

Frequently asked questions about the Admission Consultation Process

Who is responsible for a school's admission arrangements?

The "admission authority" is responsible for a school's admission arrangements. In a voluntary aided school and a foundation school, the Governing Body (GB) is the admission authority. In an academy, the Academy Trust (AT) is the admission authority. (For community schools and voluntary controlled schools, the local authority (LA) is the admission authority.)

The FAQs below relate to the requirements for consultation and determination placed on the admission authority of a voluntary aided school, foundation school or academy by the School Admissions Code (December 2014).

Can the responsibility for admissions be delegated?

Yes. The School Admissions Code allows the GB/AT to establish an admissions committee. However, decisions on admissions cannot be delegated to an individual governor or the headteacher.

Do the school's admission arrangements have to be agreed every year?

Yes. The admission arrangements **must** be determined (i.e. formally agreed) by the GB/AT by no later than **28 February** every calendar year, for admissions in September of the next calendar year, even if there have been no changes from the previous year. For example, the admission arrangements for admission in **September 2022** must be determined by **28 February 2021**. (The admission arrangements include the policy, published admission number, procedure, practices and criteria used in deciding the allocation of school places if the school is oversubscribed.)

Once determined, the school must send a copy of the full determined admission arrangements to the local authority by **15 March** each year, and must publish the determined admission arrangements on the school's website.

Objections to the arrangements can be made to the Schools Adjudicator by any person who considers they may be unlawful or not compliant with the Code.

Does the school have to consult on its admission arrangements every year?

No. Consultation on the school's admission arrangements is required:

- At least once every seven years; and
- When changes are proposed to the admission arrangements (NB there is no requirement to consult if the only proposal is to increase the published admission number (PAN) or keep the same PAN).

What is the timescale for consulting on proposed changes?

Formal consultation on proposed changes **must** be for a minimum of six weeks and must take place between 1 October and 31 January. For example, for admissions in **September 2022** the six-week consultation must take place within the period between **1 October 2020 and 31 January 2021**. Church of England schools **must** consult the Diocesan Board of Education (DBE) on their proposals prior to going out to the wider formal consultation.

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How should proposals be developed for consultation?

Consultation and determination of admissions arrangements are carried out more than a year in advance of the year for which the admissions arrangements will apply, so schools need to prepare well in advance. For example, for admission in September 2022 consultation on any proposed changes would need to take place during the period between **1 October 2020 and 31 January 2021**.

Even if there had been no changes and no consultation, the arrangements would have to be determined by **28 February 2021** and a

copy of the full determined arrangements would have to be sent to the local authority by **15 March 2021**, and published on the school's website.

Senior leaders and school governors/academy trustees will need to:

- meet to discuss the potential changes - ideally in the summer term
- send the draft admissions arrangements to the Diocese for checking/comment no later than the beginning of October
- issue the proposed admission arrangements for formal consultation for six consecutive weeks in the period between 1 October and 31 January
- determine the admission arrangements by 28 February, notify the Diocese and LA, and publish them on the school's website by 15 March.

Do the same consultation requirements apply if the school is not proposing changes but is simply carrying out the statutory consultation every seven years?

Yes. If there has been no consultation in the last seven years, the same requirements apply even if no changes are proposed.

Senior leaders and school governors/academy trustees should review the admission arrangements, ideally in the summer term; send

the proposed arrangements to the Diocese for checking/comment by no later than the beginning of October; and issue the proposed arrangements for consultation for six consecutive weeks in the period between 1 October and 31 January.

Following consultation, the proposed arrangements must be determined by 28 February, sent to the LA and Diocese and published on the school's website by 15 March. It is the responsibility of the GB/AT to know when consultation last took place, and when it is next required (if no changes are proposed in the interim). It is suggested that the Clerk to the GB/AT could be asked to record this information and remind the GB/AT at their Summer Term meeting each year.

Who must governing bodies/academy trusts consult?

