admission applications on behalf of all Southwark residents applying for a place at a primary, junior or secondary maintained school/non-maintained state funded school in England.

The Admissions Code requires all admission authorities to consult when proposing to change their admission arrangements. The current arrangements have worked well to support the admissions process and provide access to places. However in Southwark, across London and beyond, the supply of primary places is exceeding demand. This demographic shift has multiple causes: a decline in the birth rate, the impact of welfare reform on young families, changes in the housing market, the uncertainties of Brexit and more recently the current global pandemic. This has without question had a detrimental effect on individual schools and has an impact across our entire school estate.

An over-supply of places at a school can and indeed has led to financial and organisational problems which are difficult to manage. Action to reduce excess places can help school leaders to plan for and manage their schools. As agreed in principle by Cabinet in 2021 officers have consulted with school leaders to reduce the published admission number at schools with an over-supply of places.

Following full consultation with school leaders and stakeholders, I can now announce that agreement has been reached with schools to request an adjustment to reduce the published admissions number (PAN) from September 2022 through an in-year variation request to the Office of the Schools Adjudicator (OSA) the decision is expected in the first few weeks of this year. The schools are Ilderton, Dog Kennel Hill, Cobourg Community primary schools and English Martyrs RC primary school. A statutory admissions consultation to reduce the PANs of these, three community schools has also been followed as a safeguard, pending the outcome of the OSA decision. A summary of responses to this consultation is provided at Appendix 4 of this report.

I am in agreement with council officers and local schools as articulated through our recent consultation with schools. According to our projections, this will help to manage school capacity and support the above-named schools to better organise their finances for the incoming academic year and beyond.

## **RECOMMENDATIONS**

1. That Cabinet agrees the Southwark Community Primary Schools Admission Arrangements (“the Arrangements”) for September 2023 onwards as set out in Appendix 1 of this report.
2. That Cabinet agrees the Published Admissions Numbers (PANs) for primary community schools for September 2023 onwards as set out in Appendix 2 of this report.

## **BACKGROUND INFORMATION**

3. Southwark Council (“the Council”) is the admission authority for community primary schools within Southwark and must determine the admission arrangements for those schools by 28 February each year, for application in the following academic year.
4. The School Admissions Code 2021 (“the Code”), which applies to all maintained schools, academies and free schools came into force on 1 September 2021. When determining admission arrangements, admission authorities are required to act in accordance with all mandatory provisions contained in the Code.
5. Admission arrangements must also adhere to the requirements of the School Standards and Framework Act 1998 (“the SSFA 1998”), the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 (as amended) (“the Regulations”) and the School Admissions (Infant Class Sizes) (England) Regulations 2012.
6. At the Cabinet meeting on 19 March 2013, the Leader of the Council delegated authority to the cabinet member for children’s services to agree the admission arrangements for community primary schools for 2015 admissions and onwards where there were no changes made from the previous year. This report is being brought to Cabinet for agreement as there are proposed changes to the Published Admission Number (PAN) at three community primary schools as set out in paragraph 19 of this report.
7. The Regulations and paragraph 1.45 of the Code require all admission authorities to consult when proposing to change their admission arrangements. A full consultation in respect of September 2023 admission arrangements for Southwark community primary schools was carried out

this year between 12 November 2021 and 14 January 2022. One response was received by 6 January 2022 confirming agreement to each of the proposals set out in the consultation document. A summary of this and, any further responses received by the closing date, 14 January 2022 are provided in Appendix 4 of this report.

8. All admissions authorities must as a minimum consult on their admissions arrangements at least once every seven years, even if there are no changes to their existing arrangements. Consultation on admission arrangements must run for a period of at least six weeks and be completed by 31 January in the year preceding the year the change is to be effected (i.e. 31 January 2022 for September 2023 admissions). The Council has written to all admission authorities in Southwark with a reminder of this for their school.
9. Admission Arrangements for September 2023 admissions, must be determined by 28 February 2022.
10. Full details of the Admission Arrangements for 2023, along with those of all other own admission authorities in the borough, will be included in the Starting Primary booklet for September 2023. Many families will use this booklet as a main source of information when selecting a primary school and will be able to download the booklet from the school admissions web page or view a hard copy upon request.
11. The full admission arrangements, including supplementary information forms and any proposed changes for all Southwark admission authorities consulting on their September 2023 arrangements have been checked by officers to ensure compliance with the Code. Formal written comments were provided in respect of any issues of non-compliance or, where a proposed change could adversely impact on the community or be amended to improve clarity. All comments provided must be considered before determination of arrangements. Any serious breach of compliance is able to be referred to the Office of the Schools' Adjudicator by the local authority or other key stakeholders if not remedied through discussion with the admission authority directly.
12. A list of the published admission numbers for all Southwark primary schools for the September 2023 intake is attached at Appendix 2.
13. Should any changes to either 2022 or 2023 determined admission arrangements be required by an admission authority in Southwark, this would now be subject to a request for an in year variation to the Office of the Schools Adjudicator.

