

Report of the Cabinet Member for Education

Extraordinary Council – 10 March 2016

ADMISSION ARRANGEMENTS 2017/2018

Purpose:	To determine the Admission Arrangements for maintained schools for the academic year 2017/2018.
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):that

- 1) The proposed Admission Arrangements for 2017/2018 for Nursery as set out in Appendix A are approved.
- 2) The proposed Admission Arrangements for 2017/2018 for Reception as set out in Appendix B are approved.
- 3) The proposed Admission Arrangements for 2017/2018 for Year 7 as set out in Appendix B are approved.
- 4) The proposed Admission Arrangements/Criteria for Entry for 2017/2018 for Sixth Forms set in Appendix B are approved.
- 5) The proposed Admission Arrangements for 2017/2018 for In Year Transfers as set out in Appendix B are approved.
- 6) The Schedule of Events at Appendix C is approved.
- 7) The Admission Numbers for primary and secondary schools are noted, as set out in Appendix D.

Report Author: Melissa Taylor / Claire Abraham

Finance Officer: Ben Smith

Legal Officer: Stephanie Williams

Access to Services Officer: Sherill Hopkins

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 2017/2018 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 Copies of the proposed Admission Arrangements for In Year Transfers attached at Appendix B.
- 1.8 The proposed Schedule of Events for the admission process is shown at Appendix C.
- 1.9 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, The School Admissions (Infant Class Sizes) (Wales) Regulations 2013, restricts infant class sizes to a maximum

of 30 i.e. Reception, Year 1 and Year 2. Welsh Government has also introduced a recommended limit of 30 for Key Stage 2 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.

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.

In Year Transfers

- 2.6 Availability of places is determined by reference to the school's admission number. A child will be refused a place once the admission number has been reached. Admission Numbers (ANs) shown at Appendix D are the limits for each year group. Schools must not exceed their AN in the year of entry i.e. Reception for primary admissions and Year 7 for secondary admissions, or in any other year group.

Sixth Forms

- 2.7 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 for a looked after child 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 there are places available, places will be awarded using the oversubscription criteria set out in the Admission Arrangements (see Appendix B).

3.4 Results of the Consultation

Response 1

Response 1 was from a Chair of Governors who commented that:

“1. The document does not discuss the specific needs of Welsh-medium education, where the demand very often exceeds provision. The systems for English-medium education are not always suitable for Welsh-medium education in light of the overcapacity.”

“2. Admission to the nursery class: In a number of schools, the demand for a nursery place has exceeded provision. When refused a place in a Welsh-medium nursery class, parents, due to circumstances, opt for an English-medium school. Children seldom transfer to Welsh-medium education from nursery when they reach 5 years of age. This puts Welsh-medium education at a disadvantage. The document should include guidance on how to provide a Welsh-medium nursery class for all those who desire it.”

“3. Admission to primary schools: The demand for Welsh-medium education regularly exceeds provision in a number of schools. Once again this document is suitable for English-language education, but not for Welsh-medium education. Where a pupil is refused a place in English-medium education, there will usually be another school available to that pupil nearby. With Welsh-medium education, it's common for all schools within reasonable distance of a child's home to be full. If a pupil is refused due to one school being full, he cannot be transferred, according to the system in the document, to another school which is full. Welsh-medium schools need direction to enable them admit all children in the catchment area without having to go through the appeal process, where neighbouring schools are all full.”

“The solution to the admission difficulties experienced at Welsh-medium schools is to provide more Welsh-medium schools. This is needed urgently in the Kingsbridge – Gorseinon – Gowerton area.”

LA Response:

1. 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.
2. Admission to nursery - You have indicated that demand for nursery classes exceeds provision and the impact this may have upon parental choice in relation to Welsh medium education options. Nursery places are for part time provision only in keeping with Welsh Government requirements 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.

The local authority does state that 'It may not always be possible for children to be admitted to a nursery class within the catchment area for their home address. If this is the case, an alternative place will be made available.' This statement applies equally to English medium and Welsh medium nursery school places.

3. Admission to primary school - You state that the demand for Welsh Medium education exceeds provision in a number of schools. 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 will 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 2

Response 2 was from a, headteacher who commented that:

"In the past, the checking and agreeing of these admission arrangements has very much been a cursory exercise. However, as a school we have experienced significant problems this year because of the sheer number of pupils who have made in-year admission applications and the attendance/behaviour problems the majority of these pupils bring with them. This is the third year running where we have seen a significant increase in in-year applications for admission, although the current term has been the worst. A small number of schools suffer from an unreasonable number of these in-year transfers annually."

"There is a problem with the following section for in-year transfers:

Parents/carer's can apply for a place at the catchment school or express a preference for a placement at an alternative school. Requests will be granted unless to do so would:

- prejudice the provision of efficient education or the efficient use of resources, and
- for voluntary aided schools, be incompatible with the admission arrangement agreed between the Governing Body and the LA."

"It also states later:

Requests for admission will be granted provided there are places available. Where admission requests exceed the number of places available, as determined by the published admission number, applications will be allocated by applying the LA's oversubscription criteria."

“There has to be some other criteria than space, or a process that requires both the original school and the receiving school to look carefully at what is in the best interests of the pupil, prior to a move taking place. This is what is supposed to happen with a ‘managed move’ but the reality is that this system doesn’t work in many cases because the parents simply apply to join another school and, if there is space, there is no mechanism for careful consideration of what will work. If a pupil has significant attendance and/or behaviour problems that have been a major contributory factor to the parents applying to move schools (i.e. simply to passport the problems elsewhere rather than face them and deal with them), then a school should be able to at the very least delay if not refuse that admission. The phrase ‘efficient education’, used in the criteria above, should incorporate the impact a pupil has, not simply the fact that they are one extra body in a classroom.”

LA Response:

The local authority is required to administer admission applications in accordance with the Welsh Government School Admissions Code (Statutory Code document number: 005/2013, issued July 2013). Where an application is received and the school has not reached the Admission Number for the relevant year group the local authority is required to offer the school place. Whilst the local authority fully appreciates the difficulties this can have on school organisation, it does not have any reason in legislation to refuse the place. Therefore, the local authority must offer the school place.

The local authority will work with headteachers where there appears to be a pattern emerging of pupil moves from one school to another or others. Some schools, that are not over their total capacity and where they have not reached the admission number in certain year groups, will frequently find themselves in situations where pupil moves are being sought. The Welsh Government School Admissions Code does not make exception for these pupils and there is expectation that the local authority will award places that are available.

The authority is working with headteachers to establish improved practice with the aim of reducing the number of in-year transfers in order to support schools that have surplus capacity and room in a year group where the local authority is required to allocate a place following receipt of an application.

3.5 Admission Forum

Following due consideration the Forum agreed that their recommendation would be that the Admission Arrangements 2017/2018 be approved in their current format.

4.0 Equality and Engagement Implications

A full Equality Impact Assessment (EIA) Report was completed for Admission Arrangements in 2014, with no adverse impacts identified. The EIA has been reviewed for the 2017/2018 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 and December 2013.

EIA Screening Form

EIA Report

Appendices:

Appendix A - Admission Arrangements 2017/2018 Nursery

Appendix B – Admission Arrangements 2017/2018 Reception

Appendix B – Admission Arrangements 2017/2018 Year 7

Appendix B – Admission Arrangements/Criteria for Entry 2017/2018 Sixth Forms.

Appendix B - Admission Arrangements for 2017/2018 for In Year Transfers

Appendix C - Schedule of Events

Appendix D – Admission Numbers for Primary and Secondary Schools