



Department for Schools and Colleges

GUIDANCE ON PRIMARY SCHOOL ADMISSIONS

**A FUTURE
FULL OF HOPE**
CLIFTON DIOCESE

August 2022

Foreword

This guidance is provided by Clifton Diocese in partnership with the Catholic Education Service to support governing bodies in discharging their responsibilities as admission authorities. It provides guidance about the construction of admission arrangements and diocesan requirements in relation to membership of the Catholic faith. In line with statutory requirements, all schools within the diocese **must have regard for it when drawing up their admission policy**. This document is effective from September 2022 and replaces all previous guidance issued by the department on behalf of the Bishop as the appropriate religious authority for the Catholic schools situated in his diocese. This includes all Catholic maintained schools, Catholic academies, and those in the trusteeship of a religious and/or charitable order.

The Bishop expects all his schools to comply with this guidance unless there are clear and proper local reasons for not doing so. He expects such a position to be the exception, and only to be reached following discussions with his diocesan officers.

This guidance complements, but does not reproduce, the School Admissions Code (“the Code”). It focuses on those areas that are of most concern to the governing bodies of Catholic schools.

Governors most directly concerned with admissions and appeals therefore need to be thoroughly familiar with the Code as well as this guidance.

Whilst every effort has been made to ensure the accuracy of the guidance in relation to the Code, it must be noted that it does not provide a definitive interpretation of the law. That is entirely a matter for the courts.

It must be noted that responsibility for determining arrangements and publishing policies and procedures which comply with the law, rests with the admissions authority, not with the diocese.

1- INTRODUCTION

Admission policies in Catholic schools are a key element in preserving and developing the distinctive religious character of the school. This guidance reflects the underlying principles which should inform admission arrangements in our Catholic schools. Some of these are that;

A Catholic education must:

- encourage the formation and growth to maturity of the whole human person;
- enable physical, moral and intellectual talents to be developed harmoniously;
- teach all to know and live the mystery of salvation;
- assist all to work towards their eternal destiny;
- promote the common good of society;
- ensure that all develop a greater sense of responsibility and a right use of freedom; and
- provide formation for every person to take an active part in social life.¹

In England and Wales, the Bishops have also said that ***“whether or not market forces are regulated in some way by a supervising authority, it remains the Christian duty of individual schools themselves to promote the common good and support the poor, vulnerable, powerless and defenseless” by reviewing and, where necessary, amending their admission procedures; accepting that sacrifices sometimes have to be made by individual institutions for the sake of the common good; and working at local, diocesan and national levels to ensure an equitable distribution of the resources available to education.*”**²

Each Catholic school is established in the diocese to form, in partnership with home and parish, an integral part of that local Catholic faith community which bears the mission of the Church; to embrace the gospel of Christ, to live by its values, and to proclaim Christ as the light of all peoples. A key role of the school is to assist parents of baptised Catholics to fulfil the responsibilities taken on at their child’s baptism. By striving to be a Christ-centred community providing excellent education, the school will also play its part in the witness and mission of the local Church.

Catholic schools are established and maintained as part of the education system, in which the Catholic community undertakes a responsibility to provide for the education of Catholic children in schools whose philosophy, recruitment, admission of pupils, delivery of the curriculum and daily life are determined by the distinctive Catholic ethos of their faith community. **As part of the diocesan community of parishes and schools, no school should act for its own perceived interests alone.**

It is the responsibility of Catholic schools, in co-operation with each other and other admission authorities, and with the assistance of the diocese, to ensure that the maximum number of Catholic children are able to take advantage of a Catholic education provided by a local Catholic school. Catholic schools should therefore:

¹ Code of Canon Law (*Codex Juris Canonici*: CJC) cann.795, 217; Gravissimum Educationis.

² The Common Good in Education, p.17.

- work with each other to ensure that places are provided equitably for all local Catholic communities (including Eastern Catholic Churches and ethnic chaplaincies); and
- Co-ordinate their admission arrangements to maximise parental satisfaction with their choice of Catholic school.

2 - ADMISSION PROCEDURES

Admission Authorities

In Catholic voluntary aided schools, the admission authority is the governing body. In Catholic academies, the admission authority is the academy trust company.

The term “school” is used throughout this guidance to refer to Catholic schools and academies. The term “governing body” is used throughout to refer to the admission authority under the appropriate constitutional arrangements.

