

**CABINET MEETING: 15 MARCH 2018**

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**SCHOOL ADMISSION ARRANGEMENTS 2019/20**

**EDUCATION, EMPLOYMENT & SKILLS (COUNCILLOR SARAH MERRY)**

**AGENDA ITEM: 7**

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**REPORT OF DIRECTOR OF EDUCATION AND LIFELONG LEARNING**

**Reason for this Report**

1. In accordance with Section 89 of the School Standards and Framework Act 1998 and the Education (Determination of Admission Arrangements) (Wales) Regulations 2006, Admission Authorities are required to review their School Admission Arrangements annually.
2. This report is to inform the Cabinet of responses received following public consultation on the Council's School Admission Arrangements 2019/20.

**Background**

3. In order to comply with the legislation above, School Admission Arrangements for implementation in the 2019/20 academic year (i.e. from September 2019) must be determined on or before 15<sup>th</sup> April 2018.
4. The Education (Determination of Admission Arrangements) (Wales) Regulations 2006 and the School Admissions Code set out the procedure which admission authorities should follow when determining their admission arrangements, including that proper consultation must be carried out and that the arrangements should be determined by 15<sup>th</sup> April in the school year beginning two years before the school year which the arrangements will be for.
5. The Cabinet at its meeting of 16 March 2017 considered a report on School Admissions Arrangements for 2018/2019 which outlined the need to assess the suitability of the Council's system for allocating school places at a time when surplus places in secondary schools are reducing, and an increasing number of schools are oversubscribed, as the increased pupil population promotes to secondary education. Following consideration of consultation responses the Cabinet authorised officers to consider further the Council's school admission

arrangements, including wider research into alternative options and the impact of each, in advance of consultation on the Council's School Admissions Policy 2019/20.

6. The Council subsequently engaged Professor Chris Taylor, Wales Institute of Social & Economic Research, Data & Methods (WISERD), Cardiff University, School of Social Sciences to undertake the research which predominantly focused on secondary school admissions, although any significant issues in primary was also taken into consideration.
7. The Cabinet considered the WISERD research report at its meeting of 16 November 2017 and brought forward a consultation on arrangements which sought to respond to the research findings by simplifying existing criteria, and invited comments on alternative options for admission to secondary education.

## **Issues**

### **Summary of the Council's School Admission Arrangements 2019/20 Consultation**

8. The Council's draft School Admissions Policy 2019/20 and a consultation document setting out the proposed changes (see Appendix 1 and Appendix 2) were issued for consultation on 12 December 2017 to all those the Council are required to consult with as set out in the Welsh Government's School Admissions Code (Headteachers, Governing Bodies, Diocesan Directors, neighbouring Local Education Authorities). The consultation closed on 30<sup>th</sup> January 2018.
9. The Policy, consultation document and an on-line response form were published on the Council website which provided an opportunity for parents and other interested parties to comment. Responses were requested to be returned by 30<sup>th</sup> January 2018.
10. Proposed oversubscription criteria for 2019/20 are set out on pages 9 and 10 of the consultation document (Appendix 2).
11. As part of the consultation, ten drop in sessions were held where officers were available to answer question.
12. Additionally an on-line pupil survey for both primary and secondary pupils, asking pupils to identify what is important to them when they think about going to school, was distributed to schools.

### **Responses received regarding the draft policy during the consultation period**

13. A total of 1,202 consultation responses were received (including six which were identified as duplicate responses). Of these 517 were on-line responses, 413 were on-line pupil's responses to a pupil survey

and the remainder received via e-mail or hard copies of a consultation response form.

14. Formal responses were received from:
  - Cardiff Admissions Forum
  - Cardiff Welsh Education Forum
  - The Diocese of Llandaff
  - The Diocese of Monmouth
  - The Liberal Democrat Council Group
  - Jenny Rathbone AM
  - Birchgrove Primary School Governing Body
  - Howardian Primary School Governing Body
  - Marlborough Primary School Governing Body
  - Roath Park Primary School Governing Body
  - St Monica's Church in Wales Primary School Headteacher
  - Ysgol Hamadryad Governing Body
  - Ysgol Gymraeg Pwll Coch Governing Body
  - Ysgol Pencae Headteacher
  - Whitchurch High School Governing Body
  - Ysgol Gyfun Gymraeg Plasmawr Headteacher
  - Albany Solicitors
  - Marlborough Children's Action Group
  - Rhieni dros Addysg Gymraeg (RhAG)
15. Copies of the full responses can be seen at Appendix 3.
16. The views expressed were largely related to the proposed removal of the directed sibling criteria within the primary and secondary school oversubscription criteria, the proposed inclusion of attendance at a feeder primary school based criteria within the secondary school oversubscription criteria, the Cardiff High School catchment area and demand for places/oversubscription at Cardiff High School.
17. Few comments were made in respect of the proposed changes to the oversubscription criteria for admission to nursery education and primary education, nor to other admissions arrangements.
18. A summary analysis of responses received is attached at Appendix 4. The analysis indicates that the majority of responses were in favour of, or did not comment on, proposed changes to the oversubscription criteria for admission to nursery, primary and secondary education.
19. The majority of responses were in favour of oversubscription criteria Option B for admission to secondary education.
20. A summary analysis of the 413 responses received to the pupil survey is attached at Appendix 5. The analysis indicates that the priorities for pupils when considering what is important to them when they think about going to school are, in order of importance, proximity to home; attending the same school as siblings; attending school with primary

school peers and prioritising the admission of children with Additional Learning Needs.

21. The points of view received as part of the consultation are set out in *italics* below and have been grouped according to the issues raised where appropriate. The Council's response to each point can be seen underneath, under the heading "Appraisal of views expressed".

## **Summary of responses received and appraisal of views expressed**

### Response from Cardiff Admissions Forum

22. The role of the Admissions Forum is to provide a mechanism for admission authorities and other key interested parties to discuss the effectiveness of local admission arrangements, consider how to deal with difficult admission issues and advise admission authorities on ways in which their arrangements can be improved. The Admissions Forum includes representatives from the Church in Wales Diocese, Roman Catholic Diocese, Headteachers of community, foundation and faith schools, and a Parent Governor representative.
23. A response from the Admissions Forum included the following points (a copy of the full response can be seen at Appendix 3).
24. *The Forum supported the proposed changes to the admission to nursery criteria.*
25. *The Forum supported changes to the primary criteria in order to ensure that admissions criteria sufficiently take account of the needs of families appropriately and equitably given the changing pattern of education provision now and in the future.*
26. *The proposed removal of the 'directed sibling' criteria, given the high number of catchment area changes and/or school organisation proposals and the frequency of change, could result in families being disadvantaged in areas subject to change particularly at primary level when the logistical challenge of transporting siblings to different schools would present the most difficulties. Additionally, the national policy to increase the number of Welsh-speakers could result in further changes and this sector may be more affected as a whole with future changes expected which would be in addition to growth anticipated from LDP housing. The Forum therefore recommends that the criteria included in the proposed primary over subscription criteria remain and that a variation of the existing 'directing sibling' (current criteria 3b) criterion also be included immediately above the 'residence in catchment area' only criterion.*
27. *The Forum recommends that the other directed sibling criterion (current criterion 3b) be removed as proposed.*
28. *With regard to admission to secondary education, the Forum acknowledge the benefit of transition with peers afforded by Option B,*

*however implementation of Option B could put families that had been keen to educate their children through the medium of Welsh who subsequently felt it did not suit their child at a disadvantage should they wish to return to an English-medium school.*

29. *Many children attending church primary schools do not succeed in securing a place at a faith secondary school, with Option B placing them at a disadvantage when applying for a place at a community high school.*
30. *Additionally, implementation of Option B would impact on areas of the city where mobility can be significant with children who may have to move through no fault of the family, many of which may be vulnerable already being further disadvantaged.*
31. *The Forum was in favour of Option A.*
32. *The Forum welcomed the simplification of criteria to make them easier for families to understand.*

#### Appraisal of views expressed by Cardiff Admissions Forum

33. The Admissions Forum's support for the proposed changes to the admission to nursery and primary education oversubscription criteria is noted.
34. The Forum's support for the retention of the 'directed sibling criteria' 3a for admissions to primary school is noted.
35. The proposed removal of criteria 3a and 3b (primary) and 2a and 2b (secondary) was brought forward to simplify and reduce the number of criteria. These criteria give priority to children whose sibling was directed by the Council to an alternative school because the alternative school was previously the catchment area, and to siblings of children who were unable to attend their catchment area school and were subsequently directed to an alternative school.
36. Few applications (0.06% for all school preferences) submitted for entry to school in 2017 were on the basis of meeting these criteria. A total of seven places were allocated under these criteria for entry to school in 2017, four of which would have been admitted under an alternative criterion.
37. A number of consultation responses received including those of the Welsh Education Forum, Ysgol Gymraeg Pwll Coch, Ysgol Pencae, RhAG and parents did not support the proposed removal of criteria 3a (primary) and/ or 2a (secondary) as this has provided reassurance for those parents enrolling children in schools that may be subject to changes to catchment area boundaries.
38. The Council's Band B 21<sup>st</sup> Century Schools investment programme, approved in principle by the Welsh Government includes a number of

changes to English-medium secondary school provision including increases to school capacity. In order to better match the proposed capacities of schools to primary school catchment areas, it is likely that a number of changes to catchment areas of these and other schools may be required.

39. This issue is of particular concern in the Welsh-medium sector, in which a number of changes have been implemented in the past ten years as the number of pupils taught through the medium of Welsh has increased and organisational changes have been necessary.
40. A formal response from the Welsh Education Forum also suggested that in order to continue to increase the number of pupils entering Welsh-medium education, and to support the Council in implementing its 5-year Bilingual Cardiff Strategy, the Council should retain criterion 3a (primary) and expand this to support newly established schools without a catchment area.
41. The Council therefore proposes that the following criterion is added as a high priority criteria within the oversubscription criteria for entry to primary education:

*'Children who have a brother or sister attending the school, admitted before catchment area change.'*

The Admissions Policy would include information clarifying this as:

- a) Where an older sibling was admitted to and continues to attend a school that was previously the catchment area school, if the parent applies, the Council will admit younger siblings to the former catchment school.
  - b) Where an older sibling was admitted to and continues to attend a newly established community school without a determined catchment area, if the parent applies, the Council will admit younger siblings to this school.
42. The Admissions Forum support for Option A for admissions to secondary education is noted.

