

Report of the Cabinet Member for Education

Council – 31 March 2015

ADMISSION ARRANGEMENTS 2016/2017

Purpose:	To determine the Admission Arrangements for maintained schools for the academic year 2016/2017.
Policy Framework:	The Admission Arrangements to Schools Policy.
Reason for Decision:	There is a duty on the Local Authority (LA) to determine its admission arrangements annually.
Consultation:	Education; Legal, Finance; all Headteachers and Governing Bodies including Voluntary Aided schools; neighbouring admission authorities; the Admissions Forum.
Recommendation(s):	It is recommended that; 1) The proposed Admission Arrangements for 2016/2017 for Nursery Classes as set out in Appendix A are approved. 2) The proposed Admission Arrangements for 2016/2017 for Primary Schools as set out in Appendix B are approved. 3) The proposed Admission Arrangements for 2016/2017 for Secondary Schools as set out in Appendix B are approved. 4) The proposed Admission Arrangements/Criteria for Entry for 2016/2017 for Sixth Forms set in Appendix B are approved. 5) The Schedule of Events at Appendix C is approved. 6) The Admission Numbers for primary and secondary schools are noted, as set out in Appendix D.
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1.0 Introduction

- 1.1 By virtue of Section 89 of the School Standards & Framework Act (1998) the Authority is responsible for determining the admission arrangements for County maintained schools. In accordance with the Education (Determinations of Admission Arrangements) (Wales) Regulations 2006 the Council has a duty to review the Admissions to Schools Policy and to consult Governing Bodies of voluntary aided schools on their admission arrangements.
- 1.2 The Welsh Government in July 2013 issued the School Admissions Code and the School Admission Appeals Code in December 2013. The School Admissions Code applies to arrangements made for the 2016/2017 academic year and covers admissions to primary and secondary schools.
- 1.3 Copies of the proposed Admission Arrangements for Nursery Classes are attached at Appendix A.
- 1.4 Copies of the proposed Admission Arrangements for Primary and Secondary Schools are attached at Appendix B.
- 1.5 Copies of the proposed Admission Arrangements for Secondary Schools are attached at Appendix B
- 1.6 Copies of the proposed Admission Arrangements and criteria for entry for Sixth Forms are attached at Appendix B.
- 1.7 The proposed Schedule of Events for the admission process is shown at Appendix C.
- 1.8 The Admission Numbers (ANs) for Primary and Secondary schools are shown at Appendix D.

2.0 Admission Limits

Primary

- 2.1 The capacity of each Primary school including its nursery classes has been calculated using the Welsh Government formula and from this an Admission Number (AN) has been set. The Admission Numbers for primary schools are shown in Appendix D.

All schools must admit up to their AN in the year of entry i.e. Reception in Primary schools. In the year of entry, and in all other year groups, a child will be refused a place by the LA once the AN is reached.

- 2.2 The School Standards and Framework Act 1998, Education (Infant Class Size) (Wales) Regulations 1998 and Education (Infant Class

Size) (Wales) (Amendment) Regulations 2009, restricts infant class sizes to a maximum of 30 ie, Reception, Year 1 and Year 2. Welsh Government has also introduced a recommended limit of 30 for KS2 class sizes.

Secondary

- 2.3 The Admission Numbers (ANs) shown at Appendix D are the limits for each year group.
- 2.4 Schools must not exceed their AN in the year of entry i.e. Year 7 for secondary admissions or in any other year group.

Nursery, Primary and Secondary

- 2.5 Even if parents living within the catchment area of a school apply for a place before the parental deadline, there is no guarantee of a catchment place if the AN has been reached.

Sixth Forms

- 2.6 Criteria for entry and admission arrangements for Sixth Forms, including admission limits, are outlined in Appendix B.

For schools with a Sixth Form, Admission Numbers will be the same for Years 12 and 13 as they are for Years 7 to 11.