It is the responsibility of admission authorities to ensure that admission arrangements i.e., the overall procedure, practices and criteria to be used, in deciding on the allocation of school places and any device or means used to determine whether a school place is to be offered, are compliant with admissions legislation, and the 2021 Code

<https://schools.cliftondiocese.com/wp-content/uploads/2021/07/New-Code.pdf>

issued under section 84 of the School Standards and Framework Act 1998 (“SSFA 1998”).

The Code states, in paragraph 1.38, that *“Admission authorities for schools designated as having a religious character **must** have regard to guidance from the body or person representing the religion or religious denomination when constructing faith-based admission arrangements, to the extent that the guidance complies with the mandatory provisions and guidelines of this Code.”*

Role of the Governing Body

Over-subscription criteria are set by the governing body and published in its admissions policy. In deciding on the admission arrangements for the school, the governing body must comply with the law, including to have regard to this diocesan guidance.

Governing bodies are required by law to comply with the Diocesan Trust Deed for Schools and Colleges and with their constitutional documents when determining admission arrangements. For maintained schools the constitutional document is their Instrument of Government and for academies it is their Articles of Association.

The constitutional documents include the school’s duty to serve as a witness to the Catholic faith, and to comply with the requirements of canon law.

Catholic school governing bodies have an over-riding duty to offer places to Catholics first, to legally comply with their constitutional documents and the Trust Deed as appropriate. Therefore, Catholic schools must **not** implement any policy or include any criteria that would result in an offer of a place to a non-Catholic, before a Catholic child.

Determination of Admission Arrangements

Governing bodies **must** formally determine the school's admission arrangements **annually**, even when they decide that their admission arrangements will remain the same. If it is decided that governors would like to change the arrangements, it will require a public consultation (see below) to be undertaken by 3 December 2022. To ensure compliance with this legally required date, governors should therefore decide every autumn term if they wish to change their arrangements or if they wish for them to remain the same. **However, in line with Bishop Declan's implementation of a common admission policy for all primary schools across the diocese, schools should not consult on changing these arrangements unless authorised to do so by the Diocese. Therefore, the same policy and arrangements should be determined for 2024-25.**

It is important that governing bodies ensure that its decision to determine the admission arrangements each year is documented and easily accessible should they be required to provide evidence.

Once admission arrangements are determined, the governing body **must** notify all those persons or bodies specified by the Code and must also send a copy of their full, determined arrangements to their local authority and the Diocese.

The governing body must also provide all the information that their local authority needs to compile the composite prospectus (parent's guide booklet) no later than 8 August (see para. 1.53 of the Code) unless agreed otherwise.

It is important to note that the determined admission arrangements **must** be published on the school's website for the whole of the school year in which offers for places are made.

Consultation in the event of changes (see paras 1.45-1.48 of the Code)

Where changes are proposed to the admission arrangements the governing body must consult on the arrangements before they are adopted, except where the change is to increase a school's published admissions number ("PAN"). (See note below about PAN.)

Where no changes are made to admission arrangements over several years, the admission authority **must**, nevertheless, carry out a public consultation, every 7 years. As stated above, a common admissions policy was agreed by CCDEF for use by all primary schools and those schools who determined this policy should not consult on changing these arrangements unless authorised to do so by the Diocese and so are otherwise expected to keep the arrangements the same and to determine them again for 2024-25.

Where a consultation is required, it must be for a minimum of 6 weeks, and the Code sets out the specific time frame within which that consultation must take place (see para 1.46 of the Code). It is recommended that the clerk keeps a record of when the last consultation occurred to ensure compliance.

The Code also sets out those with whom the governing body are required to consult. This includes consultation with the appropriate religious authority. Catholic schools

must, therefore, consult with the diocese, since the appropriate religious authority is the diocesan bishop.

It is important for the governing body to carefully consider those persons or bodies with whom they need to consult (within their Relevant Area), and how they might effectively do so. The diocese will be able to provide further guidance about the persons or bodies to be consulted and the governing body should contact the diocese at the earliest opportunity to seek its guidance.

Published Admission Number (PAN) – see paras. 1.2 to 1.5 of the Code

The governing body is required to set an admission number for each ‘relevant age group’ i.e., the age group at which pupils are, or will **normally** be, admitted. For primary schools, this is likely to be the Reception age group, but there may be other entry points, and if so, the admission number for that age group must also be specified in the policy.

