Guidance on School Admissions

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Archdiocese of Southwark Education Commission

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Archdiocese of Southwark - Guidance on Admissions

Introduction

In the Diocese of Southwark, the Archbishop expects all Catholic schools to give first priority to Catholic applicants. This guidance applies equally to both voluntary aided schools and academies. It is designed to help governing bodies, as admission authorities, to agree and administer the admission process for their schools in order that the Archbishop's expectation is carried out.

A revised version of the School Admissions Code came into force on 1st September 2021. The Code contains mandatory provisions which admission authorities must follow and guidance which should be followed. The numbers in brackets in this document correspond to the relevant paragraphs in the revised Code.

The guidance in this document supplements that given in the Admissions Code; it does not replace the Code. It makes reference to statutory duties but is not itself a statutory document or a code of practice. However, the Diocese has an expectation that the guidance be followed and will make reference to it when commenting on the admission arrangements of a school or academy. As admission authority school governing bodies and academy trusts MUST Have regard to this document and MUST consult with the Diocese

The guidance is founded on five overriding principles: -

a. The Archbishop is the religious authority for all Catholic schools, colleges and academies in the Diocese including those in the trusteeship of religious orders;
b. The admission arrangements must comply with the Trust Deed and Instrument of Government;
c. The admission arrangements must be fair, transparent, objective and lawful;
d. That all schools, colleges and academies must give first priority to Catholic applicants;
e. That admittance of pupils will be without reference to ability or aptitude.

It should be noted that no part of this guidance constitutes legal advice in a technical sense. Governing bodies should contact the Education Commission if they have queries on admissions and the law.

In the context of school admissions, Catholic children are defined as:

- Children who are baptised or received into the Catholic Church, children baptised or received into the Eastern Churches in union with Rome and children of members of the Ordinariate. (see appendix 3 note 8)

The role of the Diocese

The Diocese is not an admissions authority but offers support and guidance wherever possible to its schools, including the provision of advice on admissions. This Guidance is intended to help the school admission authority, the governing body of the school or academy, draw up their own admission policies and criteria particularly in regard to membership of the Catholic Church and practice (1.36). It acknowledges that different schools are in different situations and recognises that some schools are oversubscribed with Catholic children and others oversubscribed with a mix of Catholic and other applicants.

The Archbishop is the religious authority for all Catholic schools, colleges and academies in the Diocese including those in the trusteeship of religious orders. It is for the Archbishop to decide how membership and practice is to be demonstrated. Schools and academies must have regard to the guidance. The High Court, in the case of the London Oratory, ruled that schools must have regard to diocesan guidance. Mr Justice Cobb held that to 'have regard' meant that they must have a "clear reason" with a "proper evidential basis" for a decision to depart from diocesan guidance. The Schools Adjudicator has in a determination of complaints made about the admission arrangements of three Catholic primary schools reflected the High Court's ruling and instructed the schools to follow diocesan guidance.

Governing bodies of voluntary aided Catholic schools and academies are required to consult with the Diocese before determining admission arrangements (1.38). This provides a further opportunity for the Diocese to support schools, including any explanation of this guidance where necessary. Should the admission arrangements of schools within the Diocese remain contrary to Diocesan Guidance or the Admissions Code, the Diocese may, as a last resort, refer any objection about the admission arrangements of its schools to the Adjudicator.

It is important that governing bodies only use definitions provided by the Diocese in relation to how membership of the Church or practice is to be demonstrated (1.38). The definition of membership of the Catholic Church is baptism or reception, evidenced by a certificate or statement from the parish in which the baptism or reception took place. The definition of Catholic practice for admission to voluntary aided schools and academies in this Diocese is membership of the Catholic Church and attendance at Sunday Mass, evidenced by a priest. Normally no further evidence of practice should be sought or required (see Guidance to Governors – Commitment and practice page 6).

The Diocese is committed to the principle that as many Catholic children as possible should be able to take advantage of the education provided in Catholic schools. To this end Catholic schools should work with each other and the Diocese to draw up admissions policies which ensure that places are provided equitably for all members of their local Catholic communities.

In drawing up their admissions arrangements, governors of schools, colleges and academies must consult with the Diocese. Governors are strongly recommended to contact the Education Commission before formal consultation is carried out (see Guidance to Governors – Consultation on admissions page 10).

The role of the local authority (LA)

The LA has a range of statutory responsibilities. These include the following in relation to admissions:
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- the ultimate responsibility to ensure that every child in its area has a place in a school;
- a responsibility for the statement of special educational needs or a or Education, Health and Care (EHC) Plan for appropriate children in its area;
- a responsibility for coordinating admissions in accordance with relevant schemes including the publication of a composite brochure giving information about all maintained schools, colleges and academies in the LA area;
- in the normal round of admissions advising parents, on the National Offer Days, of the outcome of their applications.

The LA has a range of statutory powers and duties relating to these responsibilities.

The LA is the admissions authority for community and voluntary controlled schools. It is not, however, the admissions authority for Catholic schools or academies. This means that responsibility for all decisions relating to the setting of admission arrangements and the admission of pupils remain with the governing body. Academy trusts may, in their scheme of delegation, delegate admission decisions to individual academy committees and this is common practice. A governing body may delegate the hearing of admission appeals to the LA

LAs can assist Catholic schools in the hearing of admission appeals, but the responsibility for ensuring the suitability of appeal panel members also remains firmly with the governing body.

Each LA must have a Fair Access Protocol, agreed with a majority of schools in its area to ensure that, outside the normal admissions round, unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible. In agreeing a protocol, the LA must ensure that no school, including those with available places, is asked to take a disproportionate number of children who have been excluded from other schools or who have challenging behaviour. The protocol must include how the local authority will provide provision to ensure that the needs of pupils who are not ready for mainstream schooling are met. (3.14 – 3.22)

Guidance

Guidance for Governors

The admission authority for a voluntary aided school or trust board is the governing body. The governing body has a statutory duty to draw up, consult on and determine the admissions arrangements within the statutory timeframes and including the prescribed information (15 (a) & (b)). The arrangements define how children will be admitted to the school and must include oversubscription criteria to be used when there are more children applying than there are places available. Examples of policies, with notes on their use, are given in appendices 1, 2 and 3. Governing bodies of schools with sixth forms must consult on and determine a policy for admission to the sixth form (2.6).

All criteria must be fair, transparent, objective and lawful and must not be overly complex (1.8). Parents should be able to look at a set of arrangements and understand easily how places for the school will be allocated (14). The admission arrangements must be reviewed and agreed annually. It is important that the process of agreeing and determining the admission arrangements is documented and the record is kept as evidence. Any changes to the admission arrangements need to be consulted upon. The arrangements must be published in the school's prospectus and the LA's booklets (1.45-1.48) (see flow chart appendix 6). They must also be published on the school's and the LA's websites. Governors must ensure that admission arrangements are available to all applicants and should provide a large print copy or a translation if requested.

The governing body may delegate the work on admissions to a committee which should include the headteacher. This duty cannot be delegated to any one person or to any party outside of the governing body. The ranking, acceptance or refusal of places must not be delegated to one person.

Governors of Catholic schools and academies in the Diocese are responsible for ensuring that their admission arrangements are in accord with any guidance issued by the Archbishop.

- **Governors and the Law**

Governing bodies are required in law to comply with the Trust Deed and Instrument of Government in discharging their functions, which include determining admissions arrangements. The Instrument of Government, or in the case of academies the Articles of Association, includes the school's duty to serve as a witness to the Catholic faith and to comply with the requirements of Canon Law. In drawing up their admissions arrangements Governors should include an ethos statement in the preamble.

In determining and applying admission arrangements, governing bodies must act in accordance with the School Admissions Code 2021. The Code contains provisions which are mandatory (must/must not). If a governing body chooses not to follow any aspect of diocesan guidance, it must be able to demonstrate that its arrangements are more beneficial to children and their parents than the effect intended in the Code. Similarly, governing bodies must have regard to the guidance given in respect of the religious criteria used in their school's admission arrangements. (see Commitment and practice below)

The Equality Act 2010 consolidates the law prohibiting discrimination, harassment and victimisation and expands the list of protected characteristics. All schools **must** have due regard to their obligations under the Act and to review their policies and practices to make sure these meet the requirements of the Act, even if they believe that they are already operating in a non-discriminatory way.

The Act applies to admissions in that it is unlawful to discriminate on grounds of sex. For example, it might be unlawful to refuse admission of a boy or girl to a mixed school on the grounds the school wanted equal numbers of boys and girls, as it would be difficult to prove justification to discriminate. It would not be unlawful to refuse admission for a boy to a girls' school as there would be justification to discriminate.

It is unlawful to discriminate against applicants on the grounds of race, colour, nationality or national or ethnic origin. Governing bodies should be aware of this and should not require attendance at specified places of worship as a criterion in the admission arrangements. If the arrangements were to state that those worshipping in a named parish will be given priority, a family attending an ethnic chaplaincy or a church in Union with Rome might claim discrimination under the Act if refused admission to the school on this criterion.