3.0 Admissions Criteria

- 3.1 The Education (Admission of Looked After Children) (Wales) Regulations 2009 places a duty on admission authorities in Wales to admit children looked after by a local authority in Wales where an application for admission is made even if the AN has been reached. Should an admission authority wish to refuse an admission application then they must refer the matter to the Welsh Ministers within 7 days of receiving the application for decision. The decision of the Welsh Ministers is binding. Previously looked after children (looked after children who cease to be so because they were adopted or became subject to a residence order, or special guardianship order immediately following having been looked after), are also included in this criteria under the Welsh Government's School Admissions Code.
- 3.2 Pupils with a statement of Special Educational Needs do need to be included and accounted for when places are allocated and schools are informed of this.

3.3 Oversubscription

Where more applications are received for a particular school than places available, places will be awarded using the admissions criteria set out in the Admission Arrangements (see Appendix B).

3.4 Results of the Consultation

Response 1

- The Headteacher wished to highlight that if schools are to have severe budget reductions then there is a possibility that ANs may need to be revised.

LA Response:

The Admission Number is determined by a Welsh Government formula and is based on the available class/teaching areas at each individual school. Therefore, there will not be opportunity to revise these numbers as a response to the financial projections and anticipated knock on effect of increased class sizes.

The School and Governor Unit is aware of the plight facing schools in relation to financial projections and we will do all we can to work with schools regarding admissions etc. However, we are governed by the Welsh Government Admissions Code and have to adhere to the criteria within the Guidance document. The Local Authority will be raising these concerns with colleagues at the Welsh Government at every opportunity as we anticipate that class sizes will increase as numbers of staff are anticipated to reduce overall given the funding constraints.

Response 2

- The Chair of Governors believed it was a fair way to proceed with admissions.

Response 3

- The Head Teacher confirmed the Governors had been consulted and had no further comments to make.

Response 4

- In the current version (Appendix A) no mention is made to Flying Start children who already attend sessions within the school. Flying Start staff work extremely closely with school staff to ensure smooth transition into nursery and I feel that this needs to be addressed. The admission criteria should take into account children who access Flying Start, and I feel these children should be given priority for a nursery place. It would not make sense for a child to attend Flying Start to attend weekly transition visits into Nursery, and then be refused a place at that Nursery. This has been discussed with the head teacher and the Governing Body

who all agree that this could impact on children moving from Flying Start into Nursery provision. With the ongoing expansion of Flying Start, this will become an issue for more primary schools over the next few years and an addition now would prevent gaps in services that could affect our most vulnerable families.

LA Response:

The Local Authority is the Admissions Authority for all Swansea schools. The Admissions Criteria are drawn up in accordance with Guidance from Welsh Government. The Welsh Government Admissions Code requires Admission Authorities to draw up Admissions Criteria in accordance with the Code. The Code does not permit the Admission Authority to prioritise children who have attended a Flying Start setting for admission to the school at the time each individual pupil will apply for a place at a Nursery or Reception class.

Whilst the points are considered valid, it will not be possible to prioritise pupils who have attended a Flying Start setting to be admitted to a nursery or reception class at the appropriate time of application. Children are prioritised on the basis of catchment location and pupils who live within a specified catchment area for a school are prioritised for admission to that school. The admission criteria outlining the priorities for admissions are included in the published consultation.

Where a pupil attends a Flying Start setting who does not live within the specified catchment area, if the admission number has not been reached for the year group it is possible to admit the pupil to the school. However, where an admission number has been reached pupils will be offered an alternative place at another Swansea school which will usually be relative to the catchment area for their home address.

The Welsh Government Guidance on Admissions does not permit Local Authorities as the Admission Authority to prioritise admissions to a school on the basis of the pre-school setting the child has attended.

Response 5

- The Chair of Governors raised that Welsh-medium schools are full to capacity and there are more pupils than the official admission numbers. When a pupil requests a place in a Welsh-medium school, the Welsh-medium school often has to admit more pupils than the admission number.
- In the case of nursery classes, curtailing the numbers a Welsh-medium school can admit means that a parent cannot give his/her child an education in the language of his/her choice. Children are then refused a Welsh-medium education, or parents choose not to give their child a Welsh-medium education as they become aware that Welsh-medium schools are full.

