

# North Tyneside Council

## Report to Cabinet

### Date: 21 February 2022

## Title: Determination of School Admission Arrangements September 2023

<b>Portfolio(s):</b> Children, Young People and Learning	<b>Cabinet Member(s):</b> Councillor Peter Earley
<b>Report from Service Area:</b>	<b>Commissioning and Asset Management</b>
<b>Responsible Officer:</b>	<b>Mark Longstaff, Director of Commissioning and Asset Management (Tel:(0191) 6438089)</b>
<b>Wards affected:</b>	<b>All</b>

### **PART 1**

#### **1.1 Executive Summary:**

This is an annual report submitted to Cabinet to meet a statutory requirement to determine school admission arrangements before publication. This report seeks approval to the proposed admission arrangements for all Community Schools in North Tyneside for the 2023/2024 academic year including the co-ordinated admissions schemes.

The Authority has a duty to consult on all aspects of its proposed admission arrangements if there are any proposed changes to the arrangements.

There are no changes proposed.

#### **1.2 Recommendation(s):**

It is recommended that Cabinet

- (1) approve the 2023 proposed admission arrangements and limits for Community Schools, as outlined in Appendices 1 to 5, subject to the appropriate publication of Statutory Notices;
- (2) authorise the Director of Commissioning and Asset Management to proceed in administering admission arrangements for the 2023/2024 academic year, subject to the publication of Statutory Notices and compliance with obligations required by the Secretary of State in accordance with the timescales set: and
- (3) authorise the Director of Commissioning and Asset Management, in consultation with the Cabinet Member for Children, Young People and Learning, to formally seek

approval, as necessary, from the Schools Adjudicator in accordance with the School Admissions Code 2021 for any necessary variations to the determined arrangements for the 2023/24 academic year should these arise.

### **1.3 Forward Plan:**

Twenty-eight days' notice of this report has been given and it first appeared on the Forward Plan that was published on 12 November 2021.

### **1.4 Council Plan and Policy Framework**

This report relates to the following priority in the 2021-2025 Our North Tyneside Plan:

A family friendly North Tyneside:

- We will ensure all children are ready for school including through poverty proofing the school day – giving our kids the best start in life

### **1.5 Information:**

#### **1.5.1 Co-ordinated Admission Schemes (The Scheme)**

All local authorities are required to formulate and consult on a scheme for each academic year for co-ordinating admission arrangements for all maintained schools within their area. This requirement includes maintained boarding schools but excludes maintained special schools and maintained nursery schools. Co-ordinated schemes are intended to simplify the admission process for parents whilst reducing the likelihood of any child being left without a school place. Co-ordination establishes a mechanism that ensures that, as far as is practical, every child living in a local authority area who has applied in the normal admissions round receives one, and only one, offer of a school place on the same day. While it is for each local authority to decide the scheme that best suits its residents and its schools, authorities must ensure that they:

- a. comply with law and regulations, including all the process requirements (for example, the common application form allowing at least 3 preferences, information sharing with other Local Authorities, sending out not more than one offer to all seeking places at its maintained schools or academies on the same day); and
- b. do not disadvantage applications to their schools from families resident in other Local Authority areas.

The Scheme applies to applications received from September 2022 for entry into maintained schools in September 2023. The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 (the Regulations) requires the Authority to exchange specified information on applications with neighbouring Authorities.

The purpose of the Scheme is to co-ordinate admissions into all mainstream maintained first and primary, middle and high schools in North Tyneside. The Regulations also place a duty on the Authority to make arrangements within its Scheme for cross-Authority border co-ordination of admissions.

The Authority's Co-ordinated Admissions Schemes are shown in Appendices 1 and 2.

### 1.5.2 Admissions Numbers

All schools must have an admission number for each 'relevant age group'. This is defined in law as 'an age group in which pupils are or will normally be admitted' to the school in question. Admission Authorities of maintained schools must set admission numbers with regard to the capacity assessment for the school under the Regulations.

The Authority's Planned Admission Numbers are shown at Appendix 3.

### 1.5.3 Admission Policies

Pupils will be able to go to their preferred school unless there are more applications to that school than there are places available. If there are more applications than places available at a school, oversubscription criteria will be used to allocate places after any children with an Education, Health and Care Plan have been provided for where the Education, Health and Care Plan names a specific school.

Admissions Policies for admission to North Tyneside Community Schools and Nurseries for which the Authority is the Admissions Authority are shown at Appendices 4 and 5.

### 1.5.4 Oversubscription Criteria

The oversubscription criteria used by the Authority where there are more applications than places available are set out in Appendices 4 and 5 of this report.

### 1.5.5 Admissions to Year 12 (sixth form)

Where a secondary school operates a sixth form and admits pupils from other schools at age 16 an admission number will be required for Year 12 as well as for the main year or years. Admission numbers must refer to pupils being admitted to the school for the first time and not transferring from earlier age groups. The entry requirements for sixth form are largely dependent on the course of study that a student wishes to access. Details of specific requirements and courses available may be obtained for individual schools. All schools publish information about their post 16 provision.

### 1.5.6 Community Schools

The Authority is responsible for consultation and determining the admission arrangements for community schools in the North Tyneside area in accordance with the School Admissions Code 2021.

### 1.5.7 The Learning Trust Schools

The North Tyneside Learning Trust was established in September 2010 and currently comprises 44 schools. The governing bodies of these schools are responsible for determining their arrangements in accordance with the School Admissions Code 2021. Five of the schools in the Learning Trust are Special Schools and these arrangements do not apply to them.

