

# IN-YEAR ADMISSIONS

## Admission Forum - I



Acting on the assumption that the revised Code of Practice and associated Regulations are approved in their current form, the Forum needs to address how in-year admissions will be dealt with in 2013/14.

At this stage, rather than submit a scheme, the City Council seeks direction on the Forum's view on how the process should be managed.

### **Revised draft Code requirements:**

1. The revised draft Code of Practice removes the requirement for Local Authorities to co-ordinate in-year admissions (2.21). This does not mean that there can be no co-ordination, merely that it is not a legal requirement to operate such a scheme.
2. All admission authorities must have fair, clear and objective admission arrangements so that parents can look at the arrangements and easily decide how places will be allocated at that school (introduction – 14). The revised Code has a general theme of a simpler process for parents to understand and increased use of local agreements.
3. LAs must provide in the composite prospectus how in-year applications can be made and will be dealt with (2.21).
4. The provisions in the Code relating to factors that can be taken into account when considering an application apply equally to in-year applications and applications at the normal point of entry (1.6).
5. School places must not be allocated with reference to first preference first arrangements (1.9). Currently, allocations are by equal preference. It is difficult to identify an alternative effective scheme.
6. Account cannot be taken, amongst other things, of reports from previous schools about past behaviour, attendance, attitude or achievement. Admission authorities cannot place any conditions on the consideration of any application other than those in the oversubscription criteria published in their admission arrangements (1.9).
7. The Local Authority must provide a suitable application form for the purpose of in-year applications (2.21).
8. Own admission authority schools must, on receipt of an in-year application, notify the local authority of both the application, and its outcome, to allow the local authority to keep up to date figures on the availability of places in the area. The admission authority must also inform parents of their right to appeal against the refusal of a place (2.22).
9. Admission authorities must allocate places on the basis of their determined admission

arrangements only, and a decision to offer or refuse admission must not be made by one individual in an admission authority. Where the school is its own admission authority the whole governing body, or an admissions committee established by the governing body, must make such decisions (2.7).

10. Applications must be considered without undue delay.
11. When an admission authority informs a parent of a decision to refuse their child a place at a school for which they have applied, it must include the reason why admission was refused; information about the right to appeal; the deadline for lodging an appeal and the contact details for making an appeal. Parents must be informed that, if they wish to appeal, they must set out their grounds for appeal in writing. Admission authorities must not limit the grounds on which appeals can be made.
12. Local Authorities must, on request, inform parents about places still available in all of the schools in its area. In turn, schools must inform the Local Authority of any movement within the school so that up to date data can be maintained (2.21).

### **Implications of the revised draft Code**

The revised draft Code has removed the requirement for a co-ordinated scheme of admissions. However, it does not prohibit such a scheme from operating. The decision on how best to operate such admissions has been left to local agreement. The implication is that it allows a two tier approach to in-year admissions which could lead to claims of prejudice and unfair practice and complaints to the Office of the School Adjudicator.

A co-ordinated scheme provides an applicant with a single point of application and ensures that an agreed process is applied equitably to all applicants. Such a scheme makes it easier for parents to understand what they need to do to apply for a school place and provides a consistent timeline for application consideration.

Without such a scheme, parents have two avenues of application leading to a two tier system – either via an individual school or via the LA. Each scheme of application may well differ which would cause confusion for parents. A composite prospectus would be difficult to compile.

### **Two tier system**

<b>Identified concern</b>	<b>Difficulty</b>	<b>Implication</b>
Process issues	Without an agreed scheme applicable to all schools, parents will receive differing treatment in application.	Applicants could claim unfair treatment and that the system is unclear.  A composite prospectus could make for difficult compilation and reading due to potential differing practice in each school.
Equal preference	Allocations cannot be made under a first preference first scheme. Equal preference if the only	An individual school will be 'silo' working. It would not be possible for the school to be aware of the

	<p>identifiable scheme taking into account the restriction on the use of random allocation in the revised draft Code of Practice.</p>	<p>state of application for a particular student to other schools. This could result in one applicant receiving offers to a number of schools thereby blocking places for others.</p> <p>Schools would be unable to allocate the place to the eligible highest ranked school and to permit entry to a waiting list without an overview of the whole applicant application process.</p>
Pupils out of school	<p>Parents could be faced with an approach to individual schools in turn, waiting for a response from one before making an approach to another.</p> <p>In the case of community and voluntary controlled schools, the admission authority is the LA. Whilst a school may receive an application under the revised draft Code, they cannot confirm allocation as this is a function of the admission authority (LA) within the Code.</p>	<p>In the absence of an accessible base school (e.g. those moving into the City), pupils would be out of education for longer periods.</p> <p>There could be a temptation for parents to give up seeking a place if a number of schools approached are unable to accept the applicant. This will be a particular danger for children from unsupportive backgrounds.</p> <p>Parents submitting an application to an individual school would, in all probability, receive no response during holiday periods which will lead to parental frustration.</p>
Fair Access	<p>The application of the Fair Access Protocol requires, in respect of an assessed application, knowledge of the vacancy situation in all other schools in the locality. Individual schools would not have access to this data as the data must be supplied to the LA in accordance with the provision of the revised draft Code.</p>	<p>Increased decision delay would occur through referral to the LA which would extend the length of time out of school.</p>
Receipt of an application	<p>Schools must on receipt of an application, notify the LA of the application and the outcome.</p>	<p>Essentially, this would lead to a role reversal in that currently, the LA informs the school of receipt of an application and, later on, the outcome. Everything that the LA currently does for the school, the school would need to do for the LA. This would be time consuming for the school – note that it relates to all applications not just those who are offered places following consideration.</p>
Application consideration	<p>Where the school is its own admission authority the whole</p>	<p>Response to an application would be dependant upon the frequency</p>