- With reception classes, it has become a common experience that some schools have to admit more pupils than the admission number because neighbouring Welsh-medium schools are full. As a result of this, specific and different consideration needs to be given to Welsh-medium schools. It needs to be made clear that no child will be refused a Welsh-medium nursery, primary or secondary education, and that the county should have appropriate arrangements in place to ensure this. This would free schools and parents from experiencing the painful process of being refused/having to refuse a place and then having to admit on appeal, a process that can have a negative effect on a parent's wish to give their child a Welsh-medium education.

LA Response:

The Local Authority is aware of the current situation regarding demand for Welsh medium places at Swansea Welsh medium schools and is working towards increasing school places accordingly. As you are aware, the current financial situation is having serious impact upon the level and timeframe of support the Local Authority is able to devote to address these concerns.

You have indicated that nursery classes have to curtail the numbers of pupils they admit and this has impact upon parental choice in relation to Welsh medium education options. Nursery places are for part time provision only and on this basis many schools – both English and Welsh medium, offer morning and afternoon sessions. The Authority is not aware that any Swansea school is therefore in a position of having to refuse a nursery class place for a child.

You have also stated that schools have to admit more pupils in reception classes above their Admission Number due to the fact that neighbouring Welsh medium schools are also full. The Local Authority is aware of this difficulty and is working to ensure that the longer term planning for Welsh medium places is increased in line with demand. As indicated above, current financial constraints are having an impact and have delayed the planned approach of the Local Authority to secure additional provision.

The Local Authority policy is to offer an alternative place at a Welsh medium school if a place is unavailable at the school of choice. The only exception to this policy is where parents/carers have indicated on the application form that the second choice school is an English medium school. There are occasions when a pupil cannot be admitted to the school of choice, however, an alternative Welsh medium place is offered along with an opportunity to meet with an Independent Appeal Panel to hear the case. (This situation also applies to applications for English medium school places.) Where any child is refused a place at a Welsh medium school of choice they are always offered an

alternative place at another Swansea Welsh medium school. No pupil is refused a Welsh medium place at a Swansea school.

Response 6

- The Governor raised that the Admission to Nursery section is confusing – ‘All schools must admit up to their Admission Number in the year of entry. In the year of entry a child will normally be refused a place once the Admission Number has been reached. There is no right of appeal following the refusal of an application for a place in a nursery class.’ Then it goes on to say, “The number of nursery places available may differ to the Admission Number for the rest of the year groups within a school (Reception – Year 6).” There is no separate Admission Number in the document. Should the Admission Number for Reception be used?

LA Response:

The Local Authority will recommend that schools use the Admission Number as a guide for admissions to nursery classes.

Response 7

- The Clerk to Governors confirmed that the Governing body found the arrangements acceptable.

Response 8

The Chair of Governors wished to highlight:

- ‘The LA will not provide transport or make any contribution towards transport costs for children admitted from outside the school’s defined catchment area. However, if the catchment area is full in the year group, transport will be provided to the next nearest school with room if that school is more than 3 miles walking distance from home’ - Whilst we recognise that this point appears to be incontestable we feel the need to point out that we draw children in from some of the most disadvantaged areas of Swansea for whom the cost of transport is yet another disincentive for parents, for whom, maybe, education is not top of their list of priorities. Every pound to them is precious, a recent case from such an area highlighted that it was costing £22 a week to get the children to school. If we, as a school are to meet the increasing attendance levels demanded by the Welsh Assembly and also to "close the gap" between FSM and non FSM results then we need to clear the barriers to attending school. Foremost amongst these, for the affected pupils, is the prohibitive cost of transport. Without the children in school we cannot educate them.

LA Response:

The Local Authority Home to School Transport Policy advises that free transport will only be provided for secondary aged pupils if they live more than 3 miles from their catchment school or as you have pointed

out 'if the catchment area is full in the year group, transport will be provided to the next nearest school with room if that school is more than 3 miles walking distance from home'. This Policy is based on Welsh Government guidelines.

