

Admissions Committee

Wednesday 18 March 2015 at 1.00 pm

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

Membership

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

PUBLIC ACCESS TO THE MEETING

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. 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.

FACILITIES

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.

**ADMISSIONS COMMITTEE AGENDA
18 MARCH 2015**

Order of Business

- 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 Meetings**
To approve the minutes of meetings of (a) the Committee held on 18th February, 2015 and (b) the Admissions Sub-Committee held on 18th February, 2015 (reconvened on 24th February, 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, 15th April, 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

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, Director of Legal and Governance on 0114 2734018 or email gillian.duckworth@sheffield.gov.uk.

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Admissions Committee

Meeting held 18 February 2015

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

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1. APOLOGIES FOR ABSENCE

1.1 An apology for absence was received from Councillor Andrew Sangar.

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 and 7 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 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

4.1 The minutes of the meeting of the Committee held on 21st January, 2015 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 The Executive Director, Children, Young People and Families, submitted reports and commented upon five 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 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:-

6.3 RESOLVED: That all five appeals be upheld on the grounds that there are either

exceptional educational, financial, medical or family circumstances in the cases (Case Nos.ECC1, ECC2, ECC3, KIED1 and DefWAME1).

(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.DefWAME1) 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).

7. SCHOOL ADMISSION REQUESTS

7.1 Request to prioritise on Waiting List – Secondary Schools

7.1.1 The Executive Director, Children, Young People and Families, submitted reports and commented upon three 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 available places, 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.

7.1.2 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:-

7.1.3 RESOLVED: That (a) one pupil be not prioritised on the waiting list within their respective category, on the grounds that there are no exceptional educational, financial, medical or family circumstances demonstrated (Case No.3); and

(b) two pupils be prioritised at the top of the waiting list in the 'non-catchment' category on the grounds that there are exceptional family and medical circumstances, respectively (Case Nos.1 and 2).

(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.1, 2 and 3) be considered as matters of urgency in order for the requests to be considered at the earliest possible opportunity although it had not been possible to give five clear days' notice that the requests were to be considered).

7.2 Request to prioritise on Waiting List – Primary Schools

- 7.2.1 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 primary schools of their choice. The Executive Director stated that places in primary 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 available places, 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.
- 7.2.2 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:-
- 7.2.3 RESOLVED: That (a) 21 pupils be not prioritised on the waiting lists within their respective categories, on the grounds that there are no exceptional educational, financial, medical or family circumstances demonstrated (Case Nos.4, 5, 6, 7, 8, 10, 11, 13, 16, 17, 18, 23, 24, 25, 26, 27, 30, 31, 32, 33 and 34);
- (b) four pupils be prioritised at the top of the waiting list in the 'sibling' category on the grounds that there are exceptional medical circumstances (Case Nos.1, 9, 15 and 21); and
- (c) nine pupils be prioritised at the top of the waiting list in the 'non-catchment' category on the grounds that there are exceptional medical circumstances (Case Nos. 2, 3, 12, 14, 19, 20, 22, 28 and 29).

8. DATE OF NEXT MEETING

- 8.1 It was noted that the next meeting of the Committee will be held on Wednesday, 18th March, 2015, at 1.00 pm, in the Town Hall.

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SHEFFIELD CITY COUNCIL

Admissions Sub-Committee

Meeting held 18 February 2015

PRESENT: Councillors Talib Hussain, Vickie Priestley and Sioned-Mair Richards (Chair), Talib Hussain and Vickie Priestley

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1. APPOINTMENT OF CHAIR

1.1 RESOLVED: That Councillor Sioned-Mair Richards be appointed Chair of the meeting.

2. APOLOGIES FOR ABSENCE

2.1 No apologies for absence were received.

3. EXCLUSION OF PUBLIC AND PRESS

3.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 5 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.

4. DECLARATIONS OF INTEREST

4.1 There were no declarations of interest.

5. HOME TO SCHOOL TRANSPORT APPEALS

5.1 The Chair welcomed everyone to the meeting and asked attendees to introduce themselves. She then outlined the procedure which would be followed during the meeting and confirmed the legislative framework and the City Council's policy under which the Committee would make its decisions, which included (i) the DfE's 'Home to School Travel and Transport Guidance' - July 2014 and (ii) the 'Sheffield City Council Home to School Transport Policy' – September 2013 (HTS Policy).

