

PRIVATE AND CONFIDENTIAL

PAPER NO. **18-AAA**

WANDSWORTH BOROUGH COUNCIL

LEADER'S MEETING – 11<sup>TH</sup> JUNE 2018

EDUCATION AND CHILDREN'S SERVICES OVERVIEW AND SCRUTINY COMMITTEE –  
19<sup>TH</sup> JUNE 2018

EXECUTIVE – 2<sup>ND</sup> JULY 2018

Report by the Director of Children's Services on the possible introduction of priority of  
admission for children of school staff for Wandsworth community schools

SUMMARY

From September 2013 entry, the School Admissions Code has allowed schools to give priority to children of staff where the member of staff has been employed at the school for two or more years at the time of application and/or the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.

Although consideration has previously be given to the introduction of such criterion in Wandsworth, in recent years, virtually all neighbouring boroughs, have introduced such a priority for their community schools and 17 own admission authority schools (academies, foundation schools, free school and voluntary aided schools) within the Borough have also decided to do so. To some extent the pressure on primary school places in Wandsworth has lessened with a 6.5% drop in resident primary school applications from 2016 to 2017, with a similar level of applications received for 2018 entry. Further representations have been received from headteachers highlighting the difficulties in teacher recruitment and retention and in this context it would be appropriate to look at this matter again.

This paper sets out a proposal to consult on introducing an admission criterion giving priority to the children of staff and outlines the various options to do so without unduly disadvantaging other applicants for the Borough's community schools.

The Executive is recommended to agree to consult on possible changes to the Council's school admission arrangements for the academic year 2020/21.

The Director of Resources comments that it is estimated that the cost of the initial informal consultation with schools and subsequent statutory consultation will be approximately £1,000. This cost will be met from within existing budgets.

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## **School Admission Arrangements**

### **GLOSSARY**

BME	-	Black and Minority Ethnic
DfE	-	Department for Education
EINA	-	Equalities Impact and Needs Assessment
PAN	-	Published Admission Number
PA	-	Planning Area

### **RECOMMENDATIONS**

1. The Education and Children's Services Overview and Scrutiny Committee are recommended to support the recommendations in paragraph 3 below.
2. If the Overview and Scrutiny Committee approve any views, comments or additional recommendations on the report, these will be submitted to the Executive for consideration.
3. The Executive is recommended to agree to consult on possible changes to the Council's community school admission arrangements for the academic year 2020/21 as set out in paragraphs 7 to 16 and 21 of this report.

### **INTRODUCTION**

4. From September 2013 entry, the School Admissions Code has allowed schools to give priority to children of staff where the member of staff has been employed at the school for two or more years at the time of application and/or the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.
5. Consideration was last given in 2016 as to whether a priority should be given to children of school staff. On balance it was decided not to proceed with the proposal at that time. The rationale for this was that such a criterion would disadvantage other local applicants where there is oversubscription and at a time when there was pressure on places and that it could be perceived by other applicants and members of the public generally that such a priority conflicts with the key principles that admissions are fair, open and transparent. There were concerns that ultimately, with the recent introduction of the 800 metre sibling rule this could eventually lead to a child of a member of school staff living some distance from the distance gaining admission ahead of a child with a sibling at a school. This was weighed against difficulties in teacher recruitment and retention.
6. Since 2016, all neighbouring boroughs (except Croydon) have introduced such a priority for their community schools and 17 own admission authority schools (academies, foundation schools, free school and voluntary aided schools) within the Borough have also decided to do so. To some extent the pressure on primary school places in Wandsworth has lessened with a 6.5% drop in resident primary school applications from 2016 to 2017, with a similar level of applications received for 2018 entry. Further representations have been received from headteachers highlighting the difficulties in teacher recruitment and retention and in this context it would be appropriate to look at this matter again.

**PROPOSAL TO CONSULT ON THE INTRODUCTION OF AN ADMISSION CRITERION GIVING PRIORITY OF ADMISSION FOR CHILDREN OF SCHOOL STAFF**

7. The 2014 Admissions Code (paragraph 1.39) allows admissions authorities to give priority to children of staff in either or both of the following circumstances:
- (a) where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made, and/or
  - (b) the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.

