

# CHESHIRE EAST COUNCIL

## CABINET

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**Date of meeting:** 2 December 2008  
**Report of:** John Weeks,  
**Title:** Strategic Director of People

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### **1.0 Purpose of Report**

- 1.1 This Decision Paper seeks approval to the required annual consultation on Cheshire East's proposed school admission arrangements and coordinated admissions scheme for the school year commencing September 2010 and beyond.
- 1.2 The consultation document needs to be approved before 31 December 2008, in order to go to all school governing bodies meeting during the spring term 2009.

### **2.0 Decision Required**

- 2.1 The attached consultation document and appendices, with any subsequent amendments and additions recommended by the Cheshire East Admissions Forum, on admissions for the school year commencing September 2010 and beyond; and its circulation to all Cheshire East schools and neighbouring local authorities at the beginning of the spring term 2009 be approved.

### **3.0 Financial Implications for Transition Costs**

- 3.1 None

### **4.0 Financial Implications 2009/10 and beyond**

- 4.1 Members should note that the costs of School Admissions are charged to the Dedicated Schools Grant within the element for central expenditure.

### **5.0 Legal Implications**

- 5.1 Local authorities are required by law to consult annually on their proposed admission arrangements for the following school year for those schools for which they are responsible and on their coordinated scheme where appropriate. Regulations require that consultation be completed by 1 March in the year preceding the admission year, and that the arrangements be determined by 15 April in that preceding year.
- 5.2 Consultation must take place with all other admission authorities in the '*relevant area*', which, for the Cheshire East Authority, has been proposed (and is currently out for consultation within the existing

'relevant area' with a closing date of 1 December) as the administrative boundary of Cheshire East, together with neighbouring local authorities. The 'relevant area' will be determined by Cabinet on 2 December, taking into account all responses received by 1 December.

## **6.0 Risk Assessment**

- 6.1 If the Local Authority does not consult on its proposed admission arrangements and coordinated scheme before 1 March 2009, it will be in breach of its statutory duty to comply with the provisions of the School Admissions Code. Failure to comply may result in an objection to the Schools Adjudicator or a complaint to the Secretary of State. If the Local Authority does not notify the Secretary of state that it has adopted a coordination scheme by 15 April, the Secretary of State may impose one.

## **7.0 Background and Options**

- 7.1 The attached draft Consultation Document (**Annex 1**) and its Appendices have been prepared for consideration next term by Cheshire East school governing bodies and to be sent to neighbouring local authorities. (Full copies of the proposed primary and secondary coordinated scheme and admission arrangements are attached for the attention of the Cabinet as Annex 2.)
- 7.2 The consultation document proposes that the current arrangements and coordinated scheme, determined in April 2008 by Cheshire County Council for September 2009 admissions, should apply for Cheshire East for 2010 **apart** from the proposed amendments (a brief summary is listed below – full details of the proposed amendments are shown in the Report to Governing Body Annex 1.) to retain as much as possible of the existing admission arrangements which appear, from previous years' consultations, to command wide support among Cheshire schools:

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### **Primary Admissions:**

- Admissions timetable revised resulting in an earlier decision on applications;
- Coordinated Scheme revised timetable - adjusted around the proposed change to the admissions timetable;
- Amendment to *sibling* criterion within the oversubscription criteria to remove infant to junior school cross-linked siblings.

### **Secondary Admissions**

- Proposed oversubscription criteria for considering external applications for sixth form places where more applications are received than there are places available;

- Proposed minimum entry requirements for admission to sixth form (internal and external candidates);
- Proposed Published Admission numbers for admission to sixth forms for external applicants.

#### Primary and Secondary Admissions:

- Change to the date for handing over waiting lists to schools from 1 October to 10 September;
- A later closing date for submitting appeal applications with a separate date for accepting and declining places;
- Change to the oversubscription criteria with the removal of category 6 and the addition of social need alongside medical need within category 2;
- Change to the arrangements for considering applications submitted by parents/carers stating residency based on shared responsibility for a child;
- Proposals to vary some schools' current admission numbers for September 2010 admissions, in line with net capacities (Appendix 1);
- Proposed re- zoning arrangements (Appendix 2).

### **8.0 Overview of Day One, Year One and Term One Issues**

- 8.1 East Authority determines on 15 April arrangements for admission in September 2010 following consultation (completed by 1 March 2009) within the newly determined relevant areas (determined on 2 December 2008). In accordance with the School Admissions Code (2007) arrangements will be subject to consultation each year and in the year preceding admission.

### **9.0 Reasons for Recommendation**

- 9.1 The recommendation will enable the Authority to meet its statutory duty to consult in the year preceding admission on its proposed admission arrangements for community and controlled schools in East Cheshire and on its coordination scheme for all Cheshire East maintained schools.

#### ***For further information:***

*Portfolio Holder: Councillor P Findlow  
Officer: Barbara Dale, Admissions and Appeals Manager  
Tel No: 01606 275698  
Email: Barbara.Dale@cheshire.gov.uk*

#### ***Background Documents:***

*Schools Admissions Code 2007  
Documents are available for inspection at:  
Westfields, Middlewich Road, Sandbach*

### CHESHIRE EAST LOCAL AUTHORITY

#### REPORT TO GOVERNING BODIES OF ALL EAST SCHOOLS – SPRING TERM 2009 ADMISSION ARRANGEMENTS FOR 2010 AND BEYOND

#### 1 INTRODUCTION

- 1.1 This report is intended to fulfil the requirements arising from the School Standards and Framework Act 1998 for annual consultation by the local authorities on admission arrangements. The proposals in this report have been agreed by the Cheshire East Admissions Forum as the basis for consultation.

#### 2 BACKGROUND

- 2.1 Regulations made under provisions of the School Standards and Framework Act 1998 require local authorities for community and controlled schools, and governing bodies of aided and foundation schools to consult on their proposed admissions arrangements for the following year, and to determine their arrangements by 15 April for admissions in September of the following year.
- 2.2 Consultation must take place with all other admission authorities in the '*relevant area*', which, for Cheshire East Local Authority, is the administrative boundary of Cheshire East, together with neighbouring local authorities.

#### 3 CONSULTATION FOR SEPTEMBER 2010 ADMISSIONS

- 3.1 The shadow authority proposes that the admission arrangements for Cheshire East Council community and controlled schools for September 2010 be based on the arrangements previously determined for 2009 by Cheshire County Council with the following proposed changes:-

##### i. Primary Admissions:

- Admissions timetable revised resulting in an earlier decision on applications;
- Coordinated Scheme revised timetable - adjusted around the proposed change to the admissions timetable;
- Amendment to *sibling* criterion within the oversubscription criteria to remove infant to junior school cross-linked siblings.

##### ii. Secondary Admissions

- Proposed oversubscription criteria for considering external applications for sixth form places where more applications are received than there are places available;
- Proposed minimum entry requirements for admission to sixth form (internal and external candidates);
- Proposed Published Admission numbers for admission to sixth forms for external applicants.

### iii. Primary and Secondary Admissions:

- Change to the date for handing over waiting lists to schools from 1 October to 10 September;
- A later closing date for submitting appeal applications with a separate date for accepting and declining places;
- Change to the oversubscription criteria with the removal of category 6 and the addition of social need alongside medical need within category 2;
- Change to the arrangements for considering applications submitted by parents/carers stating residency based on shared responsibility for a child;
- Proposals to vary some schools' current admission numbers for September 2010 admissions, in line with net capacities (**Appendix 1**);
- Proposed re-zoning arrangements.

## 4 PRIMARY ADMISSIONS:

### 4.1 Proposed Revision of the Admissions Timetable.

4.1.1 At the meeting of the Cheshire Admissions Forum of 24 April 2008, it was resolved that the primary timetable for September 2010 admission arrangements would be reviewed for 2010 following concerns expressed by headteachers that the current date of 12 March was too late for schools at a time when staffing arrangements for September needed to be set. Whilst it was explained at the meeting that the date could not be significantly different due to the need to allow parents and carers time to visit schools and make their applications, and to allow the Authority sufficient time to coordinate all applications which includes exchanging data with other admission authorities, the dates would nevertheless be reviewed.

4.1.2 The proposed changes for 2010 include a revised closing date of **18 December 2009** (currently 16 January) with the offer date changed to **12 February 2010** (currently 16 March). The closing date for appeal applications has been brought forward to **26 March** which allows time to process all the 'accept and decline' forms (which are to be received by the earlier date of **5 March** – currently 16 April), and to reallocate vacancies before appeal applications have to be submitted. Appeal hearings for on time applications must be completed within 30 school days of this closing date, in accordance with legal requirements. (Full details of the proposed primary and secondary admissions arrangements and coordinated schemes for 2010 are available at [www.cheshire.gov.uk/consultation](http://www.cheshire.gov.uk/consultation))

### 4.2 Proposed Revision of the Coordinated Scheme Timetable.

4.2.1 As a consequence of the changes proposed to the admissions timetable, as set out in 4.1 above, the coordinated scheme has been revised, which details the dates by which information on preferences will be exchanged between the Local Authority and admission authorities. Admission authorities of aided and foundation schools in Cheshire East will wish to note the earlier date proposed of **8 January** (previously 2 February) for receiving preferences from the Local Authority for consideration by the governing body and the earlier date of **22 January** (previously 23 February) for responding to the Authority with provisional offers.

### 4.3 Amendment to *Sibling* Criterion – Removal of Infant to Junior School Cross-Linked Siblings.

- 4.3.1 This change is simply being made as all infant and junior schools in Cheshire East have now amalgamated to form all-through primary schools.

## 5 SECONDARY ADMISSIONS

### 5.1 Proposed Sixth Form Published Admission Numbers (PANs) (External Applicants)

- 5.1.1 In accordance with admissions regulations, if a school sets out to admit external candidates to its sixth form, rather than just to deal with ad-hoc applications the admission arrangements must include a published admission number, which should be based on the estimated minimum number of external candidates likely to be admitted, although it would be acceptable to exceed this if demand for certain courses can be met. (School Admissions Code, para 1.36). The proposed PANs for 2010 include PANs of 10 if the school mainly admits internal applicants. For schools that have historically admitted a high intake from outside the school, PANs have been proposed based on the estimated minimum number of applicants and taking into account the schools net capacity. Governing bodies are invited to comment on the proposals before the closing date for consultation of 1 March.

Sixth Form Admissions Community and Controlled Secondary Schools	September 2010
Alsager School	20
Congleton High School	20
Eaton Bank School	10
Knutsford High School	10
Poynton High School And Performing Arts College	50
Sandbach School	50
Tytherington High School	10
Wilmslow High School	50

### 5.2 Proposed Oversubscription Criteria - Sixth Form Places

- 5.2.1 In accordance with admissions regulations, if a school sets out to admit external candidates to its sixth form, rather than just to deal with ad-hoc applications the admission arrangements must also include oversubscription criteria for considering priority for places when the sixth form receives more applications (external applications) than it can accommodate. (School Admissions Code, para 1.36) The proposed oversubscription for applications to sixth forms of community and controlled schools is:

- i) **‘Looked after children’**  
A ‘looked after child’ is a child who is in the care of a local authority or provided with accommodation by that authority (as defined in section 22 of the Children Act 1989).
- (ii) **Children for whom there are particular medical or social reasons, which, in the Council’s view, justify admission to a particular school.**  
Supporting evidence from a registered professional, such as a medical

practitioner, psychologist or social worker, must be provided which sets out the particular reasons why the school in question is the most suitable school and the difficulties that would be caused if the child had to attend another school. A panel of officers will consider the information presented and will determine whether the evidence is sufficiently compelling to apply this criterion to the application. The Council, if it is considered appropriate, will seek the views of the School Doctor or Educational Psychologist in the event of parents requesting admission on medical or psychological grounds. This criterion cannot be considered if the required documents have not been received. Few applications fall within this category.

- (iii) **Children resident within the designated catchment zone of the school**  
Children will be classed within this category if they and their parents/carers are resident within the area served by the school.
- (iv) **Pupils living nearest to the school (Distance)** measured using an Ordnance Survey address-point system which measures straight line distances in miles from the address point of the school to the address point of the place of residence.

- 5.2.1 Where it is identified that there are a limited number of places available and a tie breaker is needed, random allocation will be applied as a subsequent criterion. This may be required for example, where applicants reside in the same block of flats or are children of a multiple birth.

### 5.3 **Proposed Sixth Form Minimum Entry Requirements (Internal and External Candidates)**

- 5.3.1 Whilst it is not necessary for children already in the school to apply formally for places in Year 12, the admission arrangements must give details of any entry requirements (such as minimum entry qualifications, which can include a level of attainment at GCSE. The minimum entry requirements for admission to sixth forms must be the same for internal and external applicants. The Authority is seeking feedback on the proposal to publish the following requirements:

*"The minimum entry requirements for admission to the sixth forms of Cheshire East Community and Controlled schools are **5 GCSEs grade A\* to C (or equivalent)**. Individual courses may require a specific level of attainment. Minimum entry requirements for admission onto vocational courses vary and a full list of requirements can be obtained from the school. Parents are advised to contact the school for further information."*

## 6 **PRIMARY AND SECONDARY ADMISSIONS:**

### 6.1 **Proposed Revised Date for Handing Waiting Lists to Schools**

- 6.1.1 Once all applications have been processed resulting in places being offered to parents and carers on the published dates, parents can request to remain on a school's waiting list for any places that may subsequently become available through the coordinated process. Cheshire County Council currently holds a waiting list in respect of applications made as part of the normal admission round up until 1

October when the waiting lists are handed over to schools. There is no legal requirement for LAs or admission authorities to hold waiting lists.

- 6.1.2 After the start of the autumn term, all 'in year' applications are made direct to the school in accordance with the existing (2009) and proposed coordinated scheme for 2010. Cheshire East Authority is proposing that an earlier date for handing the waiting lists over to schools of **10 September** is agreed in order that schools have the appropriate information needed to administer the 'in year' application process.

### **6.2 Proposed Later Closing Date for Submitting Appeal Applications with a Separate Date for Accepting and Declining Places.**

- 6.2.1 Currently parents and carers are required to *accept or decline* the school place offered and submit their admission appeal application by the same closing date, which is currently 16 April for the primary admission round and 23 March for the secondary. The consequence of this is that appeal applications are often completed and returned unnecessarily i.e. when a place can be offered from the waiting list following the receipt of declines from parents.
- 6.2.2 It is therefore proposed that for 2010, the closing date for accepting or declining the school place offered be determined for the primary admission round as **5 March** with a later appeal application deadline of **26 March** and for the secondary application round as **22 March** for accepting and declining places with a closing date for appeal applications of **12 April**.

