

<b>Item No.</b> 9.	<b>Classification:</b> Open	<b>Date:</b> 22 January 2019	<b>Meeting Name:</b> Cabinet
<b>Report title:</b>		Admission Arrangements for Community Primary Schools for September 2020 and amendment (at short notice) of Primary Published Admission Numbers (PANs) for September 2019	
<b>Ward(s) or groups affected:</b>		All	
<b>Cabinet Member:</b>		Councillor Jasmine Ali, Children, Schools and Adult Care	

## **FOREWORD - COUNCILLOR JASMINE ALI , CABINET MEMBER FOR CHILDREN, SCHOOLS AND ADULT CARE**

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 arrangements for community primary schools remain unchanged from the previous year when the council last consulted. The current arrangements have worked well to support the admissions process and provide access to places. However London is experiencing a new phenomenon: 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 and uncertainties surrounding Brexit. This can have a detrimental effect on individual schools.

An over-supply of places at a school can lead to financial and organisational problems which can be difficult to manage, this action to reduce excess places will help school leaders to plan for and manage their schools. As a result several primary schools across the borough have requested an adjustment to their published admissions numbers for the September 2019 intake onwards. The council has worked closely with school leaders to address these issues. A comprehensive review of the rolls of all primary schools in the borough has been undertaken: schools have been identified whose rolls have been falling and where spare capacity already existed because they have not recruited over a three year period, and these have been put forward for reductions. This will help stabilise each school's intake and enable school leaders to plan school places effectively and meet local demand. Excess classroom space at schools will be able to be developed for suitable alternative use in a more managed way and also, will be available to future proof the borough's capacity when any localised or borough wide demand increases.

Admission numbers are normally determined 18 months in advance of implementation. So the admission numbers for September 2019 were determined in February 2018. Faced with information on the new trends in primary admissions this paper proposes to reduce admission numbers at 13 schools in the borough for the September 2019 intake. Officers have worked in collaboration with St George's Cathedral RC Primary, Charlotte Sharman Primary, Keyworth Primary, St Paul's CE Primary, Robert Browning Primary, Phoenix Primary, Hollydale Primary, Bellenden Primary, Camelot Primary, Ivydale

Primary, Brunswick Park Primary, Comber Park Primary, Comber Grove Primary and Crawford Primary schools.

I am in agreement with council officers and local schools as articulated through our recent consultation with schools from 21 November 2018 to 21 December 2018. A total of eleven responses were received from key stakeholders, 91% were in agreement to the proposed PAN reduction as detailed in paragraph 19.

I recommend that cabinet approve this report so that we can approach the Office for Schools Adjudicator for an in-year variation that will enable us to reduce the PANs in September 2019. It is anticipated that the OSA approve this so that the revised PANS will apply for September 2019 entry. According to our projections, this will help the above-named schools to better organise their finances for the incoming academic year and beyond to 2020.

## **RECOMMENDATIONS**

1. That cabinet agrees the Southwark Community Primary Schools Admission Arrangements ("the Arrangements") for September 2020 as set out in Appendix 1 of this report.
2. That cabinet agrees to proceed with the reduction to the 2019-20 Published Admissions Numbers (PANs) of the following 13 primary schools: St George's Cathedral RC; Charlotte Sharman; Keyworth; St Paul's CE; Robert Browning; Phoenix; Hollydale; Bellenden; Camelot; Ivydale; Brunswick Park; Comber Grove and Crawford as listed in Appendix 4, and to instruct officers to seek a variation from the Office of the Schools' Adjudicator (OSA) directly to implement these amendments for all ten community schools and to continue to work with three, non community schools which are their own admission authorities to do so.

## **BACKGROUND INFORMATION**

3. Southwark Council ("the Council") is the admission authority for community primary schools within Southwark. It must, before the beginning of each school year, determine the admission arrangements for those schools which are to apply for that year.
4. The School Admissions Code 2014 ("the Code"), which applies to all maintained schools, academies and free schools, came into force on 19 December 2014. 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. Although there are no proposed changes to the admission arrangements for September 2020 from

the previous year, these must still be determined annually. However, this report is being brought to cabinet for agreement to proceed with the proposed reduction to the 2019-20 PANs at 13 primary schools as outlined at Table 1, paragraph 18 of this report.