The governing body **must not**, increase its PAN without the agreement of the diocese. Canon law provides that each diocesan bishop has strategic responsibility to commission sufficient school places to meet the needs of baptised Catholic children resident in his area. The expansion of any Catholic school is part of the strategic place planning and therefore, within the canonical responsibility of the diocesan bishop. All Catholic schools are required by their governing documents to comply with the requirements of canon law.

Where the governing body determines a PAN that is higher than in previous years, they must notify the local authority that they have done so and make specific reference to the change on their website as soon as determined (see para. 1.51 of the Code). The governing body should always consult with the diocese in good time to obtain its consent to the increase in its PAN, allowing sufficient time for it to be factored into the next admission round if approved.

Allocating Places

As the admission authority, it is the responsibility of the governing body of a Catholic school to allocate places in line with its published admissions arrangements.

With the exception of designated grammar schools, all maintained and academy schools, must offer a place to every child who has applied where they have enough places. Where there are insufficient places available **the governing body must allocate places in line with their determined admission arrangements only.**

A decision to offer, or refuse, admission **must not** be made by one individual in an admission authority (except for when acting under delegated authority under the LA Fair Access Protocol - see para. 3.15 of the Code). The whole governing body, or an admissions committee established by the governing body, **must make** these decisions.³

³ Para. 2.7 School Admissions Code December 2021

The decisions of the governing body, or the admissions committee, must be recorded in the minutes of the meeting of the governing body and the minutes must be retained in accordance with the school's record retention policy.

It is important that the school's Parish Priest is not a member of any admissions committee as they are likely to be the Parish Priest for many of the families which are making an application for a place. He will, in that capacity, have a pastoral role to play which should not influence any decision to admit an individual child. Staff members should also not be on an admissions committee (other than the head) in order to avoid any, or the perception of, conflict of interest.

Closing and Offer Days for Primary Schools

The national closing day for the submission of applications for 2024-25 is midnight on 15 January 2024

The national offer day for 2024-25 is 16 April 2024.

In-Year Admissions

It is important that applications for in-year admissions are processed as quickly as possible to avoid any delay in a child starting school. Usually, the governing body will establish an Admissions Committee to which the governing body will delegate responsibility to make the decisions about admission to the school. The relevant regulations require that the quorum for any meeting of such committee must be determined by the committee, but in any event, must be not less than three governors who are members of the committee.⁴

It is often difficult to arrange meetings of the committee on short notice to deal with ad hoc in-year applications. The regulations do, however, provide that the governing body may approve alternative arrangements for committee members to participate or vote at meetings of a committee including, but not limited to by telephone or video conference ('virtual attendance').⁵ It should be noted that the requirement is for a **meeting** of the committee, albeit not necessarily in person. An exchange of emails would **not** amount to participation in a meeting and therefore would not be compliant with the regulations.

In order to have 'virtual attendance' at meetings, schools must have a written policy on virtual attendance. It is therefore advised that the governing body, when establishing the Admissions Committee, should include within the delegation, an approval of alternative arrangements to facilitate a virtual meeting, in order to ensure that decisions in relation to in-year applications are not delayed.

The governing body may delegate the responsibility for considering applications to a committee and, if it does so, the head teacher should be a member. **However, head teachers or any other person have no individual role in school admissions and may therefore not be delegated the power to accept or refuse admissions on their own.**

⁴ Reg. 22(2) School Governance (Roles, Procedures and Allowances) (England) Regulations 2013

⁵ Reg. 26(10) School Governance (Roles, Procedures and Allowances) (England) Regulations 2013

Paragraph 1.4 of the Code confirms that the Published Admission Number (PAN) does not apply to year groups which are not the normal years of entry, so it only applies to the Reception Year. Schools are permitted to admit over the original PAN set for any given year group. The wording in Paragraph 1.4 makes it clear that governors are not able to refuse in-year admission on the grounds that they have reached PAN, but they may refuse admission where the admission of another child “*would prejudice the provision of efficient education or efficient use of resources.*”

Governors should therefore always consider if they are prepared to offer a place to any In-Year application, even if the original PAN figure has been reached (although we would generally expect governors to ‘go over number’ only in exceptional circumstances). When considering In-Year applications, governors **must always** consider the parents reasons, even if the year group is full, before deciding to allocate a place or not. Applications should not be automatically refused just because the year group or class is already full. Governors must consider the parent’s case when deciding if the child’s admission would cause prejudice to the efficient education or the efficient use of resources. Refusal cannot be on the grounds that the PAN has been reached. For any class where the majority of children are aged 5,6 or 7, the number of pupils should not normally exceed a ratio of 30 pupils per teacher. Again, in such cases any application should not be automatically refused but governors should consider if the child qualifies as one of the legally allowed permitted exceptions to Infant Class Limits as detailed in Paragraph 2.16 of the Code before making their decision.

