

**Agenda for School Admissions Forum meeting  
Wednesday 15<sup>th</sup> June 2011, 4.30pm  
Conference Rooms 6&7, Building 3, Saltisford Office Park,  
Ansell Way, Warwick**

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**1. General**

**(1) Apologies for absence**

**(2) Members Declarations of Personal and Prejudicial Interests**

Note: Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a prejudicial interest the Member must withdraw from the room unless one of the exceptions applies.

**(3) Minutes of the meeting of the School Admissions Forum held on 21<sup>st</sup> March 2011**

**(4) Matters arising**

- Cabinet decision on 2012/13 admission arrangements
- Consultation to amalgamate priority areas for junior and infant schools in the Cawston and Bilton area

**2. Secondary offers for 2011 – *for update***

Information regarding appeals, waiting lists and vacancies

**3. Primary Expansion Programme – *for discussion***

- Outcome of previous consultation
- Consultation on changes to Planned Admissions numbers

**4. Results of the 11+ Selective Education Survey – *for update***

**5. Schools moving to Academy status – *for update***

Information to include a spreadsheet of approved Academies and those which intend to buy-back the Council's admissions service, plus clarification of the admissions rules for Academies.

**6. Primary offers for 2011 – *for discussion***

**7. Impact of school transport charges on admissions – *for discussion***

**8. Admissions booklets 2012 (Primary and Secondary)  
– *for discussion***

Members to discuss the 2012 Admissions booklets

*\*Report to follow\**

**9. Annual Report of the Ombudsman**

*\*item deferred, as the report is not yet available\**

**10. Consultation on the Changes to the Admissions Framework**

**11. Draft School Admissions Code**

**12. Draft School Admissions Appeal Code**

**13. Timetable of work – *for decision***

Members to approve the Forum's future timetable of work, based on recent years' history of when items arise.

*\*Report to follow\**

**14. Dates and provisional items for future meetings –  
*for decision***

- Wednesday 22 September 2011
- Wednesday 18 January 2012
- Tuesday 13 February 2012

**15. Any other items**

Which the Chair decides are urgent

## **SCHOOL ADMISSIONS FORUM MEMBERSHIP**

### **Warwickshire County Council elected members (3)**

Councillor Peter Balaam  
Councillor Carolyn Robbins  
Councillor Heather Timms

### **Church of England Diocesan Boards (2)**

Chris Mulley – Church of England Diocese of Coventry  
Peter French – Church of England Diocese of Birmingham

### **Roman Catholic Diocese (1)**

Kate Edwards – Catholic Diocesan Schools Commission

### **School Groups (6 - being 3 from community/VC schools; 2 from VA schools; 1 from foundation schools)**

Jonathan Baker – Headteacher, Shipston High School: A Specialist Technology College  
Andrew Clay – Headteacher, Ash Green School  
Alison Foster – Headteacher, Telford Infants School  
Robert Morrissey – Headteacher, Long Lawford Primary School

### **Parent Governor representatives (2)**

Alison Livesey – Newbold Riverside Primary School, Rugby  
Vacancy

### **Local Community (1)**

(nominated by the Early Years and Child Care Development Partnership)

### **Co-opted members (up to 4)**

Chris Smart – Warwickshire Governors' Association

**Minutes of a meeting of the School Admissions Forum held on 21<sup>st</sup> March 2011 at Building 3, Saltisford Office Park, Warwick**

**Present:**

Members of the Forum:

Warwickshire County Councillor Elected members	Peter Balaam Heather Timms
Church of England Diocese	Chris Mulley
Roman Catholic Diocese	Kate Edwards Thérèse Gordon
Schools Group Community	Jonathan Baker
Warwickshire Governor's Association	Chris Smart
Parent Governor Representative	Allison Livesey Alison Foster
Mark Gore	Education Officer – Learning & Achievement
Nick Williams	Education Officer-School Organisation
Collette Naven-Jones	Secondary Team Leader, Admissions
Jackie Stefani	Minutes

**1. General**

(1) Election of Chair

Cllr Balaam nominated Jonathan Baker to the Chair.

Jonathan agreed to take the Chair for this meeting and the next two meetings, by which time it is anticipated a permanent Chair will be elected. Jonathan welcomed everyone to the meeting, including new attendees Allison Foster, Allison Livesey and Jackie Stefani (Minutes).

(2) Apologies for Absence

Apologies had been received from Andrew Clay, Fay Ford, Peter French and Robert Morrissey

(3) Members' Declarations of Personal and Prejudicial Interests

Chris Mulley as a parent and as a Governor of Wolston St Margaret's C of E Primary School and as the parent of a year 8 pupil at Rugby High School.

Chris Smart – Southam College

Allison Livesey – Avon Valley School and Governor of Newbold Riverside School.

- (4) Minutes of the meeting held on 27<sup>th</sup> January 2011 and matters arising.

The minutes were agreed as an accurate record and duly signed by the Chair.

### **Matters Arising**

Following this meeting, it was confirmed by Paul Williams, Scrutiny Officer, that a letter had been sent to Tony Wilmot on 7<sup>th</sup> February 2011, thanking him for his service to the Forum.

The suggestion at the last meeting that a task and finish group be set up to look into the question of FSM pupils and selective schools has not been progressed. Chris Smart questioned whether this Forum can ask for this to be arranged. Mark Gore suggested that Cllr Heather Timms could make a request to have this raised in early April at the next CYP&F O&S Committee.

Work Programme – the last Minutes recorded that a work programme be developed for the Forum. This had still not been done owing to the absence of Joanne Carter on sick leave.

A discussion ensued concerning the level of secondary education in the east of the County compared to the south. The Forum agreed there were differences, mainly due to historical factors.

## **2. Update regarding Secondary Offers 2011 Entry**

Collette Naven-Jones informed the meeting that letters have been sent to parents offering secondary school places, which should be accepted within two weeks, she confirmed that there are some vacancies. Collette confirmed that she has contacted Gloucester County Council, regarding the possibility of places at Chipping Camden. There are some schools with large numbers of vacancies, Bilton in the east, in the central area 49 at Champion School, 34 at Aylesford School. North Leamington currently has 18 children on its waiting list and they will be able to offer 9 children places following withdrawals. In the south Shipston has 2 places, Kington has had some refusals. There are some vacancies at Grammar Schools, King Edward VI has five places to offer as does Stratford Girls Grammar. It was stated that a large number of children who have refused places have gone to the Independent sector.

Jonathan Baker thanked Collette for her report.

**3. Discussion regarding the responses to the 2012-13 admission arrangements.**

Nick Williams stated that currently the two Grammar Schools in Stratford do not offer more than 22 places on the waiting list, this is historical following the decision of the Schools Adjudicator in 2004. Mark Gore explained the process that takes place as to how places can be secured.

Discussion took place concerning children's eligibility for grammar schools. It was suggested that a recommendation should go to **Cabinet "To retain the Status Quo or recommend that we change it"**.

4 – For the Recommendation

1 – Against

1 – Abstention

The recommendation can go to the next Cabinet Meeting on 14<sup>th</sup> April 2011.

St Lawrence Church of England Voluntary Aided Primary School. The school are concerned that children in Napton do not have automatic access to grammar school places in Rugby and requested that consideration be given to the village being added to the priority area. While Members were sympathetic to the school's concerns they did not support the request.

**4. Consultation in relation to increases in PAN for the 2012 intake year group at the following schools :**

**St Paul's CE Primary School – Leamington**

**Long Lawford Primary School**

**St Michael's CE Primary School**

**Newdigate Primary School**

**Camphill Primary School**

**The Willows CE Primary School**

Nick Williams confirmed there are small increases in admission numbers to the above schools. Several Members of the Forum stated that they had not received papers relating to the Consultation and were unaware of the details involved. Mark Gore apologised if Members of the Forum had not seen the consultation document.

**5. Consultation to amalgamate the priority areas of the following schools:**

**Bawnmore Infant School**  
**Bilton Infant School**  
**Bilton CE Junior School**  
**Henry Hinde Infant School**  
**Henry Hind Junior School**  
**Cawston Grange Primary School**

Nick Williams explained that there are a lot of children who live on Cawston Estate who cannot get into Cawston Primary School, and we have always accommodated these children in other schools in the Bilton area. It is proposed that schools in Bilton share a 'super' priority area. Anyone living in Cawston and Bilton can get a place at one of these schools. This will protect families in Cawston and will mean children can get a place at a local school. The procedure would follow public consultation.

The Consultation was duly noted.

Recommendation to Cabinet ***“Propose that the Admission Forum supports the Proposal for the implementation of the super priority Areas for Cawston School. Unanimously agreed.***

Cllr Balaam asked if Cawston School was likely to be enlarged, Cllr Heather Timms said this was a decision for the future.

#### **6. Results of the 11+ Selective Survey.**

Colette Naven-Jones gave a brief outline to the Forum saying that Joanne Carter has written to 5,300 parents asking various questions who live in either the South or East Priority Areas, 973 replied saying they preferred children to attend local school.

Chris Smart asked if there were plans to publish the results of the 11+ Survey –

It was agreed to give a full report to the next.

Jonathan Baker thanked Collette for her report.

#### **7. Verbal update on schools moving to Academy status.**

Nick Williams gave the Forum a verbal update on schools moving to Academy Status.

#### **8. The Admissions Forum Timetable of Work.**

This item has been deferred owing to Joanne Carter's illness.

## 9. Dates and Provisional Items for Future Meetings

Wednesday 15 June 2011  
Wednesday 22 September 2011  
Wednesday 18 January 2012  
Monday 13 February 2012

For next meeting

- Admissions Forum Timetable of Work
- Results of 11+ Selective Survey
- Admissions Proposed for Primary Schools
- What Position is in Terms of Code Feedback from Cabinet on the Items Put Forward

## 10. Any Other Items

Chris Smart mentioned that it may not be a statutory requirement for every Local Authority to have an Admissions Forum. The Forum discussed this issue, and concluded that it depends on the issue of the new Admissions Code and other matters such as how many schools change to Academy Status. Chris stated that the Forum was set up to protect parents and expressed his concern at the lack of importance the Authority appeared to have given the Forum to date.

Mark Gore confirmed that a Work Plan will be drawn up.

Allison Foster felt that she hadn't been properly prepared for the meeting, having not received papers in advance.

Cllr Peter Balaam asked who will draw up the Work Programme, and that problems may arise with Academies admissions.

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Chair

The Admissions Forum rose at 6.00 p.m.



### Breakdown of 2011 Secondary Non-Selective Places in Warwickshire

Non-Selective Schools	PAN	Original offers	Appeals Held	Appeals Allowed	Places at 9 June	Waiting List	Vacancies
<b>NORTH</b>							
The Coleshill School - A Maths and Computing College	180	97	0	0	96	0	84
Kingsbury School A Specialist Science and Mathematics College	126	126	0	0	126	3	0
The Polesworth School - A Specialist Language College	224	224	9	6	230	12	0
Queen Elizabeth School and Sports College	163	101	0	0	106	0	58
<b>NUNEATON &amp; BEDWORTH</b>							
Ash Green School and Arts College	170	170	0	0	170	4	0
Etone Technology Language Vocational College	150	150	15	3	153	67	0
The George Eliot School	190	123	0	0	122	0	68
Hartshill School	210	210	5	5	215	10	0
Higham Lane School A Business and Enterprise College	238	238	9	1	239	29	0
The Nuneaton Academy	210	206	0	0	200	0	10
Nicholas Chamberlaine Technology College	300	227	0	0	218	0	82
St. Thomas More Catholic School and Technology College	156	156	NA	NA	156	66	0
<b>EAST</b>							
Ashlawn School (Non-Selective)	226	226	34	AO	226	118	0
The Avon Valley School and Performing Arts College	220	220	11	3	224	39	0
Bilton School a Maths and Computing College	285	200	0	0	179	0	106
Harris School	182	182	NA	NA	182	28	0
<b>CENTRAL</b>							
Aylesford School A Specialist Language and Music College	206	180	0	0	142	0	65
Campion School	155	111	0	0	106	0	50
Kenilworth School and Sports College	270	270	3	0	270	27	0
Myton School. A Specialist Science College and Training School	266	266	2	1	266	40	0
North Leamington School	240	240	0	0	237	0	3
Southam College	210	210	48	33	240	36	0
The Trinity Catholic Technology College. A Specialist Arts and Technology College	210	153	0	0	135	0	0

**Breakdown of 2011 Secondary Non-Selective Places in Warwickshire**

<b>SOUTH</b>							
Alcester High School Technology College	174	172	0	0	151	0	23
Henley-in-Arden High School	123	123	5	1	124	13	0
Kineton High School A Specialist Sports College	185	214	0	0	159	0	26
Shipston High School A Specialist Technology College	77	90	11	6	93	27	0
St. Benedict's Catholic High School	106	106	NA	NA	106	36	0
Stratford-Upon-Avon High School A Maths and Computing Specialist School	265	265	8	1	265	30	0
Studley High School. Humanities and Music College	150	139	0	0	137	0	13

Grammar Schools Update

Lawrence Sheriff Offers at 94, appeals heard 50 successful appeals 22 Currents offers stand at 116  
 King Edwards Offers at 75, appeals heard 35 successful 8 current offers stand at 83

Awaiting outcome of remaining School

## Admissions Forum – 15<sup>th</sup> June 2011

### Primary Expansion Programme

#### 1. The Impact of the Birth Rate on School Admissions

- a) Nationally an increase in the birth rate has been impacting on the provision of primary school places with a large number of Local Authorities having to increase capacity. The national picture is mirrored in many parts of Warwickshire and it has been necessary for us to react quickly to ensure sufficient places for pupils entering primary school.
- b) In matters of unusually high intake years a number of schools have been able to support the LA by offering to take additional numbers. Cawston Grange Primary School is to take an additional form of entry at reception in September 2011. This increase is for one year only and the PAN will revert to 30 for September 2012/13 admissions. St John's Primary School in Kenilworth have agreed to take additional numbers in reception this coming September and will form two classes.

#### 2. Other Factors Affecting School Capacity.

- a) In addition to the birth rate there is also a need for us to take account of the impact of planned development across the county and regular liaison takes place with the planners at each of the District and Borough Councils. Information is collected and fed through to the pupil forecasting model with historic pupil yield data from previous developments informing the outcome.
- b) A further consideration for 2012 admissions and beyond is the impact on the PAN of schools hosting speech and language units. With the current class size limit of 30 at Key Stage 1, schools have been asked to sign a Service Level Agreement ensuring the availability of places. Unfortunately the timing of the introduction of the revised SLAs meant that it wasn't possible to include the proposed reductions in the annual admissions consultation exercise and steps will now be taken to approach the Schools Adjudicator for an in year variation. The introduction of the SLAs will see a need to reduce the PAN at the following schools
  - Bishopton Primary from 30 to 28
  - Stockingford Infants from 120 to 117
  - Weddington Primary from 60 to 58
  - Clapham Terrace from 30 to 28

#### 3. Consultation

- a) In some cases it has been possible to increase the PAN by utilising existing spare capacity within schools without a need for significant building work. These increases were included as part of the WCC consultation on admission arrangements for 2012/13. Schools affected are
  - Exhall Cedars Infant School                      increase from 54 to 60
  - Glendale Infant School                              increase from 75 to 90

- Hurley Primary School increase from 20 to 25
- Lapworth C E Primary School increase from 20 to 23
- Shipston on Stour Primary School increase from 54 to 60
- Wembrook Primary School increase from 80 to 90
- Whitnash Primary School increase from 40 to 45

b) In a number of instances, there will be the need for building work to enable an increase in the PAN. In those cases we will be looking to start formal consultation early in June with statutory consultation in the autumn. The Admissions Forum will be a consultee during the formal consultation phase and documentation is attached to this report as appropriate. Schools affected are

- Camp Hill Primary School increase from 45 to 60
- St Michael's C E Primary School increase from 30 to 45 at KS1  
increase from 45 to 60 at KS2
- The Willows C E Primary School increase from 45 to 60
- Oakfield Primary School increase from 30 to 45

c) There are a number of other schools where it will be necessary to re-visit the PAN in the autumn once revised pupil forecast data is available. This is likely to involve schools in Warwick, Leamington and Bedworth.

#### 4. Recommendations

That the Schools Admission Forum

- (1) Notes the content of the report and the actions already taken to increase capacity within primary schools across Warwickshire.
- (2) Contributes to the current consultations regarding proposals to increase PANs
- (3) Supports the intention to approach the Schools Adjudicator for an in-year variation to reduce the PAN as appropriate at schools hosting Speech and Language Units with effect from September 2012 admissions

Janet Neale  
Project Officer, Learning and Achievement

## Consultation Paper

### Proposal to Increase the Admission Number of Camp Hill Primary School with effect from September 2012 Admissions.

#### 1. The Proposal

The proposal is to increase the admission number of Camp Hill Primary School from 45 to 60 pupils per year with effect from September 2012 admissions. It is proposed that additional accommodation is provided from September 2012.

#### 2. Background

Camp Hill Primary School is a Community primary school serving the Camp Hill area of Nuneaton. The school currently has 281 pupils on roll, an admission limit of 45 pupils per year, and a capacity of 315 pupils. In addition there are 39 children in the nursery class.

#### 3. Why Are The Changes Necessary?

Warwickshire is experiencing, and is forecast to continue to see, a significant growth in pupil numbers which is feeding into primary schools. The fall and rise in the birth rate in Warwickshire follows the national trend very closely with births falling each year between 1991 and 2001 before entering a rising trend from 2002 until 2009.

Pupil numbers in the area are forecast to continue to rise. If we do nothing, it is likely that there will be insufficient places in reception from September 2012. This would result in children from within the priority area having to travel to a school outside the area to secure a place.

Table 1. Actual and Forecast numbers on roll

Year	Actual Numbers				Forecast Numbers		
	Jan 2008	Jan 2009	Jan 2010	Jan 2011	Sep 2011	Sep 2012	Sep 2013
Camp Hill Primary School							
0	35	37	48	44	49	57	55
1	36	34	40	46	49	53	59
2	46	35	36	42	52	53	55
3	29	42	33	42	44	56	55
4	34	26	44	34	40	48	58
5	31	28	28	44	37	44	50
6	44	31	29	29	48	41	46
<b>Overall Numbers on Roll</b>	<b>255</b>	<b>233</b>	<b>258</b>	<b>281</b>	<b>319</b>	<b>352</b>	<b>378</b>

The pupil forecasts shown in the table above take account of the redevelopment of the area and new housing being built. The downturn in the housing market does mean that building has slowed over recent years and so it might take a little longer for the larger figures to materialise. However, we envisage numbers will increase at reception due to the rise in the birth-rate already witnessed in the area.

#### **4. What Is The Impact Of The Change?**

##### **a) Building**

The design of the new accommodation would be undertaken in consultation with representatives of the school to provide accommodation for an intake of 60 pupils per year from September 2012.

##### **b) Funding**

The total cost of the project is yet to be finalised but it is intended that this will be funded from the capital programme.

#### **5. When Would The Changes Take Effect?**

If approved, a Published Admission Number (PAN) of 60 pupils will apply to admissions to Camp Hill Primary School from September 2012 onwards.

An increase of the PAN from 45 to 60 would see the overall capacity of the school increase by 15 places in each year group to give an overall capacity of 420. Usually we would only look to expand a school by one year group at a time. However, as the impact of the continuing regeneration of the area will see numbers forecast to increase across the year groups, discussions will take place with the school to determine how best to approach the increase in capacity.

#### **6. What Happens Next?**

This consultation paper is being sent to all parents, to prospective parents, staff, the governing body and the Student Council of Camp Hill Primary School. Copies will also be sent to other schools in the area, Nuneaton and Bedworth Borough Council, local Parish Councils, Diocesan Education Authorities, admission authorities and the Local Member of Parliament.

The key milestones, subject to responses at each stage are as follows:

Consultation on proposals	-	6 June – 15 July 2011
Consideration by Cabinet	-	8 September 2011
Statutory Consultation	-	22 Sept = 3 Nov 2011
To Schools Adjudicator for decision	-	7 November 2011

We want to know your views. The deadline for responses is Friday 15 July 2011.

Please send you comments on the proposal by email to [consultations@warwickshire.gov.uk](mailto:consultations@warwickshire.gov.uk) or in writing to:

Access and Organisation  
Learning and Achievement  
Children, Young People and Families  
Saltisford Office Park  
Ansell Way  
Warwick  
CV34 4UL

## Consultation Paper

### Proposal to Increase the Admission Number of St Michael's C of E Primary School with effect from September 2012 Admissions.

#### 1. The Proposal

The proposal is to increase the admission number of St Michael's C of E Primary School from 30 to 45 pupils per year for Key Stage 1 and from 34 to 50 pupils at Key Stage 2. If agreed it is proposed that the changes would be introduced for Reception only in September 2012 and would feed through the school year on year. The increase at Key Stage 2 coming into effect from September 2015. It is proposed that additional accommodation is provided from September 2012.

#### 2. Background

St Michael's C of E (Voluntary Aided) Primary School is one of several primary schools serving the central area of Bedworth. In September 2010 the school took over the management and governance of the nursery school and children's centre on the campus and was able to create a foundation stage class in the children's centre building. The school is also one of only two primary schools in Warwickshire that admits pupils at the reception stage and at the start of Key Stage 2 (Year 3). This is because pupils from the nearby All Saints' C of E (Controlled) Infant School transfer to St. Michael's and other local schools at the end of Key Stage 1. At Infant Age the priority area for the school is to the east of and including Nuneaton Road, Leicester Road, All Saint's Square and the area north of and including King Street and Bulkington Road. At junior age the priority area is the same of that at Infant age plus an area between Coventry Road, High Street, King Street, Bulkington Road (all roads inclusive), the Coventry Canal to Coalpits Fields Road and along the disused mineral railway to the Black Bank Public House.

The school currently has a reception admission number of 30 pupils at the reception year and a further 4 pupils at Key Stage 2 (giving a maximum of 34 pupils at Key Stage 2). The Primary School currently has 207 pupils on roll. In addition there is a 78 place (39 places in the morning and 39 in the afternoon) in the nursery class.

*Table 1  
Number of pupils on roll at St Michael's C of E Primary School – September 2010*

	School year							Total	Capacity
	Rec	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6		
Pupils on roll	29	20	31	29	26	40	32	207	226

Source : School

*Table 2  
Total number of pupils on roll at St Michael's Primary School 2005 - 2009*

Year	Sep 2005	Sep 2006	Sep 2007	Sep 2008	Sep 2009	Sep 10
Pupils on roll	226	209	199	213	204	207

### 3. Why Are The Changes Necessary?

Warwickshire is experiencing, and is forecast to continue to see, a significant growth in pupil numbers which is feeding into primary schools. The fall and rise in the birth rate in Warwickshire follows the national trend very closely with births falling each year between 1991 and 2001 before entering a rising trend from 2002.

The north of Bedworth is served by seven primary schools, including St. Francis Catholic Primary School four Church of England Schools and two Community schools.

The number of primary aged pupils attending schools in the town has grown in recent years as a result of a rise in the birth rate. Between 2006 and 2010 the reception age cohort saw an increase of 35 pupils from 203 to 238. It is forecast to increase further in 2012 when there would be a need for more reception places. The proposed increase in the admission number of St Michael's would give a better match between the number of pupils in the Nursery and the number the school can take into its reception year group.