It unlawful for a governing body to discriminate against a disabled child in the arrangements they make for determining the admission of pupils to the school. The Equality Act makes it unlawful to discriminate against an applicant on the grounds of their religion or belief. Schools designated by the Secretary of State as having a religious character are exempt from this part of the Act and may give priority to children of that religion or faith. This applies to all Catholic voluntary aided schools, academies and sixth form colleges in the Diocese.

The Human Rights Act 1998 confers a right of access to education but not to a particular school. Governing bodies must consider parents' reasons for choosing a school, including their right to ensure that their children's education conforms to their own religious or philosophical convictions (so far as it is compatible with efficient use of resources and does not incur unreasonable public expenditure).

- **Commitment and practice**

The Code is clear that in determining 'faith-based' oversubscription criteria, admission authorities for faith schools must have regard to the methods and definitions agreed by their faith provider or religious authority (1.38).

The religious authority for all Catholic schools and academies in the Diocese is the Archbishop of Southwark. The Education Commission provides, on behalf of the Archbishop, guidance for the admission authorities in the Diocese and sets out the objective processes and criteria that may be used to establish whether a child is a member of, and how they practice, the Catholic faith. The admission authorities of schools that propose to give priority based on membership or practice of their faith **must** have regard to the Commission's guidance, to the extent that the guidance is consistent with the mandatory provisions of the Code and reflect the five overriding principles given in the introduction to this document. It is therefore most important that published admission arrangements make it clear how membership or practice is to be demonstrated in line with Diocesan guidance. (1.38).

In the Diocese of Southwark, governing bodies must use oversubscription criteria which give priority to baptised Catholic children over all others, except in very exceptional circumstances where specific arrangements have been approved in writing by the Archbishop.

The definitions for membership of the Catholic Church and Catholic practice agreed by the Archbishop for school admission purposes are: -

i. Membership – Baptism or reception into the Church (Roman Catholic, members of the Ordinariate and the Latin and Oriental Rite Churches that are in union with the Bishop of Rome). Evidence of baptism or reception should be requested and could be in the form of a certified copy of the baptismal certificate or a letter of affirmation from a Catholic priest confirming baptism has taken place. The use of baptismal dates to distinguish between otherwise similarly qualified applicants are not to be used. Governors should not give a higher priority to children who have made their 1st Holy Communion. It is acknowledged that Canon Law expects Catholic parents to baptise their children in the first few weeks after birth and have received their 1st Holy Communion by the canonical age of reason. There are, however, no sanctions in Canon Law for those who do not follow these instructions. The Diocese feels that it is wrong for school governors to make judgements about the rights or wrongs of a parent who does not, or is unable to, follow Canon Law.
ii. Practice – Attendance at Sunday Mass or Saturday evening vigil Mass (See Canons 1246-1248). Where schools are heavily oversubscribed with Catholic children, governing bodies may give a higher priority to children who are able to demonstrate their commitment to the faith in fulfilling their obligation by attendance at Sunday Mass or the Saturday evening vigil Mass. Governing bodies using this criterion should only seek information which can reasonably be obtained. They should ask the priest or relevant person to confirm practice through the signing of a diocesan Certificate of Practice.

- **Interviews**

The School Standards and Framework Act 1998 (sec. 88) (as inserted by sec. 44 of the Education and Inspections Act 2006) makes it unlawful to interview children and/or parents as a method for deciding whether a child is to be offered a place at a school. This includes face to face interviews or interviews by telephone or other means (1.9(m)). Supplementary Information Forms must not have sections that ask parents to give their reasons why they wish their child to attend the school as this can be viewed as a 'written interview'.

Governing bodies must ensure they do not set up any practice which could be seen as an interview, e.g. asking parents to attend meetings to familiarise themselves with the school's criteria or to clarify what has been submitted on the Certificate of Catholic Practice.

- **Unacceptable criteria**

Activities in the parish or wider community. The Diocese will not approve any admission arrangements that give a higher priority to applicants, where their parents or carers undertake or are involved in activities within a parish or wider community. While many children and families are involved in supporting parishes or their community in a voluntary, or perhaps, paid capacity there are also many who cannot undertake such work for social or personal reasons. Information regarding involvement in parish community life must not be sought as this could be challenged for the following reasons:

a. It could discriminate against new arrivals or those attending ethnic chaplaincies;
b. Not all parishes have a tradition of participation;
c. Circumstances in some parishes may limit the number of people who can become involved;
d. There may be medical, family, cultural or social circumstances preventing involvement.

The Code prohibits admission authorities from seeking information on a range of family and personal circumstances including occupation, financial or marital status of parents, preference for schools or types of schools, previous schools attended (unless feeder schools) and from taking account of reports from other schools about a child's past behaviour, attendance, attitude or achievement (1.9).

- **Tie-breaks**

Schools are often faced with the situation that they are oversubscribed within a criterion and need to introduce tie-breaks. Governing bodies may wish to use any of the following further criteria (or tie-breaks) in allocating places:

- A brother/ sister in the school at the time of admission (the definition of brother/sister needs to be appropriately defined);
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Note: *To reflect the statutory requirement that priority is given to Catholic children. Catholic children who do not have siblings must be given priority of admission before the siblings of those applicants who are not Catholic.*

- Pastoral, medical or social grounds (needs to be appropriately defined);
- Residence in named parishes (Maps showing the parish boundary must be provided – (*see below Giving priority to parishes*);
- Named maintained feeder infant, junior or primary schools;
- Proximity of the home to the school (needs to be clearly defined as to how this will be measured);
- Other tie-breaks that might be used are zoning, specific geographic areas or random allocation.
- A final tie-brake **must** always be included to decide between two (or more) applications that cannot be otherwise separated e.g. where the distance from home to school is the same.

- **Looked after children (children in public care) and adopted children who were previously looked after by a local authority**

A looked after child is a child who meets the definition in section 22(1) of the Children Act 1989. They are any child in the care of the local authority, including those children who appear (to the admission authority) to have been in state care outside of England and cease to be in state care as a result of being adopted. Previously looked after children are children who were looked after but ceased to be so because they were adopted or became subject to a child arrangements order or special guardianship order. Not all children living away from their parents come into this category. Catholic children in public care must be given first priority of admission to Catholic schools. Adopted children who were previously looked after must be given priority equally with looked after children as must children who are subject to a child arrangements order or special guardianship order (1.7). Governing bodies should also include in the first priority children looked after who are not Catholic but are in the care of Catholic families. All other looked after children and adopted children who were previously looked after must be given priority immediately after all Catholic children have been allocated places.

- **Siblings**

It is considered good practice to offer a higher priority to brothers and sisters. Parents will often want their siblings to attend the same school and the majority of schools wish to support families and give priority in admissions to siblings. Giving priority to younger brothers and sisters of children already at the school supports parents who might have difficulty where, particularly primary age, children are at different schools.

It must be made clear what is meant by a brother or sister and how siblings will be prioritised in the oversubscription criteria. Siblings will not necessarily be residing at the same address or have the same surnames and would include natural brothers or sisters, adopted siblings, stepbrothers or sisters and foster brothers or sisters. It would not include other relatives e.g. cousins.

The School Admissions Code 2021 permits admission authorities to give some priority to siblings of former pupils. However, the Diocese considers that by giving priority to children whose brothers or sisters have already left the school will have the effect of depriving another higher ranked child of a place.
Siblings of non-Catholic children at the school must not be given priority over Catholic children.

- **Children of staff**

The School Admissions Code 2021 permits admission authorities to give some priority to children of members of staff in either or both of the following circumstances:

(a) where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made, and/or
(b) the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.

The Diocese does not consider this to be a necessary criterion or tie-break. By giving this priority to Catholic staff it could be subject to challenge by those members of staff who are not Catholics. It will also have the effect of depriving another higher ranked child of a place.

The Diocese, however, recognises that there are some schools that have teacher retention and recruitment difficulties and will allow these schools to give some priority to children of teaching staff. The priority must only be given as a tie-break.

- **Giving priority to parishes**

Schools should consider a tie break criterion of residence in named parishes. This is particularly relevant for schools serving more than one parish as it would help to ensure that Catholic children who live in an area with no local Catholic school have an equal chance of gaining a place. Giving priority for those attending Mass in a named parish must not be used.

When residence in specific parishes is a criterion, schools and parishes should work together to ensure that no parish is left out, particularly in the case of parishes without schools. Where parishes are named in admission criteria, they should be given equal status, with a stated number of places allocated to each parish. How the allocation to individual parishes is to be made must be explained. A suggested method of allocating places could be as a percentage based on the Mass attendance statistics published in the Archdiocese of Southwark Catholic Directory.

Residence in a parish allows for worship at a church, or Mass centre, other than the parish church, e.g. ethnic chaplaincies. Governing bodies must not require worship in a named parish because: -

- There is no requirement to attend a particular church in Canon Law.
- Those attending ethnic chaplaincies may claim discrimination under the Equality Act 2010. Should the arrangements state that those worshipping in a named parish will be given priority, a family attending Mass at an ethnic chaplaincy, the Ordinariate or an Oriental Rite church in Union with Rome might claim discrimination under the Act if their child was refused admission to the school;
- Families in parishes where there is no school may leave their parish to worship in the named parish, so increasing their chances of a place. This would favour the more mobile and has an adverse effect on the life of some parishes.

