

Guidance for own admission authority schools on the consultation and determination of admission arrangements for the 2024/25 academic year

Introduction

Admission authorities must set ('determine') admission arrangements annually. Where changes are proposed to admission arrangements¹, the admission authority must first publicly consult on those arrangements. If no changes are made to admission arrangements, they must be consulted on at least every 7 years. Consultation must be for a minimum of 6 weeks and must take place between 1 October and 31 January of the year before those arrangements are to apply. For example: for arrangements which are to apply to applications made from September 2023 (for entry in September 2024), consultation must be completed by 31 January 2023. This consultation period allows parents, other schools, religious authorities and the local community to raise any concerns about proposed admission arrangements.

It is not a requirement to consult where the change is an increase to a school's published admission number. However, it would be advisable to discuss such plans with the Local Authority in advance of the determination.

Proposing changes to admission arrangements

All admission authorities must take into account guidance issued by the School Placement and Admissions team that relate to statutory changes that apply to all maintained schools. The team have also listed information specifically reported on by the Office of the School Adjudicator, these points are included in appendix 1. We would recommend all admission authorities review their arrangements and take into consideration the points raised.

Faith schools must also have regard to guidance issued by their faith leaders.

¹ Admission arrangements means the overall procedure, practices, criteria and supplementary information to be used in deciding on the allocation of school places and refers to any device or means used to determine whether a school place is to be offered.

The below is a timeline and guidance of the dates and requirements from consultation to determination of arrangements:

Dates that apply	Action
1 st October 2022 – 31 st January 2023	Consultation must be for a minimum of 6 weeks and take place between these dates.
28 th February 2023	The date by which admission arrangements must be determined.
15 th March 2023	Deadline for admission authorities to send a copy of their full determined admission arrangements to their local authority and publish those arrangements on the school's website or on their website (in the case of a local authority)..
15 th May 2023	The deadline for objections to be submitted to the Schools Adjudicator on any admission arrangements.
08 th August 2023	Deadline for governing bodies to provide admission arrangements information to the local authority to allow them to compile composite prospectus.

1st October to 31st January – A consultation period must last for a minimum of 6 weeks and must take place between 1 October and 31 January in the determination year (i.e. the year before the admission arrangements are due to come into place).

Admission authorities **MUST** consult with:

- a) Parents of children between the ages of Two and Eighteen
- b) Other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed arrangements
- c) All other admission authorities within the relevant area (except that primary schools need not consult secondary schools)
- d) Whichever of the governing body and the local authority who are not the admission authority
- e) Any adjoining neighbouring local authorities where the admission authority is the local authority (this only applies for community schools)
- f) In the case of faith schools, the body or person representing the religion or religious denomination.

How to publish consultation

There are a number of effective ways to ensure that your changes reach the above groups, these were mentioned in the OSA annual report in 2018.

- Advertise consultation with a prominent and simple message on the front page of the relevant website, backed up with more detailed information.
- Ask (other) schools and early years settings (including childminders) to pass on information about the consultation to parents.
- Publish an article in the local press including free papers sent to every household in the area, magazines/newsletters published by voluntary groups in an area, family information directories and child focused magazines.
- Use of local radio and social media including Twitter and Facebook and online parent forums (one local authority described a parental networking group with over 3,000 members);
- Seek feedback and responses online as well as in paper form, these can be recorded on a google form and answers analysed.
- Create a poster and display in neighbouring schools, stay and play session locations, supermarkets, doctors' surgeries, children's centres, health centres, places of worship and the 17 local authority's own buildings;
- Arrange consultation meetings including drop in sessions targeting areas or groups which past experience showed were less likely to respond.
- Use personal contacts - talking to parents at the school gate or at parents evenings
- Ask local voluntary groups, parish councils and faith bodies to use their networks to pass on material and information
- Direct emails to parents who have given permission and provided email addresses via their applications for admission in previous years

Failure to consult effectively may be grounds for subsequent complaints and appeals.

During consultation

For the duration of the six-week consultation period, the admission authority must publish a copy of their full proposed admission arrangements on their own website and on the maintaining LA's website with details of the person within the admission authority to whom comments may be sent and **highlight the changes that are proposed in the admission arrangements**. In most cases, by publishing proposed arrangements on the school and LA website, providing the link to the relevant page in

your school newsletter or a notice within your school (poster or leaflet), you will meet the statutory requirements of a public consultation. It is important that you include in your consultation notice the intended audience as set out above in (a) to (f).

Where comments are made on the changes for consultation, admission authorities must have regard to these comments. For own admissions authority schools, the governing body or its Admissions Committee, must meet and consider all comments made before determining their arrangements. Where there are a high number of comments that are objecting the same aspect of the admissions arrangement, it is advised that guidance is sought by a body or person representing their religion or religious denomination (i.e. Diocesan board).