Schools should aim to respond in writing to all In-Year applications within 10 school days and must do so within 15 school days at the latest and are also required to notify the local authority of all applications made and the outcome of those applications and should aim to do this within two school days (see para. 2.30 of the Code).

Schools must set out on their website, how In-Year applications will be dealt with for the year ahead i.e., from 1 September 2022 to 31 August 2023, by 31 August 2022 (see para. 2.26 of the Code).

Waiting List

The governing body must maintain a waiting list for each relevant age group, which is the age group at which pupils are, or will normally be admitted to the school e.g., reception (see para. 2.15 of the Code). The diocese requires that a waiting list is maintained by the governing body until the last school day for pupils of July in the summer term. Whilst your LA may be able to assist with this, **the function must not be delegated to the LA.** The admission arrangements must set this out, and state that each child added to the list will require it to be ranked again in accordance with the published oversubscription criteria. Priority must not be given based on the date a child’s application is received or their name was added to the list.

You must also keep a waiting list for all other year groups until the last school day for pupils in July of the summer term.

Role of the Local Authority

The local authority co-ordinates applications for admission to schools within its area for **new intake** admissions.

Each year, all **local** authorities must formulate a scheme to co-ordinate **new intake** admissions for all publicly funded schools within their area (see para. 2.22 of the Code)

by 1st January in each year. They are required to consult with a range of bodies including each governing body if changes are made to the Scheme which make it substantially different from the Scheme adopted for the preceding academic year. In the event of no changes and therefore no consultation they must consult every six years. The agreed Scheme must be published on their website. All admission authorities in that area, including all Catholic schools, are required to participate in co-ordination and provide the local authority with the information it needs to co-ordinate admissions by the dates agreed within the scheme.

Local authorities must provide a common application form (CAF) to enable parents to express their preference for a place at any publicly funded school, with a minimum of 3 preferences in rank order, allowing them to give reasons for their preferences (see para 2.1 of the Code). There is no requirement for local authorities to co-ordinate **in-year** applications, but they must provide information in the composite prospectus, (published by the local authority), on how in-year applications can be made and will be dealt with. A parent can apply for an in-year place for their child at any time to any school. They can do so directly to the school, except where local arrangements are in place whereby it has been agreed that the local authority will co-ordinate in-year applications (see para 2.21). However, it is important to note that, for both the coordinated new-intake admissions and where the local authority (LA) co-ordinates in-year applications, the LA must **not** make the decision about whether to offer a place at the school. It is the right of the governing body of a Catholic school, as the admission authority, to make decisions in relation to admissions. This has always been central to the protection of the Catholic character of the school. **Governing bodies should not, therefore, agree to the inclusion of any such provisions in the Scheme.** The governing body is the admission authority of our Catholic schools and so it is for the governing body to make all decisions about admission to the school including in-year applications.

Whilst a local authority may assist Catholic schools in their consultation process of their policy by sending it to all other bodies or people within the **Relevant Area** governors should **not** assume that they will do this. Governors need to check that they provide this service. In many instances, LA's charge for doing so, so governors also need to check the costs involved. It must be remembered that it is ultimately the governor's responsibility to ensure consultation has occurred appropriately. It is, however, the responsibility of the school's LA to set a **Relevant Area**. Schools should therefore contact their LA to find out what their Relevant Area is, so you know the area within which, you should be consulting.

As mentioned above, the governing body **must**, on receipt of an in-year application, notify the local authority of both the application and its outcome and should aim to do so within two school days (see para. 2.30 of the Code). This allows for the local authority to keep up to date figures on the availability of places in the area. It also allows for the local authority to ensure that children in the area receive the offer of a school place and are not out of school for a significant period. **It is extremely important that this information is provided to the local authority without delay.**

*It should be noted that local authorities **must** refer an objection to the Schools Adjudicator if they are of the view, or suspect, that the admission arrangements of a school are unlawful.⁶ In addition any person or body (including any diocese) who*

⁶ Para. 3.2 School Admissions Code December 2021

considers that the admission arrangements of a school are unlawful, or not in compliance with the Code or relevant law relating to admissions, can make an objection to the Schools Adjudicator.⁷

Fair Access Protocol

Each local authority must have a Fair Access Protocol agreed by the majority of schools in its area (see para 3.14 of the Code) and all admission authorities must participate in it (see para. 3.15 of the Code). This is to ensure that unplaced and vulnerable children and those having difficulty securing a place in-year are allocated a school place as quickly as possible.

