

16 January 2017**Agenda Item: 05****REPORT OF THE ACTING SERVICE DIRECTOR, EDUCATION STANDARDS
AND INCLUSION****RESPONSE TO PETITION: FAIRNESS4SIBLINGS****Purpose of the Report**

1. This report informs Committee of the petition from the Fairness4Siblings campaign group which was presented to Full Council on 24 November 2016. The report also asks the Committee to note that the petition has been included as part of the response to the statutory consultation on admission arrangements for 2018-2019 and the lead petitioner will be informed accordingly.

Information and Advice

2. The decision of Elected Members to change the oversubscription criteria for Nottinghamshire community and voluntary controlled schools, made by the Children and Young People's Committee on 9 March 2015, was informed by responses to the formal consultation carried out in compliance with the School Admissions Code between 1 December 2014 and 31 January 2015.
3. Elected Members within Nottinghamshire take an active interest in admissions, are knowledgeable and understand admissions issues. They talk to residents in their areas, receive correspondence and other enquiries about admissions and place planning. This all helps to inform their decision making, taking into account knowledge of their immediate local area, the wider local area of the whole County and the national context. They understand issues for families and know the implications of removing priority for out of catchment siblings in the admission oversubscription criteria for community and voluntary controlled schools.
4. In October 2014, at the request of Elected Members, cross-party admission workshops were organised. Elected Members had concerns that children living outside catchment but close to a school were sometimes unable to secure places at that school because places had been allocated to children who lived further away - sometimes at a considerable distance from the school - but had a sibling attending the school and therefore had priority within the oversubscription criteria.
5. Elected Members were also aware of the report from the Office of the Schools Adjudicator (OSA) 2013 which echoed the concerns outlined above that had already been clearly articulated within Nottinghamshire.

“Objections concerning priority for siblings also related to younger siblings retaining priority for a popular and oversubscribed school when a family moves a significant distance away from the school resulting in those new to the area, or first born children being unable to have a place because siblings, wherever they live, retain priority. The advantages for one family of keeping siblings at the same, popular school lead to disadvantages for other families who, in the worst case scenario, end up with children in different schools, while those from further away have their highest preference met and attend the same school.”

Cross-party agreement

6. There was cross-party agreement on the need to consult on this policy change. Members were of the view that the existing priority for out of catchment siblings needed to change if schools were to best serve the needs of local families. High priority within the oversubscription criteria is still given to children living in catchment and who have a brother or sister attending the school or the linked school. This supports families who wish their children to attend the same publicly funded local school.
7. The arrangements determined for 2016-2017 in March 2015 support the principle of fair access for all children to local schools. Out of catchment siblings are not excluded from consideration for places at a school, but are considered within the last criterion alongside all other children living out of catchment. Therefore, within that criterion, all children living closer to a school – whether or not they have a sibling attending the school – are ranked higher than all other children (with or without a sibling) who live further away from that school.

Petition and other views received by the Council

8. The County Council's admission arrangements - in particular, the change of priority within the oversubscription criteria - have been subject to challenge from a parents' campaign group called Fairness4Siblings. A petition from the group containing about 4,580 signatures was presented to Full Council on 24 November 2016 by Councillor John Peck. The group believes that the removal of priority for out of catchment siblings, which was consulted on during 2014-15 and determined in the arrangements for 2016-2017, is unfair and has disadvantaged them. At the request of the group, the petition has also been included as part of the response to the statutory consultation on admission arrangements for 2018-2019.
9. Key arguments presented by the group include:
 - siblings now attend different schools
 - the policy change is 'anti-family'
 - the change has been unfair, causing emotional and financial strain to some families
 - the change should have been phased over an extended period of time to reduce the adverse impact to those already with older siblings in a school before the policy was introduced
 - their belief that the consultation was inadequate.
10. These matters have been referred to the Office of the Schools Adjudicator (OSA) and the outcome is awaited.

11. Meetings have taken place between representatives of the Fairness4Siblings campaign group and with other parents affected by the change to the oversubscription criteria. These have included a meeting with the MP, Gloria De Piero, and representative parents in her constituency. There has also been a meeting of campaigners with the Chair of the Children and Young People's Committee and the Corporate Director for Children's Services.
12. The main purpose of the campaign is to request that the Council reinstates the priority previously given to out of catchment siblings.

Other Options Considered

13. No other options have been considered.

Reason/s for Recommendation/s

14. To inform Committee of the petition from the Fairness4Siblings campaign group which was presented to Full Council on 24 November 2016.

Statutory and Policy Implications

15. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION/S

That:

- 1) the Committee notes the petition from the Fairness4Siblings campaign group which was presented to Full Council on 24 November 2016
- 2) the Committee notes that the petition has also been included as part of the response to the statutory consultation on admission arrangements for 2018-2019 and
- 3) the lead petitioner be informed accordingly.

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Constitutional Comments (LM 16/12/16)

16. The recommendations in the report fall within the Terms of Reference of the Children and Young People's Committee.

Financial Comments (TMR 16/12/16)

17. There are no financial implications arising from this report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Nottinghamshire school admission arrangements 2016-2017 – report to Children and Young People's Committee on 9 March 2015

Electoral Division(s) and Member(s) Affected

All.

C0918