Church schools **must** send their draft proposed admission arrangements to the Diocese addressed to Liane Atkin at liane.atkin@drmnewcanglican.org or Suzanne Keenan suzannekeen@drmnewcanglican.org prior going out to wider formal consultation.

The formal consultation **must** include:

- parents of children between the ages of two and eighteen in the "relevant area" (so could include sending to local childcare providers/nurseries or feeder schools)
- other persons in the "relevant area" who, in the opinion of the GB/AT, have an interest in the proposed admissions, this will include the PCC
- all other admission authorities within the "relevant area" (primary schools need not consult secondary schools)
- the LA
- any adjoining neighbouring local authorities
- the Diocese.

Many LAs offer a service of publishing proposed admission arrangements for voluntary aided schools, academies and foundation schools on their website and undertaking the consultation on behalf of the GB/AT. Where the LA offers this service, schools are likely to use the service offered, but the GB/AT is ultimately responsible for the consultation.



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How is the consultation to be conducted?

In addition to any arrangements made by the local authority on behalf of the school, throughout the consultation period the GB/AT **must** publish a copy of their full proposed admission arrangements (including the proposed published admission number and any supplementary information forms used by the school) on the school's website, together with the details of the person at the school to whom comments may be sent. Also, during the consultation, the GB/AT **must** send on request to each of the persons/bodies who must be consulted a copy of the proposed admission arrangements, inviting their comments. If such requests are received, the Regulations allow schools to satisfy this requirement by sending a copy of the proposed arrangements in electronic form.

In addition to the requirements in the Code, the Schools Adjudicator has suggested that (as well as raising awareness of admission consultations through newsletters etc.) schools may wish to put notices letting people know about the consultation on school and parish noticeboards, on school gates, in playgroups, libraries, free newspapers etc. These are not requirements set out in the Code, and essentially it is up to the GB/AT to act reasonably.

What is the "relevant area" for consultation?

Regulations require each local authority to define a "relevant area" in which admission authorities must consult when proposing changes to their admission arrangements (or undertaking consultation once every seven years). The relevant area is determined by the LA after consultation with local admission authorities, and is reviewed periodically. It typically includes any admission authority within three miles of a secondary school and within two miles of a primary school (including those in neighbouring LAs). Voluntary aided schools, foundation schools and academies should therefore ask the local authority for details of the relevant area prior to consulting on proposed changes to their admission arrangements.

Does the school need to take any action if the only proposal is to increase the Published Admission Number (PAN)?

There is no requirement for formal consultation for an increase in the PAN. However, the GB/AT **must** notify the local authority of their intention to increase the PAN, and should make reference to the proposed increase on the school's website.

Once the admission arrangements have been determined, what must be published by the school?

After the GB/AT has determined the admission arrangements (by 28 February each year) they **must** notify the LA and Diocese by 15 March, and publish the arrangements on their website. The school **must** display the admission arrangements on the website for the whole of the "offer year". (The "offer year" is the school year in which offers of places are made. So, for admissions in September 2022, the offer year is the school year 2021/22.)



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Are there any variations to admission arrangements that do not require formal public consultation?

Once admission arrangements have been determined for a particular year, they cannot be revised by the GB/AT unless the revision is necessary to give effect to a mandatory requirement of the School Admissions Code, admissions law, a determination of the Schools Adjudicator, or any misprint in the school's admission arrangements. Admission authorities may propose other variations where they consider that such changes are necessary in view of a major change in circumstances, but such proposals must be referred to the Schools Adjudicator for approval. (Academies may need approval from the Secretary of State.) Where variations are approved, the full varied admission arrangements must be published on the school's website until they are replaced by different arrangements. A variation to increase a school's published admission number (PAN) does not require the approval of the Schools Adjudicator. If, at any time following

determination of the PAN, the GB/AT decide that they are able to admit above the PAN, they must notify the local authority in good time to allow the LA to deliver its co-ordination responsibilities effectively. The GB/AT may also decide to admit above the PAN in-year.



