

**Report for:** Cabinet – 6 February 2024

**Title:** Determination of the Council’s School Admission Arrangements for the academic year 2025/26

**Report authorised by:** Ann Graham, Director of Children’s Services

**Lead Officer:** Carlo Kodsi, Head of Admissions and School Organisation, [carlo.kodsi@haringey.gov.uk](mailto:carlo.kodsi@haringey.gov.uk)

**Ward(s) affected:** All

**Report for Key/ Non Key Decision:** Key Decision

## **1. Describe the issue under consideration**

- 1.1. To continue to meet statutory requirements Cabinet are requested to determine the proposed admission arrangements for the school year 2025/26. These arrangements are in respect of the borough’s community and voluntary controlled (VC) schools. Recommendations below (para. 3) also ask Cabinet to agree to their publication on or before 15 March 2024 on the Council’s website, such details to include advice on the right of objection to the Schools Adjudicator.
- 1.2. This year the proposed admission arrangements for community and voluntary controlled (VC) schools included a proposal to reduce the published admission number (PAN) for several primary schools by one form of entry (1fE) – 30 Reception pupils each from September 2025/26. Table 1 at para. 5.6 below displays the list of schools where a reduction in PAN is being sought.
- 1.3. On 7 November 2023 Council’s Cabinet agreed that statutory consultation should be carried out on the proposed admission arrangements between 24 November 2023 and 5 January 2024. This report provides details on, and an analysis of the representations received on all of our admission arrangements and makes recommendations on those proposed admission arrangements at para. 3 below.

## **2. Cabinet Member Introduction**

- 2.1. As a result of a very full consideration of all the available evidence, the paper recommends that Cabinet agree to the proposal to reduce the published admission number (PAN) for the 3 primary schools listed in table 1 below by one form of entry (1FE) – 30 Reception pupils each. The full range of reasons for agreeing to the proposal are set out below from para 4.1 – para 6.39.

## **3. Recommendations**

Cabinet is asked:

- 3.1. To consider and take into account the feedback from the consultation undertaken which is set out in appendix 8.
- 3.2. To consider and take into account the equalities impact assessment of the proposals on protected groups at appendix 7.

- 3.3. To agree the recommendation set out in this report to proceed with the proposal to reduce the published admission number (PAN) for the primary schools listed in table 1 below by one form of entry (1FE) – 30 Reception pupils each from September 2025.
- 3.4. To determine the Council's admission arrangements for the academic year 2025/26 as set out in Appendices 1 – 4.
- 3.5. To agree Haringey's fair access protocol as set out in Appendix 5 to come into force from 1 March 2024.
- 3.6. To agree that the determined arrangements for all maintained primary and secondary schools in the borough are published on the Council's website by 15 March 2024 with an explanation of the right of any person or body, under the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) Regulations 2012, to object to the Schools Adjudicator in specified circumstances<sup>1</sup>.

#### **4. Reasons for decision**

- 4.1. In common with many London authorities, Haringey has experienced a decrease in demand for reception school places for several years. This is due, in part, to the turbulence brought about by Covid-19 and Brexit. However, the decrease in applications is likely to reflect a wider set of factors at play that have been impacting demand for primary reception places for the past few years.
- 4.2. This has contributed to a higher than necessary number of reception places in some of Haringey's educational planning areas where supply is predicted to outstrip demand. This report sets out our continued response to the change in demand for reception places in the borough and seeks agreement from Cabinet to proceed with the proposal to reduce the published admission number (PAN) for the 3 primary schools listed in table 1 below by one form of entry (1FE) – 30 Reception pupils each from September 2025.
- 4.3. This follows agreement by Cabinet in February 2023 to reduce the planned admission number for 8 primary schools from September 2024. Falling rolls due to lower birth rates and out-migration rate has demanded changes to PAN in recent years whilst our Reception place surplus is forecast to grow further without more reductions. The proposals for reductions in PAN are designed to improve schools' ability to efficiently plan their staffing and educational provision by offering a more accurate number of places.
- 4.4. This work forms part of a bigger Education Strategy which places the LA as a catalyst and partner with the aim of creating resilience and reducing vulnerability in our schools. We have continued our conversation with school leaders and governors through a series of additional workshops (Autumn 2023) to explore collaboration and sustainability opportunities to ensure that schools can continue delivering a high quality of education. PAN reduction is one of several solutions that schools can explore, and future sustainability can also be achieved through other strengthening partnership e.g. amalgamations, soft/hard federations, and memorandums of understanding between schools etc.

#### **5. Alternative options considered**

- 3.1. We are not proposing a change to the oversubscription criteria for our community and VC schools for 2025/26. Whilst there are other ways admission arrangements can

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<sup>1</sup> Paragraphs 19 – 24 of the Regulations

influence the allocation of school places set out in the Code (e.g., designated catchment areas, identified feeder schools or giving priority in our oversubscription criteria to children eligible for the early years premium/ pupil premium) no alternative option is being considered at the time of writing this report.

