

<b>19 January 2016</b>		<b>ITEM: 10</b>
<b>Children's Services Overview and Scrutiny Committee</b>		
<b>School Admissions and Catchment Areas</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Not applicable	
<b>Report of:</b> Colin Jones – Admissions, Adult Education, Education Welfare Service and Music Service		
<b>Accountable Head of Service:</b> Carmel Littleton – Director of Children's Services		
<b>Accountable Director:</b> Carmel Littleton – Director of Children's Services		
<b>This report is:</b> Public		

## **Executive Summary**

This report explores the implications for the use of catchment areas in school admission arrangements arising out a range of developments in education and society.

### **1. Recommendation**

- 1.1 That head teachers' views are sought on current arrangements for admissions and that any significant issues arising are brought back to Committee.**
- 1.2 That further information and publicity is given to ensure that admission arrangements are clearly understood.**

### **2. Introduction and Background**

- 2.1 Catchment areas have traditionally been used to fulfil two separate but related functions; firstly as a planning tool in the delivery of school places and secondly as a means of affording priority in admission arrangements to residents of a particular area. The guiding principle was that the number of school places in a catchment area should be directly related to and, if possible, mirror, the number of children in a given catchment area reaching the relevant admission age (the catchment product). Usually this was done on the basis of one school per catchment area but sometimes multiple arrangements such as in Chafford Hundred were employed so that two or more schools would together meet the needs of the catchment product.

- 2.2 Thurrock had a coherent catchment area map that served both purposes for many years. Whilst the council continues to provide detailed catchment area information on its website where parents can quickly ascertain which catchment area or areas they live in, or whether they do not live in any catchment area, recent developments in education and society in general have combined to erode the effectiveness of catchment areas both as a planning tool and a school place allocation tool.

### **3. Issues**

#### 3.1 Court judgements

Court judgements have had a major impact on school admission practices.

The Greenwich judgement of 1989 made it illegal for a council or school to give priority for school places based on residence in that local authority area. In response some local authorities carried out reviews to ensure that catchment area boundaries and local authority boundaries did not coincide without justification.

The Rotherham judgement in 1997 confirmed that the use of catchment areas was permitted provided that the arrangements complied with the Greenwich judgement. It also means that parents have to express an explicit preference for a school and that they cannot assume they will have an automatic right to a place in their local school. The fact that there was no automatic right to a local place encouraged parents to look further than the local school in order to be sure of a place acceptable to them.

#### 3.2 Choice and preference

Successive governments have championed the idea of choice in education. The law does not offer choice. Choice implies that a request for a given place will be met; preference suggests that a degree of rationing will be applied when there are more applications than places available. The legislation as passed confers on parents the right to express a preference and requires admission authorities to comply with that preference subject to the availability of places. At appeal the relevant admission authority needs to be able to show that the admission of a further pupil over the admission number would lead to prejudice to efficient education and the efficient use of resources.

What is certain is that the clarity that had existed since the 1980 Education Act which, it was believed for almost a decade, allowed local authorities to prioritise their own residents when allocating school places, was replaced with a new principle which meant that parents could apply to any school in any area on equal terms with anyone else.

### 3.3 Inspection

The introduction of open and transparent inspection regimes with publically available school performance data through OFSTED has enabled parents to come to evidence based decisions about which schools to apply for and means that they are more likely to extend their searches further afield.

### 3.4 Mobility

Greater mobility in terms of both public and private transport has also served to encourage parents to look beyond their local school.

### 3.5 Academy status

As more schools become academies and as more free schools are brought on stream admission arrangements become more diverse. Own admission authority schools determine their own admission arrangements and this will include decisions about whether or not to use catchment areas as a means of affording priority and, if they are used, what the boundaries are. In Thurrock academies have variously abandoned, amended, extended or otherwise moved away from an integrated system of catchment areas that served both as a planning tool and a rationing tool.

### 3.6 Managing expectations

Although there is nothing in statutory guidance or legislation to suggest that residence within a catchment area affords parents a right to a place in their catchment area school, there is a widely held belief that it does or that it should. Thurrock's admissions literature and the complementary briefings for prospective parents each autumn seek to communicate the fluidity that results from a system which, as the School Admissions Code 2014 puts it, allows any parent to apply for any school place at any time. In other words parents are not confined to their local schools and because of that may not be successful in obtaining places in their local schools.

The patterns of expressed preference vary from one year to the next and it is, therefore, not possible to predict with any certainty where the pressure points will occur in any given year. Thurrock's composite prospectuses provide an analysis of the previous year's outcomes but these are not to be relied upon for reliable predictions of future outcomes.

### 3.7 Boundary anomalies

Geographical and topographical considerations mean that catchment areas lack symmetry and that it is, therefore, possible to live in one catchment area but be closer to the school in an adjacent one.

### 3.8 Fragmentation vs simplicity

There is no doubt that catchment areas represent a valid means of affording priority for school places. Those parents who now find themselves without a catchment area, either because the local schools have ceased to use them or have individually drawn the boundaries in such a way as to exclude certain areas, feel at a disadvantage in the competition for places.

It is possible to operate admissions with no reliance on catchment areas. For example there have been admissions systems that have simply given priority for admission to the school nearest to the home address. This system effectively places a notional boundary between schools.

Systems such as these, however, rely on close coordination of schools' admission arrangements in ways which the current multiplicity of admission authorities does not readily support.

In Thurrock the major parental anxieties are at Y6 – Y7. Some areas of the borough are in no catchment area. Ormiston Academy, for example, does not operate a catchment area whereas some families find themselves in the catchment areas for two secondary schools. Those in the catchments of both William Edwards School and Harris Academy have an advantage that others perceive to be unfair.

## 4. **Reasons for Recommendation**

4.1 The recommendation to initiate a discussion with secondary schools is made in response to the perceived unfairness of the current arrangements.

## 5. **Consultation (including Overview and Scrutiny, if applicable)**

5.1 None.

## 6. **Impact on corporate policies, priorities, performance and community impact**

6.1 The expectation is that a coordinated approach to the use and definition of catchment areas in Thurrock would lead to a fairer system of school place allocation in Thurrock.

## 7. **Implications**

### 7.1 **Financial**

Implications verified by: **Kay Goodacre**  
**Finance Manager**

There are no direct financial implications to this proposal.

## 7.2 Legal

Implications verified by: **Lucinda Bell**  
**Education Lawyer**

The report includes the statutory basis that forms the outline for the issues that this report raises. Admissions law and appeals are covered by the two Codes referred to below. The report requests agreement to consult, but not other decision.

## 7.3 Diversity and Equality

Implications verified by: **Natalie Warren**  
**Community Development and Equalities  
Manager**

Although there are no immediate diversity implications, the move to review admissions and catchments is intended to create a fairer system than is currently available.

## 7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None.

## 8. Background papers used in preparing the report

School Admissions Code, DfE, December 2014

School Admission Appeals Code, DfE, February 2012

Education Act 1980

R v Shadow Committee of Greenwich London Borough Council, ex parte The Governors of John Ball Primary School and Others (1989) 88 LGR 589

## 9. Appendices to the report

None.

## Report Author:

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