Admissions Arrangements:
Guidance for Governors/Trustees
Guidance on Admissions Arrangements
Diocese of Leeds - updated July 2020

The advice and information offered below is intended for schools where the governing board/trustees are the admissions authority. It is for guidance purposes, and is not exhaustive. Whilst every care is taken to ensure the accuracy of information, admissions is a complex and rapidly changing aspect of education and therefore all information contained below should be checked before implementation. Sample admission arrangements are available on the diocesan website. It is the governors’ responsibility to ensure that the school’s admission arrangements comply with the relevant School Admissions Code.

The use of the terms ‘must’ and ‘must not’ in this document denotes a mandatory requirement in the School Admissions Code (December 2014). Use of ‘should’, ‘should not’, ‘may’ and ‘may not’ denotes guidance.

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Quick Reference Key Dates:

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<th>Summer Term</th>
<th>Review admissions arrangements for current year- see page 6</th>
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<tr>
<td>September</td>
<td>Decide if your admission arrangements need to be amended, if so make amendments and send to the diocese for checking – we advise boards to adopt the model policy or use the CofE Admissions Builder software to ensure your policy is compliant. If you are amending your policy you will need to go through a consultation process.</td>
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<tr>
<td>October 1st – January 31st</td>
<td>This is the period in which a consultation process must take place.</td>
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<tr>
<td>October 31st</td>
<td>closing date for secondary admission applications</td>
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<tr>
<td>January 15th</td>
<td>closing date for primary admission applications</td>
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<tr>
<td>February 28th</td>
<td>the deadline by which admission arrangements should be agreed and minuted at a full governing board meeting.</td>
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<tr>
<td>February 28th</td>
<td>Appeal timetable must be published on the school website</td>
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<tr>
<td>March 1st</td>
<td>Secondary pupils offered places</td>
</tr>
<tr>
<td>March 15th</td>
<td>all admission arrangements should be sent to the LA and Diocese.</td>
</tr>
<tr>
<td>April 16th</td>
<td>Primary pupils offered places</td>
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</table>

For full details and to see the workflow required by the governing board see page 4.
Context

The Church of England’s engagement with education is rooted above all in its commitment to the well-being of all human beings and to the flourishing of the communities in which we live.

People choose to send their children to our church schools precisely because of the values they hold dear. They feel, whatever their faith or belief, that they will be respected and valued. In this way, among many others, church schools can contribute fully to community cohesion and mutual understanding. In a time of increasing polarisation and of negativity towards people of different races, faiths and backgrounds, church schools can help to foster positive attitudes of respect and tolerance within their local communities.

In 2011 Bishop Nick wrote:

‘A church school – in the way the Church of England understands it – is not confessional. Church of England schools are established primarily for the communities they are located in. They are inclusive and serve equally those who are of the Christian faith, of other faiths and of no faith. Their Christian ethos is underpinned by Christian values concerned for the wellbeing of all in the community, irrespective of religious, cultural or socio-economic background. Rooted in an understanding that we “love God and love our neighbour as ourself”, they seek to offer the highest quality of education and care for all pupils – reflecting both the teaching of the Gospel and the mission of the Church of England to serve the whole community.’

Our schools, whether in rural North Yorkshire or inner-city Leeds, make a huge contribution both to individual lives and to their wider communities. They are perhaps the biggest single demonstration of the Church’s commitment to Transforming Communities across our Diocese. Most of our schools were originally established for the poor in the community. This desire to retain and promote the dignity of the disadvantaged remains at the heart of our vision.

The DBE invites all of its church schools, through their own distinctive school vision, and hence their policy and practice, to make the needs of the most vulnerable and disadvantaged a priority. For those schools, academies and MATs, who are their own admission authorities, this should also be reflected in their admission arrangements.
Governing Board Workflow – What should the board do and when?

You will notice by looking at this flowchart that it can take up to 24 months to review, consult and implement new admissions arrangements. So to implement changes for admission in September 2024/25, a governing board would be starting the process in the summer term of 2023. As admissions is an annual process it means at certain times of the year the governing board could be engaged in the appeals, implementation and proposal of more than one set of admission rounds. This can get confusing so we strongly recommend that admissions matters and key dates are embedded into the operational plans/calendar of the governing board.

Timeline- From Review to Starting School

Year 1 – A year to amend and or agree the arrangements

1. Governing Board completes annual review of admission arrangements
2. Are changes to be made?
   - No Changes
     - Send a copy of arrangements to the Diocese, stating 'no change'
   - Yes major changes
     - Send draft arrangements to the Diocese by the end of September to allow response before public consultation process.
     - Six week public consultation process starts 1st October at the earliest. Ensure this starts at the latest by December as it must be completed by 31st January.
     - Admissions Arrangements must be determined (agreed and ratified) at a full governing body meeting by 28th February.
     - A copy of the admission arrangements must be sent to the LA and Diocese and published on the school website by 15th March
   - Yes minor changes
     - Send a copy of arrangements to the Diocese, highlighting minor changes
Year 2 – A year to implement the arrangements

August 8th is the deadline for Admission Arrangements to be sent to Local Authorities to be published in their ‘composite prospectus’.