There is no requirement on schools to adopt such a priority but should they wish to do so, this could be for a proportion or set number of places or combined with other admission criteria (eg within a defined priority area or distance).

8. Although the principles behind the decision in 2016 not to proceed with the introduction of priority to the children of school staff remain essentially sound, the fact that 17 own admission authority schools in Wandsworth and all community schools in neighbouring boroughs (except Croydon) now have this as priority admission criterion (or are introducing from September 2019) means that Wandsworth community schools may be comparatively disadvantaged in staff retention or recruitment. The table in Appendix 1 summarises those own admission authorities and neighbouring local authorities who give priority at their community schools.
9. If such a priority was introduced for Wandsworth community schools, it would put them on an even playing field for admissions purposes in terms of staff retention and recruitment. The conditions outlined in paragraph 7 above limit the benefits generally for schools, especially in terms of recruitment where there is no demonstrable skill shortage.
10. The general pressure on primary school places has also lessened since 2016. The number of resident applicants for a Reception place decreased from 3,233 in 2016 to 3,024 (6.5%) and although this number stabilised for 2018 entry, the number of preferences for Wandsworth schools continued to fall by 3.5%. Overall, therefore, the impact of introducing such criteria would be less, although for oversubscribed schools any place allocated to a child of a member of school staff would be at the expense of a child potentially living closer to the school. Linked to this, consideration also needs to be given as to whether the introduction of any changes to the Council's current position may appear contrary to the aim of the changes to the sibling criterion introduced for 2016 entry which were aimed to give local families greater likelihood of admission over families that moved away after securing the admission. The potential impact could be restricted by placing a limit of one or two places per Form of Entry (FE).
11. The community schools' admissions policy also has an exceptional medical and/or social need admission criterion. To meet this criterion, families must demonstrate an exceptional medical or social need to attend a particular school rather than any other school, supported in writing by an appropriate professional (eg a doctor, hospital consultant or social worker). In practice, priority is rarely given on this basis. It is officers' view that it would not be appropriate to give priority to children of staff under this criterion, especially where there is provision within the Admissions Code to give separate priority.

## **School Admission Arrangements**

12. The DFE advice within the Code emphasises that admission authorities should ensure that any such priority is drawn up appropriately in the local context and must be subject to statutory consultation. If such a priority was to be introduced, an additional factor to consider is whether priority should be given to all staff or just teaching staff. Although most difficulties in staff retention and recruitment relate to teaching staff, restricting priority to teaching staff could make schools or the council liable to claims under equality legislation. It is worth noting that a number of recent enquiries from schools have related to non-teaching staff.
13. If the Council were minded to introduce such a criterion giving priority to children of staff, it is proposed to add this as criterion 4 (after the priority given to siblings). This would ensure that families with children with an exceptional need to attend the school or with siblings already attending the school would not be disadvantaged and is in line with most schools and neighbouring local authorities who have already introduced this. See Appendix 1 for further information.
14. The Council can introduce such a priority for community schools only. It would be for 'own admission authority' schools (ie VA schools, foundation schools, academies and free schools) to decide whether they wished to introduce such a priority. Currently 26 of the 61 primary schools in the Borough have community school status with the remaining 35 being their own admission authority. Ten of the 11 secondary schools in the Borough are their own admission authority. The number of community schools is likely to reduce further as they convert to academy status.
15. Given the statutory requirements for consultation and determination, the earliest such arrangements could be introduced would be for September 2020 entry.
16. On balance, for the reasons given in paragraphs 7-15 above, the Executive are recommended to agree to consult on introducing a criterion for children of school staff after the sibling criterion with a possible limit of one or two places per Form of Entry to ensure that local applicants are not unduly disadvantaged.

## **EQUALITY IMPACT NEEDS ASSESSMENT**

17. The Equality Act 2010 requires that the Council when exercising its functions must have "due regard" to the need to eliminate discrimination, to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it. As such an Equality Impact and Needs Assessment (EINA) was undertaken on 10 June 2018. This EINA is attached as Appendix 2 to the report.
18. The EINA has found that this could potentially benefit young people currently accessing the school, including BME pupils who are over-represented in the pupil population as compared to the 2011 census profile. However, it may impact on local families who wish to access the school. To mitigate against the impact on local applicants, it is proposed to limit the number of staff given priority in each cohort to 1 or 2 places per form of entry. The council has also assured itself that there are sufficient places in the local area for

## **School Admission Arrangements**

projected pupil numbers. Parents would also have a right of appeal to an independent appeal panel. Any proposed changes would be subject to statutory consultation.