The list of children included in the Fair Access Protocol is given in para. 3.17 of the Code. There is no duty for schools to comply with parental preference when allocating places through the Fair Access Protocol, but parents' views should be taken into account (see 3.19 of the Code). The governing body may give absolute priority to a child where admission is requested under any locally agreed Fair Access Protocol, even where this would mean admitting the child would exceed the school's PAN (subject to the infant class size requirements). Children under the Fair Access Protocol must be allocated a place within 20 school days (see para. 3.21 of the Code) so governors should consider any requests to place a child as quickly as possible.

The Role of the Bishop and the Diocese

Canon law provides that each diocesan bishop has strategic responsibility to commission sufficient school places to meet the needs of baptised Catholic children resident in his area (diocese). A Catholic school is one which is recognised as such by the diocesan bishop.

All Catholic schools therefore are subject to the jurisdiction of a diocesan bishop, even those that are not in diocesan trusteeship. **Canon 806§1** states that '*the diocesan bishop has the right of supervision, visitation and inspection of Catholic schools in his diocese, even those established or directed by members of religious orders*'. He also has the right to issue directives concerning the general regulation of Catholic schools.

As mentioned above the religious authority for all Catholic schools is the diocesan bishop. In accordance with the Code the admission authority must consult with the religious authority (the diocesan bishop) when deciding how membership of the faith is to be demonstrated. As the local ordinary, it is for the diocesan bishop to decide how membership is to be demonstrated **and in the Diocese of Clifton, the Bishop has determined that faith (for admissions purposes), can only be evidenced by a baptismal certificate***. Published admission arrangements must make clear how membership is to be demonstrated in line with this guidance.

**where a child has been baptised into another Christian denomination and subsequently received into the Catholic Church, a reception certificate or other evidence of reception, is also acceptable.*

⁷ Section 88H of the SSFA 1998

In determining faith-based admission arrangements the governing body **must** follow the diocesan guidance. The governing body **must** have regard to the guidance in accordance with para. 1.38 of the Code unless; it does not comply with the mandatory provisions and guidelines of the Code or the school can demonstrate that it has considered and engaged with the guidance and has a clear and proper reason to depart from it. It will be particularly difficult for the governing body to demonstrate a clear and proper reason for departing from this guidance if that departure:

- (i) fundamentally undermines the core or underlying principles of the guidance;
- (ii) is expressly forbidden by or in conflict with the guidance; or
- (iii) is substantially different in a material respect from the guidance.

The governing body is required to consult with the diocese before making any changes to the school's admission arrangements.

The diocese recognises that dealing with admissions can be one of the most difficult tasks facing governing bodies and so it is hoped that this guidance will be of assistance. Where governing bodies have any uncertainty or concern about any aspects of admissions and the process, they should contact the diocesan Governance Officer who will be happy to assist.

3 – OVERSUBSCRIPTION CRITERIA

As a Catholic school the governing body is required by law to comply with its constitutional documents (i.e., Instrument of Government or Articles of Association, plus the Trust Deed) when determining its admission arrangements. In order to comply with these documents, Catholic school governing bodies, have an over-riding duty to offer places to Catholics first. This is a requirement of the Trust Deed and is in accordance with the Bishops' directive, and therefore a requirement on governing bodies. Catholic schools must not therefore draw up or implement any oversubscription criteria that would offer a place to a non-Catholic and deny that place to a Catholic child.

Objectivity and Construction of Oversubscription Criteria

The Code requires that oversubscription criteria must be reasonable, clear, objective, procedurally fair and comply with all relevant legislation, including equalities legislation. Parents should be able to easily understand how their application will be handled and what chance their child's application has of succeeding (see para. 1.8 of the Code).

The Diocese wishes to enable, every Catholic family within the Diocese, to have an equal chance of obtaining a place at a Catholic Primary school for their child, regardless of the parish in which they live and also wishes to reduce the burden for governors in achieving compliance with the requirements of the Code.

In order to achieve these aims, the Clifton Catholic Diocesan Education Foundation (CCDEF), chaired by Bishop Declan, approved the following oversubscription criteria, as part of a common admissions policy for all primary schools:

1. Catholic looked after and previously looked after children.
2. Catholic children who are resident in the school's designated parish(es)
3. Other Catholic children.
4. Other looked after and previously looked after children.
5. Children who are a Catechumen
6. Any other children.

