
Meeting of Executive Members and Children's Services Advisory Panel

14 March 2007

Report of the Director of Learning, Culture and Children's Services

Revised Responsibilities and Membership of the Local Admissions Forum

Summary

1. This report considers the changes introduced by the Education and Inspections Act 2006 regarding the abolition of the School Organisation Committee (SOC) and the revised responsibilities and functions of the Local Authority and Local Admission Forum (LAF). Members are asked to determine new membership arrangements for the Local Admission Forum.

Background

2. The Education and Inspections Act abolishes the School Organisation Committee, which was the body that determined statutory proposals such as the opening, closing and amalgamation of schools. The Act states that decisions such as these are now to be taken by the Local Authority. In recent years, the SOC has played an important role in York in overseeing the Special Schools Review and the review of secondary education on the west side of the city.
3. On the 7th of May 2007, the SOC's decision-making powers transfer to the Local Authority. The LA is required to undertake a strategic role, with duties to promote choice, diversity, high standards and the fulfilment of every child's educational potential. LAs will need to respond to parental concerns about school standards and will have new powers to intervene where performance is poor. The LA becomes the "commissioner" of school places and can propose expansions to all categories of schools and take all decisions relating to school organisation. However, all proposals must be presented to the LAF for comment, with the Schools' Adjudicator making the final decision in case of disagreement. This duty was previously discharged by the SOC. If the SOC could not reach agreement on an issue, it was then referred to the Adjudicator to determine.

Analysis

4. The new Admissions Code of Practice, which has followed the Education and Inspections Act 2006, came into force on 27 February 2007 and describes new membership requirements, responsibilities and powers of the LAF. This report summarises the content of the Admissions Code with regard to the role of the Local Admissions Forum (LAF).
5. Section 85A of the School Standards and Framework Act 1998 requires all local authorities to establish an Admission Forum. Further regulations were published in 2002 and have been recently amended. Admission Forums provide a vehicle for admission authorities and other key interested parties to discuss the effectiveness of local admission arrangements, consider how to deal with difficult admission issues and advise admission authorities on ways in which their arrangements can be improved. Admission authorities of all maintained schools and Academies, when exercising their functions, must have regard to any advice offered by the Forum. Local authorities may establish a joint Forum with one or more other local authorities to consider and advise on admissions in more than one authority area.

The Role of the Local Admissions Forum

6. By law, Admission Forums have a key role in ensuring a fair admissions system that promotes social equity, does not disadvantage one child compared to another and which is straightforward and easy for parents to understand. Forums are responsible for monitoring compliance with the new Code of Practice and have important powers to publish a report on the effectiveness of local admission arrangements and to refer an objection to the Schools Adjudicator where they consider admission arrangements to be unfair or not in accordance with the Code. Further detail is provided in Annex 1.
7. The Local Authority must have regard to any advice published by the LAF. The reports will be drawn upon by the Schools Commissioner in drawing up his two-yearly national review of fair access.
8. It is the Local Authority's responsibility to establish the LAF. The Membership of the Local Admissions Forum is given by statutory regulations, and the core membership of the Forum is shown in the table below. The numbers in brackets are the membership numbers for the York LAF, proposed by officers, in order to reflect the composition of schools across the City.

MEMBERS NOMINATED BY	NUMBER
Local Authority – any representative of the Authority (Elected Members)	1 – 5 (3)

Schools – community and voluntary controlled*	1 – 3 (3)
Schools – foundation*	1 – 3 (0)
Schools – voluntary aided*	1 – 3 (1)
Church of England Diocesan Board representatives	1 – 3 (1)
Roman Catholic Diocese representatives	1 – 3 (1)
Parent Governor representatives	1 – 3 (2)
Representatives of the local community	0 – 3 (to be agreed by the Forum)
Academies	1 per Academy (0)
City Technology Colleges	1 per College (0)

