

# A G E N D A

## Local Admissions Forum

Date: **Thursday, 25th September, 2008**

---

Time: **6.30 p.m.**

---

Place: **Council Chamber, Brockington, 35  
Hafod Road, Hereford HR1 1SH**

---

Notes: Please note the **time, date** and **venue** of  
the meeting.

*For any further information please contact:*

*Paul Rogers, Democratic Services officer,  
Tel: 01432 383408*

***e-mail: [progers@herefordshire.gov.uk](mailto:progers@herefordshire.gov.uk)***

---

# AGENDA

## for the Meeting of the Local Admissions Forum

<b>To: Local Education Authority</b>	<b>(Chairman) JW Hope and A M Toon</b>
<b>Church Representative</b>	<b>Anne Robertson (Roman Catholic Church) and A Leach (Church of England)</b>
<b>Headteachers</b>	<b>C. Barker (Community High School), Sara Catlow-Hawkins (Bishop of Hereford &amp; St Mary's RC Schools) and Julie Powell (Community and VC Primary)</b>
<b>School Governors</b>	<b>Mr Ross (Primary Schools)</b>
<b>Parent Governors</b>	<b>N Parker, R Stevenson and A Wood</b>
<b>Local Community Rep</b>	<b>Mr P McKinnie (Consortium of Special Educational Needs), and Carol Shaw (West Midlands Service for Travelling Children)</b>

	<b>Pages</b>
<b>1. APOLOGIES FOR ABSENCE</b>	
To receive apologies for absence.	
<b>2. NAMED SUBSTITUTES</b>	
To receive any details of Members nominated to attend the meeting in place of a Member of the Forum.	
<b>3. MINUTES</b>	5 - 12
To approve and sign the Minutes of the Meeting held on 19 June 2008.	
<b>4. DECLARATIONS OF INTEREST</b>	
To receive any declarations of interest by Members in respect of items on the Agenda.	
<b>5. LATE ITEMS/ANY OTHER BUSINESS</b>	
To consider any issues that Forum Members may wish to raise	
<b>6. SCHOOL ADMISSIONS CONSULTATION AND RESPONSE</b>	13 - 72
To prepare a response from the Herefordshire LAF to the School Admissions Consultation process.	

**7. WORKPLAN AND MEMBER TRAINING**

To discuss matters for inclusion in a workplan, how a workplan is approved and how additions to a workplan can be achieved. Also, to consider topics to be included in a training session for Members and to determine when this will take place.



# **The Public's Rights to Information and Attendance at Meetings**

## **YOU HAVE A RIGHT TO: -**

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public Register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

## **Please Note:**

Agenda and individual reports can be made available in large print. Please contact the officer named on the front cover of this agenda **in advance** of the meeting who will be pleased to deal with your request.

The Council Chamber where the meeting will be held is accessible for visitors in wheelchairs, for whom toilets are also available.

A public telephone is available in the reception area.

## **Public Transport Links**

- Public transport access can be gained to Brockington via the service runs approximately every half hour from the 'Hopper' bus station at the Tesco store in Bewell Street (next to the roundabout junction of Blueschool Street / Victoria Street / Edgar Street).
- The nearest bus stop to Brockington is located in Old Eign Hill near to its junction with Hafod Road. The return journey can be made from the same bus stop.

If you have any questions about this agenda, how the Council works or would like more information or wish to exercise your rights to access the information described above, you may do so either by telephoning the officer named on the front cover of this agenda or by visiting in person during office hours (8.45 a.m. - 5.00 p.m. Monday - Thursday and 8.45 a.m. - 4.45 p.m. Friday) at the Council Offices, Brockington, 35 Hafod Road, Hereford.

## **COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL**

**BROCKINGTON, 35 HAFOD ROAD, HEREFORD.**

### **FIRE AND EMERGENCY EVACUATION PROCEDURE**

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit.

You should then proceed to Assembly Point J which is located at the southern entrance to the car park. A check will be undertaken to ensure that those recorded as present have vacated the building following which further instructions will be given.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.





HEREFORDSHIRE COUNCIL

**MINUTES of the meeting of Local Admissions Forum held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Thursday, 19th June, 2008 at 7.00 p.m.**

<b>Present:</b>	<b>Local Education Authority</b>	<b>JW Hope MBE (Chairman) and AM Toon</b>
	<b>Church Representative</b>	<b>Revd. I. Terry (Church of England)</b>
	<b>Headteachers</b>	<b>C. Barker (Community High School)</b>
	<b>School Governors</b>	<b>(none)</b>
	<b>Parent Governors</b>	<b>A Wood</b>
	<b>Local Community Rep</b>	<b>(none)</b>

**In attendance:** (none)

**1. ELECTION OF CHAIRMAN**

Councillor JW Hope was nominated and seconded for the Chairmanship.

**RESOLVED:** that Councillor JW Hope be elected Chairman of the Local Admissions Forum for the ensuing year.

*Councillor JW Hope in the Chair.*

**2. APPOINTMENT OF VICE-CHAIRMAN**

Councillor AM Toon was nominated and seconded for the Vice-Chairmanship.

**RESOLVED:** that Councillor AM Toon be appointed Vice-Chairman for the ensuing year.

**3. APOLOGIES FOR ABSENCE**

Apologies were received from Ann Robertson, Sara Catlow-Hawkins and A Ross.

**4. NAMED SUBSTITUTES**

There were no named substitutes.

**5. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**6. MINUTES**

**RESOLVED:** that subject to the insertion of the word 'schools' after the word 'the' in the second line of the fourth paragraph of the preamble to Minute No.

**25, the Minutes of the meeting held on the 28<sup>th</sup> February 2008 be approved as a correct record and signed by the Chairman.**

**7. LATE ITEMS/ANY OTHER BUSINESS**

There were no late items or any other business.

**8. CHILDREN OUT OF YEAR - CONSULTATION DOCUMENT**

The Forum considered a report seeking responses to the Children Out of Year General Advice Document.

Dave Scott, Principal Educational Psychologist, referred to the document attached to the report at Appendix 1.1 and stated that the document centres on ensuring that children's needs are noted and considered fully before any decisions are made.

Dave Scott informed the Forum that emotional, academic and maturity needs of children are taken into account and the individual family's circumstances. Once a decision is taken it impacts on future years and aspects of life.

**RESOLVED: that the document attached to the report at Appendix 1.1 be noted and endorsed.**

**9. CONSTITUTION OF THE LOCAL ADMISSIONS FORUM**

Consideration was given to a report seeking agreement to amendments to the Local Admission Forum's Constitution in accordance with the provisions of the School Admissions Code 2007.

Sharon Menghini, Director of Childrens Services, expressed the view that the addition of a member of the armed services community would be beneficial to the Forum. The Forum would also need to satisfy itself that it always took into account the particular issues affecting children who are looked after. It was suggested that the Forum invite specialists for specific items relating to looked after children as required.

With regard to 'Decision Making' in the Constitution, it was suggested that any oral presentations by schools should be set at a maximum time limit of five minutes or such time limit to be set by the Chairman.

A Member suggested that contact be made with the Hereford Cathedral School for a nomination to attend Forum meetings.

A Member further suggested that the information which sets out Acts of parliament and School Admissions Code in the 'Background' paragraph contained in the covering report, would be a useful addition to the Constitution.

**RESOLVED: (a) that subject to the following additions to the Local Admissions Forum Constitution, the amendments as set out in the report be approved:**

**(i) the information detailing the Acts of parliament and School Admissions Code as they relate to the Forum, as referred to in the 'Background' paragraph of the report, be included in the Constitution;**

**(ii) the words 'or such time limit to be set by the**

**Chairman' be inserted after the word 'Minutes' in the fourth line of the third paragraph relating to 'Decision Making';and**

**(b) that the Hereford Cathedral School be approached to nominate a representative to the Forum as a Key Interested Group;**

**(c) that the Forum seeks representation from the armed forces and that whenever issues considered affect children who are looked after, that specialists from the Children and Young People's Directorate are present at the Forum.**

## **10. INFORMATION FOR PARENTS BOOKLETS**

The Forum considered a report requesting approval of booklets for the admission/transfer of pupils into primary and secondary schools. .

It was noted that paragraph 4 (ii) of Appendix 3A 6 should read 'High School' not 'Infants'.

A Member referred to paragraph 4.1(i) regarding the Statement of Special Educational Needs which names the school and suggested that this is the parent's choice.

Sharon Menghini informed the Forum that it is the parent's/carer's choice to decide which school they prefer.

Concern was expressed by a member that parent's appeals regarding school preference decisions do not have any regard or relationship with school waiting lists and that this anomaly applied to the numbers of children given places at schools in accordance with Special Educational Needs (SEN).

Andrew Blackman, School Admissions and Transport Manager, stated that waiting lists and school appeals together with SEN children given places at schools are administered in accordance the appropriate regulations.

Sharon Menghini, Director of Childrens Services, suggested that a transparent statement be included in the appropriate booklet which highlights the non association between the rules, procedures and protocols relating to school appeals, SEN children and school waiting lists and would give a greater understanding of these issues.

A Member referred to the fact that some parents made a decision not to send their children to certain schools because they could not afford the cost of the school uniforms. The Member suggested that school uniform costs should not be an issue with children not choosing schools and that there should be rules in place to help with these problems.

A Member referred to the rules where parents can write to the Chair of Governors with complaints, page 32 of Appendix 3A refers, and took the view that communication with the chairman of governors should be available via email.

Sharon Menghini informed the Forum that work was in progress to include a list of Chairman of Governors email addresses on a Web site which parents could log into and that reference to the list would be included in the appropriate paragraph in relation to complaints procedure on page 32 of the Appendix to the report.

Discussion ensued regarding the non compliance of admission policies at some schools. It was suggested that where there is non-compliance of policies, the school should be informed that it has a period of one month to comply and that failure to do so would result in the issue being brought to the attention of the Schools Adjudicator. Also that a letter be written to the Chairman of Governors advising of the situation.