No changes can be made in your determined admission arrangements if you have not consulted.

Determination of Admission Arrangements

28th February - All admission arrangements must be determined by the 28th February in each year. This also applies if there have been no changes to the arrangements and a consultation has not been required. Own admission authority schools must provide their determined arrangements, including any supplementary forms that apply (schools with religious affiliation) to Hillingdon School Placement and Admissions team.

Please ensure that you have recorded the minutes from the meeting where the admission arrangements have been determined by your admissions committee. This may be requested by the Office of the School Adjudicator at a later stage.

By the 15th March - Once determined, admission authorities must send a copy of their full, determined arrangements to the School Placement and Admissions team before 15th March 2023, including all additional forms that apply. They can be sent to the generic email admissions@hillingdon.gov.uk Admission Authorities for faith schools must also send a copy of their arrangements to the body or person representing their religion or religious denomination (i.e. Diocesan board)

Local Authorities must, by the 15th March 2023, publish on their website where the determined admission arrangements for all schools located within their authority can be viewed. This is a statutory requirement and if there were an objection submitted to the Schools Adjudicator on your determined admission arrangements, evidence will be requested that you provided this to the Home LA prior to this date.

15th May - Any objections to the determined arrangements must be made to the Schools Adjudicator by 15 May. Admission authorities that are not the local authority must provide all the information that the local authority needs to compile the

composite prospectus no later than 8 July such as open evenings and contact details.

Determined admissions arrangements must be published and accessible to the public for the whole of year that the arrangements apply.

Admission authorities that are not the local authority must provide all the information that the local authority needs to compile the composite prospectus no later than 8 August such as open evenings and contact details.

Variation to determined arrangements - Variations

Once admission arrangements have been determined for a particular academic year, they cannot be revised by the admission authority unless such revision is necessary to give effect to a mandatory requirement of the Code, admissions law, a determination of the Adjudicator or any misprint in the admission arrangements. Admission authorities may propose other variations where they consider such changes to be necessary in view of a major change in circumstances. Such proposals **must** be referred to the Schools Adjudicator for approval, and the appropriate bodies notified. Where the local authority is the admission authority for a community or voluntary controlled school, it **must** consult the governing body of the school before making any reference. **A variation to increase a school's PAN is not required to be referred to the Schools Adjudicator.**

Admission authorities **must** notify the appropriate bodies of all variations and **must** display a copy of the full varied admission arrangements on their website until they are replaced by different admission arrangements. Local authorities **must** display the varied admission arrangements on their website where an admission authority has raised its PAN.

What must be included in the schools admissions arrangements:

EHCP (Education Health and Care Plan):

All schools must make reference to the requirement to admit children with an education, health and care plan which names the school.

Example: When the school is oversubscribed, after the admission of pupils with an Education, Health & Care Plan where the school is named in the Plan, priority for admission will be given to those children who meet the criteria set out below:

Looked After Children:

A looked after child (as defined in the Children Act 1989) or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order including those who appear [to the admission authority] to have been in state care outside of England and ceased to be in state care as a result of being adopted.

Banding (if applicable) & Looked After Children:

Where the school is oversubscribed: looked after children and previously looked after children must be given top priority in each band, and then any oversubscription criteria applied within each band, and priority must not be given within bands according to the applicant's performance in the test.

Children with Education, Health and Care Plans may be included in banding tests and allocated places in the appropriate bands but, regardless of any banding arrangements, they must be allocated a place if their Education, Health and Care Plan names the school.

Faith (if applicable) & Looked After Children:

Admission authorities for schools designated with a religious character may give priority to all looked after children and previously looked after children whether or not of the faith, but they must give priority to looked after children and previously looked after children of the faith before other children of the faith. Where any element of priority is given in relation to children not of the faith they must give priority to looked after children and previously looked after children not of the faith above other children not of the faith.

Previously Looked After Children

All schools must give the highest priority in their oversubscription criteria to looked after children and previously looked after children. Previously looked after children are children who were looked after but ceased to be so because they were adopted (or became subject to a child arrangements order or special guardianship order) immediately following being looked after including those who appear [to the admission authority] to have been in state care outside of England and ceased to be in state care as a result of being adopted.

Distance:

Admission authorities must clearly set out how distance from home to the school will be measured, making clear how the 'home' address will be determined and the point in the school from which all distances are measured. This should include provision for cases where parents have shared responsibility for a child following the breakdown of their relationship and the child lives for part of the week with each parent.