- **Ethnic chaplaincies**

There are over forty ethnic chaplaincies in the Diocese or in a neighbouring diocese. These serve the needs of members of the ethnic communities who live in the Diocese (see list in Appendix 4). Not all chaplaincies have a church or permanent base, but they are a 'parish community' for a significant number of Catholic families. For the purposes of admission arrangements, an ethnic chaplaincy should be considered as a parish.

- **Evidence of baptism or reception into the Catholic Church**

Governing bodies must ask to be provided with evidence of baptism or reception into the Church. It is the responsibility of parents to ensure that they have a certificate of baptism or evidence of reception into the Church from the appropriate parish. However, allowance must be made for those to whom a priest is clear that the family may not be able to produce the required evidence e.g. looked after children, refugees and other migrants.

- **Attendance at a Catholic infant or primary school – Feeder schools**

Governing bodies of junior and secondary schools may give priority to Catholic children attending named maintained Catholic infant or primary schools. Where this is the case, governing bodies of junior and secondary schools should work with infant and primary schools to ensure that the schools included are given equal priority. The Admissions Code states that independent schools may not be listed as feeder schools (1.9(l)). The selection of a feeder school as an oversubscription criterion must be transparent and made on reasonable grounds.

Governing bodies should be aware that many Catholic children who attend Mass regularly may attend infant and primary schools that are not Catholic through circumstances rather than choice, such as a lack of places available at a Catholic school when the family moved into the area. Provision for such children should be made explicit in the criteria saying what evidence is required to substantiate the circumstances.

Primary and infant schools must not treat nursery classes as feeder schools. These children are below statutory school age and parents may opt not to send their child to a nursery class/school. Giving priority to children who attend a nursery class will unfairly disadvantage these children and other children whose parents may wish, e.g., to take up work-place nursery provision, or a nursery attached to another parish or have moved into the area and could not obtain a place at the nursery. Parents of children who attend the nursery *must* be informed that a place cannot be guaranteed in year R at an infant or primary school and that a separate application *must* be made for entry to the infant or primary school. This *must* be made clear in the admission arrangements (and to parents at the time of admission to the nursery).

The Code now allows maintained schools to give priority in their admissions arrangements to children eligible for pupil premium or service premium funding (1.41). The Code also allows all primary school admission authorities to give priority in their admission arrangements to children eligible for the early years pupil premium or service premium who attend a nursery which is established and run by the school (1.42). These are not requirements and schools do not have to give admissions priority to these children. Governors wishing to incorporate these into their admission arrangements should discuss the reasons with the Education Commission.

- **Schools not oversubscribed with Catholic children**

Governing bodies must offer places to other children if they have places available after all Catholic children (including those from Eastern Rite Catholic Churches and children of members of the Ordinariate) (see Appendix 3) have been admitted. The order of priority for admitting children who are not Catholics should be: -

i. Looked after Catholic children and all previously looked after Catholic children who have been adopted or who have become the subject of a child arrangement order or special guardianship order. Catholic children who appear (to the admissions authority) to have been in state care outside of England and cease to be in state care outside of England as a result of being adopted.
ii. Children enrolled in the catechumenate. Evidence of enrolment in the catechumenate will be required;
iii. Children who are members of Eastern Orthodox Churches. Evidence of baptism may need to be provided;
iv. Children who are members of other Christian denominations. Evidence of membership will be required from a priest or minister of the relevant Church. It might be necessary for some heavily oversubscribed schools to require evidence of commitment to the faith as demonstrated by the level of the family's attendance at services. This evidence must be provided by the parents or carers and be endorsed by a priest or minister at the church(es) where the child normally worships;
v. Children of other faiths. Evidence of membership will be required from the minister or faith leader of a designated place of worship of the faith group;
vi. Children who are not members of a religion or faith.

- **Medical, social and pastoral needs**

Governing bodies may use medical, social and pastoral needs as a higher priority if the school is oversubscribed, but they cannot use it to give a lower priority (1.16). This criterion or tie-break should only be used to help determine that the school is the one that best meets the child's needs and it should be made clear that it is the child's needs that are being considered. A clear explanation is needed of what supporting evidence will be required at the time the application is being made, for example a letter from a health professional, social worker or parish priest, and how this evidence will be assessed objectively. The evidence should be specific in relating the child's needs for a place in the particular school where the application is being made. Governing bodies must not give a higher priority to children under this criterion if the required documentary evidence has not been produced.

- **Proximity of the school to the child's home**

If this is used as a 'tie break', the arrangements must explain how it works. In determining proximity of the school to a child's home, it is lawful to use a direct line ('as the crow flies'), or a designated walking route. The admission arrangements should include provision where parents have shared responsibility for a child following a breakdown in their relationship and the child lives for part of the week with each parent (1.13).

Governing bodies must take account of factors that might unfairly advantage or disadvantage one child compared to another including explaining how places will be allocated where children live in multi-storey buildings or where the distance home to school is identical for two or more children. If using the proximity criterion, schools should ensure that families who are less able to afford property nearest the school are not excluded as a result. Where this is a demonstrable concern it is permissible to use zoning or random allocation as an alternative.

Governing bodies may give equal priority to children living in named parishes as an alternative to, or in addition to, proximity.

- **Certificate of Practice (CoP)**

A Certificate of Practice is a form signed by the parish priest to state that a child wishing to apply for entry to a Catholic Primary School or for entry into a Catholic Secondary school is a practicing Catholic. This form states that the child is a practicing Catholic. The precise nature of this obligation is set out in the Church's canon law. The definition of 'Catholic practice' does not impose a higher requirement than the Church itself imposes. It is capable of being applied consistently by all priests and is susceptible to proof by reasonable evidence based observations. The test is based on Mass attendance, as this is capable of being observed objectively, with a reasonable degree of accuracy.

The school should send a copy of their admission arrangements, including the CoP, to those priests who may be requested to complete them. The importance should be explained about the information required by the school to enable governors to rank the applications fairly and objectively.

The CoP must be available to parents from the school or downloadable from the school or the local authority website. The distribution and collection of forms will depend on local agreements and these should be explained in the admission arrangements. **Completion of a CoP must not be made mandatory**. Places must be allocated only on the basis of the oversubscription criteria. An application must not be given additional priority on the basis of having completed a CoP. Where a CoP has not been returned, governing bodies must still consider the application against their criteria, but they may have to rank the child below applications for those where certificates have been returned.

- **Consultation on admissions arrangements** *(see also flow chart Appendix 6)*

Governing bodies of voluntary aided schools and academies are required to consult the Diocese during the formal consultation stages in the same way they formally consult with other parties. The governing bodies of Catholic schools are expected to consult with the Diocese before consulting other admission authorities, parents and other groups (1.38 & 1.42 – 1.45).

It is recommended that governing bodies meet in the summer term to review their admission arrangements and send the draft arrangements (policy and CoP) to the Education Commission for comment as soon as possible early in the autumn term following this review. Should the admission arrangements of schools within the Diocese be contrary to Diocesan guidance or the Admissions Code, and this cannot be resolved by discussions, the Diocese may, as a last resort, refer any objection about the admission arrangements of its schools or academies to the Schools Adjudicator.

The Code lists statutory consultees and a timetable for completing the consultation. Admission authorities must consult with statutory consultees for a minimum of six weeks between 1 October and 31 January (1.46). Admission authorities are required to consult on changes to their admission arrangements except where they intend to increase the published admission number (PAN). Where a school intends to increase its PAN, it must inform the local authority and make reference to the intended increase on their website. The Diocese expects governors to discuss any proposed increase in the school's PAN with the Education Commission at an early stage. Admission authorities must not reduce the school's PAN without consultation and without the approval of the Diocese.

Where there are no changes in a school's admission arrangements governors are only required to consult after seven years (1.45). Governors must, however, determine their admission arrangements by 28 February each year for admissions in the September of the following year e.g. determination by 28 February 2023 for entry in September 2024 (1.49).

- **Fair access protocols**

All admission authorities must have fair access protocols (formerly called a 'hard to place pupils' protocol). All schools and academies must participate in their local authority's protocol (3.14 – 3.22).

Although governing bodies cannot insist on accepting only Catholic children under the protocols, they should work with local authorities with the aim of establishing local agreements which would give priority to children who meet the school's admission criteria in normal admission arrangements, i.e. baptised Catholics. Where children do not meet these criteria, it is important the parents and children understand the religious nature of the school.

Governing bodies must not adopt procedures or criteria that disadvantage children who arrive in their area outside the normal admission round. Wherever possible, governors should consider admitting Catholic children who arrive in their area and are without a school place. The Code lists those children to be included in the Fair Access Protocol (3.14).

- **Allocating places**

All places must be allocated on the basis of the agreed admissions arrangements only. Any decision to offer or refuse a place must not be made by one individual. Where the school is its own admissions authority, the decisions should be made by the full governing body or a committee established and delegated by the governing body. Any decisions made regarding applications must be recorded and retained, this includes in-year applications.

