

Review of Demographics for York Primary Schools – Interim Report

Purpose of Report

1. This report formally presents the information provided to date in support of this review. Members are asked to agree the remit and identify what if any additional information is required to support their work on the review.

Background to Review

2. At a scrutiny work planning event held in July 2011, Members of this committee discussed a range of possible topics for scrutiny review this municipal year. The issue of the changing demographics for York's primary schools was raised as a matter of concern and as a result it was agreed to proceed with this review.

Consultation

3. Senior officers working within School Organisation & Support have supported the work on the review to date. The committee have held two informal information gathering sessions. At the session held in November 2011 the Head teachers from Hempland Primary School and Scarcroft Primary School both attended to inform Members discussions.

York Primary Schools' Admissions Arrangements

4. The Local Authority (LA) is the admissions authority for all 43 Community and Voluntary Controlled Primary Schools (including Infant schools) across the LA area. The LA also coordinates the admissions process for all schools, whether Community, Voluntary Controlled, or Voluntary Aided.
5. The LA first established the policies upon which its admission arrangements are based in 2002, following extensive consultation. The principle behind the arrangements are that every child has a guaranteed place at the school where their home address falls within its

catchment area. However the arrangements include an equal preference system whereby parent/carers can select up to 5 schools for which they have a preference. Each of these preferences is considered by the LA and/or Voluntary Aided schools, but only one school is offered. This will be the highest ranked school that can be offered.

6. For September 2011 entry, the LA allocated 1,966 places. 93% of these allocations were for the parent/carers' first preference. 97% were allocated a school at either their first or second preference. Only 61 parent/carers appealed against the LA's decision, and of these, only 2 were successful. 80% of these appeals were heard on Infant Class Size grounds i.e. the limit of 30 pupils to one teacher in a class of 5, 6 or 7 year olds.
7. Where there are more applications for places than places available at any given school, applications are ordered according to the oversubscription criteria within a Local Authority's Admissions Policy. The criteria applies to both Community and Voluntary Controlled schools. If a child meets more than one criterion e.g. is both a sibling and resident in the catchment area, then they are categorised under the higher of the two priorities. However, the admission of pupils with a statement of special educational needs is covered by separate admission regulations which are allocated *before* the application of an LA's oversubscription criteria.
8. The oversubscription criteria in York are as follows:
 - *First priority: ('Looked After') Pupils looked after by a local authority* – this applies to all pupils who are in the care of a local authority or are provided with accommodation by the authority (see section 22 of the Children Act 1989);
 - *Second priority: ('Catchment') Pupils who live within the catchment area normally served by the school* – catchment areas are designated by the City of York Local Authority and are made available to parents via the annual Guide for Parents or from the School Services team;
 - *Third priority: ('Exceptional') Pupils considered by the Local Authority to have exceptional social or medical needs which relate to the preferred school* – the Local Authority may consult with other medical/educational professionals for a further opinion as to whether

a pupil should be allocated a place to an individual school due to a particular medical condition or social need;

- *Fourth priority: ('Siblings') Pupils with siblings at the school in September 2011* – siblings are defined as brothers or sisters living in the same house, as their primary place of residence, including half- and step-brothers or sisters;
- *Fifth priority: ('Distance') Pupils who live closest to the school using the nearest available safe walking route* - distances are measured by a GIS mapping system from the child's home address to the entrance of the school.

9. Faith Schools - Oversubscription Criteria

The seven Voluntary Aided Primary Schools in York are their own admissions authority, giving the highest priority to children of their respective faith(s). They also tend to prioritise children living in the relevant parish area, before children with siblings currently in attendance at their school. For their 2012-2013 admissions arrangements, 6 schools have placed 'catchment' before 'siblings', whilst only 1 school has placed the admission of siblings before children resident in the (parish) local area.

10. Waiting Lists

If after the allocation of places there are applicants who are unsuccessful in obtaining a place of their first preference (or a higher preference than they were allocated), then these applicants will form a waiting list.

11. Through the waiting list system, applicants who are unsuccessful on the offer day of 1 April may receive a place through either the independent appeals process, or through movement from waiting lists where applicants change their preferences, take up a place in the independent sector, or through movement in and out of the LA area.

