

Report of the Cabinet Member for Education

Council – 23 March 2017

ADMISSION ARRANGEMENTS 2018/2019

Purpose:	To determine the admission arrangements for maintained schools for the academic year 2018-2019
Policy Framework:	The Admission Arrangements to Schools Policy
Reason for Decision:	There is a duty on the local authority 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):	
1)	The proposed admission arrangements for 2018-2019 for Nursery as set out in Appendix A are approved.
2)	The proposed admission arrangements for 2018-2019 for Reception as set out in Appendix B are approved.
3)	The proposed admission arrangements for 2018-2019 for Year 7 as set out in Appendix B are approved.
4)	The proposed admission arrangements for 2018-2019 for in-year transfers as set out in Appendix B are approved.
5)	The proposed admission arrangements/criteria for entry for 2018-2019 for sixth forms set in Appendix C are approved.
6)	The Schedule of Events at Appendix D is approved.
7)	The admission numbers for primary and secondary schools are noted, as set out in Appendix E.
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1. Introduction

- 1.1 By virtue of Section 89 of the School Standards and Framework Act (1998), the local 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 2018-2019 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 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 for in year transfers are attached at Appendix B.
- 1.7 Copies of the proposed admission arrangements and criteria for entry for sixth forms are attached at Appendix C.
- 1.8 The proposed 'Schedule of Events' for the admission process is shown at Appendix D.

In a change to previous years' admission arrangements, both the Year 7 (secondary) and Reception (primary) admission rounds are scheduled to run together in the autumn term for a period of eight weeks. This revised timetable was proposed following discussions with the Funding and Information Unit and in order to assist with budget planning preparation for schools will benefit by being in a better position to provide pupil projection figures which are submitted in January.

- 1.9 The admission numbers (ANs) for primary and secondary schools are shown at Appendix E.

2. 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 AN has been set. The admission numbers for primary schools are shown in Appendix E. 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 local authority (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 ANs shown at Appendix E 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. ANs shown at Appendix E 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 C.
- 2.8 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. 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 seven 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.

Oversubscription

- 3.3 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 Appendices A, B and C).

- 3.4 A definition for the term 'statutory school age' has been added to the oversubscription criteria for siblings (criteria number 3) and is as follows:

**** Statutory school age is defined as pupils who are between age 5 and 16 (i.e. pupils in any year group between and including Reception to Year 11)

4. Results of the consultation

4.1 Response 1

Response 1 was from a chair of governors who commented that:

"I believe that the county (and Wales) has a policy of admitting children to Welsh-medium schools, despite the schools being full, if neighbouring Welsh-medium schools are also full, with the schools then being able to admit more than the official admission number. I am not sure if every head teacher is aware of this. Is it possible for this arrangement, which is a special circumstances arrangement, to be noted in the document? This would help head teachers and parents."

LA response:

Thank you for your response. I note you have indicated 'that the county (and Wales) has a policy of admitting children to Welsh-medium schools, despite the schools being full, if neighbouring Welsh-medium schools are also full, with the schools then being able to admit more than the official admission number. To clarify this is not the Council's Policy however the Council takes into consideration the 'School Admission (Infant Class Sizes) (Wales) Regulations 2013 that came into force on 8 July 2013. The Schedule to the Regulations specifies permitted exceptions to the requirement for infant classes not to have more than 30 pupils in the class per one qualified teacher. Paragraph 9 of the Schedule to the Regulations specifies an exception to Infant Class Size Limit where Welsh speaking is desired and the school is the only such school within a reasonable distance of the child's home. This is the exemption the Council relies upon in the circumstance you describe and each application is looked at to see whether the Regulations apply.

Where the local authority receives a higher number of applications for Welsh medium primary schools than the places they have to offer discussion always takes place directly with the headteacher to consider how many pupils the local authority can agree to admit. The local authority has implemented a very successful protocol to engage in discussion with headteachers in order to avoid having to direct admission of any pupils.

