

WANDSWORTH BOROUGH COUNCIL

EDUCATION AND CHILDREN'S SERVICES OVERVIEW AND SCRUTINY
COMMITTEE – 24TH NOVEMBER 2014

EXECUTIVE – 1st DECEMBER 2014

Report by the Director of Education and Social Services on Possible Changes to the
Council's School Admission Arrangements for the School Year 2016/17

SUMMARY

The growth in school age population and the increasing popularity of primary schools in Wandsworth, due to high standards and attainment, mean that there is acute pressure on primary school places. The Council has been very successful in creating additional places by expanding existing schools and opening new free schools and academies. To ensure the ongoing availability of places and equity of opportunity to access those places for local families, it was proposed in the September committee cycle to consult with prospective and existing parents of school aged pupils, schools, early years providers and the wider community about changes to the admission criterion giving priority to siblings of children at its community schools.

Paper No. 14-458 set out a proposal to consult on changing the oversubscription criteria for community primary schools to provide a better balance between maintaining a family link for families with children already at Wandsworth schools and ensuring as far as possible that there are places available for families at their local school.

Following the Executive's approval on 22nd September, an initial non-statutory consultation was undertaken from 3rd to 31st October 2014 to receive views on the proposed change and to gather consultees' views on other possible changes to the oversubscription criteria for community schools. This paper gives details of the responses to the consultation and taking into account these responses, sets out a recommendation for changes to the admission criterion giving priority to children with siblings currently attending community primary schools.

Any proposed changes to the existing admission criteria would be subject to a further statutory consultation for a minimum eight 8 week period before 1st March 2015.

Proposed revisions to the admission arrangements 2016/17 of Our Lady of Victories Catholic Primary School are also set out in the report, together with the response by the Director of Education and Social Services.

The Director of Finance comments that it is estimated that the cost of the statutory consultation be approximately £1,000. This cost would be met from within existing budgets.

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RECOMMENDATIONS

1. The Education and Children's Services Overview and Scrutiny Committee are recommended to support the recommendations in paragraph 3 below.
2. If the Overview and Scrutiny Committee approve any views, comments or additional recommendations on the report, these will be submitted to the Executive for consideration.
3. The Executive is recommended to:
 - (a) agree to consult on the proposed changes to the Council's primary community school admission arrangements for the academic year 2016/17 as set out in paragraph 25 of this report;
 - (b) note the proposed changes to the admission arrangements of other admission authorities in the Borough and the comments of the Director of Education and Social Services in response to the consultation on those changes.

BACKGROUND

4. The growth in school age population and the increasing popularity of primary schools in Wandsworth, due to high standards and attainment, mean that there is acute pressure on primary school places. The Council has been very successful in creating additional places by expanding existing schools and opening new free schools and academies. To ensure the ongoing availability of places and equity of opportunity to access those places for local families, it was proposed in the September committee cycle (Paper No. 14-458) to consult with prospective and existing parents of school aged pupils, schools, early years providers and the wider community about changes to the admission criterion giving priority to siblings of children at its community schools.
5. Paper No. 14-458 set out a proposal to consult on changing the oversubscription criteria for community primary schools to provide a better balance between maintaining a family link for families with children already at Wandsworth schools and ensuring as far as possible that there are places available for families at their local school. Specifically the paper proposed to restrict sibling priority to applicants living within 800 metres of the school. It was felt that this would retain a strong family link with schools for those families who have remained within the proximity of the school whilst still freeing up some places for local applicants where other families have moved away from the area. This would also act as partial deterrent to the short-term rental issue.
6. Following the Executive's approval on 22nd September, an initial non-statutory consultation was undertaken from 3rd to 31st October 2014 to receive views on the proposed change and to gather consultees' views on other possible changes to the oversubscription criteria for community schools.

