

## CONSULTATION ON CHANGES TO SCHOOL ADMISSIONS ARRANGEMENTS

<b>Cabinet Member(s)</b>	Councillor Susan O'Brien
<b>Cabinet Portfolio(s)</b>	Cabinet Member for Families, Education, and Wellbeing
<b>Officer Contact(s)</b>	Planning, Dan Kennedy, Environment, Education & Community Services
<b>Papers with report</b>	Appendix 1 - Changes to School Measuring Points Appendix 2 – Existing School Admissions Criteria for Community Schools in Hillingdon

### HEADLINES

<b>Summary</b>	<p>Hillingdon Council has a statutory responsibility to secure sufficient early years and school places for children resident in Hillingdon. A review of admissions to reception school places at Hillingdon schools over the last four years evidence that there is a residual risk that our current admissions criteria may no longer serve the purpose of reducing the risk of applicants not receiving a school placement. As an education authority, the Council must plan for sufficient school places and efficient use of resources. Forecasting of primary school places indicates a steady fall in demand in future years.</p> <p>Following review and discussions with relevant community primary schools, the Council is therefore proposing for consultation changes to the PANs for relevant schools to address the findings of the review to provide continuing access for residents to their local school and improve stability of pupil numbers and budgets.</p>
<b>Putting our Residents First</b>	<p>This report supports the council objectives of: <i>Our People and Strong financial management</i>. The recommended changes to the school admissions criteria contained in this report will support the aim that all children in Hillingdon can be offered a local school place as close to home as possible and ensure effective, and best use of the investment the Council has made to expand primary schools across the Borough.</p>
<b>Financial Cost</b>	<p>There are no direct financial implications from the recommendations contained in this report. However, schools with excess places above the local demand can experience part-empty classes which are not financially viable, stretching school budgets to cover the staffing and limiting resources available to all pupils. This can lead to an overall deficit and the school seeking a loan from the council Dedicated Schools Grant for maintained schools (community, foundation, and VA) or to their Academy Trust.</p>

Relevant Select  
Committee

Families, Education and Wellbeing

Ward(s) affected

All

## RECOMMENDATIONS

That Cabinet:

1. Notes the findings from a review by officers of the school admissions criteria for community schools in Hillingdon.

### Schools Admissions Criteria

2. Recommends the following proposals for changes to be made to the school admissions criteria and authorises officers to undertake a full consultation exercise in relation to them:
  - a) To amend the point of measurement for school applications for Whitehall Infant & Nursery School (set out in Appendix 1).
  - b) To amend the point of measurement for school applications for Yeading Infant & Junior School (set out in Appendix 1).
3. Agrees that no further material changes are required to the admissions criteria for community schools (set out in Appendix 2).

### Published Admission Number

4. Recommends the following proposals regarding the Published Admissions Number and authorises officers to undertake a full consultation exercise in relation to them:
  - a) To reduce the Published Admission Number for Harefield Infant School from 90 to 60.
  - b) To reduce the Published Admission Number for Harefield Junior School from 90 to 60.
  - c) To reduce the Published Admission Number for Harlyn Primary School from 90 to 60.
  - d) To reduce the Published Admission Number for Field End Infant School from 120 to 90.

5. **Agrees to receive a further report at its 17th February 2022 meeting for the purpose of considering the consultation responses and determining a set of new admissions arrangements for community schools in Hillingdon with new Planned Admissions Numbers for stated Community schools which all are to take effect from 1 September 2023.**
6. **Agrees that the Corporate Director, Planning, Environment, Education and Community Services, in consultation with the Cabinet Member for Families, Education and Wellbeing, submit a response from the Authority following formal consultation from non-community schools to reduce their Planned Admissions Numbers.**

### Reasons for recommendations

1. As part of the strategic education function of the Local Authority, Hillingdon Council has a statutory responsibility to secure sufficient early years and school places to meet the needs of children resident in the Borough. In October 2020 the School Placement and Admissions team consulted and made changes to the admissions criteria for community schools to take effect from 1 September 2021.
2. Based on a refresh of the school places forecast there is a need to reduce the published admission numbers in four community primary schools, each by 30 places. This is due to demographic changes leading to declining pupil rolls and Reception intakes, and into Year 3 into the Junior school, over the past few years which is projected to continue for another few years. In each school, there would be no difference for current pupils after the proposed change takes effect from Reception 2023, and there would be sufficient places to meet future demand from their siblings and other local parents.
3. Following a review of school places, it is proposed to consult to reduce the Published Admission Numbers for:
  - Field End Infant School - from 120 to 90 from 2023. All local residents will still be able to access places there. This reduction will also reduce the distance priority radius from **1250m to 1000m** in line with our admissions arrangements.
  - Harefield Infant School - from 90 to 60 from 2023. All local residents will still be able to access places there. This reduction will also reduce the distance priority radius from **1000m to 750m** in line with our admissions arrangements.
  - Harefield Junior School - from 90 to 60 from 2023. All local residents will still be able to access places there. This reduction will also reduce the distance priority radius from **1000m to 750m** in line with our admissions arrangements.
  - Harlyn Primary School - from 90 to 60 from 2023. All local residents will still be able to access places there. This reduction will also reduce the distance priority radius from **1000m to 750m** in line with our admissions arrangements.

### Alternative options considered / risk management

4. The proposals presented in this report are intended to be reasonable, clear, objective, procedurally fair and comply with all relevant legislation to mitigate the potential future risk that a small number of children living in Hillingdon may not be guaranteed a school place as close to home as possible. Options have been considered to address this risk, some of which are specific to a location in the Borough. Where alternative options have been considered therefore, these are set out in the body of the report.
  
5. The proposals for reductions in PAN are to improve schools' ability to efficiently plan their staffing and educational provision and not reducing could lead to schools suffering financial pressures leading to deficits, which in the community schools could then require a loan, further adding to the deficit in the Dedicated Schools Grant.

### **Select Committee comments**

6. The Families, Education and Wellbeing Select Committee has scheduled this matter on its multi-year work programme and will consider the proposals as part of the consultation process, before a final report is brought back to Cabinet in 2022 for decision.