A Member referred to the Forms for completion regarding Statemented Children and suggested that the Forms should read 'Statemented and Banded Funding'.

Sharon Menghini, Director of Childrens Services, informed the Forum that the 'Statemented and Banded' issue was currently being reviewed.

A Member made reference to the use of the term 'Open Place Special' under the heading 'How Places were Allocated' and that this category should be explained.

Sharon Menghini took the view that that the word 'Special' was inappropriate.

With reference to paragraph 4 on page 175, a Member requested clarity on how the definitions in the bullet points are rated.

The discussed the Admission Policies of School Sixth Forms and reference was made to the omission of information in respect of Wyebridge Sports College.

Sharon Menghini agreed that there should be an appropriate Sixth Form Policy for Wyebridge.

**RESOLVED: (a) that the booklets for admission/transfer of pupils into primary and secondary schools be approved subject to the following amendments:**

**(i) a transparent statement be included which highlights the non association between the rules, procedures and protocols relating to school appeals, SEN children and school waiting lists;**

**(ii) a policy be written which gives a school one month to comply with admission policies and that failure to comply will result in the school being reported to the Schools Adjudicator. The Policy to include written notification to the School's Chairman of Governors of the notice period;**

**(iii) information indicating how ratings are attained at the bullet points in paragraph 4 on page 175 be included;**

**(iv) an appropriate paragraph be included giving details for Wyebridge Sports College in the 'Admission Policies for School Sixth Forms';**

**(b) that the issue regarding the association of Uniform costs preventing children being admitted to some schools be investigated.**

**11. STANDARD APPLICATION FORMS FOR SCHOOL YEAR 2009/2010**

Consideration was given to a report seeking to approve the layout and content of the "common application form" to be used for the co-ordinated secondary transfer arrangement for September 2009, SA1, and the PA1 form for primary co-ordination to be introduced from the same time.

**RESOLVED: that the application forms be approved.**

**12. APPLYING FOR A PLACE AT HIGH SCHOOL AND STARTING SCHOOL**

Consideration was given to a report seeking approval of the layout and content of the simple guidance notes in relation to admission of children into reception class at 4 years of age and the transfer of pupils into high school at age 11.

**RESOLVED: that the layout and content of the guidance notes attached to the report be approved.**

**13. ANNUAL REPORT REQUIRED TO BE PRODUCED BY THE HEREFORDSHIRE LOCAL ADMISSION FORUM**

Consideration was given to the annual report shown as required by The Education (Admission Forums) (England) (Amendment) Regulations 2007.

A Member referred to a Note issued by the Department Children Schools and Families which sets out the purpose of admission Forum reports and provides guidelines on their content.

Andrew Blackman, Admissions and Transport Manager, informed the Forum that the content of the Annual report was in accordance with the provisions of the School Admissions Code 2007.

Sharon Menghini referred to the possible inclusion of an element in the Annual report on the issue regarding some parents being unable to afford school Uniforms and in such cases, schools would make provision to alleviate this problem. It would be for the forum to decide if an appropriate paragraph should be included in the Annual report.

Andrew Blackman made reference to paragraph 7 of the report and informed the Forum that since the report was circulated, it had come to his attention that Bosbury and Mordiford Primary schools had not complied with the Admissions Code of Practice. This was the subject of report also Minute No.41 to these Minutes.

**RESOLVED: that the draft report be noted subject to the inclusion of an element which asks schools to make provision to alleviate the problem where parents are unable to afford Uniforms for their children who are allocated a place at a school.**

**14. INFORMATION REGARDING TRANSFERS OUTSIDE OF THE NORMAL ADMISSION ROUNDS**

Consideration was given to a report regarding the statistics in relation to secondary school "in-year" transfers.

A member expressed concern regarding the numbers of children transferred from a school as a consequence of them being unhappy.

Andrew Blackman stated that he would issue a summary to Members which indicated the reasons for children requesting a transfer from schools.

**RESOLVED: that headteachers be requested to comment and discuss with officers the issues regarding children requesting to leave their school as a consequence of being unhappy.**

#### 15. **AMENDMENTS TO SCHOOL PLANNED ADMISSION NUMBERS**

Consideration was given to a report regarding changes to the Planned Admission Numbers (PAN) at Aylestone High School, Kingstone High School, Leominster Junior School and St Martin's Primary School.

Andrew Blackman, Admissions and Transport Manager, informed the Forum that he had not yet received confirmation from the Chairman of Governors of Kingstone High School that the PAN should be reduced.

**RESOLVED: (a) that the proposed changes to the Planned Admission Numbers at Aylestone High School, Leominster Junior School and St Martin's Primary School be approved; and**

**(b) that consideration of proposed changes to the Planned Admission Numbers at Kingstone High School be deferred.**

#### 16. **UNAUTHORISED ADDITIONAL ADMISSIONS IN EXCESS OF AGREED SCHOOL PUBLISHED ADMISSION NUMBERS**

Consideration was given to a report regarding unauthorised changes to the Published Admission Numbers (PAN) at St Mary's R C High School and Kingsland C.E. Primary School.

Andrew Blackman, Admissions and Transport Manager informed the Forum that since the report had been circulated, seven admission appeals had been allowed for places at Bosbury Primary school due to the school's Chairman of Governors indicating to two parents that the school could admit their children. Also, that five appeals had been allowed for places at Mordiford primary school due to the Appeals Hearing being informed by the Headteacher that the school could take the children.

Circulated at the meeting, and is attached to the Agenda, was correspondence from the Headteacher of St Mary's RC High School indicating that his statement at the appeals hearing regarding room at the school for another class was taken out of context.

Alan McLaughlin stated that an alternative course of action would be to write to the schools seeking their reassurance in writing that they will in future adhere to the regulations, procedures and protocols regarding school admissions particularly in the light of falling rolls.

**RESOLVED: that the unauthorised changes to school admission numbers to the Published Admission Numbers (PAN) at St Mary's R C High School, Kingsland C.E. Primary School, Bosbury Primary School and Mordiford Primary school be referred to the Schools Adjudicator**

**17. CONSULTATION BY DEPARTMENT OF CHILDREN, SCHOOLS AND FAMILIES (DCSF) ON ADMISSION ARRANGEMENTS**

Consideration was given to a late item regarding consultation by DCSF on admission arrangements. Members were circulated with the Web site where details of the consultation paper were available if they wish to participate in the consultation. Dates for consultation were from 12th July to 2nd October 2008.

**RESOLVED: that members of the Forum to participate in the consultation independently via the appropriate DCSF Web site.**

The Chairman informed Members that this was the last meeting that the Rev. I Terry would be attending. He thanked him for all his work for the Forum and the way in which he had fulfilled his duties.

The meeting ended at 9.16 p.m.

**CHAIRMAN**





## SCHOOL ADMISSIONS CONSULTATION RESPONSE

### REPORT BY ADMISSIONS AND TRANSPORT MANAGER

LOCAL ADMISSIONS FORUM

25<sup>TH</sup> SEPTEMBER 2008

---

#### **Wards Affected**

Countywide

#### **Purpose**

To prepare a response from the Herefordshire LAF to the School Admissions Consultation process.

#### **Financial Implications**

None identified.

#### **Background**

The Government announced in the Children's Plan its commitment to improve the system through which parents apply for school places for their children and the way in which places are allocated. The attached consultation document (School Admissions Consultation - Delivering the Children's Plan) summarises the DCSF proposals for delivering on that commitment. The consultation runs from 12 June to 2 October 2008 and the DCSF welcome your views on the proposals.

Securing a school place for a child is one of the most important things parents do. The Government is committed to making the process as fair and straightforward as possible.

The statutory admissions framework, including the School Admissions Code, ensures fairness and transparency. The Code came into force in February 2007 and first applied to school admissions in September 2008. It has had a positive impact on school admissions but more needs to be done to improve the system, both to ensure that families and children are at its centre and that all schools comply fully with the law and the Codes. The DCSF are also consulting on draft Regulations that will ensure all schools comply fully with the law and the Codes and all children have a fair chance of obtaining a place at their parents' preferred school.

The current law on school admissions is contained in the School Standards and Framework Act 1998. The Education and Skills Bill, which is currently progressing through Parliament, will make changes to the law, provided that it receives Royal Assent. Those changes relate to:

- New local consultation process for determining admission arrangements (see section 2.2 in the attached consultation document),
- Local authority reports to the Schools Adjudicator (see section 2.6 in the attached consultation document),
- The powers and duties of the Schools Adjudicator (see section 2.7 in the

---

Further information on the subject of this report is available from  
Andrew Blackman, Admissions and Transport Manager on (01432) 260927

attached consultation document), and

- School sixth forms (see section 4.2 in the attached consultation document).

There are some proposals in these consultations which would require further changes to primary legislation and which are not covered by the Education and Skills Bill. These relate to:

- Admission Forums (see section 2.3 in the attached consultation document); and
- School charging (see section 4.5 in the attached consultation document).

Finally, there are proposals that would not require any changes to primary legislation. These relate to:

- Improving the application and allocation process for school places (see section 2.1 in the attached consultation document);
- School admission appeals (see section 2.4 in the attached consultation document);
- Information for parents (see section 2.5 in the attached consultation document);
- Service families (see section 2.8 in the attached consultation document);
- Fair Access Protocols (see section 3 in the attached consultation document);
- School ethos (see section 4.1 in the attached consultation document);
- New schools (see section 4.3 in the attached consultation document);
- Published admission numbers (see section 4.4 in the attached consultation document); and
- Banding arrangements (see section 4.6 in the attached consultation document).

The DCSF have completed an impact assessment at the development and options stage of this consultation and have considered that the proposals are broadly cost neutral. The evidence of how they reached these considerations are set out in the draft impact assessment, currently available on the DCSF school admissions website

## Issues

The majority of the items out for consultation will generally improve the school admissions process however from a Herefordshire perspective the main issue concerns section **4.4 Published Admission Numbers:**

“The Government wants popular and successful schools to expand where it is appropriate for them to do so, in order that every parent can choose a good school for their child. It should be easier for successful and popular schools to grow to meet parental demand. DCSF are therefore proposing to make it easier for schools to increase their published admission number, and propose to provide a presumption that where a school is successful and popular the change should be agreed. DCSF

are also proposing to relax requirements on schools wishing to admit above their published admission number in a particular year.