Temporary addresses:

Admissions Authorities may want to consider whether a temporary address may be accepted. If the applicant still owns a property that was previously used as a home address, or a temporary address which the admissions authority considers to be solely or mainly used to obtain a school place. For example, If the applicant resides at more than one property the admissions authority may decide to only consider the given address if applicant has lived there for a year prior to the closing date of application (including rented, bought or living with a family member or friend). It must be clear what additional information or documents can be used to explain why an applicant is not using their permanent address, or another address identified as a result of screening, or as a result of information obtained from the public. This may include utility bills, benefit claims and copies of mortgage or rent agreements.

Siblings:

Admission authorities must state clearly in their arrangements what they mean by 'sibling' (e.g. whether this includes step siblings, foster siblings, adopted siblings and other children living permanently at the same address or siblings who are former pupils of the school).

The sibling definition must be clear. The admissions authority should consider if half brothers and sisters are included and should full brothers and sisters who live in different households be included?

Some schools give priority to siblings of pupils attending another state funded school with which they have close links (for example, schools on the same site). Where this is the case, this priority must be set out clearly in the arrangements.

Own admissions authority schools should also consider how they prioritise siblings of applicants with an EHCP that names their school. If it relates to twins will you apply the multiple birth excepted pupil for infant classes rule? This should be clearly defined in your admission arrangements.

Multiple births

Twins and children from multiple births; when one of the siblings is the last child to be admitted they can be offered over the published admission number unless to do so would prejudice the provision of efficient education or the efficient use of resources. Admission authorities should detail how they would determine which child should be given priority. Where it is not possible to offer each child a place the child(ren) For Key Stage 1 the child/children will be considered as an exception to the class size rule.

Junior schools

Children attending year 2 at the linked infant school should be given priority for admission to the junior school. This needs to be referenced in your admission criteria with reference that it applies to junior school applications only.

Waiting lists

Each admission authority must maintain a clear, fair and objective waiting list until at least 31 December of each school year of admission, stating in their arrangements that each added child will require the list to be ranked again in line with the published oversubscription criteria.

Withdrawal of places

If a place was offered at an oversubscribed school the admissions authority should advise under which circumstances the offer will be withdrawn.

A place will not be withdrawn once a child has started at the school, except where that place was fraudulently obtained but the length of time the child has been at the school will be taken into account. For example, it might be considered appropriate to withdraw the place if the child has been at the school for less than one term.

Admission of children below compulsory school age and deferred entry to school

Admission authorities must provide for the admission of all children in the September following their fourth birthday. The authority must make it clear in their arrangements that, where they have offered a child a place at a school:

- a) that child is entitled to a full-time place in the September following their fourth birthday;
- b) the child's parents can defer the date their child is admitted to the school until later in the school year but not beyond the point at which they reach compulsory school age and not beyond the beginning of the final term of the school year for which it was made.
- c) where the parents wish, children may attend part-time until later in the school year but not beyond the point at which they reach compulsory school age.

Transition Periods at the Start of an Academic Year

Schools are expected to provide full-time provision from the start of term in September for children starting in Reception class. Although some schools may offer an initial transition period, to enable children to settle in to school life, this should be no more than a few days, which allows schools some flexibility in starting the year with children having shorter days and working up to full days. Our advice is that

schools should limit the transition period to week, as a maximum, from the start of term.

Schools who wish to have a transition period can be asked by parents to provide full-time provision from the first day of term, which is their legal right. Schools should work with parents requesting this to accommodate their wishes.

Part-Time Attendance in Reception Year

Parents have a right to decide that their child will attend school part-time until they reach compulsory school age on one of the three prescribed dates:

on 31 December, 31 March or 31 August following their fifth birthday.

In the case of “summer born children”, this right can be exercised during the final term of the school year. The right can also be exercised at the same time as deferred entry.

For example, a child born on 15 February will not reach compulsory school age until 31 March but is entitled to a full-time place in Reception Year from the preceding September. The child’s parents can decide that their child will not start school until 1 January and will attend part-time until 1 April, when they will attend full-time.

Compulsory School Age

Children must start full-time education once they reach compulsory school age. This is on 31 December, 31 March or 31 August following their fifth birthday -whichever comes first. If a child’s fifth birthday is on one of those dates then they reach compulsory school age on that date.

For example, if a child reaches compulsory school age on 31 March, they must start full-time education at the beginning of the next term (summer term that year).

Children must stay in full-time education until they reach school leaving age.

Admission authorities must make clear in their admission arrangements the allowance of deferral.

Admission of children outside their normal age group

Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health. In addition, the parents of a summer born child may choose not to send that child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to reception rather than year 1.

Admission authorities must make decisions on the basis of the circumstances of each case and in the best interests of the child concerned. This will include taking account of the parent's views; information about the child's academic, social and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if it were not for being born prematurely. They must also take into account the views of the head teacher of the school concerned. When informing a parent of their decision on the year group the child should be admitted to, the admission authority must set out clearly the reasons for their decision.

