

Scrutiny Review of School Admissions and Home to School Transport

Report by the Project Board:

Mr Sam Gregory - Chair
Councillor Rosalyn St Pierre
Councillor Sylvia Tidy

March 2006



Contents:

- 1. Recommendations 3
- 2. Background..... 4
- 3. Findings 6
- 4. Objectives and scope of the review..... 13
- 5. Membership and background to the review 13
- 6. Appendix 1 - Glossary..... 15
- 7. Appendix 2 - Action Plan..... 18

1. Recommendations

	Recommendation	Page	Timescale
R1	The Board to be reconvened to complete the Home to School Transport aspect of the review once a breakdown of the costs for each aspect of discretionary transport provided by ESCC is available from the Transport and Environment Department in April 2006	5	November 2006 (completion date)
R2	The Children's Services Scrutiny Committee to be informed of future developments relating to the Education & Inspections Bill 2006 that are likely to effect the organisation of school admissions within East Sussex. The committee will then be in a position to decide if further work is needed.	7	Ongoing
R3	The Board supported the current approach taken by ESCC with regard to school admissions, although there was a need for better communication between the Children's Services Authority and schools over the mechanics of setting the Published Admissions Number (PAN) and admissions above it.	8	November 2006
R4	The Board found the current appeals process to be effective in meeting current demands, but expressed concern about the resourcing capability to deal with any increased number of appeals in the future and asked that this be strengthened.	9	November 2006
R5	The Children's Services Scrutiny Committee to be provided with the outcomes from current departmental reviews being carried out on the integration of hard to place children into mainstream schools to enable it to determine if future action is needed.	10	November 2006
R6	The Board supported the current format and style used for the admissions booklet but considered that the wording should be strengthened to ensure that parents were fully aware of their ability to state a preference for a school rather than make an actual choice.	11	2007/08 admissions booklet

2. Background

2.1 School admissions

East Sussex County Council (ESCC) is the Children's Services Authority (CSA), (previously known as the Local Education Authority), with responsibility for admissions to all community and voluntary controlled primary and secondary schools in East Sussex (a total of 153 schools). On average the Admissions and Transport team deal with approximately 15,000 applications per year (5,000 for infant schools, 1,000 transferring from infant to junior school, 6,000 for secondary schools and 3,000 casual admissions).

There are also a further 30 aided schools in East Sussex that are admission authorities in their own right and the CSA has no involvement in their decisions regarding admissions. There is a requirement for aided schools to liaise with the CSA over their admissions.

The CSA must ensure that there are sufficient school places so that all children can attend school. Alongside this the CSA must ensure that there is no detrimental effect upon the quality of teaching and learning in the classroom due to overcrowding.

The Education Act 1998 places certain statutory obligations on CSAs in respect of school admissions (a full list of these can be found at appendix 1). The CSA must also take into account the School Admissions Code of Practice in which the Secretary of State has laid down how admissions authorities must operate. A further Code of Practice also relates to school admissions appeals

2.2 Home to school transport

The CSA is legally required to provide free transport for any child living over two miles (up to the age 8) or three miles (aged 8 and over) from their designated school.

CSAs also have the ability to set their own discretionary home to school transport policies. The policies currently in place in East Sussex are:

- 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 re-housed;
- 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.

It must also consider individual applications on their merit where the distance criteria is not met. A School Transport Panel (consisting of 3 councillors) determines such cases.

3. Findings

Home to School Transport

Recommendation 1

The Board to be reconvened to complete the Home to School Transport aspect of the review once a breakdown of the costs for each aspect of discretionary transport provided by ESCC is available from the Transport and Environment Department in April 2006.

- 3.1 School admissions and home to school transport are intrinsically linked, with a change in policy in one area likely to impact heavily on the other. A decision was therefore taken by the Children's Services Scrutiny Committee to consider both these areas within one review.
- 3.2 Home to school transport is dealt with by two different departments at ESCC. Policy, funding and eligibility is dealt with by the Children's Services Department, whilst procurement is the responsibility of the Transport and Environment Department.
- 3.3 The pre-review position statement identified that the cost of home to school transport in East Sussex was approximately £8 million per annum. It was recognised that a comprehensive breakdown of this figure was needed to ascertain how much money was spent on each aspect of the transport.
- 3.4 The Board looked in depth into discretionary transport provided by ESCC. It also considered the discretionary transport policies other county councils had in place and interviewed several witnesses to gain a better picture of some of the contentious issues surrounding the current policy (such as transport to faith schools).
- 3.5 The Board found that discretionary transport policies varied amongst county councils with regard to the level of provision. Some had an upper mileage limit, whilst several had recently moved from providing free transport to subsidised transport (usually costing the parent approximately £100 a term) for some discretionary policies.
- 3.6 When considering Special Educational Needs (SEN) transport the Board found that there was anecdotal evidence to suggest that some contracts for taxis to transport pupils to school may still be in place when they were no longer required.
- 3.7 With the emergence of trust schools, as outlined in the Education White Paper, the Board recognised that there could be an increase in faith schools within the county and that this would place a further burden on the Home to School Transport budget.
- 3.8 Unfortunately, due to the recent instalment of a new computer system in the Transport and Environment department, it was not possible for a breakdown of discretionary transport costs to be provided within the timescale of the review.

