



Diocesan Board of Education Guidance for School Leaders, including Governors, on Admissions

'I have come that you may have life in all its' fullness' (John 10:10)

1. Introduction

The Church of England Vision for Education: Deeply Christian Serving the Common Good (2016) offers a vision of human flourishing for all. It is worked out theologically through four elements which permeate all aspects of the vision.

- Wisdom (knowledge and skills)
- Hope (and aspiration)
- Community (and living well)
- Dignity (and respect)

The vision 'is hospitable to diversity, respects freedom of religion and belief' and is for the common good of the whole of human community. Carlisle Diocese vision for education, as agreed by Synod in February 2018, fully supports this principle. Church school education should be there for those who need it. The majority of church schools were originally set up for the 'education of the poor'.

'The conviction that we are created and sustained by God for living together in families and communities is at the root of our dedication to educating for life together... Each school is to be a hospitable community that seeks to embody and ethos of living well together.' (CEEO, 2016: 11)

2. General advice

2.1 The Role of the School

In academies, Voluntary Aided and Foundation Schools the governing body or Academy Trust is the school admissions authority. In Voluntary Controlled schools the Local Authority (LA) is the admissions authority and must consult with the Governing Body (GB). The Governing Body must therefore use the LA Admissions Policy for CE Voluntary Controlled Schools. In a Church of England (CE) school governors must insure that the admissions policy conforms with the Christian vision, ethos and principles that determine the religious character of the school. We encourage governing boards and trust boards to look at how best the school can serve the local community in line with the Diocesan and National Church

of England Vision for Education. This will go beyond the simple administration of admission policies.

The whole governing body must adopt an Admissions Policy each year. They must formally agree admission arrangements every year by 28th February, even if they have not changed from previous years and a consultation has not been required. Such policies must be made available via school website and LA by 15th March annually. They must revise the policy, following consultation at least every 7 years. The school's Planned Admission Number (PAN) should be set with regard to a capacity assessment for the school. If the GB wishes to lower the number they must consult. The GB may increase the PAN without consultation, however, they must inform the DBE and the LA of their intention. Governing Bodies are responsible for 'in year admissions applications.' Where schools are oversubscribed governing bodies must retain a waiting list until at least the end of the Autumn term.

2.2 The Role of the Diocesan Board of Education (DBE)

The Education Acts 2002 and 2011 require the DBE to give guidance to the admissions authority in a CE school on appropriate admission arrangements. According to the Act an admissions authority must have regard to any guidance from the DBE on oversubscription criteria. The DBE has produced a Model Policy for School Admissions. The Model policy is consistent with the requirements of The Admissions Code and DBE policy on over subscription criteria. See Appendix 1

2.3 The Schools' Admissions Code and the School's Adjudicator

The Secretary of State for Education publishes a Code of Practice on School Admissions that schools are required to comply with. Where a school's policy or practice is challenged the Schools' Adjudicator has responsibility for making a judgement to settle the matter.

2.4 DBE Consultation

The DBE has consulted with all its schools and the Local Authority in formulating its model policy and guidance for schools. These were agreed on 28th September 2018 and are set out within this document.

3 Admission Arrangements

The GB Admissions Policy must include information about:

- The timetable how to apply for a place, including the use of any supplementary forms
- The admission number for any year group to which it intends to admit pupils
- The over-subscription criteria
- How the children of armed service personnel will be considered
- Where maps of catchment or other defined areas can be viewed, if necessary
- The previous year's admissions criteria
- How late applications can be made and are handled
- Details stating how long a waiting list will be maintained. NB it must be for a minimum of the Autumn Term
- The definition of home address and evidence
- How non routine admissions are dealt with
- How to appeal if a child is refused a place
- How fraudulent applications are dealt with

- The process of deferred admission to reception

4 Review and Consultation

4.1 Review

In any review of admissions policies by a school's governing body, the expectation is a selection of, if not all, the following questions will be carefully considered and reflected upon in order to ensure the school's distinctive Christian ethos is explicitly reflected in admissions arrangements and documents.

- In what ways does our admissions policy suggest we are 'a hospitable space?'
- What does our admissions policy say about our respect of whatever religious or other tradition which the individual child or family identify with upon entry to the school?
- In what ways does your admissions policy contribute to community cohesion and development?
- To what extent does your admissions policy reflect 'a special attention to the disadvantaged, excluded, despised and feared?'
- What impact does your local context have on your approach to admissions?
- How do your networks and partnerships affect your approach to admissions, expansion and competition?

The DBE look forward to receiving draft policies for consultation accompanied by the minutes of discussions which will help inform future policy. If the school's trust deed is informing policy a copy of the relevant section must also be provided for the DBE.