- 3.2. Although other London authorities (e.g. Camden and Hackney) have taken radical measures to address surplus capacity at primary level (school closures / amalgamations) this is not currently under consideration in Haringey. We are keen to maintain the mix and spread of all of our existing primary schools so that parents and carers have the optimum choice of school type and location.

## 6. Background information

- 6.1. The School Admissions Code 2021 requires all admission authorities to determine admission arrangements every year, even if they have not changed from previous years. Regulation 17 of the School Admissions Regulations 2012 also requires admission authorities to determine admission arrangements by 28 February in the determination year.
- 6.2. In addition, the Regulations require the admission authority to publish on its website by 15 March in the determining year the determined arrangements of all maintained primary and secondary school and academies in the borough, advising the right to object to the Schools Adjudicator, where it is considered that the arrangement do not comply with the mandatory provisions of the School Admissions Code 2021.
- 4.3 The Council consults on its admission arrangements annually irrespective of whether or not there is a proposed change to the arrangements. This is to ensure transparency and openness on the contents of the admission arrangements and to allow all stakeholders to make representations which can then be considered as part of the determination of the arrangements.
- 6.3. **Is there any change this year and what is the potential risk?** In Haringey, reductions in primary reception rolls have necessitated the Council to consider measures to reduce the PANs at some primary schools, where this provision exceeds local demand. This would allow schools to provide places where they are needed and to ensure they are financially and organisationally on a stronger footing than at present.
- 6.4. The Code sets out the requirement for all admission authorities to undertake statutory consultation where they propose a decrease to the published admission number (PAN) of schools. We are asking Cabinet to proceed with the proposal to reduce the published admission number (PAN) for the 3 primary schools shown in Table 1 below for entry to September 2025/26.
- 6.5. 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 schools to focus their budget and resources better for the reduced number of pupils resulting in a reduced number of fuller classes, so supporting school improvement. All the governing bodies agree they will support an increase should local demand for places rise. Importantly, whilst 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 if and when this is needed.
- 6.6. In the case of schools that are their own admission authority (St Mary's Priory Junior, and St Francis de Sales RC Junior and St Ignatius RC Primary), the governing bodies

have delegated the responsibility to consult on a reduction in PAN to the Local Authority and Council's Cabinet for final decision. The governing bodies have agreed to keep numbers under review and if necessary, can decide to increase their PAN or add places on a temporary basis for a year at a time. These schools do not intend to revise their admission arrangements (e.g. oversubscription criteria) for 2025/26 and will not be consulting on this aspect.

**Table 1 Proposed amendments to PANs for Consultation**

Planning Area (PA)	School	Present PAN	Proposed PAN	Reduction
3	St Mary's Priory RC Junior	60	30	-30
3	St Ignatius RC	60	30	-30
4	St Francis de Sales RC Junior	90	60	-30

### Schools in Planning Area 3

- 6.7. **St Mary's Priory** is a Catholic Infant and Junior Voluntary Aided School located at Hermitage Road, N15 5RE and sits within **planning area 3**. A map of Haringey's planning areas can be found on Page 11 below. The school normally admits 2 classes (60 Reception pupils) per year. However, due to a decrease in the demand for school places, we proposed to Cabinet last year to reduce the infant school PAN to 30 for the 2024/25 academic year. The current proposal is for a reduction in PAN to 30 for St Mary's Priory RC **Junior** for September 2025/26 to keep in pace with the smaller cohorts working their way through to the Junior school.
- 6.8. This proposed reduction last year was due to the school only filling 1 forms of entry in 2022, i.e., admission levels of 30 and that the projected demand for Reception places in planning area 3 suggests no additional need between 2024 and 2030. The school has seen a reduction in first place preferences from 51 in 2020 to 27 in 2022 whilst first place preferences for all schools in planning area 3 has fallen from 477 to 348. Approval was sought from the Schools Adjudicator for a temporary reduction in PAN2 for St Mary's Priory RC Infant school for entry in September 2022 and a reduction by 1 form of entry was agreed. Our projections indicate that demand is likely to continue to decline and the school will struggle to fill beyond 1 form of entry.

### Schools in Planning Area 3

- 6.9. **St Ignatius RC** is a Catholic Primary school located at St Ann's Road, N15 6ND and sits within **planning area 3**. The school normally admits 2 classes (up to 60 Reception pupils) per year. However, due to a decrease in the demand for school places, we are proposing to reduce the school's PAN to 30 for the 2025/26 academic year. This proposed reduction is due to the school only filling 1 form of entry in 2023, i.e., admission levels of 30 and that the projected demand for Reception places in planning area 3 suggests no additional need between 2024 and 2030.
- 6.10. The school has seen a reduction in first place preferences from 42 in 2017 to 23 in 2023 whilst first place preferences for all schools in planning area 3 has fallen from 491 to 426. Approval was sought from the Schools Adjudicator for a temporary reduction in PAN for St Ignatius RC for entry in September 2023 and a reduction by 1 form of entry

<sup>2</sup> The Office of the Schools Adjudicator has jurisdiction to consider a proposed reduction of PAN via an [in-year variation request](#).

was agreed. Our projections indicate that demand is likely to continue to decline and the school will struggle to fill beyond 1 form of entry.

