

DECISION LETTER



Llywodraeth Cymru
Welsh Government

Ms Sue Phillips
Chair of Governors
St Joseph's School and Sixth Form
Newton Avenue
Neath Port Talbot
SA12 6EY

Ein cyf / Our ref: MA-P/KW/5665/16

06 October 2016

Dear Ms Phillips

OBJECTION TO THE 2017/18 ADMISSION ARRANGEMENTS DETERMINED BY NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

1. I refer to the above objection to arrangements determined by Neath Port Talbot County Borough Council ("the local authority") which was referred to the Welsh Ministers on 5th May 2016. Under section 90 (2A) of the School Standards and Framework Act 1998 ("the 1998 Act") the objection requires determination by the Welsh Ministers. This matter has been considered by Kirsty Williams AM, Cabinet Secretary for Education, one of the Welsh Ministers.
2. I am directed by the Cabinet Secretary to say that she has carefully considered the objection submitted to her and the local authority's response. In reaching this decision she has considered the local authority's admission arrangements for 2017/18 and the extent to which they comply with legislation. In exercise of her powers under the 1998 Act, and with due regard to the School Admissions Code, the Education (Determination of Admission Arrangements) (Wales) Regulations 2006 and the Education (Objections to Admission Arrangements) (Wales) 2006, the Cabinet Secretary has decided not to uphold the objection to the admission arrangements on the specific grounds set out.

Objection and Response

3. In reaching this decision, the Cabinet Secretary has noted the letter of objection from the governing body of St. Joseph's Voluntary Aided ("VA") School and Sixth Form Centre, and the comments made by the local authority in response to those objections.

4. The Cabinet Secretary's conclusions on the three broad themes of objection are as follows:

(i) The local authority has marginalised voluntary schools.

The local authority was obliged, in accordance with the legislation, to determine arrangements only for the schools for which it is the admission authority. The Cabinet Secretary considers that it would not have complied with the legislation were the local authority to determine arrangements relating to voluntary aided schools. She therefore cannot uphold this objection as information about voluntary aided schools was not relevant for inclusion in the local authority's determined arrangements.

The Cabinet Secretary notes that the governing body also refers to a lack of coverage within the local authority's general literature on admissions. Although this does not form part of the determined arrangements, the Cabinet Secretary notes the parents' handbook which is issued each year and should be designed to provide information on all relevant schools in the area. This document sets out in full, the admission arrangements for all the voluntary aided schools in the local authority area, including St. Joseph's RC School and Sixth form centre. As part of the published arrangements, schools which are "partnering schools" for St. Joseph's, are also identified.

(ii) Lack of reference to "designated or nearest suitable school"

In the Cabinet Secretary's view, there is no obligation to include references such as those above in determining admission arrangements, and admission authorities are able to use any fair oversubscription criteria for the purpose of allocating places when there are more requests than there are places available. She notes that the local authority uses catchment areas, amongst other criteria, in order to prioritise pupils for places, and it would have been unusual to also make references such as those suggested by the governing body. Although the objectors claim that requests for maps of catchment areas have been ignored, there is no proof of this and the local authority maintains that these are available on request. We understand that copies of the maps were sent to the head teacher in early July. We conclude that this is not a relevant matter for this consideration, and not an objection that can be upheld, as the local authority has set out other clear oversubscription criteria in its determined admission arrangements. Whilst the Cabinet Secretary appreciates that the terminology referred to above might be included in other policies, these are separate from the determination of admission arrangements.

(iii) Admissions policy has been manipulated in order to support a disputed transport policy

Whilst the governing body of the school has lodged an objection to the admission arrangements determined by the local authority, the Cabinet Secretary understands that a major concern relates to the transport policy which was adopted by the local authority in March 2013. The Cabinet Secretary understands that this policy was different from that previously in place and that discretionary transport provision for children attending a school other than the nearest on the grounds of faith was discontinued. The local authority has advised the Cabinet Secretary that its school transport policy will

be reviewed in September 2016. It would not be appropriate for the Cabinet Secretary to take a view on the local authority's school transport policy. This aspect of the objection cannot therefore be upheld.

5. In conclusion, the Cabinet Secretary takes the view that there are no grounds on which this objection can be upheld.
6. I am sending a copy of this decision letter to the head teacher and to the local authority, requesting that the local authority send a copy of this decision letter to all those consulted when the admission arrangements for 2017/2018 were determined.

Yours sincerely



STEVE VINCENT

Dirprwy Gyfarwyddwr
Yr Is-Adran Effeithiolrwydd Ysgolion
Deputy Director
Schools Effectiveness Division

cc. Mr Aled Evans, Director of Education, Leisure & Lifelong Learning, NPT CBC