## SUPPORTING INFORMATION

### Summary

7. Hillingdon Council has a statutory responsibility to secure sufficient early years and school places for children resident in Hillingdon. Over the last ten years the Council has worked closely with schools in Hillingdon to successfully deliver an ambitious programme of school expansion to ensure every child living in Hillingdon can be offered a school place as close to home as possible.
8. A review of admissions to reception school places at Hillingdon schools over the last four years evidence that there is a residual risk that our current admissions criteria may no longer serve the purpose of reducing the risk of applicants not receiving a school placement. As an education authority, the Council must plan for sufficient school places and efficient use of resources. Forecasting of primary school places indicates a steady fall in demand in future years.
9. As an education authority, the Council must plan for a sufficiency of places and efficient use of resources. There has been a slight decline in demand across the primary sector since 2018, with some fluctuations, but the overall level of primary surplus places continues to be too high and is pooling in a few schools. Each year the Council reviews the number of places against pupils rolls and projections and considers changing Published Admission Numbers (PAN) in some schools, where this may be needed. Across the borough, small annual changes are needed to meet parental demand, up and down. This ensures schools and the authority best meet the needs of all pupils across the Borough and make effective use of resources in schools and between them. The PAN is the 'operating figure', and the physical building remains the same. Academy, Foundation and VA schools make their own decisions, and they must consult the Council and others on proposed reductions, but their Governors/Trusts can agree temporary or permanent increases. The review has included all primary and secondary schools. The Cabinet is the relevant authority for the community primary schools.
10. Following review and discussions with relevant community primary schools, the Council is therefore proposing to reduce the Published Admission Number (PAN) for Field End Infants from 120 to 90, Harefield Infant School from 90 to 60, Harefield Junior School from 90 to 60, and Harlyn Primary School from 90 to 60. All PAN reductions will come into effect from 2023 and there will be sufficient places to ensure that local residents and siblings can access the school. This reduction will also reduce the distance priority radius from 1250m to 1000 for Field End Infant School and 1000m to 750m for the other three schools in line with our admissions arrangements.
11. The report details proposed changes to points of measurement for three different schools, to ensure accuracy of their school building usage for admission measurement purposes.
12. In addition, the Cabinet report details known information on four non-community schools, that are likely to consult to reduce their PAN. In each, they are already mainly operating most year groups at the proposed lower level. The LA will be formally invited to respond but if no serious issues are raised in responses to their consultations, LA officers are likely

to be in support of these reductions, and will subsequently seek Cabinet Member agreement to support these consultations, which will meet the needs of residents.

13. Cabinet is, therefore, asked to consider the proposed changes to the PANs for the relevant schools to address the findings of the review to provide continuing access for residents to their local school, and improve stability of pupil numbers and budgets.

### **The Statutory School Admissions Code**

14. The purpose of the statutory School Admissions Code is to ensure that all school places for maintained schools (excluding maintained special schools) and academies are allocated in an open and fair way. The Code contains mandatory requirements, such as setting a Published Admissions Number for each school. The admission arrangements to community schools are determined by the Local Authority as the 'admission authority.'
15. In drawing up the admission arrangements to schools, admission authorities must ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated. All schools must have admission arrangements that clearly set out how children will be admitted. The admission authority for the school must also set out in the arrangements the oversubscription criteria against which places will be allocated at the school when there are more applications than places and the order in which the criteria will be applied.
16. To ensure that the criteria applied in prioritising access to community schools which are oversubscribed remains procedurally fair, objective and clear, a review of the criteria has been undertaken using four years of Hillingdon admissions data to primary school reception places. The focus of the review sought to identify any residual risk that the Council would not fulfil its statutory duty to ensure every child is offered a school place.
17. The review considered the following areas:
  - Accurate points of measurement for school applications using the Geographical Information System and accuracy of school building usage for measurement purposes.
  - Ensure there are sufficient school places in Hillingdon and eliminate financial constraints where evidence shows a continued and sustained reduction in admissions.

## Reduction of Published Admissions Numbers

18. All community schools have a Published Admissions Number (PAN) in accordance with the School Admissions Code 2021. This is the number of school places that the admission authority must offer in each relevant age group (Reception, Year 3 for Junior and Year 7 for secondary) of a school for which it is the admission authority. Admission numbers are part of a school's admission arrangements.
19. As an education authority the Borough must plan for a sufficiency of places and efficient use of resources. The demand and capacity across the primary sector have been variable from year to year since 2012. Currently there are unusually high levels of movement in, out and around the borough following the Pandemic and Brexit and new arrivals into accommodation near Heathrow airport. However, it is clear that the level of overall surplus places in the primary sector continues to be too high and is concentrated in a few schools. To ensure schools and the authority best meet the needs of all pupils across the Borough and make effective use of resources in schools and between them, these four reductions in Community school PAN are proposed.
20. Currently there are 16% of vacant places across all primary schools. Pupil numbers will always fluctuate but the aim is to have 5-10% vacancies which will ensure there will be places to meet parental demand in each area and for those moving in mid-year, and secure stability for all schools. Having several schools with a PAN over 30 pupils above the level of their local demand means some schools attract a few pupils from further away requiring more classes to be run, but they are not economic, with a risk that if pupils join or leave, a class may need to be opened or closed. This disrupts education for all the pupils in the year group. To balance school budgets, classes need to include 25 or more pupils. Schools with declining or volatile rolls face big changes in their annual budget, and consequent cuts in staff and risk financial deficit. The aim of PAN reductions is to match the operational level of schools to local demand and improve the focus of resources in each school on their pupils and reduce the risk of deficits. Meanwhile the physical capacity will remain available if demand rises, when it is possible to increase the PAN immediately, without consultation. It is considered prudent that in future PANs should be increased temporarily a year at a time, whilst parental demand is kept under review.
21. These schools have all been concerned about changes in their local demand for the past few years and all the governing bodies support the reduction since it will enable the school to focus their budget and resources better for pupils, so supporting school improvement. All the governing bodies agree they will agree an increase should local demand for places rise. Importantly, though the process to reduce PAN requires considerable data and consultation, it is easy to reverse, so admissions authorities can quickly respond to a rise in demand and decide to admit over PAN on a temporary or permanent basis.

22. Separately, up to four Academy Trust and Foundation schools in different areas may also propose to consult on a reduction of 1 FE; Hillside Infant School from 90 to 60; Brookside Primary School from 90 to 60; Wood End Park Academy from 150 to 120; and Oak Wood School from 270 to 240. These have been discussed with officers and would not impact on residents' access to their local schools and proposals reflect that the schools are already operating in most year groups at 1FE under their current PAN. They would each run their consultations and then decide on proposals including consulting the authority. All the Trusts hope to be able to increase numbers in future if local demand grows.
23. Hillingdon has one of the largest pupil populations in London with growth in some areas and 51,318 pupils in the May 2021 census. Especially at secondary, a significant minority of resident parents choose schools out of the LA and other pupils come to school from other LAs, so the total number of pupils managed by admissions and other central services is higher. The past few years of roll volatility now require annual review and regular changes in PAN, up and down, to adjust the 'operating capacity' of the schools since school finances are so challenging. Most London local authorities have agreed or are planning reductions in primary capacity and increases in secondary places. As the birth rate has slowed, reception numbers have plateaued since 2016 and new pupil roll growth will be from new housing and migration into various year groups, not just to reception. Over half of primary schools are full to capacity but the pockets of surplus places in a few schools continue to grow. The demographic changes in the borough, short and long-term impacts of Brexit, Covid and employment and affordability of housing are all factors being monitored.
24. Over the past year officers have reviewed all schools and discussed proposals with headteachers and governors in the four community schools. Headteachers have updated parents over the summer term in newsletters that a reduction in PAN was being considered, referencing that the schools already have many year groups operating at the proposed lower PAN and this proposal would give stability to classes and benefit pupils, and that siblings and other local parents would still be able to access the school. No parents expressed concerns. This was in advance of the formal consultation now being proposed.