### **6.3 Proposed Change to Categories 2 and 6 of the Oversubscription Criteria.**

- 6.3.1 It is proposed that category 6 within the oversubscription criteria (i.e. Children for whom there are exceptional personal and domestic circumstances presented by the parents which justify admission to a particular school) be removed and category 2 be revised to include 'social' reasons alongside medical reasons. Such priority would only be given where supporting documentation from a registered professional had been received.
- 6.3.2 This proposal is on the basis that category 6 only provides for priority over applicants within the 'distance' category and therefore applicants that fall within a higher category than 'distance' who have particular social reasons which it has been agreed justify admission to a particular school can still be unsuccessful with their application if the preferred school is oversubscribed. The School Admissions code (2007) states that 'it is acceptable to give higher priority to children or families where there is a social or medical need (for example where one or both parents or the child has a disability that may make travel to a school further away more difficult).

### **6.4 Proposal in Respect of Residency Based on Shared Responsibility for a Child**

- 6.4.1 The current arrangement requires that, where an application includes more than one address due to shared parental responsibility, parents and carers are required to submit full details in order that the LA can determine which address or addresses to use for the purpose of admission. This is problematic in circumstances where parents state that the child resides equally at both addresses.



6.4.2 The proposed change in the arrangements states that 'the place of residency will be the address where the child resides for the majority of the week (e.g wakes up between Monday to Friday).' It will also be stated that 'where the Local Authority is unable to reach a decision based on the information received, the place of residency will be the address used for claiming Child Benefit and where appropriate, Child Tax Credits'. Supporting documentation will be required.

### 6.5 Proposed Variations to Current Admission Numbers (Appendix 1);

6.5.1 For most schools it is proposed to retain the existing admissions number for September 2010 arrangements. These are set out in Cheshire County Council's admissions booklets for 2009-2010, which are available on the internet at [www.cheshire.gov.uk/admissions](http://www.cheshire.gov.uk/admissions). Schools where the LA governing bodies propose to vary the current admission numbers for September 2010 and proposed changes arising out of the County Council's TLC review are shown in **Appendix 1**.

### 6.6 Proposed Re- Zoning Arrangements for 2010.

6.6.1 The zoning proposed for September 2010 is set out below. The proposals seek, so far as is compatible with using main roads as boundaries, to minimise crossings and to give children priority for admission to their most local schools. The Cheshire East Cabinet will be asked to consider their adoption for September 2010 admissions, following earlier consultation with the Admissions Forum and in the light of responses from the governing bodies of local schools.

6.6.2 The Local Authority is considering the re-zoning of the area currently served by **Church Lawton Primary School**, to apply only in the event that a final decision is taken to close the school at the end of July 2009. The proposal is that that with effect from September 2009 the area currently served by the school would be rezoned to three nearby schools, those of Excalibur primary School, Alsager Highfields Community Primary School and Rode Heath Primary School. (see maps attached as appendix 2).

6.6.3 In the event that a final decision is taken on the proposed closures of **St Barnabas CE Primary** and **St Edward's Catholic Primary Schools** in July 2009, and the establishment by the Dioceses of Chester and Shrewsbury of a shared faith school on the current St Edward's Catholic Primary school site with effect from September 2009, it is proposed that the current catchment area for **St Barnabas CE Primary School** should be rezoned to Ashgrove Primary School and Nursery. This would ensure that children resident within the school's catchment area would have priority for admission under the Council's arrangements for a nearby community school. This would not prejudice the right of parents and carers to apply for a place at the new shared faith school. All such applications would be prioritised by the school's governing body (as the admission authority for the school), on the basis of the school's own published admission arrangements for admission in September 2010.

6.6.4 Recent investigations have identified a discrepancy between the catchment area published by the governing body in its admission arrangements for **Marton and District CE (Aided) Primary School, Macclesfield** which is based on an ecclesiastical parish boundary, and that of the catchment area published by the Authority on its mapping system, which is based on a civil parish boundary.

- 6.6.5 The discrepancy concerns an area to the south east of the school, referred to hereafter as the Daisy Bank Estate and which includes Daisy Bank Drive, Tidnock Avenue, Walfield Avenue, Manchester Road, Giantswood Lane, Suffolk Close, Somerset Close, Dorset Close, Jackson Road and Ascot Close (Maps are available on request), which falls within the ecclesiastical parish of Hulme Walfield and is currently zoned to Marlfields Primary according to the County Council's mapping system.
- 6.6.6 Whilst this anomaly does not affect the admission arrangements to Marton and District CE Primary, which are determined by the governing body and which afford a high priority to children resident within this area, it does impact on the Authority's transport policy, which provides free transport to school if the school is over the statutory walking distance **and** is the zoned (catchment area) school or nearest suitable school to the home address.
- 6.6.7 In order to address this, it is proposed that for admission in September 2010 the area is administered by the Local Authority as a *shared* catchment area in accordance with both the Authority's published admission arrangements and those of the governing body of Marton and District CE Primary.
- 6.6.8 The effect of this would be that a) children resident within this area would continue to have a high priority for admission to Marlfields as part of the normal admission round under the Authority's admission arrangements; b) parents resident in this area applying for places at Marton and District CE would be considered on the basis of the governing body's published admission arrangements, which currently afford a high priority (category 2) to residents within this area; and c) in administering this as a shared catchment area based on determined admission arrangements, free transport would be provided to either school if children resident in this area are over the statutory walking distance of 2 miles from the home address, in accordance with the transport policy.
- 6.6.9 It is also proposed that in preparation for statutory consultation on the admission arrangements for September 2011, which must be completed by 1 March 2010, the Authority carries out a full review of its admission arrangements (and specifically its catchment areas) through informal consultation with schools in Cheshire East during the summer term 2009. The aforementioned arrangements for 2010 would be without prejudice to the outcome of the review affecting arrangements for 2011 and beyond.

### RECOMMENDED:

**That governing bodies of all schools consider and comment on the proposed admission arrangements and coordinated admissions scheme (proposed for September 2010 and beyond) by the statutory closing date of 1 March 2009.**

### CONSULTATION ON SCHOOL ADMISSION ARRANGEMENTS FOR SEPTEMBER 2010 & BEYOND – RESPONSE FORM

Name of School or L A.....

	Support	Do not Support	No View
<b>1. Proposed Revision of the Primary Admissions Timetable (Para 4.1)</b>			
<b>Comments (if any)</b>			

	Support	Do not Support	No View
<b>2 Proposed Revision of the Coordinated Scheme Timetable (Para 4.2)</b>			
<b>Comments (if any)</b>			

	Support	Do not Support	No View
<b>3. Proposed Amendment to <i>Sibling</i> Criterion – Removal of Infant to Junior School Cross-Linked Siblings. (Para 4.3)</b>			
<b>Comments (if any)</b>			

	Support	Do not Support	No View
<b>4. Proposed Sixth Form Published Admission Numbers (PANs) (External Applicants) (Para 5.1)</b>			
<b>Comments (if any)</b>			

	Support	Do not Support	No View
<b>5. Proposed Oversubscription Criteria - Sixth Form Places (Para 5.2)</b>			
<b>Comments (if any)</b>			

	Support	Do not Support	No View
<b>6. Proposed Sixth Form Minimum Entry Requirements (Internal and External Candidates) (Para 5.3)</b>			
<b>Comments (if any)</b>			

	Support	Do not Support	No View
<b>7. Proposed Revised Date for Handing Waiting Lists to Schools (Para 6.1)</b>			
<b>Comments (if any)</b>			

	Support	Do not Support	No View
<b>8. Proposed Later Closing Date for Submitting Appeal Applications with a Separate Date for Accepting and Declining Places. (Para 6.2)</b>			
<b>Comments (if any)</b>			

	Support	Do not Support	No View
<b>9. Proposed Change to Categories 2 and 6 of the Oversubscription Criteria. (Para 6.3)</b>			
<b>Comments (if any)</b>			

	Support	Do not Support	No View
<b>10. Proposal in Respect of Residency Based on Shared Responsibility for a Child (Para 6.4)</b>			
<b>Comments (if any)</b>			

	Support	Do not Support	No View
11. Proposed Variations to Current Admission Numbers (Appendix 1); (Para 6.5)			
Comments (if any)			

	Support	Do not Support	No View
12. Proposed Re- Zoning Arrangements for 2010 (Para 6.6)			
Comments (if any)			

Please return to Barbara Dale, Admissions & Appeals Manager, County Offices Watling Street, Northwich, Cheshire CW9 5ET email: [Barbara.Dale@Cheshire.gov.uk](mailto:Barbara.Dale@Cheshire.gov.uk) by **1 March 2009**.

**CHESHIRE EAST AUTHORITY****DRAFT PROPOSALS TO REDUCE/INCREASE PUBLISHED ADMISSION NUMBERS FOR SEPTEMBER 2010**

Admission numbers are part of a school's admission arrangements. Admission regulations require that admission authorities set an admission number for the relevant year group, which is subject to consultation, based on the physical capacity of the school. Admission numbers must refer in each case to children to be admitted to the school for the first time.

Admission authorities may fix an admission number for a relevant age group that is lower than the capacity assessment. If they do so, they **must** publish this information for parents at the same time as they notify the bodies they are required to consult about the determination of their admission arrangements, who may object to the admission number. They can also set a higher admission number than that indicated by the capacity assessment.

This paper seeks comments on a number of proposals for reductions/increases in Published Admission Numbers (PAN) at various primary and secondary schools in Cheshire East Authority for September 2010-2011.

Comments on the proposed arrangements must be referred to the admission authority for the school before the closing date of 1 March 2009. Admission authorities will need to consider the responses before determining the admission arrangements, which must be 15 April 2009.

**Proposed Changes for 2010 –2011**

**Part 1** - Reductions/increases proposed by, or supported by governing bodies which would bring Published Admission Numbers more in line with their school's net capacity are listed below. Proposals that the Local Authority recommends for approval are listed in Table A.

**Table A**  
**RECOMMENDED FOR APPROVAL - PROPOSED REDUCTIONS/INCREASES IN PUBLISHED ADMISSION NUMBERS**

School	Current Net Capacity	Proposed Net Capacity	Current Published Admission Number	Proposed PAN for 2010
Bickerton Holy Trinity	126	140	18	20
Brierley Primary	210	161	30	23
Holmes Chapel Comp School	1180	1216	200	210
Monks Coppenhall	420	385	60	55
Sandbach School	1136	1167	195	210
St Paul's Catholic Primary	120	120	20	17

Shavington High	970	970	197	194
Wyche	200	196	30	28
Mablins Lane	567	504	72	75

**Part 2** - Proposals by governing bodies to increase the published admission number for their school which the Local Authority recommends are not supported are listed in Table B. This recommendation is made as either the proposed change is not in line with the net capacity of the school, or the Authority has concerns about the long term implications for the school or other schools within the locality.

**Table B**  
**NOT RECOMMENDED FOR APPROVAL - PROPOSED INCREASES IN PUBLISHED ADMISSION NUMBERS**

School	Current Net Capacity	Proposed Net Capacity	Current Published Admission Number	Proposed Published Admission Number 2010
Lacey Green Primary	210	210	30	40
Lindow	150	180	21	25
St Mary's Congleton	180	180	27	30
Sandbach High School	1285	1285	210	240

**Part 3** – Cheshire County Council, in its review of school places in the Alsager, Sandbach, Congleton and Holmes Chapel locality, has proposed the following changes to the published admission numbers of the following schools. Comments on these proposals must be returned by 1 March 2009.

**Table C**  
**PROPOSED REDUCTIONS/ INCREASES IN PUBLISHED ADMISSION NUMBERS SUBJECT TO ANTICIPATED CHANGES TO NET CAPACITIES DUE TO TLC PROPOSALS**

School	Current Net Capacity	Proposed Net Capacity	Current Published Admission Number	Proposed Published Admission Number 2010
Alsager Highfields	233	263	40	37
Astbury St Mary's	112	126	16	18
Black Firs Primary	240	270	40	38
Brereton CE	150	147	30	21
Buglawton Primary	178	210	30	30
Chelford CE Primary	105	60	15	9
Cranberry Primary	315	210	45	30
Daven Primary	390	210	60	30
Haslington Primary	329	280	50	40
Offley Primary	420	315	60	45
Sandbach Com Primary	210	105	30	15
Scholar Green	210	180	30	25
Smallwood CE	112	126	16	18

St John's CE Primary Sandbach Heath	150	180	30	25
Woodcocks' Well	103	89	15	12

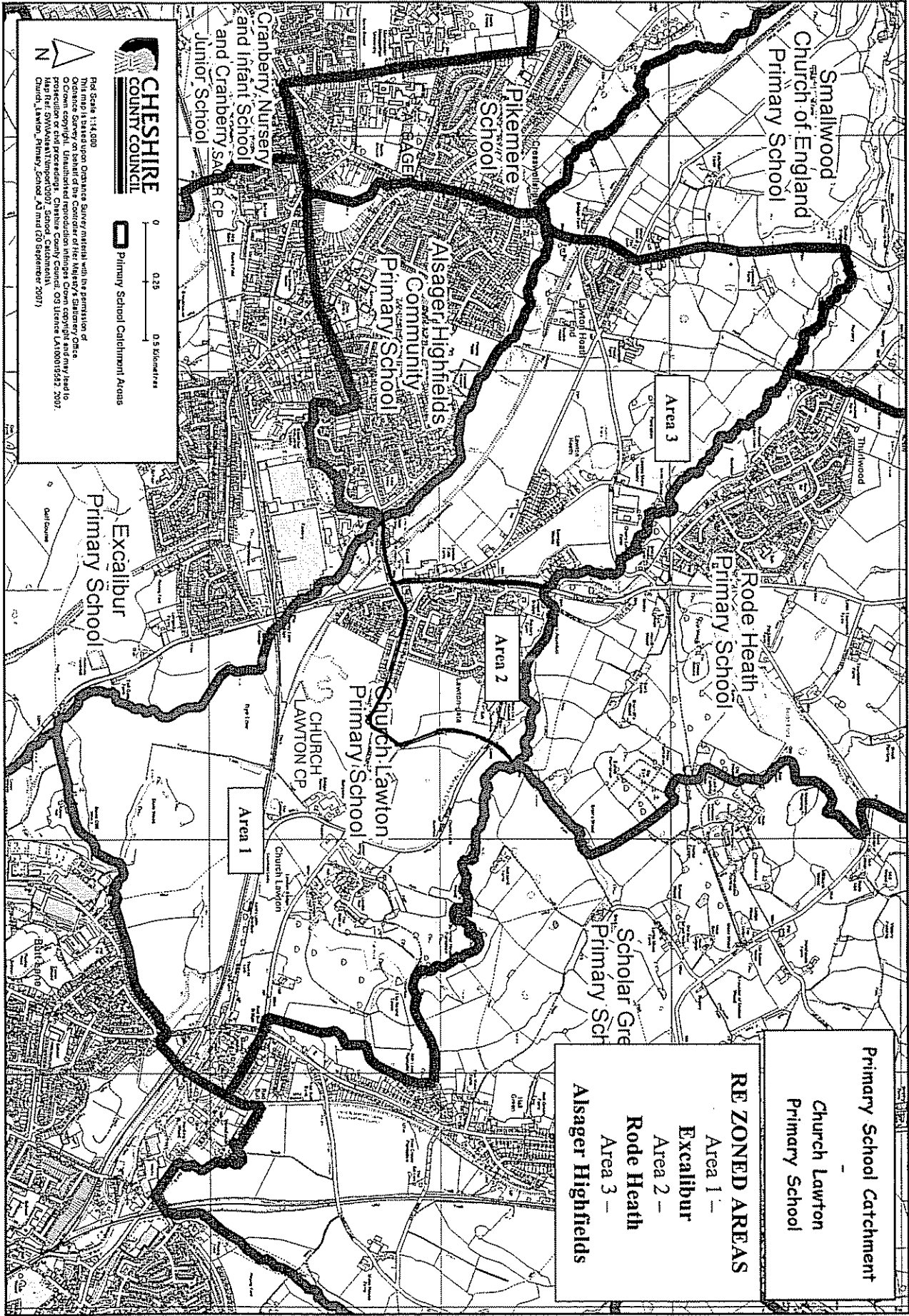
### **Objections to Determined Admission Arrangements**

Once responses have been considered by admission authorities arrangements must be determined by 15 April. Any objections to determined arrangements must be referred to the Office of the Schools Adjudicator, which must be before 31 July 2009.