9. The 2007 regulations require that all maintained schools, except special schools, in the local authority area, nominate a member, if not otherwise represented in the core membership set out above. These are known as ‘school members’.
10. The core membership of each Forum may ask the local authority to appoint anyone it considers to represent significant interests in the local community.
11. Admission Forums should include representatives of neighbouring local authorities where, for example, there are significant cross-border issues or they have a contribution to make. These representatives would be in addition to those of the home local authority.
12. Each representative of a school should be a head teacher, or a governor (other than one appointed to the school by the local authority who is also a member of the authority).
13. Local authorities should appoint representatives from faith groups not already represented, and minority ethnic groups. The York Forum may wish to seek representation from the York Race Equalities Network.
14. If the Forum considers that it would be useful to appoint additional members to represent the interests of any section of the local community, the local authority should appoint such members. For example, where the Forum is considering issues relating to the admission of looked after children, it should ask the local authority to appoint local authority officers with expertise in children’s social care.
15. Where there is a particular issue that needs investigation and more detailed consideration, local authorities should create a working group (which does

not need to consist of Forum members) to carry out this work and report-back to the Forum.

Tenure

16. Core members and school members of the Forum are appointed for a period not exceeding 4 years, after which they are eligible for reappointment. Other members of the Forum are appointed on the terms determined by the core members, including whether or not they are to be eligible for reappointment at the end of their term. Membership of the Forum should be reviewed in September each year. If a school, Academy or CTC member ceases to be a head teacher or school governor, they cannot continue on the Forum in that capacity.
17. The local authority may also establish sub-committees to help the Forum in the performance of its functions. Sub-committees might be appropriate for considering primary and secondary issues separately, or, if the relevant area is large and has areas with distinct admissions patterns, separate sub-committees might consider issues in each area, before bringing them back to the main Forum for discussion.

Procedure for meetings and appointment of officers

18. Regulations require Forums to meet at least twice a year, but the core members themselves regulate the procedure for the meetings. All members of the Forum must be given at least 7 working days notice of the time and date of the meeting and to be given any documents relevant to that meeting 7 days in advance. While all schools in an area will be members of their Forum, it will not be necessary for them to actively take part in all the work of the Forum and attend all its meetings.
19. The Forum must appoint a Chair and Vice Chair, who may or may not be members of the Forum, and a Secretary to convene its meetings.

Promulgating advice and making objections

20. Admission Forums should seek to achieve a consensus among the whole membership rather than secure a majority opinion and should only promulgate advice that represents the agreed views of the Forum as a whole. However, where the Forum votes on a proposal to make an objection to the Schools Adjudicator, in order for the objection to be made, the proposal must first be approved by a simple majority of all members (not just Core members) voting.
21. The local authority must, as a minimum, publish the Forum's advice on the school admissions section of their website and send copies to all admission authorities in the area. The advice must also be included in the Guide for Parents, as published by the local authority.

Consultation

22. The introduction of the new Admissions Code of Practice follows a period of national consultation undertaken by DfES.

Options

23. Members have the option to vary the membership numbers of constituent groups of the core membership of the LAF.

Corporate Priorities

24. The work of the LAF will indirectly support two of the corporate priorities: increase people's skills and knowledge to improve future employment prospects, and improve the life chances of the most disadvantaged and disaffected children, young people and families in the city.

Implications

25. There are no specific HR, Equalities, Legal, Crime & Disorder, IT, property or other corporate implications arising from the report.

Risk Management

26. Non-compliance will leave the LA open to legal challenge and probable detrimental impact on APA/JAR assessments.

Recommendations

27. The Executive Member is recommended to note the abolition of the Schools Organisation Committee and the new duties of the Local Authority and the Local Admissions Forum.
28. The Executive Member is recommended to approve the proposed membership of the LAF set out in the table at paragraph 8 above.

REASON: to establish the Local Admission Forum

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Specialist Implications Officer(s) None

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Annex 1: Role and Duties of the Local Admissions Forum