Oversubscription in York - 2011-2012

12. For September 2011, 27 Primary and Infant schools were oversubscribed on 1 April 2011. However, by 1 September 2011, this had reduced to 24 schools. The table shown at Annex A provides data on the September 2011 intake including which Primary and Infant Schools in York were oversubscribed and the nature of their oversubscription.

13. Oversubscribed Schools refusing 'Catchment' or 'Siblings'
Two York primary schools (Hempland Primary School & Scarcroft Primary School) were oversubscribed and had insufficient places for all children who were 'siblings' i.e. the parents already had a child in attendance at the school, but did not live within the catchment area – see section 1 in Annex A.
14. Because both schools give a higher priority in their oversubscription criteria to 'catchment' children over 'siblings', those children were not allocated a place and were therefore offered a place at a school of a lower preference. For both schools the LA investigated to see if any additional pupils could be admitted to minimise unsuccessful sibling applicants.
15. In the case of Hempland Primary School, the admission limit of 60 places meant the admission of any further pupils would of breached Infant Class Size legislation, and so no further pupils could be admitted. Most siblings affected for 2011 lodged an appeal, but all were unsuccessful on Infant Class Size grounds.
16. For Scarcroft Primary School, the admission number of 45 was raised to maximise the number of children within Infant Class Size limits. At first, 46 children were admitted. This later rose to 48 children as places became available from other year groups. This was only possible because the school mixed classes in Reception, Year 1 and Year 2 to Infant Class Size limits. Despite having to refuse some catchment children on 1 April, those children were subsequently either offered a place at the school, or changed their preference to another school. There were 5 appeals for the school, all heard on Infant Class Size grounds, and all were unsuccessful.
17. Actions taken by the LA re: Oversubscription
Sections 2 & 3 of Annex A show that another 22 primary schools were oversubscribed for 2011-12. The LA had to act to increase the admission limit for 7 of those schools as well as for a further 4 schools who had some places available but would have been oversubscribed if action had not been taken.
18. The actions taken by the LA are identified in Column H of Annex A. The LA always works with a school to identify the most appropriate action required, and always takes into consideration the effects it may have on neighbouring schools. For this reason action is only usually

considered where there is an exceptional demand from within catchment, from siblings, or for children with 'exceptional' circumstances. For example, the increase from an admission limit of 30 places to 43 places at Fishergate Primary School meant that 33 'catchment' and 'sibling' children could be allocated a place. Without a raised admission limit, some siblings would have been refused a place. The coordinated move to an increased admission limit of 45 was achieved by working closely with neighbouring schools, particularly in supporting the admissions number at St George's RC Primary School (VA) nearby.

19. Similar interim action, achieved through discussions with school leadership was taken at Knavesmire Primary School, St Barnabas CE Primary School and Dunnington CE Primary School to support 'catchment' and 'siblings' for 2011/12.
20. In addition to raising admission limits where demand existed from within catchment or from siblings, the LA also took some further steps including:
 - Changing the Guide for Parents and Admissions letters to include specific guidance on the potential for siblings being unsuccessful in future years.
 - Increasing the number of preferences from 3 to 5 to increase parental preference and reduce 'unplaced' (un-preferenced) allocations.
 - Longer term place planning, including increasing the size of the intake, where this is possible – often from 30 to 45, particularly in areas currently short of places.

21. Understanding Supply & Demand

At a meeting in September 2011 the committee received a detailed presentation on primary school demographics across York giving context to the issues around supply and demand– see copy at Annex B.

Issues Arising

22. Having considered all of the information presented in support of the review topic, the Committee agreed to focus their review on the examination of whether:

- a) The oversubscription criteria in use in York's Community and Voluntary Controlled schools is made up of the right priorities, in the right order?
 - b) The current School Travel Policies are fair and appropriate given the changing demographics?
23. In support of the committee consideration of the two objectives, a second informal information gathering session was held in November 2011 attended by Head Teachers from Hempland Primary School and Scarcroft Primary School.