- **Waiting lists**

Where a school is oversubscribed, the admission authority must maintain a waiting list until at least December 31st for each year of school admissions and it must include the date it will be discontinued in their school's published admission arrangements, making clear that children will be ranked in the same order as the published oversubscription criteria (2.15). Looked after and previously looked after children and children allocated places under the fair access protocol must take precedence over children already on the waiting list.

- **In-Year Applications**

The 2021 Admissions Code has attempted to tighten up the processes around in-year admissions. A parent can apply for a place for their child at any school, at any time. LAs are not required to coordinate In-year applications for schools for which they are not the admission authority. They may, however, coordinate in-year applications for any or all own admission authority schools in their area, with the agreement of the relevant schools.

From 2022-23 admissions onwards, LAs must publish information on their website by 31 August to explain how in-year applications can be made and how they will be dealt with from 1 September onwards in that year. This includes detailing for which schools they will coordinate applications and which schools will manage their own in-year admissions. LAs must also set out contact details for any school that manages its own in-year admissions.

To enable LAs to do this, schools must inform the LA by 1 August whether they intend to be part of the LA's in-year co-ordination scheme for the following 1 September to 31 August (where offered) or whether they will be managing their own in-year admissions. By the same date, for schools that intend to be part of the LA's in-year co-ordination for the following academic year, they must also provide the LA with all the information that the LA is required to publish on its website, including application forms.

LAs must provide a suitable application form and CoP for parents to complete when applying for a place for their child at a school for which they coordinate in-year admissions. Where a LA receives an in-year application for a school which manages its own in-year admissions, it must promptly forward the application to the relevant school, which must process it in accordance with its own in-year admission arrangements.

Governing bodies must set out on the school's website by 31 August how in-year applications will be dealt with from 1 September until the following 31 August. They must set out a) how parents can apply for a school place and, where they manage their own in-year admissions, provide a suitable application form and CoP, b) when parents will be notified of the outcome of their application and c) details about the right to appeal. If the school is to be a part of the LA's in-year coordination scheme, it must provide information on where parents can find details of the relevant scheme. Schools must provide a hard copy of the information about in-year applications on request for those who do not have access to the internet.

LAs must, on request, provide information to prospective parents about the places still available in all schools within their area. To enable them to do this, schools must provide the LA with details of the number of places available at their schools whenever this information is requested, to assist a parent seeking a school place. Such details should be provided no later than two school days following receipt of a request from the LA.

Schools that have places available must offer a place to every child who has applied for one, without condition or the use of any oversubscription criteria, unless admitting the child would prejudice the efficient provision of education or use of resources. Where a school is dealing with multiple in-year admissions and does not have sufficient places for every child who has applied, they must only allocate places on the basis of the oversubscription criteria in their determined admission arrangements. If a waiting list is maintained, it must be maintained in line with the Code.

Parents must not be refused the opportunity to make an application or be told that they can only be placed on a waiting list rather than make a formal application. Upon receipt of an in- year application, the school, or the LA if it is coordinating the school's in-year admissions, should aim to notify the parents of the outcome of their application in writing within 10 school days, but they must be notified in writing within 15 school days. Where an application is refused, the school must also set out the reason for refusal and information about the right to appeal in accordance with the Code. Where a school manages its own in-year admissions, it must also notify the LA of every application and its outcome as soon as reasonably practicable, but should aim to be within two school days, to allow the LA to keep up to date figures on the availability of places in the area and to ensure they are aware of any children who may not have a school place.

Where an applicant is offered a school place following an in-year application, and the offer is accepted, arrangements should be made for the child to start school as soon as possible, particularly where the child is out of school.

Where the LA co-ordinates in-year applications, it does not make the decision about whether to offer a place at the school. As the admissions authority for the school, it is the governing body that makes all decisions about admission to the school including in-year applications.

- **Admission appeals**

Parents and carers have the right of appeal against an admission authority's decision if their child is not allocated a place at their preferred school. The appeal is to an independent panel arranged by the governing body of the school or by the clerk to the appeal panel. The panel must be clerked by a person independent of the school and the LA's education provision. The Education Commission selects and provides training for panel members and clerks. Admission appeals are governed by the School Admission Appeals Code (2022) to ensure that hearings are impartial, structured and fair to both parents and schools. For more information on admission appeals you should contact the Education Commission.

Guidance for Headteachers

It is good practice for the headteacher to be a member of their school's admissions committee, but they cannot act in place of the governing body in determining the school's admission policy, or in deciding on the admission of individual children to the school. Headteachers do, however, have a responsibility in advising governors if they feel that revisions are necessary to the admission arrangements or when they are considering a request to admit a child outside their normal age group.

Headteachers, or any other member of staff, must not interview prospective applicants or their parents (1.9(m)).

Guidance for Priests

▪ Admission of children to Catholic schools, colleges and academies

Responsibility for the admission of children to Catholic voluntary aided schools, colleges and academies rests with the governing body of each school. The governing body determines and publishes their school's admission arrangements each year and they are published on the school's website, in the school prospectus and by the local authority. Priests who are being asked to provide information about a pupil's or family's practice of their faith should be sent a copy of the school's admission arrangements.

Where there are more applications than places available, the arrangements must state how places will be allocated. It is the responsibility of parents/carers to read the relevant admission arrangements carefully as they may vary from school to school and from year to year. Parents should be directed to the school if they need further information or explanation of the admission arrangements.

The Archbishop expects all Catholic schools to give first priority to baptised Catholic children (including those from Eastern Rite Catholic Churches and children of members of the Ordinariate). When there are insufficient places in a particular school for all Catholic children (including those from Eastern Rite Catholic Churches and children of members of the Ordinariate) who apply, the governing body may employ a series of tie-breakers to allow them to prioritise applicants (See acceptable tie-breakers set out earlier in the guidance document).

Priests have an important role in the admission of Catholic children to Diocesan schools and academies. They will be asked to support parents and carers in providing evidence or endorsement of religious practice, namely, baptism or reception into the church and Mass attendance. The evidence provided, relating to applications for school places, has to be in line with the School Admission Code and with this guidance. The evidence required will vary from school to school, but, will usually be: -

- For schools where baptism is the primary requirement. Evidence of baptism or reception into the church will be required to be provided by the parents/carers in the form of a certificate or if a certificate is not available confirmation from a priest that the child is baptised.
- In the case of schools which also include practice as a criterion, this is evidenced through the Certificate of Practice.
- The priest may also be asked provide details of any exceptional circumstances which might apply in a particular child's case. This information must relate only to Mass attendance or exceptional pastoral reasons why the child should attend a particular school.

▪ The Certificate of Practice (Appendix 5)

Where schools are oversubscribed with Catholic children (including those from Eastern Rite Catholic Churches and children of members of the Ordinariate), governing bodies may give priority to Catholic applicants in possession of a Certificate of Catholic Practice (CoP). A Certificate of Practice is a form to be signed by the parish priest of the parish where the child attends. The parish priest is only required to sign one certificate and this can then be presented by parents/carers to any school being applied to. It is not mandatory and is only required for those applying for a specific criterion. This form can be found on the school's website or from the school. It is the responsibility of parents/carers to return the CoP to the school(s) being applied to. If the parish does not have a parish priest, then the priest who is the equivalent is the appropriate priest. If a child fulfils its obligation in more than one church, the priest must take into account evidence from the other priest(s) concerned. New parish priests may liaise, where possible, with their predecessor. If this is not possible, it may be necessary to involve senior members of the parish community.

The Certificate of Practice is based on the following principles:

- There is to be a single, objective test for Catholic practice.
- It is solely for the priest to make the judgment.
- The priest should have enough information to allow him to build up a complete picture of the family and its circumstances, in order to exercise that judgment.
- The definition of 'Catholic practice' set out in this guidance is for the purpose of the Certificate of Catholic Practice and for no other purpose.

The priest provides information on the understanding that he is not part of the governors' decision to admit or refuse a child. The information provided by the priest in relation to school admissions must be transparent, factual and open to scrutiny as it will be available to governors involved in the admissions arrangements, may be shared with parents and if appropriate admission appeal panel members.

Priests who provide information and who are also governors of the school must not be members of an admissions committee and must not take part in the governors' discussions relating to applications and decisions on who should be offered places.

The purpose of the CoP is to give all priests a framework in which they can provide the information the governors require, only for the purposes of admission to schools, namely:

- Whether the child is baptised or received into the Church;
- Whether the child is practicing.
- To provide details of any exceptional circumstances that may apply in the case of the individual child that makes it necessary for the child to attend a particular school. This must only be in respect of Mass attendance or the pastoral needs of the child.

On receipt of the completed CoP the governing body will then apply its admission criteria to decide how children will be ranked for admittance.

The Diocese recommends governors use of the Form in Appendix 5. This provides a consistency which will be helpful to both parents and priests.

Priests should ensure they are the appropriate priest to complete the CoP. If a family does not attend Mass at a priest's parish, he should direct them to the parish priest or ethnic chaplaincy where they normally attend Mass.

There may be domestic or medical circumstances why a family is not attending Mass, or attending irregularly, at the time of application. The priest must take these into account when considering signing the certificate.

There may be pastoral reasons why a priest feels that a child should attend a particular school. These reasons must say why this school is best suited to provide the child's needs in a way that no other school could. The reasons must be discussed with the parents or carers of the child and the reasons may need to be backed up with documentary evidence.