Within each of the categories listed above, priority will be given to children who will have a brother or sister at the school at the time of enrolment.

Definition of 'Catholic' for the purposes of oversubscription criteria

For the purposes of oversubscription criteria, the term 'Catholic' means a baptised person who is a member of any Catholic Church that is in full communion with the See of Rome. This includes members of the Eastern **Catholic** Churches in full communion with the See of Rome (see list below). Members of these Churches have the full rights of any member of the Catholic Church and must not be discriminated against in any way, directly or indirectly.

NB Eastern **Catholic** Churches must not be confused with the Eastern **Christian** Churches, who must **not** be included within admission arrangements.

In admission arrangements, the terminology 'Catholic' should be used. The term 'Roman Catholic' should not be used.

Membership of a Catholic Church is gained in one of two ways.

(a) an unbaptised person becomes a Catholic by baptism in a Catholic Church. This is recorded in the Church's Baptismal Register.

(b) other baptised Christians become Catholics by being received into a Catholic Church. This is recorded in the Church's Register of Receptions or, exceptionally, in the Church's Baptismal Register.

Governing bodies should therefore require, and must accept either of the following as evidence of membership of a Catholic Church:

- (a) a certificate of baptism from a Catholic Church, or
- (b) a certificate of reception into the Catholic Church.

Since it is possible for parents to obtain duplicate certificates when required, it is reasonable for governing bodies to require the production of one of these documents to support an application for admission to the school or, in exceptional circumstances,

other documentary evidence acceptable to the governors.

Arrangements should state that whilst a copy of the certificate may be accepted, the governors may request sight of the original. The governing body may also request additional supporting evidence if the written documents that are provided do not clarify the fact that the child was baptised, e.g., where the name and address of the Church is not on the certificate or where the name of the Church does not state whether it is a Catholic Church or not.

There may occasionally be difficulty in obtaining written evidence of baptism or reception into the Church. In such cases, contact may be made with the Parish Priest for advice on how the question of baptism is to be resolved and how written evidence is to be produced in accordance with the law of the Church. The Priest may seek advice from Clifton Diocese.

‘Practising Catholic’

The definition of membership of the Catholic Church in Clifton, defined by Bishop Declan for admissions is ‘baptism or reception, evidenced by a certificate or statement from the parish in which the baptism or reception took place.’

Whilst some schools can be heavily oversubscribed and may wish to include over-subscription criteria that give priority to those who are ‘practicing’ Catholics or who ‘regularly worship’ etc., the Bishop does not support this and so it must **not** be used.

Governing bodies **must not** request certificates, references or other information from priests about sacraments other than baptism/reception e.g., not First Confession or First Holy Communion.

Catechumens

As advised by the Catholic Education Service and in accordance with the Trust Deed, arrangements must make explicit provision for children who are catechumens. Catechumens are persons who wish to be baptised (into the Catholic Church) and have been accepted into the Order of Catechumens by the appropriate liturgical rite.

Catechumens should be given priority over all other non-Catholic applicants (except looked after and previously looked after children).

Acceptance into the catechumenate is normally demonstrated by a certified copy of the entry in the Church’s Register of Catechumens and evidence of this should be provided.

Other Christian Denominations and Other Faiths

Schools **must not** include these within their criteria. Determining what is acceptable as evidence of membership of other denominations/faiths can be extremely difficult (particularly for those from smaller or not commonly known ones), and so they must **not** be included within admission arrangements.

By not having criteria for those of another denomination or faith or of none, schools are seen to be being inclusive to all other children, and this minimises the risk of legal challenge.

'Looked After' and 'Previously Looked After Children'

Highest priority must be given to Catholic 'looked after children' and 'previously looked after children' including those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted. Governing Bodies should refer to para. 1.7 of the Code and the relevant footnotes, which sets out the definition of these terms.

The Code sets out the provisions of the relevant admission regulations at para.1.7. In most dioceses, Catholic schools are legally required to give priority to Catholic children. The law permits Catholic schools to differentiate between Catholic and non-Catholic 'looked after' and 'previously looked after children' in order to fulfil their constitutional documents, plus the Trust Deed. However, they must give the highest priority to Catholic 'looked after' and previously looked after children' above all other Catholic children. They must also give priority to non-Catholic 'looked after' and 'previously looked after' children above other non-Catholic children including those with a sibling at the school.

