



Archdiocese of Birmingham
Diocesan Education Service

What Catholic Voluntary Aided schools and Catholic Academies need to know about consulting on Admission Arrangements

Schools often contact me for advice regarding consultation of their proposed admission arrangements. This guide is designed to be a quick reference tool to help answer the following questions:

1. What is a full consultation?
2. Does my school need to carry out a full consultation?
3. How and when does it need to be carried out?

To help schools, I will cover each of the above points in order, but it may be helpful to clarify some of the terminology used in school admissions:

Proposed Arrangements – This is the planned admission policy that the school intends to use. Proposed policies are drawn up almost two years ahead of the school beginning to use them, eg in the Autumn Term 2022, schools will begin to draw up policies which will become the Proposed Arrangements for entry into the school during the academic year 2024/2025.

Determined Arrangements – This is the final, legal policy that the Admission Authority decides on and approves following any required consultation or discussion period if required. Schools must determine their final arrangements by 28th February each year. Once the policy is determined it cannot be amended unless directed by the Schools Adjudicator following a complaint or to amend a policy to ensure it complies with the School Admissions Code.

Admission Authority – This is the legal body responsible for deciding who is offered a place in any particular school. In a Catholic Voluntary Aided school this is the governing body. In a Catholic Academy, it is the Board of Directors. The responsibility for considering an application and deciding who is to be offered or not offered a place in a school cannot be delegated to an individual person. The decisions must be made by the Admission Authority.

School Admissions Code – The legal Framework, published by the Department for Education, which provides the mandatory requirements for admission authorities to follow.

The full School Admissions Code can be found at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1001050/School_admissions_code_2021.pdf

Consultation – The formal process that requires admissions authorities to share their proposed arrangements with interested parties before final determination in order for responses, comments or objections to the proposed policy to be submitted and considered.

1. What is a full consultation?

A full consultation is the circulation of the schools **proposed** admission arrangements ahead of them being determined (finalised and approved). The consultation takes place for a set period of time and is to allow anyone with an interest in the school's arrangements to comment or object to the planned policy before it is finalised.

In order to comply with the Code, when consulting, admission authorities, ie governing bodies or Boards of Directors, **MUST** circulate the proposed policy to all of the following:

- a) Parents of children who are aged between two and eighteen. To comply with this you will need to ensure your proposed policy is circulated to nursery schools and private day nurseries so that they can inform parents that you are consulting. You may need to think creatively on how you reach out to all families to ensure that all parents have had the opportunity to see your proposed policy and respond to it.
- b) Other persons in the relevant areas who in the opinion of the admission authority may have an interest in the proposed admissions. Only you as a school can decide who would fall within this category. Please ensure though that you include the parish(es) that your school serves and any neighbouring parishes.
- c) All other admission authorities within the relevant area (except that primary schools need not consult with secondary schools).
- d) The local authority.
- e) Any adjoining neighbouring local authority.
- f) The Diocese.

Ahead of a school determining their admission arrangements, the Diocese is happy to read, review and offer advice to individual school's proposed policies. However, this would not be classed as a full consultation unless all others listed above are also sent the proposed policy.

2. Does my school need to carry out a full consultation?

The School Admissions Code requires schools to consult:

- If there are changes being proposed to the policy.
- Every seven years even if there are no changes.

Therefore, schools need to monitor their own consultations and ensure that even where there have been no changes that a consultation is carried out every seven years. This is a legal requirement. Schools that cannot prove that they have consulted correctly and legally will have difficulty if ever a complaint regarding their schools policy was brought to the attention of the Schools Adjudicator.

3. How and when does a consultation need to take place?

A consultation **MUST** last for a minimum of six weeks. It cannot begin until 1st October and must end by 31st January. Therefore schools should begin a consultation between 1st October and 20th December in any given year.

The school needs to send the policy out to everyone listed in the answer to question 1, stating when the consultation is beginning and ending and to whom any comments relating to the proposed policy should be sent.

The proposed policy **MUST** also be put on the school's website along with who comments should be submitted to.

At the end of the six weeks, the governing body or Board of Directors as appropriate, should meet to reconsider the proposed policy and discuss any comments or objections submitted and whether any further amendments should be made to take into account those comments. The final policy should then be determined. Determination **MUST** take place by 28th February. Following determination, the final policy **MUST** be published on the school's website by 15th March and also be sent in to the local authority and the Diocese by this date.

The School Admissions Code clearly states that failure to consult effectively may be grounds for subsequent complaints and appeals.

Therefore, it is vital that your school ensures that it is consulting properly. The Diocese will keep a list of when schools consult so that they can be prompted when they are due to consult again.

You may find it helpful to ask yourself the following questions?

- When did we last fully consult?
- Has it been within the last seven years?
- How do we know?
- Where is the evidence of our consultation?
- Could we provide this evidence to the Schools Adjudicator if required?
- Does our school have an annual timetable for setting its admission policy?
- Is there anything we need to change or review to ensure we comply with the Code?

Further guidance on setting the schools' admissions policy will be sent to schools during the autumn term, but if schools require any additional information on consultation or the School Admissions Code, please contact our Admissions and Governance Officer, Mrs Rebecca Tonks on 01675 464755 ext 110, mobile 07443 404188 or by email at r.tonks@bdes.org.uk