The Transport Policy does not make provision for pupils who live in deprived and disadvantaged areas to be allocated free transport if they live under the 3 mile stipulated distance. The Local Authority is aware of the difficulties that schools face in trying to improve educational outcomes for pupils – particularly pupils who are on free school meals and live in the more deprived and disadvantaged areas. In light of the current financial situation and proposed cuts and restrictions, a review of the Transport Policy to reduce the stipulated distance for eligibility for free transport, is not something the Local Authority anticipates being in a position to pursue at any time in the future

Response 9

- The Head Teacher confirmed the Governing body had accepted the arrangements. It also noted that any proposed changes to catchment areas would be strongly opposed.

Response 10

- The Chair of Governors confirmed that the Governing body found the arrangements acceptable.

Response 11

The Clerk to Governors confirmed the Governing body had made the following observations:

- The deadline of 27th November 2015 would leave a lengthy period of time until 1st March 2016, when parents were informed of whether they had a place or not, at the school of their choice. This timescale was thought to be too long and unnecessary.
- There appears to be confusion regarding parents having to provide proof of address. It was thought the LEA could refer to its own Council Tax records held electronically to ascertain or verify proof of address with parents who have been raising queries or providing evidence direct to the school.

LA Response:

The dates outlined comply with Welsh Government requirements. Welsh Government have recently changed this and previously Local Authorities were able to set their own dates but 2016-17 will be the first time that we will all have to comply with Welsh Government notification date of 1st March. The reason for the delay is that we will have to run two separate admissions – one for Year 7 and one for Reception both having the same notification day which will apply across Wales.

Council Tax – the Local Authority is now utilising the Electoral Role for these checking purposes but where there is a discrepancy with

information on the ER we will be asking parents to provide alternative proof. These could be perfectly valid reasons – eg moved house after the electoral role form submitted or could lead to further investigation because a false address e.g. family, has been used.

Admission Forum

Following due consideration the Forum agreed that their recommendation would be that the Admission Arrangements 2016/17 be approved in their current format. The decision was made for the following reasons:

- The number of responses are low in relation to the number of pupils being educated in Swansea, and there is no common theme, therefore any change would not be wholly representative of the majority of parents who could respond.
- In accordance with the School Admissions Code the LA is responsible for deciding admissions to nursery classes in community schools and as a result will continue to implement the arrangements which relate to nursery admissions.

Correspondence will be sent to all governing bodies and headteachers who responded to the consultation advising them of the recommendations made by the Admissions Forum.

4.0 Equality and Engagement Implications

A full EIA Report was completed for Admission Arrangements in 2014, with no adverse impacts identified. The EIA has been reviewed for the 2016/2017 Arrangements, with no further changes required.

5.0 Financial Implications

Whilst there are no immediate financial implications arising from this report, acceptance of this policy could result in additional expenditure at a future time. Acceptance of the policy does not mean that additional resources will be made available and it should be assumed that future spending needs will need to be contained within existing budget provision and have full and due regard to the budget principles set out in 'Sustainable Swansea – Fit for the Future' and the likely levels of future budgets having due regard to the budget and medium term financial plan.

6.0 Legal Implications

Section 89 of the School Standards and Framework Act 1998 and Regulation 4 of the Education (Determination of Admission Arrangements) (Wales) Regulations 2006 require Admission Authorities to consult and determine school admission arrangements annually. The Regulations set requirements for consultation and

determinations of admission arrangements. The Welsh Government has issued a guidance circular 'Measuring the Capacity of Schools in Wales', which sets out methodology for Local Authorities to follow when determining their admission arrangements. There is also a requirement to consider the guidelines contained in the Welsh Government School Admissions Code.

Background Papers:

- Education (Determination of Admission Arrangements) (Wales) Regulations 2006
- Welsh Government (WG) guidance document 'Measuring the Capacity of Schools in Wales'.
- School Admissions Code, School Admission Appeals Code. WG July 2013 & December 2013.
- EIA Screening Form
- EIA Report

Appendices:

Appendix A - Admission Arrangements 2016/2017 Nursery Classes

Appendix B – Admission Arrangements 2016/2017 Primary Schools

Appendix B – Admission Arrangements 2016/2017 Secondary Schools

Appendix B – Admission Arrangements/Criteria for Entry 2016/2017 Sixth Forms

Appendix C - Schedule of Events

Appendix D – Admission Numbers for Primary and Secondary Schools