

Admissions Committee

Tuesday 30 October 2018 at 2.00 pm

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

Membership

Councillors Chris Rosling-Josephs (Chair), Talib Hussain, Andrew Sangar, Lisa Banes, Michelle Cook, Bob Pullin and Kaltum Rivers

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
30 OCTOBER 2018**

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 Meeting**
To approve the minutes of the meeting of the Committee held on 11th September, 2018
- 6. Action Taken Under Delegated Powers**
To note the decisions made by the Executive Director, People Services, acting under delegated authority, in consultation with the Chair of the Committee
- 7. Home to School Transport Appeals***
Report of the Executive Director, People Services
- 8. School Admission Requests - Secondary School Places***
Report of the Executive Director, People Services
- 9. Date of Next Meeting**
To note that the next meeting of the Committee will be held on Tuesday, 20th November, 2018, at 2.00 pm, in the Town Hall

*(NOTE: The report 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 Audit and 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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SHEFFIELD CITY COUNCIL

Admissions Committee

Meeting held 11 September 2018

PRESENT: Councillors Chris Rosling-Josephs (Chair), Michelle Cook, Talib Hussain and Andrew Sangar

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1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillors Lisa Banes and Kaltum Rivers.

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 17th July, 2018, were approved as a correct record.

5. ACTION TAKEN UNDER DELEGATED POWERS

5.1 The Committee noted that, since its last meeting, and following receipt of further evidence that had been requested from the appellants in respect of two cases, the Executive Director, People Services, in consultation with the Chair of the Committee, under powers delegated to her with regard to Home to School Transport Appeals, had agreed to grant home to school travel passes in both cases (Case Nos. MH1 and FV1).

6. SCHOOL ADMISSION REQUESTS - SECONDARY SCHOOL PLACES - REQUEST TO CONSIDER A CHANGE IN CIRCUMSTANCES

6.1 The Executive Director, People Services, 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 secondary school and, arising therefrom, it was:-

6.2 RESOLVED: That upon consideration of the case, and with due regard to the

additional information now submitted, the Committee considers that there had been a material change in the family's circumstances, and therefore, authority be given for a new application to be processed in this case (Case No. FV1).

(NOTE: The above item was considered by the Committee as an urgent item of business 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, 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. HOME TO SCHOOL TRANSPORT APPEALS

7.1 The Executive Director, People Services, submitted reports upon 12 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. The parents in six cases had indicated that they wished to make verbal representations at the hearing, but four out of the six parents had failed to attend, so the cases were heard in their absence (Case Nos. UT/MA01, OA/AC01, BR05 and NO/DA02).

7.2 Verbal Appeal (BR01)

7.2.1 In attendance were the appellant and her friend and Andy Tierney (Customer Services).

7.2.2 The Chair welcomed everyone to the meeting and asked attendees to introduce themselves. He then outlined the procedure which would be followed during the meeting.

7.2.3 The Executive Director, People Services, submitted a report and commented upon the case where the 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. BR01).

7.2.4 Andy Tierney explained the Stage 1 review and Stage 2 appeals process regarding the City Council's Home to School Transport Policy. Mr. Tierney informed the Committee of the reasons why the request for a home to school travel pass had been refused at Stage 1.

7.2.5 The appellant and her friend explained to the Committee the reasons for the request for a home to school travel pass for her child.

7.2.6 In response to questions from Members, the appellant stated that she had asked at the Travel Interchange and had been told she would be eligible for a home to school travel pass. The appellant stated that she had wanted a smooth transition for her child from primary to secondary school with her peer group and that, as a single parent family, she had put in place a strong support network of family and friends. The appellant also stated that she could not understand why other children from the same peer group, got on the bus at the same stop as her child

and they had home to school passes.

7.2.7 At this stage in the proceedings, the appellant left the meeting to enable the Committee to consider the evidence.

7.2.8 RESOLVED: That the appeal 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, the school that the pupil is requesting a pass for is not their catchment school/nearest suitable school (Case No.BRO1).

7.3. Verbal Appeal – BR02

7.3.1 In attendance were the appellant and Andy Tierney (Customer Services).

7.3.2 The Chair welcomed everyone to the meeting and asked attendees to introduce themselves. He then outlined the procedure which would be followed during the meeting.

7.3.3 The Executive Director, People Services, submitted a report and commented upon the case where the 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.BRO2.).

7.3.4 Andy Tierney explained the Stage 1 review and Stage 2 appeals process regarding the City Council's Home to School Transport Policy. Mr. Tierney informed the Committee of the reasons why the request for a home to school travel pass had been refused at Stage 1.

7.3.5 The appellant explained to the Committee the reasons for the request for a home to school travel pass for her child.

7.3.6 In response to questions from Members, the appellant stated that, as a student on a placement outside of the City for a number of days a week, she relied heavily on the support of grandparents for the care of her child on those days. She also stated that her child's friends from the feeder school were attending the school.

7.3.7 At this stage in the proceedings, the appellant left the meeting to enable the Committee to consider the evidence.

7.3.8 RESOLVED: That the appeal be upheld on the grounds that there are exceptional educational and family circumstances in the case (Case No.BRO2).

7.4 Written Appeals

7.4.1 The Executive Director, People Services, submitted reports and commented upon 10 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.

7.4.2 The Committee gave consideration to all the supporting information and evidence

provided by the pupils' parents and, arising therefrom, it was:-

- 7.4.3 RESOLVED: That (a) four 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, the schools that the pupils are requesting passes for are not their catchment schools/nearest suitable schools (Case No.AL/SA01, NO/DA02, BR03 and BR04);
- (b) one appeal be not upheld on the grounds that the distance from the home address of the pupil to the school for which they are requesting a pass for is less than the distance in the criteria (Case No. PA/AC01);
- (c) four appeals be upheld on the grounds that there are exceptional educational and family circumstances in the cases (Case Nos.ST01, UT/MA01, OA/AC01 and UTC/MA02); and
- (d) one appeal be deferred at the request of the parent who had been taken ill and wanted to submit further information (Case No.BR05).

8. DATE OF NEXT MEETING

- 8.1 It was noted that the next meeting of the Committee would be held on Tuesday, 30th October, 2018 at 2.00 p.m., in the Town Hall.