#### **Schools in Planning Area 4**

- 6.11. **St Francis de Sales** is a Catholic Infant and Junior Voluntary Aided school located at Church Road, N17 8AZ and sits within **planning area 4**. The school normally admits 3 classes (90 Reception pupils) per year. However, due to a decrease in the demand for school places, we proposed to Cabinet last year to reduce the Infant school PAN to 60 for the 2024/25 academic year. The current proposal is for a reduction in PAN to 60 for St Francis de Sales RC Junior for September 2025/26 to keep in pace with the smaller cohorts working their way through to the Junior school.
- 6.12. The proposed reduction last year was due to the school only filling 2 forms of entry in 2022, i.e., admission levels of 60 and that the projected demand for Reception places in planning area 4 suggests no additional need between 2024 and 2030. The school has seen a reduction in first place preferences from 93 in 2018 to 49 in 2022 whilst first place preferences for all schools in planning area 4 has fallen from 726 to 599. Approval was sought from the Schools Adjudicator for a temporary reduction in PAN for St Francis de Sales Infant school for entry in September 2022 and a reduction by 1 form of entry was agreed. Our projections indicate that demand is likely to continue to decline and the school will struggle to fill beyond 2 forms of entry.

#### **Can any risk be mitigated?**

- 6.13. 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 maintained schools could then require a loan, further adding to the pressure in the Dedicated Schools Grant.
- 6.14. The admissions arrangements and the PANs are proposed and agreed by admission authorities 18 months before implementation, in accordance with the requirements of the Code. Reducing the PAN for entry in September 2025/26 gives these schools sufficient time to review their internal structure so that any potential impact on staff reorganisation can be minimized. It will allow the school leadership teams in offering a more accurate number of places and also help with long term planning.
- 6.15. Equality consideration was given to the selection of these specific schools for a reduction in PAN to help frame any potential impact on protected groups. Any amendment to PAN and local/planning area capacity will be considered in the context of the effects on local provision, looking at recruitment patterns to local schools and ensuring that the knock-on effects in the adjustment of PANs is considered.
- 6.16. An equalities impact assessment (EqIA) is included at Appendix 7 and has identified a disproportionate impact on the basis of gender. There is a possibility that this proposal could adversely impact female teachers / female teaching assistants as several staff members at each school may be made redundant or re-deployed. This may be unavoidable as there is a greater ratio of female to male teachers and teaching assistants in primary schools across Haringey and across the country as a whole.
- 6.17. In terms of mitigating the impact on this equality characteristic, affected staff should be supported by appropriate HR procedures. The Council will support schools in ensuring all staff affected by the proposal are given access to redeployment options and support to find alternative roles within Haringey. To mitigate against any negative impact on staffing as a whole, we have ensured that the timing of the consultation and determination of admission arrangements allows the schools sufficient time to review

staff structure, including needing to take no action as a result of staff moving to jobs outside the school as part of a natural process, taking steps to redeploy staff to other departments/schools, not renewing short-term contracts or reducing the use of agency staff.

- 6.18. In the event that it is not possible for schools to avoid making posts redundant, where appropriate, the Council will consider defraying some of the costs of redundancy. Such matters will be considered on a case-by-case basis taking into account the schools' budget as well as what other options are or may be available to the schools.
- 6.19. All three schools are located in the Planning Areas with the most vacancies in the borough (Planning Areas 3 and 4) and the highest concentration of Catholic schools in near proximity to one another. This area is therefore one of the most acutely affected by unused places and the reduction in demand has impacted these school's ability to manage class sizes and effective pupil to teacher ratios. We are consulting on reducing PAN from September 2025 to assist these schools in managing the impact of lower pupil numbers.
- 6.20. Our proposal will not adversely impact on families trying to access their local school with high quality provision. A projected surplus of school places in the planning areas where these schools are located means that we expect sufficient places to still be available for local children.
- 6.21. Nearly all of Haringey primary schools are rated 'Good' or 'Outstanding' by Ofsted and are able to support children with a wide range of abilities, special needs, disabilities and learning difficulties, from able, gifted, and talented pupils to those with multiple and significant disabilities, medical conditions and learning difficulties. Even with these reductions in the overall number of reception places, we are confident that the needs of the community can be met at local schools. We will continue to closely monitor the number of primary applications received and, in the event that there is an increase in demand for primary school places and additional places are required, our schools can revert to their original PANs. In summary, at the current time, we don't expect a reduction in PAN at these schools to mean that any local children can't be offered a local school place.
- 6.22. Adjusting the number of school places upwards or downwards is a key and statutory function of place planning so as to respond to demand. We continually monitor the number of school places we have available to ensure we are able to meet demand for places but not create an over or under supply of places. Without careful place planning, we would either fail in our statutory duty to provide sufficiency of places or we oversupply places which creates a risk of serious financial burden on many of our primary schools. This in turn can negatively impact on schools' budgets and thus the quality of educational provision. School place planning is a statutory function for the Council and this consultation will help us to ensure that we are able to continue to meet this duty but not to overprovide places.
- 6.23. The main part of a school's budget is made up of per-pupil funding and our schools being full contributes towards financial security in our schools. A benefit of planning places judiciously to account for fluctuations in demand is that it keeps rolls relatively buoyant across and beyond any local area (also known as a school place planning area) as the number of places available closely matches the birth rate and inward migration to our borough.
- 6.24. More details on how we plan for the sufficiency but not oversupply of school places is set out in our annual school place planning report, available to view at [www.haringey.gov.uk/schoolplaceplanning](http://www.haringey.gov.uk/schoolplaceplanning).

