

# **Admissions Committee**

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**Wednesday 18 February 2015 at 1.00 pm**

**To be held at To be held at the Town  
Hall, Pinstone Street, Sheffield, S1  
2HH**

**The Press and Public are Welcome to Attend**

## **Membership**

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Councillors Chris Rosling-Josephs (Chair), Pauline Andrews, Olivia Blake, Sioned-Mair Richards, Andrew Sangar and Ian Saunders

## **Substitute Members**

To be appointed by the Chief Executive in consultation with the relevant Cabinet Portfolio Member or Opposition Spokesperson, as appropriate

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## **PUBLIC ACCESS TO THE MEETING**

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The Admissions Committee carries out a statutory role, including the consideration of appeals regarding home to school transport and requests for primary and secondary school admissions.

As a lot of the work of this Committee deals with individual cases, some meetings may not be open to members of the public.

A copy of the agenda and reports is available on the Council's website at [www.sheffield.gov.uk](http://www.sheffield.gov.uk). You can also see the reports to be discussed at the meeting if you call at the First Point Reception, Town Hall, Pinstone Street entrance. The Reception is open between 9.00 am and 5.00 pm, Monday to Thursday and between 9.00 am and 4.45 pm. on Friday. You may not be allowed to see some reports because they contain confidential information. These items are usually marked \* on the agenda.

If you would like to attend the meeting, please report to the First Point Reception desk at Town Hall, Pinstone Street, where you will be directed to the meeting room.

If you require any further information please contact John Turner on 0114 273 4122 or email [john.turner@sheffield.gov.uk](mailto:john.turner@sheffield.gov.uk).

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## **FACILITIES**

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There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms.

Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

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**ADMISSIONS COMMITTEE AGENDA  
18 FEBRUARY 2015**

**Order of Business**

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- 1. Welcome and Housekeeping Arrangements**
- 2. Apologies for Absence**
- 3. Exclusion of Public and Press**  
To identify items where resolutions may be moved to exclude the press and public
- 4. Declarations of Interest**  
Members to declare any interests they have in the business to be considered at the meeting
- 5. Minutes of Previous Meeting**  
To approve the minutes of the meeting of the Committee held on 21<sup>st</sup> January, 2015
- 6. Action Taken Under Delegated Powers**  
To note the decisions made by the Executive Director, Children, Young People and Families, acting under delegated authority, in consultation with the Chair of the Committee
- 7. Home to School Transport Appeals**  
Report of the Executive Director, Children, Young People and Families
- 8. School Admission Requests - Primary School Places**  
Report of the Executive Director, Children, Young People and Families
- 9. Date of Next Meeting**  
To note that the next meeting of the Committee will be held on Wednesday, 18th March, 2015, at 1.00 pm, in the Town Hall

\*(NOTE: The reports at Items 7 and 8 in the above agenda are not available to the public and press because they contain exempt information described in paragraphs 1, 2 and 3 of Schedule 12A to the Local Government Act 1972 (as amended))

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## ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

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If you are present at a meeting of the Council, of its executive or any committee of the executive, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest (DPI)** relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period\* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

\*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
  - under which goods or services are to be provided or works are to be executed; and
  - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
  - the landlord is your council or authority; and
  - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
  - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
  - (b) either -
    - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
    - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

Further advice can be obtained from Gillian Duckworth, Interim Director of Legal and Governance on 0114 2734018 or email [gillian.duckworth@sheffield.gov.uk](mailto:gillian.duckworth@sheffield.gov.uk).

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**Admissions Committee**

**Meeting held 21 January 2015**

**PRESENT:** Councillors Chris Rosling-Josephs (Chair), Pauline Andrews,  
Olivia Blake and Andrew Sangar

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**1. APOLOGIES FOR ABSENCE**

1.1 Apologies for absence were received from Councillors Sioned-Mair Richards and Ian Saunders.

**2. EXCLUSION OF PUBLIC AND PRESS**

2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on items 6(b), 7 and 8 on the grounds that, if the public and press were present during the transaction of such business, there would be a disclosure to them of exempt information described in paragraphs 1, 2 and 3 of Schedule 12A to the Local Government Act 1972, as amended.

