

**SCHOOL ADMISSION ARRANGEMENTS AND COORDINATED
SECONDARY SCHOOL ADMISSION ARRANGEMENTS
2024/2025**

EDUCATION (COUNCILLOR SARAH MERRY)

AGENDA ITEM: 3

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 2024/2025.

Background

3. In order to comply with the legislation above, School Admission arrangements for implementation in the 2024/2025 academic year (i.e., from September 2024) must be determined on or before 15 April 2023.
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 April in the school year beginning two years before the school year which the arrangements will be for.

Issues

Coordination of Admission Arrangements

5. Outside of coordinated admissions arrangements, parents may apply for multiple schools and inform the Council of which community schools are their preferred option(s), but they are not required to confirm whether they have made applications to other admission authorities, nor which non-

community school is their higher or lower preference. As a result, parents could be offered more than one school place for their child with some parents choosing to 'hold' offers for more than one school, preventing other children being offered these places. Whilst some parents receive offers for their child at multiple schools, other parents have been unsuccessful in securing a place at any of their school preferences.

6. Consequently, there is uncertainty as to which pupils will start at which schools as the order of parental school preferences is unclear at the time of application and some pupils remain unallocated after the first round of allocations.
7. The coordination of admission arrangements allows parents to apply for voluntary aided (faith based) schools, foundation schools and community schools using one application form. Parents can state their order of preference when applying and, once applications have been processed in accordance with the relevant admissions oversubscription criteria, would be offered only the highest preference school place that they are eligible for.
8. Cardiff Council has successfully coordinated admissions with three partner secondary schools since the 2018/2019 intake year. A pilot ran as part of 2018-2020 school admission arrangements, with coordinated admissions between all community secondary schools, Whitchurch High School (foundation school), St Teilo's Church in Wales High School (voluntary aided) and Corpus Christi Catholic High School (voluntary aided).
9. Each of the above schools has decided to remain as a partner within the coordinated admission arrangements. The Governing Bodies of each of the schools retain the responsibility for consulting on and setting its admissions arrangements. The Governing Bodies also retain full responsibility for determining the ranking of applicants against their oversubscription criteria.
10. The coordinated arrangements for secondary schools were expanded from September 2023 following a consultation in conjunction with the 2023/24 admission arrangements to include The Bishop of Llandaff Church in Wales High School.
11. The Council also consulted on extending coordinated admission arrangements to primary schools from September 2023. Twenty faith primary schools have joined the coordinated arrangements for 2023/2024.
12. The Governing Body of Mary Immaculate High School agreed to consult on its admissions arrangements for 2024/2025, to include coordination of its admissions with the Council.

Summary of the Council's School Admission Arrangements 2024/2025 Consultation

13. The Council's draft School Admissions Policy 2024/2025 (see Appendix 1) was issued for consultation on 28 November 2022 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 16 January 2023.
14. The proposed changes to the arrangements for 2024/2025 compared to the arrangements for 2023/2024, relate to the following:
 - Clarification on Children with ALN who have an IDP (Individual Development Plan).
 - Clarification on The Applicant.
 - Clarification on the timeframe for applying in advance of taking up a school place for 'in year' applications.
 - Information on admission arrangements for St Mellons CW Primary School and Ysgol Gynradd Groes-wen Primary School.
15. The policy was published on the Council website with details of how responses could be submitted which provided an opportunity for any interested parties to comment. Responses were requested to be returned by 16 January 2023.
16. Details of the consultation were promoted via social media and schools.
17. Proposed oversubscription criteria for 2024/2025 are set out on pages 9, 12 and 14 of Appendix 1.

Coordinated Admission Arrangements Consultation

18. In conjunction with the consultation on the School Admission Arrangements 2024/25, a public consultation on the proposed expansion of the coordinated arrangements for secondary schools, by including Mary Immaculate High School in the process from September 2024, was undertaken (a copy of the consultation document can be seen at Appendix 2).
19. At present, parents apply for a place at Mary Immaculate High School by submitting a school admission form directly to the Governing Body of the school. Requests for admission to any community school must be made to the Council.