The School Adjudicator can consider objections from parents, admission authorities, local authorities and the admission forum. Governing bodies of community and voluntary controlled schools can also object to the admission arrangements of other schools within the relevant area, although they may not object to the admission arrangements for other community and voluntary controlled schools whose admission arrangements have been determined by the local authority.

Full details of this process are available at [www.schoolsadjudicator.gov.uk](http://www.schoolsadjudicator.gov.uk)





**CHESHIRE EAST LOCAL AUTHORITY****CO-ORDINATED ADMISSIONS SCHEME FOR CHESHIRE EAST MAINTAINED  
PRIMARY SCHOOLS IN THE ACADEMIC YEAR 2010-2011**

1. Applications for primary, infant and junior schools maintained by Cheshire East Local Authority (except special schools) for the normal admissions round shall be determined in accordance with the provisions set out in Part 1 of this scheme and processed in accordance with the timetable set out in Part 2. Admissions outside the normal round whether in-year or at the start of a school year which is not a normal point of entry to the school i.e. into any year group (Reception - Year 6), will be processed in accordance with the provisions set out in paragraphs 42-49.
2. This scheme meets the requirements for a scheme for co-ordinating admission arrangements under the School Admission (Co-ordination of Admissions Arrangements) (England) Regulations 2007 made under sections 89B and 89C of the School Standards and Framework Act 1998, for the area of Cheshire East Council.
3. The scheme applies to admissions at age 4+ into reception classes in maintained primary schools in the school year 2010-11 and for subsequent years, subject to any review. It applies to all primary schools maintained by Cheshire East Council.

**PART ONE: THE SCHEME**

4. Under its scheme of co-ordination for primary schools in Cheshire East, the Authority will be responsible for managing the admission of all pupils who are resident in Cheshire East and pupils resident in the areas of other local authorities applying for Cheshire East schools. This responsibility will cover admissions to Cheshire East Authority schools which have community and controlled or voluntary aided (VA) status and to the Cheshire East foundation schools. Admissions to other schools with independent status will not be covered by the co-ordinated scheme.
5. Cheshire East Authority, as the admissions authority for the community and controlled schools in Cheshire East, will be responsible for determining who is allocated a place at these schools in accordance with the policy determined by the Authority.
6. For the voluntary aided primary schools and the one foundation primary school in Cheshire East Authority the governing body is the admissions authority. As such it will be the governing body that determines who will be allocated a place at that school in accordance with the authorities' relevant published oversubscription criteria and admissions policy. All admissions policies are published on the Authority's website and in its composite prospectus in line with the requirements set out in the School Admissions Code (2007). Admissions arrangements are also available from each school on request.

**APPLICATION PROCESS**

7. Parents and carers will be required to register their child with the Local Authority at any time from birth onwards. As a minimum, the Local Authority will provide an e-form on the Authority's website and parents and carers can send in written notification including e-mail or can register details by telephone.

8. All parents and carers applying for a Cheshire East Authority school place will be asked to make their application on the Council's Common Application Form (CAF). Application forms will be available from **1 September** in the year preceding the admission year. Parents/Carers will also be able to make their application online from this date.
9. An admission booklet (composite prospectus) will be available during the first week of the Autumn Term at the start of the process. Copies will be available electronically on Cheshire East Council's website. Hard copies will be available from Cheshire East primary and infant schools or from the Local Authority. The booklet will include information on the application process including key dates, details of Cheshire East schools and allocation data relating to applications for the previous year. Parents/Carers who want to express a preference for a school located outside Cheshire East Authority will be advised in the booklet to contact the maintaining authority.
10. The Common Application Form will invite parents and carers to express **3 preferences** for Cheshire East maintained schools only. Cheshire East parents and carers seeking places at schools maintained by other local authorities should apply direct to the authority maintaining the school. Parents and carers seeking places at independent (i.e. fee paying) schools should continue to apply direct to the school.
11. Parents and carers will be asked to rank their preferred schools in priority order, give reasons for their preferences and can, if appropriate, provide any additional documents in support of their preference(s).
12. Applications for places sent direct by parents to individual schools cannot be accepted and will be sent back to the Cheshire East Authority for inclusion within these arrangements.
13. If a parent or carer expresses a preference for a school designated as having a religious character (faith school) in Cheshire East they will be asked to state the religious denomination of their child on their application form. This will also apply to applications made online. Some voluntary aided schools in Cheshire East may require information in addition to that provided on the application form, for example, information about membership of, or relationship with the church or religious denomination. Such requests must be made in accordance with the requirements set out in paragraphs 2.41 and 2.42 of the School Admissions Code (2007). In such cases parents and carers may be required to complete a supplementary information form; forms are available on the Cheshire East website or direct from the school. Some schools may also ask for proof of religious commitment in writing, for example, asking for a reference from a priest or other religious minister.
14. Parents and carers will be asked to return their completed application form directly to Cheshire East Council by the published closing date. **The closing date for applications is 18 December.**
15. All preferences must be in writing and those made in accordance with the Council's arrangements will be met except where this would prejudice efficient education or the efficient use of resources i.e. where the year group in question is full. Applications for schools that are oversubscribed will be considered in accordance with the relevant published oversubscription criteria.

## CHANGING PREFERENCES

16. After the closing date for applications, the Local Authority will not accept a change of preference without a genuine reason for doing so, such as a recent house move. Full details must be provided along with supporting documentation. For a recent house move documentation required would be evidence of a change of address, such as confirmation of disposal of previous property, exchange of contracts, utility contracts.
17. Any parent wishing to change a preference after the closing date for applications without a genuine reason for doing so in the opinion of the Local Authority will be advised that the application will be treated as a late application.

## PROCESSING APPLICATIONS

18. Cheshire East Council will forward electronic reports containing details of applications to the Cheshire East voluntary aided and foundation schools by **8 January** for consideration by governing bodies in accordance with the school's own published admission arrangements where parents/carers have expressed a preference for those schools.
19. If an aided or foundation school in Cheshire East receives an application form direct from a parent, the form will be sent on to the Council for inclusion within these arrangements.
20. Cheshire East voluntary aided and foundation schools will inform the Local Authority by **22 January** of the pupils eligible for a place under its admissions criteria and provide lists of pupils in criteria order who cannot be offered places.
21. Cheshire East Council as the maintaining authority, will exchange information on applications received from parents and carers of children resident in another authority and will seek to eliminate multiple offers across local authority borders wherever possible.
22. Cheshire East Council will inform the home local authority if it intends to offer a place at one of its schools in accordance with paragraph 7(M) of the School Admissions Code (2007).
23. All preferences will be considered on the basis of the **equal preference model** for allocating places in accordance with legal requirements. This means that in the first instance all preferences will be considered against the relevant published oversubscription criteria **only**, i.e. without reference to the preference ranking. Thereafter, where a pupil can potentially be allocated more than one school place stated on the application form, the **single offer** will be for the school ranked highest by the parents or carers.

## DETERMINING OFFERS

24. Around **5 February** the Local Authority will finalise allocations on the basis of equal preferences.
25. If the pupil is a Cheshire East resident and the Council is not able to offer any of the preferences stated on the form the parent/carer will be allocated a place at the nearest Cheshire East school with vacancies using the Authority's Ordnance Survey address

point data system for measuring straight line distances from the address point of the school to the address point of the home address in miles.

26. Where an application has been received from a parent resident in another authority and a place cannot be offered, Cheshire East Authority will not allocate a place at the nearest Cheshire East school with vacancies.
27. Parents and carers will be informed in writing of their legal right of appeal against any decision not to offer them a place at a school stated as a preference on their application form. Officers from the Local Authority will be available to offer further advice if required.

## NOTIFYING PARENTS/CARERS OF DECISIONS

28. On **12 February** the Local Authority will post decision letters by second-class post to all parents and carers who have expressed a preference for any maintained primary school in Cheshire East.
29. Offers will be made by the Local Authority for Cheshire East community and controlled schools, for which the Authority is the admission authority, and on behalf of governing bodies as the admissions authority for the all aided and foundation schools.
30. Where online applications have been received, the parent or carer making the online application can logon to their online account on **12 February** to view the school place offered and can also request to receive their offer by e-mail. Where requested, the e-mail offer will be sent on **12 February**.
31. **After 12 February** all Cheshire East maintained primary schools will be informed of the pupils offered a place for admission in September.

## ACCEPTING AND DECLINING PLACES

32. Parents and carers will be required to **accept or decline** the school place offered by the **5 March**. The Local Authority reserves the right to withdraw places not accepted by this date.
33. For late applications (in respect of offers made after 5 March), parents and carers will be required to accept the place offered within **10 working days** of the offer date.

## ADMISSIONS APPEALS

34. When the school place allocated is not the parents' first preference, the decision letter will explain the parents' right of appeal and how appeals may be made.
35. All **appeal applications** should be sent to the admission authority for the school for which admission has been refused. The closing date for submission of appeals for Cheshire East Authority community and controlled schools (those relating to decisions sent on published offer date) is **26 March**. Parents and carers can submit an appeal in respect of each school for which admission has been refused. Appeals for late applications will be heard within 30 school days of the appeal being lodged.

## LATE APPLICATIONS

36. Late applications for places at community and CE controlled primary schools in Cheshire East will be considered after all applications received by the closing date.
37. Parent and carers making new applications after **12 February** will be advised of the outcome of their application after **5 March**.

## WAITING LISTS

38. After the **5 March**, waiting lists for oversubscribed schools will be prepared and will consist of those children whose parents or carers have specifically requested in writing (including e-mail) that they remain on the waiting list, along with those for whom an appeal application has been received and new applicants.
39. Waiting lists will be held in criteria order and not on a 'first come, first served' basis. Placing a child's name on a waiting list does not affect the statutory right of appeal.
40. After **5 March**, any places that have become vacant after offers were made on 12 February will be **reallocated** to children on the school's waiting list, held in criteria order.
41. On **10 September** waiting lists for oversubscribed schools will be forwarded by the Local Authority to the relevant schools.

## IN-YEAR ADMISSIONS (admissions outside the normal admissions round)

42. Initial enquiries about individual schools should be directed to the school concerned.
43. Applications will be considered on the basis of the relevant published admission arrangements. Where the school has a vacancy a place will be offered. An application will normally only be refused if the school has reached or exceeded its published admission number in the relevant year group.
44. Any parents or carers refused admission will be **notified in writing** of the reason for the refusal and will be **informed in writing** of their **statutory right of appeal**.
45. If there are spaces available in the child's particular year group the parent or carer should be advised that a place can be allocated and that normally transfer is to take place at the beginning of the next term. Where an application is made during the course of the year as a result of a removal into the area, and in consequence the child has no school to attend, if there are spaces available in the child's particular year group the parent should be advised that a place can be allocated and the headteacher should make arrangements for admission to the school.
46. The child will be included on the school's Admission Register from the beginning of the first day on which the school has agreed, or has been notified, that the child will attend the school.
47. Parents and carers unsuccessful with their application will be directed by the school to the Local Authority where officers will provide further details of the appeals process and of alternative schools where places are available

48. Parents/carers pursuing a place at their preferred school through the appeals process must be placed on a waiting list by the relevant admission authority pending the outcome of the appeal. If prior to appeal a place becomes available the waiting list will be applied and where appropriate, the appeal will be cancelled. Parents/carers can accept alternative school places and still pursue an appeal for their preferred school.
49. Appeal applications for places at Cheshire East community or voluntary controlled schools must be made to the Local Authority. Appeal applications for places at aided and foundation schools in Cheshire East Authority must be made to the school.

**PART TWO: KEY DATES FOR SEPTEMBER 2010****PRIMARY SCHOOLS**

Closing date for applications	<b>18 December 2009</b>
Preferences forwarded to Aided & Foundation Schools	<b>8 January 2010</b>
Aided & Foundation Schools to respond	<b>22 January 2010</b>
Allocations to be finalised	<b>5 February 2010</b> <i>(as far as possible)</i>
Decisions letters sent to Cheshire East & non-Cheshire East residents	<b>12 February 2010</b>
Deadline for accepting or declining places	<b>5 March 2010</b>
Deadline for application for Appeals against LA/governing body decisions	<b>26 March 2010</b>
Appeal hearings	<b>Within 30 school days of 26 March (deadline for appeals)</b>
Appeals hearings (late/in year applications)	<b>Within 30 school days of appeals being lodged</b>
Waiting lists for oversubscribed schools forwarded by the LA to the relevant schools.	<b>10 September 2010</b>

**CHESHIRE EAST LOCAL AUTHORITY****ADMISSION ARRANGEMENTS FOR MAINTAINED PRIMARY SCHOOLS IN  
CHESHIRE EAST – SEPTEMBER 2010/JANUARY 2011****COMPULSORY SCHOOL AGE**

Children reach compulsory school age at the beginning of the term following their 5th birthday. Under the Council's policy, however, children may start school the September following their 4th birthday. Therefore, children born between 1 September 2005 and 31 August 2006 may be admitted to school in September 2010 or January 2011 as a deferred entry.