Prior to 2008, St Michael's Primary school did have an Admission number of 45 at Key stage 1 and 60 at Key stage 2.

Table 3 below sets out the number of pupils on roll in each primary school in Bedworth in September 2010:

*Table 3  
Number of primary school pupils on roll and school capacities - September 2010*

School	Capacity	Number on roll Sep.2009	Rec	Y1	Y2	Y3	Y4	Y5	Y6	* PAN at Rec	PAN at Year 3
St Michael's CE Primary	226	207	29	20	31	29	26	40	32	30*	34
All Saints CE Infant	90	80	30	21	29					30	
Cannon Evans CE Infant	240	252	85	87	80					80	
Cannon Maggs CE Junior	340	345				91	84	85	85		85
Race Leys Infant	210	200	64	68	68					70	
Race Leys Junior	256	223				46	51	63	63		64
St Francis Catholic Primary	210	211	30	30	30	30	30	30	31	30	30
<b>Total</b>	<b>1572</b>	<b>1518</b>	<b>238</b>	<b>226</b>	<b>238</b>	<b>196</b>	<b>191</b>	<b>218</b>	<b>211</b>	<b>240</b>	<b>209</b>

\* St Michael's CE Primary has an Admission Number of 34 at Key stage 2

- PAN = the official Published Admission Number
- (source: September 2010 School Census)



*Table 4*

*Forecast numbers of reception aged pupils up to 2013, including expected rise in pupil numbers and building in the recommended margin of 5% contingency to allow for variations in the forecast.*

	Actual	Actual	Actual	2011	2012	2013
	2008	2009	2010			
Demographic	238	229	238	231	245	223
5% Surplus required	n/a	n/a	n/a	12	12	12
Total Demand	238	229	238	243	257	235
Capacity	240	240	240	240	240	240
Surplus	2	11	2	-3	-17	5

\* St Michael's CE Primary has an Admission Number of 34 at Key stage 2

#### **4. What Is The Impact Of The Change?**

##### **a) Building**

The school is currently using space which would be brought back into classroom use. It would be necessary to enlarge the Foundation Stage area in the nursery/ children's centre building. The Foundation area currently accommodates up to 39 nursery children in the morning and afternoons and 30 reception year children. It is proposed that the new area would accommodate the 39 nursery pupils and 45 reception class pupils. The design of the new accommodation would be undertaken in consultation with the Nicholas Chamberlain Trust, who owns the building and representatives of the school with intention of having the extension in place by September 2012.

##### **b) Funding**

It is intended that the total cost of the project will be funded from the County Council's capital programme.

#### **5. When Would The Changes Take Effect?**

If approved, a Published Admission Number (PAN) of 45 pupils will apply to admissions to St Michael's C of E Primary School from September 2012 onwards and the Key stage 2 Admission Number from September 2015 when the higher Key stage 1 admission numbers feed through.

#### **6. What Happens Next?**

This consultation paper is being sent to all parents, to prospective parents, staff, the governing body the Student Council of St Michael's C of E Primary School and the Nicholas Chamberlain Trust. Copies will also be sent to other schools in the area, Nuneaton and Bedworth Borough Council, local Parish Councils, Diocesan Education Authorities, admission authorities and the Local Member of Parliament.

At the end of the consultation period it is intended that all of the comments will be made available to members of the Nuneaton and Bedworth Area Committee for consideration. Comments will then be considered by the Governing Body of St

Michael's C E Primary School and the Warwickshire Cabinet. If the proposal is approved a statutory notice would have to be published giving a further chance for consultation before the matter is finally decided by the Schools Adjudicator.

The key milestones, subject to responses at each stage are as follows:

Consultation on proposals	-	6 June – 15 July 2011
Governing body of St Michael's CE Primary	-	July
Consideration by the Warwickshire Cabinet	-	8 September 2011
Statutory Consultation	-	22 Sept – 3 Nov 2011
Final Report to Schools Adjudicator	-	7 November 2011

## **7. We Want to Know Your Views**

Please send your comments on the proposal by email to [consultations@warwickshire.gov.uk](mailto:consultations@warwickshire.gov.uk) or in writing to:

Access and Organisation (reference JN)  
Learning and Achievement  
Children, Young People and Families  
Saltisford Office Park  
Ansell Way  
Warwick  
CV34 4UL

by 15 July 2011

## Consultation Paper

### Proposal to Increase the Admission Number of The Willows C E Primary School with effect from September 2012 Admissions.

#### 1. The Proposal

The proposal is to increase the admission number of The Willows C E Primary School from 45 to 60 pupils per year with effect from September 2012 admissions. It is proposed that additional accommodation is provided from September 2012.

#### 2. Background

The Willows C E Primary School is a Church of England controlled primary school serving the western area of Stratford-upon-Avon from the town centre along the Alcester Road and north of Evesham Road around Bordon Hill, but excluding Shottery and the area served by Bishopton Primary School. The northern boundary is formed by the canal and the eastern boundary by the railway line from where it crosses the canal, and includes Station Road and Grove Road and Evesham Road to the junction with Brookvale Road. Brookvale Road is included.

The school currently has 317 pupils on roll, an admission limit of 45 pupils per year, and a capacity of 315 pupils.

#### 3. Why Are The Changes Necessary?

Warwickshire is experiencing, and is forecast to continue to see, a significant growth in pupil numbers which is feeding into primary schools. The fall and rise in the birth rate in Warwickshire follows the national trend very closely with births falling each year between 1991 and 2001 before entering a rising trend from 2002 until 2009.

Pupil numbers in the area are forecast to continue to rise. Although we have taken steps to increase the capacity at a number of schools in the area, it is likely that if we do nothing, there will be insufficient places in reception from September 2012. This would result in children having to travel to a school outside the area to secure a place.

The table below shows actual and forecast pupil numbers for Stratford Town

	R	Y1	Y2	Y3	Y4	Y5	Y6	Total
2005/06	226	247	246	247	256	239	264	1725
2006/07	224	233	248	251	254	263	235	1708
2007/08	255	236	237	247	259	259	269	1762
2008/09	264	264	242	237	251	258	261	1777
2009/10	270	270	265	244	246	254	265	1814
2010/11	255	262	271	269	253	248	254	1812
2011/12	307	251	262	271	269	253	248	1861
2012/13	316	313	257	268	277	275	259	1995
2013/14	302	325	322	266	277	286	284	2062

The total number of reception places in the area available in September 2011 will be 295. If we increase the PAN at The Willows for September 2012 the total PAN at reception in Stratford Town will be 310.

#### **4. What Is The Impact Of The Change?**

##### **a) Building**

The design of the new accommodation would be undertaken in consultation with representatives of the school to provide accommodation for an intake of 60 pupils per year from September 2012.

##### **b) Funding**

The total cost of the project is yet to be finalised but it is intended that this will be funded from the capital programme.

#### **5. When Would The Changes Take Effect?**

If approved, a Published Admission Number (PAN) of 60 pupils will apply to admissions to The Willows C E Primary School from September 2012 onwards.

An increase of the PAN from 45 to 60 would see the overall capacity of the school increase by 15 places in each year group to give an overall capacity of 420. Usually we would only look to expand a school by one year group at a time.

#### **6. What Happens Next?**

This consultation paper is being sent to all parents, to prospective parents, staff, the governing body and the Student Council of The Willows C E Primary School. Copies will also be sent to other schools in the area, Stratford District Council, local Parish Councils, Diocesan Education Authorities, admission authorities and the Local Member of Parliament.

The key milestones, subject to responses at each stage are as follows:

Consultation on proposals	-	6 June – 15 July 2011
Consideration by Cabinet	-	8 September 2011
Statutory Consultation	-	22 Sept – 3 Nov 2011
Final Report to School Adjudicator	-	7 November 2011

We want to know your views. The deadline for responses is 15 July 2011.

Please send you comments via email to [consultations@warwickshire.gov.uk](mailto:consultations@warwickshire.gov.uk) or in writing to:

Access and Organisation (Ref JN)  
Learning and Achievement  
Children, Young People and Families  
Saltisford Office Park  
Ansell Way  
Warwick  
CV34 4UL

## Consultation Paper

### Proposal to Increase the Admission Number of Oakfield Primary School with effect from September 2012 Admissions.

#### 1. The Proposal

The proposal is to increase the published admission number of Oakfield Primary School from 30 to 45 pupils per year with effect from September 2012 admissions. It is proposed that additional accommodation is provided to support this increase.

#### 2. Background

Oakfield Primary School is a Community primary school in Rugby. It serves the area bounded by Dunchurch Road from its junction with Overslade Lane, Warwick Street and Bilton Road (Bilton Road, between junctions with Webb Ellis Road and Lawford Road shared with St. Matthew's Bloxam C. of E. Primary). The school also shares the Eastern side of Lytham Road, Overslade Lane, Harris Drive, Buchanan Road and Bilton Road (odd numbers) to its junction with Lytham Road with Bilton C E Junior School. The school currently has 181 pupils on roll, an admission limit of 30 pupils per year, and a capacity of 210 pupils. In addition there are 32 children in the nursery class.

#### 3. Why Are The Changes Necessary?

Warwickshire is experiencing, and is forecast to continue to see, a significant growth in pupil numbers which is feeding into primary schools. The fall and rise in the birth rate in Warwickshire follows the national trend very closely with births falling each year between 1991 and 2001 before entering a rising trend from 2002 until 2009.

Pupil numbers in the area are forecast to continue to rise. If we do nothing, it is likely that there will be insufficient places in reception from September 2012. This would result in children from within the priority area having to travel to a school outside the area to secure a place.

Table 1. Actual and Forecast numbers on roll

Year	Actual Numbers				Forecast Numbers			
	Jan 2008	Jan 2009	Jan 2010	Jan 2011	Sep 2011	Sep 2012	Sep 2013	
Oakfield Primary School								
0	20	20	26	33	30	30	30	
1	21	24	22	26	33	30	30	
2	21	17	27	28	27	33	30	
3	17	17	22	28	26	27	33	
4	27	18	15	21	27	26	27	
5	30	27	19	20	20	27	26	
6	26	23	25	25	19	20	27	
<b>Overall Numbers on Roll</b>	<b>162</b>	<b>146</b>	<b>156</b>	<b>181</b>	<b>182</b>	<b>193</b>	<b>203</b>	

The pupil forecasts shown in the table above take account of the recent development in the area. However, the numbers are capped at the current admission number of 30. It should be noted that there is currently a waiting for places in reception for September 2011.

#### **4. What Is The Impact Of The Change?**

##### **a) Building**

The design of the new accommodation would be undertaken in consultation with representatives of the school to provide accommodation for an intake of 45 pupils per year from September 2012.

##### **b) Funding**

The total cost of the project is yet to be finalised but it is intended that this will be funded from the capital programme.

#### **5. When Would The Changes Take Effect?**

If approved, a Published Admission Number (PAN) of 45 pupils will apply to admissions to Oakfield Primary School from September 2012 onwards.

An increase of the PAN from 30 to 45 would see the overall capacity of the school increase by 15 places in each year group to give an overall capacity of 315. Usually we would only look to expand a school by one year group at a time. However, discussions will take place with the school to determine how best to approach the increase in capacity.

#### **6. What Happens Next?**

This consultation paper is being sent to all parents, to prospective parents, staff, the governing body and the Student Council of Oakfield Primary School. Copies will also be sent to other schools in the area, Rugby Borough Council, local Parish Councils, Diocesan Education Authorities, admission authorities and the Local Member of Parliament.

The key milestones, subject to responses at each stage are as follows:

Consultation on proposals	-	13 June – 22 July 2011
Consideration by Cabinet	-	8 September 2011
Statutory Consultation	-	22 Sept = 3 Nov 2011
To Schools Adjudicator for decision	-	7 November 2011

We want to know your views. The deadline for responses is Friday 22 July 2011.

Please send you comments on the proposal by email to [consultations@warwickshire.gov.uk](mailto:consultations@warwickshire.gov.uk) or in writing to:

Access and Organisation (ref JN)  
Learning and Achievement  
Children, Young People and Families  
Saltisford Office Park  
Ansell Way  
Warwick  
CV34 4UL

## Warwickshire County Council – Results of the 11+ Selective Education Survey

### Background

A short survey was recently carried out in order to try and establish why those parents, whose home address falls within one of the priority areas for selective schools, did not apply for a place at a selective school. The survey was carried out at the request of the Admissions Forum.

Survey forms were sent out to all parents living within the priority areas of selective schools who did not apply for a selective place for entry in September 2010 and 2011. A total of 5,300 survey forms were sent out along with freepost envelopes to return the survey.

Parents were asked to indicate why they did not enter their child to sit the test for entry to selective schools. Five possible reasons were provided, with parents free to select more than one reason. Parents were also given the opportunity to provide 'other information'

A total of 2583 survey forms were returned and a brief summary of the results is set out below.

### Results

Reason	No. of responses
Prefer child attends the local school	982
Do not agree with the selective system	260
Did not know child could sit test to enter a selective school	417
Unlikely that child is of grammar school ability	891
Child did not want to take the test	821
Other (please provide details)	938

Twenty five parents specifically asked if it would still be possible for their child to sit the test for selective schools. Information packs were subsequently sent out and five children were then tested.

### Next steps

It is likely that other useful data may be contained within the 'Other' category of responses. However, analysing such data is very time consuming, but further analysis can be carried out if required. Responses could also be analysed by postcode if requested by the forum.

## **Warwickshire County Council – Admissions Arrangements for Academies / Update on Schools Moving to Academy Status**

### **Background**

It is anticipated that by September 2011 around half of Warwickshire's Secondary Schools will have academy status; more are expected to follow during 2011/12. The table at the end of this document shows the current status of those schools that have embarked on the process of converting to an academy.

Set out below are some of the key points relating to admissions and academies. These should be considered alongside the new draft School Admissions Code which was published by the Department for Education in May 2011.

### **General issues and co-ordination**

In the same way as maintained schools, all academies are required to adopt clear and fair admission arrangements in line with relevant law and the School Admissions Code.

When a school becomes an academy, the academy trust will be the admission authority and is responsible for its own admission arrangements. This will mean little change for some schools such as foundation and voluntary-aided schools; in many cases these already are self-standing admission authorities. The change will be greater for community schools and voluntary controlled schools; the academy will need to take on responsibility for its own admissions process. This will involve periodic consultation and regular publication of the academy's admission arrangements.

Academies may choose to purchase support from the local authority to help with certain aspects of their responsibility as an admission authority. Warwickshire already provides such a service.

The local authority remains responsible for co-ordinating admission to all state funding schools within their area, including academies. Parents will therefore continue to make a single application to their home authority. Information will then be exchanged with other authorities about applications in their area. The home local authority will then be informed if a place is available, and a single offer to parents will be made by the home local authority.

### **Objections about an academy's admissions arrangements**

Any party wishing to object to an academy's admission arrangements should currently contact the Young People's Learning Agency (YPLA) who will seek the advice of the school's adjudicator.

### **Appeals against the refusal of a school place**

The academy trust will be responsible for arranging appeals. These must be arranged and held in such a way that they comply with the School Appeals Code and other relevant legislation.

Academies may choose to purchase this service from the local authority and Warwickshire already provides such a service.



### **Impact on selective schools**

The government has made it clear that there will be no expansion of selection. Schools which already select some or all of their pupils will be able to continue to do so when they become academies, but schools becoming academies cannot decide to become newly selective schools.

Selective schools may choose to purchase support with the process of selecting pupils based on ability. Warwickshire is already trading this service with the selective schools that have converted to academy status.

### **Impact on faith schools**

Converting schools must retain their existing designation. Where a school currently admits pupils, or a portion of pupils based on faith, it will be able to retain those arrangements. For academies with a Church of England or Catholic faith designation it is expected that the diocese will be represented on the academy trust. For former voluntary-aided schools this means that the diocese will be able to appoint the majority of members to the academy trust and the members in turn appoint the majority of governors.

**Warwickshire Academies – State of Play as at 02 June 2011**

School	Type	Sponsor	Academy Order Issued	Date of Change (if known)	Admissions Service Purchased	Admissions Service for Selective Schools Purchased*	Academy Admissions Appeal Service Purchased
The Nuneaton Academy	Academy	North Warks & Hinckley College	✓	Opened 1 <sup>st</sup> September 2010	X	X	✓
Polesworth School	Academy		✓	Opened 1 <sup>st</sup> February 2011	X	N/A	✓
Alcester Grammar School	Academy		✓	Opened 1 <sup>st</sup> April 2011	N/A	✓	✓
Ashlawn School	Academy		✓	Opened 1 <sup>st</sup> April 2011	✓	✓	X
Rugby High School	Academy		✓	Opened 1 <sup>st</sup> April 2011	N/A	✓	✓
Studley High School	Trust		✓	1 <sup>st</sup> June 2011	TBC	N/A	TBC
Myton School	Foundation			1 <sup>st</sup> July 2011	TBC	N/A	TBC
Alcester High School	Community	Caludon Castle School, Coventry		1 <sup>st</sup> August 2011	TBC	N/A	TBC
Henley High School	Community	Alcester Grammar School		1 <sup>st</sup> August 2011	TBC	N/A	TBC
Stratford Girls' Grammar School	Community		✓	1 <sup>st</sup> August 2011	N/A	Expected	TBC

\* Includes provision of the 11+ test.

Stratford High School	Community		✓	1 <sup>st</sup> August 2011	TBC	N/A	TBC
The Coleshill School	Community	Caludon Castle School, Coventry		1 <sup>st</sup> August 2011	TBC	N/A	TBC
King Edward VI School	Voluntary Aided		✓	1 <sup>st</sup> August 2011 2011	N/A	Expected	TBC
Campion School	Community			1 <sup>st</sup> September 2011	TBC	N/A	TBC
George Eliot School	National Challenge Trust School	North Warks & Hinckley College	✓	1 <sup>st</sup> September 2011	TBC	N/A	TBC
Shipston High School	Community			TBC	TBC	N/A	TBC
Aylesford School	Community			TBC	TBC	N/A	TBC
Etone College	Community			TBC	TBC	N/A	TBC
Ash Green School	Foundation	Creative Trust		TBC	TBC	N/A	TBC
Higham Lane School	Community			TBC	TBC	N/A	TBC
Bilton School	Community	Coundon Court, Coventry		TBC	TBC	N/A	TBC

\* Includes provision of the 11+ test.

## Agenda No 5, Additional Information

### School Federations

A number of schools across the county have either become part of a federation or are looking to establish a federated approach to their future management.

Federations already established are:

- Acorns Primary School, Long Compton and Shipston Primary School
- Thorns Community Infant School and Park Hill Junior School, Kenilworth
- Sydenham Primary School, Leamington Spa and Lighthorne Heath Primary School

Current consultations

- The Governing Bodies of Our Lady's Catholic Primary School, Alcester, St Mary's Catholic Primary School Henley in Arden and St Mary's Catholic Primary School in Broadway, Worcestershire are currently consulting on a proposal to federate. If the Governors decide to continue with the proposal, this would see the schools federated with effect from 1 September 2011.

In all of the existing federations and the proposal currently out for consultation, the model of management is for one federated governing body to oversee the schools. Each federation has an executive head.

Other

Other schools at the early stages of discussions regarding the possibility of federation include;

- Dunchurch Infant and Dunchurch Boughton C E Junior School
- Austrey C E Primary School, Newton Regis C E Primary School and Warton Nethersole C E Primary School as the All Souls Federation.

A number of other schools have expressed an interest in possible future federation to support their long term sustainability. These schools do not have specific proposals in mind. These include:

- Loxley C E Primary School
- Snitterfield Primary School

A number of schools have considered federation but have decided against formally consulting at this stage. These include:

- Boughton Leigh Infant and Boughton Leigh Junior Schools in Rugby
- Gun Hill Infant School and Herbert Fowler Junior Schools in Arley

Janet Neale  
Project Officer, Access and Organisation

**Primary School Update 2011**

Attached are the following breakdowns of places offered by Warwickshire Schools to reception age children to start in September.

Offers were made by our Authority on 18 April 2011. We are currently in the process of re offering places were vacancies have become available and have now started our appeals programme.

There are certainly pockets of Warwickshire where pressure is on regarding availability, for example Nuneaton. There are only a handful of schools with vacancies, for example Chilvers Coton Infant, Stockingford Junior, Park Lane Primary. The town centre is extremely difficult and may result in advising on availability over 1 mile away.

Detailed below is current vacancy situation across Warwickshire.

Area	School	No Places	Req	Acc	Vac
c	Bishops Itchington Primary School	30	0	23	7
c	Clapham Terrace Community Primary School And Nursery	30	1	25	5
c	Newburgh Primary School	45	0	41	4
c	Our Lady & St Teresa's RC Primary School	30	1	16	14
c	Southam Primary School	42	0	37	5
c	St Mary Immaculate Catholic Primary School (Warwick)	20	0	17	3
c	St Mary's Catholic Primary School (Southam)	30	0	14	16
c	Westgate Primary School	30	0	18	12
c	Whitnash Primary School	45	1	21	24
c	Woodloes Primary School	60	2	57	3
e	Boughton Leigh Infant School	80	1	63	17
e	Knightlow C of E Primary School	30	0	29	1
e	Leamington Hastings C of E Infant School	18	0	17	1
e	Long Lawford Primary School	40	0	32	8
e	Our Lady's Catholic Primary School (Princethorpe)	17	0	15	2
e	Provost Williams C of E Primary School	30	0	23	7
e	St Andrews Benn C of E Primary	45	1	32	13
e	The Revel C of E (Aided) Primary School	40	0	35	5
n	Austrey C of E Primary School	15	0	12	3
n	Birchwood Primary School	60	0	49	11
n	Dordon Community Primary School	30	0	22	8
n	Hurley Primary School	25	0	20	5
n	Newton Regis C of E Primary School	17	0	16	1
n	Outwoods Primary School	60	2	45	15
n	Racemeadow Primary School	60	0	31	29
n	St Edward's Catholic Primary School	30	0	25	5
n	The Nethersole C of E Primary School	45	0	36	9
n	Warton Nethersole's C of E Primary School	22	0	16	6
n	Water Orton Primary School	55	0	42	13

n	Wood End Primary School	25	0	23	2
n	Woodside C of E Controlled Primary School	40	0	28	12
nb	Chilvers Coton Community Infant School	75	0	66	9
nb	Goodyers End Primary School	60	0	48	12
nb	Gun Hill Infant School	45	0	28	17
nb	Nursery Hill Primary School	25	0	23	2
nb	Park Lane Primary School Nursery and Parents' Centre	50	0	43	7
nb	Stockingford Infant School	120	0	97	23
s	Acorns Primary School	10	0	7	3
s	Bishopton Primary School	30	0	25	5
s	Brailes C of E Primary School	15	0	12	3
s	Claverdon Primary School	30	0	27	3
s	Great Alne Primary School	16	0	14	2
s	Hampton Lucy C of E Primary School	15	0	11	4
s	Haselor (Foundation) Primary School	15	0	8	7
s	Henley-In-Arden C of E Voluntary Aided Primary School	29	0	26	3
s	Kineton C of E (VA) Primary School	30	0	22	8
s	Lighthorne Heath Primary School	13	0	5	8
s	Loxley C of E Community Primary School	6	0	3	3
s	Moreton Morrell C of E Primary School	15	0	11	4
s	Our Lady's Catholic Primary School (Alcester)	15	0	10	5
s	Salford Priors C of E Primary School	15	0	10	5
s	St Mary's Catholic Primary School (Henley-In-Arden)	10	2	5	5
s	St Nicholas C of E Primary School (Alcester)	50	0	42	8
s	The Dassett C of E Primary School	30	0	25	5
s	Thomas Jolyffe Primary School	60	0	55	5
s	Tysoe C of E Primary School	30	0	17	13
s	Wellesbourne C of E Primary School	60	0	46	14
s	Wilmcote C of E (Voluntary Aided) Primary School	16	0	7	9
s	Wolverton Primary School	15	0	14	1
s	Wootton Wawen C of E Primary School	24	0	15	9

**REGION: CENTRAL**  
**HOW WERE PLACES ALLOCATED?**

Where a school is not over-subscribed applications for all children are accepted. Where a school has more applicants than places available, places are allocated according to the published admission criteria. For Community and Controlled Infant and Primary Schools the criteria is shown below. Voluntary Aided and Foundation Schools have their own criteria for admissions therefore you must contact the school direct for further information.

