



# Consultation response

Changes to school admissions procedures

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## Information

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# Changes to school admissions procedures

<b>Audience</b>	Local Education Authorities; Governing Bodies of Foundation and Voluntary Aided Schools; Church Diocesan Authorities; 10% sample of community schools in Wales; Estyn; Council on Tribunals; Secretaries of Professional Organisations in Wales.
<b>Overview</b>	This document sets out the response to a consultation outlining the proposed changes to the school admissions framework arising from the provisions in the Education Act 2002.
<b>Action required</b>	Further consultation on the contents of new regulations and guidance.
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<b>Additional copies</b>	This document is only available in electronic format from the Welsh Assembly Government's website: <a href="http://www.wales.gsi.gov.uk">www.wales.gsi.gov.uk</a> .
<b>Related documents</b>	Please see Annex A

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## Summary

This document presents the results of the consultation on 'Changes to School Admissions Procedures'. The consultation was issued in July 2003 with responses required by 10 September 2003 and 10 October 2003. A full list of respondents is included at Annex B.

## Background to the consultation exercise

The consultation paper sought views on changes to the school admissions framework, arising in the main from provisions in the Education Act 2002 (the 2002 Act). The main issues covered were:

- Introducing a requirement for each local education authority (LEA) to establish an Admissions Forum to bring together those with an interest in school admissions in the area to consider existing and proposed admission arrangements;
- Ceasing to use "standard numbers" to determine how many pupils a school can admit, relying instead on published admission numbers, which will be based on the capacity of the school (calculated by a revised capacity assessment methodology) rather than historic factors. The arrangements for amending admission numbers would also be simplified, so changes do not routinely come to the Welsh Assembly Government for determination;
- Relaxing the consultation requirements for foundation and voluntary aided schools (which are their own admission authorities), so that they need to consult on their admission arrangements every other year rather than every year; also extending consultation on admission arrangements to include community and voluntary controlled schools in the area;
- Whether LEAs should be required to co-ordinate admissions systems and school place allocation within their area.

The power to bring the changes into force in Wales is vested in the Welsh Assembly Government, which has to determine when, and in some instances, whether provisions relating to school admissions should apply in Wales. The response received to the consultation has informed these decisions.

## Consultation exercise

During July 2003, the Welsh Assembly Government's Schools Management Division published a bilingual consultation document focusing upon the proposed Changes to School Admissions Procedures. The document was distributed to representatives of the following organisations:

- Local Education Authorities (LEAs)
- Governing Bodies of Foundation and Voluntary Aided Schools
- Church Diocesan Authorities
- 10% sample of community schools in Wales
- Estyn
- Council on Tribunals
- Secretaries of Professional Organisations in Wales

The document and response proforma were also made available online via the Welsh Assembly Government's internet site at [www.learning.wales.gov.uk](http://www.learning.wales.gov.uk). The consultation period ended on the 10 September 2003 in respect of questions 1 to 11 and 10 October 2003 in respect of questions 12 to 22.

## Consultation questions

### The consultation document addressed the following:

#### Schools admission forums

- Q1 Do you agree the list of responsibilities for each Forum (which will be set out in Regulations) should be as suggested in paragraph 2.4? If not, what would you want to add or remove and why?
- Q2 Do you agree the core membership of the Forum should be as set out in paragraph 2.6? If not, who would you want added or removed and why?
- Q3 Do you agree LEA's should be able to determine the overall size of the Forum within the suggested range of numbers set out in paragraph 2.6?
- Q4 Do you agree that the core members should be able to determine the overall size of the Forum within the suggested range of numbers set out in paragraph 2.6?
- Q5 Do you agree that LEA's should be able to determine the period of appointments of core members subject only to an overall maximum of four years (with the possibility of re-appointment)? If not, what else would you want to see specified in the Regulations?
- Q6 Do you agree that the Forum should select its own chair and vice chair and that this might, in some circumstances, be a person who is not a member of the forum? Do you think the guidance should specify the sort of support the LEA should provide to the Forum?
- Q7 Do you agree the Forum should meet at least twice each year? Should it be required to meet at least three times in the first year after formation? If not, how often do you think it should meet and why?
- Q8 Can you offer any examples of good practice in the operation of Admission Forums which might be included in guidance?
- Q9 Do you agree that LEA's should be required to send the advice promulgated by the Admissions Forum to all admission authorities and schools in the area it covers and publish a resume in the annual prospectus for parents?
- Q10 Can you offer any examples of good practice on the operation of Admission Forums in relation to cross LEA border issues?
- Q11 Do you consider the timetable for implementation is appropriate?