## Demand for Reception places - downward trajectory

- 6.25. Table 2 below shows the number of Reception pupils between 2012 and 2023 in Haringey has generally been on a downward trajectory from a high of 3,259 in 2012 to 2,720 in January 2023 (equivalent to around 18 forms of entry). The latest projections from our 2023 School place planning report (SPPR) suggest demand for school places will not exceed 2,600 as far as our projections currently extend which is 2030/31. Projections from 2024 onwards show demand falling to a low of 2,434 Reception places in 2027/28.

### Reception rolls between 2012/13 and 2022/23

Year	Reception roll as at January	Annual change	Percentage change over previous year	As a proportion of Jan 2013
2012/13	3,259 (Jan 2013)	61	1.9%	100%
2013/14	3,139 (Jan 2014)	-120	-3.7%	96%
2014/15	3,181 (Jan 2015)	42	1.3%	98%
2015/16	3,185 (Jan 2016)	4	0.1%	98%
2016/17	3,067 (Jan 2017)	-118	-3.7%	94%
2017/18	2,979 (Jan 2018)	-88	-2.9%	91%
2018/19	3,029 (Jan 2019)	50	1.7%	93%
2019/20	2,952 (Jan 2020)	-77	-2.5%	91%
2020/21	2,934 (Jan 2021)	-18	-0.6%	90%
2021/22	2,683 (Jan 2022)	-251	-8.6%	82%
2022/23	2,720 (actual Jan 2023)	+37	1.4%	83%

Source: 2012/13-2022/23 PLASC School Census

- 6.26. First place preferences data (which is a strong indicator of the overall demand for places) for September 2023 were very marginally higher than in September 2022 though there were variances at planning area level (last year's data in brackets). PA1: 554 (558) PA2: 536 (604) PA3: 365 (348) PA4: 608 (599) PA5: 625 (549). Though they were still significantly lower than in recent years. Total first place preferences since 2020 are as follows: 2020: 3,039, 2021: 2,562, 2022: 2,658, 2023: 2,688.
- 6.27. As of the 2023 May School census, Haringey has a surplus of **306** Reception school places (year of entry) equivalent to 10 forms of entry\*. This equates to a 10.1% surplus across our primary school estate. This figure takes into account temporary reductions at several schools (150 places) agreed by the Schools Adjudicator for September 2022.  
\* 3,026 Reception settings exc. Special schools vs. 2,720 Reception pupils
- 6.28. The [2023 School Place Planning Report](#) (SPPR) projects further growth in primary school vacancies between 2023 and 2030 which will place a growing financial burden on Haringey primary schools.
- 6.29. Pupil numbers can fluctuate year on year, but the aim is to have 5-10% vacancies which will ensure there will be places to meet parental demand in each planning 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.

- 6.30. To balance school budgets, classes need to include 24 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 may be increased temporarily a year at a time, whilst parental demand is kept under review.

### **Housing development across the borough**

- 6.31. At this stage it is unclear how much additional demand for school places will come from planned housing development. Our projections use data from the GLA (Greater London Authority) which make assumptions about the “child yield” from new developments, essentially the number of children that you might expect from the mix of proposed new housing.
- 6.32. In recent years and across most London boroughs these child yields have been considerably lower than anticipated. This may be in part related to the character of new properties, many of which are 1–2-bedroom apartments and which are not necessarily optimal for family living.
- 6.33. Further factors also include the affordability of larger housing in Haringey and across London and the additional impacts of Brexit and Covid-19, both of which have been linked to lower levels of demand for future school places as both factors have impacted birth rates across London and led to out-migration from Haringey and London.
- 6.34. Irrespective of whether new housing or some other dynamic creates additional demand for Reception places in future years the priority now is to ensure the sustainability and broad mix of all our primary schools. This will ensure their continued success today and ability to absorb of potential additional pupils in future years.