### **CONSULTATION**

19. If the Executive decides to consult on the proposed change in the oversubscription criteria for its community schools, an informal consultation will be carried with headteachers to discuss details of the proposed criterion and any necessary definitions of staff to be included. The subsequent statutory consultation on the specific would need to be carried out for a minimum six week period between 1st October 2018 and 31st January 2019. Any new arrangements must be formally determined by 28th February 2019. A possible timetable is outlined below:

<b>Date</b>	<b>Event</b>
3rd July to 30th September 2018	Informal Consultation with Wandsworth school headteachers
October 2018	Draw up specific proposal
1st November 2018 – 11th January 2019	Statutory Consultation on specific proposal
February 2019	Determination of Admission Arrangements by the Executive following consideration by Overview & Scrutiny Committee Meeting

20. Depending on the outcome of the initial consultation, it is proposed to recommend to schools which are their own Admission Authority that they make a similar change, where they have not already done so.

### **DIRECTOR OF RESOURCES COMMENTS**

21. The Director of Resources comments that it is estimated that the cost of the statutory consultation will be approximately £1,000. This cost will be met from within existing budgets.

### **CONCLUSION**

22. The Executive are recommended to agree to proceed to consult on introducing a criterion for children of school staff after the sibling criterion with a possible limit of one or two places per form of entry.

The Town Hall,  
Wandsworth,  
SW18 2PU

DAWN WARWICK  
Director of Children's Services

11th June 2018

### **BACKGROUND PAPERS**

There are no background papers to this report

## **School Admission Arrangements**

All reports to Overview and Scrutiny Committees, regulatory and other committees, the Executive and the full Council can be viewed on the Council's website ([www.wandsworth.gov.uk/moderngov](http://www.wandsworth.gov.uk/moderngov)) unless the report was published before May 2001, in which case the Democratic Services Manager (Rachel Williamson – 020 8871 7857; email [rachel.williamson@richmondandwandsworth.gov.uk](mailto:rachel.williamson@richmondandwandsworth.gov.uk)) can supply if required.

## School Admission Arrangements

### Appendix 1

School/LA	All Staff or Teaching Staff	Number limit?	Criterion
<b>Primary Schools</b>			
Albemarle <sup>1</sup>	All	No	4
Belleville <sup>1</sup>	All	No	4
Gatton	All	No	4
Our Lady of Victories	Teaching staff employed for at least 3 years	No	Catholic applicants: 4 Other applicants: 12
Rutherford House	All	No	3
St Anne's	Teachers	No	3
St Boniface	Teaching staff employed for at least 3 years	3	5 within tiebreaker
St Mary's Putney	Teachers and TAs	1 per cohort	Open place: 4
St Michael's	Teachers	No	3
Tooting	All	No	4
<b>Secondary Schools</b>			
Ark Putney	All	1 per FE	2 – demonstrable skill shortage 4 – other staff
Ashcroft	All	No	3
Bolingbroke	All	1 per FE	3 – demonstrable skill shortage 6 – other staff
Chestnut Grove	All	No	4
Graveney	All	No	4
Harris Battersea	All	No	3
St Cecilia's	All	No	Foundation place: 2 Open place: 3
<b>Neighbouring LAs</b>			
H&F	Permanent teaching staff	1 per FE, (up to 5 across school depending on school size)	4
K&C	Permanent teaching staff	1 per FE, (up to 5 across school depending on school size)	4
Kingston <sup>1</sup>	All	No	4
Lambeth	Teaching staff employed for at least 3 years	Primary: 1 per FE Secondary: 4 per cohort	4
Merton	Permanent teaching staff	No	Primary: 3 Secondary: 4
Richmond <sup>1</sup>	All	No	4
Westminster	Permanent teaching staff	1 per FE, (up to 5 across school depending on school size)	4

