

NEW ADMISSIONS CODE BRIEFING

SUMMARY OF THE MAIN CHANGES TO THE REVISED SCHOOL ADMISSIONS CODE

Sustainable travel (paragraph 1.8)	To promote sustainable, healthy travel to school, admission authorities of primary schools are encouraged to ensure admission arrangements promote children walking or cycling safely to school where possible, and that other schools support sustainable and healthy travel where possible.
Admission numbers (paragraph 1.19)	Admission authorities must determine a higher admission number where they admit more than 26 children above the published admission number in any three year period.
Consultation (paragraph 1.26)	<p>All admission authorities are required to consult on 2010-11 admission arrangements for a minimum of eight weeks by 1 March 2009. Parents and local groups with an interest in the local area must also be consulted when admission authorities are setting their admission arrangements.</p> <p>For 2011-12 admission arrangements and subsequent years, admission authorities are required to consult between 1 November and 1 March for a minimum of eight weeks in the determination year. Admission authorities need only consult every three years unless arrangements are not the same as the previous consultation.</p>
Catchment areas (paragraph 1.30(i) and 2.45)	Admission authorities must consult on any catchment areas to be used and are prohibited from setting catchment areas after admission arrangements are determined.
Applications from children (paragraph 1.41)	In relation to the 2010-11 school year, children above compulsory school age will have the right to apply and appeal for any school place. Children will also have the right to make an application and appeal for a school sixth form place independently of their parents.
Withdrawing offers of places (paragraph 1.50)	If a parent has not responded to the offer of a school place within a reasonable time, the admission authority must remind the parent of the need to respond within a further 7 days and point out that the place may be withdrawn if they do not (see also Schedule 1 - 1(f) and Schedule 4 - 1(g) of the Co-ordination Regulations 2008).
Application forms (paragraph 1.75)	Local authorities must not require parents to attend the school in person to collect a form or require them to return their completed application

	form to the school.
Ensuring fair admission arrangements (paragraph 1.76)	Local authorities must not inform an admission authority of the rank order of parents' preferences.
Supplementary forms (paragraph 1.78)	Admission authorities must not ask parents for any financial contribution; to agree to support the ethos of the school in a practical way or; require both parents to sign the form.
Use of photographs and birth certificates (paragraph 1.81)	Clarification that photographs and "long" birth certificates are prohibited from being used during the admissions application process. Use of a photograph will only be permitted in order to verify the child's identity where entry tests are used.
Proof of date of birth (paragraph 1.81)	Admission authorities can only request proof of date of birth in the form of a short birth certificate once an offer of a school place has been made.
School charging (paragraph 1.97)	Governing bodies must make it clear to parents where charging may be expected for board and lodging on residential visits.
Prohibition of oversubscription criteria (paragraph 2.16)	(f) Admission authorities must not take into account reports from previous schools. (g) Governors have no discretion over the admission of children with statements of SEN. (p) Admission authorities must not use oversubscription criteria that give priority to children according to the alphabetical order of their first name or surname, or their date of birth.
Siblings of children who are still at the school (paragraph 2.22)	Admission authorities must clearly explain in their admission arrangements how priority to younger siblings will be given and on what basis. This includes giving priority to children on the basis that they have an older sibling at another school with which they have close links.
The ethos of the school (paragraphs 2.31 and 2.32)	Admission authorities may include a factual statement of the school's ethos in their admission arrangements but must not prioritise on this basis.
Additional guidelines for faith schools (paragraph 2.52)	Admission authorities must have regard to guidance provided by the religious authority which sets out what objective processes and criteria may be used to establish whether a child is a member of, or whether they practise, the faith.
Boarding schools (paragraphs 2.59 and 2.60)	Admission authorities of boarding schools must give priority (after priority to children in care) for boarding places to children of members of the UK Armed Forces.

