

Appendix 'B'

Comment received from Mr Ben Wallace MP in relation to applications from families living abroad or returning during the annual admission intake process:-

Mr Wallace has stated that the current scheme allows families returning to a pre-owned address from abroad to provide evidence that they will be in residence at a specific date and that this allows them to apply for places in advance of their return. He states that the changes will require families to be in residence during the whole application period and that this will impact on those who are seconded to work abroad. He specifically refers to BAE Systems which has around 19,000 employees.

Mr Wallace feels that the changes to Lancashire's scheme will make workers reluctant to take up secondments and that the Local Authority ought to be supportive of businesses.

Response:-

The Local Authority receives a minimal number of requests each year from families who are working or seconded abroad with pre-owned addresses in / near to Lancashire. This year two families have asked that their children be included in the annual primary or secondary intake processes even though their return date was to be after statutory offer dates and appeals (ie May to August). These cases are fairly uncommon with only two having been pursued by parents for 2015 intakes.

The changes made to the scheme provide clarity about what is required in order for families to access these processes. They do not have to be physically in residence for the full application period. If they return and are in residence at any time during this period they may apply as normal. In addition if they return after statutory closing dates and ahead of the finalisation of offers flexibility will be exercised where agreed by the relevant admission authority (ies).

The Local Authority scheme does not allow families who will remain resident abroad during the entire application period and beyond the finalisation of offers and the actual statutory offer date to access the processes. This would not be fair in relation to those already resident who then did not receive an offer for their preferred school (s).

Even if the scheme did allow those not in the country to access the processes then individual school and academy admission policies (which are legally determined and binding) required that the address at which they are resident is used to determine priority for admission purposes.

The scheme does retain flexibility for UK service personnel and for those who relocate during the application period or in some cases after the statutory closing dates.

The prioritisation of admission requests cannot however be based on when a relocation may occur. This would have implications for those who owned multiple properties and prospective house moves.

Comment received from a parent, in relation to applications from families living abroad being allowed to access the annual admission intake processes:-

The parent wishes to challenge the scheme and believes that subject to the provision of evidence of ownership of a property in Lancashire parents ought to be eligible to apply for school places.

He points to community links, requirements to pay tax (whilst seconded overseas) and benefits to the UK economy of companies having overseas secondments and business.

He points to similarities between seconded families and UK service personnel – especially as BAE staff will often work closely with the services. He also says that the Local Authority ought to liaise with businesses such as BAE systems about these situations.

He is concerned that some families will split temporarily to allow one parent to return to the UK in order to access the processes.

Response:-

The focus for allocating places on geographical / distance criteria for Lancashire's 550+ secondary schools and academies is on residence and not ownership. Admission policies must be robust and objective in order to ensure the clarity and fairness for all applicants which the School Admissions Code requires.

Prioritising admission based on possible residence at a future date would dilute the objectivity of these arrangements and would bring implications for admission authorities in guaranteeing the correct application of their determined policies (eg for those owning multiple properties who claimed a future relocation). It would also not be fair to those already in residence as required to miss out on place offers because another family had decided to temporarily move abroad but still expect prioritisation based on an address at which they were not resident.

Admission authorities in Lancashire do not necessarily accept temporary relocations as permanent residence / address. This prevents parents relocating to obtain a place with every intention of moving back to a previous property when this has happened. It would not be logical therefore to allocate based on future residence.

The exceptions maintained within the scheme are explained in the comment above.

The very low number of cases of work seconded families with prospective return to UK dates does not suggest any need to make additional exceptions within the proposed scheme. The Local Authority and other admission authorities already exercise discretion where this is possible.

The Local Authority has a statutory duty to co-ordinate school admissions throughout its administrative area. A fundamental requirement of co-ordination is to ensure fair admission arrangements overall - which is not necessarily the same as providing what some parents may specifically feel is fair for their own children.

This is a distinction which has previously been referred to in the executive summary of the annual report from the Office of the Schools Adjudicator.

For the children of UK service personnel the School Admissions Code specifically states that admission authorities must allocate a place in advance of a family arriving in the area. This is providing that there is an official letter declaring a relocation date and a unit postal or quartering area address. The Code also requires that admission authorities must not refuse a place for a service child because the family does not live in the area.

Exceptions for this group are required as the families concerned have no control over where or when they will be posted. In addition forward planning must be facilitated as on occasion significant relocations of service personnel (possibly whole regiment changes) may occur.