

# **CHILDREN'S AND COMMUNITY SERVICES PORTFOLIO**

## **DECISION RECORD**

Tuesday 26 June 2012

The meeting commenced at 9.00 a.m. in the Civic Centre, Hartlepool

### **Present:**

Councillor Cath Hill (Children's and Community Services Portfolio Holder)

Officers: Sue Beevers, Admissions, School Place Planning and Support Services Manager  
Peter Devlin, Chief Solicitor  
Dean Jackson, Assistant Director (Performance and Achievement)  
Peter McIntosh, Head of Planning and Development  
Sally Robinson, Assistant Director (Prevention, Safeguarding and Specialist Services)  
Joan Stevens, Scrutiny Manager  
Amanda Whitaker, Democratic Services Team Leader

### **7. Call-in of Decision: Proposed School Admission Arrangements for 2013-2014** (Scrutiny Co-ordinating Committee)

#### **Type of decision**

Non-key Decision

#### **Purpose of report**

To inform the Portfolio Holder of the outcome of the Scrutiny Co-ordinating Committee's consideration of the 'Call-In' in relation to the Children's Services Portfolio decision taken on the 27 March 2012.

#### **Issue(s) for consideration by Portfolio Holder**

The report set out the background and outcome of the Scrutiny Co-ordinating Committee's consideration of the 'Call-In' in relation to the Children's Services Portfolio decision taken on the 27 March 2012.

At the meeting of the Children's Services Portfolio, held on 27 March 2012, the Portfolio Holder had approved the proposed oversubscription criteria for community and voluntary aided primary schools which propose to promote the sibling criteria above school admission zone criteria. Following the decision of the Portfolio Holder, a Call-In Notice had been issued by 3 Members of the Scrutiny Co-ordinating Committee on the 5 April 2012. This notice was accepted by the Deputy Monitoring Officer on the 5 April 2012.

The Scrutiny Co-ordinating Committee, at its meeting on the 13 April 2012 had accepted the Call-In and commenced consideration of the issues / concerns raised. The basis of the Call-in being that the decision contravened the principles of decision making in relation to proportionality and reasonableness. The view of the signatories to the notice being that they 'do not believe it to be proportionate or reasonable to put children with siblings already in a school ahead of the majority of children who live within the schools admissions zone'. During the course of discussions, Members were informed that the Portfolio Holder and Department had received a number of emails from parents with positive comments on the decision taken and that the Portfolio Holder was not aware of any adverse comments being received. Members were, however, concerned that:

- A potential situation could arise where children living within an admission zone would be unable to attend their local community school, as places within that school had been taken by siblings of children already attending the school who live outside the admission zone;
- Children who may live opposite a school could be unable to attend the school due to children who live outside the admission zone taking places at that school. This could result in two families travelling outside their admission zone to enable their children to attend school; and
- The full consequences of this decision had not been made clear at the governors' meetings, and parents of children hoping for their child to attend the school within their admission zone would be disappointed with the decision once the full implications of the decision were known.

Attention was drawn to the importance of local community schools being accessible to the families living within that local community and the Committee decided that the matter should be referred to Full Council, to enable a town-wide elected Member debate to be undertaken.

Council on the 14 June 2012 had met to consider the Scrutiny referral, with a separate informal meeting held immediately prior to facilitate a full discussion with representatives from Schools (Head Teachers and School Governors). A copy of the report considered by Council on the 14 July had been circulated.

During the course of discussions at both the informal and formal Council meeting, views had been expressed in relation to the appropriateness and implications of prioritising the award of school places on the basis of either a sibling link or residence in a school admission zone. Support was expressed for both alternatives and attention drawn to the differing challenges facing schools in areas such as Throston, where the building of new homes has placed additional pressure on the availability of school places. Council recognised that this was an extremely complex issue for which there was no easy solution. On this basis, Council was of the view that it would be unhappy at this time to express a view in relation to the proposed oversubscription criteria for community and voluntary controlled primary schools, without further consultations and detailed exploration of the potential wider implications for schools, parents and children. Council agreed that the Scrutiny Co-ordinating Committee should be formally advised of this position and asked to consider the submission of the following response to the Children's and Community Services Portfolio Holder.