#### Response from Welsh Education Forum (WEF)

43. The role of the Welsh Education Forum is to contribute to the development and implementation of a Welsh in Education Strategic Plan, to actively inform the planning of Welsh-medium places, to contribute to the development and promotion of Welsh-medium education, and to contribute to the aspirations for Welsh-medium education to be fully integrated into the Bilingual Cardiff Strategy (2017-2022).
44. The Welsh Education Forum includes early years representatives, Headteachers of Welsh-medium primary and secondary schools,

further and higher education representatives and members representing Welsh Government, Central South Consortium, Rheini Dros Addysg Gymraeg, Menter Caerdydd and Menter Iaith.

45. A response from the Welsh Education Forum included the following points (a copy of the full response can be seen at Appendix 3).
46. *The issues affecting the Welsh-medium sector and admissions to it are different to those issues presenting in and affecting families expressing preference to access English-medium schools.*
47. *Whilst the sufficiency of Welsh-medium nursery education places continues to cause concern in some parts of the city, the Forum supported the proposed changes to the admission to nursery oversubscription criteria.*
48. *The main concerns related to the proposed removal of the 'directed sibling' criteria given the high number of catchment area changes and/or school organisation proposals and the frequency of change which could result in families being disadvantaged in areas subject to change particularly at primary level when the logistical challenge of transporting siblings to different schools would present the most difficulties. Additionally, the national policy to increase the number of Welsh-speakers could result in further changes and this sector may be more affected as a whole with future changes expected which would be in addition to growth anticipated from LDP housing.*
49. *The Forum therefore recommend that the criterion included in the proposed primary over subscription criteria remain and that a variation of the existing 'directing sibling' (current criteria 3a) criteria also be included immediately above the 'residence in catchment area' criteria.*
50. *There was broad agreement with the proposed criteria as set out in both Options A and B for admissions to secondary education. The WEF stated a preference for Option B overall as the transfer of pupils with their primary school peer group was felt to be of importance. Members agreed that there were disadvantages to some as set out in the supporting documentation but, on balance, felt that the advantages were greater when considering the impact on children and families accessing Welsh-medium education in the Cardiff context. These included the planning for an effective and efficient curriculum and the delivery of high quality transition which were felt to be better supported by a criterion which enables peers moving together where possible.*
51. *The WEF agreed that the removal of the 'directed sibling' criterion would be appropriate in the secondary phase and would support both the planning and provision of places more efficiently particularly given the potential range of changes that could impact on the sector in coming years.*

Appraisal of views expressed by Welsh Education Forum (WEF)

52. Whilst there are fewer Welsh-medium schools at both primary and secondary level and there have been a greater range of changes to the organisation of schools and catchment areas, there is no evidence to suggest that the needs of Welsh-medium schools should be considered differently nor that there would be an advantage to alternate criteria on the basis of the language of instruction.
53. The Forum's support for the proposed changes to the admission to nursery criteria is noted.
54. The concerns expressed with regard to the proposed removal of the directed sibling criteria given future changes that will arise out of national policy, implementation of the Band B 21<sup>st</sup> Century programme, and the establishment of new schools as a result of the development of LDP sites are addressed at paragraphs 34 – 41.
55. The Forum's support for the retention of the 'directed sibling criteria' 3a for admissions to primary school is noted.
56. The Forum's support for Option B for admissions to secondary education, and the rationale for this, is noted.

#### Response from The Diocese of Llandaff

57. A response from the Diocese of Llandaff included the following points (a copy of the full response can be seen at Appendix 3):
58. *The Diocese of Llandaff is a major and long-term provider of education. It seeks close and purposeful relationships with all its partners to secure the best outcomes for all children.*
59. *Option A makes no reference to feeder schools as one of the criteria but does refer to residence in a defined catchment area. However, Option B refers to children resident in the school's defined catchment area, either with or without a brother or sister already in attendance at the secondary, and in attendance at a linked feeder school*
60. *No Church in Wales schools are included in that list and there is no recognition that in fact there already exists strong and meaningful links, often more than the informal partnerships that define what a feeder school is, with local secondary schools. Section 7.7 of the draft Admission Policy is explicit that those attending feeder schools have priority over those in the catchment area not attending a feeder school. Using the Authority's own definition of a feeder school as one where there are informal links, these should include Church in Wales schools*
61. *The introduction of Option B for the basis for oversubscription would significantly disadvantage children from Church in Wales primary schools who either do not wish to transfer to one of the Church in*



*Wales high schools or who were not given a place at one of the Church in Wales high schools.*

62. *Children from an ethnic minority background, especially those whose parents may have poor English or literacy skills, would be at a disadvantage as they are less likely to be able to afford the travel to and from a Church in Wales high school. Using feeder schools as criteria for admission would be divisive because parents' perceptions would further divide Church schools from community schools*
63. *The current Admission Policy is compliant with the Equality Act 2010 and the Welsh Government's School Admissions Code E.3. This has been subject to the authority's equality impact statement which states that an admission authority must not discriminate on grounds of disability, gender assignment, race and, amongst others, religion or belief. Whether Option B would still fulfil this requirement or be in breach of it is not clear.*
64. *We feel strongly that Option B as a set of criteria as oversubscription for admission to secondary schools would significantly disadvantage children from Church in Wales primary schools. Church in Wales primary schools have had purposeful links with local secondary schools for many years and fulfil the authority's definition of a feeder school.*
65. *Should Option B be accepted then we strongly maintain that, to ensure equality of opportunity, Church in Wales primary schools are recognised as feeder schools in any future Admission Policy. The Diocese recommends that Option A be accepted.*

#### Appraisal of views expressed by The Diocese of Llandaff

66. The Diocese's support for Option A for admissions to secondary education is noted.
67. The concerns expressed on the proposed inclusion of a 'feeder school' criterion (Option B) and the impact on children attending Church in Wales primary school are noted.
68. Analysis of the most recent verified PLASC (Pupil Level Annual School Census January 2017) data (attached as Appendix 6) indicates that there is a poor match between the aggregated admission numbers of the community primary schools and the secondary schools in whose catchment areas they are nested.
69. A comparison exercise was undertaken between the numbers of pupils who are attending feeder schools and are also resident within catchment area against the Published Admission Number (PAN) of the respective linked secondary school, in the cohort due to promote to secondary education in the 2019/20 school year. This indicates that 4 of the 13 secondary schools (Cardiff West Community High School, Eastern High, Fitzalan High School, and Llanishen High School) had

more pupils resident within catchment who were attending feeder schools than could be accommodated in their linked secondary schools.

70. The addition of Church in Wales primary schools as feeder primary schools for community high schools has not been proposed as this would, in many areas of Cardiff, further increase the imbalance between the number of pupils and places in feeder primary schools and the number of places in community secondary schools.
71. The implementation of feeder school based criteria, as presented, would prevent those pupils attending Church in Wales primary school from consideration under the higher oversubscription criteria for admission to their catchment area community secondary school. As a result, those children attending Church in Wales primary school who do not meet the faith based priority criteria for admission to Church in Wales high schools would also be disadvantaged when applying for a place at community secondary schools.

#### Response from Monmouth Diocesan Trust

72. A response from the Monmouth Diocesan Trust included the following points (a copy of the full response can be seen at Appendix 3):
73. *We understand that admissions processes can be very complicated and, at times, controversial and we appreciate the desire to consider alternative processes that might better serve communities in Cardiff. However, any alternatives need to ensure that they are inclusive and representative of the communities they serve.*
74. *For admission to secondary education, two alternatives are proposed – Option A and Option B - with the difference between the options being the inclusion of a ‘feeder school’ criterion within Option B. Appendix 2 of the draft policy document sets out details of feeder schools relevant to Option B however church schools have not been included despite the fact that church schools being listed at Appendix 1. Therefore, the impact of the proposed changes to criteria as set out at pages 11-13 comparing the impact of Options A and B are flawed due to incomplete data sets which exclude the significant impact of children from feeder church schools.*
75. *Whilst the both the Equality Impact Assessment and the consultation document set out the Council’s commitment to equality of opportunity, by putting forward a proposal with feeder school criterion which ignore all church schools, there is a very clear negative differential impact being outlined. Section 3.7 states that you deem the new admissions proposals to have no differential impact on people with different religions, beliefs or non-beliefs. This is something we challenge strongly. By putting forward a proposal with a feeder school criterion which ignores all church schools, there is a very clear negative differential impact being outlined*

76. *There are not sufficient places in CiW high schools within Cardiff for all those leaving CiW primary schools. Many maintained voluntary aided schools are established and significant feeder schools to (and have strong partnerships with) community secondary schools. Regardless of whether the numbers of these pupils are smaller than those from other schools, this constitutes discriminatory practice.*
77. *Option B clearly discriminates against CiW schools, as co-providers of education, and is seriously flawed making it an unviable option for consideration. The Diocese of Monmouth recommends that as the proposal document stands, Option A be accepted.*

#### Appraisal of views expressed by Monmouth Diocesan Trust

78. The Diocese's support for Option A for admissions to secondary education is noted.
79. The concerns expressed on the proposed inclusion of a 'feeder school' criterion (Option B) and the impact on children attending Church in Wales primary school are noted.
80. Issues related to the inclusion of Church in Wales primary schools as feeder schools are addressed at paragraphs 68-71.
81. It is noted that there are 240 places at entry to St Teilo's Church in Wales High School of which 160 are allocated on the basis of faith based criteria, and a further 180 places at The Bishop of Llandaff High School of which 150 places are administered on faith based criteria which serve pupils in Cardiff and the Vale of Glamorgan.
82. The number of places per year group in Church in Wales primary schools within Cardiff amounts to 305.
83. Whilst there are sufficient places in the Church in Wales high schools in Cardiff to accommodate those pupils attending Church in Wales primary schools, the Governing Bodies of each school would be required to revise their admissions arrangements in order to accommodate all pupils attending Church in Wales primary schools in Cardiff.