The admission criteria for Community and Controlled Infant and Primary Schools are:

1. Children in the care of, or provided with accommodation by, a local authority (under section 22 of the Children Act 1989).
2. Children living in the priority area who have a brother or sister at the school at the time of admission.
3. Children living in the priority area who have a brother or sister at the partner junior school (or primary school) at the time of admission.
4. Other children living within the priority area.
5. Children from outside the priority area who have a brother or sister at the school at the time of admission.
6. Children from outside the priority area who have a brother or sister at the partner junior school (or primary school) at the time of admission.
7. Other children from outside the priority area.

Within each criterion priority is given in order of distance between the child's home and school. Distance will be calculated by the straight-line measurement from the applicant's home address to the centre point of the preferred school.

Children who have not received an offer at one of their preferred schools will be allocated a place at the next nearest Community/Controlled School with vacancies. Children in this category are classed as 'unplaced' on the table below

**2011 Reception Offers - Breakdown of Places Allocated**

<b>NAME OF SCHOOLS</b>	<b>Admission Number</b>	<b>Total Offered</b>	<b>Breakdown</b>
All Saints' C. of E. (Aided) Community Primary School (Leek Wootton)	20	20	Places Allocated According to Schools Criteria. Contact School for Details.
Bishops Itchington (Community) Primary School	30	20	Offers made to all applicants
Bishops Tachbrook C. of E. (Controlled) Primary School	30	30	Offers made to all on time criteria 2. Criteria 4 to a distance of 1.180 miles
Briar Hill (Community) Infant School	90	90	Offers made to all on time criteria 2 & 3. Criteria 4 to a distance of 0.999 miles
Brookhurst (Community) Primary School	60	60	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 1.505 miles
Budbrooke (Community) Primary School	45	45	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 1.245 miles
Burton Green C. of E. (Controlled) Primary School	15	15	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 2.482 miles
Clapham Terrace (Community) Community Primary School	30	30	Offers made to all applicants including unplaced.
Clinton (Community) Primary School	30	30	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 0.408 miles
Coten End (Community) Primary School	60	60	Offers made to all on time criteria 1, 2, 4 & 5. Criteria 7 to a distance of 0.572 miles
Cubbington C. of E. (Controlled) Primary School	30	30	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 1.645 miles
Emscote (Community) Infant School	60	60	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 1.290 miles
The Ferncumbe C. of E. (Controlled) Primary School	17	23	Offers made to all on time criteria 2 & 4. Criteria 5 to a distance of 10.669 miles
Harbury C. of E. (Controlled) Primary School	30	25	Offers made to all applicants.
Kingsway Community (Community) Primary School	24	24	Offers made to all applicants including unplaced

Lapworth C. of E. (Controlled) Primary School	23	23	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 4.215
Lillington (Community) Primary School	30	30	Offers made to all applicants including unplaced.
Long Itchington C. of E. (Controlled) Primary School	28	28	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 2.205 miles
Milverton (Community) Primary School	45	45	Offers made to all on time criteria 2,4 & 5. Criteria 7 to a distance of 0.498 miles
Newburgh (Community) Primary School	45	45	Offers made to all applicants including unplaced
Our Lady & St Theresa's Catholic (Aided) Primary School	30	14	Offers made to all applicants.
Priors Field (Community) Primary School	30	30	Offers made to all on time criteria 2. Criteria 4 to a distance of 4.027 miles
Radford Semele C. of E. (Controlled) Primary School	30	30	Offers made to all applicants
Shrubland Street (Community) Community Primary School	28	28	Offers made to all applicants including unplaced.
Southam (Community) Primary School	42	37	Offers made to all applicants including unplaced
St Anthony's Catholic (Aided) Primary School	30	30	Places Allocated According to Schools Criteria. Contact School for Details.
St Augustine's Catholic (Aided) Primary School	30	30	Places Allocated According to Schools Criteria. Contact School for Details.
St James' C. of E. (Aided) Primary School (Southam)	28	26	Offers made to all applicants.
St John's (Community) Primary School	30	30	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 5.495 miles
St Joseph's Catholic (Aided) Primary School	30	30	Places Allocated According to Schools Criteria. Contact School for Details.
St Lawrence C. of E. (Aided) Primary School	26	24	Offers made to all applicants
St Mary's Catholic (Aided) Primary School (Southam)	30	12	Offers made to all applicants.
St Mary Immaculate Catholic (Aided) Primary School	20	17	Offers made to all applicants.
St Nicholas C. of E. (Controlled) Primary School	60	59	Offers made to all applicants
St Patrick's Catholic (Aided) Primary School	30	28	Offers made to all applicants
St Paul's C. of E. (Aided) Primary School	45	45	Places Allocated According to Schools Criteria. Contact School for Details.
St Peter's Catholic (Aided) Primary School	15	15	Places Allocated According to Schools Criteria. Contact School for Details.
Stockton (Community) Primary School	20	20	Offers made to all on time criteria 2. Criteria 4 to a distance of 0.301 miles
Sydenham (Community) Primary School	30	30	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 0.694 miles
Telford (Community) Infant School	90	90	Offers made to all on time criteria 2,3, 4,5 & 6. Criteria 7 to a distance of 1.007 miles.
Thorns Community (Community) Infant School	60	60	Offers made to all on time criteria 2,3,4,5 and 7 to a distance of 0.904 miles.
Westgate (Community) Primary School	30	20	Offers made to all applicants including unplaced.
Whitnash (Community) Primary School	40	34	Offers made to all applicants including unplaced.
Woodloes (Community) Primary School	60	50	Offers made to all applicants including unplaced.



**REGION: EAST**  
**HOW WERE PLACES ALLOCATED?**

Where a school is not over-subscribed applications for all children are accepted. Where a school has more applicants than places available, places are allocated according to the published admission criteria. For Community and Controlled Infant and Primary Schools the criteria is shown below. Voluntary Aided and Foundation Schools have their own criteria for admissions therefore you must contact the school direct for further information.

The admission criteria for Community and Controlled Infant and Primary Schools are:

1. Children in the care of, or provided with accommodation by, a local authority (under section 22 of the Children Act 1989).
2. Children living in the priority area who have a brother or sister at the school at the time of admission.
3. Children living in the priority area who have a brother or sister at the partner junior school (or primary school) at the time of admission.
4. Other children living within the priority area.
5. Children from outside the priority area who have a brother or sister at the school at the time of admission.
6. Children from outside the priority area who have a brother or sister at the partner junior school (or primary school) at the time of admission.
7. Other children from outside the priority area.

Within each criterion priority is given in order of distance between the child's home and school. Distance will be calculated by the straight-line measurement from the applicant's home address to the centre point of the preferred school.

Children who have not received a school preference on their application will receive an offer of the nearest Community/Controlled school with places. Children in this category are classed as 'unplaced' on the table below

**2011 Reception offers - Breakdown of Places Allocated**

<b>NAME OF SCHOOLS</b>	<b>Admission Number</b>	<b>Total Offered</b>	<b>Breakdown</b>
Abbots Farm (Community) Infant School	60	60	Offers made to all applicants including unplaced
Bawnmore (Community) Infant School	60	60	Offers made to all on time criteria 2, 3, 4, 5 & 6. Criteria 7 to a distance of 2.053 miles
Bilton (Community) Infant School	57	57	Offers made to all applicants
Binley Woods (Community) Primary School	30	30	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 4.716 miles.
Boughton Leigh (Community) Infant School	80	64	Offers made to all applicants including unplaced
Brownsover (Community) Community School	60	60	Offers made to all on time criteria 1, 2, 3, 4, 5 & 6. Criteria 7 to a distance of 2.104 miles
Cawston Grange (Community) Primary School	60	60	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 1.626 miles
Clifton-upon-Dunsmore C. of E. (Controlled) Primary School	30	30	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 0.773
Dunchurch Infant School (Foundation)	60	59	Offers made to all applicants
Eastlands (Community) Primary School	30	30	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 0.466 miles

English Martyrs Catholic (Aided) Primary School	30	30	Offers made according to School's criteria. Contact school for details
Henry Hinde (Community) Infant School	60	60	Offers made to all on time criteria 2, 4, 5 & 6. Criteria 7 to a distance of 1.163 miles
Hillmorton (Community) Primary School	30	30	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 1.396 miles
Knightlow C. of E. (Aided) Primary School	30	26	Offers made to all applicants
Leamington Hastings C. of E. (Controlled) Infant School	18	15	Offers made to all applicants
Long Lawford (Community) Primary School	40	29	Offers made to all applicants including unplaced
Newbold Riverside (Community) Primary School	30	30	Offers made to all on time criteria 2 & 4. Criteria 5 to a distance of 1.091 miles
Northlands (Community) Primary School	30	30	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 0.313 miles
Oakfield (Community) Primary School	30	30	Offers made to all applicants including unplaced
Our Lady's Catholic (Aided) Primary School Princethorpe	17	16	Offers made to all applicants
Paddox (Community) Primary School	60	60	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 0.317 miles
Provost Williams C. of E. (Controlled) Primary School	30	27	Offers made to all applicants including unplaced
The Revel C. of E. (Aided) Primary School	40	36	Offers made to all applicants
Rokeby (Community) Primary School	30	30	Offers made to all applicants including unplaced
St Andrew's Benn C. of E. (Aided) Primary School	45	22	Offers made to all applicants
St Marie's Nursery and Catholic (Aided) Infant School	60	60	Offers made according to School's criteria. Contact school for details
St Matthew's Bloxam C. of E. (Controlled) Primary School	30	30	Offers made to all on time criteria 2 & 4. Criteria 5 to a distance of 0.760 miles
St Oswald's C. of E. (Controlled) Primary School	30	30	Offers made to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 0.660 miles
Wolston, St Margaret's C. of E. (Controlled) Primary School	25	25	Offers made to all on time criteria 2 & 4. Criteria 5 to a distance of 1.244 miles

## REGION: NUNEATON & BEDWORTH HOW WERE PLACES ALLOCATED?

Where a school is not over-subscribed applications for all children are accepted. Where a school has more applicants than places available, places are allocated according to the published admission criteria. For Community and Controlled Infant and Primary Schools the criteria is shown below. Voluntary Aided and Foundation Schools have their own criteria for admissions therefore you must contact the school direct for further information.

The admission criteria for Community and Controlled Infant and Primary Schools are:

1. Children in the care of, or provided with accommodation by, a local authority (under section 22 of the Children Act 1989).
2. Children living in the priority area who have a brother or sister at the school at the time of admission.
3. Children living in the priority area who have a brother or sister at the partner junior school (or primary school) at the time of admission.
4. Other children living within the priority area.
5. Children from outside the priority area who have a brother or sister at the school at the time of admission.
6. Children from outside the priority area who have a brother or sister at the partner junior school (or primary school) at the time of admission.
7. Other children from outside the priority area.

Within each criterion priority is given in order of distance between the child's home and school. Distance will be calculated by the straight-line measurement from the applicant's home address to the centre point of the preferred school.

Children who have not received an offer at one of their preferred schools will be allocated a place at the next nearest Community/Controlled School with vacancies. Children in this category are classed as 'unplaced' on the table below

### 2011 Reception Offers - Breakdown of Places Allocated

NAME OF SCHOOLS	Admission Number	Total Offered	Breakdown
Abbey C. of E. Infant School	60	60	Offers to all on time criteria 1, 2, 3, 4 & 5. Criteria 7 to a distance of 1.137 miles
All Saints C. of E. (Aided) Infant School, Bedworth	30	30	Offers made according to School's criteria. Contact school for details
All Saints C. of E. (Controlled) Primary School, Nuneaton	30	30	Offers made to all applicants
Arden Forest (Community) Infant School	60	60	Offers to all on time criteria 2, 3, 4, 5 & 6. Criteria 7 to a distance of 1.977 miles
Camp Hill (Community) Primary & Early Years Centre	45	45	Offers to all on time criteria 1, 2, 4 and late criteria 2. late criteria 4 to a distance of 0.209 miles
Canon Evans C. of E. (Aided) Infant School	80	80	Offers made according to School's criteria. Contact school for details
Chilvers Coton (Community) Infant School	75	70	Offers made to all applicants including unplaced
Exhall Cedars (Community) Infant School and Nursery	56	52	Offers made to all applicants including unplaced
Galley Common (Community) Infant School	50	50	Offers to all on time criteria 2, 4, 5 & 6. Criteria 7 to a distance of 1.279 miles
Glendale (Community) Infant School	90	90	Offers to all on time criteria 2, 3, 4, 5 & 6. Criteria 7 to a distance of 1.082 miles
Goodyers End (Community) Primary School	60	44	Offers made to all applicants including unplaced

Keresley Newland (Community) Primary School	30	30	Offers made to all applicants including unplaced
Milby (Community) Primary School	60	60	Offers to all on time criteria 1, 2, 4 & 5. Criteria 7 to a distance of 2.195 miles
Nathaniel Newton (Community) Infant School	60	60	Offers to all on time criteria 2, 4, 5 & 6. Criteria 7 to a distance of 0.791 miles
Newdigate (Community) Primary School	30	30	Offers made to all applicants including unplaced
Nursery Hill (Community) Primary School	25	22	Offers made to all applicants including unplaced
Our Lady of the Angels Catholic (Aided) Infant School	70	70	Offers made according to School's criteria. Contact school for details
Park Lane (Community) Primary School	50	40	Offers made to all applicants including unplaced
Race Leys (Community) Infant School	70	70	Offers made to all applicants including unplaced
St Anne's Catholic (Aided) Primary School	30	24	Offers made to all applicants
St Francis Catholic (Aided) Primary School	30	30	Offers made according to School's criteria. Contact school for details
St Michael's C. of E. (Aided) Primary School	30	30	Offers made according to School's criteria. Contact school for details
St Nicolas C. of E. (Aided) Primary School	60	60	Offers made according to School's criteria. Contact school for details
St Paul's C. of E. (Controlled) Primary School	60	60	Offers to all on time criteria 2 & 4. Criteria 5 to a distance of 0.300 miles
Stockingford (Community) Infant School	120	110	Offers made to all applicants including unplaced
Weddington (Community) Primary School	60	54	Offers made to all applicants
Wembrook (Community) Primary School	90	90	Offers to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 0.522 miles
Wheelwright Lane (Community) Primary School	30	30	Offers to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 0.673 miles
Whitestone (Community) Infant School	90	90	Offers to all on time criteria 2, 3, 4, 5 & 6. Criteria 7 to a distance of 1.251 miles
Wolvey C. of E. (Controlled) Primary School	30	24	Offers made to all applicants including unplaced

## REGION: NORTH HOW WERE PLACES ALLOCATED?

Where a school is not over-subscribed applications for all children are accepted. Where a school has more applicants than places available, places are allocated according to the published admission criteria. For Community and Controlled Infant and Primary Schools the criteria is shown below. Voluntary Aided and Foundation Schools have their own criteria for admissions therefore you must contact the school direct for further information.

The admission criteria for Community and Controlled Infant and Primary Schools are:

1. Children in the care of, or provided with accommodation by, a local authority (under section 22 of the Children Act 1989).
2. Children living in the priority area who have a brother or sister at the school at the time of admission.
3. Children living in the priority area who have a brother or sister at the partner junior school (or primary school) at the time of admission.
4. Other children living within the priority area.
5. Children from outside the priority area who have a brother or sister at the school at the time of admission.
6. Children from outside the priority area who have a brother or sister at the partner junior school (or primary school) at the time of admission.
7. Other children from outside the priority area.

Within each criterion priority is given in order of distance between the child's home and school. Distance will be calculated by the straight-line measurement from the applicant's home address to the centre point of the preferred school.

Children who have not received an offer at one of their preferred schools will be allocated a place at the next nearest Community/Controlled School with vacancies. Children in this category are classed as 'unplaced' on the table below

### 2011 Reception Offers – Breakdown of Places Allocated

NAME OF SCHOOLS	Admission Number	Total Offered	Breakdown
Outwoods Primary School	60	39	Offers made to all time criteria 2 & 4. Criteria 5 to a distance of 6.463 miles.
Austrey C. of E. (Controlled) Primary School	15	13	Offers made to all applicants.
Birchwood (Community) Primary School	60	50	Offers made to all applicants including unplaced.
Bournebrook C. of E. (Controlled) Primary School	19	19	Offers to all on time criteria 2 & 4. Criteria 5 to a distance of 2.102 miles
Coleshill C. of E. (Aided) Primary School	30	30	Offers made to all applicants.
Curdworth (Community) Primary School	17	16	Offers made to all applicants including unplaced.
Dordon (Community) Primary School	30	22	Offers made to all applicants.
Gun Hill (Community) Infant and Nursery School	45	26	Offers made to all applicants including unplaced.
High Meadow (Community) Infant School	30	30	Offers to all on time criteria 1, 2, 3, 4 & 5. Criteria 7 to a distance of 5.714 miles
Hurley (Community) Primary School	25	17	Offers made to all applicants including unplaced.
Kingsbury (Community) Primary School	45	45	Offers to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 43.440 miles.

The Nethersoles C. of E. (Controlled) Primary School	45	33	Offers to all applicants.
Newton Regis C. of E. (Controlled) Primary School	17	17	Offers to all applicants.
Racemeadow (Community) Primary School	60	30	Offers made to all applicants including unplaced
Shustoke C. of E. (Controlled) Primary School	27	27	Offers to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 3.088 miles.
St Benedict's Catholic (Aided) Primary School	25	25	Offers made according to School's criteria. Contact school for details.
St Edward's Catholic (Aided) Primary School	30	20	Offers made to all applicants.
Warton Nethersoles C. of E. (Controlled) Primary School	22	16	Offers made to all applicants.
Water Orton (Community) Primary School	55	44	Offers made to all applicants including unplaced
Wood End (Community) Primary School	25	22	Offers made to all applicants including unplaced
Woodside C. of E. (Controlled) Primary School	40	30	Offers made to all applicants.

**REGION: SOUTH  
HOW WERE PLACES ALLOCATED?**

Where a school is not over-subscribed applications for all children are accepted. Where a school has more applicants than places available, places are allocated according to the published admission criteria. For Community and Controlled Infant, Primary and Junior Schools the criteria is shown below. Voluntary Aided and Foundation Schools have their own criteria for admissions therefore you must contact the school direct for further information.

The admission criteria for Community and Controlled Infant and Primary Schools are:

1. Children in the care of, or provided with accommodation by, a local authority (under section 22 of the Children Act 1989).
2. Children living in the priority area who have a brother or sister at the school at the time of admission.
3. Children living in the priority area who have a brother or sister at the partner junior school (or primary school) at the time of admission.
4. Other children living within the priority area.
5. Children from outside the priority area who have a brother or sister at the school at the time of admission.
6. Children from outside the priority area who have a brother or sister at the partner junior school (or primary school) at the time of admission.
7. Other children from outside the priority area.

Within each criterion priority is given in order of distance between the child's home and school. Distance will be calculated by the straight-line measurement from the applicant's home address to the centre point of the preferred school.

Children who have not received an offer at one of their preferred schools will be allocated a place at the next nearest Community/Controlled School with vacancies. Children in this category are classed as 'unplaced' on the table below.

**2011 Reception Offers – Breakdown of Places Allocated**

<b>NAME OF SCHOOL</b>	<b>Admission Number</b>	<b>Total Offered</b>	<b>Breakdown</b>
Acorns (Community) Primary School	10	8	Offers made to all applicants
Alveston C. of E. (Controlled) Primary School	30	30	Offers to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 0.488 miles
Barford St. Peter's C. of E. (Aided) Primary School	20	20	Offers made according to School's criteria. Contact school for details
Bidford-on-Avon C. of E. (Controlled) Primary School	45	44	Offers made to all applicants
Bishopton (Community) Primary School	30	30	Offers made to all applicants including unplaced
Brailes C. of E. (Controlled) Primary School	15	10	Offers made to all applicants including unplaced
Bridge Town (Community) Primary	60	60	Offers to all on time criteria 2. Criteria 4 to a distance of 0.511 miles
Claverdon (Community) Primary School	30	30	Offers made to all applicants
Coughton C. of E. (Controlled) Primary School	20	20	Offers to all on time criteria 1 & 5. Criteria 7 to a distance of 2.805 miles
The Dasset C. of E. (Controlled) Primary School	30	25	Offers made to all applicants including unplaced
Dunnington C. of E. (Aided) Primary School	15	15	Offers made according to School's criteria. Contact school for details
Ettington C. of E. (Controlled) Primary School	25	25	Offers to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 3.562 miles
The Ferncumbe C. of E. (Controlled) Primary School	17	23	Offers to all on time criteria 2, 4 & 5.
Great Alne (Community) Primary School	16	16	.Offers made to all applicants including

			unplaced
Hampton Lucy C. of E. (Controlled) Primary School	15	13	Offers made to all applicants
Haselor School (Foundation)	15	7	Offers made to all applicants
Henley-in-Arden (Community) Primary School	29	25	Offers made to all applicants
Ilmington C. of E. (Controlled) Primary School	15	15	Offers to all on time criteria 4 & 5. Criteria 7 to a distance of 2.996 miles
Kineton C. of E. (Aided) Primary School	30	22	Offers made to all applicants
Lapworth C. of E. (Controlled) Primary School	23	23	Offers to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 4.215 miles
Lighthorne Heath (Community) Primary School	13	4	Offers made to all applicants
Loxley C. of E. Community (Controlled) Primary School	6	4	Offers made to all applicants including unplaced
Mappleborough Green C. of E. (Controlled) Primary School	17	17	Offers to all on time criteria 5. Criteria 7 to a distance of 0.541 miles
Moreton Morrell C. of E. (Foundation) Primary School	15	11	Offers made to all applicants
Newbold and Tredington C. of E. (Controlled) Primary School	15	15	Offers made to all applicants including unplaced
Our Lady's Catholic (Aided) Primary School	15	12	Offers made to all applicants
Quinton (Community) Primary School	15	19	Offers made to all applicants
Salford Priors C. of E. (Controlled) Primary School	15	9	Offers made to all applicants
Shipston-on-Stour (Foundation) Primary School	60	60	Offers made according to School's criteria. Contact school for details
Shottery St. Andrew's C. of E. (Controlled) Primary School	10	10	Offers to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 1.138 miles
Snitterfield (Community) Primary School	15	15	Offers to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 2.188 miles
St. Gregory's Catholic (Aided) Primary School	30	30	Offers made according to School's criteria. Contact school for details
St Mary's Catholic (Aided) Primary School, Henley	10	5	Offers made to all applicants
St Mary's Catholic (Aided) Primary School, Studley	30	30	Offers made according to School's criteria. Contact school for details
St. Nicholas C. of E. (Controlled) Primary School	50	47	Offers made to all applicants including unplaced
Stratford-upon-Avon (Community) Primary School	30	30	Offers to all on time criteria 2. Criteria 4 to a distance of 0.428 miles
Studley Community (Community) Infant School]	60	59	Offers made to all applicants
Tanworth-in-Arden C. of E. (Aided) Primary School	30	30	Offers made according to School's criteria. Contact school for details
Temple Grafton C. of E. (Aided) Primary School	15	15	Offers to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 2.251 miles
Temple Herdewyke (Community) Primary School	12	12	Offers to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 0.112 miles
Thomas Jolyffe (Community) Primary School	60	55	Offers made to all applicants including unplaced
Tysoe C. of E. (Controlled) Primary School	30	17	Offers made to all applicants
Welford-on-Avon (Community) Primary School	30	30	Offers to all on time criteria 2 & 4. Criteria 5 to a distance of 4.786 miles
Wellesbourne C. of E. (Controlled) Primary School	60	48	Offers made to all applicants including unplaced



The Willows C. of E. (Controlled) Primary School	58	58	Offers to all on time criteria 2, 4 & 5. Criteria 7 to a distance of 2.166 miles
Wilmcote C. of E. (Aided) Primary School	16	8	Offers made to all applicants
Wolverton (Foundation) Primary School	15	14	Offers made to all applicants
Wootton Wawen C. of E. (Controlled) Primary School	24	18	Offers made to all applicants including unplaced

**YEAR 3 “JUNIOR” OFFERS  
HOW WERE PLACES ALLOCATED?**

Where a school is not over-subscribed applications for all children are accepted. Where a school has more applicants than places available, places are allocated according to the published admission criteria. For Community and Controlled Junior Schools the criteria are shown below. Voluntary Aided and Foundation Schools have their own criteria for admissions therefore you must contact the school direct for further information.