4.2 Consultation

The GB must consult whenever they propose to revise the admissions arrangements. This must happen at least every 7 years. They must seek the advice of the DBE before they begin consultation. The School Admissions Code sets out at paragraph 1.44 who admissions authorities must consult with. The consultation must also include:

- The LA
- Parents/guardians of children and potential children at the school
- Other schools which are their own admission authority (i.e. Voluntary Aided or Foundation Schools and Academies in the area)
- Voluntary and private Early Years providers, where relevant
- Any adjoining LA

Any consultation should take place between 1st October and 31st January in the year before the arrangements apply and must last a minimum of 6 weeks. During the consultation period proposals must be available via the school's website. Final admission arrangements must be available on the school's website by 15th March of that year. The GB must make reasonable efforts to ensure that parents of young children who may wish to seek admission for their child have access to the proposals.

5 Over Subscription Criteria

Admission authorities are required to identify the criteria that they will use in determining which children will be admitted should the number of applications exceed the places available. In a church school it is expected that these criteria will reflect principles, ethos and values found within the national Church of England Vision for Education (2016.) If the school is oversubscribed all applicants must be considered against the published criteria. Governing bodies must not normally admit above the admission number in the normal admissions round. The following principles are presented as guidance to governing bodies as they should influence the practice in schools with a Christian foundation.

5.1 Principles Affecting School Admission Arrangements and Policy

5.1.2 The Dignity and Respect of All

Church schools were originally established for the poor in the community. This desire to retain and promote the dignity of the disadvantaged remains at the heart of the vision. A concern for the disadvantaged and vulnerable should be explicitly promoted.

Therefore, the DBE advises, that priority is given to ‘Looked After Children,’ as well as those children with a Special Educational Need (SEN) as well as those with medical or social needs.

Where governors give priority to children with medical or social needs they must:

- Ensure reasons are given as to why that, particular school is the most suitable school and any difficulties that would be caused if the child was required to attend another school.
- Be clear whether it is the child’s needs or parents’ needs being considered. For example, either a parent or child may have a disability that would make travelling to a school further away more difficult. Written professional evidence should be presented in support.
- Give a clear explanation of how such evidence will be used.
- Enable the parent/carer to indicate that he/she wishes to request such a priority in a sensitive manner.

5.1.3 The importance of Community and Living Well

Carlisle Diocese schools are schools for all; those of the Christian faith, those of other faiths and those with no religious faith. Our schools are places for the whole community to be welcomed into without partiality.

If we believe in community and dignity, evidenced through just systems, we should not set up exclusive criteria but actively build communities and promote living well together whilst ensuring all are treated with dignity and respect. Carlisle Diocese Board of Education advise that this principle is explicitly reflected within church school admission policies.

Therefore, the DBE advises that faith commitment should not be an over-subscription criteria in admission policies.

If a governing body decides that it is central to the school’s Christian vision to have faith commitment as part of its over-subscription criteria:

1. The only definition used should be **attendance** at a Christian Church of **any** denomination.
2. The definition of 'regular attendance' should be up to the Priest/Minister to decide based on their knowledge of the family and the church context.
3. Schools may wish to provide a simple form for the Priest/Minister to sign or accept a signed letter. Such a form may ask parents/carers about their attendance at Christian worship. They may only ask for additional factual information which has a direct bearing on decisions about oversubscription criteria. For example, they may contain a tick box to confirm attendance and the signature or name of a member of the clergy or church leadership to confirm this. Such forms are not compulsory however, where faith criteria is used as an oversubscription criteria governors may wish to point out that failure to complete the form will mean governors are not able to apply the criteria.

Where governing bodies choose to include faith criteria in their admissions policy when consulting with the DBE they must demonstrate that the governors have considered NOT using such a criteria. Governing bodies using faith criteria would not be a reason for the DBE to refer the policy to the Schools' Adjudicator.

CE schools in Carlisle Diocese were established to support and promote opportunities for children in their local community. Rural schools in particular are an integral part of the vitality and viability of a local community. Traditionally the expectation that children from within the community have priority over others has taken precedence over other criteria.

The DBE advises governors to give high priority to children from within the catchment area.

5.1.4 The Value of the Family

Family is recognised as an important aspect in each child's life and development. In order to promote the value of family oversubscription criteria should preserve and protect family life in practical ways. This includes giving priority for siblings including those children who are the result of multiple births (even where this would mean exceeding the infant class size limit of 30 pupils.)

The DBE advises governors to give priority to children who have siblings in the school at that time.

5.1.4.2 Priority for siblings in same site providers/partner schools

In some locations there may be several providers sharing the same site or are neighbouring partner schools. For example, there may be separate infant or junior schools within one site or near-by. There may also be an infant, junior or primary school with a nursery or pre-school on site. Governors may wish to give priority to those with siblings within the other institution. According to the 2014 Admissions Code a primary school may give priority to children who have attended a nursery unit. However, the school must make it very clear that attendance at the nursery or nearby infant school does not guarantee a place and that a separate application should be made for each institution. Despite this the Adjudicator has consistently overturned schools' admission policies which tried to give priority to children attending their own or another early year's provider nearby. They rule that this is unfair to parents who had opted for an alternative provider to care for their children, or so care for their children themselves

Therefore, the DBE advises governors against giving preference to those in nursery or other early years unit.