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Example timetable for admissions in September 2022

The table below shows the timetable for action to be taken by voluntary aided schools, foundation schools and academies in the “Determination Year” – the school year in which admission authorities determine their admission arrangements.

Dates	Action
Summer Term 2020	Proposed changes to admission arrangements for September 2022 (or proposed admission arrangements if no consultation in last seven years) to be submitted to the Diocesan Board of Education
1 Oct 2021	Earliest date to start consultation on proposed arrangements. Consultation <i>must</i> last a minimum of 6 weeks.
31 January 2021	Deadline for the completion of the consultation on proposed admission arrangements.
28 Feb 2021	Deadline for admissions arrangements to be determined even if they have not changed from the previous year and a consultation has not been required.
15 March 2021	Deadline for admission authorities to send a copy of their full determined admission arrangements to their LA. A copy should also be sent to the Diocese. The determined arrangements must also be published on the school's website.
8 August 2021	Deadline for governing bodies/academy trusts to provide admission arrangements information to the local authority to allow them to compile composite prospectus for pupil entry in 2022

The local authority will publish the composite prospectus for admissions in September 2022 in September 2021. Applications for secondary school places for September 2022 must be made by 31 October 2021, and for primary school places by 15 January 2021. Offers of secondary school places will be made (by the local authority under the co-ordinated admissions scheme) on 1 March 2022, and offers of primary school places will be made on 16 April 2022.



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Annex

Extracts setting out information from the School Admissions Code (2014) regarding the Published Admission Number, and requirements for consultation on proposed changes to admission arrangements

Published Admission Number (PAN)

1.2 As part of determining their admission arrangements, all admission authorities must set an admission number for each 'relevant age group'. (This is the age group at which pupils are or will normally be admitted to the school.)

1.3 Own admission authorities are not required to consult on their PAN where they propose either to increase or keep the same PAN. All admission authorities must consult in accordance with paragraph 1.42 below where they propose a decrease to the PAN.

1.4 Admission authorities must notify their local authority of their intention to increase the school's PAN and reference to the change should be made on the school's website. If, at any time following determination of the PAN, an admission authority decides that it is able to admit above its PAN, it must notify the local authority in good time to allow the local authority to deliver its co-ordination responsibilities effectively. Admission authorities may also admit above their PAN in-year.

1.5 Any admissions above the PAN as set out in paragraph 1.4 above will not constitute an increase to the PAN¹⁴. Information on variations to the PAN in-year is set out in paragraph 3.6 of this Code.

Consultation

1.42 When changes are proposed to admission arrangements, all admission authorities must consult on their admission arrangements (including any supplementary information form) that will apply for admission applications the following school year. Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities must consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period.

1.43 For admission arrangements determined in 2015 for entry in September 2016, consultation must be for a minimum of 8 weeks and must be completed by 1 March 2015. For all subsequent years, consultation must last for a minimum of 6 weeks and must take place between 1 October and 31 January in the determination year.

1.44 Admission authorities must consult with:

- a) parents of children between the ages of two and eighteen
- b) other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions
- c) all other admission authorities within the relevant area (except that primary schools need not consult secondary schools)
- d) whichever of the governing body and the local authority who are not the admission authority
- e) any adjoining neighbouring local authorities where the admission authority is the local authority and
- f) in the case of schools designated with a religious character, the body or person representing the religion or religious denomination.



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1.45 For the duration of the consultation period, the admission authority must publish a copy of their full proposed admission arrangements (including the proposed PAN) on their website together with details of the person within the admission authority to whom comments may be sent and the areas on which comments are not sought. Admission authorities must also send upon request a copy of the proposed admission arrangements to any of the persons or bodies listed above inviting comment. Failure to consult effectively may be grounds for subsequent complaints and appeals.