## **Next Steps**

### **Proposal to change measuring points for 3 of our community schools.**

25. Within the current admissions criteria, priority is awarded to pupils based on distance from home to the school where over-subscription applies. In general, the closer the distance from home to school the higher the priority. The reference point at the school for calculating the distance from home to school is known as the 'measurement point'. 'Distance is measured in a straight line from the child's home address to the school, using co-ordinates from the Geographical Information System (GIS) which is based on ordnance survey data. Over the years schools have expanded and changed the use of buildings to accommodate pupil needs. Therefore, the School Placement and Admissions fully reviewed the measuring points for all community schools against the usage of the school buildings.

26. Following this review, we propose a change to the measuring points for Whitehall Infant and Nursery School, Yeading Infant and Nursery and Yeading Junior School. This is to ensure that the measuring points set for each of these schools is calculated at an accurate point in the school building. The review identified that although the original points of measurement are within the schools' grounds it would be more appropriate to adjust them to reflect the usage of the classes and pupils associated with the buildings. These proposals have been discussed and agreed with the school's leadership teams.

**Proposals to reduce Planned Admission Numbers in 4 community schools.**

- a. **Harefield Infant School from 90 to 60 Primary Planning Area 1 - Harefield**
- b. **Harefield Junior School from 90 to 60 Primary Planning Area 1 - Harefield**

27. Officers are proposing to reduce the Published Admission Number for Harefield Infant and Harefield Junior Schools, both from 90 to 60 from 2023. The schools are currently operating under one Executive Headteacher and one federated governing body. This reduction will also reduce the distance priority radius from 1000m to 750m in line with our admissions arrangements. This decision has been taken as the school has now been operating at under 60 in some year groups for several years so has a high level of vacancies, but also attracts some pupils from many miles away, for convenience but who could attend other schools more local to their homes. This has led to instability of classes and constrained school improvement and budgets.

28. The schools recently federated under one combined governing body and Executive Headteacher with a view to complete a merger in future. The governors support the changes in PAN as they will help secure the stability of the school roll and budget to underpin the ongoing good education provision for pupils.

29. This is the only primary planning area with only one primary provision in a separate Infant school and a Junior school sharing a site in the middle of the village. Harefield is relatively rural and isolated compared to the rest of the borough; the nearest primary schools are over two miles away. It is in the green belt with no new housing planned and a lower proportion of children than other areas. The local area provides up to 60 pupils a year. Having a PAN of 90 means some places are always empty, and each year some are taken by parents from far further away who travel to or through Harefield for work or other reasons and could find places closer to their home. In the past year groups have risen to over 70 but never to 90.

30. The overview of the PAN of the schools, rolls at the last census (May 2021) and offers made on National Offer Day in April for September 2021 Reception (and Year 3 in the Junior School) are shown in the table below.

PRIMARY PLANNING AREA 1		CENSUS MAY 2021 ROLLS										CONFIRMED RECEPTION/ YR 3 NUMBERS IN SEPTEMBER 2021
SCHOOL	PAN	Year R	Y1	Y2	Y3	Y4	Y5	Y6	TOTAL	IF FULL	% vacant	
Harefield Infant School	90	56	66	61					183	270	32.2%	47
Harefield Junior School	90				64	66	80	53	263	360	26.9%	59

### c. Harlyn School from 90 to 60 Primary Planning Area 2 – Northwood

31. The proposal is for consultation to reduce the Published Admission Number for Harlyn Primary School from 90 to 60 from 2023. The school has been recruiting at under 60 for some years. The September 201 Reception intake is 52. This reduction will also reduce the distance priority radius from 1000m to 750m in line with our admissions arrangements. This proposal reflects the school has now been operating at under 60 in some year groups for several years, reflecting fewer families in the area, so has a high level of vacancies. It also attracts some pupils from many miles away, for convenience but who could attend other schools more local to their homes and experiences pupil mobility in and out. All this has led to some years of tension in class planning and budget problems, since it hovers around 60 places in each year group with the risk of needing to open a third class, rearrange all the pupils and employ another teacher without sufficient funding. This has led to budget constraints that have limited extra activities for pupils. The school increased from 60 to 90 nine years ago and sustained higher numbers for around five years, but only once to 90. The proposal will give stability to aid improvements for all the pupils in the school.

The most recent census and roll data for the school and its local Planning Area are set out below:

PRIMARY PLANNING AREA 2		CENSUS MAY 2021 ROLLS										CONFIRMED RECEPTION NUMBERS IN SEPTEMBER 2021
SCHOOL	PAN	Year R	Y1	Y2	Y3	Y4	Y5	Y6	TOTAL	IF FULL	% vacant	
Harlyn Primary School	90	61	56	59	59	88	85	87	495	630	21%	52
Hillside Infant School	90	63	55	60					178	270	34%	
Hillside Junior School	60				50	62	62	57	231	240	4%	
Holy Trinity CofE Primary School	30	30	29	28	28	29	29	32	205	210	2%	
Frithwood Primary School	60	54	56	59	55	56	56	57	393	420	6%	

### d. Field End Infant School from 120 to 90 Primary Planning Area 5 – North Ruislip

The proposal for consultation is to reduce the Published Admission Number for Field End Infant School from 120 to 90 from 2023. The school is located close to the boundary with Harrow and there are many primary schools within one and two miles walk. Rolls have fallen over the past few years with several year groups one form entry below the existing PAN and the September Reception number is 81. It is clear the school should have a PAN of 90, until local demand rises. Field End Junior school currently has most year groups closer to 90 and converted to an academy within Vanguard Trust in September 2021, and officers will discuss with the Trust the current projections and future demand for Year 3 places.

