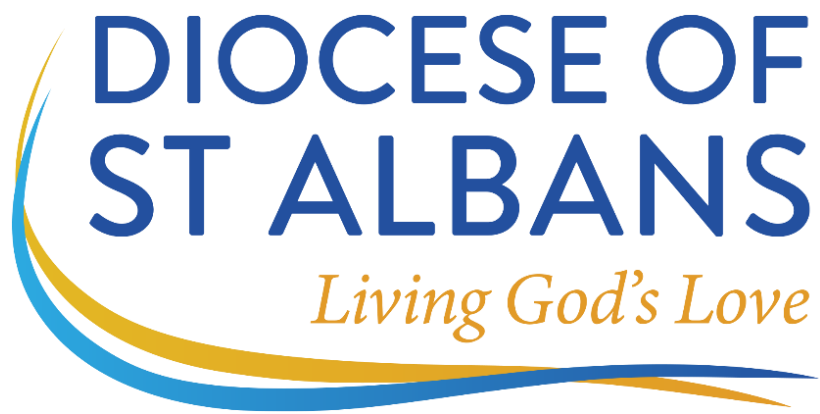




# School Admissions Guidance

**Please note**

**We expect a new School Admissions Code to be issued at some point during the 2026-27 academic year and this guidance will be updated once that new Code is in place.**

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*Living God's Love in Education: Enabling Life in all its Fullness*

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# Guidance for schools that are their own admission authority

## *Voluntary aided and foundation schools, academies, and free schools*

Please note that governing bodies **must** have regard to this Diocesan Board of Education (DBE) guidance when setting faith-based admission arrangements and when deciding how membership or practice of the faith is to be demonstrated.

This means following the guidance unless there is a clear and proper reason not to do so.

### I. Introduction and guiding principles

All admission authorities must comply with the School Admissions Code (the most recent version came into force on 1<sup>st</sup> September 2021). This sets out the statutory framework for admission arrangements but still leaves admission authorities with considerable freedom (for example, in their choice of oversubscription criteria). This guidance aims to support decision-makers in their choices, and to help them ensure that their arrangements are compliant.

In a voluntary aided or foundation school, the admission authority will be the governing body, and, in an academy or free school, it will be the Academy Trust or, in the case of a multi-academy trust, the directors (sometimes called trustees) of the MAT itself. In some MATs, some admission decisions may be delegated to the local governing bodies of the individual schools, in which case the MAT scheme of delegation should make clear exactly how decision-making is shared between the MAT's own board of directors and those local governing bodies. This guidance uses the term 'governing body' to cover all scenarios.

Church of England schools should aim to be distinctively Christian, inclusive communities where the ethos and work of the school is clearly rooted in Christian belief and values. Governing bodies must have regard to the terms of the school's trust deed (if there is one)<sup>1</sup>. Older trust deeds will often make reference to a school providing a Christian education to the poor of the parish and governing bodies will need to reflect on what this means in a modern context. School admissions policies are deliberately set at a local level, so that governing bodies can take account of the specific needs of their local community when finding the right balance between Christian distinctiveness and inclusivity.

Governing bodies should give careful thought to whether their admission policy meets this need for inclusivity, particularly if oversubscription criteria currently prioritise the children of Christian parents over local children. DBE advice is that governors should aim to ensure that

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<sup>1</sup> Schools can contact the Schools Team for help in locating the Trust Deed if they do not already hold a copy. To do so, please email [schools@stalbandsdiocese.org](mailto:schools@stalbandsdiocese.org)

at least some of the places in the school could be given to local children from non-church backgrounds, no matter how much the school is in demand from the practising Christian community.

## II. Oversubscription criteria

Over-subscription criteria must be reasonable, clear, objective, procedurally fair, and comply with all relevant legislation, including equalities legislation.

### a. Order of criteria

Policies must make clear that **all** children will be offered a place (if there are fewer applications than places available) and that all children with an EHC Plan that names the school will be admitted, before any oversubscription criteria are applied.

Top, equal priority must be given to looked after children, previously-looked-after children and children who appear to the admission authority to have been adopted from state care outside of England, (for convenience, these groups of children are referred to in the rest of this guidance as 'LAC'). Faith schools are allowed to prioritise faith applicants over LAC children not of the faith (so long as LAC of the faith have top priority) but the DBE advises schools **not** to make this distinction in their policies and instead to include all LAC children in a single category 1.

Schools have a great deal of flexibility in choosing the order of the remaining criteria but should regularly consider their impact. For example, it is harder to demonstrate inclusivity if the school has a much lower percentage of pupil premium children than other local schools or if local children living very close to the school have little chance of obtaining a place there.

Admission policies often include oversubscription criteria that were set some time ago, when the local context was very different. All admission policies should be regularly reviewed to make sure that they are still meeting the needs of the school and the community it serves. For example, if certain categories are never or only rarely used, it is important to properly consider whether they are still needed at all.