**DEFERRED ENTRY**

Admission can be deferred until the start of the Spring Term in January 2011. Applications for deferred admissions should be made by the published closing date. To help younger children adjust to school, schools may phase full-time admission over the first four weeks of term, admitting these children on a part-time basis. Arrangements are decided at school level, but part-time attendance will not last longer than the first four weeks of term.

**APPLICATION PROCESS**

**(All maintained Cheshire East primary schools.)**

Applications for admission are normally considered in relation to the availability of places in the child's chronological age group, other than in exceptional circumstances.

As required by law, Cheshire East Council makes arrangements for parents and carers to express their preference for the school where they wish their child to be educated and an opportunity to give reasons for their preference before any places are offered.

All preferences must be made in writing (including electronic online applications) and those made in accordance with the Council's arrangements will be met except where this would prejudice efficient education or the efficient use of resources i.e. where the year group in question is full. Applications for schools that are oversubscribed will be considered in accordance with the relevant published oversubscription criteria.

All preferences will be considered on the basis of the **equal preference** model for allocating places. This means that all preferences listed by parents and carers will initially be considered without reference to the preference ranking. Where a pupil can potentially be offered more than one place the **single offer** made by the local authority will be for the school ranked highest on the application form.

All parents and carers applying for a Cheshire East Authority school place will be asked to make their application on the Council's Common Application Form (CAF).

**REPEAT APPLICATIONS**

Repeat applications will not be considered within the same school year, unless the parent's/carer's or the school's circumstances have changed significantly since the original application was made.



**PUBLISHED ADMISSION NUMBERS**

The Council and the governing bodies of aided and foundation schools have set published admission numbers for each school in order to decide whether any year group within a school is full or has places available. Published admission numbers for each primary school are listed in the Authority's composite prospectus (booklet) available from **1 September** in the year preceding admission. Booklets will be available electronically on Cheshire East's website and on request from Cheshire East primary schools or the Local Authority.

**CONSIDERATION OF PREFERENCES**

Preferences for community and Church of England (CE) controlled primary schools in Cheshire East where Cheshire East Authority is the admission authority, and any supporting information provided, will be considered by the Authority on the basis of its published criteria, as follows:

- i) **'Looked after children'**  
A 'looked after child' is a child who is in the care of a local authority or provided with accommodation by that authority (as defined in section 22 of the Children Act 1989).
- ii) **Children for whom there are particular medical or social reasons which, in the Council's view, justifies admission to a particular school.**  
Supporting evidence from a registered professional, such as a medical practitioner, psychologist or social worker, must be provided which sets out the particular reasons why the school in question is the most suitable school and the difficulties that would be caused if the child had to attend another school. A panel of officers will consider the information presented and will determine whether the evidence is sufficiently compelling to apply this criterion to the application. The Council, if it is considered appropriate, will seek the views of the School Doctor or Educational Psychologist in the event of parents requesting admission on medical or psychological grounds. This criterion cannot be considered if the required documents have not been received. Few applications fall within this category.
- iii) **Children resident within the designated catchment zone of the school**  
Children will be classed within this category if they and their parents/carers are resident within the area served by the school on the closing date for applications.
- iv) **Siblings** – pupils with elder brothers or sisters, step-brothers or step-sisters, half-brothers or half-sisters, adopted brothers or adopted sisters living together as part of one household, already attending the preferred school and expected to continue at the school in the following school year.
- v) **Children** not resident within a school's local catchment zone but **attending a school designated as a partner school for admissions purposes**, as out-of-zone pupils.
- vi) **Pupils living nearest to the school (Distance)** measured using an Ordnance Survey address-point system which measures straight line

distances in miles from the address point of the school to the address point of the place of residence.

**OVERSUBSCRIPTION WITHIN A CRITERION**

Where a school can accommodate some, but not all pupils qualifying for one of the preceding criteria, priority will be given to pupils having regard to the subsequent criteria.

**ATTENDANCE AT A NURSERY OR CO-LOCATED CHILDREN'S CENTRE**

Attendance at a nursery school or co-located children's centre does not guarantee admission to the school; parents of children who are admitted for nursery education will still need to apply for a place at the school and all applications will be considered in accordance with the relevant published admission arrangements.

**PARENTS AND CARERS WITH SHARED RESPONSIBILITY FOR A CHILD**

Where parents/carers have shared responsibility for a child the place of residency will be determined as the address where the child resides for the majority of the week (e.g. where the child wakes up between Monday to Friday). Full details must be submitted in writing to enable the Local Authority to determine which address will be used for the purpose of admission. A panel of officers will consider the information provided. Where the Local Authority is unable to reach a decision based on the information received, e.g. where the child lives equally with both parents, the address provided for claiming Child Benefit and where appropriate, Child Tax Credits will be applied to the admission application. In such circumstances, documentary evidence must be provided.

**DIFFERENTIATING BETWEEN APPLICATIONS WHERE *DISTANCE* CRITERION DOES NOT IDENTIFY PRIORITY FOR ADMISSION**

For community and controlled schools that are oversubscribed, where it is identified that there are a limited number of places available and the Local Authority cannot differentiate between the applications using the distance criterion contained within the published oversubscription criteria, a random allocation tie-breaker will be applied. This may be required for example, where applicants reside in the same block of flats or are children of a multiple birth.

In relation to children of multiple births, exceptionally it may be necessary to offer places in reception over the published admission number. This exception will only apply if the admission is compatible with the duty to comply with infant class size legislation which requires that no more than 30 children aged 7 or below are taught by a single qualified teacher. This is to ensure as far as possible, that siblings (i.e. twins, triplets or children from other multiple births) can attend the same primary school.

**CHILDREN WITH STATEMENTS OF SPECIAL EDUCATIONAL NEEDS**

Section 324 of the Education Act 1996 requires the governing bodies of all maintained schools to admit a child with a **Statement of Special Education Needs** that names their school.

**AIDED AND FOUNDATION SCHOOL APPLICATIONS**

Applications for places in **aided and foundation** schools will be considered by the governing body as the admissions authority for the school against the school's published oversubscription criteria. Parents and carers naming aided and foundation schools in Cheshire East Authority among their preferences may receive subsequent requests from the school(s) for more information in support of their application. For instance, church aided schools named as preferences may request written confirmation of religious commitment, e.g. by means of a letter of support from a church minister, or, for admission to Catholic schools, evidence of baptism.

**ACKNOWLEDGEMENTS**

An acknowledgement confirming receipt of application can be provided on request from parents and carers. A stamped addressed envelope must be provided. Online applicants can request to receive an e-mail acknowledgement.

**INFANT CLASS SIZE LEGISLATION**

Apart from some very limited exceptions, no infant class may contain more than 30 pupils being taught by one qualified teacher. These limited exceptions, prescribed by regulations, are:

- a) Children with statements of special educational needs who are admitted to the school outside the normal admissions round;
- b) Children moving into the area outside the normal admissions round for whom the local authority identifies that there is no other available school within reasonable distance
- c) Children admitted, after initial allocation of places on the local offer date, because the person responsible for making the original decision recognises that an error was made in implementing the school's admission arrangements and that a place ought to have been offered;
- d) Where the child is looked after (in public care) and is admitted outside the normal admissions round;
- e) Children admitted on appeal; and
- f) Where a child normally educated in a special school or special educational needs unit attached to a mainstream school attends an infant class in the mainstream school, where this has been deemed as beneficial to the child.

**MOVING HOUSE**

Parents and carers must inform the Authority immediately of a change of address, even if details of a future change of residency were included on the application form. The Authority will require supporting evidence to show that the place of residency has changed, for example exchange of contracts, tenancy agreements, council tax forms, utility bills and any other information considered relevant to the application including disposal of previous property, which must be received before the closing for applications of 18 December. Proof of residency received after the closing date will not be used to process the application, but will be used to send the decision letter on 12 February.

# DRAFT

## LATE APPLICATIONS

# ANNEX 2 (b)

Late applications for places at community and CE controlled primary schools in Cheshire East, i.e. applications received after the closing date of **18 December** will be considered after all applications received by the closing date.

## WAITING LISTS

After the **5 March**, waiting lists for oversubscribed schools will be prepared and will consist of those children whose parents or carers have specifically requested in writing (including e-mail) that they remain on the waiting list, along with those for whom an appeal application has been received and new applicants.

Waiting lists will be held in criteria order and not on a 'first come, first served' basis. Placing a child's name on a waiting list does not affect the statutory right of appeal.

After **5 March**, any places that have become vacant after offers were made on 12 February will be **reallocated** to children on the school's waiting list, held in criteria order.

## RIGHT OF APPEAL

Applications for admission appeals are normally considered in relation to the child's chronological age group, other than in exceptional circumstances.

Parents and carers who are not offered a place for their child at a school stated as a preference have a right of appeal to an independent appeals panel. Parents can submit an appeal in respect of each school for which admission has been refused.

All appeals should be sent to the admission authority for the school for which admission has been refused.

## INFANT CLASS SIZE APPEALS

Any admissions which would increase an infant class to more than thirty pupils with a single qualified teacher would result in a breach of infant class size legislation and would require what are called 'qualifying measures' to comply with this legislation. Qualifying measures that could be taken include:

- Organising an extra class;
- Appointing an additional teacher;
- Providing an additional classroom;
- Introducing or extending mixed age group teaching, e.g. grouping year one and year two children together in classes of 30 or less.

When the Local Authority or school governing body can show to an appeals panel that any further admissions would require qualifying measures, an appeal could **only** be upheld (supported) if the appeals panel decide either:

- That a mistake had been made in the allocation of places according to the admissions criteria which had deprived a child of a place; or
- That the decision not to offer a place was 'unreasonable' in the circumstances of the case.

**IN-YEAR ADMISSIONS (APPLICATIONS OUTSIDE THE NORMAL ROUND)**

Initial enquiries about individual schools should be directed to the school concerned. Parents are, however, advised as a first step, to discuss their child's progress and any problems with the headteacher of the child's present school.

Applications for places at Cheshire maintained community and CE controlled schools received, for any age group during the course of a school year will be considered by the school on the basis of the Cheshire East Authority's published admission arrangements and the availability of places at the time the application is made.

Applications for places at aided and foundation schools in Cheshire East Authority, for any age group, received during the course of the school year, will be considered by the school on the basis of the school's published admission arrangements and the availability of places at the time the application is made.

Parents/Carers will normally receive a written response to their application within **10 working days of receipt**. Transfers are normally made at the beginning of a school term. If the preferred school is full then the applicant will be informed of the legal right of appeal and will be directed to the Local Authority who will provide further details of the appeals process and of alternative schools where places are available.

Where the Local Authority considers that a pupil meets the criteria for admission in accordance with the Authority's **In-Year Fair Access (Hard to Place Pupil) Protocol**, applications can be considered for admission over the Published Admission Number. Children who are the subject of a direction by a local authority to admit or who are allocated to a school in accordance with an In-Year Fair Access Protocol will take precedence over those on a waiting list (School Admissions Code, Para 3.14 to 3.19).

Children will also be considered for admission over the published admission number as part of a managed transfer from a **closing school** subject to the requirements of Infant Class size Legislation which limits infant classes, i.e. classes with a majority of children of 7 years of age and under, to 30 pupils to one qualified teacher. In such circumstances, the Local Authority will give precedence to these children over any on waiting lists.

Applications received in respect of '**Looked After Children**' (children in public care) who require admission to a school outside the normal admission round will normally be offered a place at the school serving the address at which the pupil is/will be living, i.e. the catchment area school, or the most appropriate school as determined by the Local Authority even if that school is full. This is subject to the requirements of Infant Class size Legislation which limit infant classes i.e. classes with a majority of children of 7 years of age and under to 30 pupils to one qualified teacher. Admissions will normally be processed within ten days of receipt of application. The Local Authority will give precedence to these children over any on waiting lists.

# DRAFT

## ANNEX 2 (b)

### TIMETABLE FOR APPLYING FOR PLACES

<b>1 September 2009</b>	online application facility available
<b>12 September 2009</b>	Composite prospectus (admissions booklet) containing application forms will be available. Completed paper application forms must be returned to Cheshire East Council at the address on the form.
<b>18 December 2009</b>	<b>Closing date for applications.</b>
<b>12 February 2010</b>	A letter will be posted out (by second class post) to advise of the school offered. Online applicants can request to receive the single offer by e-mail and online accounts can be viewed on this day.
<b>5 March 2010</b>	Offers must be <b>accepted</b> or <b>declined</b> by this date. The Local Authority reserves the right to withdraw places not accepted.
<b>After 5 March 2010</b>	Waiting lists will be prepared and any places that have subsequently become available after offers were made on 12 February will be reallocated to children on the waiting list, which is held in criteria order. Parents and carers offered places on this basis will be required to accept or decline the place offered within <b>10 school days</b> .
<b>26 March 2010</b>	Closing date for appeal applications.
<b>Within 30 school days</b> (of 26 March deadline)	Appeal hearings will be heard during these months.
<b>Within 30 school days</b> of appeals being lodged	Appeals hearings (late/in year applications)

Parent and carers making new applications after **12 February** will be advised of the outcome of their application after **5 March** and **within 10 working days** of 5 March or receipt of application (whichever is the later), as far as possible.

**CHESHIRE EAST LOCAL AUTHORITY****CO-ORDINATED ADMISSIONS SCHEME FOR CHESHIRE EAST MAINTAINED  
SECONDARY SCHOOLS AND SANDBACH SCHOOL IN THE ACADEMIC YEAR 2010-2011**

1. Applications for secondary schools maintained by Cheshire East Local Authority (except special schools) for the normal admissions round shall be determined in accordance with the provisions set out in Part 1 of this scheme and processed in accordance with the timetable set out in Part 2. Admissions outside the normal round - whether in-year or at the start of a school year which is not a normal point of entry to the school into any year group Y7-Y11, will be processed in accordance with the provision of paragraphs 45-52.
2. This scheme meets the requirements for a scheme for co-ordinating admission arrangements under the school Admission (Co-ordination of Admissions Arrangements) (England) Regulations 2007 made under sections 89B and 89C of the School Standards and Framework Act 1998, for the area of Cheshire East Council.
3. The scheme applies to admissions at age 11+ into year 7 at secondary schools in the school year 2010-2011 and in subsequent years, subject to any review. It applies to all secondary schools maintained by Cheshire East Council and to admissions to Sandbach School, and to preferences expressed by Cheshire East resident parents for schools maintained by other English local authorities.

