



CHILDREN, YOUNG PEOPLE & EDUCATION COMMITTEE

Tuesday, 24 January 2023

REPORT TITLE:	ADMISSION ARRANGEMENTS FOR COMMUNITY AND VOLUNTARY CONTROLLED PRIMARY AND SECONDARY SCHOOLS AND THE CO-ORDINATED ADMISSION SCHEMES FOR 2024-25
REPORT OF:	DIRECTOR OF CHILDREN, FAMILIES AND EDUCATION

REPORT SUMMARY

This report invites the Children, Young People and Education Committee to determine the Council's admission arrangements for community and voluntary controlled primary and secondary schools and the co-ordinated schemes for 2024-2025. The Wirral Fair Access Protocol has also been amended to reflect feedback from Wirral schools and the 2021 Fair Access Guidance.

This affects all Wards within the Borough. The Wirral Plan 2021-26 priority "Brighter Futures" is supported by clear and objective admission arrangements in conjunction with a fit for purpose sufficiency strategy.

This is a key decision.

RECOMMENDATION/S

The Children, Young People and Education Committee is recommended to approve:

- (1) the admission arrangements for community and voluntary controlled schools and the Wirral co-ordinated schemes for 2024-2025 as set out in Appendices 1 and 2 to the report.
- (2) The revised Wirral Fair Access Protocol as set out in Appendix 3 of this report.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 Wirral Council as the Local Authority (“the Council” is required to determine admission arrangements for community and voluntary controlled primary and secondary schools. The Council is also required to have in place a co-ordinated scheme for admissions to all primary and secondary schools including Academy schools, in 2024-25. The proposed schemes are attached along with proposed admission numbers for community and controlled schools (Appendices 1 and 2).
- 1.2 The Council is required to have in place a Fair Access Protocol agreed with the majority of schools which ensures that there is a fair and balanced approach to admitting unplaced children, particularly those who are most vulnerable, outside the normal admissions round. The Wirral Fair Access Protocol has been developed in partnership with local schools. All admission authority schools must participate in order to ensure that children are allocated a place quickly. The criteria list of children included is set out in the Fair Access Protocol Guidance. The Protocol is reviewed annually; in 2021 the Protocol was updated to reflect amendments to the new Admissions Code 2021 and was in force from September 2021 accordingly.
- 1.3 Following from the 2021 amendments, schools have been asked to give feedback or comments on the Wirral Protocol which are reviewed in this report. The revised Protocol will be circulated to primary and secondary school headteachers in December 2022 and is expected to be agreed prior to Committee.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The arrangements could remain unchanged, however, it is recommended that the variations detailed in section 3 to the Fair Access Protocol are made for the reasons set out in the report, as agreed by Wirral schools.

3.0 BACKGROUND INFORMATION

- 3.1 The **co-ordinated schemes for 2024-25** incorporate all prior published amendments. No significant changes have been made to the admission arrangements in the body of the schemes. The admission numbers for community and voluntary controlled schools are unchanged. Paragraph 3.5 of the schemes provides additional clarification regarding admission to single sex schools.
- 3.2 The Pupil Place Planning Review involves consideration of options for all schools - both community and own admission authority schools such as Academy and Voluntary Aided schools. Phase 1 concluded in Summer 2022. Phase 2 which includes schools in Bebington, Bromborough and Eastham, Spital and Thornton Hough, commenced in Autumn 2022.
- 3.3 From Phase 1, the governing body of Christ Church CE Primary School in Birkenhead has consulted on a reduction in Published Admission Number (PAN) from 37 to 30 which would come into effect from 2024/2025.

- 3.4 Outside of the phased Review, the governing body of Ss Peter and Paul Catholic Primary School in Wallasey has consulted on a reduction in PAN from 45 to 30 which would come into effect from 2024/2025.
- 3.5 The **Wirral Fair Access Protocol** ensures that unplaced and vulnerable children, and those who are having difficulty in securing a school place in-year, are allocated a school place as quickly as possible. All schools are expected to work together collaboratively and abide by the decisions of the Fair Access Panel. The Protocol is reviewed annually. Comments or feedback were invited from Wirral primary and secondary schools in by the end of November 2022.
- 3.6 Comments from schools were as follows:
- Request that a primary headteacher representative be present for cases involving primary age pupils.
 - Clarification on the position of pupils who are electively home educated
 - Clarification on a reasonable distance from home to school
 - A request for the Panel minutes to be circulated to headteachers
 - A request for the Fair Access Grids, which detail the net loss/gain of pupils in certain categories at each school, to be circulated termly instead of annually
 - A request for the Fair Access criteria to be sent to the child's out of area school when a child asks to transfer to a Wirral school
- 3.7 Commentary on the feedback received and any actions resulting are provided in Appendix 4.
- 3.8 In summary, the feedback has resulted in amendments to the following sections and paragraphs:
- Elective Home Education – amendment to section 5.4
 - Reasonable Distance – new clarification paragraph 4.2
 - Termly sharing of the Fair Access Grid – new paragraph Appendix B (10)
- 3.9 Other amendments have also been made to reflect the Admissions Code 2021 and Fair Access Guidance 2021.
- Clarification on inclusion of schools “opting out” of in-year co-ordination – 3.1(b) and Appendix A (5)
- 3.10 A revised draft of the Protocol was circulated to the Wirral Association of Secondary Headteachers (WASH) and the Primary Cluster Groups. The outcome of this will be entered into this report when available. It is attached as Appendix 3.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are none arising directly as a result of this report.