CONSULTATION

7. The consultation asked for consultees' views on whether they agreed that changes should be made to the admission criteria for community primary school and whether they agreed with the specific proposed change to the sibling criterion. In addition, consultees were asked for their comments on the proposed change (including any possible amendments) and also to submit any other suggested changes to the admission criteria. A copy of the consultation document is included in Appendix 1.
8. Views were sought from the parents of children at Wandsworth schools and early years providers, local residents, councillors, MPs, headteachers, governors, the diocesan authorities, neighbouring Local Authorities and other local stakeholders. Flyers highlighting the consultation were distributed to parents via schools and early years providers. Consultees were encouraged to respond on line but could also submit their views by email or on a paper response form.
9. The level of response to the consultation has been high with 904 responses received. 544 respondents (60.2%) agreed with the first general question about whether changes should be made to the community school admission criteria with 224 (24.7%) disagreeing.
10. Responses were much more split in answering question 2 about whether they agreed with the specific proposal to restrict sibling priority to those living within 800 metres of the school. 418 (46.2%) agreed with the proposal with 405 (44.8%) disagreeing with the proposal. (Eighty-one responses neither agreed nor disagreed, didn't know or didn't answer this question.) Tables A, B, and C below give a breakdown of responses to this question by Respondent Type, Postcode and Ward.

Table A – Breakdown by Respondent Type *

Do you agree or disagree with the proposal to amend the criterion so that siblings of children at a school would receive priority only if they live within 800 metres of the school?

	Agree	Disagree	Neither Agreed nor Dis-agreed	Don't Know/ Didn't Resp'nd	Total
Individuals					
Parents/Carers	381	373	17	44	815
Appeal Panel Members	8	2	0	0	10
School Governors	4	3	0	0	7
Teachers & Early Years Professionals	7	8	0	3	18
Grandparents	2	3	0	1	6
Other/Unspecified	10	7	1	9	27
Sub-Total	411	397	18	57	883
Organisations					
Schools	5	5	2	0	12
Other Local Authorities	0	2	0	0	2
Other	1	0	0	4	5
Sub-Total	6	7	2	4	19
Total	417	404	20	61	902

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Table B – Breakdown by Individual Respondent Postcode Area

Do you agree or disagree with the proposal to amend the criterion so that siblings of children at a school would receive priority only if they live within 800 metres of the school?

Postcode Area	Agree	Disagree	Neither agree nor disagree	Don't know / Didn't respond	Total
SW11	203	93	2	7	305
SW12	26	40	0	3	69
SW15	27	50	2	1	80
SW16	36	30	7	4	77
SW17	36	71	4	11	122
SW18	66	64	3	3	136
SW19	4	8	0	1	13
SW4	1	4	0	0	5
Out of Borough	10	31	1	4	46
Unspecified	2	6	0	22	30
Total	411	397	19	56	883

Table C – Breakdown by Individual Respondent Ward

Do you agree or disagree with the proposal to amend the criterion so that siblings of children at a school would receive priority only if they live within 800 metres of the school?

Ward	Agree	Disagree	Neither agree nor disagree	Don't know / Didn't Resp'd	Total
Balham	36	27	0	3	66
Bedford	12	28	0	2	42
Earlsfield	24	18	0	1	43
East Putney	9	11	0	0	20
Fairfield	13	4	2	1	20
Furzedown	41	31	8	7	87
Graveney	7	15	2	5	29
Latchmere	1	3	0	0	4
Nightingale	14	31	0	3	48
Northcote	140	51	2	4	197
Queenstown	1	1	0	0	2
Roehampton & Putney Heath	0	4	0	0	4
Shaftesbury	34	24	0	0	58
Southfields	11	16	1	1	29
St. Mary's Park	2	6	0	0	8
Thamesfield	13	28	2	0	43
Tooting	9	15	0	1	25
Wandsworth Common	17	28	1	0	46
West Hill	8	10	0	1	19
West Putney	7	9	0	1	17
Out of Borough	10	31	1	4	46
Unspecified	2	6	0	22	30
Total	411	397	19	56	883

11. As can be seen from Table B, there is a predominance of responses from consultees living in the SW11 area which correlates with the Latchmere, Northcote, St Mary's Park and Shaftesbury Wards together with small parts of

the Balham and Queenstown Wards. Two hundred and four (66.7% of responses in this area) agreed with the proposal representing 49.4% of all positive responses with the number of responses (306) from this area making up 34.6% of total responses from individuals. Further analysis by ward showed over a third (34.2%) of all those that agreed with the proposal reside in the Northcote Ward where there was 71.2% support for the proposal. A map demonstrating the location of respondents is included in Appendix 2.

12. Consultees were also asked for comments (including any suggested amendments) about the proposed change and also for any general comments or suggestions. The comments received are summarised in Tables D-F below.

Table D – Summary of Comments from Respondents Supporting the Proposed Change in Principle.