3.9 The Board was frustrated by the fact that the information was not available as it had a profound effect on the review and meant that no further work could be carried out on the home to school transport aspect at that time. The Board recognised the intense level of work that was being carried out within the Transport and Environment department to develop a new system that would provide up to date information within this area and decided to complete this aspect of the review at a later date.

3.10 Initial findings of the Board indicated that it wished to consider further the following discretionary policies before making any final recommendations:

- The child attends another school other than the designated school and both schools are over the statutory distance
- The child attends a denominational aided school which is over the statutory distance although there may be other schools nearer – the child has to be baptised in that faith or the parent adheres to the faith of the school
- SEN post 16 provision

Changes likely to effect School Admissions in the near future

Recommendation 2

The Children's Services Scrutiny Committee to be informed of future developments relating to the Education & Inspections Bill 2006 that are likely to effect the organisation of school admissions within East Sussex. The Committee will then be in a position to decide if further work is needed.

- 3.11 Under current legislation any school can opt for foundation status following a successful vote by the governing body. One of the main features of foundation status is that the school would then be responsible for its own admissions, both in the setting of the admission number and the criteria for which it would make selections if the school was oversubscribed. Schools could then effectively pick and choose which pupils they would wish to admit.
- 3.12 This is likely to have a considerable effect on the role of the Local Authority in co-ordinating the supply of school places in a particular area and ensuring that all pupils receive a school place.
- 3.13 One school in the Hastings area was known to be going forward with the option of foundation status whilst the review was being carried out. The Board recognised that within the next five years East Sussex was likely to have several foundation status schools.
- 3.14 The Education White Paper 'Higher Standards, Better Schools for All, More Choice for Parents and Pupils' was published in October 2005 (with the Education & Inspections Bill due for publication on 28th February 2006). The main issues relating to admissions within the paper related to the development of self governing trust schools, which would manage their own admissions; the ability of popular schools to expand and more choice for parents over school places. The Board recognised that the Bill was likely to have an impact on the future role of the CSA as the admission authority. But until it came into force the exact form the Bill would take was unclear and the Board could not form a firm option on it.

School Admissions

Recommendation 3

The Board supported the current approach taken by ESCC with regard to school admissions, although there was a need for better communication between the Children's Services Authority and schools over the mechanics of setting the Published Admissions Number (PAN) and admissions above it.

- 3.15 The Board considered the various aspects of the school admissions process, such as:
- the setting of the admissions number (PAN);
 - admissions above the PAN;
 - the first preference system used when parents state their preferred school;
 - the current admissions criteria for allocating places when a school is oversubscribed.
- 3.16 The Board felt that the decision as to which school a child attends is extremely important and can have a major effect on not only their schooling but ultimately their future career. It understands the difficult job that the CSA faces in carefully balancing a parent's preference against effectively maximizing the resources available to the benefit of all children. The Board considered the current policies and processes that the CSA follows when dealing with school admissions. It found that all the legal requirements laid down in the Education Act 1988 were adhered to by the CSA in a robust manner, whilst still maintaining a flexible approach in balancing preference against resources.
- 3.17 In 2004/05, 92.83% of parents of East Sussex received their first preference secondary school and 95.9% received their first preference primary school. Figures from previous years showed that the percentage of first preferences met remained consistently in the low to mid 90's. These figures compared well against other county councils.
- 3.18 Of those who responded to the questionnaire sent out by the Board a total 78% of head teachers and 70% of chair of governors rated the setting of the PAN by the CSA as either good or excellent in relation to their school. With regard to admissions above the PAN 58% of head teachers and 63% of chair of governors rated it as either good or excellent.
- 3.19 The questionnaire asked for views on the admissions criteria currently operated by the CSA. Overall the comments received were positive, with the criteria being viewed as "very good", "logical" and "very fair". Any concerns that were raised tended to be around the view that a school felt it could not take extra pupils unless they were SEN (special educational needs) or the complexities of dealing with admissions when situated close to the Kent border.