**3. DECLARATIONS OF INTEREST**

3.1 Councillor Andrew Sangar declared personal interests in Case Nos. 21 and 31 in agenda item 9 (School Admission Requests – Secondary School Places), as he was familiar with the pupils’ families, and did not take part in the consideration of the requests.

**4. MINUTES OF PREVIOUS MEETING**

4.1 The minutes of the meeting of the Committee held on 17<sup>th</sup> December, 2014, were approved as a correct record.

**5. ACTION TAKEN UNDER DELEGATED POWERS**

5.1 The Committee noted that, since its last meeting, no decisions had been made by the Executive Director, Children, Young People and Families, in consultation with the Chair of the Committee, under powers delegated to her with regard to home to school transport or school admissions.

**6. HOME TO SCHOOL TRANSPORT APPEALS**

6.1 Revised Procedure

6.1.1 The Interim Director of Legal and Governance reported on proposed revised arrangements with regard to the consideration of appeals against administrative decisions made by the Executive Director, Children, Young People and Families, to refuse to grant home to school travel bus passes, following further guidance issued by the Department for Education in July 2014.

- 6.1.2 Paul Robinson, Head of Democratic Services, referred to a complaint made by the parent of a child, to the Local Government Ombudsman, following a decision of the Committee, at its meeting held on 18<sup>th</sup> September, 2014, to not uphold the appeal against the decision to refuse to grant a home to school travel bus pass. He stated that, following the investigation, the Local Government Ombudsman had found maladministration on the part of the Local Authority in that due process regarding the appeal had not been followed, specifically that the parent had not been afforded the opportunity to make verbal representations in support of her appeal. The Local Government Ombudsman also determined that there had been insufficient detail in the decision letter sent to the parent following the decision made by the Committee, and had therefore not been able to establish whether the Committee had given sufficient consideration to the appeal.
- 6.1.3 Nadine Wynter, Legal Service Manager, referred to recent changes introduced by the Department for Education, relating to the management of appeals against decisions to refuse to grant home to school travel bus passes, indicating that in July 2014, a further change had resulted in local authorities being required to offer parents whose requests had been refused, the right to make verbal representations as part of their appeal against the decision.
- 6.1.4 Paul Robinson stated that, as well as parents being offered the right to make verbal representations, there would also be a requirement for the decision letters to be improved, and it was suggested that officers provide a checklist to assist Members to consider all aspects of the appeals, and to enable officers to draft more detailed decision letters. Mr Robinson referred to the case which had been considered by the Local Government Ombudsman, indicating that, following the determination, there was a requirement on the Local Authority to reconsider the appeal, and that arrangements would have to be made for the appeal to be considered by Members who had not taken part in the original appeal. Mr Robinson also circulated a proposed hearing procedure for dealing with verbal representations at future meetings of the Committee.
- 6.1.5 RESOLVED: That the Committee:-
- (a) notes the information now reported, together with the requirement to give further consideration to how future meetings should be arranged in order to facilitate the required changes;
  - (b) approves the proposed hearing procedure now circulated; and
  - (c) in the light of the information now reported, approves the establishment of a Sub-Committee, comprising Councillors Talib Hussain, Vickie Priestley and Sioned-Mair Richards, to consider the appeal now mentioned, at 12.30 pm, on 18<sup>th</sup> February, 2015.

## 6.2 Appeals

- 6.2.1 The Executive Director, Children, Young People and Families, submitted reports and commented upon six cases where parents had appealed against the

administrative decisions made by the Executive Director with regard to the refusal to grant home to school travel bus passes.