## Changes to school admissions procedures following the Education Act 2002

- Q12 Do you agree that standard numbers based on historic factors rather than school capacity should be replaced by admission numbers based solely on school capacity? If not, why not?
- Q13 Do you agree that admission authorities should have the flexibility to set a number higher than that suggested by the capacity assessment formula? If so, do you agree that this should be subject of consultation with other schools and admission authorities, but not open to challenge by parents?
- Q14 Do you agree that admission authorities should be able to set a lower admission number than indicated by the capacity? If so, should parents of prospective pupils be given the right to be notified and to object? Would it be sufficient to publish a notice to this effect in a local newspaper or would it be better to require admission authorities to circulate a letter to individual prospective parents e.g. through the nursery or primary school that their child attends? Should we set a minimum number of objections before the issue is referred to the Assembly for determination?
- Q15 Do you agree that the governing bodies of community and voluntary controlled schools should be able to object to the admission arrangements of neighbouring voluntary aided and foundation schools?
- Q16 Do you agree that 'relevant areas' should be reviewed and consulted upon before the consultation requirements change?
- Q17 Do you agree that foundation and voluntary aided schools which are admission authorities should be allowed to consult on their admission arrangements every alternate year, if they do not propose changes to their arrangements? Should the time interval be longer?
- Q18 Do you agree that, whilst parents should be consulted about proposed admission arrangements, particularly when aspects such as over-subscription criteria or catchment areas are being changed, they should not have a formal right to register objections?
- Q19 Do you think there is a case for requiring LEA's in Wales to introduce co-ordinated admission arrangements? If so, what evidence do you have of current difficulties? Could these difficulties be tackled through Admission Forums rather than mandatory co-ordination schemes?
- Q20 Do you think that the proposed changes should be made to the School Admissions Code? If not, please comment on the changes you do not support and why. Are there any other changes you would wish to see?
- Q21 Are there any changes you would like to see reflected in new Regulations on Admissions Appeals procedures?
- Q22 Do you agree that new Regulations relating to variations to admission arrangements are needed?

## Breakdown of responses

A total of 27 replies in respect of questions 1 to 11 were received and in respect of questions 12 to 22 there were 22 replies received. A detailed breakdown of respondents is provided below:

<b>Respondent</b>	<b>Questions 1 to 11</b>	<b>Questions 12 to 22</b>
School Governor or Governing Body	14	12
Headteacher or Teacher	0	0
School Staff	2	1
Teaching union	3	2
LEA Member or Officer	0	0
Diocesan Body	3	2
Other	5	5
Total	27	22

## Summary response to consultation questions

### Schools admission forums

**Q1 Do you agree the list of responsibilities for each Forum (which will be set out in Regulations) should be as suggested in paragraph 2.4? If not, what would you want to add or remove and why?**

<b>Executive summary</b>	<b>Total</b>
Agree	22
Neither agree or disagree	1
Disagree	0
<b>Total</b>	<b>23</b>

#### Individual comments

“The list of responsibilities for each Forum is appropriate. The point made on the Forum promoting agreement on arrangements to ensure that potentially vulnerable children are effectively provided for needs to be strengthened. It will be important that the Forum is confident that arrangements made for the placing of these pupils will be successful.”

[Other organisation]

“The role of each Forum as described is welcomed. X LEA has found great benefit in establishing such a Forum which has been in existence for over two years. It should be recognized that the Forum can only ‘promote’ agreement on arrangements. There may be instances when the views of its members are different and the LEA must make the ultimate decision.” [Local education authority]

A limited number of respondents (4%) expressed concern about the monitoring role of the forum and additional work for admission officers.

“Concerns about monitoring role which, for this Authority will involve the Admissions Officer in additional work as present system will not produce required data. No objections to other responsibilities but can envisage difficulties with ‘fair distribution’ conflicting with parental preference and with arrangements for vulnerable children conflicting with inclusion policy.” [Local education authority]

**Q2 Do you agree the core membership of the Forum should be as set out in paragraph 2.6? If not, who would you want added or removed and why?**

<b>Executive summary</b>	<b>Total</b>
Agree	14
Neither agree or disagree	7
Disagree	2
<b>Total</b>	<b>23</b>

#### Individual comments

“The membership proposed is entirely acceptable and apart from community representation, is already reflected in the X Forum. It is our preferred view that school representatives should be Headteachers as opposed to Governors as their appreciation of admission issues is more detailed.” [Local education authority]

“It is considered that the suggested core membership of the Forum will ensure fair and



balanced representation from the local community. It is agreed that the LEA should be able to extend membership to additional representatives and to invite interested parties to attend one or more meetings.” [Local education authority]

A limited number of respondents (8%) did not agree with the proposed core membership of the forum.