Primary of Secondary school?

Primary

- Closing date for applications 15th January
- Appeal timetables to be published on school website by 28th February
- National offer day 16th April

New Intake starts school September

Secondary

- Closing date for applications 31st October
- Appeal timetables to be published on school website by 28th February
- National offer day 1st March
Annual Review of Admissions Arrangements

We advise all governing boards/trusts to review their admission arrangements annually, in order to assess how the arrangements are working in practice. We recommend that schools analyse their intake to review the effect of their admissions arrangements. It will not always be necessary to change the arrangements, but the following questions could form a basis for discussion. Some questions will be more relevant than others depending on the school context. The following can be used for reporting to the board.

Complete the table below, adjust the oversubscription criteria to match your own.

<table>
<thead>
<tr>
<th>School Name:</th>
<th>Admission Year:</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAN:</td>
<td>Total Applications:</td>
</tr>
<tr>
<td></td>
<td>Total allocations:</td>
</tr>
</tbody>
</table>

Admission criteria | Number allocated
--- | ---
Pupils admitted due to their special educational needs who have an EHCP

Oversubscription criteria - fill in below

1.
2.
3.
4.
5.
6.

Largest home-school distance - where a tie break has been applied

Use the following questions as a stimulus for discussion amongst the admissions panel or the full board.

**The Governing Board**

1. Which members of the board are familiar with the statutory requirements of the Schools Admissions Code 2014 and Diocesan Guidance?
2. Did the admissions arrangements meet statutory requirements last year, including meeting expectations around publishing materials and were all the key deadlines met?
3. When was the last time board members received training on school admissions?

**Meeting the needs of the vulnerable**

4. Do admissions arrangements make the needs of the vulnerable and disadvantaged a priority?
5. Is this reflected in your intake?
6. To what extent are the admission arrangements shaped by the school’s distinctive Christian vision?
## Oversubscription criteria

7. **Is the school ever oversubscribed or likely to be so?** If the answer to this is no, then Diocesan advice is to remove unnecessary oversubscription criteria.

8. **Can governors give a clear rationale for their choice of oversubscription criteria?**

9. **Do you have church attendance as oversubscription criteria?** For schools/academies that answer yes to this question but never receive applications based on this priority then Diocesan advice is to remove the unnecessary oversubscription criteria.

10. **Do local children miss out on a place because of oversubscription criteria, if so, how many?**

11. **Is there provision for children from the same family to attend the same school?**

12. **Are the oversubscription criteria objective so that parents can assess the likely prospects of their success at getting a place?**

13. **Have you considered if there are any unintentional consequences of oversubscription criteria?**

## Admissions Arrangements

14. **Are your admissions arrangements published on your website and in a timely manner?**

15. **Are the admission arrangements fair, objective and clear so easily understood by parents? How do you know?**

16. **Do the arrangements include distance as a criterion and, if so, does this enable the school to serve its local community? Are the methods of measuring distance objective and clear for parents?**

17. **Do the admission arrangements enable the school to contribute to community cohesion and, if so, how?**

18. **Do the admission arrangements allow the pupil population of the school to reflect the ethnic balance of the local community, including those for whom English is not the first language?**

## Appeals

19. **Is the appeals procedure adequately explained to parents? Are details easily available on the website?**

20. **Do the persons from whom the appeals panel are constituted reflect the ethnic and social mix of your community? Have you assured yourselves that they have undergone the required training?**

## Possible Next Steps

Reviewed by:                                      Date:
Use of Church Attendance as a Criteria for Offering Places

The DBE fully supports the rights of our schools and academies to legitimately use faith-based criteria as one of their oversubscription criteria as stated in Paragraph 1.36 of the Schools Admissions Code 2014. Governing boards who make the decision to include church attendance as part of their admission arrangements should be clear on the rationale for using this criteria. If you are a school or academy with surplus places and have never had to apply oversubscription criteria, there is no benefit in having criteria which is over prescriptive or could be seen as off putting, in such cases the Diocese advises the removal of such oversubscription criteria. We advise that consideration of the use of faith-based criteria should take place in a full meeting of the board. The rationale behind a decision to include or not include faith-based criteria should be made clear in the agreed minutes of the meeting. We also advise that boards ensure that the local incumbent is involved in discussions where the incumbent is not already a governor.

Would removing our faith-based criteria have a negative impact on attendance at our local church(es)?

- It is the responsibility of church leaders to improve attendance at their church services, this is not the role of school admissions arrangements.
- Church schools stand at the centre of the Church of England’s mission. Our schools enable more direct engagement with children and their families than any other contact, including regular Sunday worship. Inclusive schools with strong, positive links with their parish offer local churches greater opportunity to link with the wider community.
- Schools can support their local church in numerous ways, please see our guidance document, Working Together: Ideas for Parish and School Links.