Comment	Number of Responses
Families that have not moved since the older child was offer should be exempt from the proposed.	89
Siblings of children currently at school should be exempt from the proposed change	49
Proposed Threshold Distance of 800 metres should be further	76
Proposed Threshold Distance of 800 metres should be less	24
Academies, free schools and foundation schools should adopt the proposed change if it goes ahead.	18

13. There was a strong number of responses (89) advocating that those families who had not moved since the admission of their older child should not be subject to the 800 metres threshold. In such instances, the older child may be offered a place at a time when the school had a larger ‘catchment’ area, may have been offered the school as a lower preference or alternatively where applications for preferred schools had been unsuccessful, or may have been admitted as an in year admission to a higher year group in the school. Such families could be penalised by the proposed change through no fault of their own.
14. A significant number (49) of responses advocated that siblings of existing pupils at schools should not be affected by the proposed change. Many of these respondents argued that decisions to change address were made on the basis that under the existing policy places for younger siblings were secure.
15. Seventy-six (76) respondents commented that the proposed threshold distance of 800 metres should be extended. Two main reasons were given for this: firstly that a distance of say 1200 metres or 1600 metres should still be considered local to the school and walking distance to the school and secondly that a longer distance may still allow families to move within the vicinity of the school without being penalised. Nine such respondents felt that the threshold distance should be extended to 1200 metres, 15 proposed a distance of 1500/1600 metres or 1 mile and 10 advocated using the Borough boundary. The latter option would not be permissible under admissions law. Eight respondents felt that the proposed distance was arbitrary. In contrast,

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comments were received from 24 consultees proposing that that the threshold distance be reduced.

16. Eighteen respondents felt that any proposed changes should be adopted by all non-faith schools including foundation schools, academies and free schools. If the Council is minded to make a change following the initial consultation, it is proposed to recommend to schools which are their own Admission Authority that they make a similar change. Take up of this is likely to be varied. Any such decisions would be the responsibility of the school's governing body or Academy Trust.

Table E - Summary of Comments from Respondents Disagreeing with the Proposed Change.

Comment	Number of Responses
There would be significant practical and financial difficulties created for affected families, eg the difficulty of getting children to different schools at a similar time and potential further expense caused by this.	149
The proposed change could reduce the sense of community at schools and would reduce the amount of time affected families could devote to supporting the school.	35
The proposed change would penalise those who have moved for valid reasons, eg a larger property to accommodate a growing family, an end in rental agreement, re-housing, repossession or eviction.	41
The proposed change could further inflate property prices surrounding popular schools.	20

17. Of those who disagreed with the proposal, 149 made comments about the practical difficulties that would be created for affected families. In particular, comments highlighted the difficulty of dropping off or collecting children from different schools at similar times and the general disruption that would be caused to family lives. Many also raised the further expense that could be incurred by such families e.g. additional costs relating to childminding or breakfast/after school clubs, further travel costs and potentially reduced earnings if work patterns had to be changed. Thirty-five (35) respondents also commented that the proposed change could affect the sense of community at a school and would impede on the time that parents could commit to supporting a school and/or after school activities if children in a family are spread over more than one school. Such scenarios could also affect attendance and punctuality at Wandsworth schools.
18. Comments were received from 41 respondents concerned that the proposed change unfairly penalised those who had moved for valid reasons, e.g. where a family may have been forced to move as a result of eviction, repossession or simply the need to purchase or rent a larger property for a growing family. Within these comments several raised that they had been obliged to move slightly further away for more affordable housing. In this connection, 20 respondents raised fears that the proposed change could further inflate property prices surrounding popular schools.

Table E – Other Comments

Comment	Number of Responses
More schools should be opened and/or places added at other schools	64
Priority of admissions should be based on length of residence or a minimum residence period.	33
Church school faith admission criteria should be abolished	13
Comments supporting the Council's strengthened processes to verify permanent addresses or advocating further action to address short-term rental issue.	88

19. Table D above summarises the main categories of general comments received in response to the consultation. The Council has been successful in adding places at 13 maintained schools on a permanent basis over the past four years in addition to the opening of three new free schools. Two further new schools will open in September 2015 and 2016 with Gatton and Hillbrook Schools also expanding by a further form of entry in September 2015.
20. It is not possible to give priority of admission on the basis of length of residence or a minimum period of residence but it is felt that the Council's enhanced processes to verify permanent addresses, as laid out in Paper No. 14-458 will address most of the concerns raised. Eighty-eight (88) respondents were concerned that applicants were gaining places through short-term rental properties.
21. Thirteen respondents felt that admission criteria based on adherence to a certain faith were unfair and should be abolished. The Council values church schools as part of the diverse family of schools in the Borough. Such faith based admission criteria are lawful and permitted under the Admissions Code.