**PART ONE: THE SCHEME**

4. Under its scheme of co-ordination for secondary schools in Cheshire East, the Authority will be responsible for managing the admission of all pupils who are resident in Cheshire East. This responsibility will cover admissions to Cheshire East schools which have community or voluntary aided (VA) status; to the Cheshire East Foundation schools; and to schools maintained by other local authorities. Admissions to other schools with independent status will not be covered by the scheme of co-ordination.
5. Cheshire East Authority, as the admissions authority for the community high schools in Cheshire East, will be responsible for determining who can be allocated a place at these schools in accordance with the policy determined by the Authority.
6. For the voluntary aided and foundation high schools the governing body is the admissions authority. As such it will be the governing body that determines who can be allocated a place at that school in accordance with the relevant published oversubscription criteria and admissions policy. All admissions policies are published on the Authority's website and in its composite prospectus in line with the requirements set out in the School Admissions Code (2007). Admissions arrangements are also available from each school on request.
7. For schools not maintained by Cheshire East Authority, the relevant admissions authority will be responsible for determining who can be offered a place.

**APPLICATION PROCESS**

8. The parents and carers of all Y6 children who reside in Cheshire East Authority will apply for a high school place to their home authority. Cheshire East Council will have records for all those children resident in Cheshire who attend Cheshire East primary schools. In order to make sure that all pupils resident in Cheshire East are included in the coordinated

admissions process, the Authority will request data from neighbouring authorities and from independent schools in the area at the end of the Summer Term in the year preceding admission for details of pupils who attend their schools and who reside in Cheshire East.

9. All Cheshire East parents and carers will be asked to make their application on Cheshire East's Common Application Form (CAF). Application forms will be available from **1 September** in the year preceding the admission year. Parents and Carers will also be able to make their application online from this date.
10. An admission booklet (composite prospectus) will be available during the first week of the Autumn Term. Copies of the admissions booklet will be handed out to pupils in year 6 in addition to being available electronically on Cheshire East Council's website or by request from the Local Authority. The booklet will include information on the application process including key dates, details of Cheshire East schools and allocation data relating to applications for the previous year. Parents and Carers who want to express a preference for a school located outside Cheshire East Authority will be advised in the booklet to include such schools on the home authority's application form.
11. The common application form will invite Cheshire East parents and carers to express **3 preferences** for schools within Cheshire East and schools maintained by other English authorities. Parents and carers seeking places at independent (i.e. fee paying) schools should continue to apply direct to the school. Parents/carers seeking places in schools outside Cheshire East are advised to contact the relevant local authority for information on the determined admissions arrangements.
12. Parents and carers will be expected to rank their preferred schools in priority order, give reasons for their preferences and provide any additional documents in support of their preference(s).
13. Applications for places sent direct by parents to individual schools cannot be accepted and will be sent back to the Local Authority for inclusion within these arrangements.
14. If a parent/carer expresses a preference for a school designated as having a religious character (faith school) they will be asked to state the religious denomination of their child on their application form. This will also apply to applications made online. Some voluntary aided schools may require information in addition to that provided on the CAF, for example, information about membership of, or relationship with the church or religious denomination. Such request must be made in accordance with paragraphs 2.41 and 2.42 of the School Admissions Code (2007). In such cases parents and carers may be required to complete a supplementary information form; forms are available on the Cheshire East website or direct from the school. Some schools may also ask for proof of religious commitment in writing, for example, asking for a reference from a priest or other religious minister.
15. Parents/carers will be asked to return the completed application form directly to Cheshire East Council by the published closing date. **The closing date for applications is 30 October 2009.**
16. All preferences must be in writing (including electronic online applications) and those made in accordance with the Council's arrangements will be met except where this would prejudice efficient education or the efficient use of resources i.e. where the year group in question is full. Applications for schools that are oversubscribed will be considered in accordance with the relevant published oversubscription criteria.



## CHANGING PREFERENCES

17. After the closing date for applications, the Local Authority will not accept a change of preference without a genuine reason for doing so, such as a recent house move. Full details must be provided along with supporting documentation. For a recent house move documentation required would be evidence of a change of address, such as confirmation of disposal of previous property, exchange of contracts, utility contracts.
18. Any parent wishing to change a preference after the closing date for applications without a genuine reason for doing so in the opinion of the Local Authority will be advised that the application will be treated as a late application.

## PROCESSING APPLICATIONS

19. Cheshire East Council will exchange applications for maintained schools in other authorities with all relevant authorities electronically around **16 November 2009**. Applications for places in schools in Cheshire East received from parents and carers resident in other authorities will be sent by the home authority to Cheshire East Council in accordance with their agreed scheme.
20. Cheshire East Council will forward electronic reports containing details of applications to the Cheshire East voluntary aided and foundation schools by **20 November 2009** for the consideration by the governing bodies in accordance with the school's own published admissions arrangements where parents/carers have expressed a preference for those schools.
21. Cheshire East voluntary aided and foundation schools will inform the Authority by **18 December 2009** of the pupils eligible for a place under its admissions criteria and provide lists of pupils in criteria order who cannot be offered places.
22. Cheshire East Council will inform other local authorities of offers to be made to pupils resident within their boundaries and request details of offers they will be making to Cheshire East residents by **15 January 2010**, or as soon as possible thereafter.
23. All preferences will be considered on the basis of the **equal preference model** for allocating places in accordance with legal requirements. This means that in the first instance all preferences will be considered against the relevant published oversubscription criteria **only**, i.e. without reference to the preference ranking. Thereafter, where a pupil can potentially be allocated more than one school place stated on the application form, the **single offer** will be for the school ranked highest by the parents or carers.

## DETERMINING OFFERS

24. Around **15 February** the Local Authority will finalise allocations on the basis of equal preferences.
25. If the pupil is a Cheshire East resident and Cheshire East Council is not able to offer any of the preferences stated on the form the parent and carer will be allocated a place at the nearest Cheshire East school with vacancies using the Authority's Ordnance Survey address point data system for measuring straight line distances from the address point of the home to the address point of the school in miles.

26. Where a preference has been received from a parent or carer resident in another authority and a place cannot be offered, Cheshire East Authority will not allocate a place at the nearest Cheshire East school with vacancies.
27. Parents and carers will be informed in writing of their legal right of appeal against any decision not to offer them a place at a school stated as a preference on their application form. Officers from the Local Authority will be available to offer further advice if required.

## NOTIFYING PARENTS AND CARERS OF DECISIONS

28. Cheshire East Council will send the parents and carers of pupils who reside in Cheshire East a decision letter on **\*1 March 2010** confirming, where relevant, offers of places for Cheshire East schools and for schools in other local authorities where prior agreement has been reached to offer places on behalf of the maintaining authority. Offer letters will be sent out on this day by second class post. *\*The Regulations state that the prescribed day shall be 1st March...except that, in any year in which that day is not a working day, the prescribed day shall be the next working day.*
29. Where appropriate, offers will be made by Cheshire East Authority acting on behalf of the admissions authority for the school allocated as follows:

Admissions authority	Category of school
Cheshire East Authority	All community and voluntary controlled schools in Cheshire East
Maintaining Local Authority	All non-Cheshire East community and voluntary controlled schools.
Governing Body of the school	All aided and foundation schools

30. Where Cheshire East parents and carers have applied online, the parent or carer will be able to logon to their online account on **1 March** to view the school place offered and, if requested by the parent/carers, will also receive their offer by e-mail. Where requested, the e-mail offer will be sent on **1 March**.
31. After **1 March** all Cheshire East maintained schools will be informed of the pupils offered a place.

## ACCEPTING AND DECLINING PLACES

32. Parents and carers will be required to **accept or decline** the school place offered by the **22 March 2010**. The Local Authority reserves the right to withdraw places not accepted by this date.
33. For late applications (in respect of offers made after 22 March), parents and carers will be required to accept the place offered within **10 working days** of the offer date.

## ADMISSIONS APPEALS

34. When the school place allocated is not the parents' first preference, the decision letter will explain the parents' right of appeal and how appeals may be made.

35. All **appeal applications** should be sent to the admission authority for the school for which admission has been refused. The closing date for submission of appeals for Cheshire East Authority community and controlled schools (those relating to decisions sent on published offer date) is **12 April 2010**. Parents and carers can submit an appeal in respect of each school for which admission has been refused. Appeals for late applications will be heard within 30 school days of the appeal being lodged.

## LATE APPLICATIONS

36. Late applications for places at community and CE controlled secondary schools in Cheshire East will be considered after all applications received by the closing date unless the Local Authority considers that there are good reasons for the application being late, which must be stated at the time of application, i.e. exceptional medical reasons preventing an earlier application, late removal into the area, etc. Supporting documentation **must** be provided.

37. Where supporting documentation has been received by **18 December** and the Authority has accepted reasons stated for a late application the application will be considered as if it had been received by the closing date.

38. Application forms and supporting documentation received after the 18 December will be considered after all on-time applications even where the Authority accepts that there are good reasons for the late application and as such these applications may be disadvantaged in the consideration of their preferences.

39. Where late applications are received for places at **aided or foundation** schools in Cheshire East, the Local Authority will notify the school that the application has been received late. Late applications will be forwarded to the governing body for consideration in line with the school's published arrangements. Aided and foundation schools will inform the Local Authority whether a place is available and the Local Authority will then notify the parent of the school allocated.

40. Parent and carers making new applications after **1 March** will be advised of the outcome of their application after **22 March**.

## WAITING LISTS

41. After the **22 March**, waiting lists for oversubscribed schools will be prepared and will consist of those children whose parents or carers have specifically requested in writing (including e-mail) that they remain on the waiting list, along with those for whom an appeal application has been received and new applicants.

42. Waiting lists will be held in criteria order and not on a 'first come, first served' basis. Placing a child's name on a waiting list does not affect the statutory right of appeal.

43. **After 22 March**, any places that have become vacant after offers were made on 1 March will be **reallocated** to children on the school's waiting list, held in criteria order.

44. On **10 September 2010** waiting lists for oversubscribed schools will be forwarded by the Local Authority to the relevant schools.

## IN-YEAR ADMISSIONS (admissions outside the normal admissions round)

45. Initial enquiries about individual schools will be directed to the school concerned.
46. Applications will be considered on the basis of the relevant published admission arrangements. Where the school has vacancies a place will be offered. An application will normally only be refused if the school has reached its published admission number.
47. Any parents or carers refused admission will be **notified in writing** of the reason for the refusal and will be **informed in writing** of their **statutory right of appeal**.
48. If there are spaces available in the child's particular year group the parent or carer should be advised that a place can be allocated and that normally transfer is to take place at the beginning of the next term. Where an application is made during the course of the year as a result of a removal into the area, and in consequence the child has no school to attend, if there are spaces available in the child's particular year group the parent should be advised that a place can be allocated and the headteacher should make arrangements for admission to the school.
49. The child will be included on the school's Admission Register from the beginning of the first day on which the school has agreed, or has been notified, that the child will attend the school.
50. Parents and carers unsuccessful with their application will be directed by the school to the Local Authority where officers will provide further details of the appeals process and of alternative schools where places are available.
51. Parents/carers pursuing a place at their preferred school through the appeals process must be placed on a waiting list by the relevant admission authority pending the outcome of the appeal. If prior to appeal a place becomes available the waiting list will be applied and where appropriate, the appeal will be cancelled. Parents/carers can accept alternative school places and still pursue an appeal for their preferred school.
52. Appeal applications for places at Cheshire East community or voluntary controlled schools must be made to the Local Authority. Appeal applications for places at aided and foundation schools in Cheshire East Authority must be made to the school.

## ADMISSIONS TO YEAR 12 OF SCHOOLS WITH SIXTH FORMS

53. Applications for admission to the Sixth Form of a Cheshire East school will be dealt with by the school in accordance with the published admissions arrangements and not by Cheshire East Council.
54. Published admission numbers, which relate only to external applicants, will be set based on an estimate of the minimum number of external candidates to be admitted, although it would be acceptable to exceed this if demand for available courses can be met.
55. Children already in the school will **not** be required to apply formally for places in Year 12 but should have reached the minimum entry qualifications for admission into the sixth form, details of which are included in the school's published admission arrangements.

56. External applicants will not be refused the opportunity to make an application, or told that they can only be placed on a waiting list rather than make a formal application.
57. If more applications are received from external candidates than the published admission number, the oversubscription criteria contained within the published admission arrangements will be applied.
58. Schools will not interview pupils or their families for entry to year 12, although meetings may be held to provide advice on options and entry requirements for particular courses.
59. Entry must not be dependent on attendance, behaviour record, or perceptions of attitude or motivation.
60. Any applicant refused a place in Year 12 will be notified of the statutory right of appeal to an independent appeals panel, whether the child is already attending the school or is an external candidate.

**PART TWO: KEY DATES****SECONDARY SCHOOLS**

Closing date for applications	<b>30 October 2009</b>
Preferences forwarded to other LAs	<b>16 November 2009</b>
Preferences forwarded to Aided & Foundation Schools <i>including those from other LAs</i>	<b>20 November 2009</b>
Aided and Foundation Schools to respond	<b>18 December 2009</b>
Provisional allocations of places at Cheshire East Schools sent to other LAs for their residents	<b>15 January 2010</b>
Responses to other LAs on potential offers of places in their schools for Cheshire East residents	<b>15 January 2010</b> (so far as possible)
Allocations to be finalised	<b>By 15 February 2010</b>
Letters allocating places at Cheshire East schools Sent to Cheshire East & non-Cheshire East residents	<b>1 March 2010 (statutory date)</b>
Deadline for accepting or declining places	<b>22 March 2010</b>
Deadline for application for Appeals against LA/governing body decisions	<b>12 April 2010</b>
Appeal hearings	<b>by 6 July 2010 (statutory date)</b>
Waiting lists for oversubscribed schools forwarded by the LA to the relevant schools.	<b>10 September 2010</b>

## CHESHIRE EAST LOCAL AUTHORITY

### ADMISSION ARRANGEMENTS FOR MAINTAINED COMMUNITY AND CONTROLLED SECONDARY SCHOOLS AND SANDBACH SCHOOL IN CHESHIRE EAST – SEPTEMBER 2010-2011

#### AGE OF TRANSFER

Children will usually transfer to secondary school at the beginning of the Autumn Term following their eleventh birthday.

#### EARLY/LATE TRANSFER

Only in exceptional circumstances are children allowed to spend an extra year in primary or transfer early to secondary. Parents and carers considering such a request must in the first instance speak to the headteacher of the child's primary/junior school.