PRIMARY PLANNING AREA 5		CENSUS MAY 2021 ROLLS										CONFIRMED RECEPTION NUMBERS IN SEPTEMBER 2021
SCHOOL	PAN	Year R	Y1	Y2	Y3	Y4	Y5	Y6	TOTAL	IF FULL	% vacant	
Field End Infant School	120	82	101	91					274	360	24%	81
Field End Junior School	120				89	101	97	103	390	480	19%	
Ruislip Gardens Primary School	90	35	44	48	45	36	54	48	310	630	51%	
Bourne Primary School	30	26	28	29	30	28	30	29	200	210	5%	
Deanesfield Primary School	90	86	90	91	91	87	85	85	615	630	2%	
Sacred Heart Catholic Primary School	90	90	87	90	89	90	90	83	619	630	2%	
St Swithun Wells Catholic School	30	27	30	30	30	30	29	25	201	210	4%	
Lady Bankes Infant School	90	75	85	90					250	270	7%	
Lady Bankes Junior School	90				81	86	81	72	320	360	11%	
Newnham Infant School	90	86	90	90					266	270	1%	
Newnham Junior School	90				89	89	89	88	355	360	1%	

### Process For PAN Reduction

32. The process is statutory and must follow the Admissions Code, as amended in September 2021. The Local Authority has reviewed the demand for the schools within their local context and discussed with the schools and meetings of their Full Governing Bodies will formally resolve they support the proposals.
33. Full Cabinet has to consider the proposal to reduce PAN in community schools as it affects residents' access to local schools.
34. If Cabinet approves the consultation, this will then take place from 18th October 2021 until 13th December 2021, a total of 8 weeks. Consultees will be invited to respond via a dedicated email address. The statutory requirement for consultation in this case is a minimum of 6 weeks and must take place between 1 October 2021 and 31 January 2022 for a reduction in the PAN to be published in March 2022 for applications for pupils to start in September 2023 in Reception (or Year 3 in Junior schools and Year 7 in secondary). The outcome of the consultations will be reported to Cabinet in February 2022 to take the final decision. Separately the Council will be a formal consultee of formal consultations carried out by non-community schools.

## Likely proposals from non-community schools

35. It is likely that up to four non-community schools that are admissions authorities will consult in the same timeframe on proposals to reduce PAN by 1 form entry. These have been discussed with officers and would still enable places for all local parents seeking them and reflect that they are already operating in most year groups at 1FE under their PAN, with intakes for September 2021 also 1 FE, or more, lower. The relevant Trusts and Foundation Boards would each run their consultations and then decide on proposals. They must formally consult the authority and Members would agree to support their proposal or oppose it. In all these cases, if no serious issues or objections are raised in responses to the consultations, Members are advised to agree the reductions, as they will support overall school improvement, stability and effectiveness. All the Trust have agreed to keep numbers under review and if necessary, can decide to add places on a temporary basis for a year at a time.

**e. Hillside Infants School (Foundation) from 90 to 60. Planning Area 2 - Northwood**

Intakes have been around 60 for some years and the linked Hillside Junior School has a PAN of 60. Both schools would increase to 90 if local demand significantly rises to fill that.

**f. Brookside Primary School (Rosedale Hewens Academy Trust) from 90 to 60 Planning Area 9 - Yeading**

The school has all year groups under 60 for some years, this reduction will formalise this to reflect local demand.

**g. Wood End Park Primary Academy (Park Federation Academy Trust) from 150 to 120 PPA 11 - Hayes**

This is the largest primary school in the borough and likely to remain so for some years; and though several year groups are now under 120 it is still larger than some of the secondary schools.

**h. Oak Wood Secondary School (Foundation) from 270 to 240 – Hillingdon East**

The school was rebuilt with a new PAN of 270 a few years ago and the school has grown continuously and is now amongst the largest in the LA. However, 270 is the second highest secondary PAN in the LA, and the school has not yet filled to this in any year group. It is sensible for the school to reduce operating capacity to 240, to promote stability and school improvement and avoid risk of further deficit. When it receives increased parental applications, it will then increase PAN again.

## Financial Implications

36. There are no direct financial implications arising from this report. However, it will help reduce the financial pressure on these individual schools and the risk of these schools running into deficit. Additionally, it will also reduce the risk of maintained schools requesting contributions from the council to meet redundancy costs in relation to staffing restructures. The spare physical space can be used in future if rolls rise in the relevant areas, and will be used by the schools meanwhile, or kept empty.

## EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

### What will be the effect of the recommendation?

37. The proposals set out in this report will help to mitigate the residual risk of Hillingdon children not securing access to a place at a local school close to where they live. Local families can access primary places nearby. The rising vacancies in a few schools reflect residents are currently not choosing to fill the school to the level of the current PAN, so the places are not needed. The schools now risk a few more pupils turning up, from further away, requiring an additional teacher which destabilises school budget and staffing and affects all the pupils. The proposals will enable better targeting of resources to priorities to help pupils, in line with the Council's vision to put our residents first.

### Consultation Carried Out or Required

38. The statutory School Admissions Code sets out that admission authorities must set ('determine') admission arrangements annually. Where changes are proposed to admission arrangements, the admission authority must first publicly consult on those arrangements. If no changes are made to admission arrangements, they must be consulted on at least once every 7 years. For admission arrangements for entry to school in September 2023, consultation must be for a minimum of 6 weeks and must take place between 1 October 2021 and 31 January 2022. The Code states that this consultation period will allow parents, other schools, religious authorities and the local community to raise any concerns about proposed admission arrangements.

39. To ensure compliance with the Code, the Local Authority will consult with:

- a) Parents of children between the ages of two and eighteen:
- b) Other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions:
- c) All other admission authorities within the relevant area (except that primary schools need not consult secondary schools):
- d) Any adjoining neighbouring local authorities where the admission authority is the local authority:

40. Subject to agreement from the Cabinet, the proposals will be available through the Council's established communication channels for comment. It is proposed that the consultation will last from 18 October 2021 until 13th December 2021.

## CORPORATE IMPLICATIONS

### Corporate Finance

Corporate Finance has reviewed this report and confirms that there are no direct financial implications arising from the recommended amendments to the school admissions criteria. Broader financial implications associated with the Council's strategic education function are managed through the wider Medium-Term Financial Forecast.

## Legal

### The School Admissions Code

The Schools Admissions Code 2021 ["the Code"] comes into force from 1 September 2021, having been issued under Section 84 of the School Standards and Framework Act 1998. It applies to all maintained schools in England. It is the responsibility of all admission authorities to ensure that admission arrangements are fully compliant with the Code.

The purpose of the Code, which has the force of law, is to ensure that all school places are allocated and offered in an open and fair way. In drawing up their admission arrangements, admission authorities must ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. The intention is that parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.

Admissions authorities must set out in their arrangements the criteria against which places will be allocated at the school where there are more applications than places and the order in which the criteria will be applied. Over subscription criteria, as it is known, must be reasonable, clear, objective, procedurally fair and comply with all relevant legislation, including human rights and equalities legislation.

Paragraph 1.9 of the Code provides that it is for admission authorities to formulate their own admission arrangements, but they must not take into account the 15 criteria which are listed in this paragraph.

The proposals for changes to the Council's admissions criteria, which the Cabinet has been invited to consider, do not fall within any of the "exempt" criteria referred to above and therefore, it is lawful for the Council to commence a consultation exercise in relation to these proposals.

### Consultation

Where changes are proposed to admission arrangements, admission authorities must first publicly consult on those arrangements. In this case, consultation must last for a minimum of 6 weeks and must take place between 1 October 2021 and 31 January 2022.