School Admission Appeals

Recommendation 4

The Board found the current appeals process to be effective in meeting current demands, but expressed concern about the resourcing capability to deal with any increased number of appeals in the future and asked that this be strengthened.

- 3.20 School appeals in East Sussex are dealt with by one officer who is based in the Democratic Services team, with additional support from with the Democratic Services section during busy periods. Appeal panels comprise of volunteers (with either 3 or 5 members sitting on each panel). Each panel is provided with a clerk, who is appointed by the Director of Law and Performance Management.
- 3.21 When compared against six other county councils ESCC had the lowest percentage rate of appeals per primary applications and the second lowest percentage rate of appeals per secondary applications. A comparison against ten other county councils revealed that ESCC had the fourth lowest percentage of appeals upheld at primary level and second lowest percentage at secondary level.
- 3.22 Four county councils had a similar staffing level as East Sussex. Two of these processed a similar number of appeals, whilst the other two dealt with a much greater amount. Several authorities consulted had larger appeal teams than East Sussex but processed a large volume of appeals. The Board recognised that it was difficult to make a direct comparison between staffing levels for appeals at different county councils due to different working practices and the varying levels of time each person spent working on appeals.
- 3.23 A main issue for all county councils, including East Sussex, was the ability to recruit a more diverse range of people to the panels. A large proportion of members tended to be retired white professionals and there is concern that they might not identify with some appellants.
- 3.24 The Board considered the current appeals process at East Sussex to be well administered. But it viewed the authority's appeal strategy as being relatively low key, which if the number of appeals lodged at secondary level continue to rise, could put the system under immense pressure.

Hard to Place Children and Children with Statements of Special Educational Needs

Recommendation 5

The Children's Services Scrutiny Committee to be provided with the outcomes from current departmental reviews being carried out on the integration of hard to place children into mainstream schools to enable it to determine if future action is needed.

- 3.25 The Board was concerned that the current process of placing hard to place children (looked after, SEN and excluded children) into mainstream schools was causing some schools difficulty and that it could have a detrimental affect on not only the child but also other children within the classroom.
- 3.26 Whilst the questionnaire to head teachers and chair of governors had purely asked for comments on the admission of vulnerable children, several had taken the opportunity to raise other concerns such as a lack of resources to support children, the views of schools not fully being taken into account when placements are made and that some children were often ill prepared to deal with mainstream schools.
- 3.27 The Board found that placing a hard to place child could often be a long and stressful process. Schools were often unwilling to admit a child, which resulted in the CSA having to direct a school to take them. It also felt that it was important for a child's social care needs to be considered alongside their educational needs.
- 3.28 If some schools in East Sussex move to foundation/trust status it could adversely impact on the placement of hard to place children. Experience has shown that where foundation or academy schools have been set up the numbers of children with free school meals goes down and the number of excluded children rises.
- 3.29 The Board noted that East Sussex has a higher number of children in special schools and a lower number of SEN children in mainstream schools than its statistical neighbour authorities.
- 3.30 The Board was aware that the Children's Services department was currently carrying out two large reviews, one on behaviour and attendance and another on SEN pupils.

School Admission Booklet

Recommendation 6

The Board supported the current format and style used for the admissions booklet but considered that the wording should be strengthened to ensure that parents were fully aware of their ability to state a preference for a school rather than make an actual choice

- 3.31 The Board compared the ESCC admissions booklet with those of other authorities and found that the ESCC booklet compared favourably in terms of cost and that it also represented value for money.
- 3.32 East Sussex spends just over £15,000 producing its booklet. For 2006/07 this worked out at 76p per booklet, with additional costs of 13p (to cover application forms and covering letters). Brighton and Hove spent approximately £1 on each booklet whilst Kent spent 85p on its primary booklet and £1.08 on its secondary one (although it was recognised that Kent had a much more complex admissions process and therefore its booklets were more detailed)
- 3.33 A total of 1,577 returns (25.5%) were received from the annual questionnaire sent out with admission booklet in September 2005. The results showed that:
- 1,561 parents/carers (98.98%) stated the information about applying was clear and easy to understand
 - 1,555 parents/carers (98.60%) stated the booklet clearly set out what they needed to do and when
- 3.34 The overall response from head teachers and chair of governors to the Board's questionnaire was that the admissions booklet was helpful, clear and informative. A couple considered it to be rather lengthy and complex, which might make it very difficult to use for those parents with poor literacy skills. Another issue raised was around the fact that open days to schools weren't listed within the booklet. The Board recognised that whilst including such information was desirable; ensuring the accuracy of it was difficult, especially if any last minute changes to visit dates were made by schools.
- 3.35 Having looked in detail at the ESCC admissions booklet the Board felt that it was reasonably easy to navigate through it to find an individual school and that there was good use of colour and pictures to break up the text.
- 3.36 The Board did consider that the statement regarding a parent's right to state a preference for a school, rather than make choice, should be made much clearer to ensure parents were aware of this difference.