DCSF are planning to withdraw sections in 'The School Organisation (Prescribed Alterations) Regulations 2007' which require proposals to be published for an increase in a published admission number of 27 or more. Statutory proposals will still be required for the physical expansion of schools.

These changes mean that statutory proposals will no longer be required for schools that wish to increase their published admission number. Any admission authority that wants to amend their published admission number can do so during the consultation and determination of admission arrangements for all schools in the area. Legislation allows for community and voluntary controlled schools (where the admission authority is the local authority) to appeal to the Schools Adjudicator if they do not agree with the admission number set for them by the local authority. The local authority can also appeal to the Adjudicator if it does not agree with a proposal from a foundation or voluntary aided school to increase its published admission number. However, the draft revised School Admissions Code now requires local authorities and the Schools Adjudicator to have regard to the presumption that proposals to expand successful and popular schools should be accepted.

If an admission authority wants to increase the published admission number of a school after admission arrangements have been determined they will still be able to do this by referring a variation to the Schools Adjudicator in the way described in paragraphs 4.26 to 4.30 of the draft revised School Admissions Code.

Finally, it is proposed to relax the requirement that schools should not admit children above their published admission number unless 'exceptional circumstances' apply. This should allow popular and successful schools to expand more easily and avoid the situation where cases go to appeal even when schools are content to accept children above their published admission number. However, it is proposed that if an admission authority allows a school to admit 27 or more children (in total) above their published admission number over three consecutive years, they should consider determining a higher published admission number at the next available opportunity".

*(This could cause problems in Herefordshire in a "falling rolls" environment with popular schools admitting more pupils at the expense of less popular schools.)*

The other area for careful consideration refers to the four key options to improve the effectiveness of Admission Forums – **Section 2.3 Admission Forums:**

- "To change the membership of Admission Forums – we could amend Regulations to make Forums into smaller advisory groups representing those with an interest in school admissions in the local area. This would include proportional representation to reflect the local area of types of schools (for example, schools where the local authority is the admission authority, own-admission authority schools, and Academies), faith groups, community groups and parents.
- To change the focus of Admission Forums – we could require Forums to consider the fairness rather than the legality of proposed admission arrangements and policies in the local context. The Forum would retain the majority of its statutory functions: to give advice to local authorities and other admission authorities; to be notified of admission arrangements and variations and to object to the Schools Adjudicator where it considers admission arrangements to be unfair; and the power to report on admission

arrangements in the area.

- To simplify Regulations for Admission Forum reports – we could amend Regulations to ensure that reports do not duplicate the statutory report of the local authority. They could focus on how admission arrangements and policies work in the local context.
- To make the establishment of Admission Forums voluntary – local authorities could decide with schools and other key bodies in their areas whether they want to establish an Admission Forum or not. We could take the next opportunity to amend primary legislation to achieve this and consult on Regulations to prescribe who local authorities must consult with when making this decision, for example faith and parent groups”.

## **Recommendation**

The LAF respond to the consultation using the attached Consultation Response Form.

## **Considerations**

None.

## **Risk Management**

None

## **Background Papers**

DCSF consultation details available on:

[www.dcsf.gov.uk/consultations/conDetails.cfm?consultationId=1561](http://www.dcsf.gov.uk/consultations/conDetails.cfm?consultationId=1561)

