

School Admissions - Advice for Church of England Secondary Schools on Consulting on and Determining Arrangements for September 2021

Consultation on proposed changes to admissions arrangements

Regarding consultation requirements, the School Admissions Code indicates (section 1.44) that the admission authority (i.e. the governing body in a voluntary aided or foundation school, and the academy trust in an academy/free school) of a secondary school must consult:

- parents
- other persons in the relevant area who in the opinion of the governing body have an interest in the proposed admissions
- the local authority
- all other admissions authorities within the relevant area (i.e. governing bodies of other voluntary aided or foundation secondary and primary schools and secondary and primary/all-age academies and free schools)
- any other adjoining neighbouring local authorities (this is particularly relevant if the school is near a local authority boundary and often admits children from neighbouring local authorities)
- the Diocese (NB the governing body/academy trust should also consult the Diocese before the wider consultation begins*.)

Under section 1.43, the consultation must last for a minimum of 6 weeks, and for proposals intended to take effect from 1 September 2021 the consultation must take place within the period 1 October 2019 and 31 January 2020 (and likewise for future years). Under section 1.45, the governing body/academy trust must publish a copy of the full proposed admission arrangements on the school's website for the duration of the consultation period, together with the name of the person at the school to whom comments may be sent. The full arrangements include any Supplementary Information Form/Supplementary Application Form/Faith Leader's Verification Form etc, if used by the school.

In addition to the requirements in the Code, the Schools Adjudicator has suggested that (in addition to 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 governing body/academy trust to act reasonably.

The governing body/academy trust must determine the admission arrangements for 1 September 2021 by 28 February 2020, even if no changes have been proposed/consulted on (likewise for future years).

***Requirement for prior consultation with the Diocese**

Under the Diocesan Boards of Education Measure 1991, referred to in section 1.38 of the Code, Church of England Schools are required to consult with their diocese about proposed admission arrangements before any public consultation. Where applicable, they must also consult the diocese when deciding how membership of the faith is to be demonstrated, and must have regard to guidance from the diocese when constructing faith-based admission arrangements.

Changes/revisions that do not require consultation

a) Under section 1.3, consultation (under section 1.44) is not required if a school is proposing to increase its published admission number (PAN) or keep the same PAN. (The school must consult if it is proposing to reduce the PAN).

b) Under the Code (section 3.6) once determined for a particular school year, admission arrangements cannot be revised unless the revision is necessary to give effect to a mandatory requirement of the Code, admissions law, or a determination by the Schools Adjudicator, or to correct a misprint.

Requirement for consultation every seven years

In addition to the requirements to consult on proposed changes to admission arrangements, schools must consult on their admission arrangements at least once every seven years, even if no changes are being proposed. This requirement is set out in paragraph 15 of the Introduction to the Code. Schools are advised to keep a record of the last date on which consultations on the school's admissions arrangements were held.

Determination of Arrangements and Notification of local authority

All voluntary aided, foundation schools and academies/free schools must determine their admission arrangements (including the PAN) by 28 February each year (section 1.46 of the Code), even if no changes have been made, and must notify their local authority of the determined arrangements (including any Supplementary Information Form used by the school) by 15 March each year (section 1.47). This annual notification is over and above the consultation requirements set out above. Church of England voluntary aided, foundation schools and academies/free schools are also required to send a copy of their determined arrangements to the Diocese.