The Council is required, in accordance with paragraph 1.47 of the Code, to consult with:

1. parents of children between the ages of 2 and 18;
2. other persons in the relevant area who, in the opinion of the Council, have an interest in the proposed admissions;
3. all other admission authorities within the relevant area [except that primary schools need not consult secondary schools];
4. whichever of the governing body and the local authority who are not the admission authority;
5. any adjoining neighbouring local authorities where the admission authority is the local authority;  
and

6. in the case of schools designated with a religious character, the body or person representing the religion or religious denomination.

The Council will be required, for the duration of the consultation period, to publish a copy of its full proposed admission arrangements on its website together with details of the person within the Council to whom comments may be sent and the areas on which comments are not sought. The Council must also send, upon request, a copy of the proposed admission arrangements to any of the persons or bodies listed above, inviting comment.

It is important to note that consultation processes undertaken by public bodies have been subject to increasing judicial scrutiny. The case of *Moseley v London Borough of Haringey LBC* was considered by the highest Court in the land, the Supreme Court, in 2014. It was held that Haringey had conducted an unlawful consultation exercise. The Supreme Court unanimously approved the case of *R v Brent LBC ex parte Gunning* which sets out the key features of a lawful consultation process. The Gunning principles, as they are known, require that consultation should:

- a. be undertaken at a time when the relevant proposal[s] is still at a formative stage;
- b. give sufficient reasons for particular proposals to permit of intelligent consideration and an intelligent response;
- c. give consultees adequate time for consideration and response;
- d. ensure that the product of consultation must be conscientiously taken into account by the decision maker.

It is of the utmost importance that these principles are fully adhered to by the Council in relation to the consultation process which is the subject of the report.

### *The Human Rights Act*

This Act confers a right of access to education. However, this right does not extend to securing a place at a particular school. The Council will nevertheless need to consider parents' reasons for expressing a preference for a school when it makes admission decisions although it does not follow that this will necessarily result in the allocation of a place.

### *The Equality Act*

Paragraph 1.8 of the Code specifically provides that admission authorities must ensure that their arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs.

The Council is also subject to the Public Sector Equality Duty ["PSED"] and therefore it must have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between those with protected characteristics and those without it. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

On the basis that the PSED is a continuing duty, an Equality and Human Rights Impact Assessment will be completed if any material issues are identified as a result of the consultation.

## BACKGROUND PAPERS

[School Admissions Code 2021](#)

## **Appendix 1**

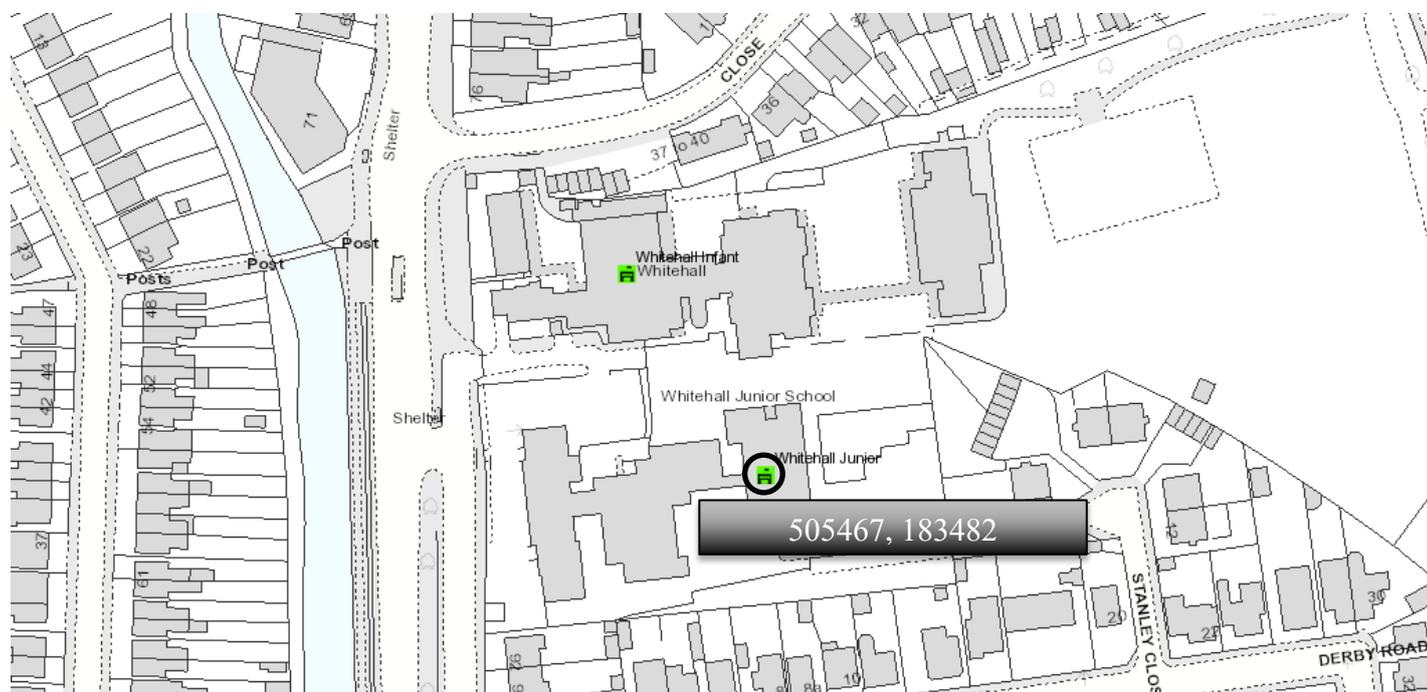
### **School Measuring Points**

Within Hillingdon's determined admissions arrangements under the definition of the distance criterion, we publish the following, 'Distance is measured in a straight line from the child's home address to the school, using a Geographical Information System (GIS) which is based on ordnance survey data. The measurement is from the address point for the home address to the agreed address point for the school'. This only applies when using the oversubscription criteria when, there have been more applications received than places available.