Can we offer an education to children of families who are committed Christians?

- Some popular church schools could be oversubscribed and could fill all their places with church members; this is particularly true of some secondary schools. The DBE recognises the challenges faced by boards to decide how to balance its wish to serve the community with its wish to nurture children from Christian homes in their faith. The decision to turn away practising Anglicans, or other Christians, from a Church of England school in order to take in other children who may have no faith, or practice another faith, is a difficult one. Church schools in this position undoubtedly face a dilemma, but there is also the question of perception which plays a part in parents selection of their preferences. There are instances where non-church families are put off applying to their local church school because it is perceived that priority for admission is given to church attendees to the exclusion of all others, even if, in practice, this is not the case. Some families assume that they will not be given a place when in fact the school is not oversubscribed with church families.
- Governing boards should aim to ensure that children of other backgrounds and/or the local community whose parents, even if they are not practising Christians, have other valid reasons for choosing the school, should have some access to school places.
- Popular church schools may want to consider having an Open/Foundation Places model to address the issue of access to places and perception.
What is a Foundation/Open Places Model?
- Boards may establish admission arrangements by offering a proportion of places to church applicants (foundation) and a proportion to those without church affiliation (open). For example the quota system could be that places could be offered on a 50% foundation/50% open basis.
- Boards may have different reasons for opting for this model, but it does emphasise to the community that the school welcomes applicants from outside the Church.
- A foundation/open place model will give an opportunity for those not connected with the Church to be educated in a church school.
- The DBE advises that priority is given to the disadvantaged and vulnerable before quotas are assigned.

How do we define Foundation and Open places?
- Governors will need to formulate admission arrangements specifically for their school, boards should seek advice in doing this from the Education Team.

How should we word our faith-based oversubscription criteria?
- Sample wording for admissions arrangements can be found in our model policy. Schools that wish to use their own wording are strongly advised to seek the advice of the Diocese.
- When setting faith based oversubscription criteria, boards should ensure that they:
  o express them in a way which is easy for parents to understand.
  o relate them solely to regular attendance at public worship in church.
  o define the terms used, such as ‘regular attendance’ and ‘church’.
  o include a SIF for parents to provide evidence that they meet the criteria and for church leaders to complete to verify the evidence.

What priority should we give to faith-based criteria?
- It is advised that church attendance should not be placed higher than the following criteria (if used):
  o Pupils who are either currently or have previously been ‘looked after’
  o Children who have an exceptional medical or social need
  o Sibling
  o A child who resides within the catchment area of the school and is eligible for the pupil premium

Can we give greater priority to those who show greatest commitment to their church, perhaps those who attend more regularly?
- Where demand for foundation places is very high, regulations allow for boards to give priority to fortnightly attendees above monthly attendees etc., providing this is made clear in the policy.
- Given the commitments of some families, as outlined below, Boards should consider that priority is given to those living nearest to the school so that the tie break for this criteria is in line with others.
- Governors should consider carefully the changing patterns of attendance at church on the part of families.
• It is important that an unconscious bias isn’t built into oversubscription criteria and governors should be aware of differing family circumstances, for example to ensure that single-parent families are not disadvantaged. Or sections of a catchment area are not disadvantaged because of accessibility to services.

• Consideration should also be given to factors such as a parent’s ability to attend Sunday worship. For instance, some families may be caring for elderly relatives which require them to be away regularly at weekends. Some parents may find it is easier to be involved with mid-week services and some may have jobs which require them to work on Sundays, e.g., hospital staff, shop assistants, police; others may have one parent working abroad for extended periods.

• There is no guarantee that a monthly attendee is any more committed than a fortnightly attendee and in that sense church attendance can be a crude measure of commitment.

Can we prioritise looked after children from committed Christian families?

• All schools must give first priority in their admission criteria to looked after children and previously looked after children. Regulations allow church schools to give priority to looked after children and previously looked after children who have a Christian commitment above those who are of another faith or none. However, the Board considers that all looked after children should be given top priority regardless of faith. Schools must define looked after children/previously looked after children, see our model policy

What is a SIF?

• A Supplementary Information Form (SIF) may be used by governors in addition to the common application form / in-year common application form in order to collect additional information which is needed to apply their oversubscription criteria.

• A SIF cannot be a mandatory requirement, but parents may be made aware of the consequences of not completing a SIF.

• It is against the School Admissions Code to request any personal details about parent’s educational background, qualifications, income or first language as part of the admission process. Schools must not ask parents to agree to support the ethos of the school in a practical way (School Admissions Code 2014, para 1.9e), nor should the SIF by implication suggest covert requirements or discrimination, e.g. request for both mother’s name and father’s name could be taken to disadvantage single parent families.