### **Fully collaborative process and self-review assessments**

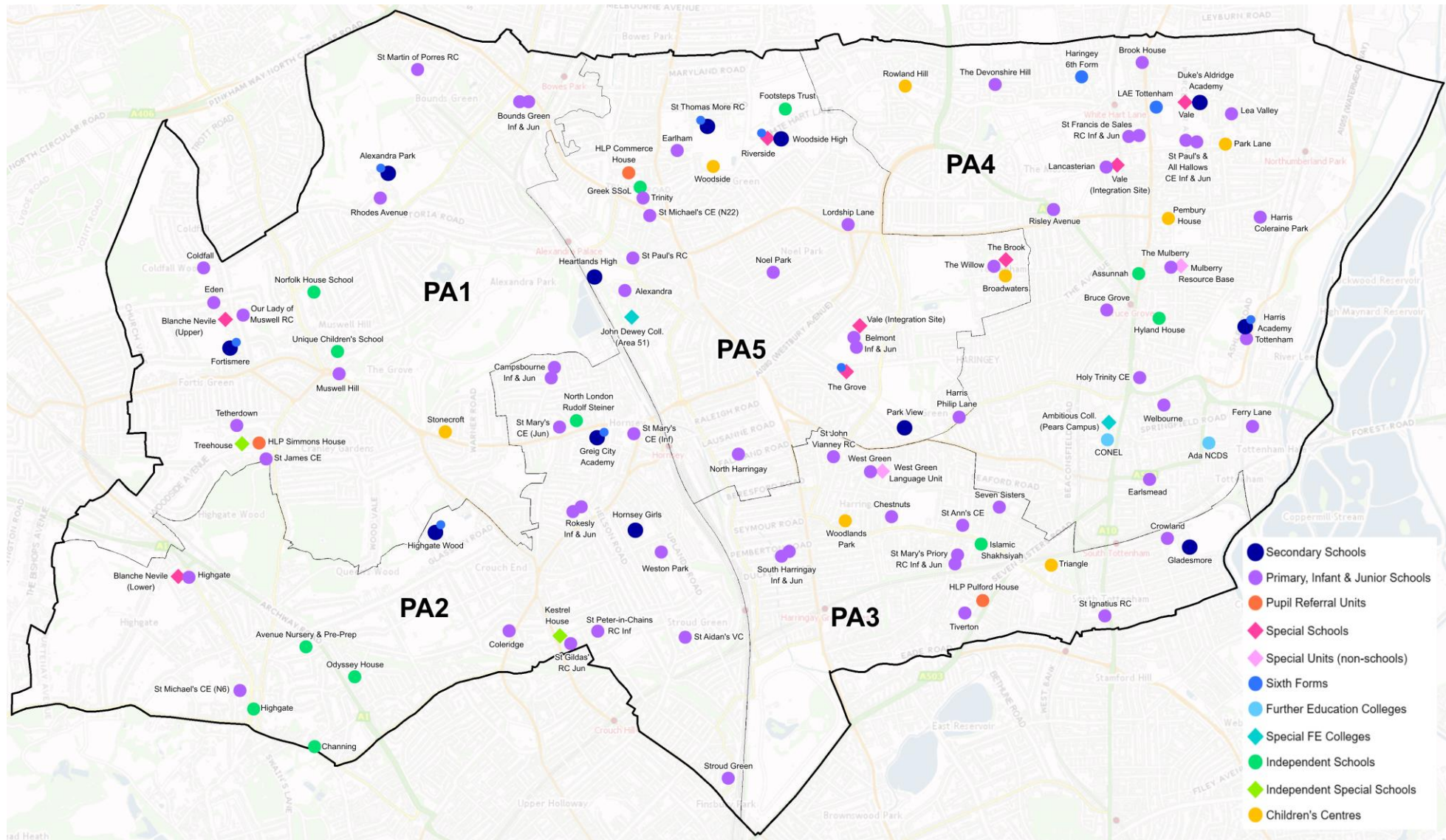
- 6.35. The proposal to reduce PANs at schools was undertaken as part of a fully collaborative process with key stakeholders and with two specific guidelines: a) that parental preference will not be undermined and b) that any school that reduces PAN will be able to immediately revert to their substantive PAN should local demand warrant it. The aim of this proposal is to help stabilise each school’s intake and enable school leaders to plan and deliver school provision effectively to meet local demand.
- 6.36. Following the publication of the [SPPR](#) in June 2023, Haringey Officers convened to review the recent Greater London Authority (GLA) projections and current pupil population trends. It was recognised that reductions in PAN (both temporary and permanent) in recent years had gone some way to addressing our over-capacity, however, more needed to be done in this area especially since surplus of places in-year had also grown and financial pressures for schools had become more challenging.
- 6.37. A series of local in-person workshops to discuss school place planning and Haringey’s wider Education Strategy were held with school leaders and governors in September and October 2023 at all planning areas across the borough and in smaller geographical clusters to promote collaborative discussion between local schools. As part of our



strategic long-term planning, all clusters were asked to nominate 2 Headteachers from each cluster to become members of an Education Strategy Board chaired by the Director of Children Services.