## **KEY ISSUES FOR CONSIDERATION**

14. The annual Place Planning Report to Cabinet presented in October 2021 confirmed a trend of falling rolls in the borough which is continuing. There is currently an oversupply of approximately 5,000 primary school places in

the borough, 630 of these are in Reception year which equates to almost 18% of Reception capacity, currently vacant. In order to operate within the recommended level of surplus capacity for Reception of 5-10%, the current vacancies would need to reduce from its current level of 630 to approximately, 280 spare places.

15. School funding is linked to pupil numbers – fewer children equals less funding and contribute towards schools moving into a deficit budget. Education officers are currently consulting and working with school leaders to address this situation. One of the agreed measures is to take steps to 'right-size' capacity, this enables schools to reorganize resources towards the smaller intake and, provides greater stability.
16. Consultation has taken place during the autumn term with Headteachers and Governors of schools where rolls have been falling consistently over recent years to consider reducing the PAN. It should be noted that a PAN reduction would only apply to the Reception year of a school.
17. Agreement has been reached to seek an in-year variation to reduce the PAN for 2022 at Ilderton, Dog Kennel Hill and Cobourg - none of these schools have been able to admit more than 30 children into the Reception year in the last two to three years, the reduced PAN will support each school with their current, re-organisation/future proofing plans. This in-year variation process will be managed by officers separately in a request to the Schools Adjudicator. If agreed, the PAN reduction will take place from 2022 onwards. However, if the request is not upheld for any reason, the PAN would have to remain at its current level for September 2022. The PAN at these schools would then reduce from September 2023 when the agreement from this report is able to be implemented.
18. This report is seeking to reduce the admission number at three schools as set out in para 17.
19. The full list of proposed PAN reductions (Reception year) for community schools from 2023 is set out in table 1 below:

**Table 1. Proposed PAN reductions for community primary schools - September 2023**

School	Planning Area	Current PAN	Proposed PAN	Reduction
Ilderton*	2	60	30	30
Dog Kennel Hill*	4	60	30	30
Cobourg*	1	60	30	30
		180	90	90

*\* PAN reduction request to these schools for 2022 is underway separately.*

20. Officers are also supporting English Martyrs' Primary School (planning area 1) to reduce its PAN which will assist in the Council's overall aim to right size capacity across the borough, English Martyrs' has been included within the Council's in-year variation request to the Schools Adjudicator

alongside the community schools mentioned at paragraph 17 the Governing Body of English Martyrs school is requesting to reduce its PAN from 60 to 30 Reception places from September 2022. Should the in-year variation request be refused by the Schools Adjudicator, the school has also carried out its own separate consultation to reduce its PAN by 30 places from September 2023.

21. These proposals will achieve a reduction of 120 places across Southwark's primary school places capacity in total (90 community school places and 30 RC, voluntary aided school places). The remaining, 510 vacant reception places across all planning areas is above the recommended 280 vacancy level this would need to be addressed through other, wider measures to manage surplus capacity.

### **Policy framework implications**

22. The refresh of the Borough Plan for 2018-22 was approved by the Council Assembly in November 2020 and presents a set of commitments, which will help the Council deliver the vision of "A Fairer Future for All". It is a requirement that reports to Cabinet now explicitly refer to the Borough Plan and how the report and or the actions outlined will help deliver key aspects of the plan. The school admissions process supports families to secure access school places in line with theme 6 – 'A great start in life'.