• Where a school uses a SIF, a copy of this should be appended to the Admissions Arrangements. Where a school uses a religious reference request to verify attendance at religious worship, this must also be attached with the arrangements.

What if a parent does not send in their SIF?

• Applications made on the relevant Local Authority common application form are valid applications even if not accompanied by a SIF. However, if a SIF is not completed, governors will only be able to use the information provided on the common application form.

• Governors may consider contacting parents where a SIF has not been received, they should also do so if the school has received a SIF but there is no record of a common application form, as the SIF is not a valid application on its own.
Frequently Asked Questions

Use this FAQ content section to find the answer you need:

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What is the role of the Diocesan Board of Education (DBE)?

- One function of the DBE is to offer guidance and support to its schools on admissions and appeals and assist governing boards in drawing up admission arrangements which meet local circumstances and are compliant with the School Admissions Code.
- Governing Boards have a statutory duty to consult the DBE before consulting anyone else.
- Church schools are required to have regard to DBE guidance when formulating their admission criteria in relation to church commitment.
- This guidance is intended to assist governors/trustees specifically on Church-related aspects of admissions.
- School Adjudicators refer to Diocesan guidance when determining objections about church school admission arrangements. They will also take account of the governors’ consultation with the DBE.

Who holds responsibility for admissions?
The table below sets out the admission authority for each type of school in England

<table>
<thead>
<tr>
<th>Type of School</th>
<th>Who is the admission authority?</th>
<th>Who deals with complaints about arrangements?</th>
<th>Who is responsible for arranging / providing for an appeal against refusal of a place at a school?</th>
</tr>
</thead>
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<td>Academy Trust</td>
<td>Schools Adjudicator</td>
<td>Academy Trust</td>
</tr>
<tr>
<td>Voluntary aided schools</td>
<td>Governing board</td>
<td>Schools Adjudicator</td>
<td>Governing board</td>
</tr>
<tr>
<td>Foundation Schools</td>
<td>Governing board</td>
<td>Schools Adjudicator</td>
<td>Governing board</td>
</tr>
<tr>
<td>Voluntary controlled schools</td>
<td>Local Authority</td>
<td>Schools Adjudicator</td>
<td>Local Authority</td>
</tr>
<tr>
<td>Community Schools</td>
<td>Local Authority</td>
<td>Schools Adjudicator</td>
<td>Local Authority</td>
</tr>
</tbody>
</table>

Admissions arrangements for academies must be approved by the Secretary of State as part of the academy’s funding agreement. Academies are subject to the School Admissions Code.

What are admission arrangements?

- These are the arrangements by which admission authorities (see above) admit pupils into school which must be in accordance with the Schools Admissions Code (2014). The ‘code’ refers to the term schools admissions arrangements and not their admissions policy.

What is meant by ‘determine’ or ‘determination’ of arrangements?

- ‘Determination’ is the process of the full governing body agreeing and ratifying the admissions arrangements. Arrangements must be determined by 28th February each year, whether changes have been made to the policy or not. The year that the arrangements are determined is called the determination year, this always precedes the year of admission. For example a school would have to determine their arrangements for entry in September 2022 before February 28th 2021.
What is the consultation process if we need to change our arrangements?
- The process of consultation is outlined in Appendix 2 of this guidance.

Do we have to review the admission arrangements every year, even if we don’t want to make any changes?
- We advise all boards to review their admissions arrangements on an annual basis. We have a template to assist in this.
- All admission authorities **must** determine (i.e. formally agree) admission arrangements every year, even if they have not changed from previous years and a consultation has not been required.
- For example, admission authorities **must** determine admission arrangements for entry in September 2022 by **28 February 2021** (School Admissions Code 2014, para: 1.46).
- All schools **must** consult on their admissions arrangements at least once every 7 years, even where there are no changes proposed (School Admissions Code 1.42)

Do we have to publish our admission arrangements on the website?
- A copy of the determined arrangements **must** be placed on the school website which **must** be displayed for the whole offer year (i.e. the school year in which a place is applied for and an offer made/refused), unless amended.
- In addition the timetable for appeals **must** also be displayed on the school website from **28th February** each year. The timetable may be obtained from the relevant Local Authority.
- During a consultation period, both the determined arrangements and the draft arrangements being consulted upon **must** be available on the school’s website.
- Where necessary, the admission arrangements document should include any supplementary information forms so that the procedures are fully transparent and open for parents to gauge the likelihood of their child gaining a place at the school.

Is there anyone else we need to inform?
- Admission authorities **must** send a copy of their determined admission arrangements as soon as possible before **15 March** in the determination year to the Diocese and the appropriate Local Authority.

Who offers a place?
- It is the board which offers places, however the process **must** be administered by the local authority as part of the co-ordinated admissions schemes for all applications to join the school at the normal point of entry. Therefore the governors rank all applications according to the school’s oversubscription criteria and send the ranked list to the LA. The LA will send out the letter offering / refusing a place at the school on behalf of the governing board.