	<p>The category for the next highest priority (children with boarding need) includes children of Service personnel who have died while serving or who have been discharged as a result of attributable injury.</p>
<p>Additional guidelines for secondary schools (paragraph 2.72)</p>	<p>Admission authorities for secondary schools must not include independent primary schools as feeder schools.</p>
<p>2010-2011 admissions – Co-ordination of applications made during the normal admissions round (paragraph 3.3)</p>	<p>There are no changes to the requirements for co-ordinating applications made during the course of the normal admissions round for admission in the 2010-2011 academic year.</p>
<p>In-year applications from the 2010-11 academic year (paragraph 3.4)</p>	<p>Local authorities must coordinate all in-year applications for parents in their area from the 2010-2011 academic year onwards. The arrangements for co-ordinating these applications must be formulated by 1 January 2010.</p>
<p>Co-ordination of admissions from 2011-2012 onwards (paragraph 3.6)</p>	<p>Local authorities must formulate schemes for co-ordinating all applications to maintained schools and Academies from parents in their area, whenever received, and for whichever age group.</p>
<p>Main obligations imposed by the Co-ordination Regulations (paragraph 3.15)</p>	<p>A national closing date for secondary applications of 31 October in the Offer Year (from the admissions round for admission in the 2011-2012 academic year).</p> <p>A national closing date for primary applications of 15 January in the Offer Year (from the admissions round for admission in the 2011-2012 academic year).</p> <p>Parents must be allowed to express at least three preferences. For in-year applications this will apply from September 2010. For the normal admissions round this will apply for admissions in the 2011-2012 academic year.</p> <p>Only the home local authority can make offers for primary and secondary school places (from September 2010 for in-year admissions and the normal admissions round for 2011-2012 admissions).</p> <p>The School Admissions (Co-ordination of Admission Arrangements) (England) Regulations 2008 require that, in the case of primary admissions made during the normal admissions round, the necessary communication between local authorities must be completed by the last working day in March in the offer year for admission in the 2011-2012 academic year.</p>

<p>Waiting lists (paragraph 3.19)</p>	<p>From September 2009 each admission authority must maintain a waiting list for at least the first term in the academic year of admission for every oversubscribed school.</p>
<p>Children of UK Service personnel and other Crown servants (inc. Diplomats) (paragraph 3.27)</p>	<p>Local authorities and admission authorities must:</p> <p>b) allocate a school place in advance, if accompanied by an official government letter (e.g. MOD, FCO or GCHQ) declaring a relocation date and intended address, if the applicant would meet the criteria on relocation;</p> <p>d) accept a Unit postal address, or if appropriate, a “quartermaster area” address in the absence of a new home postal address.</p>
<p>Children who have been permanently excluded twice (paragraph 3.30)</p>	<p>Local authorities are responsible for providing suitable full-time education from the 6th day of exclusion. For children of secondary school age, the local authority, schools and Pupil Referral Units should work together through their local behaviour partnership to help arrange the education required.</p>
<p>Children with challenging behaviour (paragraph 3.32)</p>	<p>A change to one of the exceptions where a school may refuse to admit a child even though there are places available:</p> <p>e) a secondary school where less than 20% of children are achieving 5 or more A*-C GCSEs including English and mathematics, or a primary school where fewer than 55% of pupils achieve level 4 or above at Key Stage 2 in both English and mathematics for four or more consecutive years.</p>
<p>Local authority power to direct admission to a foundation or voluntary aided school (paragraph 3.39)</p>	<p>In considering whether to make a direction the local authority must be satisfied that admission will not seriously prejudice the efficient use of resources at the school and that the admission of the child will not pose serious risks to the child or the school.</p>
<p>Local authority decision to admit a child to a community or voluntary controlled school (paragraph 3.41)</p>	<p>Local authorities must ensure that the schools for which they are the admission authority are not asked to take a greater proportion of children with challenging behaviour than other schools in the area.</p>
<p>Fair Access Protocols (paragraphs 3.43 to 3.47)</p>	<p>Local authorities must not require undersubscribed schools to admit a greater proportion of children with a recent history of challenging behaviour than other schools.</p> <p>Each local authority must have a Fair Access Protocol.</p>