7. The Regulations and paragraph 1.42 of the Code require all admission authorities to consult when proposing to change their admission arrangements. Where admissions arrangements have not changed from the previous year, there is no requirement to consult. 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 2018 for September 2019 admissions). The council has written to all admission authorities in Southwark with a reminder of this.
8. The arrangements for community primary schools remain unchanged from the previous year when the council last consulted – a consultation was not carried out this year. The arrangements are similar to those of our neighbouring boroughs Lambeth and Lewisham and have worked well in Southwark to support the admissions process and provide access to places.
9. Final admission arrangements for September 2020 admissions (irrespective of whether or not an admission authority has consulted) must be determined and confirmed to the Secretary of State by 28 February 2019.
10. Full details of the arrangements, along with those of all other admission authorities in the borough, will be included in the starting primary booklet for September 2020. Many families will use this booklet as a main source of information when selecting a primary school which is available to download from the school admissions webpage - a hard copy can be obtained upon request.
11. The full admission arrangements, including supplementary information forms and any proposed changes for admission authorities of any non-community schools consulting on their 2020-21 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 able to be remedied through discussion with the admission authority directly.
12. A list of the published admission numbers for all Southwark primary schools for the September 2020 intake, alongside the proposed 2019 (onwards) PAN reduction for relevant schools is set out at Appendix 1 (attached).
13. Primary schools across London and Southwark are experiencing a fall in demand for primary places; several primary schools across the borough requested an adjustment to their published admission number for the September 2019 intake onwards. The issue was also discussed extensively at primary headteacher briefings, as well as at the Southwark School Partnership Board. The overwhelming view from schools was that any reduction to admission numbers should be undertaken as a borough-wide exercise, coordinated by the council

with all maintained school places considered for reduction based on recent demand trends. All 75 Southwark primary schools were examined against a set of criteria involving demand, local supply and financial stability - 13 primary schools were shortlisted where a PAN amendment was feasible.

14. Officers discussed the proposals and local area details for each school with the 13 school headteachers and chairs of governors individually to obtain their initial views and comments regarding the proposal. At this stage, Rye Oak Primary School stated that they did not wish to proceed, and was replaced by Camelot Primary School which also meets the falling rolls criteria.
15. Admission numbers are normally consulted on and determined, 18 months in advance of implementation – admission numbers for September 2019 were determined in February 2018. The proposal to reduce admission numbers at 13 schools for the September 2019 intake now, rather than to amend through the normal process for the September 2020 intake is in view of the substantial drop in reception numbers and current level of primary reception vacancies. Following further analysis, officers were of the view that to delay action to right size PANs for 2019 would likely have a adverse effect on schools and school finances. In order to implement PAN reductions at the 13 schools proposed, cabinet's decision as the admissions authority for community schools, would need to be referred to the Office of the Schools' Adjudicator (OSA) by the appropriate admissions authority for each school, for final agreement. Should cabinet agree the PAN amendments, officers will immediately prepare a report to the OSA outlining the case for the adjustments. Officers will then directly request a variation to arrangements for the ten community schools and work with the Governing bodies and Diocesan boards as appropriate of the three non community schools to support their individual submissions to the OSA to reduce their PANs.
16. There is no legal requirement for an admissions authority to carry out a consultation to reduce the admission number to a school once it has been previously determined, but it is good practice to do so and is helpful to produce as evidence to the OSA when applying for a variation when seeking a PAN reduction. Southwark Council undertook a public consultation exercise to permanently reduce the published admission numbers (PANs) at all 13 primary schools (community and non community schools) listed within Table 1 at Paragraph 18 for the September 2019 intake onwards. This provided an opportunity for key stakeholders to obtain an holistic view of the proposal and provide any comments, before moving forward with the PAN reductions at any individual school. This was highlighted as an action within the pupil place planning report to cabinet dated 30 October 2018.
17. During this consultation period the council sought representations from a wide variety of stakeholders, including and not limited to parents and carers of children attending or potentially attending the school, trade unions, school governors, school staff, local primary schools, admissions officers and place planning officers from adjacent local authorities, appropriate Diocesan authorities, all councillors and MPs. Adverts were placed at school entrances – all headteachers and governors were written to in Southwark. An advert was placed in the Southwark News in November 2018 at the start of the consultation detailing the changes and a consultation questionnaire was signposted in all the literature above.