Can governors delegate responsibility for admissions to the headteacher?
- No one person may determine admissions (regulation 17(3) and 20(2) of the School Governance (Procedures) Regulations 2003). **(School Admissions Code 2014, para**
2.7).

- The governing board may establish an admissions sub-committee which **must** have a quorum of a minimum of three governors.
- It is considered good practice to appoint the headteacher onto any admissions committee, but headteachers cannot act in place of the governing board in determining the school’s admissions arrangements, or in deciding on the admission of any individual child.

**Can governors decide who to admit?**

- Where there are fewer applications than places available all applicants **must** be offered a place. Governing boards who are the admissions authority for the school **must** set criteria which will be applied in the event that there are more applications than there are places available for any given year group. This oversubscription criteria **must** comply with the School Admissions Code.

**How many pupils can we admit?**

- All schools **must** have a ‘planned admission number’ (known as PAN) for each relevant age group. It may be necessary for some schools to have more than one admission number. The admission number is set by the admissions authority after consultation with the LA and other relevant admissions authorities and **must** have regard to the capacity assessment for the school. The admission number applies only to the normal year of admission.
- A school may exceed its admissions number if it would not adversely affect the school in the longer term. A school can also admit over the published number as part of the Fair Access Protocol.
- Own admission authorities are not required to consult on their PAN where they propose either to increase or to keep the same PAN but they **must** inform the LA of the school’s intention to admit above the PAN in good time and make specific reference to the change on their website. *(School Admissions Code 2014, paras 1.3 – 1.5, 1.48 and 3.6).*
- **All admissions authorities must** consult in accordance with School Admissions Code 2014 para 1.42 where they propose to decrease the PAN.

**What is meant by the term ‘co-ordinated admissions’?**

- **LAs are required to operate a co-ordinated admissions scheme.**
- **Co-ordinated admissions is where the local authorities co-ordinate the admissions process through a common application form (sometimes called a common preference form or common application form), work within the national dates set for admission forms to be returned and when places will be offered on behalf all schools and academies within that LA, ensuring a simpler standardised system for parents and ensuring that no child would receive more than one offer of a place on the same date. Local authorities also have a duty to co-ordinate with other neighbouring local authorities. The national closing date for ‘normal round’ application to secondary schools is 31st October and for primary schools is 15th January. Offers of places to secondary schools are made nationally on 1st March (or the next working day). The national date for offers of places to primary schools is 16th April.**
What is ‘in-year co-ordinated admissions’?

- From September 2013 there is no longer a requirement for local authorities to co-ordinate in-year applications but they must provide, in the composite prospectus, how in-year applications can be made and will be dealt with and produce a common in-year application form.
- Where an LA is offering to co-ordinate in-year admissions, it is for governors to decide whether to continue to allow the LA to co-ordinate their in-year applications or to do this themselves. This information must be included in the school’s admission arrangements.
- Where governors administrate in-year applications they must inform parents whether or not the application was successful and parents right of appeal where a place is refused. They must also inform the LA of both the application and its outcome.

How do governors establish their admissions arrangements?

- A sample policy for primary and secondary schools/academies is provided for guidance and reference.
- Where governors are the admissions authority, it is their responsibility to determine the arrangements and oversubscription criteria for their particular communities, within the boundaries of the School Admissions Code.
- It is advised that schools complete an annual review of their admission arrangements. A form to support governor discussions is available in Appendix 4.
- **It is the governors’ responsibility to ensure that the school’s admissions arrangements comply with the relevant School Admissions Code.**

What should the arrangements include?

- Admissions authorities **must** consult on the full details of the admission arrangements they propose to determine and **must** with the School Admissions Code 2014. A checklist can be found in Appendix 3.

What if there are more applications than places?

- In the event that there are more applications received than places available in the year group then the governors must rank all applications in the order determined by the school’s oversubscription criteria. Places will be offered until all places are filled or there are no further applicants. If an applicant refuses the offer of a place (or is offered another place due to a higher preference within an equal preferences scheme) then the child highest on the waiting list must be offered the vacant place.
What are oversubscription criteria?

- When a school receives more applications than there are places available (published admissions number, or PAN), the oversubscription criteria is used. Every school has an oversubscription criteria and it dictates the order in which places are allocated.

- Oversubscription criteria **must** be reasonable, clear, objective, procedurally fair, and comply with all relevant legislation, including equalities legislation. Admission authorities **must** ensure that their arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs.

- A fair admissions system is one that provides parents with clear information about admissions and supports those parents who find it hardest to understand the system.

- ‘Fair’ oversubscription criteria are those which are:
  a) clear, in the sense of being free from doubt and easily understood,
  b) objective and based on known facts. Governing boards must not make subjective decisions or use subjective criteria,
  c) procedurally fair for all groups of children,
  d) comply with relevant legislation, including the mandatory requirements of the School Admissions Code 2014, and which do not unfairly disadvantage a child from a particular social or racial group or a child with a disability or special educational needs and that other policies around school uniform or school trips do not discourage parents from applying for a place for their child.