- i) That, before any recommendations can be made to the Children's and Community Services Portfolio Holder in relation to the revision of the oversubscription criteria for community and voluntary aided primary schools:
  - A full review must be undertaken to explore the wider implications of proposals, as identified during the course of debate at the Council meeting on the 14 June 2012; and
  - Wider consultations be undertaken with all stakeholders as part of the full review.
- ii) That the results of the wider review and consultation process be reported to Council, to enable the formulation of a view / recommendation in relation to the oversubscription criteria for community and voluntary aided primary schools, for consideration by the Children's and Community Services Portfolio Holder.
- iii) That given the oversubscription issues facing Throston Primary School, a review of the Throston catchment area be explored / reviewed immediately, taking into consideration the knock on effect for other schools.

In completing the Authority's Call-In procedure, the Scrutiny Co-ordinating Committee, at its meeting on the 15 June 2012, had accepted that the decision which had been taken contravened the principles of decision making in relation to proportionality and reasonableness. The Committee also received the views / comments expressed by Council and accepted them as the basis for the response to the Children's and Community Services Portfolio Holder.

The Portfolio Holder advised that she had given detailed consideration to the issues which had been highlighted in the report and reiterated the rationale for the decision she had made on 27 March. The Portfolio Holder following careful consideration reaffirmed the decision taken on 27 March for the following reasons:-

- That the decisions had not contravened the principles of decision making
- That it had been made clear to school governors what the implications of the proposed changes would be
- That responses from primary school governors had in the majority been in favour of the original decision
- The practical implications for parents whose children attend different schools
- Potential distress for children whose siblings attend different schools

Whilst accepting that previous practice had been to request school governing bodies note proposed admission arrangements, in order to ensure future clarity it was proposed that as part of future consultations, governing bodies be requested to either agree or not agree to proposals.

The Portfolio Holder considered the following additional recommendations from Council:-

- i) Before any recommendations can be made to the Children's and Community Services Portfolio Holder in relation to the revision of the oversubscription criteria for community and voluntary aided primary schools:
  - A full review must be undertaken to explore the wider implications of proposals, as identified during the course of debate at the Council meeting on the 14 June 2012; and
  - Wider consultations be undertaken with all stakeholders as part of the full review.
- ii) That the results of the wider review and consultation process be reported to Council, to enable the formulation of a view / recommendation in relation to the oversubscription criteria for community and voluntary aided primary schools, for consideration by the Children's and Community Services Portfolio Holder.
- iii) That given the oversubscription issues facing Throston Primary School, a review of the Throston catchment area be explored / reviewed immediately, taking into consideration the knock on effect for other schools.

Concern was expressed regarding the practical implications of undertaking a separate catchment area review for Throston Primary School. However, the Portfolio Holder was mindful of identifying a practical solution for the implementation of Council's recommendations. It was recognised that catchment areas had not been considered for some considerable time. Therefore, the Portfolio Holder requested that in addition the review requested by Council (i above), a full review of all catchment areas be undertaken. In order to facilitate this, it was considered appropriate for a scoping report to be undertaken and presented back to the Portfolio Holder. In addition, that an update report be presented to Council following consideration of that report by the Portfolio Holder.

### **Decision**

The Portfolio Holder reaffirmed the decision taken on 27 March and instructed Officers to:-

- (i) implement the wide ranging review as requested by Council; and
- (ii) prepare a scoping report in relation to the practical arrangements and timescale for the full review of catchment areas across Hartlepool.

The meeting concluded at 10.05 a.m.

**P J DEVLIN**

**CHIEF SOLICITOR**

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