Responses received in respect of the draft admissions policy during the consultation period

20. Prior to the annual consultation, the Council works closely with the Admissions Forum to consider how well existing and proposed admission arrangements serve the interests of children and parents city-wide. The Cardiff Admissions Forum includes Diocesan representatives, representatives of community, voluntary controlled, foundation and voluntary aided schools, parent governors and local community representatives.
21. The role of admission forums is to provide a vehicle for admission authorities and other key interested parties to discuss the effectiveness of local admission arrangements. This includes raising any particular issues that they may be privy to and consider how to deal with difficult admission issues and advise admission authorities on ways in which their arrangements can be improved and whether this would represent issues that should be included in the wider consultation.
22. The points of view raised in the responses received in relation to the issues consulted upon are set out in *italics* below. The Council's response to each point can be seen underneath, under the heading "Appraisal of views expressed".
23. A total of 18 responses were received during the consultation period.

Formal Responses

24. One formal response was received from Cllr. Robert Hopkins, Liberal Democrat Education spokesperson, on behalf of the Liberal Democrat council group.
25. The response included the following points:
 - *Paragraph 1.6 outlines factors that will be considered when the council may determine that it should name a school in an IDP. The range of factors are appropriate but the reference to "any other factors" is rather broad and potentially unclear. It would be helpful if this could be made more specific or examples given such as, for example, proximity to the child's home. This may well be an important consideration in specific cases.*
 - *Paragraph 2.3 provides helpful guidance on the application procedure to be followed where more than one person has parental responsibility. Note is made of cases where there may not be agreement and advice given on making an urgent application to the courts. The section makes clear that where more than one application is received it is the first received that will be administered. However, it is unclear from the policy*

what steps may need to be taken where the first application received may be in conflict with the second.

- *Paragraph 4.6 sets out arrangements for admission to Ysgol Gynradd Groes-wen. Notification is given that admissions to Reception and Year 1 in 2024/25 will be of 30 pupils per stream but only 15 pupils per stream in the case of Years 2 and 3. It would be helpful if the policy could explain why this is the case beyond the more general reference to a phased increase at the beginning of this paragraph.*
- *It is difficult to locate in the policy the specific references to clarification on the timeframe for applying in advance of taking up a place for in year applications.*

26. A copy of the full response can be seen at Appendix 3.

Appraisal of views expressed

27. The Council acknowledges the views expressed.

28. The wording in the policy concerning factors that will be considered when the Council decides to name a school in an IDP comes from section 23.59 of The Additional Learning Needs Code for Wales 2021.

29. It is not possible to give an exhaustive list of other factors, as each pupil's case is considered on an individual basis, and it would not be appropriate to give examples of particular circumstances.

30. In cases of parental disputes in respect of school admissions, a second application form, that conflicts with the first application made, will only be processed if the parents subsequently reach an agreement and advise on which application to process, or if a court order has been made as regards which parent holds the right to apply.

31. Parents need to be aware that Council officers are unable to resolve or take sides in disputes between two parents who both have parental responsibility. In the absence of parental agreement or a court order, only the first application submitted will be processed to ensure that the child can be considered for a school place.

32. A phased increase in the Admission Number will apply to admissions into Ysgol Gynradd Groes-wen Primary School with Reception admissions up to 30 pupils per stream and Years 1 – 2 operating a lower Admission Number of 15 in September 2023.

33. Ysgol Gynradd Groes-wen Primary School was established to serve the early phases of the Plasdŵr housing development in Northwest Cardiff. At the time of the school proposals being brought forward for consultation in

2019, outline planning consent had been granted for up to 6,520 new homes.

34. The arrangements for establishing new schools in Cardiff as 'starter schools' normally allow admissions to Nursery and Reception years only at the time of opening. This limits the impact of new school provision on neighbouring schools and allows for the stable growth of a new school.
35. Implementing arrangements that enable pupils to enrol in a limited number of year groups allows primary school pupils resident in the new development who are between Reception age and Year 2 at September 2023 to take up places at the local primary school.
36. The timeframe for applying for an in-year place is stated in section 2.7 Applications for Reception to Year 11 as up to a half term in advance of taking up the place.