- 6.38. The London Diocesan Board for Schools and Westminster Diocese were also contacted about the need to rationalise the number of school places available, and their contribution was noted during a number of meetings with the LA and schools.
- 6.39. A sustainability and resilience self-review questionnaire was shared with schools following the cluster meetings to help governing bodies build an accurate picture and analyse the context of their school. This tool is intended to assist schools in identifying any issues in future sustainability and to enable governing bodies and Trusts to work in partnership with the LA in a proactive and supportive way. This might lead to a discussion about next steps or exploration around collaboration and a suitable action plan.

# Map of Haringey Planning Areas



## 7. Consultation

- 7.1. In accordance with paragraph 1.42 of the School Admissions Code (2021), a six-week consultation (24 November 2023- 05 January 2024) was carried out to invite anyone of interest to comment or object to the proposed admission arrangements for 2025/26.
- 7.2. A consultation document and questionnaire were used as the basis of informing stakeholders of the proposals to reduce the PAN at the primary schools mentioned in this report.
- 7.3. The purpose of the consultation was to ensure that all voices and views could be heard, enabling parents, schools, religious authorities, and the local community to comment about our proposed admission arrangements and proposals to reduce PANs.
- 7.4. To ensure as wide a consultation as possible, a range of modes and methods of communication were used to inform and facilitate feedback from stakeholders -
- through the bi-weekly (term-time only) Haringey Schools Newsletter which is distributed to the headteacher and chair of governors of all schools in the borough
  - to all children's centres in the borough
  - to all registered nurseries and child minders and any other early year's providers
  - on the Council's online admissions pages
  - individual school websites and noticeboards
  - via information poster in all 9 libraries across the borough
  - to all Councillors
  - to both MPs with constituencies in Haringey
  - to the diocesan authorities and any other religious bodies
  - other groups, bodies, parents, and carers as appropriate
- 7.5. Stakeholders were given the opportunity to express their views in writing, via a questionnaire – both electronically and via the hard copy attached to the consultation document, by email and post.

### Equality and Diversity Monitoring

- 7.6. As part of the consultation process, respondents were asked to complete an equality and diversity questionnaire, looking at Gender, Age, Ethnicity and Disability. The information collected will help identify any special requirements; promote equality; and improve choice and diversity. This information will only be retained and used for as long as is necessary. Where data is no longer required, it will be destroyed in line with relevant destruction policies and processes.

### **Consultation responses**

- 7.7. The consultation closed with only 5 responses, and all were received via questionnaire or email. A detailed analysis of the responses can be found at Appendix 8.
- 7.8. As previously stated, consultation is carried out on our admission arrangements every year. We often use the annual consultation exercise to ask Headteachers, school staff, parent/carers and other stakeholders about proposed changes to school capacity or related admissions issues. Occasionally these additional elements elicit higher response rates as respondents are keen to articulate their views on an issue or proposal not recently debated. In years when no additional changes are proposed or the topics are ones with a familiar theme (such as falling rolls at primary schools across London) response rates to the survey are low. In some years we have only had several

responses, and this is the case for the most recently completed consultation on PAN reductions which is a familiar theme across many London boroughs.

### **Next steps**

- 7.9. The Council's Cabinet is asked to determine the Council's admission arrangements for the academic year 2025/26 as set out in Appendices 1 – 4.
- 7.10. Council's Cabinet is recommended to agree the proposal to reduce the published admission number (PAN) for the 3 primary schools cited in this report. No serious issues or objections were raised in responses to the consultation. Council's Cabinet is therefore asked to agree the reductions, as they will support overall school improvement and effectiveness and financial and other stability.
- 7.11. In addition, Cabinet is recommended to agree Haringey's fair access protocol to come into force from 1 March 2024. The protocol ensures hard-to-place children are given a school place without delay and is a statutory requirement set out in the School Admissions Code 2021.

## **8. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes?**

- 8.1. Ensuring we have a transparent and objective school admissions process with oversubscription criteria that is reasonable, clear, objective, and compliant with all relevant legislation, including equalities legislation, underpins Priority 1 in the Corporate Delivery Plan which seeks to enable every child to have the best start in life with access to high quality education. By reducing the PANs at some schools, the council will ensure that schools remain viable, standards are maintained and improved, and that parents and carers still have a choice of good or outstanding schools to choose from for their children.
- 8.2. Ensuring that we prioritise forms of school organisation that will remain financially viable under a range of different funding scenarios (i.e., organisational structures within and between schools that provide flexibility to address population change. Exploring creative and lasting solutions for school re-organisation, that minimise the risk of having to close schools in future and maintaining the current balance of provision across the borough that matches local need and strengthens local communities (including sufficient affordable SEND provision, balance of faith provision and LA/Academy Schools).