Residence in Parishes

Every parish within the Diocese has a designated primary school and many parishes are linked with secondary schools. Primary schools **must** give priority to Catholic children from within their own parishes, over children from outside their designated parishes. Governing bodies **must** consult the diocese and any appropriate schools, if they wish to alter the selection of the parishes they currently serve, as it may affect the admission arrangements of other Catholic schools in the area.

Paragraph 1.14 of the Code requires designated areas to be clearly defined, so a map(s) showing the boundaries of designated parishes must be included with the admission arrangements and the consultation process of the arrangements. Alternatively, arrangements should include a link to a map(s) on the school website and should make clear that the map(s) is also available at the school office. Maps provide clarity and enables a parent to determine if they fall within the parish or not. Maps should be posted on the school's website, in the same place as the arrangements, and **must** include the appropriate Ordnance Survey License label.

Arrangements must not appear to guarantee a place to a resident of a parish area as oversubscription may prevent this from being able to be fulfilled.

Siblings/brothers/sisters

Priority for children with a sibling attending the school helps bond links between the school and families. It also provides a degree of domestic convenience for parents. However, schools must not operate a 'siblings first' policy where the effect is to admit a non-Catholic child with a sibling before a Catholic child without a sibling, thereby denying a place to a Catholic child.

The common oversubscription criteria shown above, gives priority **within** each individual criterion to children with a brother or sister who will be attending the school. Admission arrangements must therefore **not** include a separate criterion for children

with a brother/sister, as they are already catered for within each of the above criteria categories.

The Code requires admission authorities to state clearly what 'brother or sister' means in their arrangements; whether the term refers to step/foster/adopted/brothers or sisters and other children living in the same household. Admission Arrangements must therefore include the definitions given in the common admissions policy provided by the Diocese.

Previously used other criterion categories:

The arrangements for some schools, have previously included some of the following categories:

- Children with a Catholic Parent
- Children of staff
- Children of UK Service Personnel
- Social, Medical or Pastoral Need

However, these are not included in the Diocesan common admission arrangements, and so must **not** be included within school's arrangements.

Tie-Break

The Code requires that arrangements have an 'effective, clear and fair' tie-breaker for when applications cannot be separated (see para 1.8 of the Code). 'Random Allocation' (as detailed below) must be used as a tie-breaker within all admission arrangements.

Random Allocation

Random Allocation is the drawing of lots and the Code requires that a separate draw is made for each round of allocations. It **should** always be carried out by governors and must be supervised by someone independent of the school.

4 - GENERAL

Statements of support for the school's aims and ethos

Governing bodies **must not** give priority in their oversubscription criteria to applicants who indicate that they are willing to give support to the aims and ethos of the school or include any statement to this effect.

It is, however, important for the Catholic character, and the school's aims and ethos, to be clear so that parents understand what is expected of them, and their children, once the child is admitted. This enables them to make an informed choice about whether it is a suitable school and environment for their child. It is therefore appropriate for governing bodies to provide a factual statement about the school's aims and ethos in the preamble to the policy.

Children with an Education, Health and Care Plan (EHCP) (previously referred to as Statemented pupils)

The admission arrangements must clearly state that children with an EHCP, which names the school, will be admitted to the school (as legally required) above all other applicants. They must be counted towards the admission number when considering the number of places available for other children without plans during the allocation of places. Where they fall outside the normal admissions round then they must still be admitted, even if the school has reached their admission number.

Ranking of applications

Due to coordinated admission arrangements, **all** applications must be ranked, regardless of whether the number of places within a category exceeds the PAN or if all the applications from all categories exceed the PAN. Governors therefore must rank each application, from first to last individually, strictly in accordance with the oversubscription criteria, before returning the ranked lists to their Local Authority (for new Reception Intake applications as part of the Coordinated Admissions Scheme).

Legislation provides that parents are able to give reasons for their preference. Governors must therefore have regard for the reasons given when ranking applications but must ensure that the allocations are ranked in accordance with their oversubscription criteria.

Previous Years Figures

Details of the number of applications/allocations from the previous year must not be included within arrangements. These are not available at the time of consultation and the numbering of criteria may vary from one year to another, meaning that the categories will not always correspond.

Admission appeals

There is no requirement to include any reference to appeals within admission arrangements and we require schools not to do so. However, schools must ensure they provide information to parents about the right to appeal and the appeal process when refusing any applications.