#### Response from Liberal Democrat Council Group

84. *The group supports the proposed changes to the admission to nursery criteria.*
85. *With regard to admissions to primary education, the group recognises that the Council is attempting to clarify the admissions criteria in order to ensure parents and guardians are better informed and better able to use the admissions criteria, reducing the number of children refused a place at their local primary school.*

86. *The group is however concerned at the impact of the proposed changes to the sibling rule on the provision of and access to Welsh-medium education. Welsh-medium catchments are far larger than those for English-medium schools, which poses additional difficulties for parents facing the possibility of having siblings in different schools with the potential for the proposals to have an adverse effect on families seeking Welsh-medium education.*
87. *With regard to admissions to secondary education, the use of proximity alone in prioritising the allocation of places in over-subscribed school means relying on one arbitrary measure which enshrines unfairness and is open to abuse.*
88. *There is a risk that amending admissions criteria in order to address one element of unfairness will disadvantage some children even while it benefits others with those who miss out on a place in a feeder primary school less likely to secure a place at their local secondary school as a result of the criteria outlined by Option B. This would lead to a double-whammy of missing out on both their local primary and then their local secondary school which the group finds unacceptable.*
89. *The group had previously proposed the introduction of a points-based tie-breaker based on a system of both proximity to a high school and length of residence in that school's catchment area and were disappointed that this has not been given any consideration.*
90. *Given the two options presented, the group feels that the status quo offered in Option A does nothing to address the sense of unfairness felt by many families. Option B, despite its flaws, is the better of the two. Tying both catchment and the sibling rule to each criterion above that of a pure feeder criterion will mitigate against some of the unintended unfairness of a feeder system.*
91. *A better alternative, would be the points based system previously put forward.*
92. *It is the view of the group that the Council should work with the Welsh Government to update the School Organisation Code to permit the use of Pupil Development Grant eligibility as a criterion for school admissions.*
93. *It was also concerning that the WISERD report made very little reference to Welsh-medium provision in the city. Whilst there is reference to the Welsh language in the Equality Impact Assessment, this is in regard to statutory obligations rather than any further assessment conducted by the Council of the impact of the proposed changes on Welsh medium education and those seeking a Welsh medium education.*
94. *It is the group's understanding that the Welsh Education Forum was not formally engaged in the process and it would be disappointing if the Council did not make use of a stakeholder such as this in*

*understanding the impact of the proposed changes on a sector which has experienced significant growth in recent years and will continue to grow further.*

#### Appraisal of views expressed by Liberal Democrat Council Group

95. The Group's support for the proposed changes to the admission to nursery criteria is noted.
96. The concerns expressed with regard to the proposed removal of the directed sibling criteria are addressed at paragraphs 34 – 41.
97. As set out in the report to Cabinet on 16 March 2017, School Admissions Arrangements 2018/19 and Co-ordinated Secondary School Admission Arrangements 2018 – 2020, the introduction of a 'length of catchment area residence' criterion would not be recognised as best practice.
98. This point is referenced in the Welsh Government's School Admissions Code 2.63 which refers to feeder primary schools and states that if Admission Authorities use this criterion, to do so with caution, as such arrangements can unduly disadvantage children who move into an area at a late stage and should consider the impact that such arrangements have on the ability of a school to serve its local area. The same caution and potential disadvantage would apply to a 'length of catchment area residence' criterion
99. Under Section 19 of the Equality Act 2010, indirect discrimination is prohibited and under Section 85 discrimination in relation to School Admissions is also prohibited. The Council is also bound by the Public Sector Equality Duty in all of its decisions. A 'length of catchment area residence' criterion is an example of a potentially indirect discrimination as those who would be disadvantaged by this criterion are more likely to come from vulnerable social groups with protected characteristics; for example, Gypsy and Traveller children, Asylum Seeker/Refugees and some other Foreign pupils.
100. The WISERD report on Admission Criteria commissioned by the Council in 2017, considered by the Cabinet at its meeting of 16<sup>th</sup> November 2017, noted observations from the review of local authority arrangements, including that:
  - The easiest set of admission arrangements to understand are those that include a relatively small number of criteria
  - The most difficult admission arrangements to understand are those where the oversubscription criteria are presented for each school separately.
  - Oversubscription criteria are more difficult to understand when they are presented as groups of priority rather than criteria for prioritisation.

- Oversubscription criteria having equal priority could be considered confusing for applicants when trying to understand how criteria are ranked.
101. A points-based oversubscription criteria would not be clear and easy for all parents to understand.
  102. The Welsh Education Forum was engaged as part of the statutory consultation together with all partners.

#### Response from Jenny Rathbone AM

103. A response from Jenny Rathbone AM included the following points (a copy of the full response can be seen at Appendix 3).
104. *Catchment areas are unfair and cause considerable financial hardship to families in Llanedeyrn/ Pentwyn where there is no longer a non religious school.*
105. *Special consideration needs to be given to changing catchment areas to achieve a more balanced, comprehensive intake in all school, using PDG to target resources to poorer pupils and providing safe walking/biking routes to all schools with cycling proficiency training and loan schemes for purchasing bikes from primary level.*

#### Appraisal of views expressed by Jenny Rathbone AM

106. The Council recognises the importance of ensuring that catchment arrangements are transparent and that information regarding admissions enables parents to make effective decisions regarding where to apply for their child(ren)'s schooling.
107. Llanedeyrn and Pentwyn are served by two community secondary schools, namely Llanishen High School and Ysgol Gyfun Gymraeg Bro Edern.
108. The admission arrangements for St Teilo's Church in Wales High School also provide 80 open places which give priority to children who attend Church-in-Wales Primary Schools whose family do not satisfy the criteria for admission to a Foundation place and then to children whose family home lies within the catchment areas of Bryn Celyn, Glyncoed, Llanedeyrn and Springwood Primary Schools, whose family do not satisfy the criteria for admission to a Foundation place.
109. The suggestion to consider how to best advantage those that are experiencing poverty was addressed in the WISERD Report considered at the Cabinet meeting on 16 November 2017.
110. As agreed at the Cabinet meeting on 16 November 2017, officers are to give further consideration to how alternative admissions criteria may impact positively on diversity and/or socio-economically disadvantaged pupils.

### Response from Birchgrove Primary School Governing Body

111. A response from the Birchgrove Primary School Governing Body included the following points (a copy of the full response can be seen at Appendix 3).
112. *With regard to admission to secondary education, the school considers Option A to be the fairest proposal for pupils and parents.*
113. *The Governing Body feel that the Option B proposal to add a criteria for attending a feeder primary school to be unfair. Many schools in Cardiff are oversubscribed and the option may result in children who live very close to a high school that they wish to attend not being able to do so, based on the fact they may have moved into Cardiff and have not been able to attend the local primary school.*
114. *Option B could prove difficult for families with children currently on roll at the school.*

### Appraisal of views expressed by Birchgrove Primary School Governing Body

115. The Governing Body's support for Option A for admissions to secondary education is noted.

### Response from Howardian Primary School Governing Body

116. A response from Howardian Primary School Parents and Governing Body included the following points (a copy of the full response can be seen at Appendix 3).
117. *Option B coupled with the proposal to increase the capacity at Cardiff High School (CHS) in 2020 offer the best chance of our children to be able to move to their local catchment secondary school with their peer group.*
118. *The proposed feeder schools are clear and transparent and made on reasonable grounds.*
119. *Option B would help the local high school to maintain close partnerships with the local primary schools.*
120. *The intake numbers at the primaries broadly equate to the current CHS intake and the proposed expansion of CHS by two additional forms will provide capacity for 2 form cohorts from Howardian from 2022.*
121. *Option B offers the benefit of continuity of education for pupils and enables most children in the feeder schools to move as a cohesive peer group to their local catchment secondary school. This reinforces and continues community ties and peer support and promotes positive pupil wellbeing, which is at the heart of Welsh Government reforms. It*

*also supports other national agendas such as Together for Children and Young People and the Well-being of Future Generations Act.*

122. *Option B creates greater certainty for our children in Year 6, reduces added stress caused by removing them from their established peer groups and improves pupil wellbeing and in turn their academic outcomes.*
123. *Transition from KS2 to KS3 would be enhanced and collaboration across the Key Stages would be more impactful.*
124. *Feeder school criteria would ensure a more diverse pupil intake and base in terms of socio-economic factors, community and ethnicity, as opposed to distance from an affluent suburb being a more significant determining factor.*
125. *Option B facilitates greater opportunities for sustainable transport options.*

#### Appraisal of views expressed by Howardian Primary School Governing Body

126. The Governing Body's support for Option B for admissions to secondary education is noted.
127. It is acknowledged that the aggregated Published Admission Numbers of Lakeside, Marlborough, Rhydypenau and Roath Park Primary School broadly equate to the current Cardiff High School Published Admission Number and that the proposed expansion of Cardiff High School would provide capacity for two additional forms of entry. However, as set out at paragraphs 68-69, there is a poor match between the aggregated admission numbers of the community primary schools across Cardiff and the secondary schools in whose catchment areas they are nested.

#### Response from Marlborough Primary School Governing Body

128. A response from the Marlborough Primary School Governing Body included the following points (a copy of the full response can be seen at Appendix 3).
129. *The Governing Body remain concerned that the current oversubscription criteria unfairly penalises families resident in the Marlborough Primary School catchment area by virtue of their geographical distance to the secondary school (Cardiff High School) when compared with the other three partner primary schools who are closer.*
130. *The Governing Body proposed that in advance of proximity from home to the secondary school that family longevity of residence (or other similar criteria that removes the unfairness of proximity) should take precedence to proximity.*



131. *The Governing Body are unanimously in favour of admission to secondary school Option B which provides a better more fair option for their community and helps to remove the current unfair oversubscription criteria of geographical distance to the catchment secondary school.*
132. *Option B will better enable friendship groups that the pupils form in primary school to remain together in the transition to secondary school and assist in significantly reducing the level of worry and concern that currently exists.*

#### Appraisal of views expressed by Marlborough Primary School Governing Body

133. The Governing Body's support for Option B for admissions to secondary education is noted.
134. The concerns expressed regarding proximity/longevity are addressed at paragraphs 97-99.

#### Response from Roath Park Primary School Governing Body

135. A response from the Roath Park Primary School Governing Body included the following points (a copy of the full response can be seen at Appendix 3).
136. *The Governing Body are unanimous in opting for Secondary Admissions: Option B. This is the best option that will ensure that the parents of children at the school will have the optimal chance of being able to attend Cardiff High School if the family reside within the catchment area of Roath Park Primary School.*
137. *Transition to high school is recognised as being vitally important to children's wellbeing therefore it is essential that children experience transition with their cohort/peers.*
138. *It is crucially important to preserve and protect the diversity that Roath Park Primary brings to Cardiff High School.*
139. *All Church and Foundation Secondary schools should be compelled to inform the parents of all future Year 7 children on the same day that the local authority release the admissions for children who will be attending community secondary schools.*
140. *The Governing Body are concerned that parents who opt for Welsh-medium or private education for their children at primary school level will be given a place at Cardiff High School when they want their children to switch to English-medium or the state system. This should not be allowed to happen at the expense of children who reside within the Roath Park Primary School catchment area and who attend their local catchment school.*

141. *The Council need to be really strategic and proactive in announcing as soon as possible plans for secondary education across the city – will there be a new high school in Pontprennau? Which high school will all the pupils of Howardian Primary School be expected to attend in four years' time?*

Appraisal of views expressed by Roath Park Primary School Governing Body

142. The Governing Body's support for Option B for admissions to secondary education is noted.
143. As set out at paragraph 2.23 of the Welsh Government Admissions code, in order to ensure consistency between admission authorities and avoid confusion on the part of parents, all admission authorities in any LA area must have common dates of return for primary applications and secondary applications for the normal year of entry, different common dates may be agreed for primary and secondary applications.
144. The Common date of offer for all secondary schools, including Church and Foundation Secondary schools has been enforced since 2015/16 in accordance with the requirements of the Admissions Code.
145. The Council is not permitted to prevent parents of pupils enrolled in Welsh medium primary schools or private education from stating a preference for admission to English medium schools nor may it preclude any pupils eligible, according to their date of birth, from admission.
146. Pontprennau is served by Llanishen High School. All pupils resident in Pontprennau who applied for a place at Llanishen High School in the admission process for entry in September 2018 were offered places at the school.
147. The Council's Education Infrastructure Plan was included in the Deposit Local Development Plan (LDP) in 2013. The Infrastructure Plan highlights planned investment / development proposals and identifies future infrastructure requirements based on Cardiff's projected level and distribution of growth, including additional secondary school provision to serve proposed housing developments in North East Cardiff. The timescales for these proposals are dependent upon the timing of housing developments being brought forward.
148. Howardian Primary School is located within the catchment area of Cardiff High School. The draft School Admissions Policy 2019/2020 listed feeder school arrangements for all community primary and secondary schools for admission in the 2019/2020 school. In accordance with the requirement of the WG Admission Code, the Council is prohibited from consulting on arrangements that would take effect in 2022/2023. Consultation on arrangements for the 2022/2023

school year may only take place between 1 September 2020 and 1 March 2021.

