



Report of the Cabinet Member for Education Improvement, Learning & Skills

Council – 28 March 2019

Admission Arrangements 2020-2021

Purpose:	To determine the admission arrangements for maintained schools for the academic year 2020-2021
Policy Framework:	The Admission Arrangements to Schools Policy.
Consultation:	Education; Legal; Finance; all headteachers and governing bodies including voluntary aided schools; neighbouring admission authorities; the Admissions Forum.
Recommendation(s):	<ol style="list-style-type: none">1. The proposed admission arrangements for 2020-2021 for Nursery as set out in Appendix A are approved.2. The proposed admission arrangements for 2020-2021 for Reception as set out in Appendix B are approved.3. The proposed admission arrangements for 2020-2021 for Year 7 as set out in Appendix C are approved.4. The proposed admission arrangements for 2020-2021 for in-year transfers as set out in Appendix D are approved.5. The proposed admission arrangements/criteria for entry for 2020-2021 for sixth forms set in Appendix E are approved.6. The Schedule of Events at Appendix F is approved.7. The admission numbers for primary and secondary schools are noted, as set out in Appendix G.
Report Author:	Melissa Taylor
Finance Officer:	Chris Davies
Legal Officer:	Stephanie Williams
Access to Services Officer:	Rhian Millar

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 2020-2021 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 C
- 1.6 Copies of the proposed admission arrangements for in year transfers are attached at Appendix D.
- 1.7 Copies of the proposed admission arrangements and criteria for entry for sixth forms are attached at Appendix E.
- 1.8 The proposed 'Schedule of Events' for the admission process is shown at Appendix F.
- 1.9 The admission numbers (ANs) for primary and secondary schools are shown at Appendix G.

2. Admission limits

The local authority administers all admissions for community schools (schools funded and maintained entirely by LAs). Requests for admission to Voluntary Aided schools - Church schools (e.g. Roman Catholic, Church in Wales schools) are administered and determined by the admission criteria set by the Governing Body of that school. Voluntary Aided schools are responsible for determining their own admission arrangements.

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 G. 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 G are the limits for each year group.
- 2.4 Schools should 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 published deadline (for Year 7 and Reception admissions), 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 G are the limits for each year group. Schools should 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. Also, 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), and Welsh Government introduced a recommended limit of 30 for key stage 2 class sizes.

Sixth forms

- 2.7 Criteria for entry and admission arrangements for sixth forms, including admission limits, are outlined in Appendix E.

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 will be included and accounted for when places are allocated and schools are informed of this (with the exception of pupils allocated a place at within a Special Teaching Facility).

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 Appendices A, B, C and D).

- 3.4 At the time the Admission Arrangements were produced the LA was in the process of undertaking proposals to change the catchment area of Welsh Medium schools due to the proposed rebuild and relocation of YGG Tan-y-lan and YGG Tirdeunaw. A full statutory consultation process was undertaken and parents, pupils, staff, governors and the wider community were given the opportunity to engage in the consultation process. Depending upon the decision of Cabinet the new build schools are scheduled to open in January 2021 with the catchment area changes coming into effect in September 2021. The Clase area would attend YGG Tan-y-lan instead of YGG Tirdeunaw; Brynhyfryd, Cwmbwrla and Manselton would attend YGG Tirdeunaw instead of YGG Bryn-y-mor; Blaenymaes, Cadle, Clwyd, Gendros and Portmead areas would attend YGG Tirdeunaw instead of YGG Pontybrenin; Mayhill and Townhill areas would attend YGG Bryn-y-mor instead of YGG y Login Fach. These changes would also affect secondary school catchment areas, as learners living in Blaenymaes, Brynhyfryd, Cadle, Clwyd, Cwmbwrla, Gendros, Manselton and Portmead would attend YGG Bryn Tawe instead of YG Gwyr. The changes would only affect new admissions at September 2021 and all children already admitted to these schools would continue to attend and continue to receive home to school transport if they previously qualified. Once a decision has been made any changes will be published in order that parents have the information available to them when selecting a school for their child/ren.

4. **Results of the Consultation**

- 4.1 **Response 1** - Response 1 was from the Headteacher of Bishop Gore School who commented:

“On behalf of the Governing Body I can confirm that we are still without a resolution to the admission number of 252. We have grave concerns regarding this and cannot agree to this figure.”

