

# School Admissions

## Guidance for New Governors at Church of England VA and Foundation Schools (and Academies)

**Please Note:** This guidance is also relevant to federated governing bodies where one or more of the schools in the federation are in any of the categories listed above.

### Church School Admissions

Church of England schools were established (the majority in the nineteenth century) to serve their local communities and to provide education for all. Many schools' trust deeds enshrine this vision and give legal priority to those children living within the parish and often to poorer families. The Bath & Wells Diocesan Board of Education, respecting trust law, honours the founding principles of these schools and has recommended to schools that they interpret these documents in a modern context and give priority to those children in the parish who are eligible for free school meals or the maximum working families tax credit.

The Dearing Report is clear on the duty of Church of England schools to provide a balance of service and nurture and to be fully inclusive. Our schools are there to serve all within the community and to offer a distinctively Christian education to all those who desire it, enabling the nurture of those of the faith and the spiritual development of all, for those of all faiths and of none.

For Church of England Voluntary Aided, Foundation Schools and Academies, the governing body is the admissions authority for the school. Each school is unique, and it is neither possible nor necessarily desirable that all should have the same admissions arrangements. Governing bodies must ensure that their arrangements are compliant with all relevant legislation or lay themselves open to challenge by the Office of the Schools Adjudicator. Within the statutory limitations, however, the governing body is free to decide on the order of priority for different groups under their oversubscription criteria. There is a wide variation within the Diocese, and a wider variation between church attendance criteria. Some schools do not include any faith based criteria, and some make it a very high priority. Such decisions must reflect the local situation and needs, but they must do so within the distinctively Christian ethos of the school, and it is these broader matters of Christian ethos and principle which the DBE will most closely examine.

Governing bodies must give due and appropriate consideration to their admissions arrangements and how they reflect the Christian ethos of the school as set out in the trust deed and the instrument of government, and as they are lived out in the school and wider community. The DBE will then consider the proposed arrangements and offer guidance and support to governing bodies on all aspects, but particularly those that relate to the school's ethos.

Governors will want to be aware of the policies of the Diocese, most notably the Changing Lives Policy which underpins the work of the Diocese. With the duty of schools to promote community cohesion and with the increasing need for schools

to work in partnership with each other, with parishes, the wider community and with other agencies, the formulation of admissions criteria becomes ever more challenging.

Set out below are the 'nuts and bolts' relating to the duty of governing bodies of VA, Church of England Foundation and Academies. These can seem overwhelming, but there is support and guidance available from both the local authority and the Diocese to help governors ensure that they make good decisions.

For voluntary aided and foundation school, the governing body is the admissions authority for the school. As such, the governors have the following statutory responsibilities:

Please note: Admissions arrangements are set 18 months ahead of the year of entry, therefore consultation will commence from 1<sup>st</sup> December 2010 on admissions arrangements for pupils starting or transferring school in September 2012.

#### **Setting the Admissions Arrangements:**

- 1 The governing body must have read the current admissions legislation and have a copy of the school admissions and school appeals codes.
- 2 The governing body must consider the admissions arrangements on an annual basis and this should be done at the first governing body meeting of the new academic year.
- 3 The governing body must formulate the admissions arrangements and supplementary information forms for the school in compliance with the current Admissions Code. These arrangements must fit within the local authority co-ordinated admissions scheme and must be agreed in the first instance by the Diocese.
- 4 The governing body must agree the admission number for the school.
- 5 The governing body must agree the over-subscription criteria for the school.
- 6 The governing body must comply with diocesan guidance in relation to any faith/church attendance criteria.
- 7 The admissions arrangements must comply with the requirements of the school's trust deed (if it has one and if that trust deed refers to school admissions).
- 8 The admissions arrangements must comply with equalities and discrimination legislation as it applies to Church of England schools.
- 9 The governing body must ensure that clear and up-to-date information is provided to prospective applicants in relation to all aspects of the admissions arrangements. This should include access to any maps relating to catchment

areas, civil or ecclesiastical parishes and should be made available to view at the school if copyright does not permit them to be displayed on the school's website.