149. The Council confirmed its Band B 21<sup>st</sup> Century School investment programme in December 2017. Consideration of the revision of catchment areas, and establishment of new catchment areas, will be required to provide a better match in size of catchment areas to the school population within. Any such proposed changes would be informed by any changes to primary and/ or secondary school provision brought forward via the Welsh Government Band B 21<sup>st</sup> Century Schools programme.

#### Response from St Monica's CiW Primary School

150. A response from the Headteacher of St Monica's CiW Primary School included the following points (a copy of the full response is included at Appendix 3).
151. *Do you support the proposed 2019/20 school admission arrangements to nursery? - Yes*
152. *Do you support the proposed 2019/20 school admission arrangements to primary? - Yes.*
153. *On the whole this seems to be simpler and proximity seems to be fairest system. Keeping siblings together at primary age should always be a priority - removal of 'directed sibling' seems unfair if the council have made changes to the catchment area whilst the family have been attending the school.*
154. *Do you support the proposed 2019/20 school admission arrangements to secondary? - No*
155. *If you support the proposed arrangements, which secondary options do you prefer - Option A*
156. *The introduction of a feeder school system would significantly disadvantage children from Church in Wales primary schools. There are not enough Church in Wales high school places to meet demand. Children who are from an ethnic minority background (particularly those with parents who have very poor English and/or poor literacy skills) would be significantly disadvantaged as they are less likely to be able to afford to travel to and from a CiW high school. Church schools are chosen by many parents because a faith based education is seen as being an essential component of any well rounded education, this choice is not on offer for many. Where would children in primary CiW schools go to? A feeder school system is even more divisive in terms of parent perception and will further divide schools into 'haves' and 'have nots'. This narrows the choice of schools for all.*
157. *School places based on proximity seems to be the fairest way. How long someone has been at an address should not be taken into*

*account. Some of our most vulnerable learners have lived in many different addresses and have been to many different schools. They should not be disadvantaged because of this, they have very frequently had to move due to the high cost of rented accommodation and are already vulnerable to underachievement due to deprivation.*

#### Appraisal of views expressed by St Monica's CiW Primary School

158. The Headteacher's support for the proposed changes to nursery and primary oversubscription criteria is noted.
159. The Headteacher's support for Option A for admissions to secondary education is noted.
160. The concerns expressed regarding the proposed inclusion of 'feeder school' criteria for admission to secondary education are addressed at paragraphs 68 – 71.

#### Response from Ysgol Hamadryad Governing Body

161. A response from the Ysgol Hamadryad Governing Body included the following points (a copy of the full response can be seen at Appendix 3).
162. *Whilst the WISERD report details the challenges faced by the English-medium sector and specifically English-medium comprehensive schools, analysis of Welsh-medium education is notable for its absence. Changing an admission policy and in particular the sibling rule is likely to have a considerable impact on Welsh-medium schools given that a number of Welsh-medium schools are already full and that Welsh-medium primary schools are quite a bit further away from each other than similar English-medium schools.*
163. *Ysgol Hamadryad does not currently have a catchment area and if the proposed change were to be introduced, a number of parents with more than one child would have to guess in which catchment their address would be in future in order to ensure that their children could attend the same school.*
164. *The Governing Body believe strongly that the sibling rule should not be taken away because of the particular effect it would have on Welsh medium education. Failing that it should be ensured that parents in Grangetown and Butetown are treated fairly if they decide to send their children to Ysgol Hamadryad (or Ysgol Pwll Coch or Ysgol Mynydd Bychan for that matter).*

#### Appraisal of views expressed by Ysgol Hamadryad Governing Body

165. The concerns expressed regarding the challenges facing English-medium and Welsh-medium education are addressed at paragraph 52.

166. The concerns expressed regarding the proposed removal of 'directed sibling' criteria are addressed at paragraphs 34 – 41.

#### Response from Ysgol Pencae Headteacher

167. A response from the Headteacher of Ysgol Pencae included the following points (a copy of the full response is included at Appendix 3).
168. *Following the fact that the County has changed Ysgol Pencae's catchment area to feed Ysgol Glantaf instead of Ysgol Plasmawr (September 2017), there was a condition in the Admission arrangements which guaranteed that younger brothers and sisters in Ysgol Pencae could attend Ysgol Plasmawr so they could follow members of their family to that school instead of Ysgol Glantaf.*
169. *This promise is being broken in the new arrangement so I, as a Head teacher, oppose this part of the consultation. This is not fair as the promise has been emphasized during this conversion period. This will cause a lot of problems for families and more than anything it will reflect poorly on the County for changing arrangements once again!*

#### Appraisal of views expressed by Ysgol Pencae Headteacher

170. The concerns expressed regarding the proposed removal of 'directed sibling' criteria are addressed at paragraphs 34 – 41.

#### Response from Ysgol Gymraeg Pwll Coch Governing Body

171. A response from the Ysgol Gymraeg Pwll Coch Governing Body included the following points (a copy of the full response can be seen at Appendix 3).
172. *Ysgol Pwll Coch has experienced catchment changes recently following the opening of the new Ysgol Treganna with further changes expected in the near future with the creation of a catchment area for Ysgol Hamadryad. Therefore, the school and the community it serves have significant practical experience of the matters arising out of admissions and their effect on children and families.*
173. *Ysgol Pwll Coch welcomes the research done by Prof Chris Taylor on admissions criteria and is strongly in favour of planning based on research.*
174. *The school is concerned that the research focused in on one sector only (English-medium secondary schools) which is then the basis for proposed changes in all sectors.*
175. *The research only deals very superficially with Welsh-medium education with no discussion on the relationship between catchments, admissions criteria and the aim of increasing the number that receive Welsh-medium education whilst making some far reaching suggestions such as encouraging the Welsh Government to consider*

*changing its policies in a number of ways, including giving consideration to banding and changing the nature of schools themselves.*

176. *The Council has its own Welsh Education Forum and it is unfortunate that neither the report nor the process prior to the consultation had involved this body.*
177. *Ysgol Pwll Coch welcomes the consideration given to pupils eligible to receive free school meals, pupils with additional learning needs, pupils from ethnic minorities and pupils for whom English or Welsh is not the main language of their households but is disappointed on the lack of discussion of the Welsh-medium context.*
178. *The report makes reference to Welsh-medium high schools being heavily polarised, particularly in relation to the low number of BAME students on roll and the lower number of children eligible for free school meals. Welsh-medium schools have been polarised but only in relation to English-medium secondary schools. This polarisation is much less when Welsh-medium schools are considered in relation to each other and with their primary schools. The polarising of Welsh-medium secondary schools is a demographic result of the Welsh-medium primary sector in Cardiff rather than how admissions are administered however the report does not consider the Welsh-medium primary sector or the ways that any social polarisation could be reduced. Ysgol Pwll Coch would welcome research that would assist in reducing this polarisation in Welsh-medium primary schools.*
179. *The report reviews admission arrangements in fifteen other local authorities, only two of which are Welsh but does not discuss in details why or how LAs in England are similar to Cardiff, considering the obvious fact that is no Welsh-medium education in England. The way in which Newport and Swansea deal with Welsh-medium education is not discussed at all.*
180. *The report gives no consideration to the size of Welsh-medium catchments which are usually considerably larger than English-medium catchments. There is no evidence that the Governing Body is aware of that WM catchments have any effect on house prices.*
181. *Welsh medium catchments experience more regular changes in catchment than English-medium education and careful consideration needs to be given to the effect on families and children already in a particular school; Ysgol Pwll Coch strongly agreed with the important points made on the negative effects that having siblings in different schools has. These issues are generally worse for primary aged children and would be more difficult for those choosing Welsh-medium education as Welsh-medium catchments are generally much greater in size.*

- 182. *Ysgol Pwll Coch feels that there is no case currently for the directed sibling criteria to be changed with the obvious answer being to simplify the criteria being considered.*
- 183. *The suggestion that the Council make it clear that living within a catchments does no guarantee a place is entirely reasonable.*
- 184. *Ysgol Pwll Coch cannot be confident that the current proposals are based on a thorough understanding of their implications for Welsh-medium education and in some instances would have a negative effect.*
- 185. *Ysgol Pwll Coch does not therefore support the consultation proposals and wish to see relevant research conducted that considers Welsh-medium education before changing the current system.*

#### Appraisal of views expressed by Ysgol Gymraeg Pwll Coch Governing Body

- 186. The concerns expressed regarding the consideration of Welsh-medium education and the engagement with the Welsh Education Forum are addressed at paragraph 52 and paragraph 102 respectively.
- 187. The concerns expressed regarding the proposed removal of 'directed sibling' criteria are addressed at paragraphs 34 – 41.

