



Report of the Cabinet Member for Education & Learning

Council – 21 March 2024

Schools Admission Arrangements 2025-2026

Purpose:	To determine the admission arrangements for maintained schools for the academic year 2025-2026
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):	It is recommended that: <ol style="list-style-type: none">1. The proposed admission arrangements for 2025-2026 for Nursery as set out in Appendix A are approved.2. The proposed admission arrangements for 2025-2026 for Reception as set out in Appendix B are approved.3. The proposed admission arrangements for 2025-2026 for Year 7 as set out in Appendix C are approved.4. The proposed admission arrangements for 2025-2026 for in-year transfers as set out in Appendix D are approved.5. The proposed admission arrangements/criteria for entry for 2025-2026 for sixth forms set in Appendix E are approved.6. The Schedule of Events for primary and secondary at Appendix F is approved.7. The admission numbers for primary and secondary schools are noted, as set out in Appendix G.
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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 2025-2026 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 Reception (primary school) and Year 7 (secondary school) year of entry 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 (LA) is the admitting authority for all 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.

2.1 Primary

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.

2.3 Secondary

The admission numbers (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. Year 7 for secondary admissions) or in any other year group.

2.4 Primary and secondary

There is no guarantee of a catchment place at a school if the admission number (AN) has been reached, 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 also no guarantee of a catchment place for applicants applying outside of the normal admission round (i.e. late applications for Reception and Year 7 admissions or in-year transfer requests), even if the pupil resides or moves into the catchment area.

2.5 In-year transfers

Availability of places is determined by reference to the school's admission number (AN). 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, for primary school admissions, 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.

2.6 Sixth forms

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 for whom the LA holds an Individual Development Plan (IDP) where the LA has named a school in section 2D.1 of the IDP, or 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 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).

4. Representation Made on the LAs Admission Arrangements

4.1 Correspondence was received from a parent regarding the LAs admission arrangements and oversubscription criteria following a refusal of a place at their catchment primary school. It should be noted that the child was subsequently offered a place at the preferred school due to natural pupil movement in the year group and did not need to appeal the refusal.

The parent gave their consent to their representation being included within this report, with any personal details being retracted. The comment received can be found at Appendix H.

Parents are not a mandated consultee under the School Admissions Code. The LA is only required to consult with wider stakeholders, such as parents, if a significant change to policy is being proposed. However, the LA treats all stakeholders with integrity and respect, and as such considered and responded appropriately on the representation made by the parent.

4.2 The Regulations and Welsh Government Guidance have been followed and current arrangements and processes that drive these are compliant with the local authorities legal responsibilities.

- 4.3 The representation made by the parent was discussed by Education Directorate Strategic Leadership Board (SLB). The Strategic Leadership Board considered and thoroughly discussed the information provided by the parent and information collated by the Education Directorate admissions team.
- 4.4 Data sourced since 2017 shows that instances of refusal due to catchment is very low. Only 9 children out of 17,500 (0.05%) were refused because of catchment and 3 of those had siblings (0.017%). Instances are minimal. There is an option to appeal when any application is refused.
- 4.5 The local authority's admission arrangements policy and the oversubscription criteria set out within the policy have been long established in Swansea. The admission arrangements and oversubscription criteria are legal and compliant with the Welsh Governments School Admissions Code and there are no irregularities. A consultation process on the policy is undertaken annually with our Admissions Forum, schools, governing bodies and neighbouring local authorities. They are also determined at Council each year. Parents are not a mandated consultee under the Code.
- 4.6 It is for each LA to decide on appropriate criteria dependent on local circumstances. The Welsh Government School Admission Code at 2.35 states regarding criteria including the sibling criteria:

'The remaining criteria listed below, are not preferred criteria but rather those most commonly used. Guidance is provided on the circumstances in which their use will be acceptable and when it would not. It is for admission authorities to decide the order of and whether any or all of these criteria are appropriate in their local circumstances'

Distance as a tie breaker for each of the existing criteria is also legal and Welsh Government guidance states, "*Distance between home and school is a clear and objective oversubscription criterion and is useful as a tie-breaker.*"

Welsh Government guidance does not specify that an LA must use a criteria of children who have siblings at a school and who reside in the catchment area. Welsh Government guidance relating to siblings at a school states:

2.36 Giving priority to children who have siblings who will be at the school when they join may support parents of young children. Admission authorities should give consideration particularly to the needs of younger children at primary schools, where parents may have problems with transporting children placed at different schools. Admission authorities should also consider carefully how twins or triplets or other relatives, including those adopted, living permanently in the household will be treated if a sibling criterion is adopted.