#### APPLICATION PROCESS

**(All maintained Cheshire East secondary schools.)**

Applications for admission are normally considered in relation to the availability of places in the child's chronological age group, other than in exceptional circumstances.

As required by law, Cheshire East Council makes arrangements for parents and carers to express their preference for the school where they wish their child to be educated and an opportunity to give reasons for their preference before any places are offered.

All preferences must be made in writing (including electronic online applications) and those made in accordance with the Council's arrangements will be met except where this would prejudice efficient education or the efficient use of resources i.e. where the year group in question is full. Applications for schools that are oversubscribed will be considered in accordance with the relevant published oversubscription criteria.

All preferences will be considered on the basis of the **equal preference** model for allocating places. This means that all preferences listed by parents/carers will initially be considered without reference to the preference ranking. Where a pupil can potentially be offered more than one place the **single offer** made by the local authority will be for the school ranked highest on the application form.

All applications from residents in Cheshire East for local authority maintained schools in England, inside and outside Cheshire East should be made on the Cheshire East Council Common Application Form (CAF).

#### REPEAT APPLICATIONS

Repeat applications will not be considered within the same school year, unless the parent's/carer's or the school's circumstances have changed significantly since the original application was made.

## PUBLISHED ADMISSION NUMBERS

The Council and the governing bodies of aided and foundation schools have set published admission numbers for each school in order to decide whether any year group within a school is full or has places available. Published admission numbers for each secondary school are listed in Cheshire East's composite prospectus (booklet) available from **1 September** in the year preceding admission. Booklets will be available electronically on the Cheshire East's website and from the Local Authority on request.

## CONSIDERATION OF PREFERENCES

Preferences for community and Church of England (CE) controlled secondary schools in Cheshire East where Cheshire East Local Authority is the admission authority, and any supporting information provided, will be considered by the Local Authority on the basis of its published criteria, as follows:

- i) **'Looked after children'**  
A 'looked after child' is a child who is in the care of a local authority or provided with accommodation by that authority (as defined in section 22 of the Children Act 1989).
- (ii) **Children for whom there are particular medical or social reasons which, in the Council's view, justifies admission to a particular school.** Supporting evidence from a registered professional, such as a medical practitioner, psychologist or social worker, must be provided which sets out the particular reasons why the school in question is the most suitable school and the difficulties that would be caused if the child had to attend another school. A panel of officers will consider the information presented and will determine whether the evidence is sufficiently compelling to apply this criterion to the application. The Council, if it is considered appropriate, will seek the views of the School Doctor or Educational Psychologist in the event of parents requesting admission on medical or psychological grounds. This criterion cannot be considered if the required documents have not been received. Few applications fall within this category.
- (iii) **Children resident within the designated catchment zone of the school.** Children will be classed within this category if they and their parents/carers are resident within the area served by the school on the closing date for applications.
- (iv) **Siblings** – pupils with elder brothers or sisters, step-brothers or step-sisters, half-brothers or half-sisters, adopted brothers or adopted sisters living together as part of one household, already attending the preferred school and expected to continue at the school in the following school year.
- (v) **Children** not resident within a school's local catchment zone but **attending a school designated as a partner school for admissions purposes**, as out-of-zone pupils.
- (vi) **Pupils living nearest to the school (Distance)** measured using an Ordnance Survey address-point system which measures straight line distances in miles from the address point of the school to the address point of the place of residence.

**OVERSUBSCRIPTION WITHIN A CRITERION**

Where a school can accommodate some, but not all pupils qualifying for one of the preceding criteria, priority will be given to pupils having regard to the subsequent criteria.

**PARENTS/CARERS WITH SHARED RESPONSIBILITY FOR A CHILD**

Where parents/carers have shared responsibility for a child the place of residency will be determined as the address where the child resides for the majority of the week (e.g. where the child wakes up between Monday to Friday). Full details must be submitted in writing to enable the Local Authority to determine which address will be used for the purpose of admission. A panel of officers will consider the information provided. Where the Local Authority is unable to reach a decision based on the information received, e.g. where the child lives equally with both parents, the address provided for claiming Child Benefit and where appropriate, Child Tax Credits will be applied to the admission application. In such circumstances, documentary evidence must be provided.

**DIFFERENTIATING BETWEEN APPLICATIONS WHERE *DISTANCE* CRITERION DOES NOT IDENTIFY PRIORITY FOR ADMISSION**

For community and controlled schools that are oversubscribed, where it is identified that there are a limited number of places available and the Local Authority cannot differentiate between the applications using the distance criterion contained within the published oversubscription criteria, a random allocation tie-breaker will be applied. This may be required for example, where applicants reside in the same block of flats or are children of a multiple birth.

In relation to children of multiple births, exceptionally it may be necessary to offer places over the published admission number. This is to ensure that, as far as possible, siblings (i.e. twins, triplets or children from other multiple births) can attend the same school.

**CHILDREN WITH STATEMENTS OF SPECIAL EDUCATIONAL NEEDS**

Section 324 of the Education Act 1996 requires the governing bodies of all maintained schools to admit a child with a **Statement of Special Education Needs** that names their school.

**AIDED AND FOUNDATION SCHOOL APPLICATIONS**

Applications for places in **aided and foundation** schools will be considered by the governing body as the admissions authority for the school against the school's published oversubscription criteria. Parents and carers naming aided and foundation schools in Cheshire East Authority among their preferences may receive subsequent requests from the school(s) for more information in support of their application. For instance, church aided schools named as preferences may request written confirmation of religious commitment, e.g. by means of a letter of support from a church minister, or, for admission to Catholic schools, evidence of baptism.

**ACKNOWLEDGEMENTS**

An acknowledgement confirming receipt of application can be provided on request from parents and carers. A stamped addressed envelope must be provided. Online applicants can request to receive an e-mail acknowledgement.



## MOVING HOUSE

Parents and carers must inform the Authority immediately of a change of address, even if details of a future change of residency were included on the application form. The Authority will require supporting evidence to show that the place of residency has changed, for example exchange of contracts, tenancy agreements, council tax and utility bills and any other information considered relevant to the application, including disposal of previous property. Information and supporting evidence must be received by 18 December. Proof of residency received after this date will not be used to process the application, but will be used to send the decision letter on 1 March.

## LATE APPLICATIONS

Parent and carers making new applications after **1 March** will be advised of the outcome of their application after **22 March**.

Late applications for places at community and CE controlled secondary schools in Cheshire East, i.e. applications received after the closing date of **30 October** will be considered after all applications received by the closing date unless the Local Authority considers that there are good reasons for the application being late, which must be stated at the time of application, i.e. exceptional medical reasons preventing an earlier application, late removal into the area, etc. Supporting documentation **must** be provided.

Where supporting documentation has been received by **18 December** and the Authority has accepted reasons stated for a late application the application will be considered as if it had been received by the closing date.

Application forms and supporting documentation received after the 18 December will be considered after all on-time applications even where the Authority accepts that there are good reasons for the late application and as such these applications may be disadvantaged in the consideration of their preferences.

Where late applications are received for places at **aided or foundation** schools in Cheshire East, the Local Authority will notify the school that the application has been received late.

## WAITING LISTS

After the **22 March**, waiting lists for oversubscribed schools will be prepared and will consist of those children whose parents or carers have specifically requested in writing (including e-mail) that they remain on the waiting list, along with those for whom an appeal application has been received and new applicants.

Waiting lists will be held in criteria order and not on a 'first come, first served' basis. Placing a child's name on a waiting list does not affect the statutory right of appeal.

**After 22 March**, any places that have become vacant after offers were made on 1 March will be reallocated to children on the school's waiting list, held in criteria order.

## RIGHT OF APPEAL

Applications for admission appeals are normally considered in relation to the child's chronological age group, other than in exceptional circumstances.

Parents and carers who are not offered a place for their child at a school stated as a preference have a right of appeal to an independent appeals panel. Parents can submit an appeal in respect of each school for which admission has been refused.

All appeals should be sent to the admission authority for the school for which admission has been refused. For appeals for places in schools maintained by other authorities, parents/carers will be advised to contact the local authority maintaining the school.

## IN-YEAR ADMISSIONS (APPLICATIONS OUTSIDE THE NORMAL ADMISSIONSROUND)

Initial enquiries about individual schools should be directed to the school concerned. Parents are, however, advised as a first step, to discuss their child's progress and any problems with the headteacher of the child's present school.

Applications for places at Cheshire East maintained community and CE controlled schools received, for any age group during the course of a school year will be considered by the school on the basis of the Cheshire East Authority's published admission arrangements and the availability of places at the time the application is made.

Applications for places at aided and foundation schools in Cheshire East Authority, for any age group, received during the course of the school year, will be considered by the school on the basis of the school's published admission arrangements and the availability of places at the time the application is made.

Parents/Carers will normally receive a written response to their application within **10 working days of receipt**. Transfers are normally made at the beginning of a school term. If the preferred school is full then the applicant will be informed of the legal right of appeal and will be directed to the Local Authority where officers will provide further details of the appeals process and of alternative schools where places are available.

Parents/carers pursuing the place at their preferred school through the appeals process will be placed on a waiting list pending the outcome of the appeal. Parents/carers can accept alternative places and still pursue an appeal for their preferred school. Appeals for places at Cheshire East community or voluntary controlled schools should be made to the Local Authority. Appeals for places at aided and foundation schools in Cheshire East must be made to the school.

Where the Local Authority considers that a pupil meets the criteria for admission in accordance with the Authority's **In-Year Fair Access (Hard to Place Pupil) Protocol**, applications can be considered for admission over the Published Admission Number. Children who are the subject of a direction by a local authority to admit or who are allocated to a school in accordance with an In-Year Fair Access Protocol will take precedence over those on a waiting list (School Admissions Code, Para 3.14 to 3.19).

Children will also be considered for admission over the published admission number as part of a managed transfer from a **closing school**. In such circumstances, the Local Authority will give precedence to these children over any on waiting lists.

Applications received in respect of '**Looked After Children**' (children in public care) who require admission to a school outside the normal admission round will normally be offered a place at the school serving the address at which the pupil is/will be living, i.e. the catchment area school, or the most appropriate school as determined by the Local Authority even if that school is full. Admissions will normally be processed within ten days of receipt of application. The Local Authority will give precedence to these children over any on waiting lists.

### **TIMETABLE FOR APPLYING FOR PLACES**

<b>1 September 2009</b>	online application facility available
<b>12 September 2009</b>	Composite prospectus (admissions booklet) containing application forms will be available. Completed paper application forms must be returned to Cheshire East Council at the address on the form.
<b>30 October 2009</b>	Closing date for applications.
<b>*1 March 2010</b>	A letter will be posted out (by second class post) to advise of the school offered. Online applicants can request to receive the single offer by e-mail and online accounts can be viewed on this day

*\*In accordance with regulations which state that the prescribed day shall be 1st March...except that, in any year in which that day is not a working day, the prescribed day shall be the next working day.*

<b>22 March 2010</b>	Offers must be <b>accepted</b> or <b>declined</b> by this date. The Local Authority reserves the right to withdraw places not accepted.
<b>After 22 March 2010</b>	Waiting lists will be prepared and any places that have subsequently become available after offers were made on 1 March will be reallocated to children on the waiting list, which is held in criteria order. Parents and carers offered places on this basis will be required to accept or decline the place offered within <b>10 school days</b> .
<b>12 April 2010</b>	Closing date for appeal applications.
<b>May - 6 July 2010</b> (as far as possible)	Appeal hearings held (on time applications)
<b>Within 30 school days</b> of appeals being lodged	Appeals hearings (late/in year applications)

Parent and carers making new applications after **1 March** will be advised of the outcome of their application after **22 March** and **within 10 working days** of 22 March or receipt of application (whichever is the later), as far as possible.

## ADMISSIONS TO YEAR 12 OF SCHOOLS WITH SIXTH FORMS

Applications for admission to the Sixth Form of a Cheshire East school are dealt with by the school in accordance with the published admissions arrangements and not by Cheshire East Council.

Children already in the school are **not** required to apply formally for places in Year 12 but should have reached the minimum entry requirements for admission into the sixth form. Minimum entry requirements are the same for internal and external applicants.

Schools will not interview pupils or their families for entry to year 12, although meetings may be held to provide advice on options and entry requirements for particular courses.

## SIXTH FORM MINIMUM ENTRY REQUIREMENTS

The minimum entry requirements for admission the sixth forms of Cheshire East Community and Controlled schools are **5 GCSEs grade A\* to C (or equivalent)**. Individual courses may require a specific level of attainment. Further information will be provided by the school.

Minimum entry requirements for admission onto vocational courses vary and a full list of requirements can be obtained from the school. Parents are advised to contact the school for further information.

For admission to sixth forms in Cheshire East **aided or foundation** schools the minimum entry requirements are included in the admission arrangements determined by the governing body of the school. Full details are available on the Cheshire East website and from schools direct.

## CHESHIRE EAST COMMUNITY AND CONTROLLED SCHOOLS - OVERSUBSCRIPTION

If more applications are received from external candidates than the published admission number, the following oversubscription criteria will be applied.

- i) **‘Looked after children’**  
A ‘looked after child’ is a child who is in the care of a local authority or provided with accommodation by that authority (as defined in section 22 of the Children Act 1989).
- (ii) **Children for whom there are particular medical or social reasons which, in the Council’s view, justifies admission to a particular school.** Supporting evidence from a registered professional, such as a medical practitioner, psychologist or social worker, must be provided which sets out the particular reasons why the school in question is the most suitable school and the difficulties that would be caused if the child had to attend another school. A panel of officers will consider the information presented and will determine whether the evidence is sufficiently compelling to apply this criterion to the application. The Council, if it is considered appropriate, will seek the views of the School Doctor or Educational Psychologist in the event of parents requesting admission on medical or psychological grounds. This criterion cannot be considered if the required documents have not been received. Few applications fall within this category.

- (iii) **Children resident within the designated catchment zone of the school**  
Children will be classed within this category if they and their parents/carers are resident within the area served by the school on the closing date for applications.
- (iv) **Pupils living nearest to the school (Distance)** measured using an Ordnance Survey address-point system which measures straight line distances in miles from the address point of the school to the address point of the place of residence.

**PUBLISHED ADMISSION NUMBERS – EXTERNAL CANDIDATES ONLY**

The following sixth form admission numbers apply to admission in September 2010. This number relates to the admission of **external candidates only**. The admission numbers included in the table are based on an estimate of the minimum number of external candidates likely to be admitted, although it would be acceptable to exceed this if demand for available courses can be met.