The admission criteria for Community and Controlled Junior and Primary Schools are:

1. Children in the care of, or provided with accommodation by, a local authority (under section 22 of the Children Act 1989).
2. Children living in the priority area who have a brother or sister at the school at the time of admission.
3. Children living in the priority area who have a brother or sister at the partner infant school at the time of admission.
4. Other children living within the priority area.
5. Children from outside the priority area who have a brother or sister at the school at the time of admission.
6. Children from outside the priority area who attended the partner infant school immediately prior to transfer.
7. Other children from outside the priority area.

Within each criterion priority is given in order of distance between the child’s home and school. Distance will be calculated by the straight-line measurement from the applicant’s home address to the centre point of the preferred school.

Children who have not received a school preference on their application will receive an offer of the nearest Community/Controlled school with places. Children in this category are classed as ‘unplaced’ on the table below.

**2011 Year 3 ‘Junior’ offers - Breakdown of Places Allocated**

<b>Northern Area</b>	<b>Admission Number</b>	<b>Total Offered</b>	<b>Breakdown</b>
Herbert Fowler Junior School	45	24	All offered
Coleshill C of E Primary (Aided)	30	26	All offered

<b>Nuneaton and Bedworth Area</b>	<b>Admission Number</b>	<b>Total Offered</b>	<b>Breakdown</b>
Canon Maggs C of E (Aided) Junior School	85	85	Places Allocated According to Schools Criteria. Contact School for Details.
Chetwynd (Community) Junior School	90	90	All offered including unplaced applicants
Croft (Community) Junior School	90	75	All offered including unplaced applicants
Michael Drayton (Community) Junior School	127	107	All offered including unplaced applicants
Middlemarch Junior School (Foundation)	60	48	All offered

Queen's C of E (Controlled) Junior School	90	47	All offered
Race Leys (Community) Junior School	64	64	Offers made to all on time criteria 2, 3, 4, 5, 6 and 7 to a distance of 0.639 miles
St Giles' (Community) Junior School	60	50	All offered including unplaced applicants
St James' C of E (Controlled) Junior School	60	55	All offered including unplaced applicants
St Joseph's Catholic (Aided) Junior School	68	68	Places Allocated According to Schools Criteria. Contact School for Details.
Stockingford (Community) Junior School	120	50	All offered including unplaced applicants

<b>Eastern Area</b>	<b>Admission Number</b>	<b>Total Offered</b>	<b>Breakdown</b>
Abbots Farm (Community) Junior School	66	45	All offered
Bilton C of E (Controlled) Junior School	105	104	All offered
Boughton Leigh (Community) Junior School	100	78	All offered including unplaced applicants
Dunchurch Boughton C of E (Aided) Junior School	66	66	Places Allocated According to Schools Criteria. Contact School for Details
Henry Hinde (Community) Junior School	70	69	All offered including unplaced applicants

<b>Central Area</b>	<b>Admission Number</b>	<b>Total Offered</b>	<b>Breakdown</b>
All Saints' C of E (Controlled) Junior School	60	52	All offered including unplaced applicants
Park Hill (Community) Junior School	66	62	All offered including unplaced applicants
St Margaret's C of E (Controlled) Junior School	90	90	Offers made to all on time criteria 2, 3, 4, 5 and 6 to a distance of 0.772 miles
Telford (Community) Junior School	90	87	All offered

## **Warwickshire County Council – Summary of key policy changes relating to Home to School Transport**

### **Background**

During 2011 Elected Members have approved a number of key changes to Warwickshire County Council's Home to School Transport Policy. The main changes affecting transport provided to students under the age of 16 are set out below.

Changes to the support offered with transport to students over the age of 16 are not included, but can be made available at the next meeting if required.

### **1) Denominational Transport**

From September 2012, new applicants will only receive free transport to Church Aided schools if it is the nearest qualifying school to their home address. The distance from home to school will need to exceed the relevant statutory walking distance (two miles for children up to the age of eight, and three miles for children over the age of eight). Extra help may also be available to students from low-income families (this is currently subject to review by Central Government).

Where an existing bus or taxi route operates, it may be possible for students to travel under the Council's Vacant Seats Scheme. This already operates and allows students not entitled to free transport to travel on Council services. A payment will be required and the current charges are set out below.

Children receiving free transport on denominational grounds in July 2012 will continue to receive this until they leave their current school or transfer into the sixth form (subject to there being no change in their circumstances such as a house move).

### **2) Vacant Seats Scheme**

This allows those students not entitled to free transport to travel on Council services. A parental contribution is required. Students affected by the changes to Denominational Transport may wish to travel under the Vacant Seats Scheme. In order to reflect the increasing costs of providing passenger transport, and to bring the Council's charges in line with commercial operators, charges for the 2011/12 academic year are shown below. Charges for the 2010/11 academic year are also included.

<b>Category of student</b>	<b>Current Termly Charge</b>	<b>New Termly Charge</b>	<b>Current Annual Charge</b>	<b>New Annual Charge</b>
Students living more than three miles from school	£175	£220	£475	£660
Students living more than three miles from school from a low-income family	£87.50	£110	£262.50	£330
Students living less than three miles from school	£95	£110	£250	£330
Students living less than three miles from school from a low-income family	£47.50	£55	£142.50	£165

### 3) Monthly payments

As a result of Cabinet's recommendation on Thursday 14 April, parents not considered to be from a low-income family will be able to pay the annual Vacant Seats charge by Standing Order over a period of eight months. As soon as the Council's new financial system is rolled out, it is hoped that payment by direct debit will be available.

### 3) Passenger Assistants

From September 2011, passenger assistants will only be provided on vehicles conveying children to primary schools if one or more of the following applies:

- A passenger assistant is considered necessary because of the age of the children being transported (For example, where children from primary and secondary schools are being transported together);
- The transport is provided on a double deck vehicle (Such vehicles only ever serve primary schools if no other vehicle is available. For example, due to a breakdown of the normal vehicle);
- The pick-up / drop-off point at schools requires children to be escorted between the vehicle and the school premises (or vice versa) and it is not possible for the driver to carry out this task;
- There is a risk of behavioural problems occurring on the vehicle if a passenger assistant is not provided. Previous issues will be taken into account and schools will be asked to provide details of any children travelling on the vehicle where the removal of a passenger assistant could cause problems (e.g. vulnerable children).

Before a decision is taken on whether or not to remove a passenger assistant, the service will be individually assessed, with comments invited from the school. Parents and the school would be notified in advance of any changes being made.

### 4) Low-income families

Students considered to be from a low-income family are entitled to purchase a Vacant Seat at a reduced rate. The Council's current policy is that only those families in receipt of Income Support, Income Based Jobseekers Allowance, or The Guarantee Element of State Pension Credit are considered to be from a low-income family.

In order to bring our definition of a low-income family in line with the one included in the Education and Inspections Act 2006, from September 2011, if a student or their parent(s) are in receipt of any of the following benefits, we will consider them to be from a low-income family for transport purposes.

- Free School Meals (of which the following are qualifying benefits).
  - Families in receipt of Income Support;
  - Families in receipt of Income Based Jobseekers Allowance;
  - Families who receive Child Tax Credit and have an annual income below the relevant threshold;
  - Families who receive Employment and Support Allowance (Income related);
  - Families who receive The Guarantee Element of State Pension Credit;
  - Families who receive support under Part VI of the Immigration and Asylum Act 1999;

- The maximum level of Working Tax Credit.

As a result of this change, a number of additional families will be able to purchase a Vacant Seat at a reduced rate.

**Consultation**

**Launch Date: 27 May 2011**  
**Respond by 12 weeks from Launch date**

## **Consultation on the Changes to the Admissions Framework**

In the White Paper 'The Importance of Teaching', Rt Hon Michael Gove MP, Secretary of State for Education, announced a review of the school admissions system to make it simpler, fairer and more transparent, building on the principle of placing trust back in schools and head teachers.

The Department would welcome views on the draft School Admissions Code and draft School Admission Appeals Code, which are at the centre of proposed changes to the admissions system.

# Consultation on the Changes to the Admissions Framework

## A Consultation

**To** Schools, Governing Bodies, Local Authorities, Parents, Faith Groups, other Key Stakeholders

**Issued** 27 May 2011

### Contact Details

If your enquiry is related to the content of the consultation, you can contact the PCU telephone help line on: 0370 000 2288.

### Enquiries

**To** If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the Consultation Unit by e-mail: [consultation.unit@education.gsi.gov.uk](mailto:consultation.unit@education.gsi.gov.uk) or by telephone: 0370 000 2288.

## 1 Impact Assessment

Our initial assessment of the proposed changes concludes that they do not impose any new information obligations, nor do they impose any new administrative or policy burdens of £5 million (equivalent annual cost) or more on the maintained schools sector. We consider there to be no discernible impact on schools in the private sector arising from these proposals. We would welcome any information to inform our assessment, which will be published before the School Admissions Code and School Admission Appeals Code (the Codes) are laid before Parliament.

The school admissions framework is intended to ensure that the system is administered fairly on behalf of all children, and in doing so to help to advance equity of treatment in considering disability, ethnicity, gender and ability.

In constructing this consultation document and the draft Codes, we have considered the implications for disability equality, gender equality and race equality, and this has shaped our policy proposals. Following this consultation we will publish a full analysis that reflects the responses we receive about equity of treatment in admissions; in particular, we shall consider carefully any implications around sexual orientation, religion or belief.



## 2 Changes to Regulations

The outcome of this consultation will require some changes to the regulations that, along with the Codes, govern the admission and appeals process. We propose to issue another consultation following this one focussing solely on those regulations, inviting comments on any proposed changes.

## 3 Summary

The Department intends to remove many of the unnecessary and costly prescriptive burdens on schools and local authorities. This consultation seeks views on the changes to simplify the Codes.

The Codes have evolved over a number of years, with successive versions adding additional regulation in response to specific policy issues. As a result they are now overly complex, repetitive and, for many in the system, confusing. The current Codes represent over 130 pages of densely worded text, with more than 660 mandatory requirements.

The draft Codes are around a third of their original size and are much clearer in terms of what admission authorities must and must not do. They have been written from an assumption that all schools and admission authorities seek to comply with the Codes.

This assumption is backed by the Chief Schools Adjudicator in his evidence to the Education Select Committee on 2 February 2011, that "*most of the disagreements are resolved locally ... and continue to be resolved locally*", and that "*the vast majority of admissions authorities ... if they are breaching the rules, don't mean to be doing so.*" His 2009/10 annual report shows that he received fewer than 400 complaints during the last admissions round, yet there are more than 6,000 admission authorities, of which only 152 are local authorities.

These changes are not about weakening the admissions system but removing many of the unnecessary burdens for schools and local authorities to allow them to focus on setting clearer, fairer admission arrangements. This Government believes that this system will be simpler for parents to navigate and more transparent.

## 4 What are the Drafting Changes?

In line with the feedback we received during the review of the admissions framework we have removed duplicate and unnecessary material as well as confusing elements that led to admission authorities interpreting the Codes in different ways. This includes all of the sections that referred to what an admission authority 'should' or 'should not' do.

We want admission authorities to be clearer about their admission arrangements, consult with their local communities and partners, and address any objections that are found to be unlawful. Admission authorities must be accountable to those affected by those arrangements.

There are, however, a number of key safeguards being retained and reinforced, over and above recourse to the Schools Adjudicators. These key principles are that:

- All relevant requirements must be in a single place - the Code - allowing those reading the Code to understand the full set of requirements. There will still be regulations, as they are a key part of the legislative framework, but which confirm the Code rather than add another layer of prescriptive requirements. This should ensure that anyone can understand the basic requirements of the Admissions Code without requiring a solicitor to interpret it;
- All admission arrangements must be clear, fair, objective and easily understood by parents;
- Subject to Royal Assent of the Education Bill, the Schools Adjudicator will have the power to hear objections to admission arrangements of all state-funded schools, including those of Academies. As now, the Adjudicator will be able to make binding decisions on all objections referred to him as well as having the discretion to consider any wider issues in admission arrangements;
- All admission authorities will still have to convene independent appeal panels to hear parental appeals against a decision not to offer a place at a preferred school;
- All schools and admissions authorities must participate in the locally agreed Fair Access Protocols to ensure that children who are struggling to find a school place, especially the most vulnerable, can do so quickly.

## 5 General Aims

We have sought to remove all duplication and sections of the Codes that were open to (mis)interpretation, so it is clearer what admission authorities must and must not do within the new Codes as well as making them easier to read and understand.

One of the aims of reviewing the Codes was to reduce the burdens and bureaucracy that schools face by removing unnecessary prescription and elements that drove cost into the process.

The revised Codes should ensure that all school places are offered in a fair and lawful way and that school admission appeals are heard in a fair and lawful way.

### **Question 1: Do you agree that the new Codes achieve these aims?**

We welcome any views you have on the overall aims of the Codes.

## 6 Key policy changes for consultation

This consultation seeks views on a small number of key policy changes, all of which intend to deal with issues which can create unfairness in the system or which frustrate and confuse parents who seek to ensure that their child gets into a suitable school as quickly as possible.

### **Changes to the Admissions Code**

#### **The removal of the requirement on local authorities to coordinate in year admissions.**

Some local authorities are facing a real challenge in managing the large and growing numbers of applications for a school place outside the normal admission rounds.

This means that increasingly large numbers of parents are facing delays in getting their children into a school. Instead, we propose to move to a position where a parent, applying for a school place outside of the normal admissions round, would still make initial contact with their local authority. They are responsible for the composite prospectus and also have a statutory duty to provide information to parents on schools and admissions in their area. The local authority would be able to provide suitable application forms and advise on which schools in their area were over-subscribed. Parents would then apply directly to the schools and those schools would process the forms, notifying the local authority of both the application and the

outcome. Parents will continue to have a right of appeal against a decision not to offer a place.

We believe that this will ensure that parents looking to find a place outside the normal admissions round are able to do so as quickly as possible, without delays from overly bureaucratic processes, and that fewer children will miss education for any lengthy period.

### **Changes to the Published Admission Number (PAN)**

All schools must have a published admission number (PAN) for each age group in which pupils are or would normally be admitted to the school. The PAN forms part of the admission arrangements for the school. The current Admissions Code and associated regulations set out requirements in relation to PAN, including: restrictions on admitting above PAN, changing PAN and consultation. This area of policy is a prime example of over-regulation which stifles the ambitions of schools in being able to offer parents more places.

We want all schools that are popular with parents to be free to increase their PAN, and thereby offer more parents more options for a place, whilst ensuring clarity in schools' locally-set policies. In deciding the appropriate mechanism to achieve this, we want to achieve the right balance between giving schools the light-touch regulation consistent with other reforms, and ensuring that local authorities can get on with their strategic role in planning schools places for their areas. We have therefore made the following changes in the Code in relation to PAN: schools will no longer have to get the approval of the local authority where they want to admit pupils in-year above PAN; this will allow for greater flexibility. There will be a requirement to notify the local authority of a change to PAN and to make reference to it on the school website. In line with our plans to de-regulate the system we shall enable anyone who feels local proposals to increase PAN are unreasonable to refer an objection to the Schools Adjudicator.

We shall be consulting with the Ministerial Advisory Group, which includes representations from schools, local authorities and voluntary and community groups on the potential such de-regulation has to address the issues parents face when trying to find a place for their child.

### **Question 2: Do you agree with the proposals to allow all popular and successful schools to increase their Published Admission Number?**

We welcome your views on what sort of criteria the Schools Adjudicator must take into account when he considers objections to an admission authority's plans to increase PAN.

## **Random allocation**

Since 2007 the School Admissions Code has allowed random allocation (often referred to as 'lotteries') as a permitted oversubscription criterion. It is most commonly used as a tiebreaker in individual schools, to choose between two otherwise equal applications. While it may be effective in certain limited situations we propose that it should not become the principal route for awarding school places across an entire local authority. Therefore we are proposing restricting the use of random allocation as an oversubscription criterion to individual schools.

## **Infant class size exceptions**

Currently, there is a statutory limit for infant school class sizes of 30 children per school teacher. There are several exceptions to this, to ensure that vulnerable children - such as those with special educational needs admitted outside the admissions round - are not disadvantaged. The limit of 30 will not change, but based on discussions with key stakeholders, we are proposing to add two new categories to the list of exceptions: twins (and other multiple birth children) and service children. Schools will now be able to admit children from these groups above the class size limit of 30 without falling foul of the regulations. This will avoid cases such as those where twins have ended up going to different schools or children of service personnel are disadvantaged by their need to relocate - often at short notice. We are also consulting on removing the requirement on admission authorities to take correcting measures to get back to 30 at the end of the year in which the excepted pupils enter the class. This will give schools more flexibility as to how they manage the class going forward and avoid having to take potentially expensive measures for one or two children.

## **Reduction in consultation requirements where no changes to admission arrangements are proposed**

Admission authorities currently must consult publicly on their proposed admission arrangements every three years, even if they are not proposing to make any changes to those arrangements. This can be costly and bureaucratic. We propose that admission authorities should only be required to consult on their admission arrangements once every 7 years if no changes are proposed to their admission arrangements. Clearly any admission authority which seeks to make changes to their admission arrangements must consult on those changes before they are determined, other than an increase to the PAN.

## **Giving admissions priority to children attracting the Pupil Premium**

Children who are eligible for Free School Meals (FSM) – in the future, attracting the Pupil Premium – come from some of our most vulnerable groups and their parents often lack the resources to help them access our more successful schools. It is one of this Government's priorities to break the cycle of deprivation. So we wish to give a permissive approach to those schools who believe that children attracting the Pupil Premium would thrive in their educational care. In the White Paper "The Importance of Teaching" we stated our intention that we would give this permissive approach to Academies and Free Schools.

### **Question 3:**

**Do you agree that Academies and Free Schools should be able to give priority to children attracting the Pupil Premium in their admission arrangements?**

We welcome views and ideas on how best to balance the drive to raise attainment for some of our most vulnerable groups and yet maintain the drive to reduce the burden on our schools.

### **Children of school staff**

Currently, admission authorities cannot give any priority to the children of members of their staff unless there is a demonstrable skill shortage. Given the importance that this Government places on the need to put our trust in schools, we believe that this restriction leads to some schools losing out on potentially very valuable members of staff as they seek to balance work and life as a parent. Therefore, we propose to allow children of staff at the school to be included as an oversubscription criterion. If admission authorities wish to use this permissive criterion, then it would be for them to define what they mean by 'staff' and whether it was to cover teaching or non-teaching staff, including those undertaking tasks such as catering and cleaning.

### **Changes to objections to the Schools Adjudicator**

The Schools Adjudicator provides a valued service which plays a vital role in giving parents and others the confidence that the admissions system is fair and transparent. We wish to strengthen that role in a manner that is consistent with our overall policy drive to place trust in our schools. Therefore, we are proposing to make a small but important number of changes to the role and functions of the Schools Adjudicator.

- Currently, all objections to the Schools Adjudicator about the

determined admission arrangements of any maintained school must be made by 31 July, although later referrals can be considered at the Schools Adjudicator's discretion. As the current deadline comes at the start of the summer holidays, it can be difficult for schools to respond to requests for information from the Schools Adjudicator in time. We believe that this timetable can delay the local implementation of decisions and put pressure on the local authority to amend local prospectuses, potentially giving parents incorrect information about schools. To enable more time for admission authorities to respond, we propose to change the deadline for objections to be referred to the Schools Adjudicator to 30 June.

- Secondly, we currently specify in regulations a lengthy list of who can object to admission arrangements. We do not believe that this is consistent with local accountability and so we will change the regulations to make it possible for anyone to object to the admission arrangements of a state funded school.

## 7 The Admissions Code: Questions on the key policy changes

### 7.1 In year Co-ordination

**Question 4: Do you support the proposal to remove the requirement for local authorities to co-ordinate in year applications?**

#### Use of Random Allocation

**Question 5: Do you support the proposed change to the use of random allocation?**

#### Infant Class size exceptions

**Question 6: Do you support proposals to add twins (and multiple births) and children of service personnel to the list of excepted pupils?**

#### Reduction in Consultation

**Question 7: Do you agree with the proposal that admission authorities who are making no change to their arrangements year on year should only be required to consult once every seven years, rather than once every three years?**

#### Allowing priority to children of staff

**Question 8: Do you agree with the proposal to allow schools to**

**give priority to applications for children of staff in their over-subscription criteria?**

### **Changes to objections to the Schools Adjudicator**

**Question 9: Do you agree that anyone should be able to raise an objection about the admission arrangements they consider unfair or unlawful, of any school?**

**Question 10: Do you agree that the deadline for objections to the Schools Adjudicator should be moved to 30 June from 31 July?**

## **CHANGES TO THE APPEALS CODE**

Our aims in revising the Appeals Code have been to simplify and improve the admission appeals system, reduce cost and bureaucracy for schools in line with giving them more autonomy, whilst ensuring that the appeals system remains fair and objective.