Many Welsh LAs have advised that having catchment with a sibling has a higher ranking criteria than catchment alone, does not prevent refusals/appeals under the catchment with a sibling criteria. They also advised that they apply distance as a tie breaker in their oversubscription criteria/policy.

- 4.7 There needs to be fairness to all parents and it is difficult to have multiple criteria and to satisfy all parents/families and all circumstances. The Welsh Government School Admissions Code provides guidelines and examples of good practice for oversubscription criteria that are fair to all children and their families. It states, *“it is possible for a criterion to be fair in some circumstances and not in others. It is for admission authorities, acting in accordance with the provisions and guidelines in this Code, to decide which criteria they will use and in what circumstances.”*
- 4.8 Many LAs have slightly different oversubscription criteria. Swansea, and one of our neighbouring authorities, Neath Port Talbot, do not have ‘catchment with a sibling’ as one of the oversubscription criteria. Similarly, in Swansea there is additional criteria within the secondary admissions e.g. attending a partner primary school, other LAs, such as Carmarthen, do not have.
- 4.9 SLB concluded that the admission arrangements are fair and should remain in place at present as there is no evidence to suggest inequity.
- 4.10 The Admission Forum also received the correspondence from the parent. Forum members thoroughly considered the points raised, along with information collated by the admissions team and the view and recommendation of the Education Directorate Senior Leadership Board (SLB). The conclusion and recommendation of the Forum was that the current admission arrangements are robust, equitable and compliant with legislation, therefore should remain in place. The arrangements will continue to be discussed each year by the Forum to ensure there is no emerging pattern to suggest any unfairness.

5. Results of the Consultation

- 5.1 All schools and governing bodies in Swansea were consulted on the Admissions Arrangements 2025-2026 in line with statutory requirements. The Admission Forum and neighbouring local authority’s were also consulted. As the arrangements are pre-existing with no significant changes proposed to the policy, there was no requirement to consult with wider stakeholders (i.e. parents).
- 5.2 In Swansea we have 85 local authority community maintained schools and 6 voluntary aided (VA) schools. The LA received responses to the consultation from 3 schools and these are detailed below.

5.3 **Response 1** - Clerk to Governors for YGG Login Fach and YGG Pontybrenin:-

I've circulated the admissions arrangements information to the Governors both of YGG Y Login Fach and YGG Pontybrenin. The proposals are acceptable to both sets of Governors, and no comments or observations have been made.

5.4 **Response 2** - Governing body of Newton Primary School:-

In response to the consultation process the Governing body of Newton Primary School would like to raise the following point regarding the proposed Admissions Policy.

The concern is that the over-subscription criteria does not give adequate priority to families who live in catchment AND already have a sibling in attendance at the school.

For example, if there are 30 places and 32 children apply for a place and everyone is in the catchment area, priority under the Swansea policy is given to children living closest to the school, with no regard to other siblings already in attendance at the school.

We have concerns over the practicality for families of having children in multiple primary schools and the potential negative impact this may have on child and family welfare, mental health and ultimately education. The alternative is for families to relocate children who may be happy and settled in a school, and this is likely to have a detrimental effect on their well-being and education.

We propose that consideration be given to re-prioritisation of the over-subscription criteria to better accommodate families living in catchment who already have siblings in attendance at the school. We understand variations to this policy are feasible and such priority is already given in the admission policies of most other LAs through Wales and England.