<b>Sixth Form Admissions Community and Controlled Secondary Schools</b>	<b>September 2010</b>
Alsager School	<b>20</b>
Congleton High School	<b>20</b>
Eaton Bank School	<b>10</b>
Knutsford High School	<b>10</b>
Poynton High School And Performing Arts College	<b>50</b>
Sandbach School	<b>50</b>
Tytherington High School	<b>10</b>
Wilmslow High School	<b>60</b>

**SIXTH FORM ADMISSION APPEALS**

Any applicant refused a place in Year 12 is entitled to make an appeal to an independent appeal panel, whether the child is already attending the school or is an external candidate.

Parents refused admission to a sixth form in a Cheshire East community or controlled school will be advised to contact the Cheshire East Authority for an admission appeal application form and details on the appeals process.

# CHESHIRE EAST COUNCIL

## CABINET

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**Date of meeting:** 2 December 2008  
**Report of:** John Weeks,  
**Title:** Strategic Director of People

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### **1.0 Purpose of Report**

- 1.1 This Decision Paper seeks agreement on the proposed relevant area, as stated in paragraph 2 below, taking into account responses received as part of the consultation within the existing relevant area, which commenced on 27 October and is due to close on 1 December. This will enable the new Authority to meet its statutory obligation to determine a relevant area for consultation on admission arrangements for September 2010 and beyond.

### **2.0 Decision Required**

- 2.1 Determination of the Cheshire East 'relevant area' to be Cheshire East administrative boundary for all Community and Controlled Schools for which the Cheshire East Local Authority is the admissions authority and the 'relevant area' for every Cheshire East authority aided and foundation school to be the area normally served by the school, from which most of its pupils are drawn.
- 2.2 It is recognised that parents actual preferences and children's actual schooling patterns will extend beyond the Authority's boundary and therefore consultation on admission arrangements will involve all neighbouring authorities.
- 2.3 Consultation responses have been minimal and include only 1 neighbouring authority, 3 Cheshire schools and 1 governing body. The comments that have been returned have been in support of the proposal. No objections have been received.

### **3.0 Financial Implications for Transition Costs**

- 3.1 None

### **4.0 Financial Implications 2009/10 and beyond**

- 4.1 Members should note that the costs of School Admissions are charged to the Dedicated Schools Grant within the element for central expenditure.

### **5.0 Legal Implications**

- 5.1 The 'relevant area' is the area for a school (determined by its local authority and then reviewed every two years) within which the admission authority for that school must consult all other admission authorities on its proposed

admission arrangements in accordance with The Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999.

5.2 Regulations state that 'relevant areas' for consultation purposes are determined by local authorities (LAs) following consultation; must cover all the LA's area, may differ from school to school; may overlap either within or across local authority boundaries; and must be the subject of a minimum 30-day consultation period, involving:

- Every neighbouring authority;
- Every admission authority (eg the governing bodies of aided and foundation schools);
- Every other admission authority within any proposed "relevant area";
- Every other admission authority for a school outside the authority's area within 1.6km (1 mile) for primary schools or 4.8km (3 miles) for secondary schools of the border of the authority's area;
- Any other person or body the LA considers appropriate.

## **6.0 Risk Assessment**

6.1 In order to ensure that consultation on admission arrangements for September 2010 takes place within a newly defined relevant area under the east authority, determination must be agreed before the commencement of the spring term consultation process on the statutory date of 1 January.

## **7.0 Background and Options**

7.1 At the meeting of 10 September 2008 of the Cheshire East shadow cabinet, members agreed to the recommendation by the County Council that the 'relevant area' for consultation on admission arrangements be revised during the Autumn Term 2008. This would ensure that consultation on admissions policy for September 2010, which commences in January 2009, would be within the re-determined 'relevant area' for each authority.

7.2 Important considerations in determining relevant areas are the pattern of parents' preferences and children's travel-to-school patterns, so that the admission authorities between whose schools choices are made consult each other. Sometimes established schooling patterns may point towards combining part of one LA's area with parts of the area of one or more neighbouring authorities. There is no bar to determining overlapping areas, which may be necessary to reflect schooling patterns and parents' diverse preferences.

7.3 Due to the very limited timescales for reviewing and determining 'relevant areas' by the end of December 2008, and on the basis that the existing arrangements have been effective in allowing widespread consultation on the proposed admission arrangements, the County Council is not proposing a significant change to the existing arrangements.

7.4 At the meeting of the Cheshire Admissions Forum of 15 September 2008, members agreed to the proposed 'relevant area' stating that the existing

practice had been working effectively and therefore it was felt to be appropriate that a similar arrangement should be continued for the new authority.

- 7.5 The current 'relevant area' for Cheshire County Council Community and Controlled Schools, for which the County Council is the admissions authority, was determined as the Cheshire administrative boundary. It was recognised that parents' actual preferences and children's actual schooling patterns extend beyond the County boundary. The requirements set out in Regulations, which require that 'relevant areas' be determined so as to ensure that admission authorities, between whose schools real life choices are made, talk to and consult each other, was to be met in such instances, through the consultation process with neighbouring authorities.
- 7.6 The current 'relevant area' for every aided and foundation school in Cheshire was determined as the area normally served by the school, from which most of its pupils are drawn.

## **8.0 Overview of Day One, Year One and Term One Issues**

- 8.1 Cheshire East Authority determines by 15 April arrangements for admission in September 2010 following consultation within the newly determined relevant areas. The relevant areas will then be reviewed every two years in accordance with regulations.

## **9.0 Reasons for Recommendation**

- 9.1 The recommendation will enable the Authority to meet its statutory duty to determine a relevant area for consultation in order that consultation on admission arrangements for September 2010 and beyond will be carried out in accordance with Regulations and within the newly determined relevant area for Cheshire East Authority.

### ***For further information:***

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### ***Background Documents:***

The Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999



**1999 No. 124**

**EDUCATION, ENGLAND AND WALES**

**The Education (Relevant Areas for Consultation on  
Admission Arrangements) Regulations 1999**

*Made - - - - 2nd February 1999*

*Laid before Parliament 5th February 1999*

*Coming into force 1st April 1999*

In exercise of the powers conferred upon the Secretary of State by section 89(3) and (8)(g) and 138(7) of the School Standards and Framework Act 1998<sup>(a)</sup>, and after consulting the Council on Tribunals with respect to regulation 9, the Secretary of State for Education and Employment, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999 and shall come into force on 1st April 1999.

**Interpretation**

2.—(1) In these Regulations:

“the Act” means the School Standards and Framework Act 1998;

“education authority” means a local education authority;

“local school”, in relation to an education authority, means a school (as defined below) maintained by that authority including any grant maintained school pursuant to regulation 2 of the School Standards and Framework Act 1998 (Modification) Regulations S.I. 1998/2670.

“main entrance” means the principal entrance to the school premises in question, or (if the school has more than one site) to the principal entrance to the main administrative building of the school;

“school” means—

- (a) in relation to the period ending immediately before 1st September 1999, a county, voluntary, or grant-maintained school within the meaning of the Education Act 1996; and
- (b) in relation to the period beginning on 1st September 1999, a community, foundation or voluntary school.

“section”, unless the context otherwise requires, means a section of the Act.

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<sup>(a)</sup> 1998 c. 31; for the meaning of “regulations” see section 142(1).

(2) For the purposes of these Regulations, an education authority is “neighbouring”, in relation to another education authority, if the areas of the two authorities adjoin to any extent.

### **Application**

3.—(1) These Regulations apply for the purpose of determining the relevant areas for consultation under section 89(2)(b) by admission authorities about their proposed admission arrangements for the school year commencing in 2001 and for any later school year.

(2) For the purpose of paragraph (1), admission arrangements for a school shall be treated as being for the particular school year in which pupils are to be admitted to the school in consequence of the arrangements.

### **Determination by local education authorities**

4. Relevant areas shall be determined by education authorities in accordance with these Regulations.

### **Preparation of proposals**

5.—(1) Each education authority shall draw up proposals for determining the relevant area or relevant areas for consultation by the admission authorities for the local schools.

(2) The proposals shall be such that—

- (a) a relevant area will be determined in relation to consultation by the admission authority for each local school (referred to in the rest of these regulations as a relevant area “for” such a school); and
- (b) every part of the authority’s area will fall within at least one relevant area for a local primary school or schools and at least one relevant area for a local secondary school or schools (which may be the same relevant area as that for the primary school or schools).

(3) The proposals may contain proposals of any of the following kinds—

- (a) for different relevant areas to be determined for different local schools, or for different groups or categories of local schools;
- (b) for the same relevant area to be determined for all local schools;
- (c) for a relevant area to be determined for one case to overlap, wholly or partly, the relevant area to be determined for another case;
- (d) for the relevant area to be determined for any local school or schools to comprise part (or all) of the area of the education authority and part (or all) of the area of one or more other education authorities.

### **Consultation on proposals**

6.—(1) The education authority shall consult the following on their proposals drawn up under regulation 5—

- (a) every neighbouring education authority;
- (b) every other admission authority for a local school;
- (c) insofar as not falling within paragraph (a) or (b), every other admission authority for a school situated (wholly or partly) within any relevant area which the education authority propose to determine; and
- (d) insofar as not falling within paragraphs (a) to (c), every other admission authority for a school outside the education authority’s area which is situated—
  - (i) in the case of a primary school, not more than 1.6 kilometres, or
  - (ii) in the case of a secondary school, not more than 4.8 kilometres,from the border of the education authority’s area.



(2) For the purpose of paragraph (1), a school is to be taken to be situated at the point where its main entrance is situated.

(3) The education authority may also consult any other person or body they think fit.

(4) For the purpose of consultation under this regulation, the education authority shall communicate their proposals by, at least, sending each admission authority which they are required to consult a written copy of the proposals and inviting their written comments within a specified period (which shall not be less than 30 days).

#### **Determination**

7.—(1) Following consultation, the education authority shall determine the relevant area or relevant areas for consultation by the admission authorities for the local schools.

(2) The provisions of regulation 5(2) and (3) shall apply in relation to such a determination in the same way as they apply in relation to a proposed determination.

(3) In the case of the relevant area or relevant areas for consultation about admission arrangements for the school year commencing in 2001, the education authority shall take all steps necessary to ensure that their determination is made no later than the end of July 1999.

#### **Notification of determination**

8. The education authority shall notify details of their determination in writing to—

- (a) every admission authority they were required to consult by virtue of regulation 6(1); and
- (b) so far as not falling within (a), every admission authority for a school situated (wholly or partly) in a relevant area so determined.

#### **Redetermination by adjudicator or Secretary of State of cross-border relevant areas**

9.—(1) Where—

- (a) an education authority determine any relevant area which comprises part (or all) of the area of that education authority and part (or all) of the area of another education authority (or of the areas of other education authorities) (“a cross-border relevant area”), and
- (b) that other education authority (or any of those other such authorities) object to that determination,

the objecting authority may refer the determination to the adjudicator to be redetermined.

(2) Such a reference to the adjudicator shall—

- (a) be in writing addressed to the adjudicator;
- (b) state the reasons for objection; and
- (c) be sent so as to be received by the adjudicator no later than 28 days after the receipt by the objecting authority of the notification required by regulation 8.

(3) On receiving the reference, the adjudicator—

- (a) shall invite written representations from—
  - (i) the education authority that made the determination; and
  - (ii) every other education authority whose area falls (wholly or partly) within the cross-border relevant area; and
- (b) may invite such other representations, and seek such other information, as he thinks appropriate.

(4) The adjudicator shall redetermine the relevant area either by confirming the education authority’s determination or by determining that some other area specified in his decision shall be the relevant area in question.

(5) The adjudicator shall notify the objecting authority and each of the education authorities falling within paragraph (3)(a) in writing of his decision and the reasons for it.

(6) Such a redetermination shall have effect to determine the relevant area concerned in the same way as if it were a determination by the education authority.

(7) References in this regulation to the adjudicator shall be read as references to the Secretary of State in a case where any part of either—

(a) the cross-border relevant area which has been determined; or

(b) the relevant area which the objecting authority wishes to be determined;

lies or would lie in Wales.

### **Effect of determination or redetermination for future years**

**10.** The determination by an education authority, or (where there has been a redetermination by the adjudicator or the Secretary of State) the redetermination, of any relevant area for a local school or schools in relation to a particular school year shall have effect in relation to later school years until a subsequent determination or, as the case may be, redetermination of the relevant area.

### **Review of relevant areas**

**11.—(1)** Each education authority shall review periodically their determination of the relevant area or relevant areas for their local schools in accordance with this regulation.

(2) The authority shall review their first, or as the case may be most recent, determination within the period of two years after the date on which that determination was made.

(3) Where—

(a) a relevant area was redetermined by the adjudicator or the Secretary of State under regulation 9, and

(b) the redetermined relevant area differed from that which had been determined by the education authority,

the education authority may not propose any determination which would change that relevant area unless the proposed determination would be made more than a year after the end of the school year in which they made the determination referred to in subparagraph (b).

(4) Having reviewed their determination, the authority shall prepare and consult on proposals for the relevant area or relevant areas for consultation by the admission authorities for the local schools, in accordance with regulations 5 and 6.

(5) Paragraph (4) does not require the new proposals to propose any change to the relevant area or relevant areas previously determined.

(6) Following consultation, the education authority shall decide either—

(a) that a fresh determination shall be made, in which case regulations 7(1) and (2), 8 and 9 shall apply; or

(b) that no fresh determination shall be made, in which case they shall notify the bodies mentioned in regulation 8 in writing of their decision.

(7) The education authority shall take all steps necessary to ensure that, should it conclude that a fresh determination is to be made, that determination is made no later than two years after the latest time by which their previous determination was required to have been made.

(8) A fresh determination by an education authority under this regulation shall specify, by reference to admission arrangements for a particular school year, the earliest admission arrangements for consultation about which the freshly determined relevant area or relevant areas has or have effect.

(9) Regulation 9 applies to enable a decision under paragraph (6) to be referred to the adjudicator or the Secretary of State where the decision determines, or (where no fresh determination is made) leaves in effect, a cross-border relevant area.

30th January 1999

*Estelle Morris*  
Minister of State,  
Department for Education and Employment

2nd February 1999

*Peter Hain*  
Parliamentary Under Secretary of State,  
Welsh Office



## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Section 89(2) of the School Standards and Framework Act 1998 requires the admission authority for every maintained school to consult other admission authorities before determining the school's admission arrangements for a school year. Under section 89(2)(b) this includes a duty to consult all admission authorities for schools in "the relevant area", which is defined by section 89(3) as the local authority's area or such other area as is determined by or in accordance with regulations. These Regulations make provision for the relevant areas to be determined by local education authorities and, in certain cases, redetermined by the adjudicator or (in Wales) the Secretary of State. They come into force on 1st April 1999.