## **9. Carbon and Climate Outcome**

- 9.1. Carbon and Climate Outcome is not applicable to this report.

## **10. Statutory Officers comments (Director of Finance (procurement), Head of Legal and Governance, Equalities)**

- 10.1. Below are financial, governance and legal and equality comments.

### **Finance**

- 10.2. The Director of Officer has been consulted in the production of this report and confirms that apart from a small administrative cost there are no direct financial implications as a result of the proposals. However, it will help reduce the financial pressure on these individual schools and the risk of these schools running into deficit.

- 10.3. Reducing PANs to match the demand would reduce school expenditure on staff not required to teach classes that are not required. This is particularly an issue where school accommodates a reception intake (or other year group) that is just over the PAN – for example, 35 pupils where a school has a PAN of 60. Due to infant class size regulations, the school would then need to employ 2 teachers for 2 classes of 17-18 pupils – the outlay on staff will remain the same as if the school had 30 in 5 each class, but the school would only receive 58% of the headcount funding. It is clearly in the interest of the authority to ensure that demand is as closely matched to supply as possible.
- 10.4. Reducing the PAN may mean fewer teachers are required by the schools, there is a risk that this could create redundancy costs in the short term, potentially the reduction could be met by not replacing staff.
- 10.5. Section 14 of the Education Act 1996 places a duty on local authorities to secure that there are sufficient primary and secondary school places in their area. There is a small risk that reducing school capacities could potentially leave the Council vulnerable to legal action for not meeting its target duty to provide sufficient primary school places, if we were in any danger of not being able to offer a “reasonable offer” to an applicant. However, the level of vacancies presently observed would mitigate against that risk.

### **Procurement**

- 10.6. The Procurement team has been consulted in the production of this report and confirm there are no procurement implications as a result of the proposals.

### **Head of Legal & Governance**

- 10.7. The Head of Legal and Governance (Monitoring Officer) has been consulted on the contents of this report and comments as follows: The current School Admissions Code ('the Code') came into force in September 2021 and was issued by the Department for Education under section 84 of the School Standards and Framework Act 1998. The Code is to be read alongside the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 ('the Regulations'). In determining its admission arrangements for 2025-2026 the Council has a statutory duty as an admissions authority to act in accordance with the Regulations and with the relevant provisions of the Code. It must also as a result of its duty under section 149 of the Equality Act 2010 have due regard to the need to eliminate discrimination, harassment and victimisation and any other conduct which is prohibited by or under that Act, advance equality of opportunity, and foster good relations in relation to persons who share a relevant protected characteristic and persons who do not share it.
- 10.8. Paragraph 15 of the Code states that all schools must have admission arrangements that clearly set out how children will be admitted including the criteria that will be applied if there are more applications than places at the school. As part of determining its admission arrangements, the Council must set an admission number (called the Published Admission Number or PAN) for each school's “relevant age group” i.e. the age group at which pupils are or will normally be admitted to the school.
- 10.9. School admission arrangements are determined by admission authorities. Generally, the admission authority for community and voluntary controlled schools is the local authority. Admission authorities must set ('determine') admission arrangements annually. Generally, where changes are proposed to admission arrangements, the admission authority must first publicly consult on those arrangements. If no changes are made to the admission arrangements, they must be consulted on at least once

every 7 years. Consultation must be for a minimum of 6 weeks and must take place between 1 October and 31 January of the school year before those arrangements are to apply (the determination year). Consultation must be undertaken when proposals are still at a formative stage. It must include sufficient reasons for particular proposals to allow those consulted to give intelligent consideration and an intelligent response, adequate time must be given for this purpose and the product of the consultation must be conscientiously taken into account when the ultimate decision is taken.