We also respectfully propose that this may be more in line with Welsh Government Guidance as per the School Admissions Code (document 005/2013) which states that "Giving priority to children who have siblings who will be at the school when they join may support parents of young children. Admission authorities should give consideration particularly to the needs of younger children at primary schools, where parents may have problems with transporting children placed at different schools".

LA Responded to Newton Primary School Governing body:-

Thank you for responding to our consultation. Your response will be included when the Admission Arrangements 2025-2026 are reported to Council for their determination.

The LAs admission arrangements are reviewed and consulted upon annually and in line with Welsh Government guidance. The Local Authority has checked the Regulations and Welsh Government Guidance and are satisfied that current arrangements and the processes that drive these, are compliant with our legal responsibilities.

The points you have made have already been raised with the Education Strategic leadership Board and at the Admission Forum where the issues were thoroughly considered and debated; the outcome of these debates was that our admission arrangements are robust and equitable and should not be changed.

The reasons for this are:

Data sourced since 2017 shows that instances of refusal due to catchment is very low. Only 9 children out of 17,500 (0.05%) were refused because of catchment and 3 of those had siblings (0.017%). Instances are minimal. There is an option to appeal when any application is refused.

The local authority's admission arrangements policy and the oversubscription criteria set out within the policy have been long established in Swansea. Our admission arrangements and oversubscription criteria are legal and compliant with the Welsh Governments School Admissions Code and there are no irregularities.

With regards siblings, our policy includes a 'sibling' oversubscription criteria as detailed below in point 3 which has a higher priority than some of our other criteria:-

Oversubscription Criteria

1. Children who are in the care of a local authority i.e. looked after children (LAC) or previously looked after*.
2. Children who live within the school's defined catchment area. There is no guarantee of a catchment place. If there are more applications than places, places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority**.
3. Children who have a brother or sister of statutory school age attending the school at the date of their admission***. If there are more applications than places, places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority**.
4. Children attending a designated partner primary school but who live outside the catchment area of that school. Attending a partner primary school does not guarantee a place in the associated secondary school. If there are more applications than places, places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority**.
5. Other children for whom criteria 1 to 4 above do not apply. If there are more applications than places, places will be allocated in distance order with those living nearest (shortest available walking route) receiving priority**.

* Looked After Child (LAC) / Previously Looked After Children – a looked after child refers to a child who is looked after by a local authority in England or Wales, (as defined by Section 22 of the Children Act 1989 and Section 74 of the Social Services and Wellbeing [Wales] Act 2014) at the time the application to a school is made and who the Local Authority has confirmed will still be looked after at the time of admission to the school. 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 (as defined by the Welsh Government School Admissions Code document no. 005/2013). Evidence will need to be provided for all LAC criteria applications.

**The measurement will be taken from outside the entrance to the property (house or flat) to the nearest official school entrance. The local authority GIS computer programme is used when undertaking the measurement.

***A brother or a sister will be defined as a natural or legally adopted child of either parent living at the same address. In any circumstances in which there is one place available and the next eligible children for that place are twins/triplets, the LA will admit both/all children. 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).

Welsh Government guidance does not specify that an LA must use a criteria of children who have siblings at a school and who reside in the catchment area. Welsh Government guidance relating to siblings at a school states:

2.36 Giving priority to children who have siblings who will be at the school when they join may support parents of young children. Admission authorities should give consideration particularly to the needs of younger children at primary schools, where parents may have problems with transporting children placed at different schools. Admission authorities should also consider carefully how twins or triplets or other relatives, including those adopted, living permanently in the household will be treated if a sibling criterion is adopted.

Welsh Government guidance advises it is for each LA to decide on appropriate criteria. Distance as a tie breaker for each of our existing criteria is also legal and Welsh Government guidance states, “Distance between home and school is a clear and objective oversubscription criterion and is useful as a tie-breaker.”