18. Reducing PANs could contribute to savings in school budgets and/or help schools recover a deficit position. Schools with low recruitment to reception are already operating under financial pressure. Space liberated by a reduction in PANs can be used for income generation or areas of need; such as for nurseries, playgroups, alternative provision, or appropriate community use. The process to temporarily add reception provision back into these schools is straight forward and can be implemented quickly should the need arise. The outlined PAN reductions could therefore potentially result in a total net reduction of up to 315 reception places - up to 10.5FE.

*Table1. Proposed amendments to Primary PANs by Planning area (PA)*

PA	School	Present PAN	Proposed PAN	Reduction
1	St George's Cathedral RC* <sup>1</sup>	60	30	-30
	Charlotte Sharman*	60	30	-30
	Keyworth	90	60	-30
	St Pauls CE*	45	30	-15
	Robert Browning	60	30	-30
2	Phoenix	120	90	-30
3	Hollydale	45	30	-15
	Bellenden	60	30	-30
	Camelot	75	60	-15
	Ivydale	120	90	-30
4	Brunswick	75	60	-15
	Comber Grove	45	30	-15
	Crawford	90	60	-30
<b>Total</b>		<b>945 (31.5FE)</b>	<b>630 (21FE)</b>	<b>315 (10.5FE)</b>

*Table 2. Effect of PAN reductions by planning area*

Planning Area Number and Name	reductions Capacity PAN Before	Capacity After PAN reductions	Sep 2018 roll	Excess capacity Before PAN reduction	Excess Capacity After PAN reduction
1. Borough, Bankside & Walworth	945	810	648	297 (10)	162 (5)
2. Bermondsey & Rotherhithe	1,050	1,020	932	118 (4)	88 (3)
3. Peckham & Nunhead	840	735	625	215 (7)	110 (4)
4. Camberwell	690	630	578	112 (4)	52 (2)
5. Dulwich	530	530	484	46 (2)	46 (2)
<b>Southwark Total</b>	<b>4,055</b>	<b>3,725</b>	<b>3,267</b>	<b>788 (26)</b>	<b>458 (15)</b>

19. Consultation ran from the 21 November 2018 to the 21 December 2018. A total of eleven comments were received in response to the consultation including comments from local headteachers, school governors, school teachers and local stakeholders. Ten (91%) of the responses agreed overall with the proposal, from which seven (63%) responses 'strongly agreed'. Only one response disagreed (9%) with the proposal as they felt "classrooms at my school are not big enough for 30 pupils". The council has no intention to mandate how schools are to organise their class bases following these reductions – this will be a decision for schools to take. Following the feedback received, officers recommend that the

\* These schools are their own admission authority and with support from LA officers, will approach the OSA directly.

proposed PAN reductions be presented to cabinet for agreement and then proceed to the OSA for the purposes of seeking in year variations.

## **KEY ISSUES FOR CONSIDERATION**

### **Policy implications**

20. The primary admissions and place planning strategy are aligned to local planning and policy frameworks, including the Council Plan. These outline the council's commitment to supporting schools to be outstanding, with children and young people able to achieve their full potential and parents able to exercise choice in a high-performing schools system. When formulating the primary place reduction programme, the council considered the suitability of all schools in Southwark and the risks and advantages of amending the PAN for each. Local authorities are bound by duty to take into account parental preference in so far as to do so avoid unreasonable public expenditure.
21. The Council Plan for 2018-22 was approved by the council assembly in November 2018 and presents a set of commitments, which will help the council deliver the majority party's manifesto vision of "A Fairer Future for All". It is a requirement that reports to cabinet now explicitly refer to the Council Plan and how the report and or the actions outlined will help deliver key aspects of the plan. One of the Council Plan's eight themes is "*A great start in life*" – and, amongst the targets to deliver this, states a commitment to "*make sure all schools in Southwark are Good or Outstanding*" and to "*drive up standards so that every school exceeds London averages at every stage*". The admissions arrangements outlined for 2020 and the PAN amendments from September 2019 onwards will help deliver both these commitments.