### **Community impact statement**

#### **Community, equalities (including socio-economic) and health impacts**

23. The 2023 Arrangements, together with the Council's participation in the coordinated admissions scheme for primary admissions is designed to produce fair and equitable access to school places for all children. Allocation of places is delivered through strict application of admissions and oversubscription criteria of each school in Southwark through a central (pan-London) computerised system.
24. Support is provided to families that find it difficult to navigate the admissions system through our school admission officers, school staff and the Southwark Information, Advice and Support (SIAS) Team. This involves a significant amount of training, outreach support and drop in sessions for families throughout the year, all of which have been conducted virtually since the start of the pandemic. SIAS officers also provide support to specific EAL communities with the use of interpreters as well as parents / parents of children, who may have a protected characteristic under the Equality Act 2010. In addition, Southwark residents also have direct access to one to one telephone or video call support from the school admissions team during the application stage of the admissions process – this is on request and through referrals from schools and other agencies.

25. The Public Sector Equality Duty, at section 149 of the Equality Act, requires public bodies to consider all individuals when carrying out their day to day work – in shaping policy, in delivering services and in relation to their own employees. It requires public bodies to have due regard when carrying out their activities to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between people with protected characteristics and those with none. The Council’s Approach to Equality (“the approach”) commits the Council to ensuring that equality is an integral part of our day to day business.
26. “Protected characteristics” are the grounds upon which discrimination is unlawful - the characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, gender and sexual orientation. In this case, the characteristics covering gender reassignment, marriage and civil partnership, pregnancy and maternity, and sexual orientation are unlikely to be issues for consideration. Managing the capacity of primary provision to meet demand have the potential to advance equality of opportunity, and foster good relations between people with protected characteristics and those with none.
27. Comprehensive, Equality impact assessments (EQIA) to this service were carried out prior to confirming admission arrangements for September 2019 and September 2022 (links to each EQIA are included as documents 5 and 6 in the background papers of this report). No negative impacts were identified for these admission arrangements, no mitigating actions were required, and no equality objectives derived generally or from the specific proposals in those years. These EQIAs have been assessed by officers as remaining relevant to this current admissions report.
28. We have had due regard in preparing the arrangements and will have due regard when carrying out the proposed activities, for the need to eliminate discrimination, advance equality of opportunity, and foster good relations between people with protected characteristics and those with none. Provision of new school places and fair and equitable admissions policies:
  - a) “advances the cause of the elimination of discrimination” by removing potential discrimination based on the protected characteristics
  - b) “advances equality of opportunity” by ensuring that all groups, irrespective of background, have equal access to school places
  - c) “fosters good relations” by implementing a demonstrably fair and equitable policy for school admissions across the borough for people with protected characteristics and those without.

## **Health Impact Statement**

29. There are no specific identified health impacts resulting from any of the proposals or recommendations, so a health impact statement is not necessary for this report.

## **Climate change implications**

30. Following the council assembly meeting on the 14 July 2021, the council has now committed to considering the climate change implications of any decisions made.
31. As the numbers of pupils in the authority area falls, and the numbers of pupils attending particular schools reduce, then it is likely that less pupils will be travelling to schools, thereby potentially reducing travel (and carbon emissions) overall, and, where utilised, car use. There will be a negligible effect on the other categories outlined - enhancing the environment and green space, green jobs and businesses, sustainable energy and reducing waste, as these are not substantively addressed or required in this report.
32. No direct measures have been taken to reduce or enhance the impact on climate change as part of this school admissions report, as no substantive negative effects have been identified. Additionally as no direct measures have been taken to reduce or enhance the impact on climate change as part of this admissions process, no monitoring will be required. As explained above, the falling numbers of pupils is likely, if anything, to have a net positive effect on climate change, as fewer pupils attend school and are therefore transported by car or other forms of transport. Reducing the number of school places will not directly enhance the environment and green space, nor will it create "green" jobs and businesses, or benefit sustainable energy or reduce waste, albeit that less pupils in a particular school could potentially use less energy and produce less waste.
33. There are no substantive negative effects anticipated as a result of the recommendations and proposals.

## **Resource implications**

34. None

## **Legal implications**

35. Please see the concurrent from the Director of Law and Governance.

## **Financial implications**

36. The responsibilities for funding and the sources for that funding pertinent to this report are clearly set out in the relevant funding and grant regulations. All the funding for schools comes from the Dedicated Schools Grant (DSG) and does not impact on the core funding.

