



Llywodraeth Cymru
Welsh Government

PUBLICATION, DOCUMENT

Co-ordinated school admission arrangements

We want your views on new regulations for co-ordinating school admission arrangements.

First published: 28 November 2023

Last updated: 28 November 2023

Contents

[Overview](#)

[Summary](#)

[Consultation questions](#)

Overview

This consultation seeks views on the proposed Regulations that place a duty on local authorities to formulate a scheme for the co-ordination of admission arrangements for primary and secondary schools in Wales.

This consultation is for anyone with a role or interest in school admission arrangements, including local authorities, school governing bodies, diocesan authorities, admission appeal panels, parents/carers and other interested parties. It is limited, seeking views on the above changes only.

Summary

What is this consultation about?

This consultation seeks views on the Welsh Government's proposal to introduce new Regulations to be made under section 89B of the School Standards and Framework Act 1998 ("the 1998 Act") for the co-ordination of school admission arrangements.

The Regulations will place local authorities under a duty to formulate for each school year a scheme for co-ordinating admission arrangements for maintained schools, (except school sixth form place, maintained special schools and maintained nursery schools, but including boarding schools), within their area. The first qualifying scheme must be formulated and adopted by 1 January 2025 and by 1 January for all subsequent years. The first qualifying scheme in 2025 will apply to admission arrangements in the 2027 to 2028 school year.

An associated amendment to the School Information (Wales) Regulations 2011 ("the 2011 Regulations") is proposed to require the local authority to include in

its composite prospectus a summary of the local authority's co-ordinated scheme as determined each year, alongside a clear explanation of the stages in the process of applying for a school place.

This consultation is limited to these changes only. We are not seeking views at this stage on any wider issues in relation to school admission appeals.

What is the current position?

Section 86(1) of the 1998 Act provides that local authorities must make arrangements for parents to express a preference for a school and to give reasons for that preference. That duty does not apply to sixth form pupils or those below compulsory school age. Local authorities fulfil this duty by issuing parental information which includes details of all schools in the local authority area and how to apply for a place for their child at a school.

For community and voluntary controlled (VC) schools, the local authority is generally the admission authority, and the local authority therefore makes application forms available. For voluntary aided (VA) and foundation schools, the governing body is the admission authority. The local authority includes in its information for parents, the oversubscription criteria related to the VA and foundation schools which provides an indication of the priority that would be given to applications for those schools. The local authority advises that parents should apply to those schools direct using a form to be provided by the school, which will normally request the submission of additional information relevant to the specific oversubscription criteria.

Section 86(2) of the 1998 Act provides that the admission authority must normally offer a place at the preferred school if there is a place available.

Local authorities are required to publish an annual composite prospectus containing information for all maintained schools in their area. The composite

prospectus must be published before 1 October in the publication year and not later than six weeks before the date up to which parents may express a preference for a school.

The duty to comply with a parental preference does not apply if compliance would prejudice the provision of efficient education or the efficient use of resources; or if the arrangements for admission to the preferred school are wholly based on selection by reference to ability or aptitude with a view to admitting only pupils with high ability or with aptitude, and compliance would be incompatible with selection under those arrangements.

Further, section 86(2A) of the 1998 Act provides that admission authorities may allow the parent of a child to express preferences for more than one school. However, the admission authority is not obliged to offer a child's parent a place at the school they have expressed a preference for if it has adopted a scheme for co-ordinating admission arrangements provided the child is offered admission to a different school for which the parent has also expressed a preference.

The 2011 Regulations specify the general information that must be published by in the composite prospectus.

Why are we proposing change?

Parents have a right to apply for a place at any school they would like their child to attend. As the law stands in Wales, all admission authorities must make an offer to the parent if a place would be available. Parents may then, if they have requested places from different admission authorities, hold multiple offers of places, and potentially other parents could have no offers for any of the preferences expressed.

Those parents without offers for any of their preferences will often appeal

against a refusal of a place at preferred schools, rather than accept an offer of a place at a school for which they have not expressed a preference. This is costly and time consuming for admission authorities and tends to prolong uncertainty, as the majority of appeals are unsuccessful, particularly at reception age as class size legislation restricts the circumstances when appeals may be upheld.