“No, we see no reason for “local community” representation - we are concerned for the ‘confidentiality’ issue when the forum discusses ‘vulnerable children’ admissions which should include professionals only.” [Local education authority]

**Q3 Do you agree LEAs should be able to determine the overall size of the Forum within the suggested range of numbers set out in paragraph 2.6?**

<b>Executive summary</b>	<b>Total</b>
Agree	20
Neither agree or disagree	2
Disagree	1
<b>Total</b>	<b>23</b>

**Individual comments**

“I think that it is a good ideal that LEA’s determine the size of the Forums within the suggested ranges, as they are best placed to meet the needs of parents.” [Local education authority]

“Yes, the LEA should be able to determine the overall size of the Forum, because as mentioned it maybe appropriate on times to include other parties such as Social Services, YA or Bridge.” [Local education authority]

A limited number of respondents (4%) were not in favour of allowing LEAs to determine the size of the forum.

“No. This could allow LEAs to load the forum in their favour.” [Headteacher or teacher]

**Q4 Do you agree that the core members should be able to ask the LEA to appoint members beyond the core list and for a period of up to four years?**

<b>Executive summary</b>	<b>Total</b>
Agree	14
Neither agree or disagree	6
Disagree	3
<b>Total</b>	<b>23</b>

**Individual comments**

“The same consideration as regards a fair and balanced representation applies here.” [Other organisation]

“Yes, but we do not envisage the need for additional membership (other professionals e.g. Social Worker, YOT, may wish to make representation to a Forum but this does not require membership).” [Local education authority]

A limited number of respondents (13%) did not agree with the proposals.

“The LEA does not see the merit in appointing additional members beyond the core list.”  
[Local education authority]

**Q5 Do you agree that LEAs should be able to determine the period of appointments of core members subject only to an overall maximum of four years (with the possibility of re-appointment)? If not, what else would you want to see specified in the Regulations?**

<b>Executive summary</b>	<b>Total</b>
Agree	14
Neither agree or disagree	4
Disagree	3
<b>Total</b>	<b>21</b>

#### **Individual comments**

“We agree that a 4 year appointment represents a reasonable upper limit for both core and non-core members. Paragraph 2.11 suggests that, while core members may be eligible for reappointment after 4 years, this would not be the case for non-core members. We would support the LEA’s right to re-appoint non-core members for a second term if their contribution were seen to be of value.” [Other organisation]

“No problem with Forum members being appointed for a four year period (this would be in line with the term of office for a School Governor). The possibility of re-appointments would also be a positive addition.” [Local education authority]

A limited number of respondents (13%) did not agree with the proposals.

“No. Set the period of office at 3 or 4 years.” [Headteacher or teacher]

“We believe it would be simpler to require the forum to review membership annually at the first meeting rather than set limits on membership. Some admission authorities are very small and may only have one or two potential nominees.” [Headteacher or teacher]

**Q6 Do you agree that the Forum should select its own chair and vice chair and that this might, in some circumstances, be a person who is not a member of the Forum? Do you think the guidance should specify the sort of support the LEA should provide to the Forum?**

<b>Executive summary</b>	<b>Total</b>
Agree	18
Neither agree or disagree	4
Disagree	1
<b>Total</b>	<b>23</b>

#### **Individual comments**

“We agree that the Forum should be free to elect its own chair and vice chair; if the chair is not a member of the Forum, the vice chair must be. Guidance should require the LEA to provide all necessary support.” [Diocesan body]

“We agree that the Forum should appoint its own chair and vice chair. There are few circumstances in Wales where it might be valuable for the Chair not to be a member of the

Forum. Nevertheless, the regulations might allow for the possibility as a last resort.” [Other organisation]

A limited number of respondents (4%) did not agree with the proposals.

“It is felt that the Forum should select its own chair and vice chair from within core membership. Guidance on the support that LEAs should provide would ensure consistency over all LEAs in Wales.” [Local education authority]

**Q7 Do you agree the Forum should meet at least twice each year? Should it be required to meet at least three times in the first year after formation? If not, how often do you think it should meet and why?**

<b>Executive summary</b>	<b>Total</b>
Agree	19
Neither agree or disagree	2
Disagree	3
<b>Total</b>	<b>24</b>

#### **Individual comments**

“Two meeting per annum should be quite adequate for the proper discharge of the Forum’s functions.” [Other organisation]

“We agree that there should be at least 2 meetings each year. At least 1 will be necessary to consider admissions arrangements, while another will be needed to take stock of the outcomes of each admissions round. A third meeting in the Forum’s first year of existence is a sound proposal, in that at least 1 meeting will be needed in order to acquaint the group with its role and to deal with administrative matters.” [Other organisation]

“Experience has shown that twice a year is usually sufficient.”[Local education authority]

A limited number of respondents 13% did not agree with the recommendations.