Regulation 2 defines terms used in the Regulations. Regulation 3 provides that the Regulations will apply in relation to consultation about proposed admission arrangements for the school year 2001/2002 and for later school years. (The relevant areas for admission arrangements for the school year 2000/2001 are determined by S.I. 1998/3165.)

Regulation 4 provides that local education authorities are to determine the relevant areas in accordance with the Regulations. Regulation 5 requires such authorities to draw up proposals for determining the relevant area for consultation about admission arrangements for each local school (meaning a school maintained by the authority). These proposals shall be such that every part of the education authority's area falls within a relevant area proposed to be determined for at least one primary school and for at least one secondary school. The proposals may provide that different schools, or different groups or categories of schools, will have different relevant areas, or that they will all have the same relevant area. Relevant areas may overlap and may cover part (or all) of the area of another education authority.

Regulation 6 places the education authority under a duty to consult specified authorities on its proposals, which must be communicated in writing and must invite written comments on the proposals within a stated period of not less than 30 days. An education authority is required to consult every neighbouring education authority, every admission authority for a local school, and every admission authority for a school within any proposed relevant area. The education authority must additionally consult the admission authority of any primary school within 1.6 kilometres (just under one mile), or of any secondary school within 4.8 kilometres (just under three miles) from the border of the education authority's area. The education authority may also consult any other person or body they think fit.

Regulation 7 provides that the education authorities are to determine the relevant area or relevant areas following the consultation. It requires education authorities to take all necessary steps to ensure that they determine the relevant areas for consultation about admission arrangements for the school year 2001/2002 by the end of July 1999. Regulation 8 requires an education authority to notify specified admission authorities in writing of the details of its determination.

Regulation 9 provides for another education authority to object to the adjudicator against a relevant area that has been determined and crosses their border. An objection is to be referred in writing to the adjudicator, who will then invite written representations from specified authorities and other persons he thinks fit. The adjudicator will then redetermine the relevant area, either by confirming the authority's determination or by specifying some other area. The adjudicator must notify specified authorities in writing of his decision and the reasons for it. Where an objection relates to a relevant area part or all of which lies or would lie in Wales, the objection must be made to and redetermined by the Secretary of State.

Regulation 10 enables determinations and redeterminations to continue in effect for future years. Regulation 11 requires an education authority to review its determination of relevant areas and to follow the consultation and determination provisions of Regulations 5 to 8, and the objection procedure under Regulation 9 will also apply. The review must be within the period of 2 years after the date on which the last determination was made. Where it is decided to make a fresh determination, that determination must not be made later than two years after the latest time by which the education authority's previous determination must have been made.



**1999 No. 124**

**EDUCATION, ENGLAND AND WALES**

**The Education (Relevant Areas for Consultation on  
Admission Arrangements) Regulations 1999**

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# CHESHIRE EAST COUNCIL

## CABINET

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**Date of meeting:** 2 December 2008  
**Report of:** John Weeks  
**Title:** Strategic Director of People

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### **1.0 Purpose of Report**

- 1.1 To obtain approval from Cabinet on the proposed terms of reference for the statutory Admissions Forum for Cheshire East Authority as set out in Appendix 1.

### **2.0 Decision Required**

- 2.1 Members are asked to approve the terms of reference, in order that the forum can be set up in accordance with the timescales (provided as background information) without further reference to the cabinet, with any future discussions on this being with the Lead Member.

### **3.0 Financial Implications for Transition Costs**

- 3.1 None

### **4.0 Financial Implications 2009/10 and beyond**

- 4.1 Members should note that the costs of School Admissions are charged to the Dedicated Schools Grant within the element for central expenditure.

### **5.0 Legal Implications**

- 5.1 Section 85A of the School Standards and Framework Act 1998 requires all local authorities to establish an Admission Forum charged with co-ordinating the effectiveness and equity of local admission arrangements and with a statutory right of objection to these.
- 5.2 Under provisions of the Education Act 2002 and Regulations (Education (Admissions Forum) (England) 2002, Amendment 2007), local authorities are required to establish a statutory admissions forum with core membership prescribed in Regulations. Within the prescribed framework the LA decides on the overall size of the Forum. Full details are enclosed as Appendix 1.

### **6.0 Risk Assessment**

- 6.1 The establishment of two admission forums must be finalised during autumn 2008 in order that the Cheshire East Shadow Council can be advised by the Cheshire East Admissions Forum on its proposed policy for September 2010

## **APPENDIX 1**

and beyond. Permission to consult will be requested on 10 December and consultation must commence on the statutory date of 1 January, to be completed by 1 March 2009, with arrangements being determined by 15 April 2009 in accordance with statutory requirements.

### **7.0 Background and Options**

- 7.1 The recommendation taken to the two shadow authorities was to approve immediate action\* to set up two separate admissions forums to be established by Autumn 2008 in line with the proposed timetable (available as background information) in order that each LA can be advised on issues and policies in relation to its local area and local schools. (\*i.e. determines the constitution and membership in line with statutory requirements and approves the commencement of seeking new nominations, including nominations from existing members of the existing admissions forum).
- 7.2 At the meeting of 10 September 2008 of the Cheshire East Shadow Cabinet, members agreed to the recommendation (summarised in paragraph 7.1 above) that the Local Authority establishes separate admission forums to commence in September/October 2008 to advise on policy for September 2010 and to report on the arrangements applied to admissions in September 2008.

### **8.0 Overview of Day One, Year One and Term One Issues**

- 8.1 Cheshire East Admissions Forum to be established autumn 2008 to consider and offer advice to the Cheshire East Authority on proposed admission arrangements for 2010, which must be determined by 15 April 2009.

### **9.0 Reasons for Recommendation**

- 9.1 The recommendation will enable the Authority to meet its statutory duty to establish an Admissions Forum as required by the relevant Regulations, in readiness for decision making on admissions issues and policy in relation to admission in September 2010 and beyond.

#### ***For further information:***

*Portfolio Holder: Councillor P Findlow*

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*Email:Barbara.Dale@cheshire.gov.uk*

#### ***Background Documents:***

**CHESHIRE EAST  
STATUTORY ADMISSIONS FORUM  
TERMS OF REFERENCE**

**1 INTRODUCTION**

- 1.1 Section 85A of the School Standards and Framework Act (SSFA) 1998 (as amended by the Education Act 2002; Section 41 of the Education and Inspections Act 2006; Education (Admissions Forums) (England) Regulations 2002, and subsequent amendment of 2007) requires all local authorities to establish an admission forum which is charged with co-ordinating the effectiveness and equity of local admission arrangements with a statutory right of objection to these. Forums are responsible for monitoring compliance with the Code and have important powers to publish a report annually on the effectiveness of local admission arrangements and to refer an objection to the Schools Adjudicator where they consider admission arrangements to be unfair or not in accordance with the Code.
- 1.2 Admissions forums provide advice and recommendations to all admission authorities, maintained schools and Academies within its area, and to make available such advice and recommendations to any other persons who may have an interest.
- 1.3 Admission authorities of all Cheshire East Council maintained schools, other than special schools, when exercising their functions **must have regard to any advice** offered by the forum. This is a mandatory requirement of the School Admissions Code and failure to comply with this requirement can result in an objection being made to the Schools Adjudicator or a complaint to the Secretary of State.

**2 TERMS OF REFERENCE**

- 2.1 The Regulations lay down that the role of the admissions forum shall be to:
- a. consider how well existing and proposed admissions arrangements serve the interests of children and parents within the area of the Authority;
  - b. promote agreement on admission issues;
  - c. consider the comprehensiveness and accessibility of the admission literature and information for parents produced by each admissions authority within the area of the forum;
  - d. Consider the effectiveness of the authority's proposed co-ordinated admission arrangements;
  - e. consider the means by which admissions processes might be improved and how actual admissions relate to the admission number published;

- f. monitor the admission of children who arrive in the authority's area outside a normal admission round with a view to promoting arrangements for the fair distribution of such children among local schools, taking account of any preference expressed in accordance with the arrangements made under Section 86 (1) of the SSFA Act 1998;
- g. promote the arrangements for children with special educational needs, looked after children and children who have been excluded from school;
- h. consider any admission issues arising not included above (a-g).

## **2.2 ENSURE FAIR ACCESS**

In discharging these responsibilities, the forum should:

- a. refer an objection to the Schools Adjudicator where either it identifies policy, practice or oversubscription criteria of a school that may be unfair, unlawful or that contravene the mandatory provisions of the Code, or where their advice has been disregarded by admission authorities
- b. review the comprehensiveness, effectiveness and accessibility of advice and guidance for parents by the local authority, both through published composite prospectus and the delivery of Choice Advice as referred to in the Code.
- c. agree, promote and monitor local authority In-Year Fair Access Protocols for potentially vulnerable children including those previously excluded from school, children in care, children with special educational need and or disabilities, children who are hard to place and those who arrive in the area outside the normal admissions round.
- d. report on the effectiveness of local admission arrangements by way of an annual report the prescribed matters for which are:
  - 1. the number and percentages of a 1st, 2nd, 3rd preferences expressed and the main factors that affected whether preferences were met;
  - 2. the number of school admission appeals made to the appeal panel for schools in the authority;
  - 3. the ethnic and social mix of pupils attending schools in the area of the authority and factors which affect this;
  - 4. the extent to which existing and proposed admission arrangements serve the interests of vulnerable children;
  - 5. how well the fair access protocol has worked and how many children have been admitted to each school under the protocol;

6. whether primary schools are meeting their statutory duties in relation to infant class size legislation;
7. details of other matters that affect how fairly admission arrangements serve the interests of children and parents within the authority;
8. any recommendation or recommendations that the forum wishes to make in order to improve parental choice and access to education in the area.

### 3 MEMBERSHIP OF THE FORUM

- 3.1 Admission forums must consist of representatives of the local authority, schools, dioceses, parents and the local community and are appointed to the forum by the local authority.
- 3.2 The membership of admission forums is set out in The Education (Admission Forums) (England) Regulations 2002/2007(Amendment).
- 3.3 Core Membership:

Regulations	Core Membership	No of Members	Comments
LA (1-5)	Cheshire East Council	4:1	Elected Members in proportion to the political balance of the council
Schools (1-3)	Community and voluntary controlled	1 Primary 1 Secondary 1 Special	Head teacher or governor (other than a governor appointed by the LA).
Schools (1-3)	Foundation	1	
Schools (1-3)	Voluntary aided	1	
1-3	Church of England Diocesan	1-3	Nominated by the Chester Diocesan Board of Education.
1-3	Roman Catholic Church Diocese	1-3	Nominated by Diocese of Shrewsbury
1-3	Parent governor	1-3	Appointed to an education overview and scrutiny committee of a local authority in accordance with the Parent Governor Representatives (England) Regulations 2001
Up to 3	Representatives of the local community		Appointed by the LA on the Recommendation of the forum
Regulations	School Group	Comments	
1 per maintained School (in the area of the local authority, other than a special school)	School Members	A school member should be either the head teacher or governor (other than a governor appointed by the local authority). Where a core member already represents a school, no school member shall be appointed for that school. School members are appointed following a recommendation from the governing body of the school.	

- 3.4 Core members can invite other interested parties to attend a meeting.
- 3.5 Members can nominate alternate members as representatives at forum meetings in their absence, who must also be a member of the body being represented. The **alternate member** can vote at meetings of the forum in the absence of the core member provided they fall into the same category as the member and have the support of the organisation they represent. Details of which must be provided to the Secretary upon receipt of the Agenda.

## **4 ELECTION AND TENURE OF MEMBERS**

- 4.1 Chair and vice chair are elected at the first meeting of the forum by a majority vote of the core members and at meetings every year thereafter.
- 4.2 Chair and vice chair can resign their office by written notice to the forum secretary.
- 4.3 Core members and school members are appointed for a fixed term of no more than 4 years, subject to their remaining eligible,
- 4.4 Core members or school members on ceasing to be members, will be eligible for reappointment.
- 4.5 There is no limit to the number of terms of office to which a member may be nominated or re-nominated, if still eligible.
- 4.6 Any member appointed to the forum will vacate office if he or she ceases to be a member of the body being represented, or is removed from office following a recommendation of the core members.
- 4.7 The Secretary will provide details of relevant **vacancies** to governing or diocesan bodies and nominations will be invited to represent the appropriate group as listed under paragraph 3.3.

## **5 FORUM MEETINGS**

- 5.1 Core members appoint a person, nominated by the authority, to act as secretary to the forum. The secretary is not a member of the forum.
- 5.2 Meetings will be held at least three times per year in September, December and April.
- 5.3 Procedure at meetings will be regulated by the core members themselves.
- 5.4 The quorum for the Admission Forum is 40% of core members. A meeting may continue if inquorate but any advice given to the Local Authority as a result of such a meeting will be taken by the Local Authority to be advisory only.

- 5.5 The Secretary will ensure that meetings of the forum are convened by giving a minimum of 7 days notice in advance of the meetings, with a full agenda.
- 5.6 Members may bring agenda items via the Chairman normally no later than four weeks prior to any meeting. Items must fall within the remit of the Forum (see paragraph 2) above).

## **6 ESTABLISHMENT OF SUB-GROUPS**

- 6.1 The Local Authority may establish sub-groups on particular issues and the Forum is responsible for running these. The sub-groups will report back to the Forum.

## **7 RECORDS OF MEETINGS**

- the Secretary to the Forum will keep a written record of each meeting;
- the names of the members present at a meeting will be recorded with the minutes of the meeting;
- the minutes will not be published until they have been agreed at the following meeting;
- the minutes of any part of a meeting that are confidential will be kept separate and not available for inspection;
- Members of the Forum shall respect the confidentiality of items of business which the Forum decides are confidential.

## **8 FORUM ADVICE AND REFERRALS TO THE SCHOOLS ADJUDICATOR**

- 8.1 The Forum's advice will be published on the school admissions section of the Local Authority's website and copies will be sent to all admission authorities in the area. The advice will be also be contained in the Authority's composite prospectus.
- 8.2 In order for an objection to be made to the Schools Adjudicator, the proposal must first be approved by a simple majority of all members (not just Core members) voting at the meeting.
- 8.3 In any vote regarding the exercise of the forum's power to refer an objection to the adjudicator, the vote must be carried by a simple majority of those members present at the meeting, and in the case of an equality of votes, the chair, or vice chair in his absence, shall have a second or casting vote.