

**Report to:** Children and Young People's Panel  
Cabinet

**Date:** 15 January 2009  
22 January 2009

**Subject:** Proposed admission arrangements 2010-2011:  
foundation and voluntary aided schools

**Report of:** Director of Children and Young People's Services

**Contact officer:** Janet Newton 01942 486004  
email janet.newton@wigan.gov.uk  
Julie Hough 01942 486035  
email julie.hough@wigan.gov.uk

---

**Purpose / summary:**

The purpose of this report is to:

- inform members of the proposed admission arrangements for foundation and voluntary aided schools for 2010-2011 and the Admission Forum Advice on these: and
- make recommendations for the LA response to the proposals

**Alternative options considered and reason for selecting the one recommended:**

The recommended options take into account the Admission Forum's advice and guidance in the School Admissions Code of Practice

**Recommendation / decision:**

Subject to the advice received from the Admission Forum, that will be made available at the Panel and Cabinet meeting, it is recommended that members agree that the local authority inform the governing bodies of foundation and voluntary aided schools of the authority's advice on their proposed admission arrangements.

It is also recommended that members give delegated power to the Director of Children and Young People's Services, to object to and refer to the Schools Adjudicator if necessary any determined admission arrangements for 2010-2011 which do not comply with the Admissions Code or Admission Forum advice, because of the limited timescale for objections.

**Key Decision:**

This report does not involve a key decision. The decision made as a result of this report will be published within **48 hours** and cannot be actioned until **seven working days** have elapsed, i.e. before 3 February 2009.

**Risks / Implications:**

Financial:	None
Staffing:	None
Policy:	None
Equal Opportunities - Has a Diversity Impact Assessment been conducted?	No
Wards affected:	All

**Property Implications – Does the proposal involve a reduction, addition or change to the Council’s asset base or its occupation?**

No

**If yes, have the property implications been agreed with the Corporate Property Officer?**

**Does this proposal have significant implications for the Council and the local population?**

A diversity impact assessment is not necessary at this stage, however, equality and diversity implications have been considered when producing this report.

**Does this proposal involve a new policy or procedure or significant changes to an existing policy or procedure?**

A diversity impact assessment is not necessary at this stage, however, equality and diversity implications have been considered when producing this report.

Has the Service Director - Borough Solicitor confirmed that the recommendations within this report are lawful and comply with the Council’s Constitution? **Yes**

Has the Service Director - Corporate Services confirmed that any expenditure referred to within this report is consistent with the Council’s budget? **Yes \***

Are any of the recommendations within this report contrary to the Policy Framework of the Council? **No \***

\* delete which applicable

**For Cabinet reports only :**

Categorisation of the report:			

Discussion leading to a decision	
Monitoring	
Sharing for corporate understanding	

Discussion	
Decision	X
Information	

---

**Tracking/Process:**

	Consultation	Ward Members	Partners
Panel	Overview & Scrutiny	Cabinet	Council
15.1.09		22.1.09	

There are no Background Papers to this Report within the meaning of Section 100D of the Local Government Act 1972.

Proper Officer



Date

2<sup>nd</sup> January 2009

## **1. Background:**

- 1.1 The current regulations relating to consultation on admission arrangements are detailed in the Admissions Code 2007.
- 1.2 The Secretary of State has recently presented a revised Admissions Code of Practice which will come into force in February 2009. The LA advice given in this report ensures compliance with both the Admission Code 2007 and 2009.
- 1.3 Local authorities are required to promote fair access to equal opportunity, promote high standards and the fulfilment by every child of his educational potential, secure choice and diversity and respond to parental representations. This underpins a modernised role for local authorities as the commissioners of school education, ensuring equality of provision for all in a system that is responsive to the needs of parents and children.