Each school should have at least one person designated to present the school's case at any appeal hearings. At least one person from each school should therefore attend any Diocesan training on appeal presentation and also any training provided by their LA.

Admission of children below compulsory school age, deferred entry and admissions outside the normal age group

Admission arrangements for primary schools must provide for the admission of all children in the September following their fourth birthday. Admissions arrangements must clearly state that:

- a) where **offered** a place, parents can defer the date their child is admitted to the school until later in the school year but not beyond the point at which the child reaches compulsory school age and not beyond the beginning of the final term of the school year for which it was made,
- b) where **offered** a place, a child may attend part-time until the child reaches compulsory school age,
- c) where **offered** a place, a child is entitled to a full-time place in the September

following their fourth birthday,

d) the process for requesting children to be admitted outside their normal age group (including for summer born children). Such applications must be considered by the governing body and in accordance with the process stated within your arrangements.

These are all included within the common admissions policy.

Children from Multiple Births and Infant Class Size Limits

To avoid one child from a multiple birth being allocated a place but not the other(s), schools may, in the **majority** of cases, allocate a place(s) over their admission number, to admit the other child(ren). This would often count as a legally allowed permitted exception* to the limit on infant class sizes and so it must not be included within admission arrangements.

NB This does **not apply in every case for children of multiple births.*

There are a number of legally allowed permitted exceptions to the limit of 30 children per teacher in an infant class and these are listed in paragraph 2.15 of the Code. However, such admissions are often not as simple as they might appear and so schools should always seek the advice of their LA before admitting any child as a possible permitted exception.

Late Applications

Applications submitted after the closing date for applications must be considered by governors. If all places have been filled, parents must be offered the opportunity of placing their child's name on the waiting list. This does not prevent parents from exercising their right to appeal against the decision not to offer a place and parents must be informed of this right in the letter of refusal.

Legislation requires the LA Coordinated Admission Scheme to specify how applications submitted after the closing date will be processed - so whilst the governing body will consider late applications – it is the LA Coordinated Admission Scheme, not the school admissions policy, that specifies how a late application will be processed. Therefore, the school admission policy should not state how late applications will be processed and only needs to refer to the Coordinated Scheme of the home LA.

Supplementary Information Form

Arrangements must **not** include a Supplementary Information Form.

Churches in Communion with the See of Rome

*Children who are members of a Church that is in Communion with the See of Rome **must** be included within the admission arrangements, as appropriate, and considered equally and in the same way as other Catholics. As for Catholics, membership is evidenced by a baptismal certificate.*

For a list of Churches in full communion with the See of Rome please see below.

*NB as this list of **Churches in Communion with Rome** is subject to change, it must*

not be included within admission arrangements but the arrangements should state that it is available at the school office and website with the caveat included that it is subject to change.

Oriental Rite (or Eastern Catholic) Churches in union with Rome:

Alexandrian

Coptic Catholic Church

Ethiopian Catholic Church ('Gheez rite') (Includes Eritrean Catholic Church)

Antiochean (West Syrian)

Syrian Catholic Church

(Syro-)Maronite Catholic Church

Syro-Malankar Catholic Church

Armenian

Armenian Catholic Church

Chaldean (East Syrian)

Chaldean Catholic Church

Syro-Malabar Catholic Church

Constantinopolitan (Byzantine)

Albanian (Byzantine) Catholic Church

Belarussian Catholic Church

Bulgarian (Byzantine) Catholic Church

Georgian Catholic Church

Greek (Hellenic) Catholic Church

Greek-Melakite Catholic Church

Hungarian (Byzantine) Catholic Church

Italo-Albanian (Byzantine) Catholic Church

Church of the Byzantines of the Diocese of Krizevci (Krizevci Catholic Church)

Macedonian Catholic Church

Romanian (Greek) Catholic Church

Russian Catholic Church

Ruthenian (Byzantine) Catholic Church

Slovak (Greek) Catholic Church

Ukrainian (Greek) Catholic Church.

Members of Eastern Orthodox churches

There are a number of Eastern Orthodox Churches with similar names that are not in union with the See of Rome and so must **not** be included with the Churches that are (see list above), within over-subscription criteria. The general rule is Eastern Rite Churches in union with the See of Rome will have the word **Catholic** in their titles. Churches with the word **Orthodox** in their titles are not in union with the See of Rome.

If you have any doubts or queries about what may be considered, please contact the Diocese.