*The following maps are clear to view once this document is printed.*

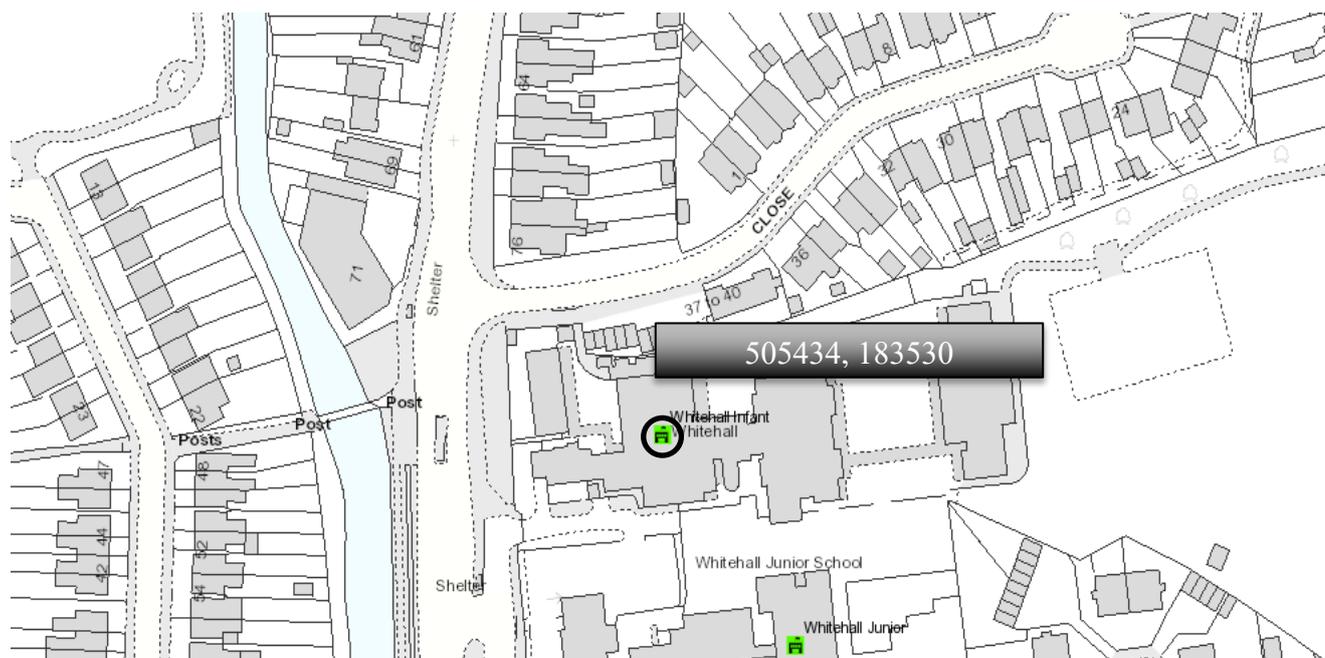
### Whitehall Infant School current coordinates

The map below shows where the current coordinates for Whitehall Infant School are set (circled below). The current measuring point for this schools is calculated from Whitehall Junior School.



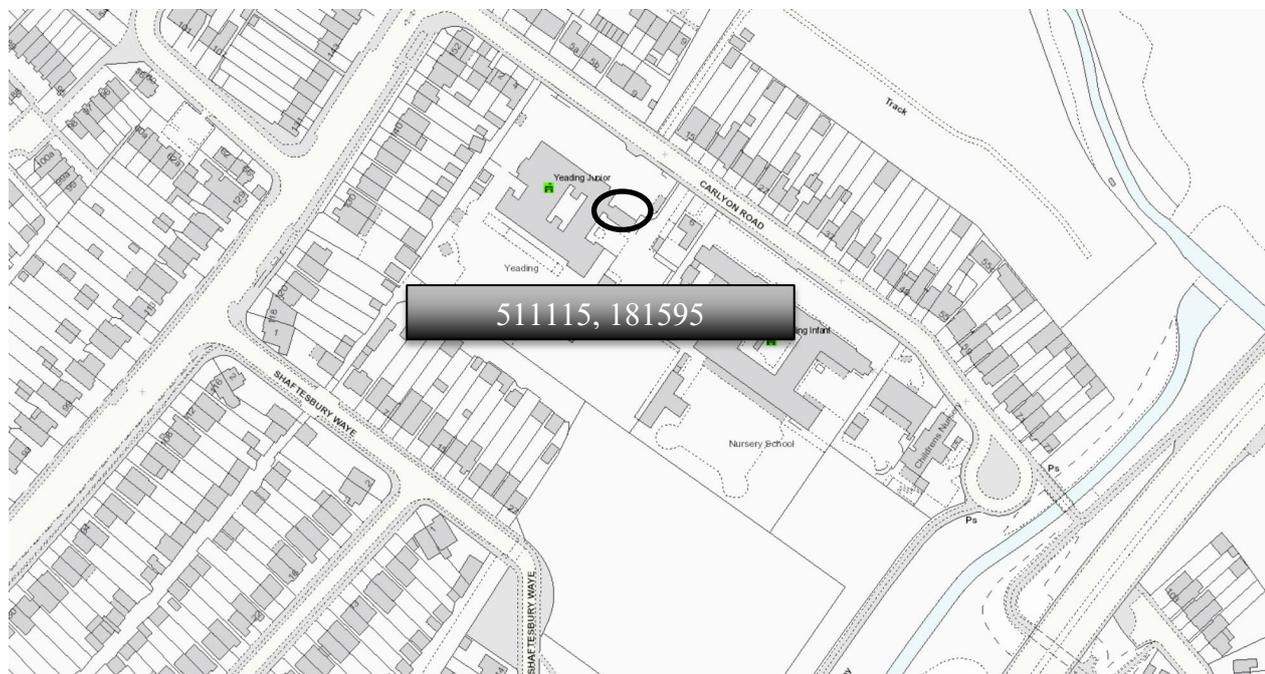
### Whitehall Infant School proposed coordinates

The map below shows where the proposed measurements are to be set. The proposed measuring point provided on the map below will be calculated from a point circled at Whitehall Infant School



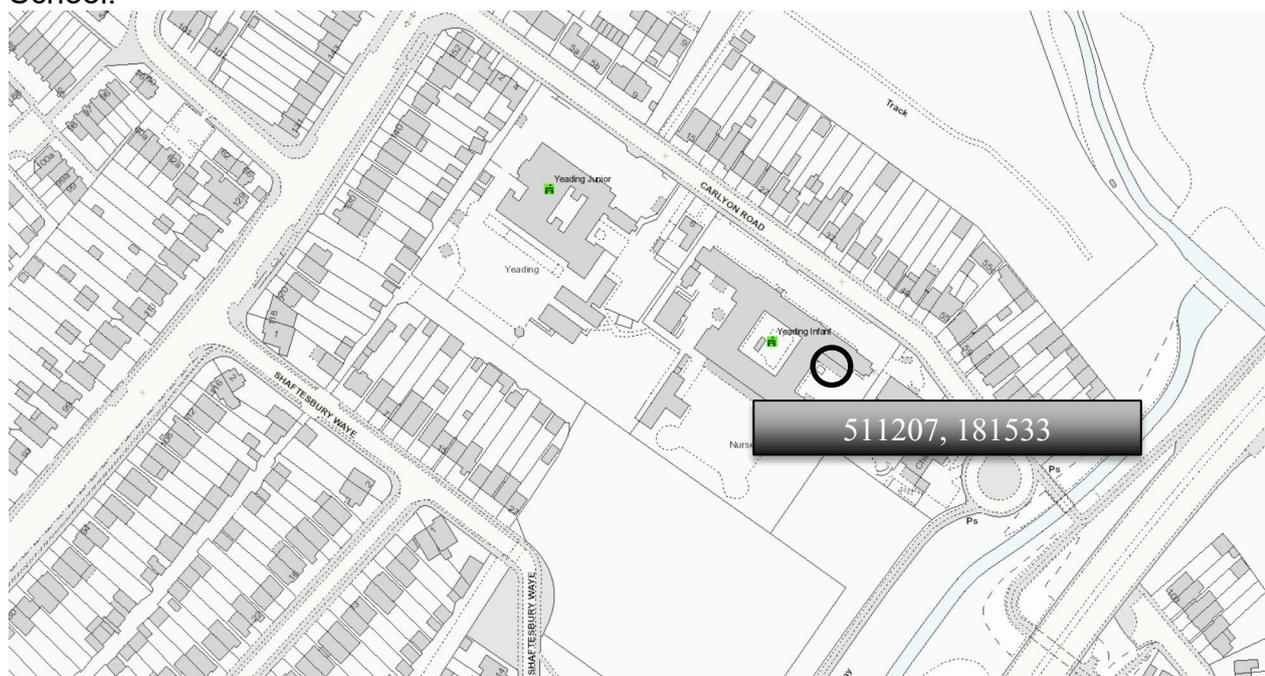
### Yeading Infant & Nursery School current coordinates