	<p>Admission authorities must include in the Fair Access Protocol, as a minimum, the list of categories of children set out in Appendix 3.</p> <p>The home local authority should contact a neighbouring (maintaining) authority to help secure a school place in that area under its protocol where appropriate.</p>
Complex admission arrangements (paragraph 4.3)	The Schools Adjudicator may consider and amend, or replace entirely, admission arrangements that he considers to be complex, including those with complex points systems.
Local authority reports (paragraph 4.7)	Local authorities are required to make a report to the Schools Adjudicator about the admission arrangements of schools in their area by 30 June each year.
Objections to the Schools Adjudicator (paragraph 4.20)	The date by which objections should be referred to the Schools Adjudicator in the determination year is 31 July.
Objections to the Schools Adjudicator (paragraph 4.22)	When considering admission arrangements brought to his attention, the Adjudicator may decide changes are appropriate and specify changes to be made. The admission authority must revise their admission arrangements immediately to give effect to the Adjudicator's decision.
Admission Forums (paragraph 4.28)	The main focus of an Admission Forum is to consider the fairness of arrangements in their local context.
Membership of Forums (paragraphs 4.29 and 4.30)	<p>Membership must reflect the types of schools in the locality including up to two local authority representatives.</p> <p>The membership of the Forum must not exceed 20.</p>
Statutory role of Admission Forums (paragraph 4.31)	<p>Admission Forums must:</p> <ul style="list-style-type: none"> • review guidance produced for parents and the delivery of Choice Advice within the area of the forum • advise on whether the authority's proposed co-ordinated admission arrangements differ substantially from the previous year • monitor the effectiveness of local authority Fair Access Protocols
Ensuring fair access (paragraph 4.32)	An Admission Forum should review the impact of local admissions policies on achieving fair access.
Appendix 1 (paragraph 18)	The appeal panel must refer to the Schools Adjudicator any admission arrangements brought

	to their attention that they consider to be in breach of the Code.
Appendix 3	A new appendix on placing children with challenging behaviour and Fair Access Protocols.
Appendix 4	<p>(3) Admission authorities must, in the determination year, publish their determined admission arrangements on their website, if they have one, for the whole offer year, unless amended.</p> <p>(4) Local authorities must by 1 May in the determination year publish the determined admission arrangements of all schools in the area. Local authorities must also publish a notice in local newspapers providing details of where the determined arrangements can be viewed.</p> <p>(7) Local authorities must publish a composite prospectus by 12 September in the offer year.</p> <p>(11) The composite prospectus must include a copy of the common application form.</p>
Appendix 4 - Information in respect of each school mentioned (paragraphs 13 and 14)	<p>Governing bodies of all maintained schools within the area must provide the local authority with the required information by 8 August in the offer year.</p> <p>(e) Supplementary information forms must, as a minimum, appear on the Local Authority's website and school's website (where they have one) and be available on request in hard copy at the local authority's offices.</p> <p>(14) Where an objection has been raised against a school's admission arrangements and the Schools Adjudicator has not reached a decision in time for the publication date, local authorities must include the arrangements with a statement that an objection is still outstanding.</p> <p>(18) Choice Advisers may support parents in preparing their appeal and may accompany parents to the appeal hearing. With local agreement, they may also present an appeal on parents' behalf.</p>
Appendix 5 – Choice Advice	This appendix has been revised to place an emphasis on the importance of the independence of Choice Advice and of proactively targeting parents in need of Choice Advice.

**SUMMARY OF CHANGES TO THE REVISED SCHOOL ADMISSION APPEALS
CODE**

Membership (paragraph 1.5(c))	Only employees of the local education authority (not the local authority as a whole) are disqualified from serving on Appeal Panels.
Representation (paragraph 2.13)	Local MPs are permitted to attend appeal hearings where there is no conflict of interest.
Primary and secondary school admission appeals (paragraph 3.2(a))	Clarification of the extent to which Appeal Panels can consider the lawfulness of admission arrangements.
The right of children to appeal against decisions for admissions from the 2010-2011 academic year (paragraphs 1.31, 2.3, 2.5, 2.35)	In relation to admissions for the school year 2010-2011 onwards: <ul style="list-style-type: none">• children will have the right to apply for a school sixth form and appeal against decisions refusing their applications;• children above compulsory school age will have the right to apply for a school place other than school sixth form and appeal against decisions refusing their applications.