5.2 In attendance were Tracey Reid and Julie Pryor (Customer Services), Ellen Oldham-Hepper (Professional Legal Officer to the Sub-Committee), Jennie Skiba (Democratic Services) and the appellant.

5.3 The Executive Director, Children, Young People and Families, submitted a report and commented upon a case where a parent had appealed against the administrative decision made by the Executive Director with regard to the refusal to grant a home to school travel bus pass (Case No. HS1).

- 5.4 Tracey Reid, Customer Services Manager explained the Stage 1 and Stage 2 appeals criteria regarding the City Council's Home to School Transport Policy. She informed the Sub-Committee of the reasons why the application had been refused at Stage 1 and then the subsequent refusal of the appeal at Stage 2.
- 5.5 The appellant then addressed the Sub-Committee, stating that she considered that Council policy had not been addressed as she had not been invited to attend the Stage 2 appeal hearing to make verbal representations. She went on the outline the reasons for the application and subsequent appeal.
- 5.6 The Chair asked the appellant a number of questions, particularly regarding the family's financial circumstances, and queried why this information had been omitted from the bundle of papers. Julie Pryor, Customer Services, stated that the information had not been provided by the appellant, either as part of her initial application, or as part of the Stage 2 appeal.
- 5.7 RESOLVED: That the attendees involved in the appeal be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 5.8 Ellen Oldham-Hepper reported orally, giving legal advice on various aspects of the appeal.
- 5.9 At this stage in the proceedings, the meeting was re-opened to the attendees.
- 5.10 RESOLVED: That consideration of the appeal be adjourned to enable the appellant to provide further information regarding her income, including details of her entitlement to Working Tax Credits.

ADMISSIONS SUB-COMMITTEE

Reconvened Meeting held on 24th February, 2015

PRESENT: Councillors Sioned-Mair Richards (Chair), Talib Hussain and Vickie Priestley.

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1. **APOLOGIES FOR ABSENCE**
- 1.1 No apologies for absence were received.

2. EXCLUSION OF THE PUBLIC AND PRESS

- 2.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on item 4 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 There were no declarations of interest.

4. HOME TO SCHOOL TRANSPORT APPEALS

- 4.1 The Sub-Committee reconvened to give further consideration to the appeal against the administrative decision made by the Executive Director with regard to the refusal to grant a home to school travel bus pass (Case No. HS1).
- 4.2 In attendance were Tracey Reid and Julie Pryor (Customer Services), Ellen Oldham-Hepper (Professional Legal Officer to the Sub-Committee), John Turner (Democratic Services) and the appellant.
- 4.3 The Chair provided a brief explanation as to why the meeting on 18th February, 2015 had been adjourned.
- 4.4 The appellant attended the meeting and made verbal representations in support of her appeal.
- 4.5 Tracey Reid circulated details of the appellant's income, including her entitlement to Working Tax Credits, confirming that, due to her level of earnings, she was not entitled to maximum Working Tax Credits. She also confirmed that, based on her income levels, she was not entitled to claim free school meals for her child.
- 4.6 RESOLVED: That the attendees involved in the appeal be excluded from the meeting before further discussion takes place on the grounds that, in view of the nature of the business to be transacted, if those persons were present, there would be a disclosure to them of exempt information as described in paragraph 5 of Schedule 12A to the Local Government Act 1972, as amended.
- 4.7 Ellen Oldham-Hepper reported orally, giving legal advice on various aspects of the appeal.
- 4.8 The Sub-Committee gave consideration to all the supporting information and evidence provided by the appellant, including the details regarding her income and entitlement to Working Tax Credits and, arising therefrom, it was:-

4.9 RESOLVED: That the appeal be not upheld on the grounds that there are no exceptional circumstances demonstrated, namely educational, financial, medical or family and, having regard to the Council's Home to School Transport Policy, the school that the pupil is requesting a pass for is not their catchment school/nearest suitable school (Case No.HS1).

6. DATE OF NEXT MEETING

5.1 It was noted that future meetings of the Sub-Committee would be held as and when required.