	governing body, or an admissions committee established by the governing body, must make such decisions.	of meetings.  Note that as community and voluntary controlled schools are not admitting authorities, any decision relating to allocation of a school place remains a decision for the LA.
Decision	Every application will require a response which must be Code compliant.  A copy of the response must be sent to the LA in all cases.	Information provided to the parent must be Code compliant. Non compliancy could prejudice an appeal and could lead to complaints to the Schools Adjudicator.  For own admission authority schools, this will place an additional burden on school staff. Currently, such letters are issued by the LA on behalf of all schools and each school receives a copy of the letter.
Pupil movement data	There would be no easy or reliable method of collating pupil movement data.	The current scheme allows pulling together pupil movement data for share with all schools through the Admission Forum. This assists the Forum in its consideration of the effectiveness of admission arrangements in the City.

### **Reported difficulties of the current co-ordinated scheme**

Reported issues with the current scheme:

<b>Reported issue</b>	<b>Solution</b>
At times, particularly at the start of the September term, application consideration can be delayed due to the volume of applications pended over the summer holiday.  When a school has room to take, a child could be out of school for a longer period than necessary whilst waiting for their application cohort to be dealt with.	Provision could be built into the scheme so that if a school identifies a vulnerable child awaiting a place, they could notify the LA. The LA would check outstanding applications to ensure that prejudice does not occur by allocating a child a school place ahead of earlier applicants. A similar process is already in place for vulnerable children identified by the Education Welfare Service.
A request for transfer is not known to the base school.	Provision has been placed into the existing scheme so that on receipt of a request for transfer, the base school is notified of the request to transfer and asked whether they have comment to make in respect of the application. (If allocations are up to date, a schools response may be received after the transfer request has been decided upon).

<p>A transfer may not be in the child's best interest and increases pupil movement.</p>	<p>Provision has been placed into the current scheme so that:</p> <ul style="list-style-type: none"> <li>• A transfer of school with good reason (usually a change of address away from the schools immediate locality) would take effect immediately.</li> <li>• A transfer without good reason (usually no change of address) would be approved to take effect from the start of the next term (based on a 3 term year) unless the base school agrees to an early release.</li> <li>• An allocation is made on the basis of room in the school for that child. The allocation letter to the parent requests that they contact the school direct to discuss the admission arrangements. At this meeting, it is permissible for the school to discuss a pupils needs. It may be that as a result, the parent changes their preference and no longer wishes a place in that school, in which case, they change their preference to the LA so that the place can be withdrawn.</li> <li>• Admission dates are a matter for agreement with the parent and the school. Normally, a pupil would be expected to start within 2 weeks of allocation. However, it may be that the school needs to delay admission whilst provision is put in place for the child's needs, also, places can be allocated in advance and the school will need to agree a start date with the parent.</li> </ul> <p>Note that the parent has the right to request a transfer of school at any point and a requested school has few reasons in which they refuse to accept the child if they room and prejudice to provision of efficient education or the efficient use of resources does not occur.</p>
<p>Schools loose control of admissions</p>	<p>The current scheme of in-year admissions is Code compliant. Own admission authorities are consulted on each admission under the current scheme as the governors are the admitting authority. The role of the LA is to ensure fair consideration acting as 'champion for the parent'.</p>

### **A way forward**

A locally agreed scheme for the treatment of in-year admissions would ensure fair and consistent treatment for applicants.

The Local Authority could administer a locally agreed scheme on the same basis of the current co-ordinated admissions scheme. This would be on behalf of all schools in its area. By so doing, the administrative burden is removed from schools in regard to their duty to inform the Local Authority of all applications received and to make formal response to the application in compliance with the School Admission and School Appeals Codes of Practice. This scheme will also enable monitoring of pupil movement within the City which will assist the Admission Forum in its role to monitor effective admission arrangements.

**Recommendation:**

1. That the Admissions Forum endorses the establishment of a locally agreed scheme of admissions for applicants' in-year to be administered by the LA on a similar basis to the current in-year co-ordinated scheme.
2. That the LA discusses this issue with the Chairs of PAPH and PASH as a matter of urgency to seek their support.
3. That a working party be formed to formulate and approve a local scheme on behalf of the Forum for inclusion in the admission arrangements consultation. Such a document would need to be finalised by 9 December at the latest to allow sufficient time for inclusion in the consultation.

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