### 1.5.8 Voluntary Aided Schools

The governing bodies of these schools are responsible for consultation and determining their own admission arrangements in accordance with the School Admissions Code 2021.

### 1.5.9 Academies

There are four academies in North Tyneside. The governing bodies of these four schools are responsible for consultation and determining their own admission arrangements in accordance with the School Admissions Code 2021.

Any school which subsequently changes their status and becomes an academy will be responsible for determining their own admission arrangements in accordance with the School Admissions Code 2021 following the change.

## 1.6 **Decision options:**

The following decision options are available for consideration by Cabinet:

### Option 1

Approve the recommendations set out in section 1.2 of the report.

### Option 2

Do not approve the recommendations set out in section 1.2 of the report and request Officers undertake further work to change proposed admission arrangements.

Option 1 is the recommended option.

## 1.7 **Reasons for recommended option:**

Option 1 is recommended for the following reasons:

There are no changes to the admission arrangements.

The recommendations contained in this report are made to secure compliance with statutory requirements as outlined in Section 2.2 of this report.

If the recommended option is not approved, the Authority may not be in compliance with statutory requirements as outlined in Section 2.2 of this report.

## 1.8 **Appendices:**

Appendix 1: Proposed Co-ordinated Admissions Scheme First and Primary Schools 2023

Appendix 2: Proposed Co-ordinated Admissions Scheme Middle and High Schools 2023

Appendix 3: Proposed Admissions Numbers Community First and Primary Schools  
September 2023

Appendix 4: Proposed Admissions to Nursery Policy September 2023

Appendix 5: Proposed Admissions to Community First and Primary Schools Policy  
September 2023

## **1.9 Contact officers:**

Mark Longstaff, Director of Commissioning and Asset Management tel: 0191 643 8089  
Barbara Patterson, Senior Manager – Facilities and Fair Access tel: 0191 643 8340  
Val Johnson, Access Manager, tel: 0191 6438721  
Claire Emmerson, Senior Manager Financial Strategy and Planning tel: 0191 643 8109

## **1.10 Background information:**

The following background papers/information have been used in the compilation of this report:

- (1) [School Admissions Code December 2021](#)

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

There are no financial implications directly arising from this report.

### **2.2 Legal**

The School Admissions Code 2021 (the Code) applies to admissions to all maintained schools and sets out certain mandatory requirements and prohibited practices according to the relevant law. The Code consists of both mandatory requirements and statutory guidance. The Authority's determined admission arrangements must comply with the mandatory requirements of the Code. The Code is made under s.84 of the School Standards and Framework Act 1998.

The Authority is only required to consult on the admission arrangements for those schools for which it is the Admissions Authority and must do so by 31 January 2022 if there are any changes to the previously agreed arrangements. The admission arrangements for 2023 must be determined by 28 February 2022.

In accordance with the Local Government Act 2000 and the regulations made under that Act in relation to responsibility for functions, Cabinet is responsible for determining this matter.

Each year, the Authority is required to have in place a scheme for co-ordinating admission arrangements for maintained schools in the area (s.88M of the School Standards and Framework Act 1998). There is no requirement to co-ordinate applications for places in any other year groups including school sixth forms/year 12.

### **2.3 Consultation/community engagement**

#### **2.3.1 Internal Consultation**

The Cabinet Member responsible for Children, Young People and Learning has been consulted in relation to the proposals.

#### **2.3.2 External Consultation/Engagement**

No consultation required

## **2.4 Human rights**

The Human Rights Act 1998 confers a right of access to education. This right does not extend to securing a place at a particular school. Admissions Authorities, however, do need to consider parents' reasons for expressing a preference when they make decisions about the allocation of school places, to take account of the rights of parents under the Human Rights Act 1998, though this may not necessarily result in the allocation of a place. These might include, for example, the parents' right to ensure that their child's education conforms to their own religious or philosophical convictions (so far as is compatible with the provision of efficient instruction and the avoidance of unreasonable public expenditure).

## **2.5 Equalities and diversity**

Under Section 85 of the Equality Act 2010, it is unlawful for any education provider, including a private or independent provider, to discriminate between pupils on grounds of disability, sex, race, gender reassignment, sexual orientation, pregnancy and maternity, religion or belief. Discrimination on these grounds, which are known as 'protected characteristics', is unlawful in relation to admission arrangements. There are exceptions to these requirements set out in Schedule 11, including in respect of admissions to single sex schools, schools with a religious character and in respect of other types of education providers such as further and higher education. In addition, the Equality Act 2010 introduces the following duties on the responsible bodies of schools:

- (a) A duty not to harass a pupil or a person who has applied for admission (on the basis of protected characteristics, sexual harassment or less favourable treatment);
- (b) A duty not to victimise a person in its admission arrangements;
- (c) A duty to make reasonable adjustments in respect of the admission of prospective pupils who may be disabled and not to discriminate in respect of the same.

The arrangements that North Tyneside Council has in place are fully compliant with Section 85 of the Equality Act 2010. In addition, all maintained schools are also fully aware of their responsibilities associated with the Act.

## **2.6 Risk management**

There are no risk management implications directly arising from this report.

## **2.7 Crime and disorder**

There are no crime and disorder implications directly arising from this report.

## **2.8 Environment and sustainability**

There are no environment and sustainability implications directly arising from this report.

**PART 3 - SIGN OFF**

- Chief Executive  X
- Director(s) of Service  X
- Mayor/Cabinet Member(s)  X
- Chief Finance Officer  X
- Monitoring Officer  X
- Deputy Chief Executive  X