#### Response from Whitchurch High (Foundation) School

- 188. A response from the Whitchurch High School Governing Body included the following points (a copy of the full response is included at Appendix 3).
- 189. *Whilst the Admissions Criteria Report (WISERD) makes several suggestions about making existing criteria easier to understand and less complex while still meeting the necessary statutory requirements, the authority has not taken the opportunity to refine the criteria to make them easier to understand and more equitable and accessible as a result.*
- 190. *It is not clear why Cardiff continues to use 'compelling medical or social grounds' as a criterion and the governors do not support the continued use of this criterion.*
- 191. *The governors support the re-introduction of 'attendance at a feeder school' as a criterion which Whitchurch High (Foundation) School has always had recognising that it helps provide continuity within the local community particularly for more vulnerable students and families. As part of transition arrangements, it also provides curriculum continuity through shared curriculum experiences.*
- 192. *Although there is some concern that the 'feeder school' criterion could disadvantage families moving into the area; in oversubscribed*

*secondary schools all places are likely to have been allocated prior to any move. We also find that some families move out of the area after they have been awarded a place at the school therefore in areas of greater mobility there is some possibility of places becoming available to families who move in to the area.*

193. *It is not clear why FIPHs are being as a criterion for secondary schools. Young children are usually assessed in nursery and early primary year and if appropriate in receipt of a Statement of Special Education Need. The governors do not support this criterion.*

#### Appraisal of views expressed by Whitchurch High (Foundation) School

194. The majority of preferences submitted by parents on the basis of perceived medical or social grounds do not meet the published criterion which requires specific evidence. Implementation of this criterion over many years suggests that what constitutes 'compelling medical or compelling social grounds' is misunderstood by parents and often difficult to measure objectively. Assessment by a single medical practitioner or social worker recommending attendance at a particular school can be perceived as being subjective without wider context as, aside from than pupils with statements of special educational needs, any maintained schools should be able to meet a pupil's needs.
195. This criterion is only met where there are particularly compelling circumstances that have required the level of support provided by a medical consultant or where the child is being supported by Social Services but not classified as a Looked After Child, and the advice provided by these professionals indicates that such needs may only be appropriately met at the preferred school. Such circumstances include, but are not limited to, children with mental health issues, subject to physical or emotional trauma or domestic violence, and those deemed vulnerable in the context of family issues.
196. The Council recognises that whilst the inclusion of this criterion may be open to interpretation, this criterion enables appropriate weighting to be given to the circumstances of those children who are amongst the most vulnerable in Cardiff. Additional guidance will be considered for inclusion in the Admission to Schools (Information for Parents) booklet to limit the likelihood of misunderstanding.
197. The Governing Body's support for Option B for admissions to secondary education is noted.
198. The inclusion of the Funded Individual Healthcare Plan criterion in the oversubscription criteria for admission to secondary education allows consideration to be given to prioritising the admission of learners whose healthcare needs would be most appropriately met at a specific secondary school. These learners, who do not have severe learning needs, would not require a Statement of Special Education Needs.



### Response from Ysgol Gyfun Gymraeg Plasmawr

199. A response from the Headteacher of Ysgol Gyfun Gymraeg Plasmawr included the following points (a copy of the full response is included at Appendix 3).
200. *The Governors of Ysgol Plasmawr are pleased to see that recognition is once again given to 'Feeder Schools' in respect of criteria for admission to secondary education. It is felt, however, that not enough attention has been given in the consultation document to the unique situation facing Welsh education where new schools are established without defined catchment areas for an extended periods or where schools are being adapted.*
201. *It is felt that the document should give separate consideration to new schools by including the phrase 'brother/sister' in order to support families who are keen to support new schools but who also want their children to attend the same school, especially in the primary sector.*

### Appraisal of views expressed by Ysgol Gyfun Gymraeg Plasmawr

202. The Governing Body's support for Option B for admissions to secondary education is noted.
203. The views expressed regarding the proposed inclusions of a criterion specific to newly established school are addressed at paragraphs 34 – 41.

### Response from Albany Solicitors

204. A response from Albany Solicitors included the following points (a copy of the full response is included at Appendix 3).
205. *The re-introduction of the feeder system in Cardiff actively discriminates against sections of the community which are more mobile and hence are less likely to be on the school roll throughout the primary phase or move into catchment later in the primary phase. This may include BME communities, children of asylum seekers and refugees, and the traveller community.*
206. *The proposed system prejudices vulnerable, low income families who do not maintain permanent, secure accommodation and as such yet seems to benefit wealthier parents who are able to move into a permanent home in a "desirable" catchment area whilst their children are pre-primary age.*
207. *The feeder system clearly places BME communities, children of asylum seekers and refugees, and the traveller community at a significant disadvantage when seeking admission.*

208. *It seems illogical to seek to introduce a feeder school system at this stage, without giving more detailed consideration to the implications of the size and locations of catchment boundaries.*
209. *It would unreasonable to implement a policy which appears to benefit a small section of the Local Authority area, and place other groups, in particular those from a less fortunate socio-economic background across the Local Authority area at significant disadvantage.*

Appraisal of views expressed by Albany Solicitors

210. The views expressed by Albany Solicitors are noted.
211. The School Admission Arrangements 2019-2020 consultation document set out that the implementation of Secondary Option B could have some limited potential negative impact on some communities in Cardiff.
212. The inclusion of a 'feeder school' secondary school oversubscription criterion would, in areas of popular / fully subscribed primary schools, benefit those families most able to secure a feeder school place at their catchment area primary school at an early stage.
213. An analysis comparing pupils enrolled in primary school at Reception Year in January 2011 to data for the same cohort of pupils in Year 6 in January 2017 also noted that differential impact could occur if a 'feeder school' criterion is introduced:
- Approximately 1 in 7 pupils living in their local catchment area at the point of transfer to secondary school could be disadvantaged by the introduction of a feeder criterion owing to the fact they moved into catchment later in the primary phase
  - Black / African / Caribbean / Black British pupils, Traveller families (although the sample size is small) and other ethnic groups would potentially be disadvantaged as they are less likely to be on roll in a primary school from Reception to Year 6.
214. The reasons for moving into catchment during the primary phase are varied, these include immigration from outside the city, internal relocation within Cardiff associated with affordability and availability of appropriate properties etc.
215. The analysis undertaken indicates that pupils in receipt of FSM are almost three times (29.1%) as likely to transfer from their catchment area school within their primary education phase as those not in receipt (10.8%), and would therefore be less likely to meet the requirements of a 'feeder school' criterion.

<b>Free School Meals (FSM)</b>	<b>Rec from Sept 2010</b>	<b>Yr6 from Sept 2016</b>	<b>% Remaining</b>
In receipt of FSM	330	234	70.9%

Not in receipt of FSM	1389	1239	89.2%
<b>Total</b>	1719	1473	85.7%

216. The employment of a feeder school criterion whilst applying in practice to all pupils equally has the effect of discriminating against populations that experience a higher degree of mobility. If a particular group demonstrating a higher degree of mobility is disproportionately over-represented this group could be judged to be disadvantaged (indirect discrimination).
217. In order to prevent a differential impact on the basis of length of time pupils have lived in the catchment area and/or whether they were able to secure admission to a feeder school as a result of residing in the area at the point of application, the Council could implement admissions criteria as set out in Option A, which does not rely on feeder criterion (both options use proximity).
218. Officers would work with any community group to ensure that the proposal avoids negative impacts wherever possible.

#### Response from Marlborough Children's Action Group

219. A response from The Marlborough Children's Action Group included the following points (a copy of the full response is included at Appendix 3).
220. *Whilst Option A does remove some criteria, only 7 out of 8618 applicants were allocated places under these criteria in 2017; Option A is a slightly revised regurgitated version of the current criteria. It therefore follows that Option A is neither suitable nor desirable.*
221. *The mounting pressure upon secondary high school places in Cardiff for the next few years will further limit the options for those pupils who are unable to secure a place at their in catchment high school with their peers if a feeder school oversubscription criterion is not included.*
222. *Attendance a feeder primary school criterion is clear and easily understood.*
223. *The proposed feeder schools are clear and transparent and made on reasonable grounds; they consist of primary schools nested in the high school's catchment so Option B would help maintain close relationships between local primaries and their partner secondary.*
224. *The intake number at the Primaries (Marlborough, Roath Park, Lakeside, Rhydypennau and Howardian) broadly equate to the current Cardiff High School intake.*
225. *Feeder schools offer the benefit of continuity of education for pupils and enables most children in the feeder schools to move as a*

*cohesive peer group to their local catchment school. This reinforces and continues community ties and peer support.*

226. *Feeder schools minimise issues of transition and encourage close cooperation between the primary and secondary school sectors.*
227. *There is no Equality Impact Assessment for the proposed Option A so it is not possible to compare what impact the current proximity criteria has on different ethnic groups.*
228. *Cardiff High School is based in one of the most affluent and expensive areas of Cardiff. The current criteria and Option A benefits those living in the more affluent area closer to the school and disadvantage those from the more diverse and less affluent part of the catchment area. Feeder school criterion would ensure a more diverse pupil intake and base in terms of socio-economic factors, community and ethnicity.*
229. *Feeder schools would have no significant impact on the Welsh Language and faith who continue to have the benefit of multiple application options which most English-medium pupils in reality do not have. Pupils attending Welsh-medium and faith primary school can continue to feed into their Welsh-medium/Faith High school. They are not prevented from applying to an English-medium school, simply that in the event of oversubscription, those children at the English-medium feeder schools will have priority.*
230. *Feeder schools would enable better use of sustainable transport options and encourage good habits and health e.g. lift shares, pupils walking/cycling together.*

#### Appraisal of views expressed by Marlborough Children's Action Group

231. The Marlborough Children's Action Group support for Option B for admissions to secondary school is noted.
232. The Council's Band B 21<sup>st</sup> Century Schools investment programme includes a number of proposals that respond to the increasing demand for secondary school places, including proposals to enlarge Cantonain High School, Cardiff High School, Cathays High School and Willows High School.
233. It is acknowledged that the aggregated Published Admission Numbers of Lakeside, Marlborough, Rhydypenau and Roath Park Primary School broadly equate to the current CHS Published Admission Number and that the proposed expansion of CHS by two additional forms would provide capacity for two additional forms of entry. However, as set out at paragraphs 68-69, there is a poor match between the aggregated admission numbers of the community primary schools across Cardiff and the secondary schools in whose catchment areas they are nested.

234. There is a wide and varied range of research which show that there are a number of factors that have equal or greater importance in terms of supporting effective transition from primary to secondary education.
235. Research (Weller, S. 2006) suggests that acquaintances from the peer group can also provide the required familiarity when starting in secondary education and could function well as transitional support helping children to settle in during the initial transition even if they did not develop into enduring friendships. In the case of Marlborough Primary School, it is not expected that children would need to transfer to an alternate secondary school alone and would therefore benefit from moving on with known acquaintances. Primary schools are encouraged/ expected to ensure that smooth transition arrangements are made with the secondary school that their pupils will promote to.
236. Realignment of primary school and secondary school catchment areas to better balance the population within against the capacity of the secondary school may also assist in enabling the majority of primary school children to promote to secondary education with their school peer group.
237. The impact of admission arrangements on applicants resident within the catchment area of Cardiff High School is noted and must be considered in the context of all 13 community secondary school catchment areas in Cardiff.
238. There is no evidence to suggest that the retention of current oversubscription criteria or implementation of Option A would benefit those living in the more affluent area closer to a school, compared to Option B.
239. The implementation of Option B could potentially result in those who are able to live in areas close to feeder primary schools, seven years in advance of transfer to the linked secondary school, being most able to secure a place at the linked secondary school.
240. The introduction of feeder primary school based criteria would potentially disadvantage those pupils who do not attend a feeder primary school but who live in closer proximity to a secondary school. Such pupils may therefore be more likely to consider less sustainable modes of transport.