We want to be fair to all parents and it is difficult to have multiple criteria and to satisfy all parents/families and all circumstances. The Welsh Government School Admissions Code provides guidelines and examples of good practice for oversubscription criteria that are fair to all children and their families. It states, “it is possible for a criterion to be fair in some circumstances and not in others. It is for admission authorities, acting in accordance with the

provisions and guidelines in this Code, to decide which criteria they will use and in what circumstances.”

Many LAs have slightly different oversubscription criteria. Swansea, and one of our neighbouring authorities, Neath Port Talbot, do not have ‘catchment with a sibling’ as one of the oversubscription criteria. Similarly, in Swansea we have additional criteria within our secondary admissions e.g. attending a partner primary school, other LAs, such as Carmarthen, do not have.

The arrangements will continue to be discussed each year to ensure there is no emerging pattern to suggest an unfairness towards any groups/families within Swansea local authority communities.

6. Admission Forum

- 6.1 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. The Forum provides a vehicle for the admission authority to discuss the effectiveness of local admission arrangements, consider how to deal with difficult admission issues and advise admission authorities on ways in which our arrangements can be improved.

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)

- 6.2 The Admission Arrangements 2025-2026 were considered by the Admission Forum at a meeting held on 15th November 2023. The Forum were also presented with correspondence received from a parent regarding the LAs admission arrangements and oversubscription criteria. Forum members thoroughly considered the points raised, along with information collated by the admissions team and the view and recommendation of the Education Directorate Senior Leadership Board (SLB). The conclusion and recommendation of the Forum was that the current admission arrangements are robust, equitable and compliant with legislation, therefore should remain in place. The arrangements will continue to be discussed each year to ensure there is no emerging pattern to suggest any unfairness.
- 6.3 Responses submitted during the consultation period were reported to the Forum and considered by Forum members at a meeting held on 6th February 2024. The views of the Forum members were the arrangements remain in

place. At the meeting the Forum agreed and recommended that the Admission Arrangements 2025-2026 be approved in their current format.

7. Integrated Assessment Implications

7.1 The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure, 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 Acts.
- 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.
- Deliver better outcomes for those people who experience socio-economic disadvantage
- Consider opportunities for people to use the Welsh language
- Treat the Welsh language no less favourably than English.
- Ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

7.2 The Well-being of Future Generations (Wales) Act 2015 mandates that public bodies in Wales must carry out sustainable development. Sustainable development means the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the 'well-being goals'.

7.3 Our Integrated Impact Assessment (IIA) process ensures we have paid due regard to the above. It also takes into account other key issues and priorities, such as poverty and social exclusion, community cohesion, carers, the United Nations Convention on the Rights of the Child (UNCRC) and Welsh language.

7.4 Our Integrated Impact Assessment (IIA) process ensures that we have paid due regard to the above.

7.5 An IIA screening has been undertaken and it has been determined that the initiative is not relevant for a full IIA report.

7.6 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.

7.7 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.

8. Financial implications

- 8.1 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 LAs budget principles and the likely levels of future budgets having due regard to the budget and medium term financial plan.

9. Legal implications

- 9.1 In addition to the legal implication contained in the body of the report, 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 legal requirement to consider the guidelines contained in the Welsh Government School Admissions Code.

Background papers:

Education (Determination of Admission Arrangements) (Wales) Regulations 2006 - www.legislation.gov.uk/wsi/2006/174/made

Welsh Government (WG) guidance 'Measuring the Capacity of Schools in Wales' - Measuring the capacity of schools: guidance | GOV.WALES

School Admissions Code – School admissions code | GOV.WALES

School Admission Appeals Code WG December 2013 updated November 2023 – School admission appeals code | GOV.WALES

IIA Screening Form

Appendices:

Appendix A - Admission Arrangements 2025-2026 Nursery

Appendix B - Admission Arrangements 2025-2026 Reception

Appendix C - Admission Arrangements 2025-2026 Year 7

Appendix D - Admission Arrangements for 2025-2026 In Year Transfers

Appendix E - Admission Arrangements/Criteria for Entry 2025-2026 Sixth Forms

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

Appendix G - Admission Numbers for Primary and Secondary Schools

Appendix H – Representation made on Admission Arrangements