

Committee: **Scrutiny Committee for Children's Services**

Date: **16 June 2005**

Title: **School Admissions and Home to School Transport**

By: **Director of Children's Services**

Purpose: **To ask the Scrutiny Committee whether it wishes to carry out a review of school admissions and home to school transport**

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**RECOMMENDATION - that the Scrutiny Committee considers carrying out a review of school admissions and home to school transport**

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**1. Financial Appraisal**

1.1 The balance of children in schools is critical to the capital building programme and the delivery of the curriculum in the classroom.

1.2 The home to school transport budget is an important element of County Council expenditure.

**2. Supporting Information**

2.1 School admissions have to be conducted in accordance with Parliamentary legislation. It is also necessary to take into account the School Admissions Code of Practice in which the Secretary of State explains how he expects admissions authorities to operate.

2.2 In East Sussex the LEA is the admissions authority for all community and voluntary controlled schools. Aided schools are admission authorities in their own right.

2.3 The basic legislative requirements require admissions authorities to: -

- consult on proposed admission arrangements
- determine the admissions criteria to decide which children will be offered places
- decide on the number of places available at each school
- adopt a scheme to co-ordinate admissions (requirement on the LEA)
- arrange for parents to express preferences for the school they would like their child to attend
- comply with the preference unless it can be shown to be prejudicial to efficient education or the efficient use of resources
- publish the admission arrangements
- allocate places to children
- make arrangements for parents to appeal against any decision to refuse parents preferences
- establish a School Admissions Forum (LEA requirement).

2.4 Admissions follow a set timetable. The only legal requirement is that parents are notified of the allocation of secondary school placements on 1 March but given the need to co-ordinate with other admission authorities LEAs operate similar timetables for secondary admissions. Admission booklets are circulated in September with a closing date around half term. Considerable time is necessary to apply the admissions criteria and co-ordinate proposed allocations with other admissions authorities. For primary admissions there is less co-ordination and in East Sussex places are allocated early in the summer term. Any parent refused a preference has the right of appeal to an independent school admissions panel which has the power to overturn admission authority decisions.

2.5 Admissions legislation applies equally to applications to change school outside of the general admissions round, for example as the result of a house move or parents wanting a change of school for whatever reason.

2.6 Admissions authorities have considerable powers to decide which children should be allocated places. The actual criteria used to decide on place allocation is determined by admission authorities as is each individual application against the criteria. The criteria is subject to annual consultation. In 1998/99 Members conducted a review of all aspects of the admissions process.

2.7 Legislation requires LEA's to establish School Admissions Forums. The role of the Forum is to consider existing and proposed admission arrangements including how well they serve the interests of parents and children and promoting agreement on admission arrangements. East Sussex has operated a Forum since 1998 when the Secretary of State recommended LEA's to have a Forum. The Forum was reconstituted in 2003 when Forums became a statutory requirement. Full details of the Forum are available on the County Council's website.

2.8 Admission decisions are highly sensitive. Parents not given their first preference school will be extremely disappointed. In East Sussex there are about 6000 children who transfer from primary to secondary school each year. A further 4,800 children are admitted to primary school for the first time whilst another 1,000 children transfer from infant to junior schools. Parental satisfaction rates are relatively high with just over 90% of parents receiving their first preference secondary school and 96% their first preference primary school.

2.9 Linked to parental preference is the need for parents to consider how their child will get between home and school. Legislation requires LEA's to provide free transport for any child living over two miles (three miles for children aged eight and over) from the designated school. In addition it is necessary to consider individual applications on their merit where the distance criteria is not met and the County Council has appointed the School Transport Panel which comprises three Members to determine such cases.

2.10 The County Council is also permitted to have discretionary transport policies and the following such policies operate where –

- a parent is unable to accompany their child to school due to their medical condition
- the child has a medical condition and cannot walk the statutory distance
- a family is temporarily rehoused
- a child moves and has already embarked on a GCSE course
- the child attends another school than the designated school and both schools are beyond the statutory distance – mileage allowances are paid or a free seat provided on a hired vehicle
- the child attends a denominational aided school which is over the statutory distance and there are other nearer schools – the child has to be baptised in that faith or the parent adheres to the faith

2.11 The discretionary policies were last reviewed in 2000/01 when, following consultation on proposals related to the policies in the last two bullet points, Cabinet decided to make no changes.

2.12 The way children get between home and school is of particular concern to the Government. Proposals had been put to Parliament in the School Transport Bill inviting LEAs to bid to become pilot authorities to pioneer innovative approaches to home to school transport aimed at reducing traffic on the road for the home to school journey. The Bill was withdrawn due to the General Election but is to be reintroduced into Parliament. Cabinet accepted in June 2004 that East Sussex should not bid to be a pilot LEA, rather reducing traffic was best addressed through individual school travel plans.

### **3. Environmental Issues**

3.1 How children get between home to school has a considerable impact on the environment. It is estimated that about 20% of vehicles on the road are taking children between home and school.

#### **4. Community Safety Issues**

4.1 It is important that the journey between home and school can be safely undertaken.

#### **5. Human Rights Act Implications**

5.1 Parents have made reference to the Human Rights Act when parental preference is not met. Whilst the Act gives children the right to education, it is not a requirement that education be delivered at a particular school.

#### **6. Conclusion and Reason for Recommendation**

6.1 Although admissions are subject to annual consultation, it is some years since a detailed examination of policies has been undertaken. Similarly a review of policies on home to school transport has not been undertaken for some time. It is therefore appropriate to suggest that a scrutiny review of these areas be undertaken. The Committee need to be aware that admission arrangements have to be determined by 15 April each year following a period of consultation. If Committee wanted to see any changes to the admissions process (or transport policy) for the 2007/08 admissions round views would need to be sought through the admissions consultation process which will commence in December 2005. Should this not prove possible the earliest any changes could be instigated would be for the 2008/09 admissions round.

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#### **BACKGROUND DOCUMENTS**

School Admissions Code of Practice