## **Consultation**

37. A full consultation on 2023 school admission arrangements for Southwark community primary schools was carried out in accordance with the requirements set out in the School Admissions Code, 2021 between 12<sup>th</sup> November and 14<sup>th</sup> January 2022. Responses from the consultation are summarised in Appendix 4 of this report.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Governance**

38. The recommendations in this report are included in the matters reserved to full Cabinet in Part 3C of the Council's Constitution.
39. Cabinet is advised that school admission arrangements are governed by the SSFA 1998, together with the Regulations and Code, as stated within the body of the report. Cabinet is advised that the proposed Arrangements for 2022 comply with the applicable law.
40. Cabinet is asked to note that the Council is not required to consult on proposed admission arrangements so long as they remain unchanged, for the period of up to 7 years from the last consultation. A full consultation in respect of September 2023 admission arrangements for Southwark community primary schools was carried out this year.
41. Cabinet is reminded of the public sector equality duty under section 149 Equality Act 2010 when making this decision. This requires that, due regard be given to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between people with protected characteristics and those with none. In particular the Cabinet Member will note the adjustments in place to enable full access to support and information for all communities in Southwark, outlined in the Community Impact Statement. That Statement also makes clear that whilst an equality impact assessment has been carried out in relation to the proposed changes, no negative impacts on people with a particular protected characteristic have been identified.

### **Strategic Director of Finance and Governance – CAS21/22**

42. This report seeks approval from Cabinet to the Southwark Community Primary Schools Admission Arrangements for September 2023 as set out in Appendix 1 of the report. Paragraph 36 confirms that the costs associated with the admissions process are met from the Dedicated Schools Grant, and that there is no direct financial implication on the council's revenue budgets.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
1. The School Standards and Framework Act 1998	Legislation Services Team at The National Archives, Kew, Richmond Surrey TW9 4DU	Glenn Garcia 020 7525 2717
<a href="http://www.legislation.gov.uk/ukpga/1998/31/contents">http://www.legislation.gov.uk/ukpga/1998/31/contents</a>		
2. The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012	Legislation Services Team at The National Archives, Kew, Richmond Surrey TW9 4DU	Glenn Garcia 020 7525 2717
<a href="http://www.legislation.gov.uk/ukpga/1998/31/contents">http://www.legislation.gov.uk/ukpga/1998/31/contents</a>		
3. The School Admissions Code 2021	Department for Education	Glenn Garcia 020 7525 2717
<a href="https://www.gov.uk/government/publications/school-admissions-code--2">https://www.gov.uk/government/publications/school-admissions-code--2</a>		
4. Equality Impact Assessment for September 2019, community primary school admission arrangements.	Education Access & Statutory Services files:	Glenn Garcia 020 7525 2717
<b>Link (please copy and paste into browser):</b> <a href="C:\Users\DWalsh\AppData\Local\Microsoft\Local\Microsoft\Windows\NetCache\Content.Outlook\BCE2H9F1\Southwark Council's Admissions consultation 2023 10.11.21.docx">C:\Users\DWalsh\AppData\Local\Microsoft\Local\Microsoft\Windows\NetCache\Content.Outlook\BCE2H9F1\Southwark Council's Admissions consultation 2023 10.11.21.docx</a>		
 Equality analysis-community p		
5. Equality Impact Assessment for September 2022, community primary school admissions arrangements.	Education Access & Statutory Services files:	Glenn Garcia 020 7525 2717
 Equality analysis-community p		

## APPENDICES

No.	Title
Appendix 1	Southwark Community Primary Schools Admission Arrangements - September 2023
Appendix 2	Southwark Primary Schools – Published Admission Number for September 2023 intake
Appendix 3	Southwark Secondary Schools – Published Admission Number for September 2023 intake
Appendix 4 <b>(to follow)</b>	Summary of responses to Southwark Council’s Admissions consultation 2023-24

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education	
<b>Lead Officer</b>	David Quirke-Thornton, Strategic Director of Children’s and Adults Services	
<b>Report Author</b>	Glenn Garcia, Assistant Director, Education Access and Statutory Services, Children's and Adults' Services	
<b>Version</b>	Final	
<b>Dated</b>	6 January 2022	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
	<b>Officer Title</b>	<b>Comments Sought</b>
	Director of Law and Governance	Yes
	Strategic Director of Finance and Governance	Yes
	<b>Cabinet Member</b>	Yes
	<b>Date final report sent to Constitutional Team</b>	6 January 2022