### **Changes which will simplify and improve the Appeals Code and the appeals system**

We have removed the requirement in the Appeals Code for appeal panels to refer unlawful admission arrangements to the Schools Adjudicator because, at the time of an appeal, the admission arrangements have already been used to allocate places. Instead, we will require panels to refer such arrangements to the local authority, and the admission authority if applicable, to prompt them to be reconsidered for arrangements for the next admissions round.

The current Appeals Code sets out a timetable for appeals, which admission authorities can find difficult and costly to adhere to. The revised Appeals Code will provide admission authorities with flexibility to set a timetable for exchanging information that takes into consideration their local circumstances, within an overall framework consisting of working days in which cases must be heard. As part of that framework we propose to introduce a requirement that admission authorities give parents at least 30 working days from receiving an offer to prepare and lodge an appeal. Currently, parents need only be given 10 days to do this. This can have the effect of parents lodging an appeal quickly rather than considering other options. This is backed up by the fact that almost 20 percent of appeals lodged are not taken forward. By giving parents more time to consider the offer made and talk to the local authority, we believe that fewer appeals will be lodged.

These changes, in combination, are designed to provide more clarity



for parents and a clearer timeline for admission authorities to plan and organise the appeals process.

The current Appeals Code requires appeal panels to follow a two stage process for hearing individual and multiple appeals (other than infant class size appeals). The two stage process lacks clarity and provides inadequate guidance on how to hear multiple appeals. The revised Appeals Code splits the two stages of this process into three: the lawfulness and correct application of the arrangements; whether prejudice will arise; and finally, the panel balancing the arguments. This is designed to clarify and separate the considerations and decisions a panel must take, both for multiple and individual appeals.

### **Changes which will reduce costs and bureaucracy for schools**

We propose the removal of the requirement for all appeals in a multiple appeal for a school to be re-heard if a member of the panel withdraws. Instead, we will require postponing the remaining appeals until the third member returns or the admission authority appoints a third member. If the member is withdrawn before an appeal hearing is completed the appeal will have to be reheard. We consider this proportionate to the resource and time cost of having to re-hear large multiple appeals, but a reconstituted appeal panel may still decide to re-hear all appeals if it chooses to.

The current Appeals Code requires admission authorities to accept evidence provided by parents at any stage of the appeal process, including on the day of the hearing. Late evidence can mean the panel has to adjourn the hearing to allow the admission authority to consider and respond to the evidence. The revised Appeals Code gives parents at least two opportunities to provide evidence, including a new requirement that parents can be requested to provide initial evidence when lodging an appeal. The increased time period for making an appeal will make it easier for parents to submit more complete evidence at this stage. Appeal panels will be able to decide what action would be appropriate when evidence is submitted late, and the Appeals Code will require admission authorities to inform parents that any information or evidence not received in advance of the hearing may not be considered at the appeal.

We propose to remove the requirement for admission authorities to advertise for lay appeal members every three years. Instead, we will require them to ensure that panel members retain their independence for the duration of their service.

We have relaxed the guidelines that advised admission authorities against hearing appeals in school premises. Admission authorities will have to hear appeals in appropriate venues, but without requiring a

costly venue hire, when the school itself could be a venue.

We propose to relax the requirements for admission authorities to provide training for appeal panel members. Currently this is required every two years and includes annual updates, but we believe that this is a costly over-prescription. All panel members will still have to be trained before serving on the panel, but thereafter it will be for individual members or panels and the admission authorities to agree when training is required. Where extra training is required, it would be for the admission authority to organise and fund.

## 8 The Appeals Code: Questions on the key policy changes

### 8.1 Operation and governance of appeals panels

**Question 11: Do you agree with the less prescriptive requirements around the operation, governance and training of appeals panels?**

We welcome any views you may have on how this less prescriptive approach may affect the operation of appeals panels and their impartial decision making.

#### Timetable for appeals

**Question 12: Do you agree that the proposed appeals timetable will give more certainty to parents and reduce the number of appeals overall?**

We welcome any views you may have on this proposed timetable.

**Question 13: Do you agree that the proposed new timetable for lodging and hearing appeals will reduce costs and bureaucracy for admission authorities?**

We welcome any views you may have on this proposed timetable and how we can further reduce the burden and costs on admission authorities.

#### Three stage process

**Question 14: Do you agree that the new three stage process will provide a more effective process for appeals panels to consider multiple and individual appeals?**

We welcome any views you may have on this proposed timetable and how we can further reduce the burden and costs on admission authorities.

## 9 Key changes in the Education Bill 2011 (Primary Legislation)

### 9.1 **The revised Admissions Code has been drafted with reference to provisions that are contained within the Education Bill. They are explained here, although not part of the formal Consultation on the Codes.**

#### **Schools Adjudicator**

1. The Schools Adjudicator is an important aspect of the school admissions framework. As now the Schools Adjudicator will consider all objections to admission arrangements for maintained schools. The Bill will extend the Schools Adjudicator's remit so that he will also be able to consider objections in respect of admission arrangements for Academies.

2. We believe it is crucial that we put our trust back in schools and teachers. According to the Chief Adjudicator, the vast majority of schools and admission authorities are compliant and seek to be compliant. It cannot be right that the Schools Adjudicator can impose admission arrangements unilaterally, so we intend to remove the Schools Adjudicator's ability to modify a school's arrangements in a determination. His ability to consider specific objections and his discretion to examine other aspects of admissions arrangements remains, as does the binding nature of his decisions. But the legal responsibility will remain with the admission authority to bring their admission arrangements into line with mandatory requirements in order to comply with the Schools Adjudicator's determination.

#### **Local Authorities**

##### **Remove the requirements on local authorities in England to set up Admission Forums.**

3. Admission Forums can be an administrative burden on local authorities and communities, imposed by the Education Act 2002. In the current economic climate we do not believe it is right that we should impose such duties, especially when the experiences of those are so mixed. So rather than impose across all areas a requirement to have a Forum, we shall remove that duty through the Bill and leave it to local partnerships to develop and grow. We already know of a number of areas where such partnerships want to continue to operate in a voluntary arrangement.

##### **Remove the requirement for local authorities to report annually to the Schools Adjudicator on how fair access is working in their areas.**

4. Whilst we will still require local authorities to produce an annual

report on admissions in their area, our working assumption is a report much like a report local authority officers might send to their scrutiny committee. We shall not require that to be sent to the Schools Adjudicator, but will require that the report be published locally to shift the focus on providing parents and communities with this information instead. The Code will still require local authorities to report on admission arrangements in their area (including how well they support children with SEN and those looked after children; how well Fair Access Protocols operate in their areas and any other matters that the local authority feels are relevant to their communities).

## 10 How to Respond

- 10.1 This questionnaire takes about 30 minutes to complete online. We encourage you to complete as many of the questions as possible giving as much detail in your response and any supporting evidence.

You can fill in the questionnaire by:

Completing the form online at [www.education.gov.uk/consultations](http://www.education.gov.uk/consultations); or

Downloading a response form and e-mailing it to:  
[admissions.consultation@education.gsi.gov.uk](mailto:admissions.consultation@education.gsi.gov.uk)

or by downloading a response form which should be completed and sent to:

Consultation Unit,  
Area 1C,  
Castle View House,  
East Lane,  
Runcorn,  
Cheshire,  
WA7 2GJ

## 11 Additional Copies

- 11.1 Additional copies are available electronically and can be downloaded from the Department for Education e-consultation website at:  
<http://www.education.gov.uk/consultations>

## 12 Plans for making results public

- 12.1 It is our stated intention to publish for information a revised set of Codes, taking account of any changes, by the end of September 2011. This is to allow admission authorities seeking to determine their arrangements for 2013, in line with this Code, the maximum possible time to consider the proposed Codes. We aim to bring the Codes into Force in early 2012, subject to the Passage of the Education Bill 2011

and Parliamentary process. We shall publish a full response to the consultation at the same time as publishing the Codes in September 2011.

# **Draft School Admissions Code**

## **For Consultation Only**

## The School Admissions Code

<b><u>Contents:</u></b>	<b><u>Page</u></b>
<b>Statutory basis for the Code</b>	<b>3</b>
<b>Introduction</b>	<b>6</b>
<b>Determining Admission Arrangements</b>	<b>8</b>
Published Admission numbers	
Oversubscription criteria	
Consultation	
Determination	
<b>Applications and Offers</b>	<b>17</b>
Applications	
Co-ordination	
Offering places	
<b>Ensuring fairness and resolving issues</b>	<b>23</b>
The Schools Adjudicator	
Fair Access Protocols	
<b>Appendix – Key legislation</b>	<b>27</b>
<b>Sample Admission Arrangements:</b>	<b>29</b>

## The Statutory Basis for the School Admissions Code

1. The School Admissions Code ('the Code') has been issued under section 84 of the School Standards and Framework Act 1998 ('SSFA 1998')<sup>1</sup>. The Code has been made following a consultation under section 85(2) of the SSFA 1998 and after being laid before Parliament for forty days.
2. This Code comes into force on [date] and unless otherwise stated, applies with immediate effect. The Code applies to admissions to all maintained schools in England. It should be read alongside the School Admission Appeals Code and other guidance and law that affect admissions and admission appeals in England<sup>2</sup>.
3. This Code imposes mandatory requirements and includes guidelines setting out aims, objectives and other matters in relation to the discharge of functions relating to admissions by the bodies listed below:
  - a) **Admission authorities of maintained schools** as defined in section 88(1) (a) and (b) of the SSFA 1998<sup>3</sup>
  - b) **Governing bodies and local authorities (when not admission authorities)**
  - c) **Schools Adjudicators**
  - d) **Admission Appeal Panels.**

These bodies have a statutory duty to act in accordance with the relevant provisions of the Code.

### Application of the Code to Academies

4. Academies, by which we mean Academy Schools<sup>4</sup>, Free Schools, University Technical Colleges and Studio Schools, are state-funded, non fee-paying independent schools set up under a Funding Agreement between the Secretary of State and the proprietor of an Academy (most commonly, and hereafter, referred to as an Academy Trust). Academy Funding Agreements require them to comply with the Code and the law relating to admissions, though the Secretary of State has the power to vary this requirement where there is demonstrable need.

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<sup>1</sup> Where statutory provisions have been amended, any references to them are references to them as amended.

<sup>2</sup> Throughout this draft consultation version of the Code, references to regulations are to the current admissions regulations. These will be consolidated and streamlined to bring them into line with the new Code and so these references will be updated in the final version of the Code.

<sup>3</sup> For community and voluntary controlled schools the admission authority is usually the local authority, but it may be the governing body if the local authority with the governing body's agreement has delegated responsibility to it for determining admission arrangements. Governing bodies are the admission authorities for foundation schools (including Trust schools) and voluntary aided schools.

<sup>4</sup> Subject to the Education Bill receiving Royal Assent, Clause 52 introduces three types of Academies: Academy Schools, 16-19 Academies, and Alternative Provision Academies.



### Compliance with the Code

5. It is the responsibility of admission authorities to ensure that admission arrangements<sup>5</sup> are compliant with this Code. Where a school is the admission authority, this responsibility falls to the governing body or Academy Trust.
6. The Code requires local authorities to produce and publish an annual report on School Admissions in their area. Minimum requirements for that report are set out at paragraph 3.20 of this Code and include an assessment of the effectiveness of Fair Access Protocols and co-ordination in their area, how admission arrangements affect the interests of looked after children and the number and percentage of lodged and upheld parental appeals.<sup>6</sup> The Schools Adjudicator will report annually to the Secretary of State on Fair Access, based on the issues referred throughout the year.
7. Objections to the admission arrangements of both maintained schools and Academies<sup>7</sup> can be made to the Schools Adjudicator whose decisions are binding and enforceable.
8. The Secretary of State may refer the admission arrangements of any school to the Schools Adjudicator at any time if he considers that they may not comply with the requirements of this Code.
9. The Schools Adjudicator may investigate the admission arrangements of any school that he considers does not or may not comply with the mandatory requirements of this Code or the law.
10. Any decision of the Adjudicator will be binding on the admission authority. It will be for the admission authority to implement those decisions without delay<sup>8</sup>. Where maintained schools fail to implement decisions of the Adjudicator the Secretary of State may direct them to do so under section 496 or 497 of the Education Act 1996. In the case of Academies, the Secretary of State has powers under the funding agreement to direct the Academy to comply with decisions of the Adjudicator.

The table on page 5 sets out the appropriate admission authority for each type of school in England.

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<sup>5</sup> Admission arrangements means the overall procedure, practices, criteria and supplementary information to be used in deciding on the allocation of school places and refers to any device or means used to determine whether a school place is to be offered.

<sup>6</sup> Subject to the Education Bill receiving Royal Assent: clause 34 provides that local authorities no longer have to report to the Schools Adjudicator and the requirements for the report will be set out in the Code.

<sup>7</sup> Subject to the Education Bill receiving Royal Assent: clause 62. Currently objections in relation to Academies are dealt with by the Young People's Learning Agency on behalf of the Secretary of State.

<sup>8</sup> Subject to the Education Bill receiving Royal Assent: clause 34 removes the power of the Adjudicator to modify admission arrangements of a school.

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

## Introduction

### Purpose of this Code

The purpose of the Code is to ensure that all school places for maintained schools (excluding maintained special schools<sup>9</sup>) and Academies are allocated and offered in an open and fair way. The Code has the force of law, and where the words '**must**' or '**must not**' are used, these represent a mandatory requirement.

Admission authorities and local authorities **must** also comply with the regulations and legislation set out in the Appendix.

### Overall principles behind setting arrangements

In drawing up their admission arrangements, admission authorities **must** ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.

### How admissions work

In summary, the process operates as follows:

- All schools **must** have admission arrangements that clearly set out how children will be admitted, including what criteria will be applied if there are more applications than places at the school. Admission arrangements are determined by admission authorities.
- Admission authorities **must** set ('determine') admission arrangements annually. Where changes are proposed to admission arrangements, the admission authority **must** first publicly consult on those arrangements. If no changes are made to admission arrangements, they **must** be consulted on at least every 7 years. Consultation **must** be for 8 weeks between 1 November and 1 March of the year before those arrangements are to apply. For example: for arrangements which are to apply for applications in 2012 (entry in September 2013), consultation **must** be completed by 1 March 2012. This consultation period allows parents, other schools, religious authorities and the local community to raise any concerns about proposed admission arrangements.
- Once all arrangements have been determined, arrangements can be objected to and referred to the Schools Adjudicator by 30 June. Any decision of the Adjudicator **must** be acted on by the admission authority and their admission arrangements amended accordingly. The local authority will collate and publish all the admission arrangements in the area in a single composite prospectus.

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<sup>9</sup> A maintained special school is a school maintained by the local authority, specially designed to make special educational provision for pupils with special educational needs.

- In the normal admissions round,<sup>10</sup> parents apply to the local authority in which they live for places at their preferred schools. Parents are able to express a preference for at least three schools. The application can include schools outside the local authority where the child lives: a parent can apply for a place for their child at any state-funded school in any area. If a school is undersubscribed, any parent that applies **must** be offered a place. When oversubscribed, a school's admission authority **must** rank applications in order against its published oversubscription criteria and send that list back to the local authority.
- All preferences are collated and parents then receive an offer from the local authority at the highest preference school at which a place is available. For secondary schools, the offer is made on or about 1 March (known as National Offer Day) in the year in which the child will be admitted. For primary schools, offers are sent out on a single day in each local authority area but usually a little after the National Offer Day for secondary schools.
- Parents have the right to appeal against a decision to refuse admission of their child to a school. The admission authority **must** set out the reasons for the decision, that there is a right of appeal and the process for hearing such appeals. The admission authority **must** establish an independent appeals panel to hear the appeal. The panel will decide whether the appeal of the decision should be upheld or a new decision made (the School Admission Appeals Code sets out the requirements relating to appeals).

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<sup>10</sup> (I.e. application in October (secondary school) for following year and January (primary school) for same year admission).

## Section 1: Determining Admission Arrangements:

1.1 Admission authorities are responsible for admissions and **must** act in accordance with this Code, the School Admission Appeals Code, other laws relating to admissions<sup>11</sup>, and relevant human rights and equalities legislation.

1.2 **Published Admission Number (PAN)**. As part of their admission arrangements<sup>12</sup>, all admission authorities **must** set an admission number for each 'relevant age group' (year group) in which children normally enter the school, set with regard to the net capacity assessment of the school. Admission authorities **must** notify the local authority, local schools and such other persons in the relevant area who appear to the admission authority to have an interest in the admission arrangements of their intention to increase their PAN.

1.3 Anyone who considers that any maintained school or Academy's<sup>13</sup> admission arrangements are unfair or unlawful or not in compliance with the Code or relevant law relating to admissions can make an objection to the Schools Adjudicator. In respect of an objection in relation to an increase in PAN, there will be a strong presumption in favour of increase unless the increase would lead to a clear threat to pupil safety.

1.4 **Oversubscription criteria** – The admission authority for the school **must** set out in their arrangements the criteria against which places will be allocated at the school when there are more applications than places and the order in which the criteria will be applied. All children whose statement of special education needs (SEN)<sup>14</sup> names the school **must** be admitted. If the school is not oversubscribed, all applicants **must** be offered a place.

1.5 All schools **must** have oversubscription criteria for each 'relevant age group'<sup>15</sup>, and the highest priority **must** be given to looked after children<sup>16</sup>. Oversubscription criteria **must** then be applied to all other applicants in the order set out in the arrangements.

1.6 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, and that other policies around school uniform or school trips do not

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<sup>11</sup> The main provisions relating to admissions are in Chapter 1 of Part 3 of the SSFA 1998.

<sup>12</sup> See sections 88C and 88D of the SSFA 1998.

<sup>13</sup> See footnote 7: subject to Royal Assent of Education Bill.

<sup>14</sup> A Statement of Special Educational Need is a legal document issued by the local authority specifying the particular needs and resources for providing education for that child.

<sup>15</sup> This is the age group at which pupils are or will normally be admitted to the school (section 142 SSFA 1998).

<sup>16</sup> 'Looked after children' are children who are in the care of the local authority as defined by section 22 of the Children Act 1989. In relation to school admissions a 'looked after child' is only considered as such if the local authority confirms he or she will be in public care when he or she is admitted to school.

discourage parents from applying for a place for their child. Admission arrangements **must** include an effective, clear and fair tiebreaker to decide between two applications that cannot otherwise be separated.

1.7 It is for admission authorities to formulate their admission arrangements, but they **must not**:

- a) place any conditions on the consideration of any application other than those in the oversubscription criteria published in their admission arrangements;
- b) take into account any previous schools attended, unless it is a named feeder school;
- c) give extra priority to children whose parents rank preferred schools in a particular order, including 'first preference first' arrangements;
- d) introduce any new selection by ability;<sup>17</sup>
- e) give priority to children on the basis of any practical or financial support parents may give to the school or any associated organisation, including any religious authority;
- f) give priority to children according to the occupational, marital, financial or educational status of parents applying (though children of staff at the school may be prioritised in arrangements<sup>18</sup>);
- g) take account of reports from previous schools about children's past behaviour, attendance, attitude or achievement, or that of any other children in the family;
- h) discriminate against or disadvantage disabled children or those with special educational needs;
- i) prioritise children on the basis of their own or parents' past or current hobbies or activities. (Designated faith schools may take account of religious activities, as laid out by the faith provider body/religious authority);
- j) in designated grammar schools that rank all children according to a pre-determined pass mark and then allocate places to those who score highest, give priority to siblings of current or former pupils;
- k) in the case of schools with boarding places, rank children on the basis of a child's suitability for boarding – more information on boarding schools is set out at paragraphs 1.34 - 1.35;
- l) name fee-paying independent schools as feeder schools;

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<sup>17</sup> There is a general restriction on selection by ability. Only designated grammar schools or schools with partially selective arrangements which already had such arrangements in place during the 1997-98 school year are permitted to continue to use selection by ability. Grammar schools are designated as such by order made by the Secretary of State under section 104 of the SSFA 1998.

<sup>18</sup> Free Schools and Academies may also, where their funding agreements permit, give priority in admission arrangements to children eligible for Free School Meals (in future, the Pupil Premium). [Further guidance will be produced on this policy area following consultation]

- m) interview children or parents. In the case of sixth form applications, a meeting may be held to discuss options and academic entry requirements for particular courses, but this meeting cannot form part of the decision making process on whether to offer a place. Boarding schools may interview children to assess their suitability for boarding;
- n) request financial contributions (either in the form of voluntary contributions, donations or deposits (even if refundable)) as any part of the admissions process – including for tests;
- o) request photographs of a child for any part of the admissions process, other than as proof of identity when sitting a selection test.

1.8 This Code does not give a definitive list of acceptable oversubscription criteria. It is for admission authorities to decide which criteria would be most suitable to the school according to the local circumstances, but the most common include:

#### *Siblings at the school*

1.9 Admission authorities **must** state clearly in their arrangements what they mean by 'sibling' (i.e. whether this includes step siblings, foster siblings, adopted siblings and other children living permanently at the same address or siblings who are former pupils of the school).

1.10 Some schools give priority to siblings of pupils attending another state funded school with which they have close links (for example schools on the same site, or close links between two single sex schools). Where this is the case, this priority **must** be set out clearly in the arrangements.

#### *Distance from the school*

1.11 Admission authorities **must** clearly set out how distance from home to the school will be measured, making clear how the 'home' address will be determined and the point in the school from which all distances are measured. This should include provision for cases where parents have shared residence of a child following the breakdown of their relationship and the child lives for part of the week with each parent.

#### *Catchment Areas*

1.12 Catchment areas **must** be designed so that they are reasonable and clearly defined<sup>19</sup>. Catchment areas do not prevent parents who live outside the catchment of a particular school from expressing a preference for the school.

#### *Feeder Schools*

1.13 Junior and secondary schools may wish to name a primary or infant

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<sup>19</sup> R v Greenwich London Borough Council, ex parte John Ball Primary School (1989) 88 LGR 589 [1990] Fam Law 469 held that pupils should not be discriminated against in relation to admission to the school simply because they reside outside the local authority area in which the school is situated. Section 86(8) of the SSFA 1998 places an equal duty on local authorities to comply with parental preference in respect of parents living within and outside their boundary.

school as a feeder school. The selection of a feeder school or schools as part of over subscription criteria **must** be made on reasonable grounds.

*Social and medical need*

1.14 If admission authorities decide to use this criterion they **must** set out in their arrangements how they will define this need and give clear details about what supporting evidence will be required (e.g. a letter from a doctor or social worker) and then make consistent decisions based on the evidence provided.

*Selection by ability or aptitude*

1.15 Only designated Grammar schools<sup>20</sup> are permitted to select their entire intake on the basis of high academic ability<sup>21</sup>. They **must** publish the entry requirements for a selective place and the process for such selection.

1.16 Partially selective schools select a proportion of their intake by ability. Where schools can partially select, they **must** publish the entry requirements for a selective place, and the process for such selection. They **must** offer places to other children if there are insufficient applicants who have satisfied the published entry requirements for a selective place.