6.2.2 The Committee gave consideration to all the supporting information and evidence provided by the pupils' parents including, in some cases, evidence and advice provided by voluntary or professional bodies and organisations and, arising therefrom, it was:-

6.2.3 RESOLVED: That (a) three appeals be not upheld on the grounds that there are no exceptional circumstances demonstrated, and having regard to the Council's Home to School Transport Policy, (i) the schools that two of the pupils are requesting passes for are not their catchment schools/nearest suitable schools (Case Nos. KIED1 and KIED2) and (ii) the distance from the home address of one of the pupils to the school for which they are requesting a pass for is less than the distance in the criteria (Case No. STMA1);

(b) two appeals be upheld on the grounds that there are exceptional family circumstances in the cases (Case Nos. STAN1 and SB1); and

(c) consideration of the remaining appeal be deferred to enable the Executive Director to seek further information in connection with the case and, if and when such information is provided, authority be given for the Executive Director, in consultation with the Chair, to determine the appeal (Case No. WAME1).

(NOTE: In accordance with Council Procedure Rule 26 of the Council's Constitution and the provisions of Section 100B(4)(b) of the Local Government (Access to Information) Act 1985, the Chair decided that Case Nos. STAN1 and SB1 be considered as matters of urgency in order for the appeals to be considered at the earliest possible opportunity, although it had not been possible to give five clear days' notice that the appeals were to be considered).

## **7. SCHOOL ADMISSION REQUESTS - PRIMARY SCHOOL PLACES**

### **7.1 Request for Early Entry**

7.1.1 The Executive Director, Children, Young People and Families, submitted a report and commented upon a case where parents had requested the City Council to give consideration to a request for early entry into a reception class and, arising therefrom, it was:-

7.1.2 RESOLVED: That the request be not granted on the grounds that the Committee is of the opinion that there are no exceptional educational, financial, medical or family reasons for allowing the child early entry to school (Case No. EE1).

### **7.2 Request to Consider a Change of Circumstances**

7.2.1 The Executive Director, Children, Young People and Families, submitted a report and commented upon a case where parents had made a request for the Committee to consider a change in the family's circumstances, in connection with

their request for a place at their preferred school and, arising therefrom, it was:-

- 7.2.2 RESOLVED: That upon consideration of the case, and with due regard to the additional information now submitted, the Committee considers that there has been a material change in the family's circumstances and therefore, authorises the Executive Director to process a new application in this case (Case No. CH1).

(NOTE: In accordance with Council Procedure Rule 26 of the Council's Constitution and the provisions of Section 100B(4)(b) of the Local Government (Access to Information) Act 1985, the Chair decided that Case No. CH1 be considered as a matter of urgency in order for the request to be considered at the earliest possible opportunity, although it had not been possible to give five clear days' notice that the request was to be considered).

## **8. SCHOOL ADMISSION REQUESTS - SECONDARY SCHOOL PLACES**

- 8.1 The Executive Director, Children, Young People and Families, submitted reports and commented upon 34 cases where parents had expressed a wish for their children to be admitted to secondary schools of their choice. The Executive Director stated that places in secondary schools had been identified by the City Council, in accordance with the published admission criteria, and it had been agreed that the Executive Director would provisionally allocate places at those schools where there were places available, up to the standard number/admission limit. The Committee was requested to consider prioritising the pupils on waiting lists, within their respective categories, for admission if and when places become available.
- 8.2 The Committee gave consideration to all the supporting evidence and information provided by the pupils' parents including, in some cases, evidence and advice provided by voluntary or professional bodies and organisations and, arising therefrom, it was:-
- 8.3 RESOLVED: That (a) 33 pupils be not prioritised on the waiting lists, within their respective categories, on the grounds that the Committee considers that there are no exceptional educational, financial, medical or family circumstances demonstrated (Case Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 and 34); and
- (b) one pupil be prioritised at the top of the waiting lists in respect of their three priority schools, in the respective categories (Case No. 16).

## **9. DATE OF NEXT MEETING**

- 9.1 It was noted that the next meeting of the Committee will be held on Wednesday, 18<sup>th</sup> February 2015, at 1.00 pm, in the Town Hall.