Therefore, in answer to your query, headteachers are aware of the Regulations and the exemption. However, I will ensure that headteachers of Swansea Welsh medium primary schools are made aware of this exemption during the course of this term.

In response to your request for the information to be included in the published over subscription criteria I will ensure that a link to the Regulations and Welsh Government Guidance is included on the City and County of Swansea school admissions website. However, the local authority would not support your request for the information to be included as part of the published over subscription criteria. The Regulations indicates that an infant class with one qualified teacher will be allowed to have more than 30 children in a certain very specific circumstances. The local authority would not therefore seek to include the information which may be seen by parents as a guarantee of a Welsh-medium school place at a particular school for their child. Each case will be looked at individually.

I would like to thank you for taking the time to respond to the consultation but the local authority will not pursue the latter part of your request on this basis.

4.2 Response 2

Response 2 was from a headteacher who commented that:

The AN will change for Gowerton School as the LA are removing four classrooms. Still waiting for advice on actual numbers.

LA response:

In response to your comment relating to the admission number for Gowerton School for September 2018 included in the Admission Arrangements 2018-2019. The local authority will be able to undertake a re-assessment of the schools capacity to account for the change to accommodation and removal of classrooms following the information you provided. A working admission number can only be applied where an increase has been agreed and an early implementation date can be determined.

However, where an admission number is reduced the same principle cannot be applied and therefore the admission number for Gowerton School for September 2018 will remain at 216.

When the demountable buildings have been completely removed it will be possible for the local authority to write to the Welsh Minister to make a special case for consideration. Can you therefore please advise Mrs Kathryn Thomas (Head of

School Support Unit) when the demountable buildings have all been removed so that the local authority can prepare a case for the Welsh Minister to consider?

4.3 **Response 3**

Response 3 was from a primary school governing body who made the following comments:

- Document only appears to reference 'community schools'. Are there different arrangements for other schools? How do they differ?
- Nursery admission arrangements - Is this correct: 'Parents/guardians have no right of recourse should they feel that their case has not been dealt with appropriately'?
- 'Children attending the nursery class of a school will not have an automatic right of admission to full time education at the same school. Parents/carers will need to apply for a place along with other applicants at the appropriate time' – Does this mean parents have to apply for a nursery place and apply again for a place in full time school?

LA response:

Thank you for your feedback which has been noted. The admission arrangements for the LA are in line with the statutory requirements of the Welsh Government's School Admissions Code (Statutory Code document no: 005/2013) and are scrutinised by our Legal Department to ensure compliance. All statements within the admission arrangements are factually correct.

The LA's admission arrangements apply to all LA primary and secondary schools. Voluntary-aided schools (i.e. Roman Catholic schools) are their own admissions authority and therefore have their own admission arrangements and oversubscription criteria which the school's governing body will have agreed.

If you would like to discuss these arrangements in more detail, please do not hesitate to contact the School and Governor Team on (01792) 636550.

5. Admission Forum

- 5.1 Following due consideration the Forum agreed that their recommendation would be that the Admission Arrangements 2018-2019 be approved in their current format.

6. Equality and engagement implications

- 6.1 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 2018-2019 arrangements, with no further changes required.

7. Financial implications

7.1 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.

8. Legal implications

8.1 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 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 'Measuring the Capacity of Schools in Wales'.

School Admissions Code, School Admission Appeals Code. WG July 2013 and December 2013

Appendices:

Appendix A Admission Arrangements 2018-2019 Nursery

Appendix B Admission Arrangements 2018-2019 Reception

Appendix B Admission Arrangements 2018-2019 Year 7

Appendix B Admission Arrangements for 2018-2019 for In-Year Transfers

Appendix C Admission Arrangements/Criteria for Entry 2018-2019 Sixth Forms

Appendix D Schedule of Events

Appendix E Admission Numbers for Primary and Secondary Schools

Appendix F EIA Report