## **2. Consultation on admission arrangements**

- 2.1 The governing bodies of voluntary-aided and foundation schools must consult the local authority, their diocese, other governing bodies, parents and community groups on the full details of their proposed admission arrangements. The time scale for consultation is statutory and ends on 1 March 2009.
- 2.2 The purpose of this report is to give details of the proposed admission arrangements for foundation and voluntary aided schools and the Admission Forum advice so that members can agree the local authority response.
- 2.3 Governing bodies must consider any responses to their proposals. All admission authorities must 'determine' (finalise) their admission arrangements by 15 April 2009. If any of the consultees want to object to the determined arrangements, they must do so through the Schools Adjudicator.
- 2.4 Local authorities must report to the Schools Adjudicator on the lawfulness and effectiveness of admission arrangements for all maintained schools in their area.
- 2.5 Local authorities may be held to account by the Local Government Ombudsman if having been made aware of admission arrangements that are unfair, unlawful or do not comply with the Admissions Code, they do not refer their objections to the Schools Adjudicator.
- 2.6 The Schools Adjudicator has the power to scrutinize the determined admission arrangements of any admission authority to check for compliance with the Admissions Code.

## **3. Admission numbers**

- 3.1 A school must have an admission number for each 'relevant age group'. Admission authorities must set admission numbers with regard to the net capacity assessment for the school. In April 2006 council agreed that admission numbers for secondary schools should reflect at least the minimum number generated by the Net Capacity Assessment of the school buildings.

- 3.2 In January 2008, the Admission Forum considered the proposed secondary school admission numbers for 2009-2010. St John Fisher, St Edmund Arrowsmith, St Mary's and St Peter's Catholic High schools all had proposed admission numbers that did not meet the minimum number generated by the net capacity assessment. The Forum took the view that because of the secondary school review, they would not object to the proposed admission numbers.
- 3.3 Appendix 1 shows the proposed admission numbers for secondary foundation and voluntary-aided schools submitted at the time of writing this report. It includes details of the minimum and maximum numbers generated by the net capacity assessment. The admission numbers proposed by St John Fisher and St Peter's Catholic High Schools are below the minimum number indicated by the net capacity assessment.
- 3.4 All but one school have not proposed a change in their admission number for 2010-2011.
- 3.5 The Governors of St Edmund Arrowsmith Catholic High School have proposed an increase in their admission number from 240 to 249. The increased admission number will ensure this falls within the range of the net capacity assessment.
- 3.6 Appendix 2 shows the proposed admission numbers for primary voluntary-aided schools. The proposed numbers ensure that admission numbers allow schools to comply with infant class size regulations. At the time of writing this report all but 3 schools are proposing no change to their admission numbers.
- 3.7 The Governors of Hindley St Peter's CE Primary School have proposed an expansion to the school and an increase in admission number from 35 to 45. As this proposal is an expansion of the school it requires statutory consultation under School Organisation Regulations. Cabinet was consulted on this proposal on 27 November 2008 and supported it.
- 3.8 The Governors of Ince CE Primary School have proposed a decrease in their admission number from 75 to 60. The school has surplus places and there is a continuing trend of falling pupil numbers. The admission number of 60 will ensure parental preferences will be met and that the school complies with the infant class size regulations.
- 3.9 The Governors of Orrell St James' Catholic Primary School have proposed an admission number of 40. The School Adjudicator had approved Governors request to a temporary increase in their admission number for 2008-2009 and 2009-2010 intakes only to meet the need for Catholic places for the two year period. Governors have now proposed that their admission number reverts to 40.
- 3.10 The details of the proposed admission numbers will be considered by the Admission Forum at its meeting on 8 January. Admission Forum advice will be made available for Panel and Cabinet at the meeting.

#### **4. Oversubscription criteria**

- 4.1 The Admissions Code says that oversubscription criteria must be 'objective, clear, fair, compatible with admissions and equal opportunities legislation and have been decided with regard to any relevant advice from the Admission Forum'.
- 4.2 Appendix 3 shows a breakdown of the officers comments on the proposed admission arrangements for foundation and voluntary aided schools.
- 4.3 The details of the proposed admission arrangements will be considered by the Admission Forum at its meeting on 8 January 2009. Admission Forum advice will be made available for Panel and Cabinet at the meeting.

## **5. Proposals:**

- 5.1 It is recommended that members agree that the Director of Children and Young People's Services inform the governing bodies of foundation and voluntary aided schools of the LA and Admission Forum advice.
- 5.2 It is recommended that members give delegated power to the Director of Children and Young People's Services, in consultation with the Cabinet Member for Children and Young People's Services, to object to any further governing body proposals and refer to the Schools Adjudicator if necessary any determined admission arrangements for 2010-2011 which do not comply with the Admissions Code or Forum advice because of the limited timescale for objections.