“Disagree. Regs should require no more than one meeting p.a. Additional meetings to be determined by Clerk in consultation with Chair.” [Local education authority]

**Q8 Can you offer any examples of good practice in the operation of admissions Forums which might be included in guidance?**

<b>Executive summary</b>	<b>Total</b>
Examples	9
No examples	9
<b>Total</b>	<b>18</b>

#### **Individual comments**

“Having worked with three LEA Forums it is always good when the neighbouring LEAs all attend, relationships are established and there is real dialogue.” [Diocesan body]

“The need for structured liaison arrangements with neighboring Authorities is particularly helpful in relation to cross border issues. The Forum in X has proved very useful in this regard.” [Local education authority]

“There are possible examples of poor practice, where a school which is its own admissions authority may take insufficient account of the needs of its wider community and the impact on other schools in following its own admissions policy. This is the type of situation that the Forum needs to be able to influence.” [Other organisation]

“The X Forum has, over time, created greater openness, particularly in relation to the admission arrangements for voluntary aided and foundation schools. This has helped us to create a comprehensive and detailed document incorporating all the admissions arrangements in our ‘relevant area’.” [Local education authority]

**Q9 Do you agree that LEAs should be required to send the advice promulgated by the Admissions Forum to all admission authorities and schools in the area it covers and publish a resume in the annual prospectus for parents?**

<b>Executive summary</b>	<b>Total</b>
Agree	15
Neither agree or disagree	6
Disagree	3
<b>Total</b>	<b>24</b>

**Individual comments**

“Reference to Admission Forum advice could be included in the information booklet for parents. Informing all admission authorities and schools in the relevant area should be a duty on LEA’s when providing administrative support.” [Local education authority]

“Yes - it is important that the advice offered by the Forum is sent to all admission authorities and schools in the area. It is also important, particularly for parents, that a resume of the Forum advice is available in a clearly understandable form in the annual prospectus.” [Other organisation]

A limited number of respondents (12%) did not agree.

“No, this would not be helpful. It is unclear how the ‘advice’ given by the Forum relates to decision-making by the Council. If advice is to be publicly disseminated before decisions are taken this could be contentious and also confusing for members of the public if advice is not taken for some reason. Suggestions made by Admissions Forum may not always be possible given legislation and resources available and the Forum does not have powers of decision-making.” [Local education authority]

**Q10 Can you offer any examples of good practice on the operation of admissions Forums in relation to cross LEA border issues?**

<b>Executive summary</b>	<b>Total</b>
Examples	9
No Examples	11
<b>Total</b>	<b>20</b>

**Individual comments**

“As referred to in Q.8, X has representation from three neighbouring Authorities on the Forum and this provides an opportunity to share good practice on issues of common concern. Equally, practical matters in relation to timescales for the whole admission process can be discussed.” [Local education authority]

"I have attended Forums in North-East Wales where cross border issues between Wales/England have been considered. Very helpful." [Diocesan body]

Over half (55%) of respondents were unable to provide any evidence of good practice.

"This is the biggest problem area. We are not aware of good practice but are acutely aware of the problems caused to us by the proximity of some schools to county borders and the borders between Wales and England. Admissions Forums certainly need to talk to each other and co-ordinate arrangements. We are aware of substantial problems arising from different closing dates, multiple applications etc." [Other organisation]

#### **Q11 Do you consider the timetable for implementation is appropriate?**

<b>Executive summary</b>	<b>Total</b>
Agree	18
Neither agree or disagree	2
Disagree	3
<b>Total</b>	<b>23</b>

#### **Individual comments**

"Yes, the procedures outlined in the document continue the practice already in operation in Conwy LEA." [Local education authority]

"We believe that the timetable will not cause us any problems. We agree with the other proposed arrangements." [Headteacher or teacher]

A limited number of respondents (13%) considered the timetable to be inappropriate.

