



Buckinghamshire County Council

Report to Overview and Scrutiny

AGENDA ITEM: 8

Committee	Children's Services Overview and Scrutiny Committee
Date	17 November 2005
Title	Issues raised at OSC meeting in September
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A. Introduction and summary

At the September meeting of the Overview and Scrutiny Committee, a number of questions were tabled on behalf of parents by their representatives. This report responds to those questions.

B. Parental questions and response:

- 1. Parents supported the principle of keeping communities together, however assurances given to parents concerns regarding area 11 during the original consultation period had not been met.**

The Council consulted on plans to deliver 'local schools for local pupils' and to try to recognise the historic patterns of application linking certain communities to certain schools. The decision, for example to include Gerrards Cross and Denham in the catchment of Dr Challoner's Grammar School, and Gerrards Cross in the catchment area of RGS, was taken with this in mind. This is why catchment areas were not based only on home-to-school distance. Decisions were made to try to meet and accommodate parents' wishes, but these did not always provide the best match with school capacities; hence in a year where there was a larger qualified cohort of boys in the south of the county, it was not possible to meet all catchment preferences in this area .

- 2. The Review process for Appeals had been discontinued and the Appeals process brought forward, which had led to a significant number of extra children looking for places at a particular time, creating pressure on the number of available places in area 11.**

The County Council felt that all qualified children should be treated equally. Furthermore, the legislative requirements of the School Standards and Framework Act necessitated the Council to review its admission arrangements and required ocla

Authorities to allocate all their school places on the national offer date of 1 March in any year. In addition to this requirement, legal advice from counsel indicated that the retention of a review phase could be challenged successfully as being not sufficiently objective. The need to co-ordinate admissions across county boundaries meant the timeline being suggested by other neighbouring LAs required all the selection decision to be made in early February at the latest. Even if desired, this left no time to have any further steps in the selection process. The number of children asking for an appeal was higher than expected by the Council, but the proportion of appeals upheld by the Independent Appeals Panels were broadly similar to previous years. In addition to this, the use of distance rather than test score required the qualification decision to be known for all children prior to allocation.

3. A number of out of county children had qualified in the 11+ test and the application of the distance criteria was unfairly prejudicing children in the Gerrards Cross and Denham area, as they did not have a grammar school within a reasonable distance.

The legislative framework requires LAs to have regard to existing case law such as the Greenwich Judgement. This requires LAs to treat all children in the same way irrespective of their borough or county of residence. Where there are spare places the co-ordinated scheme sets out that they should be offered to the unallocated children closest to the school. The Council sought to co-ordinate admissions across county boundaries with other LEAs, but on 1 March (Allocation Day) the cross border applications between Buckinghamshire and Slough were incomplete due to IT failures in both authorities, which impacted on identification of available places for all applicants at the closest school to the area, Burnham Grammar School. The circumstances in which the implied 'prejudice' arose were as follows:

- 1) Children in Gerrards Cross and Denham could not be offered any of the grammar preferences they expressed, including their catchment schools.
- 2) Places were allocated at Chesham High School according to the number of places available at the time to fill the school to its admission limit. These places were offered to the unallocated children living closest to the school. There were fewer places available than the number of children not allocated their catchment school at 1) above as the admission rules for the school had been correctly applied and all the children with Chesham High School as a preference were allocated, and this included out county children.
- 3) Children not allocated Chesham High School at 2) were offered BGS as an alternative once it was clear that further offers to the school could be accommodated.

In the question (as phrased by parents) above, parents express concern that children offered at step 3 above to have been 'prejudiced' by the correct application of the admission rules at Chesham High School at step 2. For these children, Chesham High School is neither catchment or nearest school (but at the time step 2 above was taken it was the 'nearest appropriate school' with a limited number of places, which were offered to some of the children). The Council does not believe that the decisions made in the above sequence result in 'unfair prejudice' as a result of offering school places in line with the legislation and the published admission rules.

4. Withdrawing free travel to Dr Challoner's School had caused further problems to parents who might now also have to go through a Transport Appeal.

The Council did not withdraw any free transport to Dr Challoner's Grammar School or Dr Challoner's High School.

5. Parents had not received a formal acknowledgement in response to a petition submitted to the Cabinet Member for Schools on this subject.

In response to the petition on behalf of parents, meetings were arranged with concerned individual parents and parents were invited to attend the summer meeting of the Admissions Forum (9 June). It was believed that this response was appropriate in the circumstances.

6. Once children were turned down for their preferred choice, they had no protection from out of county children who might subsequently be offered places.

Please see response to earlier question. The Council cannot, in law, prioritise children (or not) on the basis of their borough or county of residence.

Recommendation

The Overview and Scrutiny Committee is recommended to note the responses and to comment on its content.

Background Papers

OSC Agenda Item, September 2005: 2005 Admissions Review