1.17 Partially selective schools **must not** exceed the lowest proportion of selection that has been used since the 1997-98 school year.<sup>22</sup>

1.18 Schools that have arrangements to select by aptitude **must not** allow for more than 10% of the total admissions intake to be allocated on the basis of aptitude in any relevant age group (even if the school has more than one specialism). The specialist subjects on which a school may select by aptitude are:

- a) physical education or sport, or one or more sports;
- b) the performing arts, or any one or more of those arts;
- c) the visual arts, or any one or more of those arts;
- d) modern foreign languages, or any such language; and
- e) design and technology, and ICT for schools already selecting in those subjects before the 2008 school year. No other schools may introduce selection in these subjects.

1.19 Where there are insufficient applicants who meet the criteria for the proportion of selective admissions (not including designated grammars) the school **must** allocate those places to other applicants, applying the school's remaining oversubscription criteria.

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<sup>20</sup> As designated by the Education (Grammar School Designation) Order 1998 (SI 1998/2219). Academies that were designated as Grammar Schools before conversion are permitted to continue selecting their entire intake: section 6(3) of the Academies Act 2010.

<sup>21</sup> Section 104 of the SSFA 1998.

<sup>22</sup> Section 100 of the SSFA 1998.



*Banding*

1.20 Pupil ability banding is a permitted form of selection<sup>23</sup> used by some admission authorities to ensure that the intake for a school includes a proportionate spread of children of different abilities. Banding can be used to produce an intake that is representative of:

- a) the full range of ability of applicants for the school(s);
- b) the range of ability of children in the local area; or
- c) the national ability range.

1.21 Admission authorities' entry requirements for banding **must** be fair, clear and objective. Banding arrangements which favour high ability children that have been continuously used since the 1997-98 school year may continue, but **must not** be introduced by any other school.

1.22 The admission authority **must** publish the admission requirements and the process for such banding and decisions, including details of any tests that will be used to band children according to ability.

1.23 Where the school is oversubscribed, looked after children **must** be given priority in each band, and then any oversubscription criteria applied within each band. Schools that operate both banding and selection of 10 per cent of pupils with reference to aptitude **must** band pupils first, and then admit 10 per cent of places available on the basis of the relevant aptitude from within the bands. Priority **must not** be given within bands according to the applicant's performance in the test.

1.24 Children with statements of SEN may be included in banding tests and allocated places in the appropriate bands, but, regardless of banding tests, they **must** be allocated a place if their statement names the school.

1.25 Tests for all forms of selection **must** be clear, objective, and give an accurate reflection of the child's ability or aptitude, irrespective of sex, race, or disability. It is for the admission authority as to which test is used, providing that the test is a true test of aptitude or ability.

1.26 Admission authorities **must**:

- ensure that tests for aptitude in a particular subject test only for aptitude in the subject concerned;
- ensure that tests are accessible to children with special educational needs and disabilities, having regard to the reasonable adjustments for disabled pupils required under equalities legislation;
- inform parents of the outcome of selection tests before parents make applications for other schools – while making clear that this does not equate to a guarantee of a selective place.

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<sup>23</sup> Section 101 of the SSFA 1998.

1.27 Admission authorities **must not** adjust the score achieved by any child in a test to take account of oversubscription criteria, such as having a sibling at the school.

*Random allocation*

1.28 Local authorities **must not** use random allocation as the principal oversubscription criterion for allocating places at all the schools in their area for which they are the admission authority. Admission authorities that decide to use random allocation when schools are oversubscribed **must** set out clearly how this will operate, ensuring that arrangements are transparent, and that looked after children are prioritised.

1.29 The random allocation process **must** be supervised by someone independent of the school, and a fresh round of random allocation **must** be used each time a child is to be offered a place from a waiting list.

*Faith based oversubscription criteria in schools with a religious character*

1.30 As with other maintained schools, faith schools are required to offer every child who applies, whether of the faith, another faith or no faith, a place at the school if there are places available. Schools designated by the Secretary of State as having a religious character (commonly known as faith schools) may use faith-based oversubscription criteria<sup>24</sup> and allocate places by reference to faith where the school is oversubscribed.

1.31 Admission authorities **must** ensure that parents can easily understand how the criteria will be satisfied. While admission authorities for faith schools may give priority to all looked after children whether or not of the faith they **must** give priority to looked after children of the faith before other children of the faith. Where any element of priority is given in relation to children not of the faith they **must** give priority to looked after children not of the faith above other children not of the faith.

1.32 Admission authorities for schools designated as having a religious character **must** have regard to any guidance from the relevant faith provider group or religious authority when constructing faith-based oversubscription criteria, to the extent that the guidance complies with the mandatory provisions and guidelines of this Code. They **must** also consult with the relevant faith provider group or religious authority when deciding how membership or practice of the faith is to be demonstrated. Church of England schools **must**, as required by the Diocesan Boards of Education Measure 1991<sup>25</sup>, consult with their diocese about proposed admission arrangements before any public consultation.

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<sup>24</sup> Funding agreements for entirely new Academies (i.e. not converters from the maintained or independent sectors, or those sponsored Academies with a predecessor school) and Free Schools with a religious character provide that where the school is oversubscribed at least 50% of places are to be allocated without reference to faith.

<sup>25</sup> 1991 No 2.

*Children of staff at the school*

1.33 If admission authorities decide to give priority to children of staff, they **must** set out clearly in their admission arrangements how they will define 'staff' and on what basis children of staff will be prioritised.

*Maintained boarding schools*

1.34 Maintained boarding schools can set separate admission numbers for day places and boarding places. A maintained boarding school can interview applicants to assess suitability for boarding but such interviews **must** only consider whether a child presents a serious health and safety hazard to other boarders or whether they would be able to cope with and benefit from a boarding environment. To help with this assessment, they may also use a supplementary information form, and information provided by the previous school and by the child's home local authority (on safeguarding issues). These processes, and the timeline for them, **must** be clearly set out in the school's admission arrangements.

1.35 Boarding schools **must** give priority in their oversubscription criteria in the following order:

- looked after children;
- children of members of the UK Armed Forces who qualify for Ministry of Defence financial assistance with the cost of boarding school fees;
- children with a 'boarding need', making it clear what they mean by this.

1.36 **Consultation** – When changes are proposed to admission arrangements, all admission authorities **must** consult by 1 March on the full admission arrangements<sup>26</sup> (including any supplementary information form) that will apply for admission applications the following academic year. There is no requirement to consult on any increases in PAN. Where those arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities **must** consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period.

1.37 Consultation **must** last for a minimum of 8 weeks between 1 November and 1 March in the determination year.

1.38 Admission authorities **must** consult with (amongst others)<sup>27</sup>:

- relevant parents;
- other groups with an interest in the local area (for example, community

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<sup>26</sup> Grammar school arrangements which relate to the retention of permitted selection or removal of selection following a ballot or decision by the governing body (s108 and 109 of the SSFA 1998) are exempt from consultation.

<sup>27</sup> As detailed in the School Admissions (Admission Arrangements) (England) Regulations 2008 (2008/3089).

- groups, or Admission Forums where they exist);
- all other admission authorities within the relevant area;
- their local authority;
- neighbouring local authorities;
- the relevant religious authority (in the case of faith schools<sup>28</sup>).

1.39 For the purposes of consultation the admission authority **must** publish a copy of their proposed admission arrangements on their website, where they have one, and send a copy by email or letter to all of the groups named above, bearing in mind that failing to consult effectively may be grounds for subsequent complaints and appeals.

### **Determination**

1.40 All admission authorities **must** determine admission arrangements by 15 April every year – even if they have not changed from previous years and a consultation has not been required.

1.41 Once admission authorities have determined their admission arrangements, they **must** publish a copy of the determined arrangements on their website, where they have one, displaying them for the whole offer year. They **must** send a copy of their full, determined arrangements to the local authority as soon as possible before 1 May.

1.42 Where an admission authority has determined a published admission number that is higher than in previous years, they **must** notify the local authority that they have done so, and make specific reference to the change on their website.

1.43 Local authorities **must**, by 1 May, publish on their website details of where the determined arrangements for all schools can be viewed, and information on how to refer objections to the Schools Adjudicator.

1.44 Following determination of arrangements, any objections to those arrangements **must** be made to the Schools Adjudicator by **30 June**. Admission authorities that are not the local authority **must** provide all the information that the local authority needs to compile the composite prospectus no later than 8 August, unless agreed otherwise.

1.45 **Composite prospectuses** – Local authorities **must** publish online - with hard copies available for those who do not have access to the internet - a composite prospectus for parents by **12 September** in the offer year (the academic year that offers for places are made), which contains the admissions arrangements for each of the state-funded schools in the local authority area to which parents can apply (i.e. all schools including Academies). They **must** ensure that this information is kept up to date throughout the period in which it is possible for parents to apply for a place for their child, and that it is written in a way that makes it clear and accessible to

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<sup>28</sup> As specified in regulation 12 of the School Admissions (Admission Arrangements) (England) Regulations 2008 SI 2008/3089.

parents.

## Section 2: Applications and Offers

2.1 **Applying for places** – For applications in the normal admission round, local authorities **must** provide a common application form ('CAF') that enables parents to express their preference for a place at any state funded school, with a minimum of 3 preferences in rank order, allowing them to give reasons for their preferences. While parents may express a preference for any state funded school – regardless of whether it is in the local authority area in which they live, admission authorities **must not** give any guarantees that a preference will be met.

2.2 The CAF **must** allow parents to provide their name, their address (including documentary evidence in support), and the name, address and date of birth of the child. The child **must not** be required to complete any part of the form. Local authorities **must** provide advice and assistance to parents when they are deciding which schools to apply for.<sup>29</sup>

2.3 Regardless of which schools they express preferences for, the form is returned to the local authority in the area that they live (the 'home' authority). The home authority **must** then pass information on applications to other local ('maintaining') authorities about applications to schools in their area. The maintaining authority **must** determine the application in the normal way, and inform the home local authority if a place is available. The offer to parents **must** be made by the home local authority.

2.4 In some cases, admission authorities will need to ask for supplementary information forms in order to process applications. If they do so, they **must** only use supplementary application/information forms that request additional information when it has a direct bearing on decisions about oversubscription criteria or for the purpose of selection by aptitude or ability. They **must not** use supplementary application or information forms that ask for any of the information prohibited by paragraph 1.7 or for:

- a) any personal details about parents and families, such as maiden names, criminal convictions, marital, or financial status (including marriage certificates);
- b) the first language of parents or the child;
- c) details about parents' or children's disabilities, special educational needs or medical conditions;
- d) parents to agree to support the ethos of the school in a practical way;
- e) both parents to sign the form, or for the child to complete the form.

2.5 Admission authorities may need to ask for proof of address where it is unclear whether a child meets the published oversubscription criteria. In these cases they **must not** ask for any evidence that would include any of the

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<sup>29</sup> In accordance with section 86 (1A) of the SSFA 1998.

information detailed above. Once a place has been offered, admission authorities may ask for proof of birth date, but **must not** ask for a 'long' birth certificate or other documents which would include information about the child's parents.

**2.6 Applying for places at Sixth Form** - Children and their parents applying for sixth form places may use the CAF although if they are already on roll they are not required to do so in order to transfer into year 12. Admission authorities can, however, set academic entry criteria for their sixth forms, which **must** be the same for both external and internal places. As with other points of entry to schools, highest priority in oversubscription criteria for sixth form places **must** be given to looked after children. As stated in paragraph 1.7(m), any meetings held to discuss options and courses **must not** form part of the decision process on whether to offer a place.

### **Offering places**

**2.7** Admission authorities **must** allocate places on the basis of their published admission arrangements only, and a decision to offer or refuse admission **must not** be made by one individual in an admission authority. Where the school is its own admission authority the whole governing body, or an admissions committee established by the governing body, **must** make such decisions.

**2.8** With the exception of designated grammar schools, all maintained schools, including faith schools, that have enough places available **must** offer a place to every child who has applied for one, without condition or the use of any over-subscription criteria.

**2.9** Admission authorities **must not** refuse to admit a child solely because:

- a) they have applied later than other applicants;
- b) they are not of the faith of the school in the case of a faith school;
- c) they followed a different curriculum at their previous school;
- d) information has not been received from their previous school; or
- e) they have missed entrance tests for selective places.

**2.10** In the normal admissions round, offers of primary and secondary places **must** be sent by the home local authority and schools **must not** contact parents about the outcome of their applications until after these offers have been received (although they can notify parents of the result of selection tests or boarding suitability tests in advance of offers being made or even formal applications being submitted). Admission authorities **must not** provide any guarantees to applicants of the outcome of their application prior to the formal notification of any offers of a place in a suitable school.

**2.11** Where a place is available for a child at more than one school, the home local authority **must** ensure, so far as is reasonably practicable, that the

child is offered a place at whichever of these schools is their highest preference. If the local authority is unable to offer a place at one of the parents' preferred schools it **must**, if there are places available, offer a place at another school.

2.12 **Withdrawing a place** – An admission authority **must not** withdraw an offer unless it has been offered in error, a parent has not responded within a reasonable period of time, or it is found out that the place was obtained through a fraudulent or intentionally misleading application. Where the parent has not responded to the offer, the admission authority **must** give the parent a further opportunity to respond and explain that the place may be withdrawn if they do not. Where a place is withdrawn on the basis of misleading information, the application **must** be considered afresh, and a right of appeal offered if a place is refused.

2.13 A school **must not** withdraw a place once a child has started at the school, except where that place was fraudulently obtained. In deciding whether to withdraw the place, the length of time that the child had been at the school **must** be taken into account, for example, it might be considered appropriate to withdraw the place if the child has been at the school for less than one term.

2.14 **Waiting lists** – Each admission authority **must** maintain a clear, fair and objective waiting list for at least the first term of the academic 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 either their application was received or their name was added to the list. 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.

2.15 **Infant class size** – Infant classes (those where the majority of children will reach the age of 5, 6 or 7 during the school year) **must not** contain more than 30 pupils with a single school teacher. Additional children may be admitted under very limited exceptional circumstances. These children will remain an 'excepted pupil' for the time they are in an infant class or until the class numbers fall back to the current infant class size limit. The excepted children are:

- children with statements of special educational needs outside the normal admissions round;
- children who move into the area outside the normal admissions round for whom there is no other available school within reasonable distance;
- children admitted, after initial allocation of places on the local offer date, because of a procedural error made by the admission authority or local authority in the original application process;
- looked after children admitted outside the normal admissions round;



- children admitted after an independent appeal panel upholds an appeal;
- children with SEN who are normally taught in an SEN unit<sup>30</sup> attached to the school, who attend some infant classes within the mainstream school;
- children of UK service personnel admitted outside the normal admissions round;
- twins and children from multiple births.

**2.16 Admission of children below compulsory school age and deferred entry to school** – Admission authorities **must** provide full or part-time places for four year olds in their area, or keep places open for children whose parents have deferred entry up to compulsory school age, setting this out clearly in their arrangements. Places allocated to children whose parents have deferred entry cannot be offered to another child, unless the parent withdraws acceptance of the place.

**2.17 Admission of children outside their normal age group** – Parents of gifted and talented children, or those who have experienced problems or missed part of a year, for example due to ill health, can seek places outside their normal age group. Admission authorities **must** make decisions on the basis of the circumstances of each case, informing parents of their statutory right to appeal. This right does not apply if they are offered a place in another year group at the school.

**2.18 Children of UK service personnel and Crown Servants** – For families of service personnel (armed forces), Crown Servants and British Council employees with a confirmed posting to their area, admission authorities **must**:

- allocate a place in advance, if accompanied by an official government letter which declares a relocation date and a Unit postal address or quartering area address for considering the application against their oversubscription criteria. This **must** include accepting a Unit postal address or quartering area address for a service child. Admission authorities **must not** refuse a service child a place because the family does not currently live in the area, or reserve blocks of places for these children;
- ensure that arrangements in their area support the Government's commitment to removing disadvantage for service children. Arrangements **must** be appropriate for the area and be described in the local authority's composite prospectus.

**2.19 Children from overseas** - admission authorities **must** treat applications for children coming from overseas in accordance with European Union law or

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<sup>30</sup> An SEN unit forms part of a maintained school and is specially organised to provide education for pupils with SEN.

Home Office rules for non-European Economic Area nationals. Non–statutory guidance on this is available on the website of the Department for Education.

**2.20 Co-ordination** – Each year all local authorities **must** formulate a scheme by 1 January<sup>31</sup> to co-ordinate admission arrangements for state funded schools within their area. All admission authorities<sup>32</sup> **must** participate in co-ordination and provide the local authority with the information it needs to co-ordinate admissions by the dates agreed within the scheme. Local authorities **must** make applications forms available to parents who wish to apply to a school in a neighbouring area which operates a different age of transfer (e.g. middle schools), and process these as it would in its normal admissions round.

**2.21** There is no requirement for local authorities to co-ordinate ‘in year’ applications but they **must**, on request, provide information to a parent about the places still available within its area, and a suitable form for them to use in applying to a school for a place for their child. Any parent can apply for a place for their child at any time to any school.

**2.22** Admission authorities **must**, on receipt of an in year application, notify the local authority of both the application, and its outcome, to allow the local authority to keep up to date figures on the availability of places in the area. The admission authority **must** also inform parents of their right to appeal against the refusal of a place.

**2.23 Offering a place** – Where schools are oversubscribed, admission authorities **must** rank applications in accordance with their published arrangements. The co-ordinated scheme **must** ensure that:

- only one offer is made per child by the local authority;
- for secondary school applications, all offers **must** be made on the same National Offer Day – 1 March or the next working day. There is no national offer day for primary schools; each authority **must** set its own offer date.

**2.24 Right to appeal** – Parents and children over compulsory school age may appeal against decisions to refuse admission to preferred schools. When a child is refused admission to a school, the admission authority **must** ensure the person who applied for the school place (whether the parent or the child) receives the reasons for that decision and the information about their right to appeal and the requirements for making an appeal.

**2.25 School closure** - Where a maintained school or Academy is to be

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<sup>31</sup> As set out in the Schools Admissions (Co-ordination of Admission Arrangements) (England) Regulations 2008 (SI 2008/3090).

<sup>32</sup> Academies are required under their funding agreements to participate in and comply with requirements in relation to local authority co-ordination of admission arrangements. For the first year of opening only, funding agreements for Free Schools will provide that they may choose whether they wish to participate in the local co-ordination scheme.

closed, the local authority **must** collaborate with other schools in their area to consider the best way to ensure provision for children in other local schools.

### Section 3: Ensuring Fairness and Resolving Issues

3.1 **The Schools Adjudicator** – The Schools Adjudicator **must** consider whether admission arrangements referred to him comply with the Code and the law relating to admissions. The admission authority **must** revise their admission arrangements immediately to give effect to the Adjudicator’s decision. An Adjudicator’s determination is binding and enforceable.

3.2 Local authorities **must** use their power to refer an objection to the Schools Adjudicator if they are of the view or suspect that the admission arrangements at schools in their area (for which they are not the admission authority) contravene admissions law and/or the Code.

3.3 Anyone who considers that any maintained school or Academy’s arrangements are unfair or unlawful, or not in compliance with the Code or relevant law relating to admissions, can make an objection to the Schools Adjudicator. Further information on how to make an objection can be obtained from the Office of the Schools Adjudicator:  
<http://www.schoolsadjudicator.gov.uk>

3.4 Where the Schools Adjudicator is considering an objection that an increase in PAN is unreasonable, he **must** have regard to the presumption in favour of increase unless he is of the view that the increase would lead to a clear threat to pupil safety.

3.5 **Variations** – once admission arrangements have been determined for a particular academic year, they cannot be revised by the admission authority – unless a misprint needs correcting, or they need to be brought in line with an Adjudicator’s determination or a mandatory requirement of this Code and Part 3 of the SSFA 1998<sup>33</sup>. The only other variations permitted to determined admission arrangements are those proposed by the admission authority following a major change of circumstances. These **must** be referred to, and approved by, the Schools Adjudicator.

3.6 Schools that wish to vary their PAN during the admissions year **must** refer their proposal to the Schools Adjudicator for approval<sup>34</sup>. In making decisions on a proposal to decrease PAN, the presumption is against decreases in PAN unless the admission authority provides sufficient evidence of a sustained decrease in parental demand.

3.7 **Children with challenging behaviour and those who have been excluded twice** – Admission authorities **must not** refuse to admit children in the normal admission round on the basis of their poor behaviour elsewhere. Where a child has been permanently excluded from two or more schools

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<sup>33</sup> Section 88K(4)(d) of the SSFA 1998 and the School Admissions (Admission Arrangements) (England) Regulations 2008 (SI 2008/3089) allow for changes to be made in neighbouring schools so that arrangements can be brought in line with a determination in another school.

<sup>34</sup> Variations to an Academy’s arrangements **must** be referred to the Secretary of State for agreement.

there is no need for an admission authority to comply with parental preference for a period of two years from the last exclusion<sup>35</sup>. The twice excluded rule does not apply to children who were below compulsory school age at the time of the exclusion, children who have been re-instated following a permanent exclusion and children with SEN statements.

3.8 **Fair Access Protocols** – Each local authority **must** have a Fair Access Protocol, agreed with the majority of schools in its area, which sets out how, outside the normal admissions round, schools in the area will admit their fair share of children with challenging behaviour, children excluded from other schools and children who arrive outside the admissions round who may have difficulty securing a school place. In these circumstances, admission authorities may, if necessary, admit above their PAN. This **must** include how the local authority will use alternative provision to meet the needs of pupils who are not ready for mainstream schooling.

3.9 The operation of Fair Access Protocols is outside the arrangements of co-ordination and is triggered when a parent of an eligible child has not secured a school place under in-year admission procedures, even following the outcome of an appeal.

3.10 All admission authorities **must** participate in the Fair Access Protocol in order to ensure that unplaced children are allocated a school place quickly and that no school takes more than its share of children with challenging behaviour. There is no duty for local authorities or admission authorities to comply with parental preference when allocating places through the Fair Access Protocol.

3.11 Where a governing body does not wish to admit a child with challenging behaviour outside the normal admissions round, even though places are available, it **must** refer the case to the local authority for action under the Fair Access Protocol. This will normally only be appropriate where a school has a particularly high proportion of children with challenging behaviour or previously excluded children. The use of this provision will depend on local circumstances and **must** be described in the local authority's Fair Access Protocol. It will not apply to a looked after child or one with a statement of special needs naming the school in question, as these children **must** be admitted.

3.12 Admission authorities **must not** refuse to admit a child thought to be potentially disruptive, or to exhibit challenging behaviour, on the grounds that the child is first to be assessed for special educational needs.

3.13 A Fair Access Protocol **must not** require a school automatically to take another child with challenging behaviour in the place of a child excluded from the school.

3.14 The list of children to be included in a Fair Access Protocol is to be agreed with the majority of schools in the area, but **must**, as a minimum,

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<sup>35</sup> Section 87 of the SSFA 1998.

include the following children of compulsory school age who have difficulty securing a school place:

- Children from the criminal justice system or Pupil Referral Units who need to be reintegrated into mainstream education;
- Children who have been out of education for two months or more;
- Children of Gypsies, Roma, Travellers, refugees and asylum seekers;
- Children who are homeless;
- Children with unsupportive family backgrounds for whom a place has not been sought;
- Children who are carers; and
- Children with special educational needs, disabilities or medical conditions (but without a statement).