It is important for priests to recognise that governors have a duty to apply the admissions criteria fairly and consistently. Priests must not provide information about religious practice other than the CoP.

- **Notes on interpreting Catholic practice**

The Admissions Code states that governing bodies must follow the definition of practice as given by the religious authority for their schools. The Archbishop is the religious authority for all Catholic schools in the Diocese, including those in the trusteeship of religious orders or congregations. Schools in the Diocese may give a higher priority to 'practising' Catholic families (or to the children themselves if they are old enough to make their own decisions) over those Catholic families who do not practise the faith.

The definition for practice in this Diocese, in relation to admissions to voluntary aided schools, colleges and academies, is those who are baptised in or received into the Catholic Church and attend Sunday Mass (or a Saturday vigil Mass). This is capable of being observed objectively, with a reasonable degree of accuracy. It should be noted that priests cannot be expected to be able to recall the exact pattern of Mass attendance in all cases and will provide the best information they can. Priests cannot be expected to take a register of Mass attendance.

Governing bodies must not seek any 'higher test' of practice such as involvement in parish or Catholic community life, for example, as a reader, server, member of the parish council, Extraordinary Minister of Holy Communion, charity fundraiser etc. Similarly, priests must not establish 'unofficial' tests or criteria to supplement the information required for signing the CoP.

Priests should not confirm the frequency of attendance at Sunday Mass unless it has continued for a period of time. Exceptions to this would be families who have moved into the parish recently, in which case there may be a need for the priest of the previous parish to complete a form as well, or new arrivals to the country or those who have recently been received into the Church.

For the purpose of admissions to a Catholic school a practising family is regarded as one where at least one parent or carer is attending Mass weekly. There will be occasions when the priest may accept a different situation as being equivalent, for example, where the child's grandparents or other family members take on this responsibility, where a parent who is not a Catholic undertakes this role, or where older children themselves practise despite lack of practice by parents. Children in these situations should receive support from their priests.

- **Other issues**

There are cases where a parent claims a level of practice, but this cannot be substantiated by the priest's observations. In such cases it should be made clear that the onus is on the parent to satisfy the priest's own mind that the claim is accurate. It may be the case that the parent has been attending Mass at another parish. The parent should then be guided to the priest of that parish to provide evidence of practice. Priests should not confirm a level of practice unless they are satisfied they are able to do this through their own observations, through consulting with others or being satisfied with evidence presented to them.

It is important that any priest who is a governor of a school does not sit on an Admission Committee when the committee is considering applications for places at the school. A priest should recognise that they must not seek to influence the committee.

Guidance for Parents and Carers

Catholic parents and carers have the responsibility to find a school that will provide for the Catholic education of their child. It is important, therefore, that they visit the schools that they may wish to apply to for a place for their child. All schools have open days or evenings when prospective applicants and their parents can visit the school. The arrangements for admitting children to the school will normally be explained on these occasions so that parents can express an informed preference.

It is important that parents are aware that admission arrangements may differ between Catholic schools. Schools, colleges and academies must provide clear information on admission procedures and the criteria they will use when the school is oversubscribed. Parents must, therefore, find out the admission arrangements for each school to which they may wish to apply. If anything is unclear they should seek clarification from the school. Schools recognise that they may need to provide guidance and translated information for some parents or carers, but they must take care that this does not take the form of an interview.

It is the responsibility of Catholic parents to make sure they are known by their Parish Priest and/or the priest of the church where they attend Mass. In this way, if a priest's endorsement of their practice of the faith is required, the priest will be best placed to give the information required by the school.

Although Catholic schools, colleges and academies in the Diocese must give priority to Catholic children they will also welcome applications from parents of children of other faiths and children of no faith. Places will be offered to all children in accordance with the published admission arrangements of the school. Parents of children of other denominations or faiths may be required to demonstrate support from ministers or leaders of their own denomination or faith. The school admission arrangements must specify what information is needed.

The terms 'parent', 'mother', 'father' or 'carer' include all persons who legally have parental responsibility for the child.

Separate documents – *Admissions Guidance for Parents* and *Admission Appeals Guidance for Parents* are available on the Education Commission website.

- **How to apply for a place in a Catholic school, college or academy in the Archdiocese of Southwark**

The governing body of each Catholic voluntary aided school, college or academy is responsible for agreeing and publishing a policy, otherwise known as their admission arrangements, each year which explains how places are offered if there are more applications than places available. This will be printed in the school prospectus, available on the school website, from the school on request or from the local authority booklet or website. It is important to remember that admission arrangements may be different for each school for which they may wish to apply. It is the responsibility of parents to read the admissions arrangements carefully and to seek clarification direct from the school if they are unsure about any part of the policy.

The Archbishop expects Catholic schools to give priority to Catholic applicants who want a place at a Catholic school. Catholic schools exist to assist parents in handing on the Catholic faith to their children. Where a school is oversubscribed (that is when there are more applications than places available) with baptised Catholic applicants, the governing body may apply criteria where a higher priority of admission will be given to those who attend Sunday Mass (or the Saturday vigil Mass) more frequently. Governing bodies will require confirmation of practice from a priest at the church where the family normally worship. Governors may also use other criteria, such as giving priority to applicants who have a brother or sister in the school at the time of admission, living in a named parish, living near the school, or who have social, pastoral or medical needs.

It should be noted that support from a priest is not a guarantee of a place in a particular school. Governing bodies take into account the information given by the priest and prioritise applications according to their published admission criteria. It is the governing body of the school, and not the priest, that makes decisions on who is offered a place.

- **What parents must do to apply for a place at a Catholic school**

1. Complete a Common Application Form (CAF) which is the legal application form for all schools. The form may be completed by using the 'e-application' online facility on the local authority's website. This is the local authority in which the child lives and not the local authority of the school to which parents are applying (if this is in a different local authority area). Paper copies of the CAF will also be available from the local authority's admissions team. Parents must list all schools to which they wish to apply for on this form. There may be up to six preferences allowed and parents are encouraged to express a preference for as many Catholic schools as possible. Parents must follow the instructions given with the form about its completion and return.

2. The school will ask to see the child's baptism certificate or a certified copy of the entry in the baptism register of the church where the child was baptised. Those who have difficulty obtaining written evidence of baptism should contact their Parish Priest (who, after consulting with the Diocese, will decide 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).

3. If applicable, they should also present a signed Certificate of Catholic Practice (CoP) which is available from the Catholic school(s) to which parents are applying or from schools' or the local authority's websites. The relevant priest of the parish or ethnic community church where the family attend Sunday Mass will sign the certificate. The priest will return the signed certificate to the parents who then have the responsibility for returning the certificate to the school by the date given on the form.

4. It is for the parents to ensure that the CoP is returned to the school. Not all schools will have the same date for return. If a certificate is not returned on time, governing bodies must still consider the application, but they will not have all the information they need to assess the application against their criteria. In this case it is likely that applicants who do not return the CoP will be placed in a lower category than those who have returned a CoP.

- **Waiting lists**

If a child is not offered a place at the parents preferred school the parents may ask for their child's name to be placed on a waiting list. Schools will use the waiting list to offer places should a vacancy occur. The waiting list must be maintained for at least one term in the academic year of admission. Children will be ranked on the waiting list in the same order as the published oversubscription criteria. Asking for their child's name to be added to a waiting list does not prevent parents from exercising their right to appeal against the decision not to offer a place.

- **Admission appeals**

Parents and carers have the right of appeal against a school's decision not to allocate a place to their child at their preferred school. The appeal is to an independent panel arranged by the governing body of the school or by the clerk to the appeal panel. The panel is independent of the school, the LA and the Diocese. The panel must be clerked by a person who is independent of the school and the LA's education provision. Admission appeals are governed by the School Admission Appeals Code (2022) to ensure that hearings are impartial, structured and fair to both parents and schools.

Further information – Reference documents

- School Admissions Code (DFE) – 2021.
- School Admission Appeals Code of Practice (DFE) - 2022.
- Special Report – School Admissions and Appeals (The Local Government Ombudsman) – 2004.
- Good Administrative Practice 2 (The Local Government Ombudsman) – 2001.

Appendix 1

A Catholic Primary School

Model Admissions Policy and Procedures 20xx – 20xx

(Name) Catholic Primary School is a voluntary aided school/part of a Catholic Academy Trust in the Diocese of Southwark. It is in the trusteeship of the Diocese (or the religious order of --). The school is conducted by its governing body as part of the Catholic Church in accordance with its Trust Deed and Instrument of Government and seeks at all times to be a witness to Jesus Christ. The school exists primarily to serve the Catholic community and Catholic children always have priority of admission. However, the Governing Body also welcomes applications from those of other denominations and faiths and from those who have no faith who support the religious ethos of the school.

Having consulted with the Local Authority, the Diocese and other admission authorities, the governors intend to admit into the reception class, in September 20xx, up to (nn) pupils, the published admission number (PAN), without reference to ability or aptitude.