PROPOSED CHANGE FOR STATUTORY CONSULTATION

22. Following the consultation, the Council has considered a number of options including proceeding to statutory consultation with the original proposal (i.e. siblings of children at a school would receive priority only if they live within 800 metres of the school); amending the proposed criterion so that families that have not moved since the offer of a place for the last sibling or those families who currently have a sibling at the school are exempt from the distance threshold; extending the distance threshold beyond 800 metres; or making no changes and retaining the current sibling admission criterion.
23. In light of the mixed responses to the consultation, the Executive will wish to consider whether the benefits of the proposed changes outweigh the potential disadvantages caused to affected families. A significant minority of respondents (41.6%) disagreed with the original proposal. However, if the existing policy is retained, some local families will continue to be disadvantaged by families who retain sibling priority for places at local schools despite having moved away. The recommended change outlined in paragraphs 25-27 below seeks to address the concerns raised by many respondents.

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24. Consideration has also been given as to whether the distance threshold should be extended beyond 800 metres. As outlined in paragraph 15 above a variety of different distances were suggested by respondents. Although, such a proposal may allow some families to move a short distance without being penalised, it would lessen the link to the average oversubscription level in the last two years (as outlined in Paper No. 14-458) and reduce the number of places available to local families.
25. Taking all these factors into account, it is recommended that the Council undertakes a statutory consultation on the following proposed changes to the sibling admission criterion:

Criterion 3:

Brothers and sisters of children on the roll of the school on the date of admission living up to a distance of 800 metres from the school. Children with a brother or sister at the school on the date of admission living over 800 metres from the school will also receive priority under this criterion where the family have not moved since last sibling was offered a place or the last sibling was admitted prior to September 2016. (See also notes i and ii below).

Notes

- (i) ***A sibling is a full brother or sister, a step/half brother or sister living at the same address, a child who is living as part of the family by reason of a court order, or a child who has been placed with foster carers as a result of being looked after by a local authority.***
- (ii) ***The straight-line measurement used to prioritise applicants for admission to schools in Wandsworth commences in all cases at the location of the property and terminates at the central point of the school site as determined by Wandsworth Council's Geographical Information System. Measurements by alternative systems and/or to other points will not be taken into account in any circumstances. Where applicants have identical distance measurements, priority amongst them will be determined at random.***

26. Such a criterion would seek to achieve the aims of the original proposal without disadvantaging those families who have not moved and accepted a place at a school when it was less popular. It is the view of officers that such a caveat in combination with a distance threshold would be defensible at appeal. However, this additional caveat would reduce the number of places made available to other local families, compared to the original proposal. Based on the 2014 admissions round, and disregarding the proposed exemption for children with siblings admitted prior to September 2016, this change would have made available 50 places for local families compared to 85 under the

original proposal. If Belleville and Honeywell did not adopt this change, this number would be reduced by 21 to 29.

27. The proposal also includes an exemption for those children who already have siblings at a community school. Thirty-four respondents advocated that siblings of existing pupils at schools should not be affected by the proposed change, arguing that decisions to change address were made on the basis that under the existing policy places for younger siblings were secure. If such an exemption was applied, this would of course delay any benefit in terms of places made available to local families over a transitional period of up to seven years.
28. A copy of the full proposed admissions policy is included in Appendix 3. It is not proposed to change the admission criteria for those community schools which have a priority area.

EQUALITY IMPACT ASSESSMENT

29. The Equality Act 2010 requires that the Council when exercising its functions must have "due regard" to the need to eliminate discrimination, to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it. As such, an initial Equality Impact Assessment (EIA) was undertaken on the proposal contained in Committee Paper No. 14-458. A further initial EIA has not been carried out at this stage, as the proposed change to the admission criteria seeks to achieve a similar aim to that outlined in Paper No. 14-458. The original EIA is attached at Appendix 4 to this report.
30. This EIA found that there are potentially negative impacts in relation to age and ethnicity. The proposal would impact negatively on some of those aged 4 or younger as they are the cohort that would be affected by changes to primary school admissions. However, other local children would be positively impacted because their chances of securing a place at a given school would be improved as a result. There is a potentially negative impact on BME families as these families are more likely to be in private rented sector accommodation and as such have less stable tenure, meaning they could be disproportionately affected.
31. As this paper is only seeking a decision on whether to consult on the proposal, a full EIA is not required at this time. Should the recommendation to proceed to consultation be supported, a full EIA will be undertaken as part of the statutory consultation process.

