

Forward Plan reference number: FP/870/11/20

Report title: Adoption of schemes to co-ordinate pupil admissions to primary and secondary schools in 2022-2023	
Report to: Cllr Ray Gooding, Cabinet Member for Education and Skills	
Report author: Clare Kershaw, Director, Education	
Date: 18 January 2021	For: Decision
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County Divisions affected: All Essex	

1. Purpose of report

- 1.1. The Local Authority (LA) is required by law to adopt schemes to co-ordinate the admission of Essex pupils to infant, junior, primary, secondary schools and academies for the academic year 2022-2023. The schemes must be adopted by no later than 28 February 2021.
- 1.2 This report asks the Cabinet Member to adopt co-ordinated admissions schemes as appended to this report.

2. Recommendations

- 2.1. That the Council adopts qualifying co-ordinated school admission schemes for 2022-2023 as set out in Schedule 1, Schedule 2 and Schedule 3 of this report.

3. Background and proposal

- 3.1. The law requires that all local authorities formulate and adopt qualifying schemes for the co-ordination of pupil admissions to all maintained schools and Academies for children resident in their area by 1 January and then adopt the full schemes.
- 3.2. The schemes apply to applications from parents who reside anywhere in the administrative county of Essex.
- 3.3. Legislation prescribes the persons and groups that must be consulted when a local authority is preparing its proposed co-ordinated admissions schemes.

- 3.4. The statutory School Admissions Code states that schemes must be consulted upon at least once every seven years. Given that the schemes were last consulted on for 2015-16 Admissions, there was a requirement to consult on the proposed schemes for 2022-23 admissions. The consultation opened on 16 November 2020 and closed on 4 January 2021. The proposed co-ordinated schemes for 2022-23 admissions for primary, junior and secondary schools are substantially unchanged from the previous schemes. No responses were received during the consultation period on the proposed schemes.
- 3.5. There is, in any event, limited flexibility when adopting the co-ordinated admission schemes. Regulations govern what qualifying schemes must make arrangements for and the closing dates for applications are laid down in statute.
- 3.6. The days on which offers of places must be communicated for the normal admission round are also prescribed in law – 1 March for secondary and 16 April for primary (or the next working day if 1 March or 16 April is a non-working day).
- 3.7. The draft schemes are substantially unchanged from those adopted in previous years, save for natural adjustments in dates to reflect the academic year. They are consistent with all legal requirements.
- 3.8. The draft schemes provide for parents to express 4 and 6 preferences respectively for primary and secondary applications. This exceeds the minimum legal requirement which is that parents must be permitted to express at least 3 preferences.
- 3.9. One discretionary element of the schemes is that the primary scheme applies to admissions outside the normal admission round. This was formerly a legal requirement but is not something which the Council is required to do. However, following previous consultation with governing bodies it is felt that it is worthwhile maintaining this for primary schools as the Council remains the admissions authority for many of these in any event.

4. Policy context and Outcomes Framework

- 4.1. These arrangements align with the *Essex Organisation Strategy*, which has a number of aims, one of which is to improve educational attainment and enhance skills. A lawful, fair and procedurally sound school admissions process contributes towards that aim.

5. Financial Implications

- 5.1. This decision has no financial or resource implications.

6. Legal Implications

- 6.1. The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 require all local authorities to adopt qualifying schemes for the co-ordination of pupil admissions in their area
- 6.2. For admissions in the 2022-2023 academic year, these regulations require such schemes to be adopted by no later than 28 February 2021, with notification to be sent to the Secretary of State no later than 28 February that qualifying schemes have been adopted. Where such notification is not sent, the Secretary of State may impose a scheme upon a local authority.
- 6.3. By adopting the schemes in the attached schedules, the Council will be fulfilling its statutory requirement to adopt compliant schemes.

7. Staffing and other resource implications

- 7.1. No additional human resources beyond existing resources will be required as a result on this decision. There are no employment legislation implications.

8. Equality and Diversity implications

- 8.1. In making this decision ECC must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act 2010, i.e. have due regard to the need to: A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act. B. Advance equality of opportunity between people who share a protected characteristic and those who do not. C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 8.2. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation
- 8.3. The PSED is a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149, is only one factor that needs to be considered, and may be balanced against other relevant factors.
- 8.4. The requirements of qualifying co-ordinated admission schemes are largely laid down by statute and the regulations referred to previously. The equality impact assessment attached indicates that the schemes do not propose any arrangements that provide for any unlawful discrimination in relation to the protected characteristics set out in 8.2 above and they are not anticipated to have a disproportionate impact on any persons with a particular protected characteristic.

9. List of appendices

- 9.1. Schedule 1 - Co-ordinated scheme for primary admissions 2022-2023
- 9.2. Schedule 2 – Co-ordinated scheme for junior admissions 2022-2023
- 9.3. Schedule 3 - Co-ordinated scheme for secondary admissions 2022-2023
- 9.4. Equality impact assessment

10. List of Background Papers

- 10.1 The School Admissions Code 2014

Role	Date
I agree the recommendations in this report for the reasons set out in the report.	05 February 2021
Cllr Ray Gooding, Cabinet Member for Education and Skills	

In consultation with	
Executive Director for Finance and Technology (S151 Officer) Andrew Page, Head of Finance for Children and Families (with delegated authority) Nicole Wood	21 January 2021
Director, Legal and Assurance (Monitoring Officer) Paul Turner	21 January 2021
Director, Education Clare Kershaw	30 January 2021