The map below shows where the current coordinates for Yeading Infant & Nursery School are set (circled below). The current measuring point for this school is calculated from Yeading Junior School.



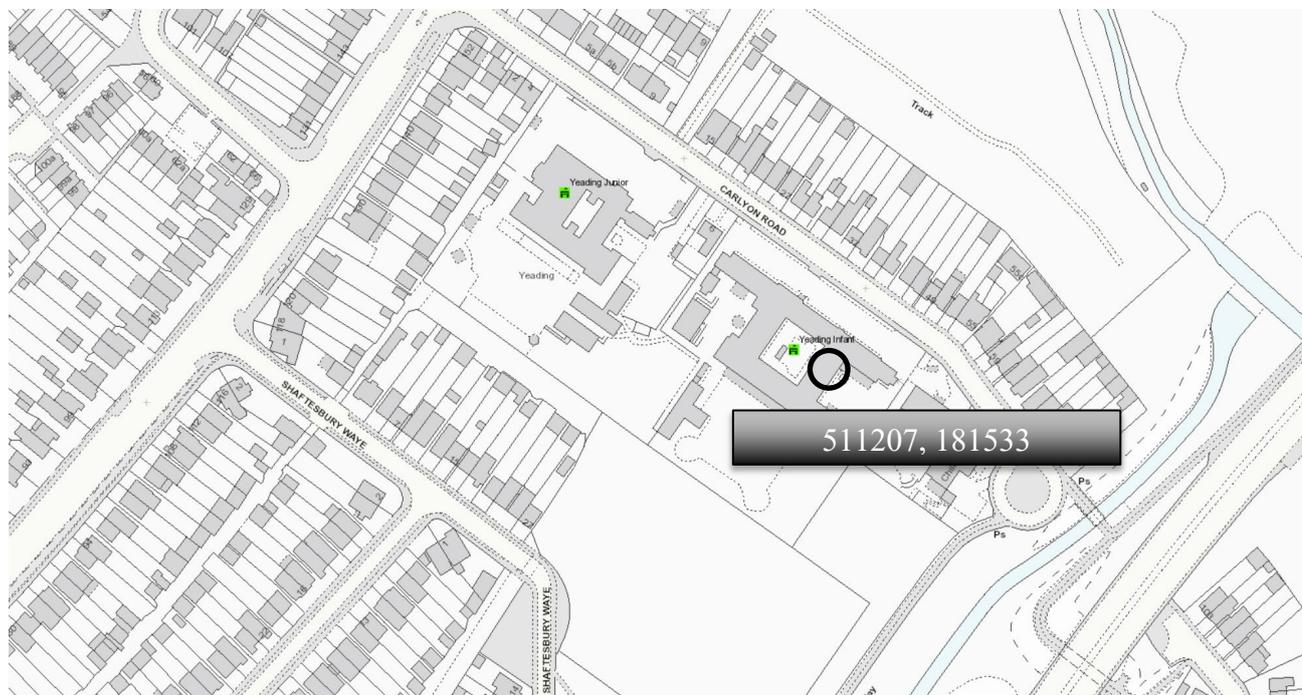
### Yeading Infant & Nursery School proposed coordinates

The map below shows where the proposed measurements are to be set. The proposed measuring point provided on the map below will be calculated from a point circled at Yeading Infant & Nursery School.



### Yeading Junior School current coordinates

The map below shows where the current coordinates for Yeading Junior School are set (circled below). The current measuring point for this school is calculated from Yeading Infant & Nursery School



### Yeading Junior School proposed coordinates

The map below shows where the proposed measurements are to be set. The proposed measuring point provided on the map below will be calculated from a point circled at Yeading Junior School.



## Appendix 2

### Existing Admissions Criteria

The following applies to all community schools except for Heathrow Primary School, Harmondsworth Primary School and Frithwood Primary School which are listed below.

Existing criteria
1. A looked after child (as defined in the Children Act 1989) or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order including those who appear [to the admission authority] to have been in state care outside of England and ceased to be in state care as a result of being adopted. <b>(Statutory requirement)</b>
2. Children attending the linked infant school are given priority for admission to the junior school (this applies to junior school applications only).
3. Children who suffer from a long-term medical condition or have a social reason, which makes it necessary for them to attend a particular school.
4. Children who have a member of the immediate family who suffer from a long-term medical condition or have a social reason which makes it necessary for them to attend a particular school.
5. Children who have a sibling* living within the distance priority radius.
6. Children who have a sibling* who was admitted to the full-time school or linked junior school prior to 31st August 2017
7. Children of staff where the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage. (Does not apply if applying for Infant School and the parent is a member of staff in the Junior School).
8. Children living nearest the school within the distance priority radius.
9. Children who have a sibling* living outside of the distance priority radius.
10. Children living nearest the school not within the distance priority radius.
Priority will be given within each criterion for those living nearest the school according to distance which will be measured in a straight line from the point set by Ordnance Survey at the child's home address and the school using Hillingdon Council's computerised mapping system. The supporting evidence in Criteria 3 and 4 above should set out the particular reasons why the school in question is the most suitable and the difficulties that

would be caused if the child had to attend another school. The admission authority cannot give higher priority to children under these criteria if the required documents have not been produced. Applications must be supported by medical evidence from a GP or Hospital Consultant. Full information on the medical criteria is available in the full admissions arrangements.

\* For the purposes of criteria 5, 6 and 9, a sibling is defined as a brother or sister, half brother or sister with at least one parent in common, adopted brother or sister living in the same household who currently attends the full-time school (not the nursery) and will continue to do so on the date of admission. Linked infant and junior schools are considered to be the same school for these criteria.

The distance priority radius for each school will be set as follows.