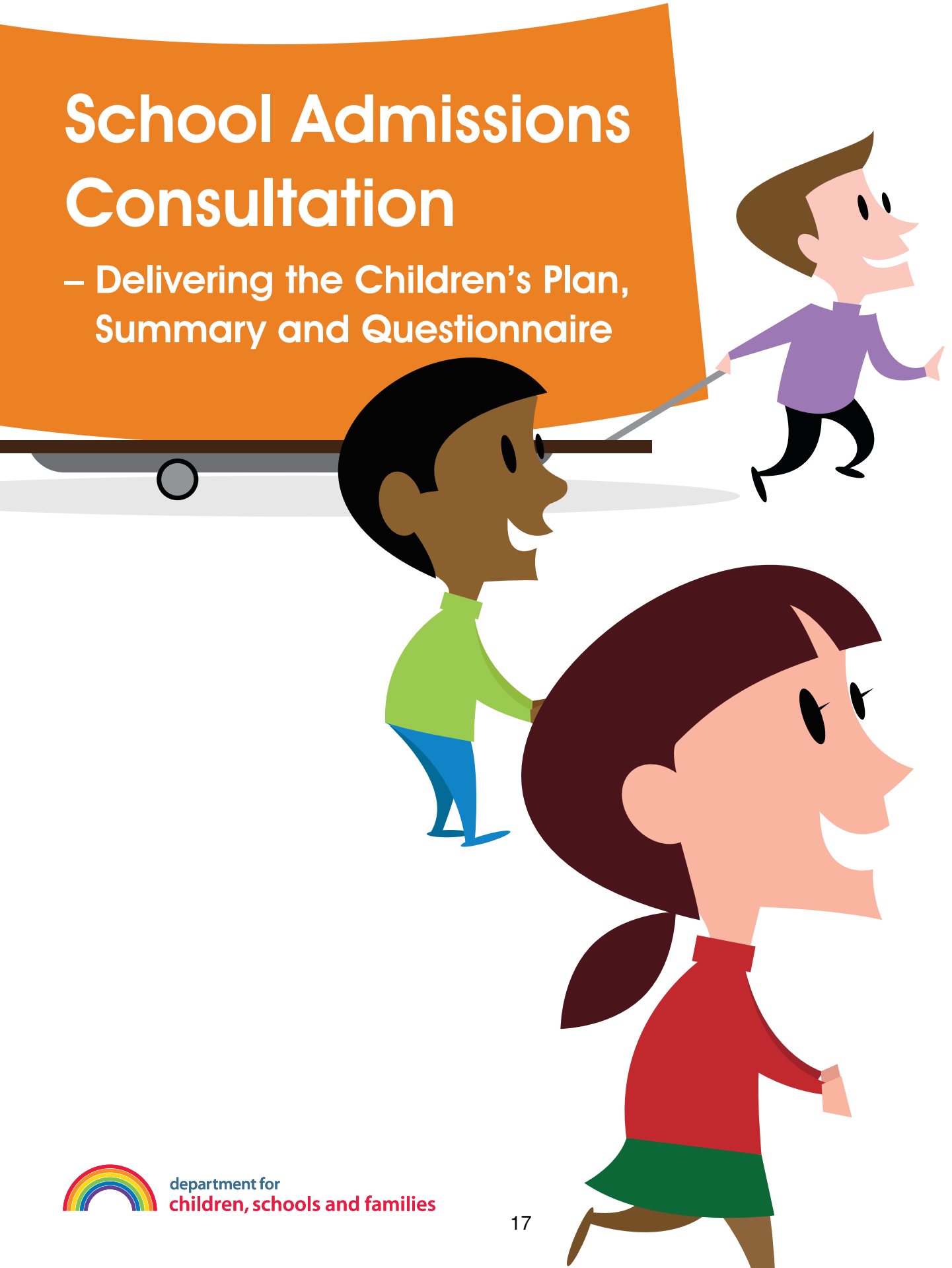
## **Appendices**

School Admissions Consultation – Delivering the Children’s Plan

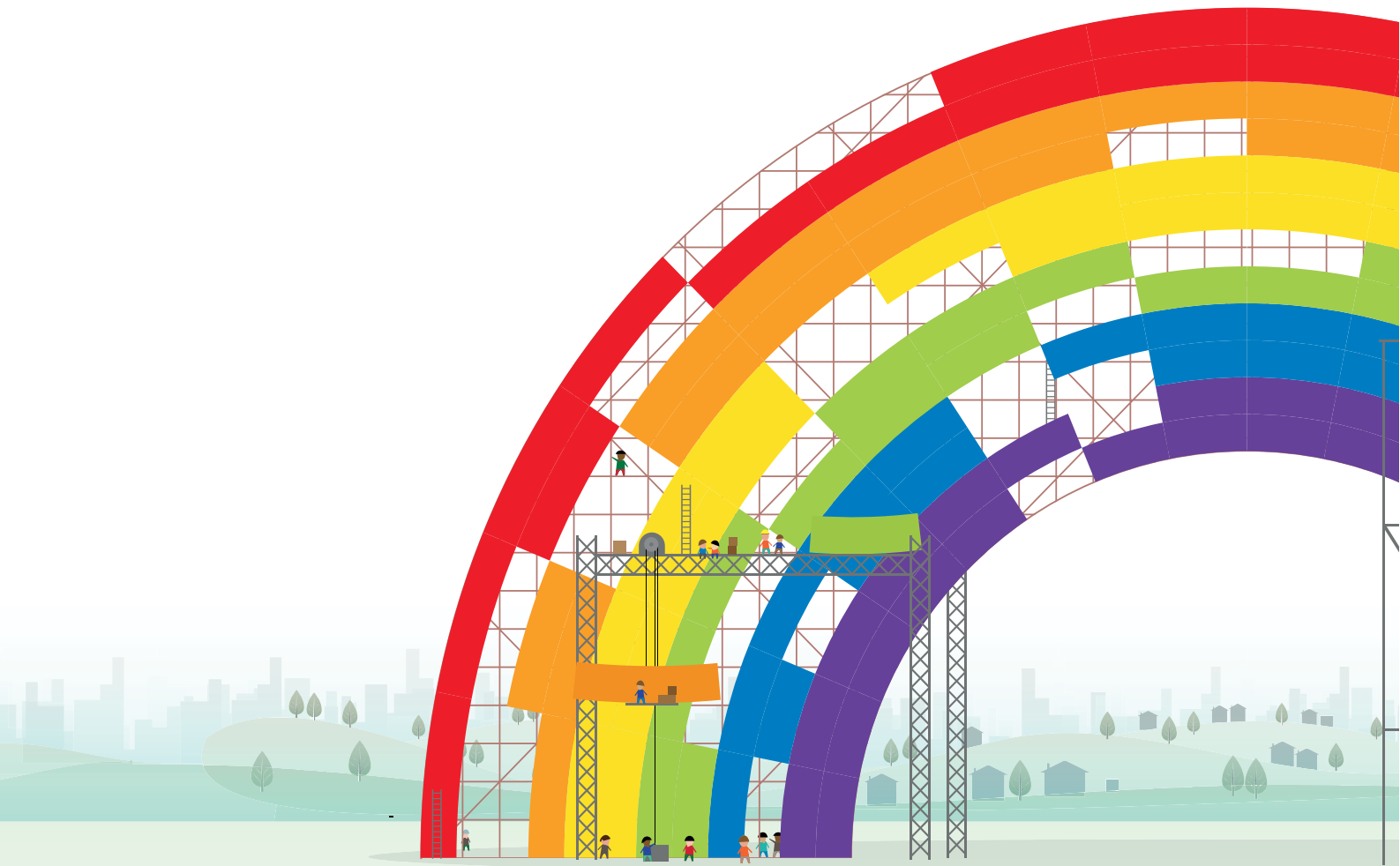
Consultation Response Form

# School Admissions Consultation

– Delivering the Children's Plan,  
Summary and Questionnaire



A commitment from  
**The Children's Plan**



# School Admissions Consultation 2008

**Launch Date:** 12 June 2008

**Respond by:** 2 October 2008

The package of proposals contained within this consultation document take forward the Government's strong commitment in the Children's Plan to make the admissions process and the administration of the appeals process as fair, transparent and straightforward for parents as possible, and ensure that all schools comply fully with the law and the Admission Codes.



# School Admissions Consultation 2008

## A Consultation

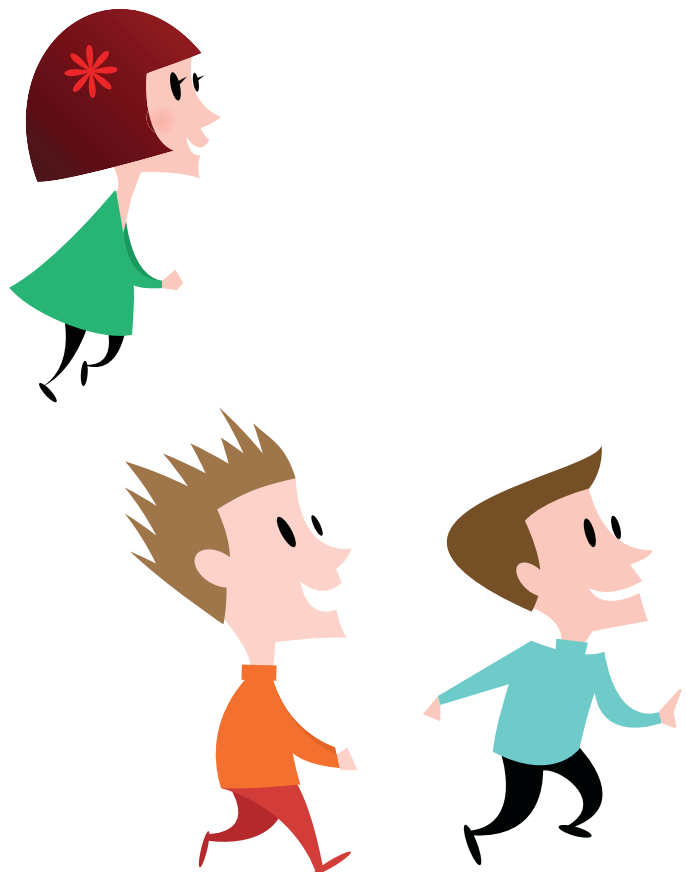
**To:** Governing bodies; local authorities;  
Admission Forums; Schools  
Adjudicators; appeal panels; schools  
and school representatives; parents  
and parental representation; unions;  
and faith groups.

**Issued:** 12 June 2008

**Enquiries to:** If you have an enquiry related to the  
policy content of the consultation you  
can contact the Fair Access Division:

**Telephone:** 020 7925 5277

**e-mail:** [review.admissions@dcf.gov.uk](mailto:review.admissions@dcf.gov.uk)





# Contents

<b>1. Introduction</b> .....	04
<b>2. Putting parents and children at the centre of the system</b> .....	06
2.1 Improving the application and allocation process for school places	
2.2 New local consultation process	
2.3 Admissions Forums	
2.4 School Admission Appeals	
2.5 Information for parents	
2.6 Ensuring fair and lawful admission arrangements – new duty on local authorities to report on admission arrangements in their area	
2.7 A wider role for the Schools Adjudicator	
2.8 Service families	
<b>3. Fair access for all children</b> .....	14
<b>– improvements to Fair Access Protocols</b>	
<b>4. Other changes</b> .....	16
4.1 Supporting the ethos of the school	
4.2 School sixth forms	
4.3 New schools	
4.4 Published Admission Numbers	
4.5 School charging	
4.6 Banding arrangements	
4.7 General comments	
<b>5. How to respond</b> .....	21
<b>6. Additional copies</b> .....	22
<b>7. Plans for making the results public</b> .....	23
<b>8. Summary of changes to the Draft Revised School Admissions Code</b> .....	24

1.

# Introduction: Fair admissions for all children and families

The Government announced in the Children's Plan its commitment to improve the system through which parents apply for school places for their children and the way in which places are allocated. This consultation document summarises our proposals for delivering on that commitment. The consultation runs from 12 June to 2 October 2008 and we welcome your views on the proposals. Please send comments to **[review.admissions@dcsf.gsi.gov.uk](mailto:review.admissions@dcsf.gsi.gov.uk)**.

Securing a school place for a child is one of the most important things parents do. The Government is committed to making the process as fair and straightforward as possible. The statutory admissions framework, including the School Admissions Code, ensures fairness and transparency. The Code came into force in February 2007 and first applied to school admissions in September 2008. It has had a positive impact on school admissions but more needs to be done to improve the system, both to ensure that families and children are at its centre and that all schools comply fully with the law and the Codes. We are also consulting on draft Regulations that will ensure all schools comply fully with the law and the Codes and all children have a fair chance of obtaining a place at their parents' preferred school.

The current law on school admissions is contained in the School Standards and Framework Act 1998. The Education and Skills Bill, which is currently progressing through Parliament, will make changes to the law, provided that it receives Royal Assent. Those changes relate to:

- New local consultation process for determining admission arrangements (see section 2.2 below),
- Local authority reports to the Schools Adjudicator (see section 2.6 below),
- The powers and duties of the Schools Adjudicator (see section 2.7 below), and
- School sixth forms (see section 4.2 below).

There are some proposals in this consultation which would require further changes to primary legislation and which are not covered by the Education and Skills Bill. These relate to:

- Admission Forums (see section 2.3 below); and
- School charging (see section 4.5 below).

Finally, there are proposals which would not require any changes to primary legislation. These relate to:

- Improving the application and allocation process for school places (see section 2.1 below);
- School admission appeals (see section 2.4 below);
- Information for parents (see section 2.5 below);
- Service families (see section 2.8 below);
- Fair Access Protocols (see section 3 below);
- School ethos (see section 4.1 below);
- New schools (see section 4.3 below);
- Published admission numbers (see section 4.4 below); and
- Banding arrangements (see section 4.6 below).

We have completed an impact assessment at the development and options stage of this consultation and have considered that the proposals are broadly cost neutral. The evidence of how we reached these considerations are set out in the draft impact assessment, currently available on the school admissions website **[www.dcsf.gov.uk/sacode](http://www.dcsf.gov.uk/sacode)**

# 2.

## Putting parents and children at the centre of the system

## 2.1

## Improving the application and allocation process for school places

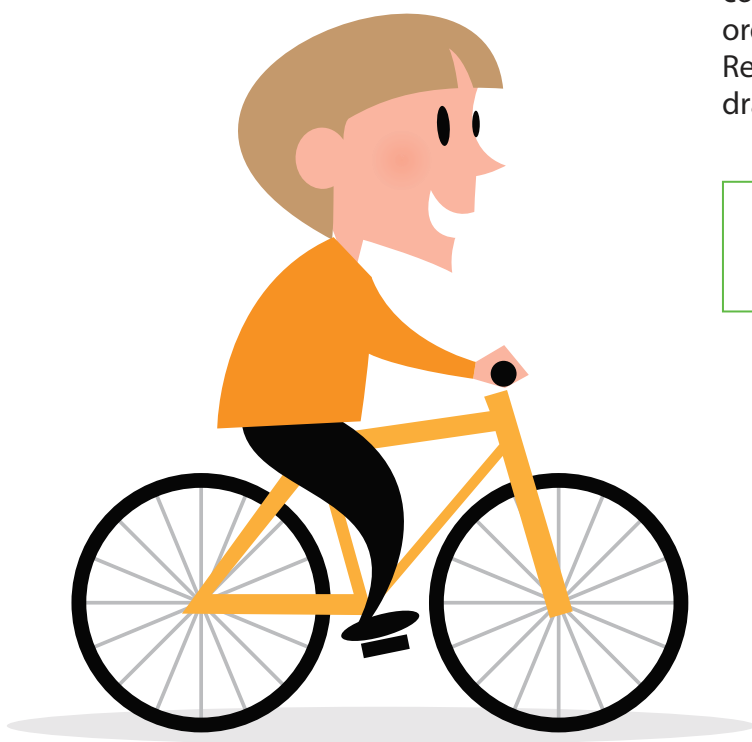
The application and allocation process for school places is complicated. Thousands of parents apply for places in different schools, stating different levels of preference. Local authorities are required to coordinate this activity each year so that each parent receives one offer for a primary or secondary school place. This is known as coordination of admissions. We are consulting on ideas to further improve this system, mainly by introducing more standardisation, so that the service for parents will not be affected by which local authority they live in, whether they are applying for schools in different areas, which phase of education (primary or secondary) they are applying for, or when in the year they are applying.