## **6. Alternative options considered and reason for the recommended option:**

- 6.1 The alternative options considered take into account the Admission Forum's advice, guidance in the Admission Codes and advice from the School Adjudicator.

## **7. Conclusions**

- 7.1 It is recommended that Members should note the content of this report and endorse recommendations subject to Admission Forum advice that will be provided at the meeting.

**Foundation and voluntary aided secondary school proposed admission numbers**

<b>School</b>	<b>Determined Admission Number 2009/10</b>	<b>Minimum admission no. Dec '08</b>	<b>Maximum admission no. Dec '08</b>	<b>Proposed Admission Number 2010/11</b>
Hindley	187	173	192	187
Deanery	250	210	234	250
St John Fisher	200	216	240	200
Hesketh Fletcher	200	192	213	200
St Peter's	178	184	204	178
St Mary's	260	257	286	260
St Edmund Arrowsmith	240	247	275	249

\* Information not submitted at the time of writing this report.

School Number	School Name	Determined 9-10	Proposed 10-11
301	Abram CE	35	35
302	Our Lady Immaculate	20	20
303	St Wilfrid's	30	30
305	St Oswald's	50	50
307	St Thomas CE	36	36
309	Aspull Holy Family	20	20
310	Aspull Our Lady RC	30	30
314	Atherton St Michael's	30	30
316	Atherton Sacred Heart	25	25
318	Atherton St Georges	30	30
319	Atherton St Phillips	35	35
320	Atherton St Richards	30	30
321	Bickershaw CE	25	*
322	Golborne St Thomas CE	30	30
323	Golborne All Saints	30	30
325	Haigh and Aspull St David	30	30
327	Hindley Castle Hill CE	30	30
328	Hindley All Saints CE	30	30
330	Hindley St Benedict's RC	30	30
332	Hindley St Peters	35	45
333	Hindley Green St Johns CE	30	30
334	Hindley Green Sacred Heart	30	30
336	Ince CE	75	60
337	Platt Bridge Holy Family RC	30	30
340	St Williams RC	30	*
342	Leigh St Thomas CE	60	60
343	Leigh CE Infants	60	60
344	Leigh Christ Church CE	30	30
346	Leigh Sacred Heart RC	45	45
348	Leigh St Gabriel's RC	20	20
349	Leigh St Johns CE Infants	45	45
351	Leigh St Josephs RC	30	30
353	Leigh St Peters – Infants	60	60
354	Leigh St Peters – Juniors	60	60
355	Leigh Twelve Apostles	30	30
356	Westleigh St Pauls	30	30
357	Lowton St Catherine's RC	30	30
358	Lowton St Luke's CE	30	30
359	Lowton St Mary's CE	30	30
360	Orrell St James RC	50	40
361	St Bernadette's RC	30	30
363	Standish St Wilfrid's CE	75	75
364	SLG St Annes	20	20
365	Standish St Marie's RC	30	30
366	St Ambrose Barlow	30	30
367	Astley St Stephens	30	30
368	Boothstown Holy Family	30	30
369	Mosley Common St Johns CE	22	22
373	Highfield St Matthews	60	60
374	Sacred Heart RC Wigan	60	60
375	St Aidan's RC Wigan	45	45
376	St Andrews CE	30	30
377	St Catherine's CE	30	30
379	St Cuthbert's RC	50	50
382	St Johns CE	30	*
385	St Judes RC	30	30
386	St Marks CE	30	30
387	St Mary and St John RC	30	30

389	St Patrick's RC	45	*
390	St Pauls CE	30	30
393	Aspull Church School	30	30
394	St Georges Central Tyldesley	40	40
395	Canon Sharples CE	50	50

\* Indicates which schools have not submitted details at the time of writing this report.