Where the number of applications exceeds (nn) the Governors will offer places using the following criteria in the order stated below: -

1. Looked after Catholic children and all previously looked after Catholic children who have been adopted or who have become the subject of a child arrangement order or special guardianship order. Catholic children who appear (to the admissions authority) to have been in state care outside of England and cease to be in state care outside of England as a result of being adopted.
2. Baptised Catholic children, in possession of a Certificate of Practice. (See Note A) **This criterion is optional. Schools that are not and where there is no expectation that they will be oversubscribed with practicing Catholic applicants may choose remove it, as it would not be required.**
3. Baptised Catholic children. A baptismal certificate or evidence of reception into the Catholic Church must be provided.
4. Looked after children and all previously looked after children who have been adopted or who have become the subject of a child arrangement order or special guardianship order. Children who appear (to the admissions authority) to have been in state care outside of England and cease to be in state care outside of England as a result of being adopted.
5. Children enrolled in the catechumenate. Evidence of enrolment in the catechumenate will be required.
6. Children who are members of Eastern Orthodox Churches. Evidence of Baptism will be required.
7. Children who are members of other faiths, Churches and denominations. Evidence of Baptism/dedication or evidence of membership required.
8. Any other children.

The following order of priorities will be applied when applications within any of the above categories exceed the places available and it is necessary to decide between applications.

i. A brother or sister on the school roll at the time of admission. Evidence of the relationship may be required. The governors will, where logistically possible, admit twins and all siblings from multiple births where one of the children is the last child ranked within the school's published admissions number.

ii. Living in the parish of ……. or in the parish of …….

iii. Social, pastoral and medical needs which make the school particularly suitable for the child in question. Strong and relevant evidence must be provided, at the time of application, by an appropriate professional authority (eg qualified medical practitioner, education welfare officer, social worker or priest).

iv. Proximity to the school of the child's home address, the distance measured in a straight line from the school entrance by the local authority using a geographical computerised information system. Evidence of residence may be required. Where the last remaining place is to be allocated and two or more children are deemed to live at the same distance from the school the place will be decided by the drawing of lots.

Notes:

a. Catholics include members of the Ordinariate and the Latin and Oriental Rite Churches that are in union with the Bishop of Rome.
b. A "brother or sister" means children who live as brother and sister including natural brothers or sisters, adopted siblings, stepbrothers or sisters and foster brothers or sisters. It would <u>not</u> include other relatives (eg cousins).

c. Home refers to the permanent home address at which the child lives for the majority of his/her time and with the parent who is in receipt of child benefit.
d. A looked after child has the same meaning as in section 22(1) of the Children Act 1989 that is a child who is (a) in the care of a local authority or (b) being provided with accommodation by them in the exercise of their social services functions (e.g. children with foster parents) at the time of making application. A previously looked after child is a child who was looked after but ceased to be so because they were adopted or became subject to a child arrangements order or special guardianship order.
e. A looked after child has the same meaning as in section 22 (1) of the Children Act 1989 that is a child who is (a) in the care of a local authority or (b) being provided with accommodation by them in the exercise of their social services functions (e.g. children with foster parents) at the time of making an application. A previously looked after child is a child who was looked after but ceased to be so because they were adopted or became subject to a child arrangements order or special guardianship order. This will include children who appear (to the admission authority) to have been in state care outside of England as a result of being adopted.

Admissions procedure

In addition to the Common Application Form (CAF) required by the Local Authority, the Supplementary Information Form (available from the school and from the local authority), should be completed and sent to...*n* at the school not later than the national closing date for primary schools (15 January 20xx). This should be done even if the CAF is completed online. If the Supplementary Information Form is not completed, the governing body of the school will only be able to consider the application after all applicants who have completed a Supplementary Information Form. You are advised to make two copies of the forms. You should retain one copy and pass the second copy to the school or your priest, as indicated.

Offers of places will be sent to parents by their home local authority on the common offer date 16 April 20xx.

Education, Health and Care (EHC) Plan

The admission of pupils with an EHC Plan is dealt with by a completely separate procedure. The procedure is integral to the making and maintaining of EHC plans by the pupil's home local authority. Details of this separate procedure are set out in the SEND code of practice. Pupils with an EHC plan naming the school will be admitted without reference to the above criteria.

Appeals

Parents whose applications for places are unsuccessful may appeal to an Independent Appeal Panel set up in accordance with section 94 of the School Standards and Framework Act 1998. Appeals must be made in writing and must set out the reasons on which the appeal is made. Appeals should be made to the Admissions Appeal Clerk at the school address. Parents/Carers have the right to make oral representations to the Appeal Panel.

Infant classes are restricted by the legislation to 30 children. Parents should be aware that an appeal against refusal of a place in an infant class may only succeed if it can be demonstrated that: -

a) the admission of additional children would not breach the infant class size limit; or
b) the admission arrangements did not comply with admissions law or had not been correctly and impartially applied and the child would have been offered a place if the arrangements had complied or had been correctly and impartially applied; or
c) the panel decides that the decision to refuse admission was not one which a reasonable admission authority would have made in the circumstances of the case.

Admission of children below compulsory school age
The governors will provide for the admission of all children in the September following their fourth birthday. Parents can request that the date their child is admitted to the school is deferred until later in the school year or until the child reaches compulsory school age in that school year; parents may also request that their child attends part- time until the child reaches compulsory school age.

Admission of children outside their normal age group
Parents who are seeking a place for their child outside of their normal age group, eg, the child has experienced problems such as ill health or the parents of a summer born child preferring not to send their child to school until the September following their fifth birthday, may request that they are admitted out of their normal age group that is to reception rather than year 1.

Governors will make decisions on the circumstances of each case and in the best interests of the child concerned. This will include taking account of the parent's views; information about the child's academic, social and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group, and whether they may naturally have fallen into a lower age group if it were not for being born prematurely. They will also take into account the views of the school's head teacher. When informing a parent of the decision which year group the child should be admitted to, the governors will set out clearly the reasons for their decision.

Where the governors agree to a parent's request for their child to be admitted out of their normal age group and, as a consequence of that decision, the child will be admitted to the age group to which pupils are normally admitted to the school the local authority will process the application as part of the main admissions round, (unless the parental request is made too late for this to be possible) and on the basis of the determined admission arrangements, including the application of oversubscription criteria where applicable. Parents have a statutory right to appeal against the refusal of a place at a school for which they have applied. This right does not apply if they are offered a place at the school, but it is not in their preferred age group.

Waiting Lists
Parents of children who have not been offered a place at the school may ask for their child's name to be placed on a waiting list. The waiting list, which will be maintained until at least 31st December of each school year of admissions. The waiting list will be operated using the same admissions criteria listed above. Placing a child's name on the waiting list does not guarantee that a place will become available. This does not prevent parents from exercising their right to appeal against the decision not to offer a place. It is possible that when a child is directed under the local authority's fair access protocol they will take precedence over those children already on the list.

Late Applications
Any late applications will be considered by the Governors' Admissions Committee, in the event of there being any available places, using the above criteria. If all places have been filled, parents will 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.

This admissions procedure, although primarily relevant to children for whom a place is sought at the normal age of entry to primary education (Year R), will also apply to succeeding years, and be subject to the availability of places.

Appendix 2

A Catholic Secondary School

Model Admissions Policy and Procedures 20xx – 20xx

(Name) Catholic Secondary School is a voluntary aided school/part of a Catholic Academy Trust in the Diocese of Southwark. It is in the trusteeship of the Diocese (or the religious order of --). The school is conducted by its governing body as part of the Catholic Church in accordance with its Trust Deed and Instrument of Government and seeks at all times to be a witness to Jesus Christ. The school exists primarily to serve the Catholic community and Catholic children always have priority of admission. However, the Governing Body also welcomes applications from those of other denominations and faiths or of no faith who support the religious ethos of the school.

Having consulted with the Local Authority, the Diocese and other admission authorities, the governors intend to admit, in September 20xx, up to (nn) pupils, the published admission number (PAN), without reference to ability or aptitude.

Where the number of applications exceeds (nn) the Governors will offer places using the following criteria in the order stated: -

1. Looked after Catholic children and all previously looked after Catholic children who have been adopted or who have become the subject of a child arrangement order or special guardianship order. Catholic children who appear (to the admissions authority) to have been in state care outside of England and cease to be in state care outside of England as a result of being adopted.
2. Baptised Catholic children, in possession of a Certificate of Practice. (See Note A) **This criterion is optional. Schools that are not and where there is no expectation that they will be oversubscribed with practicing Catholic applicants may choose remove it, as it would not be required.**
3. Baptised Catholic children. A baptismal certificate or evidence of reception into the Catholic Church must be provided.
4. Looked after children and all previously looked after children who have been adopted or who have become the subject of a child arrangement order or special guardianship order. Children who appear (to the admissions authority) to have been in state care outside of England and cease to be in state care outside of England as a result of being adopted.
5. Children enrolled in the catechumenate. Evidence of enrolment in the catechumenate will be required.
6. Children who are members of Eastern Orthodox Churches. Evidence of Baptism will be required.
7. Children who are members of other faiths, Churches and denominations. Evidence of Baptism/dedication or evidence of membership required.
8. Any other children.