- 10 The governing body must consult in the first instance and on an annual basis with the DBE on all admissions arrangements and supplementary information forms. Bath & Wells Diocese recommends that these should be with the diocesan education department (electronically) by the October half term (end of term one for authorities operating a six term year). This gives sufficient time for them to be scrutinised and for the governing body to receive a response before the beginning of the wider statutory consultation from 1<sup>st</sup> December.
- 11 The governing body must ensure that consultation takes place for an 8 week period between the 1<sup>st</sup> December and the 1<sup>st</sup> March with all statutory consultees (see the admissions code for a comprehensive list). **Please note that any groups/denominations named within the admissions arrangements MUST be included in this consultation and this must be evidenced. FAILURE TO CONSULT WILL RESULT IN THE SCHOOL HAVING NO LEGAL ADMISSIONS ARRANGEMENTS FOR THE RELEVANT YEAR OF ENTRY.** In such an instance, the issue will be referred to the Office of the Schools Adjudicator who has the power to impose a set of arrangements ( this could be arrangements that the school has previously consulted upon as long as they are compliant with the code, the LA arrangements as for VC and community schools, or a locally agreed set of arrangements as proposed by the LA and Diocese).
- 12 The governing body must ensure that an advert is placed in the local papers to notify the public that the consultation is taking place.
- 13 A second advert must be placed once admissions arrangements have been determined on 15<sup>th</sup> April.
- 14 The governing body must consider any responses to the consultation and these must be minuted and reported to the local admissions forum, via the relevant representative (VA or foundation). Each academy is entitled to a representative on the admissions forum under current legislation.
- 15 The admissions arrangements for the school must be formally determined by the governing body by the 15<sup>th</sup> April preceding the year of entry/transfer under consultation, and this determination must be notified to the LA, Diocese and DfE.
- 16 The governing body **MUST** provide information to parents on the appeals process for their school/academy.

#### **Implementing the Arrangements:**

- 1 The governing body will receive all admissions applications via the LA – the GB will not know whether the applications are first, second or third preference.
- 2 The governing body should appoint a delegated admissions committee to consider **ALL** of the applications against the admissions criteria. This

committee should have at least 3 members and ideally should NOT include the headteacher.

- 3 The governing body must then inform the LA of the rank order. The LA software will allocate places to pupils at their highest available preference.
- 4 Following the initial allocation, the GB will liaise with the LA over future rounds.
- 5 The LA offers places on behalf of the governing body (as stipulated under the co-ordinated scheme).

### **In Year Admissions**

From September 2010, the local authority will have responsibility for administering all in-year (also known as casual) admissions. The school can, of course, still show prospective parents around, but they **MUST NOT** indicate that a place is available, but **MUST** refer them to the LA application process via the common application form.

The LA will administer this process and the governing body has two options:

- 1) Delegate authority to the LA to allocate places in-year in order to meet the required 10 day turn around time from the date of application to the offer/refusal of a place, or
- 2) Have a standing committee of at least 3 members of the governing body who are prepared to meet at short notice, and potentially during holiday periods, to consider the application/s.

Governing bodies opting for delegation would agree with the LA that consultation would take place if the school were nearing its admission number for the year group requested, were full, or had particular issues that would make the offering of the place contentious.

### **School Appeals**

The governing body must notify parents of their right to appeal if their child is refused a place at the school. Governing bodies currently have the option of using (usually via a buy back package) the local authority's appeals service, or of arranging the appeals themselves.

**If the governing body opts to conduct the appeals, it MUST ensure that the process is fully compliant with the requirements of the School Appeals Code. Failure to do so could lead to the appeal being referred to the ombudsman for resolution.**

### **Please Note:**

Local authorities provide core admissions services as a statutory duty. The range of services available either directly or via a buy-back package vary from LA to LA, but own admission authority schools are not left without support in meeting the wide range of statutory responsibilities. The Diocese is also available to offer advice and support to schools, particularly in relation to the formulation of their admissions arrangements and in matters relating to church/faith criteria.

Diocesan officers are trained in both admissions and appeals procedures and can offer a valuable additional resource for schools.