- The following cover the most common oversubscription criteria but this is not an exhaustive list (See School Admissions Code 2014 paragraphs 1.7 - 1.8 and 1.10 – 1.17).
  o children in public care
  o siblings of children who are still at the school
  o pupils eligible for the pupil premium
  o social and medical need
  o membership or attendance at worship of the faith / denomination of the school
  o distance between home and school
  o random allocation
  o catchment areas

- The School Admissions Code (2014) sets out examples of unfair criteria in para 1.9.

- Schools **must not** ask parents to sign, or express a willingness to sign agreements before they have been offered a place at the school.

- Documentation to validate proof of address is acceptable where it is unclear whether a child meets the published oversubscription criteria. Proof of date of birth (short birth certificate) may only be requested after a place has been offered. (School admission Code, 2014, para 2.5)

Who should be given first priority?

- The Code states: “The highest oversubscription priority **must** be given to looked after children and all previously looked after children. Previously looked after children are children who were looked after, but ceased to be so because they were adopted (or became subject to a child arrangements order or a special guardianship order). (School Admissions Code, 2014, paragraph 1.7).

- Church schools **must** either admit all children in public care (Looked After Children) as their
first priority, or **must** admit all Church of England children in public care as their first **faith priority** and then admit all other children in public care as their top **local priority** i.e. ‘above all other children not of the faith’ (School Admissions Code 2014, 1.37)

- **The DBE invites all of its church schools, through their vision, and hence their policy and practice, to make the needs of the most vulnerable and disadvantaged a priority. For those schools, academies and MATs, who are their own admission authorities, this should also be reflected in their admission arrangements.**

- **Children who have exceptional medical and/or social needs may be given priority. This should be defined by the admission authority who must also give details about the supporting evidence required. This normally means that the exceptional medical or social circumstances can only be met at the named school as verified by an appropriate professional.**

- **Admission authorities may give priority in their oversubscription criteria to children eligible for the early years pupil premium, the pupil premium, and the service premium. The pupil premium and early years pupil premium is additional funding paid annually to schools for the purposes of supporting the attainment of disadvantaged children. The service premium is additional funding for the purposes of supporting the pastoral needs of the children of Armed Services personnel. Schools are permitted to give one or more of these “premium” pupils a higher priority or to omit this criterion altogether. It is permissible to allocate a specified number of places under this criterion, and, if the school uses faith-based criteria, to allocate a number of faith-based places to children in receipt of the premium(s). Schools with a nursery class or that have established and run a nursery may give some priority in their oversubscription criteria to children eligible for the early years pupil premium, pupil premium or the service premium who are in the nursery class or attend the named nursery established and run by the school.**

**Can we use church attendance as oversubscription criteria?**

- All church schools are required by section 86 of the School Standards and Framework Act (SSFA) 1998 to offer every child who applies, whether of their faith, another faith or no faith, a place at the school if there are places available.

- **Schools designated with a religious character can legitimately use faith-based criteria as one of their oversubscription criteria (Paragraph 1.36 Schools Admissions Code 2014).**

- **Admission authorities must ensure that parents can easily understand how faith based criteria will be reasonably satisfied. There should be clear definitions to the meanings of words.**

- **As with all oversubscription criteria, the evidence required to support an application (a supplementary information form) must be reasonable, clear, objective, and procedurally fair.**

**Schools considering the use of church attendance as oversubscription criteria are advised to contact the Diocesan Education Team.**

**What is a SIF?**

- **A Supplementary Information Form (SIF) may be used by governors in VA and foundation schools and academies in addition to the common application form / in-year common application form in order to collect additional information that is not provided on the LA common application form but which is needed to apply their oversubscription criteria.**
Can children of members of staff at the school be given priority?

- Admission authorities may give priority in their oversubscription criteria to children of staff in either or both of the following circumstances:
  a) where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made, and/or
  b) the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage. (School Admissions Code 2012, para 1.39)
- However, in this diocese, it is strongly recommended that children of staff are not given a higher priority than local children or a higher priority than siblings of pupils in school.

Can attendance in the nursery be taken into account?

- Documentation should make it clear to parents that a child’s attendance at the nursery does not guarantee a place in the main school and parents must apply for a place in the same way as all other applicants. Admission authorities may give priority in their oversubscription criteria to children eligible for the early years pupil premium, the pupil premium or the service premium who:
  a) are in a nursery class which is part of the school; or
  b) attend a nursery that is established and run by the school. The nursery must be named in the admission arrangements and its selection must be transparent and made on reasonable grounds (School Admissions Code 2014, para 1.39B)

Can we name feeder schools as part of our oversubscription criteria?