- 10.10. In relation to consultation the Council must consult with parents of children between the ages of two and eighteen; other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions; all other admission authorities within the relevant area; whichever of the governing body and the local authority who are not the admission authority; any adjoining neighbouring local authorities where the admission authority is the local authority and in the case of faith schools, the body or person representing the religion or religious denomination. The authority must also for the duration of the consultation publish a copy of the full proposed admission arrangements (including the PAN) on its website together with details to whom comments should be sent and the areas on which comments are not sought.
- 10.11. It is the responsibility of the authority to ensure that admission arrangements are compliant with the Code and relevant legislation. Arrangements mean overall procedures, practices, criteria and supplementary information to be used in deciding on the allocation of school places. In drawing up the arrangements, the authority must ensure that the practices and criteria used are reasonable, fair, clear and objective and comply with the relevant legislation including equalities legislation. Parents should be able to look at the set of arrangements and understand easily how places will be allocated. It is for the authority to decide which criteria would be the most suitable according to local circumstances.
- 10.12. Each year all local authorities must formulate and publish on their website a scheme by 1 January in the relevant determination year, a scheme to co-ordinate admission arrangements for the normal admissions round and late applications for all publicly funded schools within their area. All admission authorities must participate in co-ordination and provide the local authority with the information it needs to co-ordinate admissions by the dates agreed within the scheme. There is no requirement for local authorities to co-ordinate in-year applications, however, Haringey centrally co-ordinates for the vast majority of schools and has safeguarding protocols in place for tracking pupils admitted directly by some schools that administer their own in-year admissions.
- 10.13. The Code requires that the Council must have a Fair Access Protocol, agreed with the majority of schools in its area, to ensure that, outside the normal admissions round, unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible. Cabinet Members will see the Proposed In-Year Fair Access Protocol at Appendix 5.
- 10.14. The proposed admission arrangements for 2025-2026, the proposed co-ordinated scheme, the proposed fair access protocol, and the consultation (that has been undertaken in accordance with the mandated period between 1 October to 31 January for a minimum of 6 weeks) on the proposed admission arrangements for 2025-2026 would appear to be in compliance with the Code and the Regulations.
- 10.15. In the event that some school posts are likely to become redundant as a result of a re-structure following reduction of PAN, schools should comply with their statutory duties e.g., under the Employment Rights Act 1996, Equality Act 2010, and any applicable guidance with a view to ensuring that the processes followed are lawful.

## Equality

- 10.16. The Council has a public sector equality duty under the Equalities Act 2010 ('the 2010 Act') to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act. Advance equality of opportunity between people who share a "relevant protected characteristic" and people who do not share it;
  - Foster good relations between people who share those a "relevant protected characteristic" and people who do not share it.
  - A "relevant protected characteristic" is age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation.

The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty. Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

- 10.17. The proposed admission arrangements set out in this report comply with the public sector equality duty and ensure that as an admission authority, the Council's arrangements do not directly or indirectly unfairly disadvantage an individual or group that possesses any of the characteristics defined in sections 4-12 of the 2010 Act.
- 10.18. An equalities impact assessment (EqIA) identified a disproportionate impact on the basis of gender - this proposal could adversely impact female teachers / female teaching assistants as several staff members at each school may be made redundant or re-deployed. This may be unavoidable as there is a greater concentration of females than males amongst teachers and teaching assistants in schools across Haringey and the country as a whole. To mitigate against any negative impact on staffing as a whole, the Council has ensured that the timing of the consultation allows schools sufficient time to review their staff structure, including allowing for natural wastage (staff voluntarily moving on), taking steps to redeploy staff to other departments/ schools, not renewing short-term contracts or reducing the use of agency staff.
- 10.19. As the reduction in PAN across the borough is being done to remove part of the surplus of school places, there will not be any disproportionate impact on children with protected characteristics.
- 10.20. This proposal does not impact the net capacity of schools (the number of pupils these school can accommodate) any increase in demand for local school place in future can be easily accommodated without even the need for a formal consultation i.e. reinstatement of PAN. Paragraph 3.6 of the Code provides the conditions upon which variations to PAN can take place. Admission authorities may propose other variations where they consider such changes to be necessary in view of a major change in circumstances. Such proposals must be referred to the Schools Adjudicator (for maintained schools) or the Secretary of State (for academies) for approval, and the appropriate bodies notified.
- 10.21. The proposed change is a reasonable and proportionate response to the issue of falling rolls across Haringey schools and will have wider positive benefits for the educational outcomes of Haringey's children and young people.

10.22. The publication of clear admission arrangements for all of our schools (a statutory requirement) ensures that admission to schools is a clear and transparent process and that parents and carers are able to select preferences for a school place with full knowledge of how admission to their local school(s) is determined.

## **11. Use of Appendices**

11.1. The following appendices support this report:

- Appendix 1** Nursery 2025
- Appendix 2** Reception and Junior 2025
- Appendix 3** Secondary Transfer 2025
- Appendix 4** In-year admissions 2025
- Appendix 5** Fair Access Protocol for Haringey schools
- Appendix 6** Sixth Form 2025
- Appendix 7** EqIA
- Appendix 8** Consultation responses analysis

11.2. The full papers for this report can be viewed electronically on the Council's website at or in paper form at 5<sup>th</sup> Floor, 48 Station Road, Wood Green, London, N22 7TY.

## **12. Local Government (Access to Information) Act 1985**

This report contains no exempt information.

## **Background**

1. The Schools Standards and Framework Act 1998.
2. The Education Act 2002.
3. The Education and Inspections Act 2006.
4. Education and Skills Act 2008.
5. The School Admissions Code (September 2021)
6. School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012
7. The School Admissions (Infant Class Sizes) (England) Regulations 2012.
8. The School Admissions (Appeals Arrangements) (England) Regulations 2012.
9. The Education Act 2011.
10. The School Admissions Appeals Code (2012).