Responses received from online survey

37. Views were sought from interested stakeholders via an online survey and a hard copy version of the survey within the consultation document.
38. The majority view expressed via the online survey was one of support for the proposed expansion of coordinated arrangements for secondary schools to include Mary Immaculate High School from September 2024.
39. A summary and appraisal of the responses received from all stakeholders is attached as Appendix 4.
40. Of the 17 responses received to the consultation via the online survey, there were seven respondents who identified that they were responding as parents/guardians or grandparents, three who identified that they were responding as governors, four who identified that they were responding as a local residents, one who identified that they were responding as a member of staff and three who did not specify who they were responding as.
41. Respondents stated an affiliation with the following schools:
 - Eastern High
 - Greenhill Special School
 - Llanedeyrn Primary School
 - Mary Immaculate High School
 - Moorland Primary School
 - Mount Stuart Primary School
 - St Teilo's Church in Wales High School
 - The Court School

Responses regarding the expansion of coordinated secondary school admissions

42. Of those who responded to the consultation in respect of the implementation of coordinated primary school admissions, 13 respondents supported the proposal, two did not support the proposal and one had no opinion.
43. Points raised in response to the consultation in support of the proposal are summarised below.
- *It is easier if it's the same process as other schools.*
 - *Coordinated admissions means all schools are visible and all families that apply get a single offer which is fairer and means [they are] more likely to get a higher school in their list.*
 - *It's a fairer system where non-religious local school spaces are kept unfilled until religious school accepted or not.*
 - *[Mary Immaculate] are losing out when parents secure first choice places elsewhere.*
 - *It helps the LA to plan for the academic year with regard to the students who will attend there.*

Appraisal of views expressed

44. The Council acknowledges the views expressed.

Admissions policies

45. Whilst there was support for the implementation of coordinated primary school admissions there were concerns raised about faith school admissions.
46. *It works well as it is. Faith schools need autonomy to admit those that can prove dedication to the faith.*
47. *Church schools should not be used in the twenty first century to plug the gap left by inadequate provision by the secular authorities.*

Appraisal of views expressed

48. Voluntary Aided secondary schools in Cardiff are maintained by the Local Authority. The Governing Body of a Voluntary Aided school is the Admission Authority for the school and is, therefore, able to set the admission criteria for the school, independent of the Local Authority.
49. The proposal does not have any impact upon a school's admissions policy nor impose any change to its governance. The Governing Bodies of faith schools retain the responsibility to consult on and determine their own

admission arrangements and to rank the order of applicants against their own oversubscription criteria.

50. The Welsh Government's School Admissions Code 2.42 states that "Schools designated as having a religious character may give preference in their admission arrangements to members of a particular faith or denomination, providing this does not conflict with other legislation, such as equality legislation or the mandatory provisions of this Code."
51. There is an exemption in the Equality Act 2010 for schools with a religious character. Faith schools are legally permitted to accept children on religious grounds.
52. According to the Admissions Code, any admission arrangements set by faith schools must be clear on how applicants can confirm their religious affiliation. They must state whether a reference is required from a priest or minister, define a specific frequency of attendance, if required, and whether requirements apply to just a parent or a parent and the child.
53. Whilst a faith school's admission criteria can give preference to members of a particular faith, applicants that are not of that faith cannot be refused a place, as long as insufficient applications have been received from people of the faith.

Other responses received

54. Responses were received via the online survey expressing views on other areas of the admissions process.

Cardiff High School

55. *You need to create more places in Cardiff High.*
56. *Admission to Cardiff High should be prioritised for students within the catchment area and the school should be increased in size to allow more students entrance into the school.*

Appraisal of views expressed

57. The proposed expansion of Cardiff High School continues to form part of Cardiff's £284m Band B 21st Century Schools programme.
58. The Band B programme outlines a proposal to increase the number of places at entry to Cardiff High School from 240 places (eight forms of entry) to 300 places (ten forms of entry). This would require the Council to undertake a full statutory consultation in accordance with the requirements of the School Organisation Code.
59. Consultation would be undertaken with all relevant stakeholders who may be affected by proposals including parents and local residents. Estimated

timelines for the development of the school would be outlined as part of that consultation.