We want to bring the process for primary and secondary schools more into line and ensure that there is a straightforward system for parents applying for school places whenever they need to. For example, we are proposing that:

- parents apply for a school place to the local authority where they live (at the moment, for primary schools applications have to be made to the local authority in which the school is based, meaning some parents have to apply to more than one authority);
- parents can apply for at least three primary schools (in some areas parents are only allowed to apply for one primary school);
- there are more key dates set nationally, so that all have a clearer picture of what is going to happen when, and so that parents and schools have the same dates to work to;
- whenever parents need to apply for a school place, they need only go to the local authority to apply, not to individual schools; and
- all admission authorities will be required to maintain waiting lists when oversubscribed.

The details of the proposed changes are set out in draft Regulations accompanying this consultation, called “The School Admissions (Co-ordination of Admission Arrangements) (England) Regulations 2009” and in Chapters 1 and 3 of the draft revised School Admissions Code.

*See Q1, Q2 and Q3 of the Consultation Response Form.*



## 2.2

### New local consultation process for determining admission arrangements

There is currently a requirement for admission authorities to consult on their admission arrangements every year, by 1 March, whether or not those arrangements have changed. Not only can this be time consuming for schools and local authorities, but admission authorities do not have to consult local parents or community groups who may have an interest in the impact of admission arrangements on the take-up of school places in the area.

We are proposing to replace this requirement for annual consultation with a requirement to consult only every three years, unless changes have been made to the arrangements since the previous consultation, although all admission authorities will be required to consult on their proposed arrangements for 2010. The draft School Admissions (Admission Arrangements) (England) Regulations 2009, which form part of this school admissions consultation, also introduce a new requirement for 'relevant' parents and other groups with an interest in the proposed admission arrangements, for example community groups, to be consulted, and set out the minimum requirements for how this should be carried out. A 'relevant' parent is defined as a parent living in the local area with a child aged between two and sixteen, and who has been, is, or will be eligible to apply to the school in question. Finally, the draft Regulations require consultation to take place for a minimum of eight weeks between 1 December and 1 March to ensure that parents and community groups have the chance to respond and that consultation does not take place too early, when people are not expecting it.

*See Q4 and Q5 of the Consultation Response Form.*

## 2.3

### Admission Forums

Currently, the law requires all local authorities to establish an Admission Forum and for the Forum to meet twice a year. Admission Forums are intended to bring together local authorities, admission authorities and others to discuss admissions policies in the area and ensure both fairness and compliance with statutory requirements.

However, the new duty on local authorities to report on admission arrangements in their area, referred to in part 2.6 of this consultation document, will introduce some duplication of functions with the Admission Forum role. In some areas Admission Forums work well but we are also aware of a number of barriers to their effectiveness – their membership can be too large making them burdensome and difficult to manage; they can uphold vested interests; and are considered by some to be toothless and unrepresentative of the local area.

We therefore seek your views on four key options to improve the effectiveness of Admission Forums:

- **To change the membership of Admission Forums** – we could amend Regulations to make Forums into smaller advisory groups representing those with an interest in school admissions in the local area. This would include proportional representation to reflect the local area of types of schools (for example, schools where the local authority is the admission authority, own-admission authority schools, and Academies), faith groups, community groups and parents.

- **To change the focus of Admission Forums** – we could require Forums to consider the fairness rather than the legality of proposed admission arrangements and policies in the local context. The Forum would retain the majority of its statutory functions: to give advice to local authorities and other admission authorities; to be notified of admission arrangements and variations and to object to the Schools Adjudicator where it considers admission arrangements to be unfair; and the power to report on admission arrangements in the area.
- **To simplify Regulations for Admission Forum reports** – we could amend Regulations to ensure that reports do not duplicate the statutory report of the local authority. They could focus on how admission arrangements and policies work in the local context.
- **To make the establishment of Admission Forums voluntary** – local authorities could decide with schools and other key bodies in their areas whether they want to establish an Admission Forum or not. We could take the next opportunity to amend primary legislation to achieve this and consult on Regulations to prescribe who local authorities must consult with when making this decision, for example faith and parent groups.

It is important to note that the references to Admission Forums in the draft revised School Admissions Code still reflect their current role and set up. This is because we would need to amend primary legislation and consult on draft amending Regulations to take forward any of the above options, and will not have opportunity to do this before this draft revised School Admissions Code comes into force.

*See Q6 and Q7 of the Consultation Response Form.*

## 2.4

### School Admission Appeals

All parents have a right to appeal if their children do not get a place at a school they have applied for and we are committed to preserving that right.

We want to ensure that the admission appeals system is fair and transparent for parents; that they have the advice they need in deciding whether to appeal and in taking forward an appeal; and that the right to appeal does not place a burden on schools that have to manage a high number of appeals and who often have to use teachers to manage the process.

We think there are two key ways in which we can improve the process for parents, achieve greater transparency and reduce burdens on popular schools; we have set out these options below.

### 2.4.1 Infant class size appeals.

The law requires that infant classes (those for children aged between five and seven years) must be no larger than 30 children in size, to ensure that teachers are able to closely monitor children's progress and to maintain high standards of learning and behaviour in lessons. This restriction means that in some cases expansion of the school is not an option. In 2005/06, just 19% of such appeals were ruled in parents' favour, compared to 50% of other appeals in primary schools.

Currently where a place at a school has been refused because the school would have to employ another teacher in order to take the child and comply with the law, an appeal panel can only uphold the appeal where it is satisfied that either:

- the admission arrangements were incorrectly implemented, meaning the child lost a valid place; or
- given the circumstances, a reasonable admission authority would have admitted the child.

Both criteria are hard to satisfy and parents may get better advice, along with reducing the burden on schools, by admission authorities appointing a suitably independent and qualified reviewer who can assess whether an appeal is likely to be successful and provide advice to parents accordingly. Parents would still have the right to decide to pursue their appeal if they wish. We are considering making the necessary changes to legislation to permit this approach.

***See Q8 of the Consultation Response Form.***

### 2.4.2 Ensuring transparency and reducing burdens on popular schools.

Many popular schools that manage their own admissions are finding that the number of appeals they have to administer each year takes up a lot of staff time. There is also a strong argument that, in the interests of transparency and in order to reassure parents that the process is fair, admission appeals should not be managed by the same people who make the initial admission decisions. Most local authorities ensure that the appeals process for the schools for which they are the admission authority is managed by staff who do not work in their Children's Services Department. For some schools which are their own admission authorities, appeals are managed by other bodies, such as their local Diocese. We want to encourage such arrangements both because they improve transparency and separation of roles in the appeals process, and because they reduce administrative burdens on schools.

In many cases local authorities are well placed to coordinate and manage appeals on behalf of schools in their area, as they do for the schools for which they are the admission authority. Alternatively, local religious bodies or independent bodies might be contracted to administer appeals on behalf of groups of schools. School governing bodies would make the decision which body is most appropriate to administrate their admission appeals. We are also giving thought to whether appeal panels can or should consider whether admission arrangements are lawful as part of the appeal process, and welcome your views on this.

***See Q9 and Q10 of the Consultation Response Form.***



## 2.5

**Information for parents**

Parents will start with information. To help parents make the best choices about which schools to choose for their children it is essential that they have the best, clearest information possible, at the right time.

We are proposing to make changes to the information parents have access to in order to make an informed choice about which schools to apply for. The details of these proposed changes are set out in the draft “Education (School Information) (England) Regulations 2009”. These draft Regulations set out what information local authorities must make available to parents. Revised guidance on these changes is also provided in Appendix 4 of the draft revised School Admissions Code. The composite prospectus details the admission arrangements for all schools within a local authority which provides information about how an admission authority will allocate places if there are more applications than places. We want all composite and school prospectuses to be published online as well as in hard copy. This will ensure that parents can access this information in a way that best suits them. We are considering prescribing a common date for local authorities to publish their composite prospectus. If a school has had an objection about their admission arrangements referred to the Schools Adjudicator it is possible that this publication date could fall before the Schools Adjudicator has given a ruling. The Schools Adjudicator decides on objections to published admission arrangements to ensure they are fair and consistent with the School Admissions Code. Where an objection has been made and decision not reached we would expect the prospectus to still be published, but for it to detail the admission arrangements that are still being considered.

The composite prospectus should be as clear as possible, giving a full and clear explanation of the admissions process and its different stages. Parents should be presented with a full copy of each school’s admission arrangements, giving clear definitions of terms and phrases used. The prospectus should also include details about how admissions outside of the normal admissions round will be handled, for example, applications received once the admissions process is over, perhaps because a family has just moved in to the area, and how to apply online. The new composite prospectus should also include a copy of the common application form, or details of where to obtain it, and details of how to get a copy of any supplementary information form that schools within the local authority area may need parents to complete. Schools should also provide details about the number of school places they had on offer last year and the number of applications they received. This will help parents in making realistic choices.

***See Q11 and Q12 of the Consultation Response Form.***

## 2.6

### Ensuring fair and lawful admission arrangements – new duty on local authorities to report on admission arrangements in their area

In order to achieve fairness and transparency it is vital that all schools and local authorities comply with the Code and admissions law. In order to achieve this, the Government is proposing in the Education and Skills Bill currently before Parliament, to place a new statutory duty on local authorities to report on the legality, fairness and effectiveness of admission policies in their areas. Local authorities will, from 2009, be under a duty to prepare a report about this for the Schools Adjudicator by 30 June each year.

Local authorities will seek to resolve any unlawful or unfair admission policies but where they cannot they will continue to be under a duty to refer an objection to the Schools Adjudicator who in turn will enforce the law.

