

Extract from the Diocese of Westminster Guidance on Admissions (September 2021)

Determination of Admission Arrangements

Governing bodies must determine the school's admission arrangements annually. The governing body must do so formally each year, even when the admission arrangements remain the same. It is important that governing bodies ensure that their decision to determine the admission arrangements each year is documented and that they keep records to evidence that they have done so.

Consultation (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 by them, except where the change is to increase a school's published admissions number ("PAN") **The governing body must not, however, 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 no changes are made to admission arrangements over a number of years, the admission authority must, nevertheless, carry out a public consultation every 7 years. Consultation 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).

The Code also sets out those with whom the governing body is 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 give careful consideration to identify those persons or bodies with whom they need to consult, and the means by which 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.

Once admission arrangements are determined, the governing body must notify all those persons or bodies specified by the Code. This includes sending a copy of the full determined admission arrangements to the diocese. The governing body must also send a copy of its full, determined arrangements to the local authority. 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.

Where an admission authority has determined a PAN that is higher than in previous years, the local authority must be notified and specific reference must be made to the change on the school website as soon as determined (see para. 1.48 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 normal admission round if approved.

The governing body must provide all the information that the local authority needs to compile the composite prospectus within the time frame required by the Code.

Extract from the School Admissions Code (DfE)

Consultation

1.45 When changes are proposed to admission arrangements, all admission authorities must consult on their admission arrangements (including any supplementary information form) that will apply for admission applications the following school year. Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities must consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period.

1.46 Consultation must last for a minimum of 6 weeks and must take place between 1 October and 31 January in the determination year.

1.47 Admission authorities must consult with:

- a) parents of children between the ages of two and eighteen;
- b) other persons in the relevant area⁴⁰ who in the opinion of the admission authority have an interest in the proposed admissions;
- c) all other admission authorities within the relevant area (except that primary schools need not consult secondary schools);
- d) whichever of the governing body and the local authority is not the admission authority;
- e) any adjoining neighbouring local authorities where the admission authority is the local authority; and
- f) in the case of schools designated with a religious character, the body or person representing the religion or religious denomination.

1.48 For the duration of the consultation period, the admission authority must publish a copy of their full proposed admission arrangements (including the proposed PAN) on the school's website or its own website (in the case of a local authority) together with details of where comments may be sent and the areas on which comments are not sought⁴¹. Admission authorities must also send, upon request, a copy of the proposed admission arrangements to any of the persons or bodies listed above inviting comment. Failure to consult effectively may be grounds for subsequent complaints and appeals.