3.15 **Powers of direction** – Local authorities have the power through primary legislation to direct other admission authorities for any maintained school to admit a child, with special provision for a looked after child, to the school best suited to his or her needs<sup>36</sup>, even when the school is full. Such action **must** be taken in the best interests of the child.

3.16 Before giving a direction, the local authority **must** consult the admission authority for the school they propose to direct, giving reasons for the direction. The admission authority then has seven days to inform the local authority if it is willing to admit the child. If it is not, and the local authority decides to issue the direction, it **must** first inform the admission authority, the governing body (if the governing body is not the admission authority), the head teacher and, if the school is in another local authority area, the maintaining local authority.

3.17 The admission authority, or governing body if the local authority is the admission authority, has a further seven days to refer the case to the Schools Adjudicator, if the child concerned has previously been excluded from two schools and it considers that admission of the child would prejudice the provision of efficient education or efficient use of resources at the school.

3.18 The Schools Adjudicator may either uphold the direction or, if the local authority that looks after the child agrees, determine that another suitable maintained school in England **must** admit the child. The Schools Adjudicator's decision is binding. The Schools Adjudicator may not direct an alternative school to admit a child when the child has already been excluded from that school or when admission would prejudice the provision of efficient education or efficient use of resources.

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<sup>36</sup> Section 96 and 97A-C of the SSFA 1998.

3.19 Where a local authority considers that a particular Academy will best meet the needs of the child, they can ask them to admit that child even when the Academy is full. A consensus will be reached locally in the large majority of cases, but if the Academy disagrees with the local authority's reasoning and refuses to admit the child, the case can be referred to the Secretary of State. In such cases, the Secretary of State may direct an Academy to admit a looked after child, and can seek advice from the Schools Adjudicator in reaching his decision<sup>37</sup>. In providing such advice, the Schools Adjudicator will consider the case in the same way as for maintained schools.

3.20 **Local authority reports** – Local authorities **must** produce an annual report on admissions for all the schools in their area for which they co-ordinate admissions, to be published locally by 30 June following the admissions round. The report **must** cover as a minimum:

- (a) information about how admission arrangements in the area of the local authority serve the interests of looked after children, children with disabilities and children with special educational needs and details of where problems have arisen;
- (b) an assessment of the effectiveness of Fair Access Protocols and co-ordination in their area, including how many children were admitted to each school under them;
- (c) the number and percentage of lodged and upheld parental appeals; and
- (d) any arising issues – such as objections to the Schools Adjudicator - affecting admissions for the newly-determined year.

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<sup>37</sup> Section 25(3A) of the SSFA 1998.

## Appendix – Relevant Legislation

*This section will describe the main requirements of relevant legislation for school admissions at the time the Code will come into force. This will include reference to amended or new regulations that will accompany the changes to the School Admissions Code and School Admission Appeals Code. .*

1. This appendix sets out the primary legislation and Regulations most relevant to admissions decisions. Admission authorities, Schools Adjudicators, appeal panels, local authorities, maintained schools **must** comply with the relevant law as well as acting in accordance with the provisions of this Code. This Code and the School Admission Appeals Code (the Codes) are applied to Academies<sup>38</sup> through their Funding Agreements. The information here aims to signpost the relevant law; it does not aim to provide definitive guidance on interpreting the law: that is for the courts.

### **Equality Act 2010**

2. This Act consolidates the law prohibiting discrimination, harassment and victimisation and expands the list of protected characteristics. All schools need to be aware of their obligations and to review their policies and practices to make sure these meet the requirements of the Act, even if they believe that they are already operating in a non-discriminatory way.
3. An admission authority **must** not discriminate on the grounds of disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil.
4. An admission authority **must** not harass a person who has applied for admission as a pupil, in relation to their disability; race; or sex.
5. An admission authority **must** not victimise a person in relation to a protected act either done, or believed to have been done by that person (e.g. bringing proceedings under the Equality Act 2010) in the arrangements and decisions it makes as to who is offered admission as a pupil.
6. The Act contains limited exceptions to the prohibition of discrimination on grounds of religion or belief and sex. Schools designated by the Secretary of State as having a religious character (faith schools) are exempt from some aspects of the prohibition of discrimination on the grounds of religion or belief and this means they can make a decision about whether or not to admit a child as a pupil on the basis of religion or belief. Single-sex schools are lawfully permitted to discriminate on the grounds of sex in their admission arrangements.

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<sup>38</sup> 'Academies' means Academy Schools for the purposes of s1 Academies Act 2010 and includes free schools.



7. Admission authorities are also subject to the Public Sector Equality Duty and therefore **must** consider how they can eliminate discrimination, harassment and victimisation, advance equality of opportunity, and foster good relations in relation to persons who share a relevant protected characteristic and persons who do not share it.
8. The protected characteristics for these purposes are: disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.
9. Further guidance on the Public Sector Equality Duty is available on the website of the Government Equalities Office and from the Equality and Human Rights Commission.

### ***Human Rights Act 1998***

9. The Human Rights Act 1998 confers a right of access to education. This right does not extend to securing a place at a particular school. Admission authorities, however, do need to consider parents' reasons for expressing a preference when they make admission decisions, though this may not necessarily result in the allocation of a place. These might include, for example, the parents' rights to ensure that their child's education conforms to their own religious or philosophical convictions (as far as is compatible with the provision of efficient instruction and the avoidance of unreasonable public expenditure).

### ***School Standards and Framework Act 1998***

10. Chapter 1 of Part 3 of the School Standards and Framework Act 1998 contains the key provisions regarding schools admissions, including the statutory basis for this Code.
11. Section 86 of the SSFA 1998 provides that the admission authority for a maintained school (with the exceptions of those that select wholly by ability) **must** comply with any preference expressed by a parent except where to do so would prejudice the provision of efficient education or the efficient use of resources.
12. Section 94 of the SSFA 1998 provides that parents (and in some circumstances children) may appeal against admissions decisions. Admission authorities are required to inform parents, through the local authority, of their right of appeal, and also to establish panels to which parents can appeal against decisions to refuse admission to preferred schools. Admission authorities **must** admit a child whose parents have won an appeal.
14. The Codes largely include the provisions relating to schools admissions made in regulations. The key regulations to be aware of are<sup>39</sup>:

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<sup>39</sup> Following consultation on the Code, we will be reviewing the admissions regulations to bring them into line with the new provisions and with a view to seeking to streamline and consolidate them. The final list of regulations will be added to the final Code.

**Sample admission arrangements** - *These example arrangements are provided for illustrative purposes only – they are not “suggested” arrangements and should not be seen as such. Arrangements for individual schools must be set in the context of local circumstances.*

The school has an agreed admission number of 240 pupils for entry in year 7. The school will accordingly admit at least 240 pupils in the relevant age group each year if sufficient applications are received. All applicants will be admitted if 240 or fewer apply.

When the school is oversubscribed, after the admission of pupils with Statements of Special Educational Needs where the school is named in the Statement, priority for admission will be given to those children who meet the criteria set out below, in order:

- (1) Looked after children (“Looked after children” are children who are in the care of the local authority as defined by section 22 of the Children Act 1989. In relation to school admissions a “looked after child” is only considered as such if the local authority confirms he or she will be in public care when he or she is admitted to school.)
- (2) Children with a sibling attending the school at the time of application. Sibling is defined in these arrangements as children who live as brother or sister in the same house, including natural brothers or sisters, adopted siblings, stepbrothers or sisters and foster brothers and sisters.
- (3) Other children by distance from the school, with priority for admission given to children who live nearest to the school as the crow flies. Distances are measured from the main entrance of the child’s home to the main entrance of the school.

Random allocation will be used as a tie-break in category ‘3’ above to decide who has highest priority for admission if the distance between two children’s homes and the school is the same.

# **Draft School Admission Appeals Code**

## **For Consultation Only**

## The School Admission Appeals Code

<b><u>Contents:</u></b>	<b><u>Page</u></b>
<b>Statutory basis for the Code</b>	<b>3</b>
<b>Introduction</b>	<b>5</b>
<b>Constitution of Appeal Panels</b>	<b>6</b>
Membership	
Training	
Indemnity	
Costs	
<b>Appeal Hearings</b>	<b>8</b>
Timetable	
Notifying appellants of the right to appeal and the appeal hearing	
Production of evidence from the admission authority prior to the hearing	
Attendance and representation	
The appeal hearing	
The order and nature of the hearing	
Guiding principles for appeal panels	
Reaching a decision	
Notification of the decision	
Notes and records of proceedings	
<b>Reaching Decisions on Appeals</b>	<b>12</b>
Three stage process	
Individual appeals	
Multiple appeals	
Appeals for grammar schools	
Appeals for admission to sixth forms	
Boarding schools	
Waiting lists	
Expressing a preference and Fair Access Protocols	
Children with statements of Special Educational Needs	
<b>Infant Class Size Appeals</b>	<b>18</b>
Considering infant class size prejudice	
Multiple infant class size appeals	
<b>Other appeals and complaints</b>	<b>20</b>
Further Appeals	
Complaints about appeals	
Appeals by governing bodies against local authority decisions to admit twice excluded children	

## Statutory basis for the School Admission Appeals Code

1. The School Admission Appeals Code (“the Code”) has been issued under section 84 of the School Standards and Framework Act 1998 (‘SSFA 1998’). The Code has been made following a consultation under section 85(2) of the SSFA 1998 and after being laid before Parliament for forty days.
2. This Code comes into force on [date] and applies to all appeals commencing on or after that date. The Code applies to admissions to all maintained schools in England. It should be read alongside the School Admissions Code and other guidance and law that affect admissions and admission appeals in England. References to ‘the Code’ or ‘this Code’ include this part and the following chapters.
3. The Code imposes mandatory requirements and refers to statutory requirements in relation to the discharge of functions by the bodies listed below. These bodies have a statutory duty to act in accordance with the relevant provisions of the Code:
  - a) **Admission authorities** as defined in section 88(1)(a) and (b) of the SSFA 1998<sup>1</sup>
  - b) **Governing bodies and local authorities (when not admission authorities)**
  - c) **Schools Adjudicators**
  - d) **Admission Appeal Panels.**
4. Academies, by which we mean Academy Schools<sup>2</sup>, Free Schools, University Technical Colleges and Studio Schools, are state-funded, non fee-paying independent schools set up under a funding agreement between the Secretary of State and the proprietor of an Academy (most commonly, and hereafter, referred to as an Academy Trust). Under their Funding Agreements, Academies are contractually bound to comply with the Code and the law relating to admissions, though the Secretary of State has the power to vary this requirement where there is demonstrable need.
5. Objections to the admission arrangements of both maintained schools and Academies<sup>3</sup> can be made to the Schools Adjudicator whose decisions are binding and enforceable.

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<sup>1</sup> For community and voluntary controlled schools the admission authority is usually the local authority, but it may be the governing body if the local authority with the governing body’s agreement has delegated responsibility to it for determining admission arrangements. Governing bodies are the admission authorities for foundation schools (including Trust schools) and voluntary aided schools

<sup>2</sup> Subject to the Education Bill receiving Royal Assent. Clause 52 introduces three types of Academies.

<sup>3</sup> Subject to the Education Bill receiving Royal Assent (Clause 62). Currently objections in relation to Academies are dealt with by the Young People’s Learning Agency on behalf of the Secretary of State.

Type of school	Who is the admission authority?	Who deals with complaints about arrangements?	Who is responsible for arranging/providing for an appeal against refusal of a place at a school?
Academy schools and Free Schools	Academy Trust	Schools Adjudicator <small>*subject to Royal Assent of Education Bill</small>	Academy Trust
Community schools	Local Authority	Schools Adjudicator	Local Authority
Foundation schools	Governing body	Schools Adjudicator	Governing body
Voluntary aided schools <sup>4</sup>	Governing body	Schools Adjudicator	Governing body
Voluntary controlled schools	Local Authority	Schools Adjudicator	Local Authority

6. Where mandatory requirements are imposed by this Code or by statutory provision it is stated that these bodies '**must**' comply with the particular requirement or provision. Where this Code or the law prohibits practices, it is stated that the relevant body or bodies '**must not**' use this practice.
7. The Code deals with two separate categories of admission appeals:
- Appeals by parents, and in certain circumstances by children, against a decision as to the school at which education is to be provided for the child, and
  - Appeals by governing bodies of community or voluntary controlled schools against a decision by the local authority, as their admission authority, to admit to their school a child who has been permanently excluded from two or more schools.
8. Children have the right to appeal against an admission authority's decision to refuse admission of a child:
- to a school sixth-form; or
  - to a school at which they wish to receive education other than school sixth form education. This applies where the child is above compulsory school age or will have ceased to be of compulsory school age by the time they would have received education at the school.

<sup>4</sup> Voluntary aided and foundation schools often elect the local authority to be their admission authority.

## **School Admission Appeals Code – 2011 Revised Code**

### **Introduction**

This School Admission Appeals Code (“the Code”) sets out the government’s requirements in relation to appeals against school admission decisions and, in conjunction with the School Admissions Code, reflects its wider policy on school admissions.

School admissions are not run by central government and admission authorities need to have freedom to run the appeals process, subject to minimum requirements designed to ensure fairness and transparency. Our aspiration is that the provision of more good school places and timely and relevant information to parents will reduce the degree of uncertainty parents may feel and the need to appeal.

Appeal panels perform a judicial function and have to be transparent, accessible, independent and impartial, and operate according to principles of natural justice. The requirements set out in the Code are mandatory – admission authorities and appeal panels must comply with them. They must also comply with other relevant law – for example the Equalities Act 2010.

In drawing up this simpler, shorter Code, we are guided by the principle that admission authorities are best placed to decide how to meet those requirements. The Code builds on good practice already employed by many admission authorities. Because local circumstances vary, the Code does not seek to give guidance on every possible situation.

Whilst the Code sets out requirements relating to appeal hearings we would advise all those considering whether to appeal to speak to the local authority or the school in the first instance.

The appeals process for parents who apply at the normal round of admissions usually takes place between April and July. Appeals in respect of in-year admissions will be heard within 30 working days. The detailed timetable of the appeals process will be set by admission authorities and published on their websites.

## Section 1: Constitution of Appeal Panels

- 1.1. Admission authorities are responsible for arranging appeals and **must** act in accordance with this Code, the School Admissions Code, other law relating to admissions<sup>5</sup>, and relevant human rights and equalities legislation.

### Membership

- 1.2. Admission authorities **must** appoint a clerk to the appeal panel who is independent of the school and the education functions of the local authority. The clerk **must** have knowledge of this Code, the School Admissions Code, other law relating to admissions and other relevant law (see para 1.6), and be able to offer advice to enable the panel to undertake their judicial function.
- 1.3. The clerk, acting on behalf of the admission authority, **must** appoint an independent appeal panel that is comprised of a chair and at least two other panel members, one of whom is a lay person and one with experience in education. Admission authorities **must** ensure that panel members are independent and retain their independence for the duration of their service.
- 1.4. The clerk to the panel **must not** allow any person who is or has been a member of the home local authority or governing body of the school in question, or is or has been employed by the home local authority in a capacity connected with education, or by the governing body or the school in question, to be a member of the appeal panel concerned<sup>6</sup>.
- 1.5. Where a panel starts with three members, and one has to temporarily withdraw (for example because of illness), the panel **must** postpone the remaining hearings until the third panel member returns or the admission authority appoints a third member. Where a member is unable to return for a part-heard hearing the appeal **must** be reheard.

### Training

- 1.6. Panel members **must not** take part in hearings until they have received appropriate training. Admission authorities **must** arrange and fund up-to-date training for appeal panel members on any aspect felt to be relevant to the functioning of the panel, but as a minimum, this **must** include the law relating to admissions; their duties under the Human Rights Act 1998 and Equality Act 2010; procedural fairness and natural justice; diversity awareness; and the roles of particular panel members (for example, chairing skills).

### Indemnity

- 1.7. Admission authorities **must** indemnify the members of any appeal panel against any reasonable legal costs and expenses they incur in connection with any decision or action taken in good faith whilst acting as members of the appeal panel.

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<sup>5</sup> The main provisions relating to admissions are in chapter 1 of Part 3 of the School Standards and Framework Act 1998.

<sup>6</sup> For Academies, the governing body of a school should be read as the Academy Trust.



## Costs

- 1.8. Local authorities **must** allocate reasonable funds to governing bodies of maintained schools which are admission authorities to meet admission appeals costs, including training for panel members, unless the school and local authority agree that the local authority will carry out the administration on the governing body's behalf<sup>7</sup>.
- 1.9. Panel members are eligible to receive travel and subsistence allowances and they can also be compensated for any loss of earnings or any individual expenses, including child minding costs, that are necessarily incurred as a result of attending an appeal panel or associated training<sup>8</sup>. The payment is set by the local authority which **must** have regard to the recommendations of its independent remuneration panel<sup>9</sup>.

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<sup>7</sup> Academies receive funding directly from central government, but would be expected to pay expenses at the rate set by the relevant local authority.

<sup>8</sup> In accordance with the application of s173 and s174 of the Local Government Act 1972 as provided for by the Education (Admission Appeals Arrangements) (England) Regulations 2008 (SI 2008/2899)(to be amended).

<sup>9</sup> As provided for in the Local Authorities (Members Allowances) Regulations 2003 (SI 2003/1021).

## Section 2: Appeal Hearings

### Timetable

- 2.1 Admission authorities **must** set a reasonable timetable for organising and hearing appeals that **must** include deadlines for lodging appeals; for giving notice to parents of appeal hearings; for requesting evidence and other information from parents; for admission authorities to send evidence to the clerk; for the clerk to send appeal papers to the panel and parties; and for sending out decision letters. All admission authorities **must** publish such an appeals timetable on their websites by 28 February each year.
- 2.2 Admission authorities **must** send parents any information needed to help them prepare their case for appeal and **must not** limit the grounds on which appeals can be made.
- 2.3 Admission authorities **must** ensure appeals are heard within the following timescales:
- For applications to primary and secondary schools made in the normal round of admissions, appeals **must** be heard within 40 working days from the deadline for lodging appeals.
  - For late applications made for primary and secondary schools in the normal round of admissions, appeals **must** be heard within 40 working days from the deadline for lodging appeals, where possible, or by the end of the summer term.
  - For applications to sixth forms, appeals **must** be heard within 30 working days from the confirmation of the GCSE results that the offer depends on. Appeals lodged after the beginning of the autumn school term **must** be treated as appeals for in-year admissions.
  - For applications for in-year admissions (for applications received outside the normal round of admissions), appeals **must** be heard within 30 working days of the appeal being lodged.

### Notifying appellants of the right to appeal and the appeal hearing

- 2.4 Admission authorities **must** allow appellants at least 30 working days from the date of notification that their application was unsuccessful, to prepare and submit their written appeal. Admission authorities **must** organise the hearing of appeals submitted after their specified deadline, but can do that to a timescale set by them. When a local authority or an admission authority sends a decision on the allocation of a school place, it **must** include the reason why admission was refused; the right to appeal; the deadline for lodging an appeal and the contact details for the authority. Parents **must** be informed that they need to set out their grounds for appeal in writing and requested to submit any initial supporting evidence or other information that they want to be considered at the hearing if they wish to appeal.
- 2.5 Admission authorities **must**, no later than 15 working days before the hearing, notify appellants of the details of, and arrangements for, the hearing. This includes requesting that the appellant submits any further evidence or information that was not sent with the initial appeal by a specified date. Admission authorities **must** ask appellants whether they intend to call any witness evidence or be represented at the hearing and inform them that any information or evidence not received in advance of the hearing may not be considered at the appeal.

- 2.6 Admission authorities **must** explain to the appellant that where an appellant fails, or is unable, to attend and it is also impractical to offer an alternative date, the appeal will go ahead and be decided on the written information submitted.

### **Production of evidence from the admission authority prior to the hearing**

- 2.7 In accordance with timetable specified, the admission authority **must** supply the clerk to the appeal panel with all relevant documents needed to conduct the hearing in a fair and transparent manner, including details of how the admission arrangements and the co-ordinated admissions scheme apply to the appellant's application, factual information, the reasons for the decision and an explanation as to how admission of an additional child would cause prejudice to the provision of efficient education or use of resources.
- 2.8 The clerk **must** send all the papers required for the hearing, including the names of the panel members, to both parties and members of the panel, a reasonable time before the date of the hearing. This will allow opportunity for any objections regarding impartiality to be notified to the clerk. An appeal panel **must** decide whether any material not submitted in advance is to be considered by taking into account its significance and the effect of a possible need to adjourn the hearing.

### **Attendance and representation**

- 2.9 The admission authority **must** provide a presenting officer who is responsible for presenting their decision not to admit the child, and is prepared to answer detailed questions about the case being heard and the school. If no presenting officer is available, the panel can decide to resolve the case by using the evidence submitted by the admission authority if it is satisfied that to do so will not cause prejudice to the appellant.
- 2.10 Appeal panels **must** allow appellants the opportunity to appear in person and make oral representations. Appellants may be represented, or accompanied by a friend. Although not usually necessary, witness evidence is permitted where the appeal panel thinks it is appropriate. Appeal panels **must** comply with their duties under the Equality Act 2010 when considering an appellant's attendance and representation at the appeal.
- 2.11 Panels **must not** allow representatives of schools to support individual appeals for places at their school at the hearing itself, or by providing letters of support for appellants, because of possible conflicts of interest and the possibility of unfairness to other appellants.

### **The appeal hearing**

- 2.12 Admission authorities **must** take all reasonable steps to ensure the venue is appropriate, accessible to appellants, and has a suitable area for appellants and presenting officers to wait separately from the panel before and between appeals.

- 2.13 Admission authorities **must** ensure that appeal hearings are held in private<sup>10</sup>, and are conducted in the presence of all panel members and parties in attendance. Where both parties are in attendance, one party **must not** be left alone with the panel in the absence of the other. Where one party has not attended the clerk **must** remain with the panel at all times.

### **The order and nature of the hearing**

- 2.14 It is part of the clerk's role to notify all parties of the order of proceedings in advance of the hearing. The appeal panel **must** ensure that there is good time for all parties to make their case and to be questioned on any detail in that case. There **must** also be good time for any summing up by all parties. Once all parties have concluded their evidence, the panel **must** withdraw to reach a decision as to whether to uphold or reject the appeal.

### **Guiding principles for appeal panels**

- 2.15 Appeal panels **must** operate according to the principles of natural justice. Those most directly relevant to appeals are:
- members of the panel **must not** have a vested interest in the outcome, or any involvement in an earlier stage, of the proceedings;
  - each side **must** be given the opportunity to state their case without unreasonable interruption; and
  - written material and evidence **must** have been seen by all the parties.

### **Reaching a decision**

- 2.16 Section 3 of this Code provides guidance on decisions, but appeal panels **must** either uphold or reject an appeal and **must not** uphold an appeal subject to any specified conditions. Under section 94(6) of the SSFA 1998, a panel's decision that a child shall be admitted to a school is binding on the admission authority concerned.
- 2.17 Panels **must** ensure that decisions on appeals where there is not unanimous agreement are reached by a simple majority of votes cast. Where there are equal numbers of votes the panel chair has a second or casting vote.

