

Admissions Committee

Wednesday 19 December 2012 at 1.00 pm

**To be held at Howden House, Union
Street, Sheffield**

The Press and Public are Welcome to Attend

Membership

**Councillors Chris Rosling-Josephs (Chair), Alison Brelsford, Talib Hussain,
Martin Lawton, Nikki Sharpe, Clive Skelton and Vacancy**

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, or you can ring on telephone no. 2734552. 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 Howden House, Union 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 toilets available on all floors at Howden House.

Access for people with mobility difficulties can be obtained through both entrances to Howden House on Union Street.

**ADMISSIONS COMMITTEE AGENDA
19 DECEMBER 2012**

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 21st November, 2012
- 6. Action Taken Under Delegated Powers**
To note the decisions made by the Interim 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 Interim Executive Director, Children, Young People and Families
- 8. Date of Next Meeting**
To note that the next meeting of the Committee will be held on Wednesday, 16th January, 2012, at 1.00 pm, at Howden House

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

New standards arrangements were introduced by the Localism Act 2011. The new regime made changes to the way that members' interests are registered and declared.

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.

Under the Council's Code of Conduct, members must act in accordance with the Seven Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership), including the principle of honesty, which says that 'holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest'.

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.

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 DPs 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, and has been published on the Council's website as a downloadable document at [-http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests](http://councillors.sheffield.gov.uk/councillors/register-of-councillors-interests)

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 Lynne Bird, Director of Legal Services on 0114 2734018 or email lynne.bird@sheffield.gov.uk

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Admissions Committee

Meeting held 21 November 2012

PRESENT: Councillors Talib Hussain, Chris Rosling-Josephs, Nikki Sharpe and Clive Skelton

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1. APPOINTMENT OF CHAIR

1.1 RESOLVED: That Councillor Nikki Sharpe be appointed Chair for this meeting as part of a training exercise.

2. WELCOME AND HOUSEKEEPING ARRANGEMENTS

1.1 The Chair welcomed attendees to the meeting and outlined basic housekeeping and fire safety arrangements.

3. APOLOGIES FOR ABSENCE

3.1 An apology for absence was received from Councillor Alison Brelsford.

4. EXCLUSION OF PUBLIC AND PRESS

4.1 RESOLVED: That the public and press be excluded from the meeting before discussion takes place on agenda items 7, 8, and 9 on the grounds that they contain exempt information described in paragraphs 1, 2 and 3 of Schedule 12A to the Local Government Act 1972, as amended.

5. DECLARATIONS OF INTEREST

5.1 Councillor Talib Hussain declared a personal interest in the first two home to school transport appeals (Case Nos. Fir1 and Fir2) and did not take part in the consideration of those appeals.

6. MINUTES OF PREVIOUS MEETING

6.1 The minutes of the meeting of the Committee held on 17th October, 2012 were approved as a correct record.

7. ACTION TAKEN UNDER DELEGATED POWERS

7.1 The Committee noted that, since its last meeting, no decisions had been made by the Interim 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.

8. HOME TO SCHOOL TRANSPORT APPEALS

8.1 *Discretionary Home to School Transport (Special Educational Needs)*

8.1.1 The Interim Executive Director, Children, Young People and Families, submitted a report and commented upon a case where parents had appealed against an administrative decision made by the Interim Executive Director with regard to the refusal to fund discretionary home to school transport in respect of their child.

8.1.2 The Committee gave consideration to all the supporting information and evidence provided by the pupil's parents, including a report from a Child Educational Psychologist and, arising therefrom, it was:-

8.1.3 RESOLVED: That the appeal be refused on the grounds that a Tribunal had found that the child was not statemented and that although the child had been placed at the school on appeal, transportation to such school should not be funded on the grounds that there are no exceptional circumstances demonstrated.

8.2 *Home to School Travel Bus Passes*

8.2.1 The Interim Executive Director, Children, Young People and Families, submitted reports and commented upon 37 cases where parents had appealed against the administrative decisions made by the Interim Executive Director with regard to the refusal to grant home to school travel bus passes.

8.2.2 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:-

8.2.3 RESOLVED: That (a) seven appeals be upheld on the grounds that there are either exceptional educational, financial, medical or family circumstances in the cases (Case Nos. WY1, PA1, Kec1, Ked1, Ked4, Tap1 and WF1);

(b) 28 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 distance from the home addresses of 19 pupils to the schools for which they are requesting passes for is less than the distance in the criteria (Case Nos. Fir1, Fir2, Har1, Har2, Sac1, SG1, SG2, St.J1, St.J2, St.Ms1, St.H1, St.H2, As1, Ked5, Me1, Me2, PW1, PW2 and Tap2), (ii) eight of the pupils do not attend one of their three nearest qualifying schools (Case Nos. Ast1, C11, FoV1, HS1, Ked3, PW3, PW4 and Tap3) and (iii) with regard to the remaining appeal, relating to a voluntary-aided school, the religious education provided at the school is not of the pupil's parents' religion or denomination (Case No. As2); and

(c) consideration of the remaining two appeals be deferred to enable the Interim Executive Director, Children, Young People and Families, to seek further information regarding family circumstances and medical information, respectively, from the pupils' parents (Case Nos. Hat1 and Ked2).

9. SCHOOL ADMISSION REQUESTS

9.1 Primary School Places – Request to Reconsider a Case

9.1.1 The Interim Executive Director, Children, Young People and Families, submitted a report and commented upon a case where parents had requested the Council to give further consideration to an expressed preference for an alternative primary school place, based on the submission of additional information and, arising therefrom, it was:-

9.1.2 RESOLVED: That upon consideration of the case, and with due regard to the additional information now submitted, the request for an alternative primary school place be not granted on the grounds that the Committee considers that there has been a material change in the family's circumstances (Case No.BD1).

9.2 Secondary School Places – Request for Further Statutory Appeal Hearing

9.2.1 The Interim Executive Director, Children, Young People and Families, submitted a report and commented upon a case where parents had made a request for a further statutory appeal hearing on the grounds of changes in the family's circumstances and, arising therefrom, it was:-

9.2.2 RESOLVED: That the Committee is of the opinion that the additional information now submitted does not warrant a reconsideration of the case (Case No.FV1).

(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 the above request be considered as a matter of urgency in order for the request to be considered at the earliest possible opportunity and to allow for arrangements to be made for the appeal to be heard by the Education Appeal Panel, although it had not been possible to give five clear days' notice that the request was to be considered).

10. DATE OF NEXT MEETING

10.1 It was noted that the next meeting of the Committee will be held on Wednesday, 19th December, 2012 at 1.00 p.m. in Howden House.

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