4. Objectives and scope of the review

- 4.1 The Children's Services Scrutiny Committee at its meeting on 16 June 2005 resolved to carry out a review on the current school admissions arrangements and discretionary home to school transport. The review concentrated on the policy surrounding home to school transport and not the procurement arrangements for it.

5. Membership and background to the review

- 5.1 The review Board comprised of Mr Sam Gregory (a school governor representative on the Children's Services Scrutiny Committee) and Councillors Rosalyn St Pierre and Sylvia Tidy.
- 5.2 The Project Manager was Gillian Rickels (Scrutiny Lead Officer) and Sam White (Scrutiny Support Officer) provided logistics and support.
- 5.2 The Board considered the following documents:
- ESCC School Admission Booklet 2006/2007
 - ESCC Admissions Protocol for Hard to Place Pupils
 - ESCC Admissions Criteria
 - ESCC Transport Policy Statement for Students in Further Education
 - DfES School Admission Appeals Code of Practice
 - DfES School Admissions Code of Practice
 - Education White Paper – "Higher Standards, Better Schools for All, More Choice for Parents and Pupils"
 - School Admission Booklets from other County Councils
 - Appeals data for our statistical neighbours (provided by the DfES website)
 - Various Cabinet reports relating to a previous review of home to school transport
 - Various newspaper and journal articles relating to admissions and home to school transport
- 5.3 The following council officers provided evidence during this review and the Board would like to thank them for their help and participation:
- Geoff Evans, Head of Admissions and Transport, Children's Services Department
 - Ian Crudge, Admissions & Transport Officer, Children's Services Department
 - Andrew Keer, School Travel Plan Co-ordinator, Transport & Environment Department
 - Stuart McKeown, Committee Co-ordinator, Chief Executive's Department

- 5.4 The following people provided evidence during this review and the Board would like to thank them for their help and participation:
- Tony Campbell, Principal, St Richard's Catholic College, Bexhill
 - Councillor Godfrey Daniel, Chairman, School Transport & Student Awards (Support) Panel
 - Sarah Maynard, Chairman, School Admissions Forum
 - Frank Myers, Deputy Director, Catholic Schools' Service
 - Nigel Sarjudeen, Schools Officer, Governor Services, Diocesan of Chichester Board of Education
 - Jeremy Taylor, Diocesan Director of Education, Diocesan of Chichester Board of Education
- 5.5 The Board met with and took evidence from Councillor Keith Glazier, Lead Member for Children's and Adults' Services, East Sussex County Council and Matt Dunkley, Director of Children's Services. Further evidence was also received from Councillor Rupert Simmons, Lead Member for Learning and School Effectiveness.
- 5.6 The Board carried out consultation with the following groups of people and would like to thank them for their participation:
- head teachers and chairs of governors at schools for which the CSA is the admissions authority regarding the admissions policies and procedures
 - all staff in the Admissions and Transport Team regarding working practices and admission procedures
 - a range of county councils regarding their discretionary transport policies and admission appeal panels and working practices

Contact officer:

Gillian Rickels, Scrutiny Lead Officer

Telephone number: 01273 481796, e-mail: gillian.rickels@eastsussex.gov.uk

Background papers can be made available in the Members' Room by contacting Sam White, telephone: 01273 481581 or e-mail: scrutiny@eastsussex.gov.uk

6. Glossary

Statutory legislation around admissions

In accordance with the Education Act 1998 there are certain statutory obligations placed on all CSAs in respect of school admissions:

- Determine the admission arrangements which will apply in the area – this will include the number of places at each school (the planned/published admissions number – PAN) and the criteria which will be adopted to decide which children will be allocated places if the number of applications exceeds the PAN
- Consult with governors of schools and neighbouring CSA's on the proposed arrangements
- Have co-ordinated admissions schemes in relation to admissions in the area
- Publish an admissions booklet which must contain certain information
- Arrange for parents to express preferences for the school they wish their child to attend
- Comply with parental preference unless to do so would be 'prejudicial to efficient education or the efficient use of resources'
- Set up independent school admissions appeal panels to determine cases where parents are dissatisfied with the place allocated
- Establish a School Admissions Forum

Infant Class Sizes

Government legislation also states that no infant child can be taught in a class of more than 30 children, except in very limited circumstances where exceptions are permitted.