"There are concerns on the ability of LEAs to meet the proposed timetable for implementation. The current regulations require consultation on admissions arrangements to be completed by 1 March 2004 and for the LEA to determine the arrangements by 15 April 2004. It is considered more appropriate for the Forum to be established by September 2004 in order for the Forum to have an input into any changes proposed by admission authorities prior to the consultation process for the following year." [Local education authority]

#### **Changes to school admissions procedures following the Education Act 2002**

#### **Q12 Do you agree that standard numbers based on historic factors rather than school capacity should be replaced by admission numbers based solely on school capacity? If not, why not?**

<b>Executive summary</b>	<b>Total</b>
Agree	21
Neither agree or disagree	0
Disagree	0
<b>Total</b>	<b>21</b>

#### **Individual comments**

"Yes. The historic factors system is way out of date and circumstances and use of rooms within schools has changed over the years." [Diocesan Body]

“We welcome this proposal. Standard numbers make no sense. However it is absolutely essential that the new capacity methodology is reliable and properly takes into account the infra-structure of schools (e.g. Areas for wet breaks, pupil circulation between lessons, washroom facilities, storage etc. as well as classroom size and the requirements of new technological equipment.” [Other organisation]

No respondents disagreed with the recommendations.

**Q13 Do you agree that admission authorities should have the flexibility to set a number higher than that suggested by the capacity assessment formula? If so, do you agree that this should be subject to consultation with other schools and admission authorities, but not open to challenge by parents?**

<b>Executive summary</b>	<b>Total</b>
Agree	13
Neither agree or disagree	4
Disagree	3
<b>Total</b>	<b>20</b>

**Individual comments**

“Yes, within limits. However, this decision should be subject to consultation with other schools and admission authorities and also be open to challenge by parents. Parents will rightfully be concerned if a school capacity is exceeded with the consequent possibility of an adverse effect on standards. The reasons for an increase in admission numbers, and the strategies employed by the school for meeting the needs of all pupils, should be conveyed clearly to parents.” [Other organisation]

“Agreed. Admission Authorities should have the flexibility to set a higher number subject to consultation with other relevant admission authorities but not open to challenge by parents.” [Local education authority]

A limited number of respondents (15%) did not agree with our recommendations.

“No because we favour consistency of approach.” [Local education authority]

“No. The admission authority should have the flexibility to set a number lower than that suggested by the capacity assessment formula, because of the infant class size legislation and the reduction in key stage 2 classes to 30 pupils.” [Local education authority]

**Q14 Do you agree that admission authorities should be able to set a lower admission number than indicated by the capacity? If so, should parents of prospective pupils be given the right to be notified and to object? Would it be sufficient to publish a notice to this effect in a local newspaper or would it be better to require admission authorities to circulate a letter to individual prospective parents e.g. through the nursery or primary school that their child attends? Should we set a minimum number of objections before the issue is referred to the Assembly for determination?**

<b>Executive summary</b>	<b>Total</b>
Agree	12
Neither agree or disagree	1
Disagree	5
<b>Total</b>	<b>18</b>

### **Individual comments**

“Yes and parents should be notified and have a right to object. I think publication in a local newspaper is sufficient and it would be good to set a minimum number of objections.”  
[Diocesan Body]

“LEAs should be able to set a lower admission number subject to publication of a notice in the local newspaper. Whereas headteachers of nursery and primary schools should be informed, it is not felt necessary to circulate letters to individual parents.” [Local education authority]

Just over a quarter of respondents (27%) did not agree with the proposals.

“No - we have concerns that some admission authorities may use this as a basis for **selecting** limited numbers from its local area. We wish to see a requirement that all admission authorities secure and provide sufficient places for their local community children and have the responsibility to support parents to seek an alternative placement if they **refuse** a place in their school.” [Local education authority]

“We can see no purpose for this.” [School governor]

### **Q15 Do you agree that the governing bodies of community and voluntary controlled schools should be able to object to the admission arrangements of neighbouring voluntary aided and foundation schools?**

<b>Executive summary</b>	<b>Total</b>
Agree	15
Neither agree or disagree	1
Disagree	3
<b>Total</b>	<b>19</b>

### **Individual comments**

“We agree with this proposal. We have considerable concerns about the admissions criteria applied by some voluntary aided schools who appear to be operating selective arrangements for all admissions authorities within their areas and raise objections if they do not adhere to the Code of Practice.” [Headteacher or teacher]

“It would appear reasonable for governing bodies of community and voluntary controlled schools to be able to object to the admission arrangements of neighbouring voluntary aided and foundation schools.” [Local education authority]

A limited number of respondents (15%) did not agree with the proposals.