The following order of priorities will be applied when applications within any of the above categories exceed the places available and it is necessary to decide between applications.

i. A brother or sister on the school roll at the time of admission. Evidence of the relationship may be required. The governors will, where logistically possible, admit twins and all siblings from multiple births where one of the children is the last child ranked within the school's published admissions number.

ii. Living in the parish of ……. or in the parish of …….

iii. Social, pastoral and medical needs which make the school particularly suitable for the child in question. Strong and relevant evidence must be provided, at the time of application, by an appropriate professional authority (eg qualified medical practitioner, education welfare officer, social worker or priest).

iv. Proximity to the school from the child's home address, the distance measured in a straight line from the School entrance by the local authority using a geographical computerised information system. Evidence of residence may be required. Where the last remaining place is to be allocated and two or more children are deemed to live at the same distance from the school the place will be decided by the drawing of lots.

Notes:

a. Catholics include members of the Ordinariate and the Latin and Oriental Rite Churches that are in union with the Bishop of Rome. s t a t e
b. A "brother or sister" means children who live as brother and sister including natural brothers or sisters, adopted siblings, stepbrothers or sisters and foster brothers or sisters. It would <u>not</u> include other relatives eg cousins.

c. Home refers to the permanent home address at which the child lives for the majority of his/her time and with the parent who is in receipt of child benefit.
d. A looked after child has the same meaning as in section 22(1) of the Children Act 1989 that is a child who is (a) in the care of a local authority or (b) being provided with accommodation by them in the exercise of their social services functions (e.g. children with foster parents) at the time of making application. A previously looked after child is a child who was looked after but ceased to be so because they were adopted or became subject to a child arrangements order or special guardianship order.
e. A looked after child has the same meaning as in section 22 (1) of the Children Act 1989 that is a child who is (a) in the care of a local authority or (b) being provided with accommodation by them in the exercise of their social services functions (e.g. children with foster parents) at the time of making an application. A previously looked after child is a child who was looked after but ceased to be so because they were adopted or became subject to a child arrangements order or special guardianship order. This will include children who appear (to the admission authority) to have been in state care outside of England as a result of being adopted.

Admissions procedure

In addition to the Common Application Form (CAF) required by the local authority, the Supplementary Information Form (available from the school and from the local authority), should be completed and sent to...*n* at the school not later than the national closing date for secondary schools (31 October 20xx). This should be done even if the CAF is completed online. If the Supplementary Information Form is not completed, the governing body of the school will only be able to consider the application after all applicants who have completed a Supplementary Information Form. You are advised to make two copies of the forms. You should retain one copy and pass the second copy to the school or your priest, as indicated.
Offers of places will be sent to parents by the child's home local authority on the common offer date 1 March 20xx.

Education, Health and Care (EHC) Plan

The admission of pupils with an EHC Plan is dealt with by a completely separate procedure. The procedure is integral to the making and maintaining of EHC plans by the pupil's home local authority. Details of this separate procedure are set out in the SEND code of practice. Pupils with an EHC plan naming the school will be admitted without reference to the above criteria.

Admission of Children Outside their Normal Age Group

A request may be made for a child to be admitted outside their normal age group, for example if the child is gifted and talented or has experienced problems such as ill health. Any such request should be made in writing to …*n*…at the school at the same time as the admission application is made. The governing body will make its decision about the request based on the circumstances of the case and in the best interests of the child. In addition to taking into account the views of the headteacher, including the headteacher's statutory responsibility for the internal organisation, management and control of the school, the governing body will take into account the views of the parents and of medical and/or education professionals, as appropriate.

Appeals

Parents whose applications for places are unsuccessful may appeal to an Independent Appeal Panel set up in accordance with section 94 of the School Standards and Framework Act 1998. Appeals must be made in writing and must set out the reasons on which the appeal is made. Appeals should be made to the Admissions Appeal Clerk at the school address. Parents/Carers have the right to make oral representations to the Appeal Panel.

Waiting Lists

Parents of children who have not been offered a place at the school may ask for their child's name to be placed on a waiting list. The waiting list, which will be maintained until, will be operated using the same admissions criteria listed above. Placing a child's name on the waiting list does not guarantee that a place will become available. This does not prevent parents from exercising their right to appeal against the decision not to offer a place. It is possible that when a child is directed under the local authority's fair access protocol they will take precedence over those children already on the waiting list.

Fair Access Protocol

The school participates in the local authority's Fair Access Protocol to allocate places to vulnerable and other children in accordance with the School Admissions Code 2021. Admitting pupils under the protocol may require the school to admit above the planned admission number for the relevant year group.

Late Applications

Any late applications will be considered by the Governors' Admissions Committee, in the event of there being any available places using the above criteria. If all places have been filled, parents will 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.

These admissions procedures, although primarily relevant to children for whom a place is sought at the normal age of transfer to secondary education (Year 7), will also apply to succeeding years, and be subject to the availability of places.

Appendix 3

Notes on the Model Admission Policies and Procedures

The model admission policies are provided to give governing bodies 'templates' to use in drawing up their own policies. Models are offered for primary and secondary schools. These can be adapted for junior schools and for entry into sixth forms.

It is recognised that governors may wish to incorporate in their admissions policies other criteria that reflect their school's pastoral, social or geographical context. In drawing up their admission arrangements, governors must ensure that the policies comply with the Trust Deed and Instrument of Government and do not breach legislation (Education, Human Rights, Sex Discrimination, Race Relations, SEN, Disability Discrimination and Equality legislation). The policy must use simple clear language defining what is meant by specific categories and not be overly complex. It must identify any supporting evidence required and how this will be tested.

Criteria must not be based on aptitude or ability or on the length of time on a waiting or other list. Oral references from priests, doctors etc must not be used to place applicants into specific categories. For applications to year R or year 7 governors must not ask for academic, behaviour or other reports from previous schools. If any such information has been sent by a previous school, it should be disregarded.

Note 1
Governors must draw up criteria to ensure that a Catholic education is provided first for baptised Catholic children and children received into the Catholic Church (i.e. Roman Catholic or members of the Ordinariate and the Latin and Oriental Rite (Eastern Catholic) Churches that are in union with the Bishop of Rome) *(See note 8).*

Note 2
It is permissible to give priority to children of families living in local named parish(es) and a map showing the parish boundaries must be attached to the admission arrangements. Where residence in a parish is used it is important to include parishes without schools. It is good practice to allocate a percentage of places, using the Mass attendance statistics in the Archdiocese of Southwark Directory, to each parish rather than equally ranking the parishes. This should ensure that children living in a parish where there is no school will have an equal chance of gaining a place. In the case of secondary schools, it is acceptable to give priority to named Catholic primary or junior feeder schools. However, care must be taken not to discriminate against children who are unable to get a place in a Catholic primary school or live in an area where there is no Catholic primary school.
It is not permissible to give priority to children attending an adjoining nursery school.

Note 3
The criteria and sub-criteria (tie-breaks) must 'cascade' reflecting the order in which governors will admit children. Places must be offered strictly in accordance with the numbered criteria using the sub-criteria (tie-breaks) if necessary in each category.

Note 4
If the parish priest is new to a parish, he may wish to seek assistance from a deacon or parish sister in providing evidence of membership of the Church or about Mass attendance. The parish priest should countersign evidence given by a deacon or parish sister.

Note 5
It should be made clear what is meant by a brother or sister. They will not necessarily be residing at the same address or have the same surnames and would include natural brothers or sisters, adopted siblings, stepbrothers or sisters and foster brothers or sisters. It would not include other relatives e.g. cousin. Siblings of non-Catholic children at the school must not be given priority over Catholic children.

Note 6
Social and medical needs are often difficult to determine. It should be made clear that it is the child's needs that are being considered and that the evidence required explains why this particular school meets these needs. Pastoral grounds could be considered under this criterion when the evidence is provided by a priest or minister.

Note 7
When proximity to the schools is used as a 'tie-breaker', it must be explained how this will be determined. Admissions authorities must clearly set out how distance from home how distance from home to the school and /or any nodal points used in the arrangements will be measured. The selection of a nodal point must be clearly explained and made on reasonable grounds. It is admissible to use 'direct line' distance home to school, safest walking distance, time by public transport etc. It is advisable to adopt the LA's method in measuring distance and to use the services of the LA to provide the measurements. The list of tie-breaks given is not exhaustive and governors may wish to add others.

Note 8

Churches in union with Rome

Personal Ordinariate. Baptised children of parents who are members of the Ordinariate, established under The Apostolic Constitution *Anglicanorum Coetibus* of 4th November 2009, are to be given equal preference to that offered to children baptised in a Catholic church. It is important to note that these children may have been baptised in the Church of England.

Eastern Catholic (or Oriental Rite) Churches in union with Rome. The Holy See's *Annuario Pontificio* gives the following list of Eastern Catholic Churches.