Objective A - The Oversubscription Criteria

24. The committee received information relating to an objection raised in 2009 by two qualified parents, who were concerned with the low priority attached to children who have siblings attending their parents' preferred school – see Annex C.
25. The Committee noted that the Adjudicator determined that York's admission arrangements were compliant with the mandatory requirement set out in paragraph 1.72 of the Schools Admissions Code, and therefore fair and equitable, due to the fact that they operated on a consistent basis across the City, ensuring every family had a priority for admission to at least one local school.
26. For comparison purposes, the Committee also received a breakdown of the oversubscription criteria in use by other similar sized / neighbouring local authorities – see Annex D. It was noted that like York, half of the local authorities compared, gave a higher priority to children living within a school's catchment area rather than those with siblings already in a school. Also, that one council (North Yorkshire County Council) did not prioritise siblings within their oversubscription criteria at all.
27. The head teachers provided details of the issues they had faced around their oversubscription in 2011-12 (see paragraphs 13-15 above). They highlighted the impact on parents of the order of priorities within the LA's oversubscription criteria. For example, both schools had experienced parents with children (siblings) at different schools questioning whether the schools had done enough to help them. Whilst both head teachers recognised the difficulties those parents faced, they also commented on the strength of feeling that children should have access to their local schools. On that basis they agreed that catchment

should remain a higher priority than siblings. Both head teachers were also keen to point out the impact of having infant class sizes at the maximum of 30, and the adversity they were likely to face in later school years in trying to maintain the quality of education they currently provide, particularly in classes with mixed school years.

28. The Committee noted that catchment areas for LA primary schools do not overlap and that a majority of voluntary aided schools have no catchment areas. They also reflected on the predictions for growth across the city and the impact that would have on the demographics, particularly in the South Bank area where an expansion of the existing schools or a new school may be required in the future, which would require significant funding. Finally the Committee recognised that in some areas of the city under-subscription may also become a concern in the future, which in turn may lead to some small primary schools becoming unsustainable.

Objective B - School Travel Policies

29. The national policy on the provision of free school transport specifies that children from low income families will qualify for free transport if they live more than 2 miles and less than 15 miles from the school. In regard to free school transport for denominational places, Members were informed that the national policy states its provision is discretionary therefore Local Authorities do not have to provide it, they only have to give its provision due consideration.
30. City of York Council have agreed that free transport will be provided for denominational places for those children who live more than 3 miles and less than 15 miles from a qualifying school. The relevant extract from the Council's Home to School Transport Policy 2011/12 relating to this provision, and comparative information on the policies of other Local Authorities was presented at the information gathering session held in November – see annexes E & F.
31. Members also received information on the numbers and costs of free school transport for 2010-11. They noted that these were not just for the provision of free transport to children with denominational places but also for those with special needs and for geographical distance reasons. They therefore requested a further breakdown of those figures. – see Annex G.

32. Finally, whilst respecting parent's choice, Members questioned whether the current arrangements were fair and equitable and in support of their examination of the second objective, requested the following additional information:

- the possible consequences of stopping the provision;
- the costs of a phased withdrawal of the transport currently being provided on a denominational basis and;
- a comparison with the provision of free school meals

33. Work is ongoing to gather the requested information with the intention of tabling at this meeting.

Suggested Way Forward

34. To progress the work on this review, Members will need to identify what if any additional information is required. It may also be beneficial to hold an additional meeting outside of those currently in the workplan, in order that this review may be concluded early in the new year to allow the Committee to commence work on their Review of Public Parks.

Recommendation

35. Having considered all of the information provided to date, Members are recommended to agree:

- i) a formal remit for the review based on the two objectives outlined in paragraph 22 above.
- ii) An additional meeting date in early January 2012 to receive information outlined in paragraph 37 above and to conclude the work on this review.

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Report Approved

Date 15 Nov 2011

Wards Affected:

All

For further information please contact the author of the report

Background Papers: N/A

Annexes

Annex A – Table showing Data on September 2011 Intake

Annex B – Presentation on Primary School Demographics across York

Annex C – National Adjudicator Determination September 2009

Annex D – Comparison Data for Oversubscription Criteria

Annex E – Extract from CYC Home to School Transport Policy

Annex F – Comparison Data for Home to Denominational School Transport

Annex G – Breakdown of CYC Denominational Transport Numbers & Costs
2010/11