#### Response from Rhieni dros Addysg Gymraeg (RhAG)

241. A response from RhAG included the following points (a copy of the full response is included at Appendix 3).
242. *RhAG's aim is to support the development of Welsh-medium education throughout Wales and the comments deal with Welsh-medium education which is RhAG's primary concern as a movement.*

243. *RhAG welcome the research that Prof Chris Taylor conducted and are wholly supportive of evidence based decisions.*
244. *Within the report there is a lack of consideration of the Welsh language with the treatment given to the Welsh-medium sector at best superficial.*
245. *There is little reference to national policy and the expectation on LAs to promote and develop the growth of the Welsh language. There is no discussion on the relationship between School Admission policy catchments and the need to increase the numbers that receive Welsh-medium education. There is also no reference to the Council's Welsh in Education Strategic Plan.*
246. *The report's main emphasis is on secondary education and gives priority to the needs of English-medium schools and skews the whole report in a way that ignores and cannot comprehend the differing needs of Welsh-medium primary education in particular, but also English-medium primary as well.*
247. *We are not aware that these documents went before the Welsh Language Forum, which is a fundamental failure and undermines the role and contribution of this consultation group.*
248. *Welsh-medium catchment areas are subject to change and the effect on families with children already at school needs to be considered and agree with the point made regarding the negative impact when siblings are separated.*
249. *The concern is that there is an intention to make far reaching changes that are wholly reactionary with further changes required as more schools are opened.*
250. *It would be unwise to try and create a general policy in order to try and answer the needs of one sector that has completely different needs to the Welsh-medium sector. Pupils wanting access to Welsh-medium provision face a much greater challenge (geographical as well as practical) therefore the Council's policies and strategies should reflect this.*
251. *Removal of the sibling rule would create more barriers to Welsh language education, establish a policy that goes against the duty to promote access to Welsh-medium education and create a situation where there isn't a proactive choice of Welsh education.*
252. *Ensuring that there are enough schools within reasonable distance of sufficient quality is the best way of avoiding a situation where parents and pupils travel out of their natural or 'official' catchment.*
253. *RhAG is not confident that the proposals are based on a sound enough understanding of the effect on Welsh-medium education. The only reasonable answer is to write a new report based on a firm factual*

*basis, that considers access to schools and catchments with Welsh education in mind, and for there to be full consultation with governing bodies, the Cardiff Welsh Language Forum and other key stakeholders.*

#### Appraisal of views expressed by Rhieni dros Addysg Gymraeg (RhAG)

254. The concerns expressed regarding the consideration of Welsh-medium education and the engagement with the Welsh Education Forum are addressed at paragraph 52 and paragraph 102 respectively.
255. The concerns expressed regarding the proposed removal of 'directed sibling' criteria are addressed at paragraphs 34 – 41.

#### **Responses received from other consultees**

##### Responses in respect of feeder schools

256. The majority of the responses received related to the proposed introduction of a feeder school system (Secondary Option B).
257. The views expressed in favour of the introduction of a feeder school system included the following:
258. *Feeder schools offer the benefit of continuity of education for pupils and enable most children in the feeder schools to move as a cohesive peer group to their local catchment school. This reinforces and continues community ties and peer support.*
259. *Feeder schools would ensure children's friendship groups stay together reducing the stress of transitioning to secondary school avoiding unnecessary anxiety.*
260. *Feeder schools would minimise issues of transition and encourage close cooperation between the primary and secondary school sectors.*
261. *Feeder schools ensure a more diverse pupil intake allowing for social cohesion in diverse communities.*
262. *A named feeder school gives parents some certainty about their child's education from Foundation Phase through to Key Stage 4.*
263. *Feeder schools would stop a lot of people from panic moving or renting, .i.e. "parachuting in and out" of popular catchment areas.*
264. *A number of people move home as their child is approaching secondary school for the sole purpose of gaining a place at a particular secondary school, often this is a temporary move and once the place is secured they will move out of catchment. The existing policy allows families who have got sufficient money to move house or even rent short term in a particular area to gain unfair advantage by*

*securing a place at a particular secondary school despite having no connection to the community.*

265. The views expressed which were not in favour of the introduction of a feeder school system included the following:
266. *Returning to a feeder school format would negatively impact people who were not able to secure a place in their local primary school despite living within catchment. Not attending a 'feeder school' for the local high school would mean they would be unlikely to gain a place at the local high school and would likely have to travel some distance to another. Potentially this would create a ridiculous situation of almost living next door to a high school but having to travel some distance by car to an alternative school.*
267. *The introduction of a feeder school system at secondary level merely transfers the problem of oversubscription to primary level.*
268. *The introduction of a feeder school system may dissuade parents considering educating their child through the medium of Welsh, particularly those from English speaking homes. Such a system would take away the option to enrol a child in a Welsh-medium primary and to transfer to English-medium secondary school.*
269. *Children who have been in Welsh primary education, but have struggled with the two languages should be given the opportunity to further their education through the medium of English and go to their catchment secondary school. The feeder school system is prejudiced against people who are supporting the Welsh language culture.*
270. *Decisions made on which primary school were based on the assumption of the local high school still being an option for secondary school. Changes to policy with such a very short lead in time has not enabled parents to make informed decisions about their children's education.*
271. *The proposed introduction of feeder schools makes no allowance for pupils educated at home in the primary phase.*

#### Appraisal of views expressed

272. Schools are required to make appropriate arrangements for all pupils transferring from primary education to secondary education.
273. Analysis of pupil data for the cohort promoting to secondary education in 2019/20 indicates that approximately one quarter of pupils would not meet feeder school based criteria. The majority of primary schools would therefore continue to make transition arrangements with a number of secondary schools whether Option A or Option B were to be implemented.



274. Similarly, whether Option A or Option B were to be implemented, not all pupils in a primary school would gain admission to the same secondary school and friendship groups could be split.
275. No evidence has been supplied to support the assertion that the introduction of feeder school criteria would allow for social cohesion in diverse communities.
276. The issue of moving temporarily into the Cardiff High School catchment area was considered in the report to Cabinet on 16 March 2017 on School Admissions Arrangements 2018/19 and Co-ordinated Secondary School Admission Arrangements 2018 – 2020. The percentage of pupils resident in the Cardiff High School catchment area for 1 year, 3 years or 5 years was higher than the city-wide average. The number of pupils admitted to Cardiff High School based on the catchment area criterion who were on roll at Cardiff High School for curriculum Years 7-11 but no longer lived within the school catchment area averaged 10 pupils per year.
277. The introduction of feeder schools would not prevent parents from moving address prior to the application process nor would it prevent parents from moving address following the enrolment of their child(ren).
278. In areas where primary and secondary schools are fully subscribed, the introduction of feeder school criteria for secondary schools would favour those parents who are able to secure a place in the primary school at an early stage. Those parents most able to secure a place at a primary school would be those within its catchment and in closest proximity to the primary school.
279. The introduction of a feeder school criterion would mean that those pupils who were not able to secure a place at their catchment area primary school would only be eligible for consideration under lower criteria when applying for admission to any community secondary school, with the exception of Looked After Children and children with a Statement of Special Education Needs.
280. The Council has not proposed the inclusion of Welsh-medium primary schools or faith based primary schools in the feeder school arrangements for English-medium primary schools. The addition of further feeder schools would mean that there is a greater mismatch between the number of places available in secondary schools and the feeder primary schools.
281. Consideration must also be given to the impact on the Welsh language in the event that Welsh-medium primary schools were to be included as feeder schools for English-medium secondary schools.
282. The exclusion of Welsh-medium schools from feeder arrangements for English-medium secondary schools may increase the retention rate of pupils within the Welsh-medium sector. However, there is a risk that

some parents may not wish to consider enrolment in Welsh-medium primary education if this would potentially reduce the likelihood of admission to an English-medium secondary school.

283. The introduction of feeder arrangements would mean that children educated at home in the primary phase would be considered under lower criteria when applying for admission to any community secondary school. Any pupils who are unable to gain admission to a community secondary school within 3 miles of their home address would be provided with free home to school transport to the next nearest school.

#### Responses in respect of 'directed sibling' criteria

284. *Siblings should be able to follow on to the same secondary school even if catchment areas and associated feeder schools eventually change. It is very important for families to stay together by ensuring that siblings can attend the same secondary school even if admissions criteria change in intervening years.*
285. *Some Cardiff schools are without a catchment area. In this instance, siblings should be given a higher priority than children within catchment with no sibling in attendance as having children in different schools is untenable.*
286. *The removal of directed sibling would cause families logistical nightmares to get children to and from school and associated wrap around arrangements e.g. after school clubs/parents working hours and increasing the spend for parents on different uniforms/school equipment.*
287. *The documents state that the directed sibling criteria isn't used often but with all the new schools being delivered through Band B and the LDP and the increasing pressure on secondary places from 2019, the Council will have to change catchments and there is a strong possibility that the directed sibling criteria could be used a lot more.*

#### Appraisal of views expressed

288. The concerns expressed with regard to the proposed removal of the directed sibling criteria are addressed at paragraphs 34 – 41. The Council proposes that criteria are added giving priority criteria within the oversubscription criteria for entry to primary education to families who have been affected by changes to school catchment areas.

#### Responses in respect of the impact on the Welsh Language

289. *Not enough attention has been given in the consultation document to the unique situation facing Welsh education where new schools are established without defined catchment areas for an extended periods or where schools are being adapted.*

290. *The Council should consider the impact of feeder schools on the take up of places in Welsh medium primary schools to ensure that it is consistent with the Council's stated commitment to the protection and growth of the Welsh language. Parents who have planned to school their children through both languages at different stages of their education are disadvantaged.*

#### Appraisal of views expressed

291. The concerns expressed with regard to the impact of changes to catchment areas on the Welsh language are addressed at paragraphs 34 to 41.
292. The concerns expressed with regard to the impact of the addition of feeder schools on the take up of places at Welsh-medium schools are addressed at paragraphs 331 - 337.