1. Alexandrian liturgical tradition:
    1. Coptic Catholic Church (patriarchate):
    2. Eritrean Catholic Church (metropolia):
    3. Ethiopian Catholic Church (metropolia):
2. West Syrian, including Malankara, liturgical tradition (which is part of Antiochene Rite):
    1. Maronite Church (patriarchate):
    2. Syriac Catholic Church (patriarchate):
    3. Syro-Malankara Catholic Church (major archepiscopate):
3. Armenian liturgical tradition:
    1. Armenian Catholic Church (patriarchate):
4. Chaldean or East Syrian liturgical tradition:
    1. Chaldean Catholic Church
    2. Syro-Malabar Catholic Church (Major Archepiscopate):
5. Constantinopolitan (Byzantine) liturgical tradition:
    1. Albanian Catholic Church (apostolic administration):
    2. Belarusian Catholic Church (no established hierarchy at present):
    3. Bulgarian Greek Catholic Church (apostolic exarchate):
    4. Byzantine Church of Croatia, Serbia and Montenegro (an eparchy and an apostolic exarchate):
    5. Greek Byzantine Catholic Church (two apostolic exarchates):
    6. Hungarian Greek Catholic Church (an eparchy and an apostolic exarchate):
    7. Italo-Albanian Catholic Church (two eparchies and a territorial abbacy):
    8. Macedonian Catholic Church (an apostolic exarchate):
    9. Melkite Greek Catholic Church (patriarchate):
    10. Romanian Church United with Rome (major archiepiscopate):
    11. Russian Catholic Church (two apostolic exarchates, at present with no published hierarchs):
    12. Ruthenian Catholic Church (a *sui juris* metropolia, an eparchy & an apostolic exarchate):
    13. Slovak Catholic Church (metropolia and an eparchy):
    14. Ukrainian Catholic Church (major archiepiscopate):

There are an equivalent number of Eastern Orthodox Churches with similar names that are not in union with the See of Rome. 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 and children from these Churches should not be considered as Catholic children. Please refer any queries to the Commission.

Children of other Christian denominations

"Children of other Christian denominations" means: children who belong to other churches and ecclesial communities which, acknowledging God's revelation in Christ, confess the Lord Jesus Christ as God and Saviour according to the Scriptures, and, in obedience to God's will and in the power of the Holy Spirit commit themselves: to seek a deepening of their communion with Christ and with one another in the Church, which is his body; and to fulfil their mission to proclaim the Gospel by common witness and service in the world to the glory of the one God, Father, Son and Holy Spirit. An ecclesial community which on principle has no credal statements in its tradition, is included if it manifests faith in Christ as witnessed to in the Scriptures and is committed to working in the spirit of the above.

Children of other faiths

"Children of other faiths" means children who are members of a religious community that does not fall within the definition of 'other Christian denominations' and which falls within the definition of a religion for the purposes of charity law. The Charities Act 2011 defines religion to include: 'A religion which involves belief in more than one God', and 'A religion which does not involve belief in a God'.

Case law has identified certain characteristics which describe the meaning of religion for the purposes of charity law, which are characterised by a belief in a supreme being and an expression of belief in that supreme being through worship.

Appendix 4

Ethnic Minority Chaplains

There are chaplains for the following nationalities or communities. Current names and addresses are listed in the Archdiocese of Southwark Directory: -

African Catholic Mission
Albanian: Kosovan
Brazilian
Caribbean
Chinese
Congolese
Croatian
Czech
Filipino
French (and all French-speaking nationals)
German
Ghanaian
Goan
Hungarian
Irish
Italian Mission
Kerala (Latin Rite)
Korean
Latin American
London Caribbean
Lithuanian
Maltese
Nigerian
Polish
Portuguese
Romanian
Slovak
Slovenian
Spanish
Sri Lankan (Sinhalese language)
SriLankan (Tamil language)
Traveller, Gypsy and Roma communities
Ugandan
Vietnamese
Zambian
Zimbabwe

Eastern Catholic Churches

There are chaplains for the following Eastern Catholic Churches. Current names and addresses are listed in the Archdiocese of Southwark Directory: -

Belarussian Catholic
Church Chaldean Catholic Church (Iraqi)
Gheez Rite (Eritrea)
Gheez Rite (Ethiopia)
Kananaya
Maronite Catholic Church (Lebanese and Cypriots)
Melkite Rite
Catholic Church (Palestinian)
Syriac Catholic Church
(Iraqi) Syro-Malabar Rite
(Kerala) Syro-Malankara
Rite
Ukrainian Catholic Church

ARCHDIOCESE OF SOUTHWARK

CERTIFICATE OF CATHOLIC PRACTICE

Details of child (for identification only)

Full name of child: _____

Address of child: _____

_____

Postcode: _____ Date of Birth: _____

I am [the child's parish priest] [the priest in charge of the Church where the child practices] **[delete as applicable]**

I hereby certify that this child is known to me and, to the best of my knowledge and belief, the child is a practising Catholic.

Priest's name _____ Position _____

Parish (or ethnic chaplaincy) _____

Address _____

_____

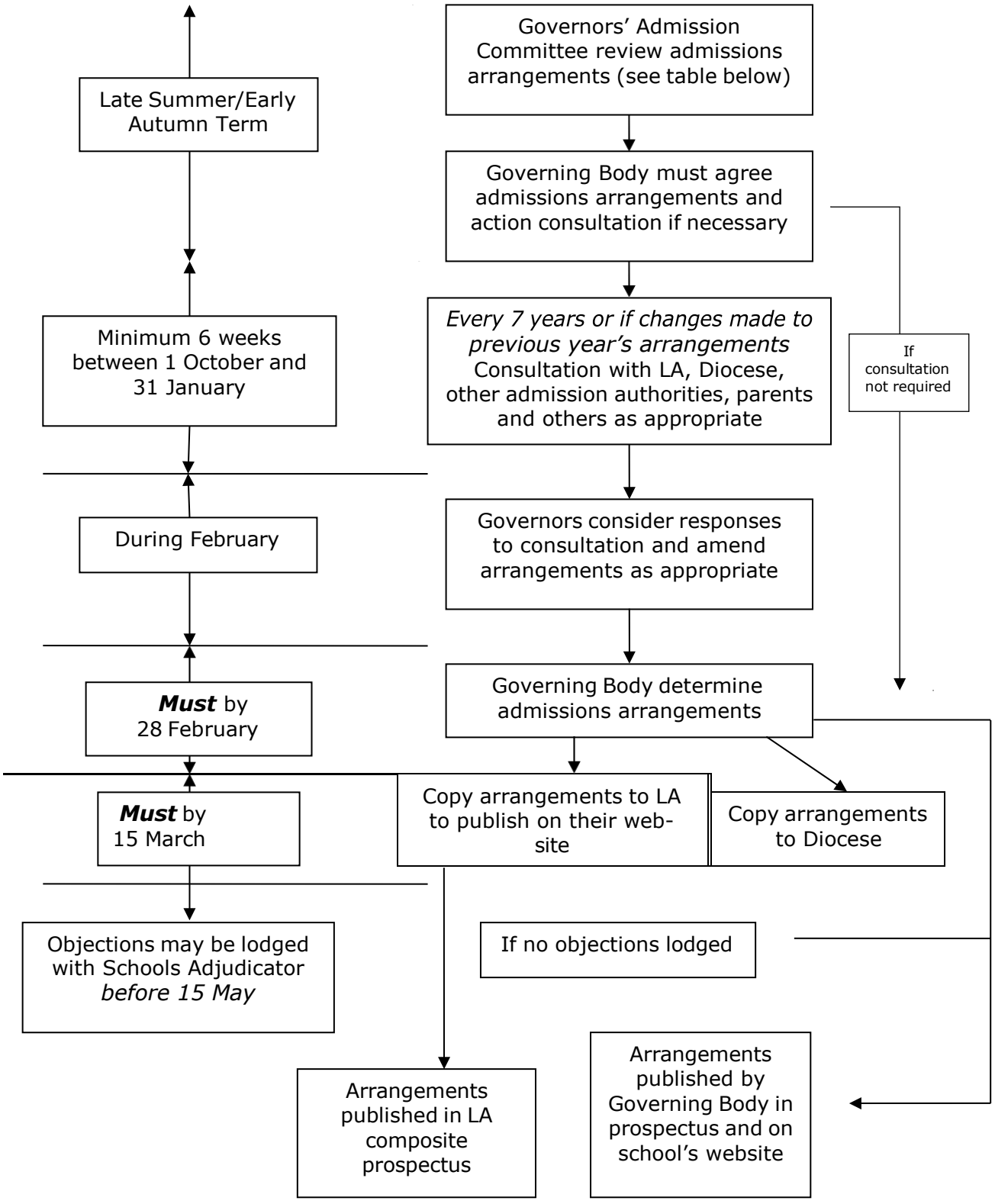
Telephone_____

Priest's signature _____

Parish stamp or seal

Date_____

Admission Arrangements - Determination and Consultation process



Cycle of agreeing, determining and publishing a school's admission arrangements

Admissions year	September 2025	September 2026	September 2027
Agreed by governors	Autumn 2023	Autumn 2024	Autumn 2025
Consultation	Oct 2023 – Jan 2024	Oct 2024 – Jan 2025	Oct 2025 – Jan 2026
Determined/published	Feb 2024/Mar 2024	Feb 2025/Mar 2025	Feb 2025/Mar 2025
Applications	Oct 2024 (secondary) Jan 2025 (primary)	Oct 2025 (secondary) Jan 2026 (primary)	Oct 2026 (secondary) Jan 2027 (primary)