Setting the Admission number

The PAN is individually set for each school in the East Sussex using a formula established by the Secretary of State to determine the number of children the accommodation is capable of supporting. The PAN reflects the minimum number of pupils that must be admitted to that school.

The PAN will take into account not only the estimated number of children requiring places in that admissions year, but also in future years, and there is therefore a close relationship between the provision of school places and future building programmes in schools.

To ensure an efficient use of resources the CSA will endeavour to fill all available places within each school in an area before admissions above the PAN are considered. This ensures that an imbalance does not occur across an area with some schools running with surplus places whilst others have enlarged class sizes.

This aspect of admissions planning can cause controversy with some parents/carers if their preferred school is declined due to over subscription and a place at a under subscribed school is given instead.

The PAN is subject to consultation with schools and the School Admissions Forum, with a final decision being made by Cabinet.

Admissions above a PAN are only allowed in exceptional circumstances, such as:

- Where the number of applications from children with siblings at the school and those living within the community area (and there is no other school within a reasonable distance) exceed the PAN
- Where admitting above the PAN will not cause an organisational or accommodation difficulty both in the short or long term
- Where the educational needs of a child warrant exceeding the admission number

Any significant increase above the PAN must have the agreement of the School Admissions Forum.

Stating a preference

Parents/carers have a right to state a preference as to which school they would like their child to attend. The CSA will then attempt to meet this preference within the constraints of the PAN that has been set for each school.

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

Allocating places

There are two systems in operation across the country for allocating school places. The first system gives priority to first preference applications, whilst the second treats all three preferences as equal. East Sussex currently operates the first preference system.

Admissions criteria

When a school is oversubscribed the CSA will apply the admissions criteria to determine which children are to be allocated places. Where a first preference is not met the CSA will allocate a place at another school and parents advised of their appeal rights.

The current admissions criteria that has been set by the East Sussex CSA allocates places in accordance with the following:

- Children with strong medical or exceptional evidence which lead the Director of Children's Services to conclude that attendance at any other school would be inappropriate
- Children who will have a brother or sister at the school (or a linked infant school) at the time of admission

- Children wishing to transfer between an infant and junior school
- Children living within a pre-defined community area, prioritised if necessary on the basis of the shortest route from home to school using surfaced, passable routes
- Children living outside the pre-defined community area, prioritised if necessary on the basis of the shortest route from home to school using surfaced, passable routes.

A legal requirement that looked after children (LAC) are placed top of the criteria will come into force for the 2007/08 admissions round and all CSAs will be required to alter their current criteria accordingly

Casual admissions

Casual admissions to a school take place outside of the general admissions round. These are usually due to a house move or a parent wanting a change of school for whatever reason. The same rules governing admissions also will apply in these cases.

School Admissions Forums

The CSA has a legal requirement to establish a School Admissions Forum. 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.

7. Action Plan

No.	Recommendation	Timescale	Actions/responsibility
Home to School Transport			
1	The Home to School Transport aspect of the review to be completed	November 2006	Project Board
School Admissions			
2	The Children's Services Scrutiny Committee to be informed of future developments relating to the Education & Inspections Bill 2006 that are likely to effect the organisation of school admissions within East Sussex.	Ongoing	Director of Children's Services
3	Improved communication between the Children's Services Authority and schools over the mechanics of setting the Published Admissions Number (PAN) and admissions above it.	November 2006	Head of Admissions and Transport
School Admission Appeals			
4	Resourcing capability for the administration of school admission appeals to be strengthened	November 2006	Head of Democratic Services
Hard to Place Children and Children with Statements of Special Educational Needs			
5	The Children's Services Scrutiny Committee to be provided with the outcomes from current departmental reviews being carried out on the integration of hard to place children into mainstream schools.	November 2006	Director of Children's Services
School Admission Booklet			
6	The wording within the booklet to be strengthened to ensure that parents are fully aware of their ability to state a preference for a school rather than make an actual choice.	Publication of 2007/08 admissions booklet	Head of Admissions and Transport