

Consultation on the Changes to the Admissions Framework

Review of the School Admissions Code and School Admission Appeals Code

The aims and the key policy changes proposed to the two Codes are reproduced in the tables below, with the consultation questions for each policy change and the draft council response.

General Aims
<ul style="list-style-type: none">• remove all duplication and sections of the Codes that were open to (mis)interpretation• make clearer what admission authorities must and must not do within the new Codes• make them easier to read and understand• reduce the burdens and bureaucracy that schools face• ensure that all school places are offered in a fair and lawful way• ensure that school admission appeals are heard in a fair and lawful way
Question 1: Do you agree that the new Codes achieve these aims?
<p>Not sure. The rationalising of the content of the Code is welcome, and it is a shorter and more accessible document.</p> <p>Many of the proposed changes are welcomed and contribute to achieving the general aims. However, there are concerns about some of the proposals that are detailed in the comments below. In particular there is concern about the proposals to give freedom to popular schools to increase their PAN without safeguards to ensure a two tier system does not develop and to ensure value for money.</p>

Key policy changes to the Admissions code

Changes to the Published Admission Number (PAN)
<p>All schools (that are their own admission authority) that are popular with parents to be free to increase their PAN:</p> <ul style="list-style-type: none">• schools will no longer have to get the approval of the local authority;• schools required to notify the local authority of a change to PAN and to make reference to it on the school website;• anyone who feels local proposals to increase PAN are unfair, unlawful or not in compliance with the Code may refer an objection to the Schools Adjudicator;• in respect of an objection in relation to an increase in PAN, there will be a strong presumption in favour of increase unless the increase would lead to a clear threat to pupil safety. <p>DfE would welcome views on what sort of criteria the Schools Adjudicator must take into account when he considers objections to an admission authority's plans to increase PAN.</p>
Question 2: Do you agree with the proposals to allow all popular and successful schools to increase their Published Admission Number?
<p>Disagree with this proposal for the following reasons.</p> <p>Currently there is a presumption that expansion of successful schools should be approved, and the existence of surplus capacity in other schools should not be sufficient to prevent expansion.</p>

Appendix 1

The government proposes that in respect of an objection to an increase in PAN, there will be a strong presumption in favour of increase unless the increase would lead to a clear threat to pupil safety. In this context, it is of concern that there is no reference to the potential capital implications of increases to PAN nor any requirement to consult the local authority – it cannot be right for circumstances to arise through increases to PAN that may lead to a clear threat to pupil safety.

There should be a requirement to consult the school community, local residents and the local authority, about proposals to increase the PAN, and to take views into account.

Strengthening the presumption in favour of the increase in PAN at successful schools would add to the potential to take children from other schools, and hence add to the danger of a two-tier system of schools arising in an area during a time of reduction in demand for school places.

There may be an issue of inefficient use of resources if additional class(es) are built as a result of these proposals when there is space available at another school(s) locally.

If these concerns were addressed following the consultation, the local authority position could be reconsidered in relation to this proposal.

Proposed criteria for the Schools Adjudicator to take into account include:

- Improvement in educational standards.
- Consistent with the identified local capital investment priorities agreed with responsible bodies in the area. If the government accepts the James Review recommendations, there will be a local capital investment plan drawn up in each local authority area involving all responsible bodies (i.e. those which own and manage facilities) through a process hosted by the local authority.
- Demand for school places in the local area.
- Consideration of the net capacity assessment of the school.
- Value for money in capital terms.
- Outcome of the consultation about the proposal.

Giving admissions priority to children attracting the Pupil Premium

Give a permissive approach to Academies and Free Schools who believe that children attracting the Pupil Premium would thrive in their educational care.

Question 3: Do you agree that Academies and Free Schools should be able to give priority to children attracting the Pupil Premium in their admission arrangements?

Not sure. Why is this proposal not to be made available to community and voluntary aided schools?

The level of the Pupil Premium has been questioned by some commentators - will this proposal have the desired impact if the additional costs exceed the value of the Premium?

Parents would be concerned that local children would not get places if priority was given to children attracting the pupil premium.

The removal of the requirement on local authorities to coordinate in year admissions

A parent, applying for a school place outside of the normal admissions round, would still make initial contact with their local authority for application forms and advise on which schools in their area were over-subscribed. Parents would then apply directly to the schools and those schools would process the forms, notifying the local authority of both the application and the outcome.

Question 4: Do you support the proposal to remove the requirement for local authorities to co-ordinate in year applications?