#### Notes

1. Priority being introduced from 2019 for Albemarle, Belleville and community schools in Kingston and Richmond.

## Appendix 2 – Equality Needs Impact Assessment

**SSA EQUALITY IMPACT AND NEEDS ANALYSIS**

<b>Directorate</b>	Children's Services
<b>Service Area</b>	Education, Performance and Planning
<b>Service/policy/function being assessed</b>	The Council's Community School Admission Arrangements for the school year 2020-21
<b>Which borough (s) does the service/policy apply to</b>	Wandsworth
<b>Staff involved</b>	Adam Wells
<b>Date approved by Policy and Review Manager</b>	To be approved

**SUMMARY**

From September 2013 entry, the School Admissions Code has allowed schools to give priority to children of staff where the member of staff has been employed at the school for two or more years at the time of application and/or the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.

Although consideration has previously be given to the introduction of such criterion in Wandsworth, in recent years, virtually all neighbouring boroughs, have introduced such a priority for their community schools and 17 own admission authority schools (academies, foundation schools, free school and voluntary aided schools) within the Borough have also decided to do so. To some extent the pressure on primary school places in Wandsworth has lessened with a 6.5% drop in resident primary school applications from 2016 to 2017, with a similar level of applications received for 2018 entry. Representations have been received from headteachers highlighting the difficulties in teacher recruitment and retention and in this context it would be appropriate to look at this matter again. This paper sets out a proposal to consult on introducing an admission criterion giving priority to the children of staff from 2020-21 and outlines the various options to do so without unduly disadvantaging other applicants for the Borough's community schools.

The EINA has found that this could potentially benefit young people currently accessing the school, including BME pupils who are over-represented in the pupil population as compared to the 2011 census profile. However, it may impact on local families who wish to access the school. To mitigate against the impact on local applicants, it is proposed to limit the number of staff given priority in each cohort to 1 or 2 places per form of entry. The council has also assured itself that there are sufficient places in the local area for projected pupil numbers. Parents would

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also have a right of appeal to an independent appeal panel. Any proposed changes would be subject to statutory consultation.

## 1. Background

### Briefly describe the service/policy or function:

The 2014 Admissions Code (paragraph 1.39) allows admissions authorities to give priority to children of staff in either or both of the following circumstances:

- (a) where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made, and/or
- (b) the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.

The fact that 17 own admission authority schools in Wandsworth and all community schools in neighbouring boroughs (except Croydon) now have this as priority admission criterion (or are introducing from September 2019) means that Wandsworth community schools may be comparatively disadvantaged in staff retention or recruitment. .

If such a priority was introduced for Wandsworth community schools, it would put them on an even playing field for admissions purposes in terms of staff retention and recruitment and this would assist them in attracting and retaining high calibre staff. The conditions outlined within the Code limit the benefits for schools to some extent, especially in terms of recruitment where there is no demonstrable skill shortage.

Any proposed changes to the existing admission arrangements, would be subject to a further statutory consultation for a minimum six week period before 1st February 2019.

## 2. Analysis of need and impact

Protected group	Findings
Age	In January 2018, the total number of pupils attending Wandsworth maintained schools and academies is 32,885.
Disability	In January 2018 the proportion of pupils attending Wandsworth maintained schools and academies (excluding special schools) with a Special Educational Need was as follows:

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	<table border="1"> <tr> <td>No SEN</td> <td>85%</td> </tr> <tr> <td>SEN Support</td> <td>13%</td> </tr> <tr> <td>With EHCP or Statement</td> <td>2%</td> </tr> </table>	No SEN	85%	SEN Support	13%	With EHCP or Statement	2%						
No SEN	85%												
SEN Support	13%												
With EHCP or Statement	2%												
<b>Gender (sex)</b>	In January 2018 the gender breakdown of pupils in Wandsworth maintained schools and academies was as follows: <table border="1"> <tr> <td>Male</td> <td>52%</td> </tr> <tr> <td>Female</td> <td>48%</td> </tr> </table>	Male	52%	Female	48%								
Male	52%												
Female	48%												
<b>Race/ethnicity</b>	In January 2018 the ethnic breakdown of pupils in Wandsworth maintained schools and academies was as follows: <table border="1"> <tr> <td>Asian or Asian British</td> <td>19%</td> </tr> <tr> <td>Black or Black British</td> <td>20%</td> </tr> <tr> <td>Mixed</td> <td>13%</td> </tr> <tr> <td>White</td> <td>43%</td> </tr> <tr> <td>Other</td> <td>5%</td> </tr> <tr> <td>Unknown</td> <td>1%</td> </tr> </table>	Asian or Asian British	19%	Black or Black British	20%	Mixed	13%	White	43%	Other	5%	Unknown	1%
Asian or Asian British	19%												
Black or Black British	20%												
Mixed	13%												
White	43%												
Other	5%												
Unknown	1%												
<b>Religion and belief, including non belief</b>	This data is not collected in the schools census, however the 2011 Census found that 53% of residents in the borough were Christian, 8.1% Muslim and 27% no religion.												
<b>Sexual orientation</b>	This is not collected in either the schools Census nor the National Census												