“No - we want to maintain the distinct nature of V.A. Schools” [School governor]

“No - This would create a very un-harmonious culture - their views are better presented by their LEA.” [Headteacher or teacher]

**Q16 Do you agree that ‘relevant areas’ should be reviewed and consulted upon before the consultation requirements change?**

<b>Executive summary</b>	<b>Total</b>
Agree	13
Neither agree or disagree	3
Disagree	3
<b>Total</b>	<b>19</b>

**Individual comments**

“The whole concept of ‘Relevant Areas’ needs revisiting. If the vast majority of LEAs use their geographical area as their Relevant Area then why not just consult with neighbouring LEAs? VA and Foundation schools could then just consult with schools within their area (usually neighbouring schools) thus dispensing with the need to set relevant areas.” [Local education authority]

“Yes, ‘relevant areas’ should be reviewed and consulted upon.” [Local education authority]

A limited number of respondents (16%) disagreed with our recommendations.

“Disagree. Unnecessary as consultation already takes place every 2 years.” [Local education authority]

“We do not consider this an absolute requirement prior to any change in the consultation requirements.” [Local education authority]

**Q17 Do you agree that foundation and voluntary aided schools which are admission authorities should be allowed to consult on their admission arrangements every alternate year, if they do not propose changes to their arrangements? should the time interval be longer?**

<b>Executive summary</b>	<b>Total</b>
Agree	13
Neither agree or disagree	2
Disagree	4
<b>Total</b>	<b>19</b>

**Individual comments**

“Yes every two years, but if there are no proposed changes could it not be left for longer and so avoid unnecessary administration.” [Diocesan Body]

“It is important that after an initial round of consultations, that if there are no subsequent proposed changes, the voluntary aided schools formally notify the LEA each year of this fact. Clearly, this needs to be within the agreed timetable.” [Local education authority]

A limited number of respondents (21%) did not agree with our recommendations.

“The process is equally onerous for LEAs. Disagree. Consultation arrangements should be the same for all admission authorities.” [Local education authority]

“No. All admission authorities should follow the same yearly pattern - a Forum would facilitate this easily.” [Local education authority]



**Q18 Do you agree that, whilst parents should be consulted about proposed admission arrangements, particularly when aspects such as over-subscription criteria or catchment areas are being changed, they should not have a formal right to register objections?**

<b>Executive summary</b>	<b>Total</b>
Agree	16
Neither agree or disagree	2
Disagree	2
<b>Total</b>	<b>20</b>

**Individual comments**

“Parents should not be given a formal right but they should be given the opportunity to register their objections through each LEA’s/Schools complaints procedure. This will then ensure that views are taken into account and that democratic procedures to consider objections have been followed.” [Local education authority]

“We agree that parents should not have the right to object formally to proposed changes to schools’ admissions arrangements. Any such changes would be unlikely to affect the admissions prospects of younger siblings of pupils already attending the school. However, the local authority, as corporate parent for looked-after children, should maintain the right to object in cases where changes to the admissions arrangements might adversely affect the admissions prospects of existing or future children in the care of the Authority.” [Other organisation]

A limited number of respondents (10%) did not agree with the proposals.

“We are surprised at this. Surely parents should have the right to register formal objections over such an important issue as the education of their children.” [Headteacher or Teacher; Other organisation]

“What is the point of consulting with parents if they have not right to object?” [Local education authority]

**Q19 Do you think there is a case for requiring LEAs in Wales to introduce co-ordinated admission arrangements? If so, what evidence do you have of current difficulties? Could these difficulties be tackled through Admission Forums rather than mandatory co-ordination schemes?**

<b>Executive summary</b>	<b>Total</b>
Agree	6
Neither agree or disagree	8
Disagree	5
<b>Total</b>	<b>19</b>

**Individual comments**

“Admissions Forums would be the appropriate body, provided that they are fully representative.” [Diocesan body]

“Co-ordinated admission arrangements have been the practice in XLEA and have proven to be successful but this has been through an informal process. If Admissions Forums are to become mandatory, they would be the appropriate mechanism by which to consider

these difficulties rather than the imposition of mandatory schemes.” [Local education authority]

“No. Informal arrangements already exist and work satisfactorily.” [Local education authority]

Less than a third of respondents (32%) were in favour of a requirement to introduce co-ordinated admission arrangements.

“X LEA already operates co-ordinated admission arrangements for all the high schools in the county as agreed by the forum, however a mandatory requirement would ensure that all schools have to abide by the dates agreed.” [Local education authority]

“The issue of multiple offers is a major problem in X LEA....We are also aware of children whose parents are not applying for places at the correct time and whose children are then not placed in a first choice school.” [Local education authority]

“We do think there is merit in introducing a requirement for co-ordinated admission arrangements, and possibly also in considering the concept of a single national date as in England. Otherwise, there may be examples of parents who have an offer of a place in Wales and one in England, or of children who fall through the net altogether.” [Other organisation]

**Q20 Do you think that the proposed changes should be made to the School Admissions Code? If not, please comment on the changes you do not support and why? Are there any other changes you would wish to see?**

<b>Executive summary</b>	<b>Total</b>
Agree with changes	13
Neither agree or disagree	4
Disagree	1
<b>Total</b>	<b>18</b>

#### **Individual comments**

“Yes. We would particularly welcome stronger guidance on ‘interviews’, and the need for parents to be given reasons why their child has not been offered a place.” [Local education authority]

“All of the proposed changes to the admissions code are agreeable to us.” [Local education authority]

A very limited number of respondents, (just 5%) did not agree with the recommendations.