Where an admission authority agrees to a parent's request for their child to be admitted out of their normal age group and, as a consequence of that decision, the child will be admitted to a relevant age group (i.e. the age group to which pupils are normally admitted to the school) the local authority and admission authority must process the application as part of the main admissions round, unless the parental request is made too late for this to be possible, and on the basis of their determined admission arrangements only, including the application of oversubscription criteria where applicable. They must not give the application lower priority on the basis that the child is being admitted out of their normal age group. Parents have a statutory right to appeal against the refusal of a place at a school for which they have applied. This right does not apply if they are offered a place at the school but it is not in their preferred age group

Children of UK service personnel (UK Armed Forces)

For families of service personnel with a confirmed posting to their area, or crown servants returning from overseas to live in that area, admission authorities must:

a) allocate a place in advance of the family arriving in the area provided the application is accompanied by an official letter that declares a relocation date and a Unit postal address or quartering area address when considering the application against their oversubscription criteria. This must include accepting a Unit postal address or quartering area address for a service child. Admission authorities must not refuse a service child a place because the family does not currently live in the area, or reserve blocks of places for these children;

b) ensure that arrangements in their area support the Government's commitment to removing disadvantage for service children. Arrangements must be appropriate for the area and be described in the local authority's composite prospectus.

Children from overseas

Applications for families arriving from abroad, including from the EU, from 1 January 2021. In most cases, children arriving from overseas have the right to attend schools in England. It is the responsibility of parents to check that their children have a right, under their visa entry conditions to study at a school before submitting an

application. Where families have recently arrived from abroad, we commend that they check that they have a right of abode or that the conditions within their immigration status permits them to access a state-funded school.

Children aged under 18 are classed as dependent children if they are the children of foreign nationals who have settled status in the UK, or who are entering the UK on a work visa or student visa, or who are part of a family entering or residing in the UK under the immigration route for British National (overseas) citizens and their dependants. These children are entitled to enter the country with their family, or to join their family and study at a state-funded or independent school once in the UK.

Unaccompanied children may also enter the UK to access a school. To comply with their visa terms, unaccompanied foreign national children, and young people (including such EEA nationals entering the UK after 31 December 2020) who are entering on a Child Student visa or Student visa must, when accessing education in England, study at the independent school, sixth form college or further education college which is sponsoring them. Foreign nationals cannot use the 6-month Standard Visitor visa, or 11-month Short-term Study (English language) visa, to enter the UK to enrol as a pupil at a school.

Further information for what these visas can be used for can be found by visiting www.gov.uk/standard-visitor-visa

There is also more information about visas and immigration and the EU Settlement Scheme for EEA and Swiss citizens via the GOV.UK website. Irish citizens' right to live in the UK will not change. Irish citizens do not need to apply for the EU Settlement Scheme, but their family members, who are not Irish or UK citizens, will need to apply.

Right to appeal

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.

Admission Number (or Published Admission Number – (PAN))

The number of school places that the admission authority must offer in each relevant age group of a school for which it is the admission authority. Admission numbers are part of a school's admission arrangements.

Tie-breaker

Admission arrangements must include an effective, clear and fair tie-breaker to decide between two applications that cannot otherwise be separated.

Additional criterion that can be included in the schools admission arrangements

Medical/Social

If admission authorities decide to use social and medical need as an oversubscription criterion, they must set out in their arrangements how they will define this need and give clear details about what supporting evidence will be required (e.g. a letter from a doctor or social worker) and then make consistent decisions based on the evidence provided.

Children of staff

Admission authorities may give priority in their oversubscription criteria to children of staff in either or both of the following circumstances:

- a) where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made, and/or
- b) the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.

Children eligible for pupil premium or service premium

Admission authorities may give priority in their oversubscription criteria to children eligible for the early years pupil premium, the pupil premium and also children eligible for the service premium. Admission authorities should clearly define in the arrangements the categories of eligible premium recipients to be prioritised.

Admission authorities may give priority in their oversubscription criteria to children eligible for the early years pupil premium, the pupil premium or the service premium who:

- a) are in a nursery class which is part of the school
- or b) attend a nursery that is established and run by the school. The nursery must be named in the admission arrangements and its selection must be transparent and made on reasonable grounds.

Ensure arrangements are not unnecessarily complex which may make them unclear.

If you are considering making substantial changes to your admissions arrangements that may have an adverse effect on surrounding schools or pupil groups, the School Placement and Admissions team would like to offer a meeting with the Headteacher and Governors to discuss the changes in advance of determination.

If you need any further guidance on the consultation process or you would like to arrange a meeting, please email:

Senior Admissions and Access Officer – Tajinder Bhojani tbhojani@hillingdon.gov.uk

Alternatively the School Placement and Admissions team mailbox admissions@hillingdon.gov.uk