#### Responses in respect of proximity and travel to school

293. *Whilst it is a difficult balance, proximity to school must be in the principal interests of the child. With competition for places so high, option A seems fair. Mere attendance at feeder school is less sustainable.*
294. *The prioritisation of other criteria over residence in catchment results in unnecessary travel across the city adding to traffic issues.*
295. *The introduction of a feeder school system is likely to lead to significant transport issues in both congestion on the city network, and the Local Authority having to fund the transportation of these pupils across the city to the specified Secondary School.*

#### Appraisal of views expressed

296. As set out in the Welsh Government's School Admission Code (2.48) 'distance between home and school is a clear and objective oversubscription criterion'.
297. In order to meet the feeder based criteria included within secondary oversubscription criteria Option B, pupils would also need to reside within the catchment area of the preferred secondary school.
298. The concerns expressed with regard to transport are addressed within the transport implications at paragraphs 367 to 368.

#### Responses in respect of catchment areas

299. *Catchment areas should be abandoned and after the social/medical/, looked after and sibling criteria then purely the distance should be used in the priority ranking given.*

300. *The introduction of a feeder school system at this stage is illogical, without giving more detailed consideration to the implications of the size and locations of catchment boundaries.*

301. *Being resident in a catchment should come above all other criteria. Other parents live all over Cardiff and can still access the same schools.*

#### Appraisal of views expressed

302. The WISERD report considered by the Cabinet at its meeting of 16<sup>th</sup> November 2017 presented the advantages of operating a catchment area based criteria. Catchment areas are the most used oversubscription criteria by admission authorities, and have the advantage of allowing local authorities (and schools) to better plan provision, helping schools identify their 'local' community and can give families and schools a high degree of predictability when it comes to admissions.

303. The issue of catchment area changes is addressed at paragraph 149.

#### Responses in respect of removal of 'furthest from alternative school' criterion

304. *Removal of the 'furthest from alternative school' criterion could result in a family with two options for a school reasonably close to the family home being selected and forcing another family to travel a long way to their 'alternative' school if missing out to the first family by a few yards.*

#### Appraisal of views expressed

305. The 'furthest from alternative school' criterion gives priority to children living furthest away from the nearest available alternative school is very rarely required and is used only when all higher criteria are matched by two or more pupils.

306. The improved determination of closest proximity criterion from two decimal places to four decimal places further decreases the likelihood of this criterion being considered and its inclusion is therefore unnecessary. There were no places allocated for Reception or Year 7 under this criterion for the September intake in 2017.

#### Responses suggesting alternative criteria

307. *Whilst the introduction of attendance at a feeder school criteria is a step in the right direction and will lead to fewer cases of children failing to get into their preferred secondary having attended a primary in catchment, consideration should also be given to the amount of time that the family have been resident in the catchment area.*

308. *The Council should implement a points system similar to immigration departments with points awarded for residence within catchment,*

*length of residency, home owner or renting, sibling, medical reasons etc.*

309. *Parental mobility/health issues should be taken into account allowing parents to apply for and have priority for non-catchment schools that are accessible by public transport.*

#### Appraisal of views expressed

310. The WISERD report considered by the Cabinet at its meeting of 16<sup>th</sup> November 2018 examined the oversubscription criteria operated by 15 other Local Authorities. None of these operate such criteria.
311. Consideration of implementing a length of residency criterion is addressed at paragraphs 97 - 99.
312. Consideration of implementing a points-based oversubscription criteria is addressed at paragraph 100-101.
313. Compelling medical and/ or social grounds that prevent a family's ability to access school could be considered under the existing compelling medical / social grounds criterion, if sufficient supporting evidence was provided by the relevant professionals to explain why the child was unable to attend alternative schools.

#### **Responses to Pupil Survey**

314. A total of 413 online responses were received, including 158 responses from Year 4, 5 and 6 primary school pupils and 255 from Year 7, 8, 9 and 10 secondary school pupils.
315. An analysis of the responses received indicates that primary age pupils considered that attendance at a school close to home was most important (average importance score 7.52), and attending the same secondary school as friends and other pupils from their primary school as least important (average importance score 6.61)
316. Secondary age pupils considered that attendance at a school close to home was most important (average importance score 6.86), and attending the same secondary school as friends and other pupils from their primary school as least important (average importance score 6.13)
317. Details of the survey and responses received can be seen at Appendix 5.

#### Appraisal of pupil responses

318. The views expressed by pupils are noted.

319. With regard to pupil's preference to attend a school close to home the majority of primary aged pupils live within two miles of their school, with the majority of secondary age pupils living within three miles of their school.
320. For those pupils living a greater distance from their school, home to school transport may be available in line with Learner Travel Wales Measure 2008 requirements is available (subject to eligibility).

## **Additional changes proposed to Admissions Policy**

### Explanation of Oversubscription Criteria

321. Clarification of the sibling and proximity criteria are to be included in the policy.

### Sibling criteria

322. An application will be considered under the sibling criterion if the sibling and the applicant would, on admission, be attending the same school at the same time.

### Proximity

323. For applications for pupils residing within mainland UK but outside of the area covered by the integrated transport network (ITN), residence to school distances are calculated as the shortest driving distance as evaluated using google maps.
324. Where applicants reside outside of mainland Britain, route distances are determined as the shortest route as determined using google maps utilising available transport types.

### Common Offer Dates

325. The national offer day for admissions to Reception in 2019/20 has been set by the Welsh Government at Tuesday 19 April 2019. It was noted by the Admissions Forum that this date was in the Easter holiday period and was agreed that the date for acceptance or rejection of school offers for Primary be set at Monday 13 May 2019.
326. It was also agreed that the date for acceptance or rejection of schools offers for Secondary be set at Monday 18 March 2019.

## **Impact on the Welsh Language**

327. As set out in the consultation document attached at Appendix 2, it was not anticipated that there would be any differential impact on the Welsh Language as a result of proposed changes to oversubscription criteria.

328. However, a number of consultation responses raised concerns about the potential impact of the proposed changes on Welsh language education.
329. These concerns related to the proposed removal of the 'directed sibling' criterion in particular given the establishment of new Welsh-medium schools and the associated catchment area changes.
330. The Council acknowledges the concerns and, as set out at paragraphs 32 - 38, therefore proposes the inclusion of a 'prioritised sibling, post catchment area change' criterion within the oversubscription criteria for entry to primary education which would negate any disadvantages arising out of catchment area changes in these specific circumstances.
331. Concerns were also expressed regarding the potential impact on the number of pupils opting for Welsh-medium primary education given the potential for the introduction of a feeder school system to limit the ability of children to transfer to English-medium during the primary phase or at secondary level.
332. The Council acknowledges that the introduction of a feeder based criteria would disadvantage parents who wish to transfer from Welsh-medium primary education to English-medium secondary education (and vice versa) and that the introduction of such criteria may therefore deter some parents from considering education through the medium of Welsh.
333. The net percentage of pupils in Cardiff that progress from enrolling at Reception age into Welsh-medium primary education to enrolling in Welsh-medium secondary education has varied from 87% – 95% in the most recent cohorts. The introduction of a feeder based criteria may therefore increase the percentage of pupils that, having enrolled within Welsh-medium primary education, progress through to Welsh-medium secondary education, whilst potentially also acting as a disincentive to parents considering enrolling their child in Welsh-medium primary education.
334. The Council is committed to developing a Bilingual Cardiff. The Council's Welsh in Education Strategy (WESP) 2017 – 2020 will help Cardiff to support the Welsh Government's vision to see one million Welsh speakers across Wales by 2050.
335. The WESP is an integral part of the Council's 5 year Bi-lingual Strategy. The Council recognise that a strong and inclusive Welsh-medium education sector is vital if Cardiff is to develop as a truly bilingual city where Welsh is a vibrant living language.
336. The Bilingual Strategy aims to increase the number of Welsh speakers within Cardiff and promote the use of the language throughout the city. The Council recognise that the education system is a key element in ensuring that children are able to develop their Welsh skills, and for creating new speakers.

337. Whilst the likely impact on the Council's aim to increasing the number of Welsh speakers within Cardiff is unknown, there is a clear risk that the introduction of a feeder school arrangement may have a negative impact on the Welsh language overall.
338. Officers will continue to monitor birth rates, the yield from proposed housing and the patterns of take up in Welsh-medium provision at primary and secondary age with a view to being forward appropriate plans to meet any increased demand.
339. The teaching of Welsh within an English-medium setting is subject to the requirements of the National Curriculum. This would not change.

## **Summary**

340. The consultation on School Admissions Arrangements for 2019/2020 sought to respond to the WISERD research findings by simplifying existing criteria, and by inviting comment on alternative options for admission to secondary education.
341. With surplus places in secondary schools reducing and an increasing number of schools being oversubscribed as the increased pupil population promotes to secondary education, it is clearly imperative to consider and evaluate issues in relation to oversubscription criteria.
342. Responses to the consultation broadly supported changes to the School Admissions Policy including changes proposed to oversubscription criteria for admission to nursery, primary and most aspects of secondary education in response to the findings of the WISERD research. There were however notable differences of view expressed about the two options consulted on in relation to whether feeder schools should be included in secondary criteria.

### Admission to Nursery Education

343. Few concerns were raised in respect of proposed changes to the oversubscription criteria for admission to nursery education and it is therefore proposed that the criteria are implemented as consulted on.

### Admission to Primary Education

344. Few concerns were raised in respect of proposed changes to the oversubscription criteria for admission to primary education.
345. A number of formal responses, and responses from other stakeholders including parents, expressed concern regarding the proposal to no longer give specific priority to pupils affected by changes to primary school catchment areas. The Council recognises the benefit of continuing to give priority to those pupils who may be affected by



changes to primary school catchment areas and therefore proposes to include an additional criterion.