The form and content of these reports will be prescribed in new Regulations – ‘The School Admissions (Local Authority Reports) Regulations 2009’ – which are included in this consultation. Chapter 4 of the draft revised School Admissions Code includes guidelines for local authorities on this important new duty. Local authorities will have to report both on how the past year’s admission arrangements have operated and on the lawfulness of admission arrangements determined for the following year. In particular, the reports will cover the extent to which admission arrangements meet the needs of vulnerable children, such as children in care and children with statements of special educational needs or those with behavioural problems. It will also include the number of admission appeals heard and upheld and how many children have been admitted under the *Fair Access Protocol*.

**See Q13 of the Consultation Response Form.**

## 2.7

### A wider role for the Schools Adjudicator

The Schools Adjudicator has an important role in ensuring fair access to schools for all children. He is independent of the Government, local authorities and schools [www.schoolsadjudicator.gov.uk](http://www.schoolsadjudicator.gov.uk). At the moment he only has the power to consider certain admission arrangements of a school where a formal objection has been referred to him. The Schools Adjudicator should have a more proactive role in ensuring that admission arrangements comply fully with the law and the School Admissions Code in all schools across the country. Accordingly, changes proposed in the Education and Skills Bill currently before Parliament, will place a new duty on the Schools Adjudicator to consider the legality of admission arrangements referred to him by way of a report from a local authority or by the Secretary of State, and he will also be able to consider arrangements which he thinks may be unlawful and have come to his attention by any other means.

Aligned to these changes, we are consulting on new Regulations – the School Admissions (Admission Arrangements) (England) Regulations 2009. These will require admission authorities to provide information to the Schools Adjudicator, make provision for the publication of his reports, enable admission authorities to amend their arrangements following the Schools Adjudicator’s decision, and make provision about restricting the alteration of admission arrangements following such a decision.

**See Q14, Q15 and Q16 of the Consultation Response Form.**

## 2.8

**Service families**

The Government is about to publish proposals in a Command Paper on how it can improve access to public services for Service personnel and their families so that they are not disadvantaged by being in the Armed Forces. This may include consideration of whether prioritisation in relation to a particular public service is necessary or desirable to address disadvantage. We would like to hear about the experience of service families in the school admissions process, especially in relation to the effects of high levels of mobility of service families.

*See Q17, Q18 and Q19 of the Consultation Response Form.*



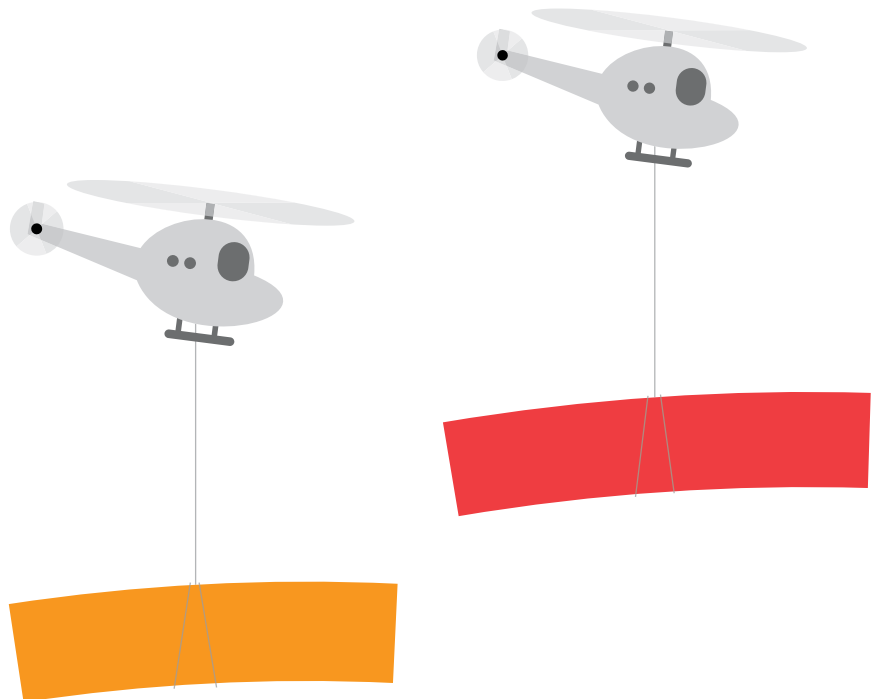
# 3.

## Fair access for all children: Improvements to Fair Access Protocols

For children who are more difficult to find places for (for example, those affected by exclusion or behavioural difficulties) we want to make sure they are placed quickly in a school, or alternative provision, that meets their needs while not adversely affecting the provision of education for other children. The School Admissions Code requires each local authority to have a *Fair Access Protocol*. These cover three key factors: securing education quickly for those without a school place in-year; and ensuring that schools in an area admit their fair share of children with challenging behaviour, and ensuring that children with challenging behaviour are entitled to the appropriate provision.

We have included additional requirements and guidelines for local authorities and admission authorities in Chapter 3 of the draft revised School Admissions Code about what Protocols should say about the speed with which cases will be dealt with. New guidelines are also included in the draft revised School Admissions Code to make it clearer what should be done to assess the options for children who are out of school and hard to place; and what should happen when a local authority and a school do not agree on the course of action being proposed by the local authority.

***See Q20 and Q21 of the Consultation Response Form.***



# 4.

## Other changes

4.1

## Supporting the ethos of the school

The Government encourages schools to develop a distinct ethos in order to create a diverse school system which offers a wide choice of schools for parents to apply for. The current School Admissions Code prohibits admission authorities from giving priority to children according to their parents' willingness to give practical support to the ethos of the school, but we want to clarify what this means in practice and what is permitted when referring to a school's ethos in its admission arrangements.

We are proposing to make clear in the Code that a school may include a clear statement of its ethos in its published admission arrangements (providing in doing so the admission authority complies with the mandatory requirements of the Code and follows guidelines) and ask parents to indicate that they will support that ethos when applying for a place.

In the draft revised School Admissions Code published for consultation with this document we have therefore provided:

- clarification of what is meant by practical support for a school's ethos;
- guidelines for admission authorities in preparing a statement of a school's ethos that might be included in admission arrangements; and
- clarification that schools publishing such a statement can ask parents to accept that ethos when applying for a school place. This will effectively mean that priority can be given to those parents who accept and support the ethos of a school.

In making these changes, we want to strike a balance between making parents aware of a school's ethos and its importance to the school, so they can make informed decisions when deciding which schools to apply for, and ensuring that schools cannot deter parents from applying by asking for or alluding to the requirement of a practical commitment to the school which would involve parents having to give up their time or money.

*See Q22 and Q23 of the Consultation Response Form.*



## 4.2

**School sixth forms**

The Government is increasing the age at which young people must stay in education from 16 to 18 by 2015. With this in mind we are changing the law to allow young people to apply for and appeal for a school sixth form place or for a school place other than a school sixth form. A parent will still be able to apply for a place at a school sixth form or appeal on behalf of their child if they wish. We have also added guidelines on these changes. Paragraphs 1.41 and 1.45 of the draft revised School Admissions Code provide guidance on applications made by parents and young people.

Provisions in the Education and Skills Bill currently before Parliament, will enable the Secretary of State to make regulations about the process for school sixth form appeals, and in particular about cases where a parent and a child both appeal separately against the same decision. The draft amending Regulations: 'The draft Education (Admissions Appeals Arrangements) (England) (Amendment) Regulations 2009' that accompany this consultation document set out that:

- A parent and young person may appeal jointly or separately in respect of the same decision, whether in response to an application made by the parent or young person.
- two appeals lodged by the parent and young person must be heard together.

We have amended the School Admission Appeals Code to reflect these changes set out in the draft Regulations. In addition, paragraphs 2.3 – 2.5 of the draft revised School Admission Appeals Code provide guidance on notifying parents and young people about their right to appeal and paragraph 2.35 details how they should be notified when a decision has been reached by the panel. Paragraph 3.16 outlines the process to be followed when a joint appeal is submitted by the parent and young person.

*See Q24 and Q25 of the Consultation Response Form.*

## 4.3

**New schools**

The new schools Regulations – The New School (Admissions) (England) Regulations 2003 – have been superseded by section 89D of the School Standards and Framework Act 1998 inserted by section 46 of the Education and Inspections Act 2006 and are therefore being revoked. Under the 2006 Act, an indication of a new school's admission arrangements and over-subscription criteria are required to be given in the statutory proposals for the new school, and these will be fixed, for the school's first three years, unless the admission authority varies them to comply with the duty to give priority to looked after children, or because of a major change in circumstances refer any proposed change to the Schools Adjudicator.

*See Q26 of the Consultation Response Form.*

## 4.4

**Published Admission Numbers**

The Government wants popular and successful schools to expand where it is appropriate for them to do so, in order that every parent can choose a good school for their child. It should be easier for successful and popular schools to grow to meet parental demand. We are therefore proposing to make it easier for schools to increase their published admission number, and propose to provide a presumption that where a school is successful and popular the change should be agreed. We are also proposing to relax requirements on schools wishing to admit above their published admission number in a particular year.

We are planning to withdraw sections in 'The School Organisation (Prescribed Alterations) Regulations 2007' which require proposals to be published for an increase in a published admission number of 27 or more. Statutory



proposals will still be required for the physical expansion of schools. All provisions relating to increasing published admission numbers are now contained in 'The draft School Admissions (Admission Arrangements) (England) Regulations 2009' which accompany this consultation document and in paragraphs 1.20 to 1.28 of the draft revised School Admissions Code.

These changes mean that statutory proposals will no longer be required for schools that wish to increase their published admission number. Any admission authority that wants to amend their published admission number can do so during the consultation and determination of admission arrangements for all schools in the area. Legislation allows for community and voluntary controlled schools (where the admission authority is the local authority) to appeal to the Schools Adjudicator if they do not agree with the admission number set for them by the local authority. The local authority can also appeal to the Adjudicator if it does not agree with a proposal from a foundation or voluntary aided school to increase its published admission number. However, the draft revised School Admissions Code now requires local authorities and the Schools Adjudicator to have regard to the presumption that proposals to expand successful and popular schools should be accepted.