- Feeder schools can be named in the oversubscription criteria but this must be transparent and made on reasonable grounds (paragraph 1.15 – School Admission Code). However, particular care needs to be given over this as it can discriminate against other local schools and hence their catchment areas. Schools considering this should consult both the Local Authority and the Diocese. Fee paying independent schools must not be included as a feeder school.

Can we legally accept an inducement?

- Clearly, no. Equally, schools must not ask parents to agree to make a financial contribution to the school or payment in kind (e.g. services) when applying for a place. Places are allocated according to the oversubscription criteria set out in the school’s published admissions arrangements. It is against the School Admissions Code to request any personal details about parent’s educational background, qualifications, income or first language as part of the admission process.

What if someone wants to appeal against the governors’ decision?

- Parents have the right to appeal against a refusal of an offer and should do so in writing within the timescale set out in the admissions arrangements and on the letter informing them that a place has not been offered at the school. The letter refusing a place must also set out the reason for refusing admission, the deadline for lodging an appeal, which must be in writing, and to whom the appeal should be sent. The timescale for appeals must also be published on the school website (where there is one)
Do we have to run an appeal ourselves?

- It is advised that schools use the independent appeals panels convened by the local authority or an appropriate independent consultant as the diocese does not have the capacity to provide this service. Where appeals against Church schools are to be heard by the local authority, the school may request that a suitably trained and experienced panel member (i.e. with understanding of Church school distinctiveness) be included on the panel.
- Local authorities may make a charge for this service do so there should have been an appropriate sum allocated to the school budget for governing boards to meet admission appeals cost. Academies receive funding in accordance with their funding agreements. (School Admission Appeals Code 2012, para 1.14)
- Under Section 94 of the School Standards and Framework Act 1998, responsibility for making arrangements for appeals against the refusal of a school place rests with the admission authority of the school.

What happens if a vacancy arises whilst appeals are waiting to be heard?

- Where a vacancy arises, at any time and regardless of any appeals, the place should be offered to the child whose name is at the top of the relevant waiting list. As waiting lists must be maintained in order of the oversubscription criteria this ensures that the place is offered to the next highest ranked applicant.

Can we keep a waiting list and if so, for how long?

- Paragraph 2.14 of the Admissions Code 2014, states that each admission authority must maintain a clear, fair and objective waiting list until at least 31 December of each school year of admission, stating in their arrangements that each added child will require the list to be ranked again in line with the published oversubscription criteria.
- Priority must not be given to children based on the date their application was received or their name was added to the list.
- Looked after children, previously looked after children, and those allocated a place at the school in accordance with a Fair Access Protocol, must take precedence over those on a waiting list.

What is the fair access protocol?

- Fair access protocols exist to ensure that access to education is secured quickly for children who have no school place but for whom a place at a mainstream school or alternative provision is appropriate, and to ensure that all schools in an area admit their fair share of children with challenging behaviour, including children excluded from other schools. Fair access protocols are aimed at supporting children deemed to be ‘vulnerable’ as well as those with challenging behaviour. For further information please refer to School Admissions Code 2014 paragraph 3.9 – 3.15.

Can we delegate the local authority to administer our admissions?

- Within Co-ordinated Admissions and In-year Co-ordinated Admissions schemes the local authority has a duty to provide common application forms, one for primary schools and one for secondary schools; to exchange information with other local authorities and admissions authorities and to send out the offer of places on dates specified by the scheme. There is a national offer date for places at secondary schools, which is 1st March (or the next working
day, if 1st March is not a working day). From 16th April 2014 there will be a national offer date for all primary schools.

- **If the governing board were to delegate the responsibility for maintaining the waiting list to the LA, legal responsibility for it remains with the governing board.**

**Can we admit children outside their normal age group?**

- Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health. In addition, the parents of a summer born child may choose not to send that child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to reception rather than year 1. Admission authorities **must** make clear in their admission arrangements the process for requesting admission out of the normal age group.

- Admission authorities **must** make decisions on the basis of the circumstances of each case and in the best interests of the child concerned. This will include taking account of the parent’s views; information about the child’s academic, social and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if it were not for being born prematurely. They **must** also take into account the views of the head teacher of the school concerned. When informing a parent of their decision on the year group the child should be admitted to, the admission authority **must** set out clearly the reasons for their decision.