### 3. Impact

Protected group	Positive	Negative
Age	It is expected that the proposed change will aid community schools in staff retention and recruitment by giving a degree of priority of admission to children of staff. This will bring them in line with the 'own admission authority' schools and community schools in neighbouring boroughs which already give such priority.	The general pressure on primary school places has lessened since 2016. The number of resident applicants for a Reception place decreased from 3,233 in 2016 to 3,024 (6.5%) and although this number stabilised for 2018 entry, the number of preferences for Wandsworth schools continued to fall by 3.5%. Overall, therefore, the impact of introducing an admission criterion giving priority to

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	<p>This will benefit all pupils as it's aim is to attract and retain high calibre staff in local schools.</p> <p>This will be subject to consultation.</p>	<p>children of staff would be less than in peak of demand in 2016.. However, for oversubscribed schools any place allocated to a child of a member of school staff would be at the expense of a child potentially living closer to the school.</p> <p>To mitigate against the impact on local applicants, it is proposed to limit the number of staff given priority in each cohort to 1 or 2 places per form of entry. The council has also assured itself that there are sufficient places in the local area for projected pupil numbers. Parents would also have a right of appeal to an independent appeal panel.</p> <p>The proposals will be subject to consultation and any negative impact identified via this process will also be added to the EINA and brought to the attention of Members.</p>
<p><b>Race/ethnicity</b></p>	<p>It is expected that the proposed change will aid community schools in staff retention and recruitment by giving a degree of priority of admission to children of staff. This will bring them in line with the 'own admission authority' schools and community schools in neighbouring boroughs which already give such priority.</p> <p>This will benefit all pupils as it's aim is to attract and retain high calibre staff in local schools. As BME pupils are over represented in the pupil population this will also benefit BME pupils.</p> <p>This will be subject to consultation.</p>	<p>The general pressure on primary school places has lessened since 2016. The number of resident applicants for a Reception place decreased from 3,233 in 2016 to 3,024 (6.5%) and although this number stabilised for 2018 entry, the number of preferences for Wandsworth schools continued to fall by 3.5%. Overall, therefore, the impact of introducing an admission criterion giving priority to children of staff would be less than in peak of demand in 2016.. However, for oversubscribed schools any place allocated to a child of a member of school staff would be at the expense of a child potentially living closer to the school.</p> <p>To mitigate against the impact on local applicants, it is proposed to limit the number of staff given priority in each cohort to 1 or 2 places per form of entry. The council has also assured itself that there are sufficient places in the local area for projected pupil numbers. Parents would also have a right of appeal to an independent appeal panel.</p>

**School Admission Arrangements**

		The proposals will be subject to consultation and any negative impact identified via this process will also be added to the EINA and brought to the attention of Members.
<b>Disability</b>	As set out in age	As set out in age
<b>Gender (sex)</b>	As set out in age	As set out in age
<b>Religion and belief</b>	As set out in age	As set out in age
<b>Sexual orientation</b>	As set out in age	As set out in age

**4. Actions**

These actions will be tracked by the Policy and Review Team.

<b>Action</b>	<b>Lead Officer</b>	<b>Deadline</b>
Undertake a consultation on the proposals and update the EINA with any positive/negative impact identified and highlight to Member	AW	Feb 2019

**Consultation.** This will be undertaken as part of the statutory consultation on proposals has been completed