5.0 LEGAL IMPLICATIONS

- 5.1 The New School Admissions (England) Regulations (2003) require the Council to have in place a co-ordinated scheme for admissions to all primary and secondary schools including Academy schools, in 2024-25.
- 5.2 It should be noted that the relevant co-ordinated schemes and the Fair Access Protocol (FAP) apply to all Wirral primary and secondary schools, including Academy schools. There is additional emphasis on the importance of school governing bodies to understand and apply the Admissions Code, Wirral co-ordinated scheme and FAP correctly and fairly, otherwise schools will be open

to challenge both at parental appeal and by the Schools Adjudicator and/or Secretary of State.

- 5.3 The date by which the arrangements must be determined is 28th February. These admission arrangements must then be published on Wirral Borough Council (“the Council”)’s website by 15th March. The deadline for objections against the admission arrangements to the Schools Adjudicator is 15th May.
- 5.4 Section 88P of the School Standards and Framework Act 1998 requires local authorities to make an annual report to the Schools Adjudicator on admissions to all schools in their area. The report covers how admission arrangements serve the interests of looked after and previously looked after children, children with disabilities and children with special educational needs, including any details where problems have arisen. It includes an assessment of the effectiveness of Fair Access Protocols and co-ordination in the local area, including how many children were admitted to each type of school under the protocol, information on admission appeals and any other issues the local authority may wish to include. Additional information may also be requested by the Schools Adjudicator as required by the Secretary of State.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 The Fair Access Protocol requires a Council Clerk to organise Fair Access Panels, prepare paperwork and disseminate Panel decisions to parents and schools. Fair Access Panels include Council officers from various disciplines. The cost of this is met from the Council’s budget.

7.0 RELEVANT RISKS

- 7.1 Failure to determine the admission arrangements by 28th February of the preceding year would contravene the 2021 Admissions Code and associated guidance. Objections to the admission arrangements can be made to the Schools Adjudicator. Any decision of the Adjudicator must be acted on by the admission authority and admissions arrangements amended accordingly within 2 months of any decision by the Adjudicator. This would be a reputational risk to the Council.
- 7.2 It should be noted that the relevant co-ordinated schemes and the Fair Access Protocol (FAP) apply to all Wirral primary and secondary schools, including Academy schools. There is additional emphasis on the importance of school governing bodies to understand and apply the Admissions Code, Wirral co-ordinated scheme and FAP correctly and fairly, otherwise schools will be open to challenge both at parental appeal and by the Schools Adjudicator and/or Secretary of State. Admission arrangements are monitored via the annual report to the Schools Adjudicator (see 5.4) across all Wirral schools. In addition, the annual School Admissions Appeals data collection (APAD) is completed by the Council on behalf of community and voluntary controlled schools, and by own admission authority schools through the Spring Schools Census data collection.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 Where the admission arrangements have not changed from the previous year, there is no requirement to consult, subject to the requirement that admission

authorities must consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period. The previous consultation was held in December 2021-January 2022, covering both primary and secondary schemes.

- 8.2 Amendments to the Schemes were made in accordance with the requirements of the School Admissions Code 2021 and DfE guidance, in Summer 2021.
- 8.3 No significant amendments are proposed to either the Primary or Secondary Scheme, and a consultation is not formally required.
- 8.4 Feedback and comments from Wirral schools on the Wirral Fair Access Protocol were invited on 14th October 2022, with a deadline for response of 30th November 2022.

9.0 EQUALITY IMPLICATIONS

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision, or activity.
- 9.2 An Equality Impact Assessment has been carried out and can be found here: <https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments>

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 The content and/or recommendations contained within this report are expected to have no impact on emissions of Greenhouse Gases.

11.0 COMMUNITY WEALTH IMPLICATIONS

- 11.1 Investing in children's futures supports the community through quality efficient education provision, enhancing life chances for children, families, and the wider community.
- 11.2 Clear and fair co-ordinated schemes for admission to school's support ease of access for all residents to local school places. The Fair Access Protocol is intended to ensure that vulnerable children and those who are having difficulty securing a school place in-year who meet the criteria, are allocated a school place as quickly as possible. The Protocol also ensures that all schools admit their fair share of vulnerable and hard to place children and that no one school is overburdened.

REPORT AUTHOR: Sally Gibbs
(Senior Manager Admissions and Place Planning)
telephone: 0151 666 4487
email: sallygibbs@wirral.gov.uk

APPENDICES

- Appendix 1 Draft Co-ordinated Scheme for Primary Schools 2024-25
- Appendix 2 Draft Co-ordinated Scheme for Secondary Schools 2024-25
- Appendix 3 Wirral Fair Access Protocol

Appendix 4 Feedback on Wirral Fair Access Protocol

BACKGROUND PAPERS

[School Admissions Code](#) (2021)

TERMS OF REFERENCE

This report is being considered by the Children, Young People and Education Committee in accordance with Section B of its Terms of Reference, the functions and powers conferred on or exercisable by the Council as Local Authority in relation to the provision of education.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Children, Young People and Education Committee	31st January 2022
Children, Young People and Education Committee	28th January 2021
Cabinet	24th February 2020