**Q21 Are there any changes you would like to see reflected in new Regulations on Admission Appeals procedures?**

<b>Executive summary</b>	<b>Total</b>
Suggested changes	10
No changes suggested	9
<b>Total</b>	<b>19</b>

### Individual comments

“We recommend that the responsibility for all aspects of independent appeals including appointment, convening and servicing of all panels for schools within their area is given to LEA’s. This would ensure consistency of practice and procedures.” [Other organisation]

“In the new Regulations on Admissions Appeals clear guidance for appeal panels should be provided on the process and grounds for determining appeals. Prospective panel members should be required to undertake appropriate training before sitting on an appeal panel. Clarification is needed on the procedure followed where admission is subject to the Infant Class Size Regulations. Since the “Hounslow” case it appears that the two-stage process (with a balancing stage) is required.” [Local education authority]

“X Organisation would welcome the setting of a time limit for appeals to be heard. Pupils need to know which secondary school they are to attend in good time to take part in any induction process and to ensure that the necessary records are transferred from primary school. [Other organisation]

### Q22 Do you agree that new Regulations relating to variations to admission arrangements are needed?

<b>Executive summary</b>	<b>Total</b>
Agree	14
Neither agree or disagree	3
Disagree	1
<b>Total</b>	<b>18</b>

### Individual comments

“Yes. New regulations relating to variations to admission arrangements are considered appropriate.” [Local education authority]

“We agree that a change in current admission arrangements would be beneficial especially in light of the fact that such arrangements are agreed 18 months in advance. There should be more flexibility should any changes be required.” [Local education authority]

A limited number of respondents 5% did not agree.

“This has not appeared necessary so far, and its introduction could complicate the process.” [Headteacher or teacher]

## Action following consultation

### Admission forums

The 27 respondents to the forums provisions were generally in favour of the proposed content of the implementing regulations. There were some concerns about the time-scale for the introduction of new forums so the proposed requirement for the initial meeting of the forum to take place within two months of the regulations coming into force was removed. We considered that this would have been inappropriate where forums were already in existence. The forum's role in promoting agreements to ensure that potentially vulnerable children are provided for has also been strengthened to reflect the views of the respondents. Many of the other points raised will be reflected in a revised Code.

The Education (Admission Forums) (Wales) Regulations 2003 came into force on 1 December 2003 and contain provisions for the establishment of admission forums in Wales. The Welsh Assembly Government has monitored the use of admission forums since the making of the regulations and we now understand that an admission forum operates in each of the 22 LEA areas.

### Admission appeals

Consultation took place on a draft version of the Education (Admission Appeals Arrangements) (Wales) Regulations, which largely mirrored the arrangements set out in Schedules 23 and 24 to the School Standards and Framework Act 1998 (1998 Act), with a few minor changes. It was intended that the move from primary legislation into regulations would enable amendments to be made to appeals arrangements more easily in the future. The regulations came into force on 31 May 2005. A separate response has been published in respect of this consultation exercise which is available on the Welsh Assembly Government's website at [www.wales.gov.uk](http://www.wales.gov.uk).

### School capacity assessment and the admissions framework

In early July 2005 the Welsh Assembly Government issued a further consultation document outlining the proposed changes to the way in which the capacities of primary and secondary schools are calculated, and seeking views on draft regulations relating to the school admissions framework arising from provisions in the 2002 Act. Views from the 2003 consultation were taken into account when drafting the methodology and the regulations.

The consultation document, entitled "A New Capacity Assessment Methodology and Regulations relating to School Admission Arrangements" includes:

- An introduction to the new capacity assessment methodology.
- Draft guidance on capacity assessment for primary and secondary schools, together with calculation spreadsheets.
- Four sets of draft regulations relating to admissions procedures, together with regulatory appraisals. The regulations are:
  - The Education (Determination of Admission Arrangements) (Wales) Regulations.
  - The Education (Objection to Admission Arrangements) (Wales) Regulations.
  - The Education (Variation of Admission Arrangements) (Wales) Regulations.
  - The New Schools (Admissions) (Wales) Regulations.