### Admission to Secondary Education

346. In respect of arrangements for pupils transferring to secondary education, responses were sought on two options which essentially represented a simplified version of the 'status quo' existing arrangements that have operated in Cardiff for a number of years, but with some criteria removed (Option A), or an alternative version (Option B) which represents a more significant change to arrangements by introducing feeder school based criteria. Analysis of consultation responses must therefore consider whether there is sufficient benefit in the city-wide Cardiff context to implementing such a change.
347. Consultation responses received raised a number of issues and concerns.
348. Consultation responses in favour of implementing option A against implementing option B noted the following:
- Option A benefits those pupils in closest proximity to a secondary school, regardless of which primary school they attended
  - Option A allows for pupils who did not gain admission to their local primary school to be able to gain admission to their local secondary school
  - Option B potentially disadvantages families moving to Cardiff to take up job opportunities as the local economy grows
  - Option B disadvantages pupils from some ethnic groups who are more likely to move home including asylum seekers, refugees and members of some BME communities
  - Option B disadvantages families moving house because of housing relocation or other family reasons, including vulnerable, low income families who do not maintain permanent, secure accommodation
  - Option B disadvantages pupils wishing to transfer from a faith primary school to a community secondary school, particularly pupils who do not meet the faith school priority admission criteria
  - Option B disadvantages pupils wishing to transfer from Welsh primary school to English secondary school (or vice versa), and this may deter parents from considering Welsh-medium primary education
349. Consultation responses in favour of implementing option B / against implementing option A noted the following:
- Option B gives greater certainty to parents in respect of their child's likely secondary school
  - Feeder based criteria would enhance continuity in the transition from primary education to secondary education

- Option A disadvantages those pupils resident in catchment who live furthest from the school, those pupils being less likely to gain admission
  - Option A takes no account of how long a family has resided in an area nor for how long a pupil has attended a school
350. It should be noted that the significant majority of respondents to the consultation, and the majority of respondents who favoured Option B over Option A, were resident in the catchment areas of Marlborough Primary School or Roath Park Primary School and/ or had children enrolled at these schools. The introduction of feeder arrangements would, for those pupils who attend these schools and who are resident within the Cardiff High School catchment area, give a higher level of certainty of admission to Cardiff High School in 2019/20, and also in 2020/21 and 2021/22. The admission of pupils under a feeder school arrangement would mean that pupils resident in relative close proximity to the school, who were not enrolled at a feeder school, would be unlikely to gain admission.
351. However, any modification to the admissions policy or oversubscription criteria for community schools must apply to the whole of Cardiff. Few responses to the consultation on this aspect were received from individual respondents in other areas of Cardiff.
352. In other primary schools and catchment areas, there would be no greater certainty of admission under a feeder school based criteria. In the catchment areas of Cardiff West Community High School, Eastern High, Fitzalan High School and Llanishen High School there would continue to be pupils resident within the catchment area who are enrolled in feeder primary schools who would not be likely to gain admission in the 2019/2020 intake year. Some pupils in these primary schools and/ or catchment areas would also be at a disadvantage when applying for admission to alternative schools under catchment area based arrangements and also under feeder school based arrangements.
353. Whilst many respondents stated that an attendance at a feeder school criteria would be clear and easily understood, a number of the respondents in favour of Option B did not acknowledge that, by virtue of their home address, they would not be considered under the feeder based criteria as consulted on, and their children would not therefore benefit from transition with the majority of their primary school peers as their responses appeared to suggest.
354. The responses of the Llandaff Church in Wales Diocese, Monmouth Church in Wales Diocese and of some parents of pupils in Welsh-medium primary schools note that pupils in those sectors would be disadvantaged by an in-catchment feeder criteria for English-medium community secondary schools which did not include those Church in Wales or Welsh-medium primary schools. However, were those schools to be designated as feeder primaries for English-medium community secondary schools (in addition to faith / Welsh-medium

schools) then pupils attending those schools would be additionally advantaged, to the detriment of other pupils.

355. It is clear from evaluation of responses to the consultation that implementing the significant changes to oversubscription criteria as set out in Option B would negatively impact pupils in a number of areas of the city and in each sector. There is not a sufficiently compelling case that making such a change at this time would achieve the aim of introducing more suitable admission arrangements for all pupils in Cardiff.
356. In summary, there is insufficient evidence that the change from a simplified version of existing arrangements (Option A) to the implementation of feeder based arrangements (Option B) would be of benefit in the city-wide Cardiff context. The implementation of Option A for admission to secondary education is therefore proposed.
357. It should be noted that the School Admissions Policy to be determined by the Cabinet applies to the 2019/20 intake year only and that whilst some pupils may be unable to attend their catchment area school, changes to catchment areas that take account of proposed changes to school capacities will be considered for later intake years.

#### **Local Member consultation**

358. All members were consulted on the draft Admissions Arrangements 2019/2020. The formal response of the Liberal Democrat Council Group is attached in Appendix 3.

#### **Reason for Recommendations**

359. The Council is required to review its school admission arrangements annually and to agree the arrangements following appropriate consultation.

#### **Financial Implications**

360. There are no financial implications directly arising from this report. The funding provided to individual schools, including external grant funding, is largely predicated on the basis of pupil numbers. Therefore, should the proposal result in changes to the number of pupils admitted to an individual school, it presents the possibility that the budget for a school will increase or decrease. In addition, should the proposal result in a change to the school transport provision required, it will need to be identified and considered as part of the Council's budget planning process and reflected in the Medium Term Financial Plan..

#### **Legal Implications (including Equality Impact Assessment where appropriate)**

361. The Council has a statutory obligation under the Education Act 1996 to promote high standards of education for primary and secondary

schools in its local authority area. Section 89 of the School Standards and Framework Act 1998 as amended by the Education Act 2002 determines that the Admission Authorities must carry out consultation before determining the admission arrangements which are to apply. The report shows that consultation has been conducted.

362. The Education (Determination of Admission Arrangements) (Wales) Regulations 2006 set out the procedure which the Admission Authorities should follow when determining their admission arrangements, including the consultation and notification process as well as timescales. In particular, the Admission Authority must determine arrangements in the school year beginning two years before the school year which the arrangements will be for, take all steps necessary to ensure that they will have completed the consultation required by section 89(2) before 1st March and determine the admission arrangements by 15th April. The arrangements must then be published within 14 days of the determination and appropriate bodies must be notified. The report shows that the consultation was conducted before the 1st March.
363. The Welsh Government has issued the School Admissions Code, which sets out the process for Local Authorities to follow when determining their admission arrangements. The School Admissions Code requires that no prohibited criteria (as set out on page 12 of the Code) are included in the admission arrangements and gives guidance on using various types of oversubscription criteria. This report reflects these requirements.
364. The Council also has to satisfy its public sector duties and obligations under the Equality Act 2010 (including the specific Welsh public sector duties). Pursuant to these legal duties, Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The Council must also not directly or indirectly discriminate against any pupil in its admission arrangements, this means that no pupil or group of pupils may be treated less favourably based on a protected characteristic. Protected characteristics are:
- Age
  - Gender reassignment
  - Sex
  - Race – including ethnic or national origin, colour or nationality
  - Disability
  - Pregnancy and maternity
  - Marriage and civil partnership
  - Sexual orientation
  - Religion or belief – including lack of belief
365. The Equality Impact Assessment specifically considers how the proposals may affect pupils with protected characteristics. The purpose of the Equality Impact Assessment is to ensure that the

Council has understood the potential impacts of the proposal in terms of equality so that it can ensure that it is making proportionate and rational decisions having due regard to its public sector equality duty. The Council must have due regard to these obligations when this decision is taken to determine the admission arrangements.

366. In accordance with the Welsh Language (Wales) Measure 2011 and the Welsh Language standards, the Council also has to consider the impact upon the Welsh language any decision that it makes and in accordance with the Welsh in Education Strategic Plan, the Council must consider how it can promote Welsh medium education. This report reflects those requirements.
367. The Council must also consider its legal obligations under the Well-being of Future Generations (Wales) Act 2015 to think more about the long term, work better with people and communities and each other, look to prevent problems and take a more joined-up approach.
368. There are also legal obligations under the Education Act 1996 which require pupils with statements of special educational needs to be admitted to the school named in the statement and the Education (Admission of Looked After Children) (Wales) Regulation 2009 which requires the Council to admit children who are currently looked after (in accordance with the definition in section 74 of the Social Services and Wellbeing Act (Wales) 2014. The report and proposed admission arrangements reflect these obligations.

### **Transport Implications**

369. The City Operations service area is committed to facilitating sustainable transport within Cardiff. One of the most important areas of attention in this regard is with respect to how parents and children travel to and from their school. Encouraging parents and children to adopt sustainable forms of transport has the following benefits (the first two being directly related to the pressure on the highway network).
  - Impact on network - Journeys to and from schools using unsustainable forms of transport (e.g. petrol or diesel powered, private motor vehicles) has a major impact local environment and on the highway network and adds significant pressure to the distributor roads. This causes additional delays to general traffic and, more importantly, to more sustainable forms of transport. It is therefore important that parents and children use sustainable forms of transport in order to minimise this negative affect on the network.
  - Habits – Encouraging children to understand the benefits of, and to adopt, sustainable forms of transport creates a mind-set which will continue into the future. It is therefore important that we educate children about the benefits of sustainable transport and encourage them to travel to and from their school with this in mind.

- Health – All forms of sustainable transport tend to involve significantly more physical activity during the journey to and from school. This is particularly relevant for walking and cycling but also applies to the use of public transport (e.g. walking to and from the bus stop). Encouraging children to use sustainable forms of transport will therefore have a direct positive effect on their health as well as the indirect affects that come with the changed general mind-set with respect to modes of travel.

370. The traffic implications of this proposal is not known. However, it is strongly recommended that serious consideration is given to the ensuring that children are able to travel to and from their school using a sustainable mode of transport. One of the biggest factors that facilitates this, is the proximity of the children to the school. The school should be within walking or cycling distance of as many children as possible. If walking and cycling is not an option then there should be high quality and reliable bus services available. It is recommended that an assessment is made of the comparable benefits of each option in relation to the above aims. Factors such as average pupil distance to the school and reliability and convenience of public transport should be determined. This could be done using the same methods that are used for a Transport Assessments in relation to new developments.

### **HR Implications**

371. There are no HR implications arising from this report or its recommendations.

### **Wellbeing of Future Generations**

372. The Wellbeing of Future Generations (Wales) Act 2015 requires public bodies to make sure their decisions take into account the impact they could have on people living in Wales in the future. The Council has done so in relation to its proposed school admission arrangements. All Admission Authorities in Wales are legally bound to Section 84 of the Schools Standards and Framework Act (1998) (the Welsh Government's School Admission Code) and the Council has also complied with that legislation. Account is also taken of the Council's responsibility to provide and promote high standards of Education under the Education Action 1996.

## **RECOMMENDATIONS**

Cabinet is recommended to:

1. determine the attached Council's draft School Admission Arrangements 2019/2020 as set out in the Admission Policy 2019/2020.

2. note that the School Admission Arrangements 2019/2020 implement Option A for admission to secondary education, as set out in the Admissions Arrangements Consultation Document (Appendix 2).
3. note that Cabinet will receive a subsequent report on revisions to school catchment areas for 2020/2021.

**NICK BATCHELAR**

**Director of Education & Lifelong Learning**

9 March 2018

*The following appendices are attached:*

- Appendix 1 – Draft School Admissions Policy 2019/20 (as issued)
- Appendix 2 – Admission Arrangements consultation document
- Appendix 3 – Formal Responses
- Appendix 4 – Summary analysis of consultation responses
- Appendix 5 – Summary analysis of responses to pupil survey
- Appendix 6 – Impact analysis of feeder arrangements
- Appendix 7 – Proposed School Admissions Policy 2019/20
- Appendix 8 – Equality Impact Assessment