### **Community impact statement**

22. The 2020-21 admission arrangements, together with the council's participation in the co-ordinated 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.
23. Additional support is provided to families that find it difficult to navigate the admissions system through the admission officers, school staff and the Southwark information, advice and support team. This involves a significant amount of training, outreach support and drop in sessions throughout the year at surgeries and schools, in order to engage 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. There are also two drop-in surgeries held weekly during term time to provide support on admissions issues at a Southwark one stop shop.
24. 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. 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.

25. "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 in the amendment of the PANs of the schools in question. 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.
26. 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.

### **Legal implications**

27. Please see concurrent from director of law and democracy.

### **Financial implications**

28. 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 and does not impact on the core funding.

## **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

### **Director of Law and Democracy**

29. The recommendations in this report are included in the matters reserved to full cabinet in Part 3C of the council's constitution.
30. School admission arrangements are governed by the SSFA 1998, together with the Regulations and Code, as stated within the body of the report.
31. The 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. The most recent consultation was carried out between November 2017 and January 2018 for the 2019

arrangements. Nonetheless, the council must determine future admission arrangements on an annual basis, even if there has been no consultation.

32. As regards the proposed reduced PANs for schools named in the report the council can only proceed with this if it has complied with the statutory procedures referred to. Whilst there is no requirement to consult for these in year proposals the Council has chosen to do so. The Cabinet must therefore take account of the results of any such consultation in making its decision, as outlined at Paragraph 19 of this report.
33. The public sector equality duty under section 149 Equality Act 2010 has to be considered when making this decision. This requires that due regard is 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 Cabinet 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.

**Strategic Director of Finance and Governance (Ref: CA S18/008)**

34. This report seeks approval from cabinet to the Southwark Community Primary Schools Admission Arrangements for September 2019 as set out in Appendix 1 of the report. Paragraph 28 confirms that the costs associated with the admissions process are met from the Dedicated Schools Grant (DSG), and that there will be no direct financial implication on the council's revenue budgets.
35. This report also seeks approval from cabinet to the Southwark Community Primary Schools Admission Arrangements for September 2020 as set out in Appendix 1 of the report.



## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
The School Standards and Framework Act 1998	Legislation Services Team at The National Archives, Kew, Richmond Surrey TW9 4DU	Glenn Garcia 0207 525 2717
<b>Link:</b> <a href="http://www.legislation.gov.uk/ukpga/1998/31/contents">http://www.legislation.gov.uk/ukpga/1998/31/contents</a>		
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
<b>Link:</b> <a href="http://www.legislation.gov.uk/ukpga/1998/31/contents">http://www.legislation.gov.uk/ukpga/1998/31/contents</a>		
The School Admissions Code 2014	Department for Education	Glenn Garcia 020 7525 2717
<b>Link:</b> <a href="https://www.gov.uk/government/publications/school-admissions-code--2">https://www.gov.uk/government/publications/school-admissions-code--2</a>		
Southwark Council Plan 2018-2022	Southwark Council	Glenn Garcia 020 7525 2717
<b>Link: (please copy and paste into your browser)</b> <a href="http://www.southwark.gov.uk/council-and-democracy/fairer-future/fairer-future-commitments?chapter=7">http://www.southwark.gov.uk/council-and-democracy/fairer-future/fairer-future-commitments?chapter=7</a>		

## APPENDICES

No.	Title
Appendix 1	Southwark Community Primary Schools Admission Arrangements for September 2020 (circulated separately)
Appendix 2	Southwark Primary Schools – Published Admissions Number for September 2020 intake (circulated separately)
Appendix 3	Southwark Secondary Schools – Published Admissions Number for September 2020 intake (circulated separately)
Appendix 4	Statutory Notices for PAN amendments by school (circulated separately)

## AUDIT TRAIL

<b>Cabinet Member</b>	Councillor Jasmine Ali, Children, Schools and Adult Care		
<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		
<b>Version</b>	Final		
<b>Dated</b>	10 January 2019		
<b>Key Decision?</b>	Yes		
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>			
<b>Officer Title</b>		<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy		Yes	Yes
Strategic Director of Finance and Governance		Yes	Yes
<b>Cabinet Member</b>		Yes	Yes
<b>Date final report sent to Constitutional Team</b>			10 January 2019