### **Notification of the decision**

- 2.18 The panel **must** communicate the decision of each appeal, including the reasons for that decision, in writing to the appellant and admission authority. The clerk **must** sign the decision letter and send it to the parties as soon as possible after the hearing but not later than five working days, unless there is good reason. When notifying appellants of a successful appeal outside the normal admissions round, the letter **must** also include a date on which the child can start at the school.
- 2.19 The panel **must** ensure that the decision is easily comprehensible so that the parties can understand the basis on which the decision was made and why they did or did not succeed. The decision letter **must** contain a summary of relevant factors that were raised by the parties and considered by the panel along with a summary of any legal

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<sup>10</sup> except in the first stage of grouped multiple appeals (see paragraph 3.9).

advise the panel sought. It **must** also give clear and detailed reasons for the panel's decision, including how, and why, any issues of fact or law were decided by the panel during the hearing.

### **Notes and records of proceedings**

- 2.20 The clerk **must** ensure a complete and accurate record is taken of the points raised at the hearing, including the proceedings, attendance, voting and reasons for decisions.
- 2.21 These notes and records of proceedings are the property of the appeal panel and **must** be kept securely by the admission authority for a minimum of two years. Such notes and records of the proceedings are not subject to the Freedom of Information Act 2000. Admission authorities may wish to obtain legal advice where a request has been made under the Data Protection Act 1998 for access to personal data contained in the records of proceedings.

## Section 3: Reaching Decisions on Appeals

### Three stage process

- 3.1 Panels **must** follow different processes depending on the type of school that is the subject of the appeal, for example, primary, secondary, grammar or sixth form, and whether it is an individual or multiple appeal. These are set out below (infant class appeals are in section 4).

### Individual appeals

#### *First stage*

- 3.2 The panel **must** consider:
- i. whether the admission authority's admission arrangements (including the area's co-ordinated admission arrangements) comply with the mandatory requirements of the School Admissions Code and Part 3 of the SSFA 1998; and
  - ii. whether the admission arrangements were correctly and impartially applied in the individual's case. The panel **must not** make its own decision on the matter but consider whether or not there was an error in the way in which the original decision was reached.
- 3.3 If the panel considers that the admission arrangements are in compliance, and that they were correctly and impartially applied to the decision in question, it **must** proceed to the second stage. If the panel finds that the arrangements contravene admissions law or had not been correctly and impartially applied to the child concerned, it **must** go on to consider whether the child would have been offered a place if the arrangements had not been in contravention, or had been correctly and impartially applied. If the panel find that a child would have been offered a place it **must** uphold the appeal at this stage.
- 3.4 If the panel find that the child would not have been offered a place the panel **must** go on the second stage. In all cases, the panel **must** refer to the local authority and the admission authority (if the appeal is for a school that is its own admission authority) any aspects of the admission arrangements that they identify as unlawful.

#### *Second stage*

- 3.5 The panel **must** decide whether the admission of the child in question would prejudice the provision of efficient education or the efficient use of resources at the school. Whilst the panel **must** take into account the school's published admission number, the admission authority **must** be able to demonstrate prejudice over and above the fact that the published admission number has already been reached<sup>11</sup>. The panel **must not** reassess the capacity of the school, but **must** consider the impact on the school of admitting additional children. In reaching a decision as to whether or not there would be prejudice the panel may consider the following factors:
- what effect an additional admission would have on later year groups;

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<sup>11</sup> The published admission number is set with regard to the indicated admission number derived from the net capacity assessment for the school. The net capacity is designed to encompass the wide variety of teaching styles and room layouts that are found in schools across the country, but allows admission authorities and local authorities some flexibility to set an admission number that suits the needs of the school.

- whether any changes have been made to the school's physical accommodation or organisation since an admission number was originally set for the relevant year group;
  - the impact of the locally agreed Fair Access Protocol<sup>12</sup>;
  - the impact on the organisation and size of classes, the availability of teaching staff, and the effect on children already at the school.
- 3.6 If the panel is satisfied at this stage that there would be prejudice, it **must** go on to the third stage. If no prejudice is found, the panel **must** allow the appeal.

#### *Third stage*

- 3.7 The panel **must** exercise its judgement, balancing the degree of prejudice to the school against the appellant's case for the child being admitted to the school, before arriving at a decision. If the panel considers that the appellant's grounds for the child to be admitted outweigh the prejudice to the school identified at the second stage, it **must** uphold that appeal. The panel **must** take into account the appellant's reasons for expressing a preference for the particular school, including what that school can offer the child that the allocated or other schools cannot.

#### **Multiple appeals**

- 3.8 Multiple appeals are when a number of appeals have been received in relation to the same school. Admission authorities **must** take all reasonable steps to ensure that multiple appeals for a school are heard by one panel with the same members. Where more than one panel has to consider appeals for the same school, each panel **must** make its own decision independently.
- 3.9 Admission authorities may hear multiple appeals as either individual or grouped appeals. Grouped multiple appeals are more efficient, especially where there are a large number of appellants. Grouped multiple appeals are where the presenting officer's case is heard in the presence of all the appellants, including any representatives who may put questions to the presenting officer, at the first stage of the appeal. The second stage is heard individually without the presence of other appellants. In all, there are three stages which are set out below.

#### *First stage*

- 3.10 Firstly, the panel **must** consider whether the admission authority's admission arrangements (including the area's co-ordinated admission arrangements) comply with the mandatory requirements of the School Admissions Code and Part 3 of the SSFA 1998. As with individual appeals, the panel **must** refer to the local authority and the admission authority (if the appeal is for a school that is its own admission authority) any aspects of the admission arrangements that it identifies as unlawful.
- 3.11 Secondly, the panel **must** decide how many children could be admitted, if any, without prejudice to the school. If the panel decides that all the children who are the subject of the appeals could be admitted to the school without prejudice, it **must** uphold all appeals. If the admission authority is able to satisfy the appeal panel that there would

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<sup>12</sup> See Paragraphs 3.8 to 3.14 of the School Admissions Code for requirements in relation to Fair Access Protocols.

be prejudice if all or some of the appeals are upheld, the panel **must** move to the second stage, where it **must** hear the appeals individually without the presence of other appellants.

*Second stage*

- 3.12 The panel **must** consider whether the admission arrangements of the school were correctly and impartially applied to the child concerned. Where the panel finds either that arrangements were not correctly and impartially applied or were unlawful, it **must** consider whether each child would have been offered a place if the admission arrangements had been either correctly and impartially applied or were lawful. The panel **must** hear each individual appellant's grounds for admission including reasons as to why admission of their child should outweigh any prejudice to the school in question. With the exception of a decision to uphold all appeals under 3.11 above, panels **must not** decide to uphold an appeal on individual cases until all appellants' cases have been heard.

*Third stage*

- 3.13 The panel **must** withdraw to come to a decision. If the number of children who would have been admitted to the school if either the admission arrangements had been lawful or correctly and impartially applied is the same or fewer than the number the panel decided could be admitted to the school without prejudice, the panel **must** uphold the appeals concerning those children. For the remaining appellants, the panel **must** consider whether their grounds for admission to the school outweigh the prejudice to the school.
- 3.14 If there are several cases which outweigh the prejudice to the school and merit admission, but the panel determines that the school could not cope with that number of successful appeals, it **must** compare all the remaining cases and decide which of them to uphold, if any.
- 3.15 Where the number of children who would have been admitted to the school if the admission arrangements had been either lawful or correctly and impartially applied is greater than the number the panel decided could be admitted to the school without prejudice, the panel **must** consider whether the grounds for admission to the school outweigh prejudice to the school for all the appellants.
- 3.16 Where there are several cases which outweigh the prejudice to the school and merit admission, but the panel determines that the school could not cope with that number of successful appeals, it **must** compare all the remaining cases and decide which of them to uphold, if any. In doing so, the panel may have regard to whether a child would have been admitted if the arrangements had been either lawful or correctly and impartially applied.
- 3.17 Individual multiple appeals are where the presenting officer presents the case at the first stage, followed immediately by the individual appellant's case. Such arrangements involve repetition of the first stage and are therefore only suitable where there are small numbers of appeals. In such appeals the panel **must** ensure that the presenting officer does not produce new evidence or expand on the case in subsequent appeals, as appellants whose cases were heard earlier in the process will not have had an



opportunity to consider and respond to that new evidence. However, if material new evidence comes to light during the questioning of the presenting officer, the clerk **must** ensure that the panel considers what bearing that evidence may have on all previous and subsequent appeals.

### Appeals for grammar schools

- 3.18 Designated grammar schools are permitted to select children for admission on the basis of academic ability and may leave places unfilled if there are insufficient eligible applicants<sup>13</sup>. Some admission authorities for grammar schools offer places to those who score highest, others set a pass mark and then apply oversubscription criteria to those applicants that reach the required standard. In the case of applicants who have been refused admission to a particular grammar school because there are more eligible children than places available and the oversubscription criteria has been applied a panel **must** follow the process outlined at paragraphs 3.2 to 3.7 for individual appeals and 3.8 to 3.17 for multiple appeals.
- 3.19 An appeal panel may be asked to consider an appeal where the appellant believes that the child did not perform at their best on the day of the entrance test. In such cases:
- a) Where a local review process has not been applied, the panel **must** only uphold the appeal if it is satisfied:
- that there is evidence to demonstrate that the child is of the required academic standards, for example, school reports giving Year 5/Year 6 SAT results or a letter of support from their current or previous school clearly indicating why the child is considered to be of grammar school ability; and
  - where applicable, that the appellant's arguments outweigh the admission authority's case that admission of additional children would cause prejudice.
- b) Where a local review process has been followed, the panel **must** only consider whether each child's review was carried out in a fair, consistent and objective way and if there is no evidence that this has been done, the panel **must** follow the process in paragraph 3.19 a).
- 3.20 In either case the panel **must not** devise its own methods to assess suitability for a grammar school place unrelated to the evidence provided for the hearing.
- 3.21 If a panel has to consider an appeal for an in-year applicant where no assessment has taken place, it **must** follow the process in paragraph 3.19 a).

### Appeals for admission to sixth forms

- 3.22 Where applicants have been refused admission to a particular school because there are more eligible children than places available and over-subscription criteria have been applied, appeal panels **must** follow the three stage process at paragraphs 3.2 to 3.7 for individual appeals and 3.8 to 3.17 for multiple appeals.
- 3.23 In the case of an appeal where the child did not reach the specified entry requirements, the panel **must not** attempt to make its own assessment of a child's

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<sup>13</sup> Section 86(3)(c) of the SSFA 1998.

ability, but may need to decide whether the original decision that the child was not of the required standard was reasonable in light of the information before the decision-maker. In doing so, it may want to consider whether any process in place to consider such cases (for example, where a pupil had not been studying in England and did not have GCSEs) was carried out in a consistent and objective way.

- 3.24 Where a child is refused admission to a sixth form, they and their parents have the same right of appeal and where they appeal separately admission authorities **must** arrange the appeals so that they are heard together. For in-year applications made by both children and their parents, panels **must** hear appeals together where possible unless they are for different admission authorities.

### **Boarding schools**

- 3.25 Panels **must** follow the three stage process at paragraphs 3.2 to 3.7 for individual appeals and 3.8 to 3.17 for multiple appeals against decisions for places at boarding schools. In considering whether prejudice would arise if further children were admitted to a boarding school, the panel **must** consider the effect of admitting additional day pupils on the number of boarding places which are available, for example, if the resultant effect on class size means that the number of boarding places available overall would have to be reduced. It is up to the admission authority to provide evidence that this would be the case.

### **Waiting lists**

- 3.26 The School Admissions Code requires admission authorities to maintain waiting lists for oversubscribed schools. Appeal panels **must not** take account of where the admission authority has placed a child on the waiting list, or of the fact that appeals have not been made in respect of other children on the waiting list. Appeal panels **must not** determine where a child should be placed on that list.

### **Expressing a preference and Fair Access Protocols**

- 3.27 The School Admissions Code requires local authorities to have a Fair Access Protocol which sets out how, outside the normal admissions round, schools in the area will admit their fair share of children with challenging behaviour, children excluded from other schools and children who arrive outside the admissions round who may have difficulty securing a school place. The allocation of a place under such a protocol does not override a parent's right to appeal. If an application has been refused, despite there being places available, the governing body **must** present their case for refusal, demonstrating how admission of the child would cause prejudice to the school – this may be the case for a school with a high proportion of children with challenging behaviour which refuses an in-year admission to a child with challenging behaviour.

### **Children with statements of Special Educational Needs**

- 3.28 If the parent of a child with a statement of Special Educational Needs wishes to appeal against the school named in the statement, or the fact that no school has been named, such appeals are considered by a Special Educational Needs and Disability Tribunal,

not a school admission appeal panel<sup>14</sup>.

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<sup>14</sup> Section 326 of the Education Act 1996.

## Section 4: Infant Class Size Appeals

- 4.1 Regulations made under Section 1 of the School Standards and Framework Act 1998 limit the size of an infant class (for example, a class in which the majority of children will reach the age of 5, 6 or 7 during the school year) to 30 pupils with a single school teacher. Only in very limited circumstances can admission over the limit be permitted<sup>15</sup>.
- 4.2 Where a child has been refused admission to a school on the grounds of infant class size prejudice (see paragraph 4.4), an appeal panel may determine that a place is to be offered to the child by the admission authority only where it is satisfied that:
- the child would have been offered a place if the admission arrangements had been properly implemented;
  - the child would have been offered a place if the arrangements had not been contrary to mandatory provisions in the School Admissions Code and the SSFA 1998; or
  - the decision to refuse admission was not one which a reasonable admission authority would have made in the circumstances of the case.
- 4.3 In reaching its decision, the panel **must** take into account all relevant circumstances including:
- the published admission arrangements, including the area's co-ordinated admissions scheme where applied;
  - the parent's preference;
  - the circumstances of the particular child and family; and
  - the practical consequences for the school and the children in relevant infant classes if any or all of the appeals being heard were to be successful.
- 4.4 Accordingly, panels **must** follow the process below in considering appeals under infant class size prejudice grounds<sup>16</sup>.
- i. The panel **must** consider the lawfulness of the admission arrangements (including the area's co-ordinated admission arrangements) and whether they have been correctly and impartially applied. The panel **must** immediately refer to the local authority and the admission authority (if the appeal is for a school that is its own admission authority) any aspects of the admission arrangements it identifies as unlawful.
  - ii. Under these grounds, the panel can only uphold the review in cases where it is clear that the child would have been offered a place if the admission arrangements had been properly applied or were not contrary to mandatory provisions in the School Admissions Code and the SSFA 1998. The panel should allow fresh material to be submitted by the parents in order to

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<sup>15</sup> See paragraph 2.15 of the School Admissions Code.

<sup>16</sup> The procedure for determining infant class size appeals has been considered by the Court of Appeal and High Court in a number of cases: *R v London Borough of Richmond ex parte JC* [2001] ELR 21, CA; *The School Admission Appeals Panel for the London Borough of Hounslow v The Mayor and Burgesses of the London Borough of Hounslow* [2002] EWCA Civ 900; *R (on the application of South Gloucestershire Local Education Authority) v South Gloucestershire Schools Appeal Panel* [2001] EWHC Admin 732; and *R (K and S) v Admissions Appeal Panel of Cardiff County Council and Cardiff County Council* [2003] EWHC 436 (Admin).

establish the factual basis for their claim that the arrangements had not been properly implemented or had been contrary to mandatory provisions in the School Admissions Code and the SSFA 1998.

- iii. Unless the appeal has already been upheld, the appeal panel **must** go on to consider whether the admission authority's decision was one which a reasonable admission authority would have made in the circumstances of the case.
- iv. The panel should review the admission authority's decision in the light of the material available at the time when it made its decision. Exceptionally, a panel may also consider material which would have been available to the admission authority if it had acted properly. The panel may also consider evidence submitted by the parents to show what their circumstances were at the time the decision was made in order to support their claim that no reasonable admission authority would have made that decision.
- v. If the panel finds that the admission authority's decision was not one which a reasonable admission authority would have made in the circumstances of the case, then it should uphold the review.

### **Considering infant class size prejudice**

- 4.5 Applications for admission may have been refused because places had been allocated up to the published admission number, but this does not necessarily mean that admitting another child would breach the infant class size limit. The panel **must** consider whether infant class size prejudice would be caused by the evidence provided that further admission would be detrimental to the efficient provision of education or efficient use of resources.
- 4.6 The panel **must** also consider whether admission of an additional child would cause future infant class size prejudice. Schools are responsible for organising their classes and can choose to split or merge classes to ensure appropriate teaching and learning. In such cases, panels **must** ensure that future infant class prejudice will not be caused for schools that have admitted children up to their published admission number in reception but plan to merge infant classes in Year 1 or 2. For example, a school publishes an admission number of 60, admitting 20 children to three reception classes, which become two classes of 30 children in Years 1 and 2. Admission of a 61st child to reception would lead to one of the Year 1 classes exceeding the infant class size limit unless the school takes remedial measures, such as recruiting an additional teacher.

### **Multiple infant class size appeals**

- 4.7 Appeal panels may hear multiple infant class reviews for the same school in groups, where the presenting officer's case is heard in the presence of the appellants, including any representatives, who may question the case. If the panel is satisfied that there is infant class size prejudice, it **must** proceed to consider the appeals of the individual appellants (as in paragraphs 4.3 and 4.4) without the presence of the others. If infant class size prejudice is not proven, the panel **must** decide which children should be admitted before infant class size prejudice arises, and then consider all remaining appeals as infant class size prejudice cases. Panels **must not** make decisions until all the appeals have been heard.

## Section 5: Other appeals and complaints

### Further Appeals

- 5.1 Appellants do not generally have the right to a second appeal in respect of the same school for the same academic year. However a second appeal may be held where:
- i. it is requested by the Local Government Ombudsman for a maintained school, by the Secretary of State for an Academy, or when the admission authority accepted there were faults in the first appeal which may have significantly altered the outcome; or
  - ii. the admission authority has accepted a further application because of a significant and material change in the circumstances of the parent, child or school but still refused admission.
- 5.2 A second appeal panel **must** be made up of different members to the first.

### Complaints about appeals

- 5.3 Admission authorities **must** inform parents about the arrangements for making a complaint about maladministration on the part of the panel hearing appeals. For a maintained school such a complaint should be made to the Local Government Ombudsman<sup>17</sup>.

### Appeals by governing bodies against local authority decisions to admit twice excluded children

#### *Notice of appeal*

- 5.4 When a local authority takes a decision that a twice excluded child is to be admitted to a community or voluntary controlled school, it **must** give the governing body of the school notice in writing of that decision and of their right to appeal<sup>18</sup>. The local authority **must** comply with the principles of this Code when organising such appeals.
- 5.5 The governing body **must** make any appeal against such a decision in writing within 15 working days after the day it is given notice, and **must** give the grounds on which the appeal is being made. Local authorities are not, however, required to make these arrangements where their decisions are in the form of directions made under section 96 of the SSFA 1998, which empowers the local authority, in prescribed circumstances, to direct a foundation or voluntary aided school to admit a particular child.

#### *Appeal panels*

- 5.6 The appeal panel **must** be constituted in the same way as one hearing an appeal by a parent or a child against an admission authority's decision not to admit. The hearing

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<sup>17</sup> For Academies this would be the Secretary of State.

<sup>18</sup> The requirements for appeals of this type are set out in Schedule 2, paragraph 2 of the Appeals Regulations 2002/2899.

**must** be on a date determined by the local authority, within 15 working days from the appeal being lodged. A panel **must not** include a member who has been involved in any way in previous considerations of whether the child should be reinstated at any school from which he or she has been permanently excluded or in any previous appeal relating to the child under section 85(2) of the SSFA 1998.

*The appeals procedure*

- 5.7 The appeal panel **must** ensure that appeals are heard in private and allow:
- the local authority and the governing body to make written representations;
  - a representative of the local authority and a governor nominated by the governing body, to appear and make oral representations.
- 5.8 In considering the appeal, the panel **must** consider:
- the reasons for the local authority's decision to admit the child; and
  - any reasons put forward by the governing body as to why it does not want to admit the child.
- 5.9 If the members of the panel disagree, the panel **must** decide the appeal by a simple majority vote. If the votes are equally divided, the panel chair has a second or casting vote. The decision reached is binding and the school and local authority **must** comply with it.
- 5.10 The clerk **must** communicate in writing the decision of an appeal panel, and the reasons for it, to the local authority, governing body and parents concerned, by the end of the second school day after the conclusion of the appeal hearing. The decision may also be confirmed to the parents by telephone by at least the next school day after the hearing.<sup>19</sup>

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<sup>19</sup> Where a local authority wishes an Academy to admit a particular child against the wishes of the Academy the case should be referred to the Secretary of State, who has the power to direct admission.

### Draft Timetable of Work

Set out below are key tasks that Warwickshire's School Admissions Forum may wish to consider at each of their future meetings. These are currently scheduled for June and September 2011, followed by January and February 2012.

The timetable begins in June 2011 and runs through to June 2012. Many of the items included, and their timings, would apply to future years. Some of the items listed for the June 2011 meeting have not been included on that meetings agenda. However, these are included to demonstrate a possible cycle for future years.

Comments from the Admissions Forum are welcome.

#### June 2011

- Officer update on primary and secondary Offers for entry in September 2011.
- Forum to discuss consultation for entry in September 2013.
- Officer update on In Year Admission applications processed to date.
- Officer update on children admitted under the In Year Fair Access Protocol (IYFAP).
- Officer update on appeals processed to date.
- Officer update on Warwickshire Schools including conversion to Academy and Federation arrangements.
- Officer update on Primary Expansion Programme.

#### September 2011

- Forum to consider draft consultation document for entry in September 2013.
- Forum to consider Local Authority report submitted to School's Adjudicator.
- Officer update on number of primary and secondary school application packs sent out.
- Officer update on number of 11+ registration forms received. 11+ co-ordinator to attend forum.
- Forum to consider new In Year Fair Access Protocol.
- Officer update on Primary Expansion Programme.

#### January 2012

- Officer update on consultation exercise for entry in September 2013.
- Officer Update on first preferences for secondary applications.
- Officer update on In Year Admission applications processed to date.
- Officer update on children admitted under the In Year Fair Access Protocol.
- Officer update on appeals processed to date.
- Officer update on effectiveness of new In Year Fair Access Protocol.
- Officer update on Primary Expansion Programme.



## **February 2012**

- Forum to consider draft Primary and Secondary Composite Prospectuses along with 11+ registration leaflets.
- Officer update on new Admissions Code, Appeals Code and Education Bill. Forum to discuss.
- Officer update on consultation exercise for entry in September 2013.
- Officer update on first preferences for primary / junior applications.
- Officer update on Primary Expansion Programme.

## **June 2012**

- Officer update on Primary and Secondary Offers for entry in September 2012.
- Forum to discuss consultation for entry in September 2014.
- Officer update on In Year Admission applications processed to date.
- Officer update on children admitted under the In Year Fair Access Protocol.
- Officer update on appeals processed to date.
- Officer update on Warwickshire Schools including conversion to Academy and Federation arrangements.
- Officer update on Primary Expansion Programme.