Agree. This appears a sensible proposal that would reduce bureaucracy and should reduce delays for parents seeking in year admission for their child.

In year co-ordination has meant that children are out of school longer as a consequence of the time taken to co-ordinate with other boroughs.

Use of random allocation

Restrict the use of random allocation to only be used as an oversubscription criterion to individual schools.

Question 5: Do you support the proposed change to the use of random allocation?

Agree. Harrow has not used random allocation as the principal oversubscription criterion for allocating places at the schools in its area (though Bentley Wood community girls' high school uses random computer selection if there are more applications remaining than places available after places have been allocated using the admissions criteria).

Infant class size exceptions

Add two new categories to the list of exceptions:

- twins and children from multiple births;
- UK service personnel children.

Question 6: Do you support proposals to add twins (and multiple births) and children of service personnel to the list of excepted pupils?

Agree. Harrow has already consulted and agreed (to be implemented as and when approved as an exception by the government) that if one child can be offered a place in a preferred school, other multiple birth children will be allocated a place in the same school.

The proposal to add UK service personnel children, along with greater clarity about allocating places in advance, should help to address a national issue identified of disadvantage experienced by some service children.

The consultation also states "We are also consulting on removing the requirement on admission authorities to take correcting measures to get back to 30 at the end of the year in which the excepted pupils enter the class", though there is not a specific consultation question. This would be welcome if it gives schools more flexibility as to how they manage the class and avoid having to take potentially expensive measures for one or two children.

Clarification is needed as to whether crown servants are service personnel.

Appendix 1

Reduction in consultation requirements where no changes to admission arrangements are proposed

Admission authorities should only be required to consult on their admission arrangements once every 7 years if no changes are proposed to their admission arrangements. Any proposed changes must be consulted on before they are determined, other than an increase to the PAN.

Question 7: Do you agree with the proposal that admission authorities who are making no change to their arrangements year on year should only be required to consult once every seven years, rather than once every three years?

Agree, with the exception that there should be consultation about changes to PAN.

Children of school staff

Children of staff at the school to be included as an oversubscription criterion (admission authorities would define what they mean by 'staff').

Question 8: Do you agree with the proposal to allow schools to give priority to applications for children of staff in their over-subscription criteria?

Disagree. There is already provision for this criterion if there is a demonstrable skill shortage. Harrow would agree with this current provision remaining in the revised code.

This would not be popular with parents if places are given to school staff ahead of local parents when there is no skills shortage.

Changes to objections to the Schools Adjudicator

It is proposed to make it possible for anyone to object to the admission arrangements of a state funded school.

Question 9: Do you agree that anyone should be able to raise an objection about the admission arrangements they consider unfair or unlawful, of any school?

Agree. This should serve to strengthen the role of the Schools Adjudicator in a more permissive system of arrangements for admission authorities.

Changes to objections to the Schools Adjudicator

To change the deadline for objections to be referred to the Schools Adjudicator from 31 July to 30 June.

Question 10: Do you agree that the deadline for objections to the Schools Adjudicator should be moved to 30 June from 31 July?

Agree. This should promote resolution of objections without delay because of summer holidays.

Key policy changes to the Appeals code

Operation and governance of appeals panels

Removal of the requirement for all appeals in a multiple appeal for a school to be re-heard if a member of the panel withdraws.

Admission authorities will have to

- hear appeals in appropriate venues (which can include school premises);
- ensure that panel members retain their independence for the duration of their service;
- agree when training is required (all panel members will still have to be trained before serving on the panel).

Question 11: Do you agree with the less prescriptive requirements around the operation, governance and training of appeals panels?

To be drafted.

Timetable for appeals

Admission authorities to give parents at least 30 working days from receiving an offer to prepare and lodge an appeal (currently need only to be given 10 days).

Parents can be requested to provide initial evidence when lodging an appeal.

Admission authorities required to inform parents that any information or evidence not received in advance of the hearing may not be considered at the appeal.

Question 12: Do you agree that the proposed appeals timetable will give more certainty to parents and reduce the number of appeals overall?

To be drafted.

Three stage process

Appeal panels to follow a three stage process (rather than the current two stages):

- the lawfulness and correct application of the arrangements;
- whether prejudice will arise;
- the panel balancing the arguments.

Question 13: Do you agree that the proposed new timetable for lodging and hearing appeals will reduce costs and bureaucracy for admission authorities?

To be drafted.