

School Admissions Code – consultation on changes to the Code.

The Department for Education (DfE) have consulted on changes to the School Admissions Code 2012. The local authority has responded to the consultation and the details below highlight the proposed changes and the Coventry response.

1. Allow all schools (rather than just academies and free schools) to include priority in admission arrangements for pupils eligible for the pupil premium

This change has been in place since 2012 for all academies and free schools. No academies or free schools have taken up this option to date in Coventry. However, as a general principle the local authority would support all types of schools having the same options.

2. Allow primary schools to include priority in admission arrangements for pupils eligible for the early years pupil premium or pupil premium where they attend a nursery which is part of the school.

Some early years provision in the city is via primary school nursery classes, but this is not at every school and the classes service a wider area than a single school catchment and in some cases offer a greater number of places than the number of places available in the school reception. The Code currently does not allow schools to prioritise applications from nursery pupils where this would be unfair to other local children whose parents did not send them to nursery. The Schools Adjudicator has highlighted a large number of cases in the last year where schools have included a link with nursery provision showing that their arrangements are illegal. They have asked the DfE to issue guidance so that “there is fair access to schools for all children on reaching compulsory school age in order that children are not disadvantaged by any decisions their parents make about the care of their children prior to compulsory school age or by access to specific child care.” This recommendation seems to be at odds with the DfE proposal around this specific sub-group of nursery attenders.

Historically parents have sometimes wrongly presumed that admission to the nursery will guarantee admission to the main school, or at least will give them priority. The aim of this change will give priority to a sub-set of these children and lead to continuing confusion for parents.

The statement in the proposal is that this change “will also ensure that there are still sufficient places available in the reception class for local parents who choose not to send their child to the nursery”. Whilst there may be some places available after the admission of such nursery children it can't be said that sufficient places will be available.

Also the process of identifying those applicants for Reception places who are eligible for pupil premium is a complex issue. Changing circumstances mean that parents can move into and out of eligibility, and applications are received well in advance of a child starting school. Do admission authorities (ie 26 own admission authority schools, plus the LA on behalf of 58 schools) assess using the position on the closing date of 15 January, or at another date prior to offers on 16 April, and do we need to retain a position which states that places will be withdrawn if the child is not eligible on starting school on 1 September? Given the change on status of any applicant has a knock on effect on all other applicants applying for places, the decisions on these issues and impact on schools and families will be significant.

Given the range of issues identified the local authority would not support this proposal.

3. Require schools to amend their arrangements within 2 months of a decision by the Schools Adjudicator.

In Coventry we have had recent experience of a school being required to amend their admission arrangements by the Schools Adjudicator, and the difficulties when these requirements overlap with application periods. The local authority supported this action to strengthen the position of implementing School Adjudicator decisions.

4. Reduce consultation periods from 8 to 6 weeks and change the timetable for consultation on changing admission arrangements.

The changes to the timescales which are detailed in the table below are in place so that objections can be lodged and dealt with by the Adjudicator and changes can be put in place within the timescales at point 3. In theory this will prevent there being an overlap with application processes which would cause confusion and difficulties for parents and for co-ordination arrangements administered by local authorities.

	Current	Proposed
Consultation period between these dates	1 November and 1 March	1 October and 31 January
Schools determine admission arrangements	15 April	28 February
LA deadline to notify DfE of adopted co-ordination scheme	15 April	28 February
Deadline for admission authorities to send a copy of new arrangements to LA	1 May	15 March
Deadline for LA to publish details on policies and referring objections to the Schools Adjudicator	1 May	15 March
Deadline for objections to the Schools Adjudicator, and for deadline for local authorities to report to the Schools Adjudicator on admission arrangements in their area	30 June	15 May

Some schools in Coventry failed to respond to current deadlines for the submission and publication of their admission arrangements. Late publication means that late objections to the Schools Adjudicator have to be accepted, so the premise of ensuring all disputes are settled before the end of the summer term each year under the new timetable may continue to be difficult to achieve.

5. Incorporating some non-statutory advice within the Code on how to deal with applications for summer born children where parents want them to be admitted into the year below their normal age group

The details provided would fit with the processes currently in place in Coventry, as these already adhere to the non-statutory advice issued.

6. Incorporate recent departmental guidance on definitions of previously looked after children

This is already being followed in Coventry so will have no impact.

7. Minor technical drafting changes to aid clarity

All details will assist in correcting anomalies that are within the Code due mainly to changes in terminology (eg SEN statements to Education, Health and Care plans) or legislative references.

Next steps

- DfE timetable currently identifies that they will aim to issue an amended School Admissions Code by mid-December.

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