## 1. Oversubscription criteria for voluntary aided schools

Officers have prepared a table attached to identify which foundation and voluntary aided schools:

- Do not comply with the statutory requirements of the Admissions Code
- Where officers consider that the admission criteria could be improved

### 1.1 Children in public care

The Admissions Code states that in a school's published admission arrangements the first and highest oversubscription criterion must be in respect of children in public care. The only exception is for faith schools. Faith schools may give priority to all children in public care of the faith, followed by other children of faith. Children in public care not of their faith must be given priority over any other children not of their faith.

Recommendation: Where schools do not comply with this mandatory requirement, the LA will be required to make a referral to the School Adjudicator.

### 1.2 Tie-breaker

The Admissions Code says it is a statutory requirement that admission authorities ensure they have an effective tie-breaker. Failure to determine admission arrangements in accordance with the mandatory requirement of the Code would be a breach of their statutory duty.

Recommendation: Where schools fail to comply with this requirement the LA would be required to make a referral to the School Adjudicator. Advise schools to ensure they have an effective tie-breaker as part of their admission arrangements.

### 1.3 Late applications

Some voluntary aided schools have as part of their admission arrangements, details of how they deal with late applications which conflicts with the proposed arrangements in the co-ordinated scheme.

The Admissions Code clearly states that admission authorities should include information about how late applications can be made and how they will be handled, as agreed in the co-ordinated scheme.

Recommendation: Advise schools they must adhere to the arrangements in the co-ordinated scheme and the LA will be required to make a referral to the School Adjudicator when they do not comply.

### 1.4 Distance from home to school and measuring points

The Admission Code states that admission authorities should explain clearly how distance from home to school will be measured including the points at the school and the child's home from which distance will be measured.

Recommendation: Advise schools to amend their admission criteria to clearly state the measuring points. If schools fail to do this advise the 'default' definition for measuring home to school will apply. The default definition is that used for community and controlled schools.

### **1.5 No others**

The Admissions Code states that Admission Forum must encourage schools in their area to have arrangements that extend choice to parents whatever their social group. The Admissions Code states that while they cannot be guaranteed a place at a particular school for their child, parents must be free to express a preference for the school or schools they want for their children.

The table identifies that schools who do not have a category relating to 'Any other children' or 'Those who express a preference for a place at the school'. By omitting this category admission authorities are in effect not allowing pupils regardless of their social group to apply for places.

Recommendation: Advise schools to amend their admission criteria to include any other children or children who express a preference for a place at the school.

### **1.6 Sibling definition**

It is good practice to give priority to children with siblings at school, especially for primary age children. Most Wigan and community, foundation and voluntary aided schools give siblings priority. The Admissions Code states that where admission authorities have this as part of their admission criteria they must state what they define as a sibling link.

Recommendation: Advise schools to ensure they include a definition of sibling link as part of their admission arrangements. If schools fail to do this advise the 'default' definition for sibling link home to school will apply. The default definition is that used for community and controlled schools.

### **1.7 Church attendance and/or membership**

Some voluntary aided schools give priority in their oversubscription criteria to children who are member of, or practice, their faith or denomination.

The Admissions Code states that faith-based oversubscription criteria must be clear, fair and objective. Parents must easily be able to understand how the criteria will be satisfied.

Recommendation: Advise schools to define more clearly how the criteria will be satisfied.

### **1.8 Residence**

The Admissions Code states that where a child lives with parents with shared responsibility the admission authority must make it clear how the home address will be determined in a clear and considered way.

Recommendation: Advise schools to ensure they clarify which home address will be used when applying the admission criteria. If schools fail to do this advise the 'default' definition for residence will apply. The default definition is that used for community and controlled schools.

## **1.9 Social and medical need**

Some schools have a note in their admission arrangements stating they will give priority to children with a proved medical or social need for attending the school.

The Admissions Code states that parents must be able to make informed decisions when applying for school places.

Recommendation: Advise school should remove this from their notes. If they wish to give priority to such children they should show how these children will get priority in their oversubscription criteria.

## **1.10 Supplementary information forms**

The Admissions Code states that only information with a direct bearing on oversubscription criteria should be requested on Supplementary Information Forms.

Recommendation: Advise schools to amend their Supplementary Information Forms to comply with this requirement.

## **1.11 Unclear**

The Admissions Code states that parents must be able to make informed decisions when applying for school places.

Recommendation: Advise schools to amend their admission arrangements to address areas of ambiguity.