FURTHER STATUTORY CONSULTATION

32. If following the November committee cycle, the Executive decides to proceed with a specific proposed change in the oversubscription criteria for its community schools, a further statutory consultation on the specific changes would need to be carried out for a minimum eight week period between 1st

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November 2014 and 1st March 2015. Any new arrangements must be formally determined by 15th April 2015.

33. A proposed consultation timetable is set out below:

Date	Event
24th November 2014	Report to Overview & Scrutiny Committee. If changes supported and then agreed by Executive, then carry out statutory consultation.
1st December 2014 - 31st January 2015	Statutory Consultation on specific proposal
February 2015	Determination of Admission Arrangements by the Executive following consideration by Overview & Scrutiny Committee Meeting

34. If the Executive decides to proceed with a specific proposed change, it is proposed to recommend to schools which are their own Admission Authority that they make a similar change. Take up of this is likely to be varied. It is not proposed to change the admission criteria for those community schools which have a priority area.

DIRECTOR OF FINANCE COMMENTS

35. It is estimated that the cost of the statutory consultation be approximately £1,000. This cost would be met from within existing budgets.

CONSULTATION BY OTHER ADMISSION AUTHORITIES ON CHANGES TO ARRANGEMENTS FOR THE SCHOOL YEAR 2016/17

36. One school in the Borough (Our Lady of Victories Catholic Primary School) for which the governing body is the admission authority, rather than the Council, is currently consulting on revised admission arrangements for admission in 2016/17. As in previous years, the Council's Pupil Services Team has facilitated the consultation by circulating the proposed arrangements to all local schools, diocesan authorities and neighbouring Local Authorities and publishing the policies on the Council's website.
37. The proposed changes are set out below together with a note of advice already given or further guidance that could be offered pending the views of the Executive, the Overview and Scrutiny Committee and the Admissions Forum.

OUR LADY OF VICTORIES CATHOLIC PRIMARY SCHOOL

Proposed Changes:

- Random allocation to be introduced as a tiebreaker within each admission criterion.

In practice, owing to the level of oversubscription, places are usually only allocated within the first five admission criteria. Under criterion 5, priority is given to practising Catholic applicants living within the Parish of our Lady of Pity and St Simon Stock.

Comments from the Director of Education and Social Services

- (a) The school is keen to introduce random allocation to broaden its effective catchment area to the wider Catholic community within the parish, particularly in the south and west of the parish. Places were offered up to 735 metres for 2014 and 508 metres (straight line) for 2013 entry. The introduction of random allocation random allocation is also likely to address applicants buying or short term renting properties to secure admission. This proposed change is compliant with the Code.
- (b) Catholic sibling applications are unlikely to be affected by the change as they fall under a higher category (criterion 3). However the proposed change may generate some views from those Catholic families who have purchased or let properties close to the school and would now be less certain of securing a place at the school.
- (c) Earlier this year the school withdrew a proposal to introduce priority zones within the parish for criterion 5, with random allocation within for 2015-16 entry following a determination from the Office of the Schools Adjudicator that the consultation did not fully meet the requirements of the Admissions Code. At the time, the governing body indicated its intention to re-consult for 2016-17 and this new proposal represents a modified version of that earlier proposal.

CONCLUSION

- 38. The Executive are recommended to agree to proceed to statutory consultation on the specific proposed changes to the Council's primary community school admission arrangements for the academic year 2016/17 as set out in paragraph 25 of this report. There are no easy solutions to this sensitive issue and, in light of the views expressed in the initial consultation, the Executive is asked to consider whether the proposed changes to the oversubscription criteria would improve the better balance between fairness to local families living near to each school and fairness to families in which there are siblings.

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DAWN WARWICK
Director of Education & Social Services

14th November 2014

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BACKGROUND PAPERS

There are no background papers to this report

All reports to Overview and Scrutiny Committees, regulatory and other committees, the Executive and the full Council can be viewed on the Council's website (www.wandsworth.gov.uk/moderngov) unless the report was published before May 2001, in which case the committee secretary (Rachel Williamson – 020 8871 7857; email rwilliamson@wandsworth.gov.uk) can supply if required.