If an admission authority wants to increase the published admission number of a school after admission arrangements have been determined they will still be able to do this by referring a variation to the Schools Adjudicator in the way described in paragraphs 4.26 to 4.30 of the draft revised School Admissions Code.

Finally, we also propose to relax the requirement that schools should not admit children above their published admission number unless 'exceptional circumstances' apply. This should allow popular and successful schools to expand more easily and avoid the situation where cases go to appeal even when schools are content to accept children above their published admission number. However, we propose that if an admission authority allows a school to admit 27 or more children (in total)

above their published admission number over three consecutive years, they should consider determining a higher published admission number at the next available opportunity.

***See Q27 and Q28 of the Consultation Response Form.***

## 4.5

### School charging

The Government want to make it absolutely clear that schools cannot ask for voluntary financial contributions as part of the admissions process. Reference to such a contribution, which is often linked to school security, maintenance, and religious teaching, could prevent some parents from expressing a preference for the school.

We welcome your views on strengthened wording in the draft revised School Admissions Code that admission authorities must not ask for voluntary contributions as part of the admissions process, or make any reference to them in their admission arrangements (which includes in supplementary forms). This will not prevent schools referring to voluntary contributions to school funds in their prospectus. We plan to take the next opportunity to amend primary legislation to make clear that schools cannot ask for voluntary contributions as part of the admissions process, and to treat refundable deposits as a charge, and therefore, unlawful activity.

***See Q29 of the Consultation Response Form.***

## 4.6

### **Banding arrangements**

Banding is an increasingly popular method of achieve an intake that reflects the range of abilities of the children applying to a particular school or group of schools, or of children in the local authority or country. It is not a way to select children by high academic ability or aptitude for a particular subject. Banding is an oversubscription criterion that can only be used when there are ore applications than places available; it cannot be used to keep places open if, for example, some bands are oversubscribed and some are not.

Banding is permitted by Section 101 of the School Standards and Framework Act 1998 as amended by Section 54 of the Education and Skills Act 2006. Admission authorities may now adopt admission arrangements that band applications to produce an intake that is representative of any one of:

- a) The full range of ability of applicants for the school (or group of schools banded jointly);
- b) The range of ability of children in the local area; or
- c) The national ability range.

***See Q30 of the  
Consultation Response Form.***

## 4.7

### **General comments**

There is also opportunity to provide general comments on the draft revised School Admissions Code, the draft revised School Admission Appeals Code, the draft Regulations, and how the proposals impact on children from all backgrounds.

***See Q31, Q32 and Q33 of the  
Consultation Response Form.***

# 5.

## How to respond

Consultation responses can be made online at:  
**[www.dcsf.gov.uk/consultations](http://www.dcsf.gov.uk/consultations);**

or you can return your response form to:  
**[review.admissions@dcsgsi.gov.uk](mailto:review.admissions@dcsgsi.gov.uk);**

or you can send your hard copy to:

Fair Access Division  
Department for Schools, Children and Families  
3 FL-FA  
Sanctuary Buildings  
Great Smith Street  
Westminster  
London  
SW1P 3BT



# 6.

## Additional copies

Hard copies of the **consultation document** can be obtained from the Department for Children, Schools and Families' publications distributor Prolog, quoting the publication title **School Admissions Consultation 2008 – Summary and Questionnaire** and the reference number 00449-2008BKT-EN.

Hard copies of the **draft revised School Admissions Code** can be obtained from Prolog, quoting the reference number 00450-2008DOM-EN.

Hard copies of the **draft revised School Admission Appeals Code** can be obtained from Prolog, quoting the reference number 00451-2008DOM-EN.

Hard copies of the **draft Regulations** can be obtained from Prolog, quoting the reference number 00452-2008DOM-EN.

Email: **[dcsf@prolog.uk.com](mailto:dcsf@prolog.uk.com)**

Tel: 0845 6022260

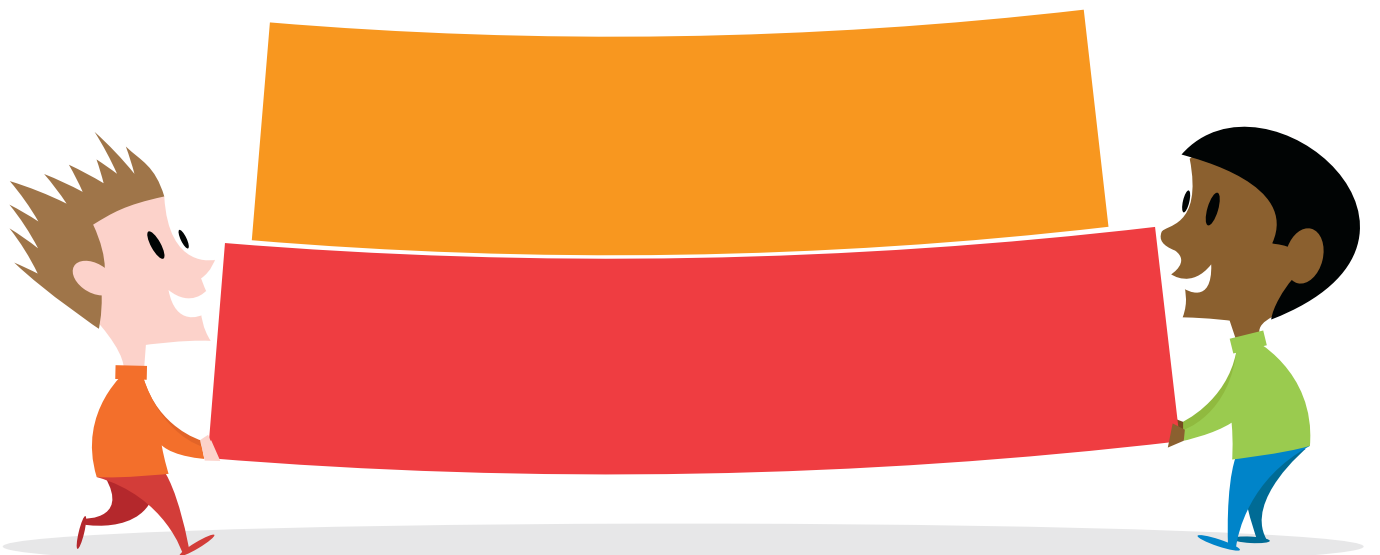
Fax: 0845 6033360

Address: DCSF Publications  
PO Box 5050  
Sherwood Park  
Annesley  
Nottingham  
NG15 0DJ

# 7.

## Plans for making results public

The outcome of the consultation will be published on the DCSF website in early 2009.



# 8.

## Summary of changes to the Draft Revised School Admissions Code

Section	Paragraph number	
	Changes	Minor changes
Introduction		
The Statutory Basis for the School Admissions Code	3 and 12	4, 6, 7, 9, 11, 13 and 14
Chapter 1		
Co-ordinated admission schemes	1.16, 1.19, 1.22 -1.26	1.8, 1.17, 1.18 1.20, 1.21
Consultation	1.30, 1.31, 1.33, 1.40, 1.44	1.38, 1.39, 1.43
Applications for Year 12 entry and transfer from Year 11	1.45	
Admission to new schools		1.49
Entry on school roll	1.52	
Withdrawing offers of places		1.53, 1.54
Interviews		1.55
Home-school agreements		1.58
Children from Overseas		1.61
Ensuring equity and fair access	1.78	1.76
Practices and policies that may undermine fair admission arrangements	1.79	
Applications and application forms – Prohibition of supplementary forms	1.80, 1.81(a) and (b)	1.81 (c) and 1.82
Contributions to school funds and contributions to participate in school trips	1.94 and 1.95	
School transport		1.100
Admission forums		1.105

Section	Paragraph number	
	Changes	Minor changes
Chapter 2		
Financial contributions to the school	2.58	
Children with statements of special educational needs		2.7
Children in care		2.8 and 2.9
Achieving good practice in oversubscription criteria	2.10	
Prohibition of unfair oversubscription criteria	2.14	
Guidelines on setting fair oversubscription criteria	2.19	
Social and medical need	2.28	
Supporting the ethos of the school	2.30 and 2.31	
Distance between home and school and ease of access by public transport	2.36	
Additional guidelines for faith schools		2.47-2.49 and 2.54
Additional guidelines for boarding schools		2.59
Additional guidelines for primary schools		2.60 and 2.62
Additional guidelines for secondary schools	2.70	2.75
Banding	2.87 and 2.88	2.83, 2.84, 2.92, 2.95
Chapter 3		
Applications for places outside the normal admissions round	3.3	3.2
Power to direct admission of children in care		3.7
Children who have been permanently excluded twice		3.10
Children with challenging behaviour	3.12 and 3.13	3.11, 3.13
Fair Access Protocols	3.14, 3.16 – 3.24	3.15

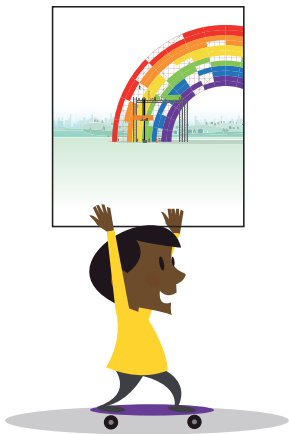


Section	Paragraph number	
	Changes	Minor changes
LA power to direct	3.19	
Admission of children of UK Service personnel and other Crown servants (including Diplomats) outside the normal admissions round		3.25
Waiting lists	3.29	3.30 and 3.31
<b>Chapter 4</b>		
Introduction – Ensuring a fair admissions system is the responsibility of all those who have a duty to act in accordance with the Code		4.1 and 4.2
Admission authorities		4.3
Local authorities	4.4 – 4.10	
Admission forums	4.14	4.13
Objections by parents		4.15 and 4.16
The Schools Adjudicator	4.19 – 4.21 and 4.23	4.18, 4.22, 4.24, 4.24
Variation to the determined admission arrangements	4.29	4.30
<b>Appendix 1</b>		
Admission appeals	15 and 16	
<b>Appendix 2</b>		
Agreeing schemes for admission to secondary schools	3	
Main obligations imposed by regulations	7 (a)	
Applications to schools with a different age of transfer		9
<b>Appendix 3</b>		
Guidelines for placing children with challenging behaviour	1 – 7 (new section)	
<b>Appendix 4</b>		
Publication of information for parents	1 – 15	