1 form entry school = 500 metres

2 form entry school = 750 metres

3 form entry school = 1000 metres

4 form entry school = 1250 metres

5 form entry school = 1500 metres

(Currently no community schools have a full intake of 5 forms of entry, but this provision is included in the arrangements to future proof against rising demand for primary school places)

## Frithwood Primary School

Existing criteria
1. A looked after child (as defined in the Children Act 1989) or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order including those who appear [to the admission authority] to have been in state care outside of England and ceased to be in state care as a result of being adopted. <b>(Statutory requirement)</b>
2. 5 places will be made available to children living nearest the nodal point using the coordinates 5081120, 1912400 (junction of Ducks Hill Road and Northgate) and who live within the defined boundary area shown in the map in Appendix 3. If fewer than 5 places are offered the remaining places will be offered to applicants meeting criteria 3 or below.
3. Children who suffer from a long term medical or social condition, which makes it necessary for them to attend a particular school.
4. Children who have a member of the immediate family who suffer from a long term medical or social condition which makes it necessary for them to attend a particular school.
5. Children who have a sibling* living within the distance priority radius.
6. Children who have a sibling* who was admitted to the full-time school prior to 31st August 2017.
7. Children living nearest the school within the distance priority radius.
8. Children of staff where the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.
9. Children who have a sibling* living outside of the distance priority radius.
10. Children living nearest the school not within the distance priority radius.
<p>Priority will be given within each criterion for those living nearest the school according to distance which will be measured in a straight line from the point set by Ordnance Survey at the child's home address and the school using Hillingdon Council's computerised mapping system.</p> <p>The supporting evidence in Criteria 3 and 4 above should set out the particular reasons why the school in question is the most suitable and the difficulties that would be caused if the child had to attend another school. The admission authority cannot give higher priority to children under these criteria if the required documents have not been</p>

produced. Applications must be supported by medical evidence from a GP or Hospital Consultant. Full information on the medical criteria is available in the full admissions arrangements.

\* For the purposes of criteria 5, 6, and 9, a sibling is defined as a brother or sister, half brother or sister with at least one parent in common, adopted brother or sister living in the same household who currently attends the full-time school (not the nursery) and will continue to do so on the date of admission.

The nodal point used in criteria 4 will give priority to applicants living in an area where it is traditionally more difficult to secure a place at a nearby school.

The distance priority radius for each school will be set as follows.

1 form entry school = 500 metres

2 form entry school = 750 metres

3 form entry school = 1000 metres

4 form entry school = 1250 metres

5 form entry school = 1500 metres (currently no community schools have a full intake of 5 forms of entry, but this provision is included in the arrangements to future proof against rising demand for primary school places)

## Harmondsworth Primary School

Existing criteria
1. A looked after child (as defined in the Children Act 1989) or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order including those who appear [to the admission authority] to have been in state care outside of England and ceased to be in state care as a result of being adopted. <b>(Statutory requirement)</b>
2. Children who suffer from a long term medical or social condition, which makes it necessary for them to attend a particular school.
3. Children who have a member of the immediate family who suffer from a long term medical or social condition which makes it necessary for them to attend a particular school.
4. Children who have a sibling* living within the defined boundary area (identified below).
5. Children who have a sibling* who was admitted to the full-time school prior to 31st August 2017.
6. Children living nearest the school within the defined boundary area (identified below)
7. Children of staff where the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.
8. Children who have a sibling living outside of the defined boundary area (identified below)
9. Children living outside of the defined boundary area (identified below)
<p>Priority will be given within each criterion for those living nearest the school according to distance which will be measured in a straight line from the point set by Ordnance Survey at the child's home address and the school using Hillingdon Council's computerised mapping system.</p> <p>The supporting evidence in Criteria 2 and 3 above should set out the particular reasons why the school in question is the most suitable and the difficulties that would be caused if the child had to attend another school. The admission authority cannot give higher priority to children under these criteria if the required documents have not been produced. Applications must be supported by medical evidence from a GP or Hospital Consultant. Full information on the medical criteria is available in the full admissions arrangements.</p>

\* For the purposes of criteria 4, 5 and 8, a sibling is defined as a brother or sister, half brother or sister with at least one parent in common, adopted brother or sister living in the same household who currently attends the full-time school or linked junior school (not the nursery) and will continue to do so on the date of admission.

The defined boundary area for Harmondsworth Primary School includes all residential properties satisfying the 5 conditions below:

- The M4 is to the North
- The M25 is to the West
- The M4 Spur is to the East
- The Bath Road is to the South and Northern Perimeter Road are to the South
- The property does not fall within the defined boundary area for Heathrow Primary School.

## Heathrow Primary School

Existing criteria
1. A looked after child (as defined in the Children Act 1989) or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order including those who appear [to the admission authority] to have been in state care outside of England and ceased to be in state care as a result of being adopted. <b>(Statutory requirement)</b>
2. Children who suffer from a long term medical or social condition, which makes it necessary for them to attend a particular school.
3. Children who have a member of the immediate family who suffer from a long term medical or social condition which makes it necessary for them to attend a particular school.
4. Children who have a sibling* living within the defined boundary area (identified below).
5. Children who have a sibling* who was admitted to the full time school prior to 31st August 2017
6. Children living nearest the school within the defined boundary area (identified below)
7. Children of staff where the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.
8. Children who have a sibling* living outside of the defined boundary area (identified below).
9. Children living outside of the defined boundary area (identified below)
<p>Priority will be given within each criteria for those living nearest the school according to distance which will be measured in a straight line from the point set by Ordnance Survey at the child's home address and the school using Hillingdon Council's computerised mapping system.</p> <p>The supporting evidence in Criteria 2 and 3 above should set out the particular reasons why the school in question is the most suitable and the difficulties that would be caused if the child had to attend another school. The admission authority cannot give higher priority to children under these criteria if the required documents have not been produced. Applications must be supported by medical evidence from a GP or Hospital Consultant. Full information on the medical criteria is available in the full admissions arrangements.</p>

\* For the purposes of criteria 4, 5 and 8, a sibling is defined as a brother or sister, half brother or sister with at least one parent in common, adopted brother or sister living in the same household who currently attends the full-time school or linked junior school (not the nursery) and will continue to do so on the date of admission.

The defined boundary area for Heathrow Primary School includes all residential properties located on the roads listed below

<b>Ashby Way</b>	<b>Blunts Avenue</b>
<b>Bomer Close</b>	<b>Chitterfield Gate</b>
<b>Harmondsworth Lane 2 to 46 and 1 to 59</b>	<b>Hollycroft Close</b>
<b>Kenwood Close</b>	<b>Russell Gardens</b>
<b>Sipson Close</b>	<b>Sipson Lane(from Sipson Road to M4 Spur)</b>
<b>Sipson Road 1 to 10 Copsewood Court</b>	<b>Sipson Road 239 to 501 and 356 to 544</b>
<b>Sipson Way</b>	<b>Vincent Close</b>
<b>Vineries Close</b>	<b>Wykeham Close</b>