5.1.4.3 Debate between priority for siblings versus priority over catchment.

Discussions over whether support for family should take precedence over support for community have continued for some time. Some argued that older children have a very positive influence on younger siblings and vice versa. Parents also find it easier to be more supportive if their children are all at the same school. This can be very important in small schools with relatively small numbers of parents. As above, this should not be merely a matter of convenience for parents. However, there were very strong concerns that giving priority to siblings from outside the catchment might exclude children who live in that village from attending their own village school. Significant parts of the diocese are subject to rural deprivation and the fear was that relatively poor parents (displaced by those living further afield who have chosen to travel into the catchment area) could be obliged to transport their children long distances via poor transport facilities. This would not be seen as fair or equitable or consistent with principle above.

It is also the case in Cumbria that many communities still have static populations. That is, several generations of a family still live within the same neighbourhood and have attended the same school. In these communities strong ties exist in extended families. The principle of supporting families, it was argued, should include such extended families rather than only a concern for nuclear families. Such extended families generally have a strong and positive influence on schools and the communities they serve. In the words of one governing body:

“(Giving preference to siblings who live out of catchment over children who live in the catchment) could result in a child from a family who have lived in the catchment area for generations, whose grandfather, grandmother, mother and father all came to the school [and still help to make it viable] not gaining a place. When children from outside the catchment area are offered a place, we make it clear to them that this does not guarantee a place for siblings.”

However, the DBE recognises that this factor will not always apply (e.g. in some towns).

Therefore, the DBE advises governing bodies to give priority in oversubscription criteria to those who live in the catchment area over siblings who live outside it.

Where a governing body believes that their particular setting justifies the opposite priority they should make their reasons clear to the DBE at the start of the consultation process. (Please note they will also need to amend the oversubscription criteria set out in the model admissions policy.)

5.1.4.4 Parents who work in school

The 2012 Admissions Code allows priority to be given to children of members of staff in the school. The DBE feels this is not consistent with the Christian Character of its schools as it is an example of partiality rather than promoting the equal worth of each individual child. Most parents/carers cannot use the location of their place of work to gain admission it would be unfair if some could. Such unfairness does not reflect the national vision for CE schools.

Therefore, the DBE advises governing bodies not to give priority to children of members of staff.

5.1.5 Adherence to the law

There is in the Church of England an assumption that compliance with properly constituted legal authorities will be upheld. In the past some Governing Bodies have been slow to adopt the requirements set out in previous Codes of Practice. Governing Bodies must ensure they remain up to date with their legal requirements and amend policies and practices as required.

Therefore, the DBE may, after consulting with the school concerned and the LA, refer to the Office of the Schools Adjudicator any draft policies which do not comply with appropriate expectations of the Code of Practice.

6 Exceptions to the Infant Class Size Limit

6.1 See paragraph 2.15 of the Admissions Code for full list.

The Infant Class Size is currently set at 30 but this may be exceeded where an additional child is in an excepted category. These include

- a. children outside the normal admissions round with a statement of special need, or Educational Health & Care Plan specifying that school
- b. looked after children and previously looked after children admitted outside the normal admissions round
- c. children admitted after the initial allocation of places because of a procedural error made by the GB or the LA during the original application process
- d. children admitted after an independent appeals panel upholds the appeal
- e. children who move into the area outside the normal admissions round and for whom there is no other available school within reasonable distance
- f. the child(ren) of armed services personnel
- g. children whose twin/sibling from multiple birth is admitted otherwise than as an excepted pupil
- h. children with SEN who are normally taught in a SEN unit, attached to the school, or registered at a special school who attend some infant classes within a mainstream school

5.2 These children remain “excepted pupils” for the time that they are in an infant class or until numbers fall within the current limit.

6 The Admissions Committee

The governing body may decide to delegate responsibility for admissions to an admissions committee to consider applications for school places. The committee should be constituted along with other committees at the first meeting of the academic year. It may not include any nongovernors, except in the case where the headteacher is not a governor. Decisions as to whether any child should be admitted may not be delegated to the headteacher or any other individual.

6.1 Terms of Reference:

The committee is responsible for all matters to do with admissions, subject to the requirement that the full governing body must approve the policy. Decisions as to whether any child may be admitted

may not be delegated to the headteacher or any other individual, unless governors are advised that there is a vacancy in the year group. It is not advisable to appoint

- any governor to the admissions committee who may be involved in the writing of references for applicants under faith criteria.
- a parent whose child may be affected by an admissions decision.

6.2 Delegated Powers

- To draft the admissions arrangements, including criteria, **which must be reviewed and approved annually by the full governing body.**
- To ensure that consultations with other bodies are carried out as required.
- If the school is oversubscribed, to apply the admissions criteria to all applicants and provide the LA with a list of pupils ranked in order of the criteria by the due date.
- To prepare the case of the governing body ready to go to the Appeals Panel
- To deal with all non-routine admissions.