



Frequently asked questions about the Admission Consultation Process

For admissions matters, please contact Claire Graham-Brown, Deputy Director of Education (claire.graham-brown@yorkdiocese.org)

1. **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).

2. **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.

3. **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.

4. 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).

5. 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, and must have regard to DBE guidance (general DBE guidance is published annually and is available on the DBE's website).

6. 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, and in light of the DBE's published guidance;
- send the draft admissions arrangements to the Diocese for checking/comment during the Summer term;
- 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;

7. 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.

8. Who must governing bodies/academy trusts consult?

Church schools must send their draft proposed admission arrangements to the Diocese (claire.graham-brown@yorkdiocese.org) prior to going out to wider formal consultation. Please ensure sufficient time for comments to be provided.

The formal consultation must include:

- parents of children between the ages of two and eighteen in the “relevant area”;
- other persons in the “relevant area” who, in the opinion of the GB/AT, have an interest in the proposed admissions;
- all other admission authorities within the “relevant area” (primary schools need not consult secondary schools);
- the LA;
- any adjoining neighbouring local authorities;
- the Diocese (please email claire.graham-brown@yorkdiocese.org).

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. You should check with the local authority whether there is a date by which they would need to receive your policy in order to accommodate this.

9. 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.

10. 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.

11. 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.

12. 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.)

13. 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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