A commitment from  
**The Children's Plan**



You can download this publication or order copies  
online at: [www.teachernet.gov.uk/publications](http://www.teachernet.gov.uk/publications)  
Search using the ref: 00449-2008BKT-EN

Copies of this publication can also be obtained from:

Department for Children, Schools  
and Families Publications  
PO Box 5050  
Sherwood Park, Annesley  
Nottingham NG15 ODJ  
Tel 0845 60 222 60  
Fax 0845 60 333 60  
Textphone 0845 60 555 60  
Please quote ref 00449-2008BKT-EN

PPAPG/D35(3885)/0608/63

© Crown Copyright 2008

Published by the Department for Children, Schools and Families

Extracts from this document may be reproduced for  
non-commercial research, education or training purposes  
on the condition that the source is acknowledged. For any  
other use please contact [hmsolicensing@opsi.x.gsi.gov.uk](mailto:hmsolicensing@opsi.x.gsi.gov.uk)

**75% recycled**

This publication is printed  
on 75% recycled paper



When you have finished with  
this publication please recycle it

# School Admissions 2008

## Consultation Response Form

The closing date for this consultation is: 2  
October 2008

Your comments must reach us by that date.



**THIS FORM IS NOT INTERACTIVE. If you wish to respond electronically please use the online or offline response facility available on the Department for Children, Schools and Families e-consultation website (<http://www.dcsf.gov.uk/consultations>).**

The information you provide in your response will be subject to the Freedom of Information Act 2000 and Environmental Information Regulations, which allow public access to information held by the Department. This does not necessarily mean that your response can be made available to the public as there are exemptions relating to information provided in confidence and information to which the Data Protection Act 1998 applies. You may request confidentiality by ticking the box provided, but you should note that neither this, nor an automatically-generated e-mail confidentiality statement, will necessarily exclude the public right of access.

**Please tick if you want us to keep your response confidential.**

Name

Organisation (if applicable)

Address:

If your enquiry is related to the policy content of the consultation you can contact Arun Arul, Team Leader in the School Admissions Team on 020 7925 5277.

e-mail: [review.admissions@dcsf.gsi.gov.uk](mailto:review.admissions@dcsf.gsi.gov.uk)

If you have a query relating to the consultation process you can contact the Consultation Unit on:

Telephone: 01928 794888

Fax: 01928 794 113

e-mail: [consultation.unit@dcsf.gsi.gov.uk](mailto:consultation.unit@dcsf.gsi.gov.uk)

Please mark an X in the box below that best describes you as a respondent.

<input type="checkbox"/> Parent	<input type="checkbox"/> Local Authority	<input type="checkbox"/> Parent Governor
<input type="checkbox"/> Governor	<input type="checkbox"/> National Representative Group	<input type="checkbox"/> Local Representative Group
<input type="checkbox"/> Headteacher/teacher	<input type="checkbox"/> Faith Organisation	<input type="checkbox"/> School
<input type="checkbox"/> Other (Please Specify)		

Please Specify:
-----------------

## CONSULTATION RESPONSE FORM

We welcome responses to these questions by completing the tick boxes and including additional comments in the corresponding text box (please attach additional sheets where necessary).

The following questions relate to the proposals outlined in the corresponding sections within the School Admissions Consultation Summary Document.

### Section 2. Putting parents and children at the centre of the system

#### 2.1 Improving the application and allocation process for school places

Q1 Do you support these proposals, such as requiring parents to only submit applications for school places to their home local authority, as a way of improving the application process for parents?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments:



Q2 Do you support more standardisation across the country for primary school admissions?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments:

Q3 Do you support the proposal for local authorities to coordinate admissions all year round?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments:

## 2.2 New local consultation process

Q4 Do you agree that consultation on admission arrangements should take place once every three years (unless changes are made to the arrangements in the meantime) instead of every year as is the case now?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments:

Q5 Do you think it should be left up to admission authorities to decide which local community groups, beyond parents, they consult with?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments:

2.3 Admission Forums

Q6 Do you think that these changes to the membership and role of Admission Forums will improve their effectiveness?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments:

Q7 Do you think we should make the establishment of an Admission Forum voluntary?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

## 2.4 School Admission Appeals

### 2.4.1 Infant class size appeals.

Q8 Do you agree with the proposal to appoint an independent and qualified reviewer who can assess whether an infant class size appeal is likely to be successful and provide advice to parents accordingly?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments

### 2.4.2 Ensuring transparency and reducing burdens on popular schools

Q9 Do you agree with the concept of admission appeals being administered by an independent body? We would also welcome views on other options for improving the appeals process for parents and schools.

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments

Q10 Do you think that appeal panels should be required to consider the lawfulness of admission arrangements when considering appeals?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments:

2.5 Information for parents

Q11 Do you think that the new guidance about information for parents in Appendix 4 of the draft revised Schools Admission Code is clear?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments

Q12 Do you think that these changes will improve information to parents? We would welcome views on what other improvements to the information provided by local authorities and schools you feel could further empower parents.

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments:

2.6 Ensuring fair and lawful admission arrangements - new duty on local authorities to report on admission arrangements in their area

Q13 Do you agree that the correct information is being required for inclusion in the local authority reports?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments

2.7 A wider role for the Schools Adjudicator

Q14 Do you agree that the new role for the Schools Adjudicator will improve compliance with the School Admissions Code and admissions legislation?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments:

Q15 Do you think the draft School Admissions (Admission Arrangements) (England) Regulations 2009 will enable the Schools Adjudicator to undertake his role effectively?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments

Q16 Do you think there are other measures we could take to improve the effectiveness of the Schools Adjudicator's role?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments:



## 2.8 Service families

Q17 Do you think parents in the Armed Forces have seen improvements in the school admissions process since September 2007?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments

Q18 Do you think schools and local authorities have found meeting the requirements in the School Admissions Code about handling applications from Service families straightforward?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments:

Q19 Do you think there are aspects of the admission process we can improve further for families in the Armed Forces? If so, how?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments:

**Section 3. Fair access for all children – improvements to Fair Access Protocols**

Q20 Do you agree with the extended guidelines and further detail included in the draft revised School Admissions Code about the content and operation of Fair Access Protocols?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Q21 Do you agree with the new guidelines in the draft revised School Admissions Code on placing children with challenging behaviour in suitable educational provision?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments

**Section 4. Other changes**

**4.1 Supporting the ethos of the school**

Q22 Do you agree that the suggested ethos statement set out in paragraph 2.31 of the draft revised School Admissions Code is acceptable?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments

Q23 Do you agree that admission authorities should be able to ask parents applying for a school place to indicate that they support the ethos of the school and give priority in their oversubscription criteria to parents who are willing to do this?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

4.2 School sixth forms

Q24 Do you think the guidelines in the draft revised School Admissions Code about the new rights for young people to express a preference are clear?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments

Q25 Do you think the guidelines in the draft revised School Admission Appeals Code are clear about the rights of parents and young people to appeal about a decision made by an admission authority and the procedure that admission authorities must follow?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments:

### 4.3 New schools

Q26 Do you agree with the proposal to revoke The New School (Admissions) (England) Regulations 2003? We welcome comments on the process for setting admission arrangements for new schools.

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments:

### 4.4 Published Admission Numbers

Q27 Do you think that removing the requirement to publish statutory proposals to increase or admit above a school's published admission number is helpful?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments

Q28 Do you agree with the requirements and guidelines in paragraphs 1.20 to 1.28 of the draft revised School Admissions Code on admitting above the published admission number?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments:

4.5 School charging.

Q29 Do you agree that schools must not ask for voluntary financial contributions as part of the admissions process?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

#### 4.6 Banding arrangements

Q30 Do you agree with the three reference groups used for banding arrangements?

<input type="checkbox"/> Strongly agree	<input type="checkbox"/> Agree	<input type="checkbox"/> Neither agree nor disagree
<input type="checkbox"/> Disagree	<input type="checkbox"/> Strongly disagree	

Comments:

#### 4.7 General Comments

Q31 In what ways do these proposals contribute to achieving fair access to educational opportunities for all children from all social groups, particularly those from disadvantaged backgrounds and those with disabilities?

Comments:



Q32 Please provide any further comments on the draft revised School Admissions Code or draft revised School Admission Appeals Code here, clearly stating which Code your comments refer to.

Comments:

Q33 Please provide any comments on the draft Regulations here, clearly stating which of the five sets of Regulations are being referred to.

Comments:

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

**Please acknowledge this reply**

Here at the Department for Children, Schools and Families we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

Yes

No

All UK national public consultations are required to conform to the following standards:

1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
2. Be clear about what your proposals are, who may be affected, what questions are being asked and the timescale for responses.
3. Ensure that your consultation is clear, concise and widely accessible.
4. Give feedback regarding the responses received and how the consultation process influenced the policy.
5. Monitor your department's effectiveness at consultation, including through the use of a designated consultation co-ordinator.
6. Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.

Further information on the Code of Practice can be accessed through the Department for Business, Enterprise and Regulatory Reform Website:  
<http://www.berr.gov.uk/files/file44364.pdf>

Phil Turner - DCSF consultation Co-Ordinator 01928 794304

**Thank you for taking time to respond to this consultation.**

Completed questionnaires and other responses should be sent to the address shown below by 2 October 2008

Consultation Unit  
First Floor  
Castle View House  
East Lane, Runcorn WA7, 2GJ

Send by e-mail to: [review.admissions@dcsh.gov.uk](mailto:review.admissions@dcsh.gov.uk)