Although parents who have been offered places are normally asked to decide whether to accept the place within a set deadline, there is no onus or legal duty on them to confirm which offer they are taking up. Admission authorities invest a great deal of time chasing responses, sometimes unsuccessfully. This blocks a number of school places until each September when it becomes known which school the child will be attending. The “holding” of places prevents the allocation of places to those without a place.

In addition, parents of children who may not have been offered a place at their preferred school may subsequently be notified that there is a place at their preferred school. This not only causes turbulence of not being offered a place at their preferred school, but also the inconvenience of then having to decide whether to change schools in September.

What changes are we proposing?

We want to ensure that, as far as is practical, every child living in a local authority area who has applied in the normal admissions round receives an offer of one, and only one, school place on the National Offer Day.

We wish to do this by placing a duty the local authority to formulate, for each school year, a scheme for co-ordinating admission arrangements for all maintained schools, (except special schools and nursery schools, but including boarding schools), within their area. Some local authorities already co-ordinate their admission arrangements with admission authorities in their area on a voluntary basis. Some authorities may have as little as three VA and foundation

schools. We therefore wish to explore whether it is necessary to place a duty on all local authorities.

The proposed draft Regulations will provide that the first qualifying scheme must be formulated and adopted by local authorities by 1 January 2025 and by 1 January for all subsequent years. The first qualifying scheme will apply to admission arrangements in the 2027 to 2028 school year. The draft regulations will also make provision in respect of prior consultation in relation to the qualifying scheme.

Furthermore, we wish to amend the 2011 Regulations to require the local authority to include in its prospectus an explanation of the stages in the process of applying for a school place. This will ensure that parents and pupils have all the relevant information on how to apply for a place under the new arrangements.

A co-ordinated admission scheme does not remove any autonomy of the governing body of a VA or foundation school in respect of their admission arrangements and the decisions they take on who they admit. Our aim is to speed up the school admissions process, ensuring all pupils are offered a place promptly, increasing efficiencies for local authorities and admission authorities, and reducing uncertainty for parents and learners.

A draft of the Education (Co-ordination of School Admission Arrangements and Miscellaneous Amendments) (Wales) Regulations 2024 is included to this consultation.

Consultation questions

1. Do you agree with the proposal to place a requirement on local authorities to co-ordinate admission arrangements for all maintained schools in their area?

2. What do you consider to be the benefits, or disadvantages, of coordinated admission arrangements?
3. Should the requirement to develop a scheme for co-ordinated admission arrangements apply to all local authorities or only to certain local authorities in Wales? If the latter, to which local authorities should it apply?
4. Do you consider that the proposed regulations will result in any additional costs for local authorities or schools? If yes, please provide further details of these costs.
5. Do you consider that the proposed regulations will result in any savings for local authorities, schools, parents or carers? If yes, please provide further details of these savings.
6. Do you agree that the local authority should be required to include in its composite prospectus a summary of the local authority's co-ordinated scheme each year alongside a clear explanation of the stages in the process of applying for a school place?
7. What, in your opinion, would be the likely effects of the proposed regulations on the co-ordination of school admissions arrangements on the Welsh language? We are particularly interested in any likely effects on opportunities to use the Welsh language and on not treating the Welsh language less favourably than English.
 - do you think that there are opportunities to promote any positive effects?
 - do you think that there are opportunities to mitigate any adverse effects?
8. In your opinion, could the proposed regulations on the co-ordination of school admissions arrangements be formulated or changed so as to:
 - have positive effects or more positive effects on using the Welsh language and on not treating the Welsh language less favourably than English; or
 - mitigate any negative effects on using the Welsh language and on not treating the Welsh language less favourably than English?

Please use the consultation response form to respond to the above questions.

This document may not be fully accessible.

For more information refer to our [accessibility statement](#).

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://www.gov.wales/co-ordinated-school-admission-arrangements-html> for the latest version.

Get [information on copyright](#).