- Where an admission authority agrees to a parent’s request for their child to be admitted out of their normal age group and, as a consequence of that decision, the child will be admitted to a relevant age group (i.e. the age group to which pupils are normally admitted to the school) the local authority and admission authority **must** process the application as part of the main admissions round, unless the parental request is made too late for this to be possible, and on the basis of their determined admission arrangements only, including the application of oversubscription criteria where applicable. They **must not** give the application lower priority on the basis that the child is being admitted out of their normal age group. Parents have a statutory right to appeal against the refusal of a place at a school for which they have applied. This right does not apply if they are offered a place at the school but it is not in their preferred age group. (**School Admissions Code, 2014, para 2.17 / 17A /1.7B**)

**What should be included in our published admissions arrangements?**

- Planned Admissions Number (PAN) for any year it is intended to admit pupils, including Year 12.
- Application procedures, including in-year admissions.
- Oversubscription criteria for each relevant age group.
- Information about any tests for aptitude or ability, if allowed.
- Tie-breaker(s) that will be used in the event that oversubscription occurs within ny given criterion to decide between two or more applications that cannot otherwise be separated.
- Where the school uses a supplementary information form (SIF) to apply its oversubscription criteria, that form should be attached to the policy
- Any separate requirements and oversubscription criteria for Year 12 or nursery applications,
where applicable

- Waiting list – how long after the end of the autumn term in the admission year the waiting list will be maintained.
- The School Admissions Code requires that all waiting lists are maintained at least until 31 December of each school year of admissions.
- Information about how late applications can be made and how they will be handled
- Details of any catchment areas to be used.
- Parental right to appeal, where an application is unsuccessful
- The process for requesting admission out of the normal age group, see Appendix 4
- **NB** All admissions arrangements must be consistent with the co-ordination scheme operating in the year in question.

The following should also be included, and it must be clear that this is not part of the oversubscription criteria:

- A statement that children who have a statement of special educational need (SEN) or an education health and care (EHC) plan which names the school have a statutory entitlement to a place (section 324 Education Act 1996) and will be admitted regardless of the number of places available. This is not part of the oversubscription criteria.

If ‘Feeder schools’ are given priority

- List any named feeder schools which are given a priority within the oversubscription criteria – care should be taken about determining the named feeder schools as this could be seen to give an unfair/unintended advantage / disadvantage some groups

Additional requirements for primary/infant schools:

- When determining the arrangements for primary/infant schools the admission authority must make it clear that:
  a) the arrangements do not apply to those being admitted for nursery provision including nursery provision delivered in a co-located children’s centre;
  b) parents of children who are admitted for nursery provision must apply for a place at the school if they want their child to transfer to the reception class;
  c) attendance at the nursery or co-located children’s centre does not guarantee admission to the school;
  d) a child is entitled to a full-time place in the September following his/her fourth birthday;
  e) parents can request that the date their child is admitted to the school is deferred until later in the school year or until the child reaches compulsory school age;
  f) parents can request that their child attends part-time until the child reaches compulsory school age.

Admission of children below compulsory school age and deferred entry to school

- Admission authorities must provide for the admission of all children in the September following their fourth birthday. The authority must make it clear in their arrangements that, where they have offered a child a place at a school:
  a) that child is entitled to a full-time place in the September following their fourth birthday;
b) the child’s parents can defer the date their child is admitted to the school until later in the school year but not beyond the point at which they reach compulsory school age and not beyond the beginning of the final term of the school year for which it was made; and

c) where the parents wish, children may attend part-time until later in the school year but not beyond the point at which they reach compulsory school age.

*(School Admissions Code, 2014, para 2.16)*
Appendix 1: Consultation Process

- Admission Authorities should consult with the DBE prior to going to any public consultation.
- To allow time for the Diocese to comment draft arrangements should be sent no later than the end of September but preferably before.
- The statutory consultation process must last for a period of six weeks in a period between 1st October and 31st January.
- The formal consultation must include:
  - parents of children between the ages of two and eighteen in the relevant area*
  - other persons in the relevant area* who, in the opinion of the Board have an interest in the proposed admissions;
  - all other admission authorities within the relevant area* (primary schools need not consult secondary schools);
  - the LA;
  - any adjoining neighbouring local authorities;
  - the Diocese.
- Many LAs offer a service of publishing proposed admission arrangements for voluntary aided schools, academies and foundation schools on their website and undertake the consultation on behalf of the Board. Where the LA offers this service, schools are likely to use it, but the Board still holds responsibility for the consultation.
- The Board must publish a copy of their full proposed admission arrangements (including the proposed published admission number and any supplementary information forms used by the school) on the school’s website, together with the details of the person at the school to whom comments may be sent.
- Schools should ensure that a full record of the evidence that consultation has taken place, including the timeline, are kept along with responses.
- Failure to consult effectively may be grounds for subsequent complaints and appeals.
- Following consultation, governors must amend, if necessary, agree and ratify their admission arrangements in a full meeting of the Board by 28th February.
- A copy of the new arrangements should be sent to the Diocese and LA by 15th March.

*the ‘relevant area’ is defined by each local authority so advice should be sought as to how they define this. In most cases this the whole local authority.
If your question has not been answered by these FAQs, please contact the named adviser for your school or email info.ed@leeds.anglican.org

**Useful resources:**

Sample Admissions Arrangements and Guidance for Schools on the Use of Faith Based Criteria are available on the diocesan website.

School admissions Code 2014:  

School Admissions Appeals Code 2014:  

Fair Access Protocols:  

Office of the Schools Adjudicator  