

**NEATH PORT TALBOT COUNTY BOROUGH
COUNCIL**

**CHILDREN, YOUNG PEOPLE AND EDUCATION
CABINET BOARD**

1st December 2016

**REPORT OF HEAD OF TRANSFORMATION
ANDREW THOMAS**

MATTER FOR INFORMATION

WARDS AFFECTED – ALL WARDS

**OBJECTION TO THE 2017/18 ADMISSION ARRANGEMENTS –
DECISION OF THE CABINET SECRETARY FOR EDUCATION**

Purpose of Report

1. To note the decision of the Cabinet Secretary for Education in relation to an objection to the Council's 2017/2018 admission arrangements.

Executive Summary

2. The Council is the admission authority for community schools.
3. The 2017/2018 admission arrangements were consulted upon and approved by the Children, Young People and Education Cabinet Board on 7th April 2016.
4. The arrangements conform to the legislative requirements and the good practice guidelines set out in the Welsh Government's School Admissions Code, 2013.
5. An objection to the arrangements was submitted to the Welsh Government.
6. The Cabinet Secretary for Education determined that there are no grounds on which the objection can be upheld.

Background

7. The Council, as local authority for the relevant area, is responsible for determining the admission arrangements for community schools and has a duty to consult annually on those arrangements.
8. In drawing up admission arrangements, the Council must ensure that the practices and the criteria used to decide on the allocation of school places:
 - are clear in the sense of being free from doubt and easily understood
 - are objective and based on demonstrable fact
 - are procedurally fair and are also equitable for all groups of children
 - provide parents or carers with easy access to helpful admission information
 - comply with all relevant legislation and have been determined in accordance with the statutory requirements and the provisions of this Code
9. At its meeting of 7th April 2016, the Children, Young People and Education Board having considered the comments from consultation determined to approve the 2017/2018 admission arrangements for community schools.
10. The governing body of St. Joseph's RC School and Sixth Form Centre objected to those arrangements, referring the matter to the Welsh Ministers on 5th May 2016 for determination.

Objection to the 2017/2018 admission arrangements

11. The objection by the governing body of St. Joseph's RC School and Sixth Form Centre concerned three broad themes:
 - the local authority has marginalised voluntary schools;
 - there was a lack of reference to “designated or nearest suitable school”; and
 - the admissions policy was been manipulated in order to support a disputed transport policy.

Consideration and determination of the objection

12. The decision letter reports that the matter was carefully considered by the Cabinet Secretary for Education. In reaching a decision the Cabinet Secretary considered the Council's admission arrangements for 2017/18 and the extent to which they comply with legislation, together with the Council's response to the objection (appendix A). In exercise of her powers and relevant legislation, the Cabinet Secretary has taken the view that there are no grounds on which the objection can be upheld.
13. None of the three broad themes contained in the objection was upheld.
14. A copy of the decision letter is attached as appendix B.

Financial Impact

15. There is no financial impact directly associated with the matter to which this information report relates.

Equality Impact Assessment

31. After consideration this is not applicable.

Workforce Impact

32. After consideration this is not applicable

Legal Impacts

33. This matter has been determined by the Cabinet Secretary for Education under Section 90 of the School Standards and Framework Act 1998.
34. Admission arrangements are determined under the Education (Determination of Admission Arrangements) (Wales) Regulations 2006.
35. Objections are made under the Education (Objections to Admission Arrangements) (Wales) Regulations 2006.

Risk Management

36. After consideration this is not applicable.

Recommendations

37. After consideration this is not applicable

Reasons for the Proposed Decision

38. After consideration this is not applicable.

Implementation of Decision

39. After consideration this is not applicable.

Appendix

Appendix A: Response to objection, dated 24th May 2016

Appendix B: Objection to the 2017/18 admission arrangements determined by Neath Port Talbot County Borough Council – decision letter, dated 6th October 2016.

List of Background Papers

- a. Welsh Government: School Admissions Code (No. 005/2013)
- b. Education (Determination of Admission Arrangements) (Wales) Regulations 2006
- c. Education (Objections to Admission Arrangements) (Wales) Regulations 2006

Officer Contact

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