60. In the event of a school being oversubscribed, applications are assessed against the oversubscription criteria. The admissions criteria are predicated on a geographical basis, giving priority to those living within a school catchment area and also considering proximity of school to home address.
61. The inclusion of a proximity to a school as a tie breaker within a criterion is a common and clear measure of ranking applicants against oversubscription criteria. In practice, children who meet the criterion of residence within catchment and are in closer proximity to the school are prioritised for admission over those who live further away. This higher priority for admission supports the Council's commitment to 'Active Travel'.
62. Whilst children who are resident in the catchment area of a school have priority for admission to that school over those who are not, children outside the catchment area cannot be refused a place if there are sufficient places available.

Selective schools

63. *What about merit based admission where some merit pupils can compete and do better.*

Appraisal of views expressed

64. The Welsh Government's School Admissions Code 2.29 states that "in setting oversubscription criteria admission authorities must not:
 - Adopt criteria which select pupils on the basis of ability or aptitude (except in relation to school sixth forms) except schools with partially selective arrangements which already had such arrangements in place at the beginning of the 1997/98 school year and are permitted to continue to use selection by ability."
65. Oversubscription criteria such as selection by ability or aptitude can either directly or indirectly disadvantage children from a particular social or racial group, or children with additional learning needs.

Summary

66. It is recommended that Mary Immaculate High School be included in the secondary school coordinated admission arrangements from September 2024. This would be subject to the approval of the admission arrangements by the Governing Body of the school.

Local Member consultation (where appropriate)

67. All members were consulted on the draft Admissions Arrangements 2024/2025.

Scrutiny Consideration

68. The Children and Young People's Scrutiny Committee will consider these proposals on 20 March 2023.

Reason for Recommendations

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

Financial Implications

70. There are no direct financial implications arising from the recommendations of this report.

Legal Implications

71. 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.
72. 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.
73. 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.

74. 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
75. 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.
76. 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.
77. The Council must also consider its legal obligations under the Wellbeing 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.

HR Implications

78. There are no HR implications arising from the recommendations in this report.

Transport Implications

79. No significant Transport Implications are anticipated.

80. The within-catchment applications having a higher priority for admission generally supports the Council's commitment to local schools serving local children, and to promoting active travel.

Property Implications

81. There are no property implications arising from the recommendations contained in this report.

Impact on the Welsh Language

82. The Council is committed to developing a Bilingual Cardiff. The Council's Welsh in Education Strategy (WESP) 2022 – 2031 will help Cardiff to support the Welsh Government's vision to see one million Welsh speakers across Wales by 2050.
83. The WESP is an integral part of the Council's 5 year Bilingual 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.
84. 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.
85. 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.
86. The teaching of Welsh within an English-medium setting is subject to the requirements of the National Curriculum. This would not change.

Wellbeing of Future Generations

87. 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 Act 1996.

Single Impact Assessment

88. A Single Impact Assessment has been carried out and is attached as Appendix 5. This includes an Equality Impact Assessment, Child's Rights Impact Assessment and Welsh Language Impact Assessment.

RECOMMENDATION

Cabinet is recommended to agree the attached Council's draft School Admission Arrangements 2024/2025 as set out in the Admission Policy 2024/2025.

SENIOR RESPONSIBLE OFFICER	Melanie Godfrey Director of Education & Lifelong Learning
	17 March 2023

The following appendices are attached:

Appendix 1 – Draft School Admissions Policy 2024/25

Appendix 2 – Consultation Document

Appendix 3 – Formal Responses

Appendix 4 – Summary of consultation responses

Appendix 5 – Single Impact Assessment