The consultation is being conducted electronically and copies of the above documents are available on the Welsh Assembly Government's website at [www.wales.gov.uk](http://www.wales.gov.uk). Responses

to this consultation will inform the Assembly's decision both on the content of the capacity formulae and of the regulations.

### **Relevant areas**

In Wales 'relevant areas' have mostly been determined by LEAs as the whole of their area. LEAs are required to review and consult on these every two years.

One of the provisions in the 2002 Act requires governing bodies of foundation and voluntary aided schools to consult all the community and voluntary aided schools in their 'relevant area' before determining their admission arrangements. Feedback to consultation suggested that relevant areas should be reviewed before the consultation requirement was extended as, even at present, the requirement can be burdensome on voluntary aided and foundation schools, particularly those in larger LEAs.

We have therefore written to LEAs to ask them to reconsider their relevant areas and whether they are appropriate for voluntary aided and foundation schools in the area, in consultation with those schools. The Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999 make provisions for different relevant areas to be determined for different categories of schools. In larger authorities defining smaller relevant areas for such schools may be more appropriate and less burdensome, particularly once the new consultation requirements are in place. We have suggested that such discussions be held at the admission forums meetings.

### **Responses to other key issues raised within the consultation**

- Admission authorities will have the flexibility to set an admission number up to 10% higher or lower than that suggested by the capacity assessment formula in a limited number of circumstances;
- The Assembly will consider whether an admission authority should set an admission number lower than that indicated by the capacity methodology if a minimum of 5 parents object to a notice of the authority's intent published in the local press;
- Foundation and voluntary aided schools which are admission authorities will be allowed to consult on their admission arrangements every third year, rather than every year, if there are no changes to the arrangements;
- It was decided not to require LEAs to introduce co-ordinated admission arrangements, as there appeared to be insufficient support for this measure, especially in the light of the additional administrative burden this would bring. Co-ordinated arrangements can be agreed at an admission forum and, once agreed, should be respected by the members of the forum. The need for mandatory co-ordinated arrangements will, however, be reviewed in eighteen month's time when it is proposed to carry out a review of the revised admissions framework.

### **The Next Steps**

Following the end of consultation on 20 October, issues raised by consultees will be considered prior to Education and Lifelong Learning Committee scrutiny of the four sets of school admissions regulations on the 30 November.

The four sets of regulations are scheduled to be made on the 1 February 2006 and most of the changes arising from the regulations and commencement of relevant provisions of the 2002 Act will impact on the school year 2008-9.

Admission authorities will be able to begin re-calculating the capacities of their schools as soon as the guidance is finalised early in 2006. When the revised capacities are available

they may be used immediately for the planning of school places, if authorities so wish. Admission numbers will be set under the new method for the first time for the school year 2008-9, as part of the admission arrangements which are determined by April 2007. There will be some flexibility for those authorities who are unable to comply with this timetable to set admission numbers based on the MOE capacity for the first year only. All admission numbers must be set on the basis of the new capacity assessment methodology from the school year 2009-10 onwards.

## **Annex A - Related documents**

- The Welsh Office Code of Practice on School Admissions 1999
- The National Assembly for Wales Code of Practice on School Admission Appeals
- Education Act 1996
- School Standards and Framework Act 1998
- Education Act 2002
- The Education (Relevant areas for Consultation on Admission Arrangements) Regulations 1999, No 124
- The Education (Objections to Admission Arrangements) Regulations 1999, No 125
- The Education (Determination of Admission Arrangements) Regulations 1999, No 126
- The Education (School Information) (Wales) Regulations 1999, No 1812
- The New Schools (Admissions) (Wales) Regulations 1999, No 2800 (W.14)

## **Annex B - Respondents**

- Audit Commission
- Bridgend County Borough Council
- Cardiff County Council
- City and County of Swansea
- Conwy County Borough Council
- Council on Tribunals
- Denbighshire County Council
- Diocese of St Asaph
- Diocese of Monmouth
- Diocese of Wrexham
- Lakeside primary school, Cardiff
- Lamphey primary school, Pembrokeshire
- Merthyr Tydfil County Borough Council
- NUT Cymru
- Pembrokeshire County Council
- Powys County Council
- Rhondda Cynon Taf County Borough Council
- Secondary Heads Association
- St Brides Major primary school, Vale of Glamorgan
- St Brigid's School, Denbighshire
- St Cyres high school, Vale of Glamorgan
- St John the Baptist primary school, Flintshire
- Torfaen County Borough Council
- Vale of Glamorgan County Borough Council
- Welsh Language Board
- Wrexham County Borough Council
- In addition 3 responses were received in confidence