LA Response - Following discussions with the headteacher regarding the large number of small classes at the school, and taking on board the concerns raised by the governing body, the local authority has revisited the capacity calculation and applied a round down of Admission Number to 240, as per the Welsh Government guidance.

- 4.2 **Response 2** - Response 2 was from the Chair of Governors of Pontarddulais Primary School who commented:

“Proposals are acceptable.”

- 4.3 **Response 3** - At a meeting of the Governing Body of Mayals Primary School today (23/01/19) Governors found that while they accepted the broad principles of the above policy they wish to express serious concern about the difficulty of some pupils' progression from Mayals to the partner comprehensive school viz Bishopston.

We know this affects only a few children but the impact is significant in the case of pupils who have attended Mayals from Reception to Year 6 and then find that because of where they live they may be denied progression with their cohort to Bishopston. The reason for their being directed elsewhere is demand for places in Bishopston from pupils living within the catchment area but hitherto educated in a Welsh medium, faith school or private school. We fully appreciate the hard work and challenges of implementing a fair admissions policy but we are also cognisant of the adverse impact on pupil wellbeing if directed away from their friendship groups and from experience of interaction with curricular, sporting and social activities of Bishopston Comprehensive School.

We should be grateful if the local authority would seriously consider allowing priority status for pupil proceeding from partner primary schools.

LA Response – In Swansea, parents can apply for a school place as a parental preference for both primary and secondary school. The LAs admission arrangements and over-subscription criteria are published on-line and also included within the Information for Parents booklet that all parents are advised to read as part of the terms of conditions when submitting an application.

The oversubscription criteria details that living within the catchment area for a school has a higher priority than attending a feeder partner primary school. With this in mind, parents make an informed choice when applying for a Reception place in a primary school that is not their designated catchment school, and when applying to transfer to Year 7 for secondary school.

Having previously looked at re-ordering the oversubscription criteria, based on figures from a previous admission round for Year 7 places and allocating pupils attending a feeder (who reside outside of the catchment area) in the first instance, the impact would be that pupils living within the designated catchment area would be refused a place at their local school.

5. Admission Forum

- 5.1 The admission forum has a role in ensuring a fair admissions system that does not disadvantage one child compared with another and is straightforward and easy for parents to understand. Admission forums are responsible for monitoring compliance with the School Admissions Code. Membership of the forum includes:-

Local Authority representatives (Members and officers)
Headteacher representatives for secondary schools (English and Welsh Medium)
Headteacher representatives for primary schools (English and Welsh Medium)
Governor representatives
Diocesan representative

Voluntary Aided schools representatives (primary and secondary)

- 5.2 The Admission Arrangements were considered by members of the Forum on 5th December 2018, and comments received as part of the consultation process were discussed by the Forum on 7th February 2019. Following due consideration the Forum agreed that their recommendation would be that the Admission Arrangements 2020-2021 be approved in their current format.

6. Equality and Engagement Implications

- 6.1 The Council is subject to the Public Sector Equality Duty (Wales) and must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

- 6.2 Our Equality Impact Assessment (EIA) process ensures that we have paid due regard to the above.

- 6.3 An EIA screening has been undertaken and it has been determined that the initiative is not relevant for a full EIA report.

- 6.4 Once set the admission arrangements apply to all and take account of all protected characteristics to ensure that all applications for a school place are treated equally.

- 6.5 A full consultation process was completed as is required by Section 89 of the School Standards and Framework Act 1998 and Regulation 4 of the Education (Determination of Admission Arrangements) (Wales) Regulations 2006. The findings of the consultation are reported in this report.

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.

- 8.2 The Additional Learning Needs and Education Tribunal (Wales) Bill was passed by the National Assembly for Wales on 12 December 2017 and became an Act on 24 January 2018 after receiving Royal Assent. The Act replaces the terms 'special educational needs' (SEN) and 'learning difficulties and/or disabilities' (LDD) with the new term ALN. Once the Act is fully implemented the terms relating to special educational needs in the admissions arrangements will need to be updated.

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.
EIA Screening Form
EIA Report

Appendices:

Appendix A - Admission Arrangements 2020-2021 Nursery

Appendix B - Admission Arrangements 2020-2021 Reception

Appendix C - Admission Arrangements 2020-2021 Year 7

Appendix D - Admission Arrangements for 2020-2021 In Year Transfers

Appendix E - Admission Sixth Form Criteria for Entry

Appendix F - Schedule of Events (Reception and Year 7)

Appendix G - Admission Numbers for Primary and Secondary Schools