### b. Faith criteria

#### Basic principle

Schools with a religious character are exempt from some aspects of equality legislation (specifically, the prohibition of discrimination on the grounds of religion or belief), which means it is lawful to make a decision about whether or not to admit a child on the basis of religion or belief, where the school is oversubscribed.

#### Defining religious commitment

'Membership of' or 'commitment to' a church is difficult to define objectively and apply fairly and consistently. DBE advice is that only frequency of attendance at public worship should be used as a determinant of membership of a church or religious community. It is important to consider changing patterns of attendance and to ensure that single-parent

families and parents with irregular work patterns are not disadvantaged by unduly onerous attendance requirements. For example, it may be appropriate to include weekday worship rather than only counting attendance at a 'main' or Sunday service.<sup>2</sup>

Governing boards will need to consider which churches will be included in the faith-based criteria and to make sure that this is clearly set out in the policy. Does 'church' mean:

- the local parish church,
- other Anglican churches,
- other Christian denominations?

Please note that admission policies which name one or more specific churches may need to be varied if there is a later parish reorganisation. Governors should consider whether giving highest priority to those attending a specific church could cause unfairness to potential applicants, for example those who have recently moved into the area or whose personal circumstances have led them to choose to attend a different church. Governors should also consider whether there are any church schools serving adjoining parishes. They may wish to consider including attendance at worship at any Christian churches which are members of the Anglican Communion, Churches Together in England (CTE), the Evangelical Alliance and/or Affinity; if so, parents must be able to easily find out whether or not their church falls within this definition. Please note that not all Christian denominations/churches will meet the technical criteria for membership of these various organisations and the list may need to be adapted to reflect local circumstances.

Governors will need to make clear what they mean by attendance at a church (or other place of worship). 'Regular' attendance is too imprecise. Policies must spell out:

- the **frequency** of required attendance (e.g., weekly, monthly or whatever is locally agreed)
- the **required period** of attendance (e.g., 12 months)
- the **date** from which attendance is being counted (normally the date of application) and
- **whose** attendance is being counted; reference to 'family' attendance is too vague to be compliant and policies must be clear whether attendance by the child's "parents" means "both" or "at least one"

### Other faiths

Some church schools attract parents of other faiths who choose a church school because it recognises the value of faith and acknowledges the reality of the presence of God. Where a priority is given to families of other faiths, governors will need to consider carefully whether (and how) membership of and/or commitment to other faiths can be objectively and fairly defined and evidenced, particularly with respect to faiths without a

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<sup>2</sup> Schools wishing to include reference to any religious activity other than attendance at public worship must contact the Diocesan School Admissions Officer for specific guidance. Please note that schools may only take account of religious activities laid out in DBE guidance.

comparable emphasis on regular public worship. In practice, it is usually simpler to include children of other world faiths simply by giving high priority to any children living near to the school, irrespective of faith.

### **Periods of church closure**

Following the closure of churches due to the Covid-19 pandemic, many schools with attendance-based faith criteria in their admission policies adopted a standard form of wording in their policies which allowed for periods of church closure to be disregarded. This wording remains part of a school's admission arrangements unless and until the school consults to remove it in the usual way. DBE advice is to retain this wording (or to add it, if not already included), in case of any future periods of national or local church closures which could otherwise render the criteria unworkable. Please note that the provision is not intended to cover planned parish reorganisations affecting specific churches named in oversubscription criteria; the relevant criteria should instead be revised (or removed completely) via an admissions consultation, in the normal way.

### **Supplementary Information Forms**

Schools may use Supplementary Information Forms (SIFs) in order to obtain evidence about religious affiliation. (See also Section VI of this guidance for general advice on SIFs). It is essential that SIFs exactly reflect the main policy wording and, for example, do not ask clergy to certify 'family' attendance when the policy asks only for attendance by one parent or carer. SIFs should also not ask for additional information from the parent (or clergy) that goes beyond the wording of the attendance criterion (e.g., questions about 'commitment to the church' in general or asking parents to sign the SIF to say that they will uphold the school's ethos). SIFs should include a reference to any provision in the main policy about the disregarding of periods of church closure when calculating attendance and should make clear whether or not it is the parents' responsibility to obtain the required certification from clergy.

### **c. Open/foundation place model**

A small number of diocesan schools use this model in their oversubscription criteria. A proportion of places are allocated as 'foundation' places (on the basis of religious affiliation) while the rest are 'open' places. This model is more complex to formulate and implement and the DBE advises that it should only be used if, locally, there is a real risk that not to do so would unfairly jeopardise the chances of a particular group or groups of children being offered a place at the school. Schools looking to use this model are advised to contact the DBE for specific advice.

Note: new Free Schools and new (as opposed to converter) academies with a designated religious character must offer at least 50% of places as 'open' places, without reference to faith, and in these cases a foundation/open model is the only possible model to use.

#### d. Non-faith criteria

Some of the most common non-faith criteria are:

##### **Siblings**

A full definition must be included, to reflect the complexities of modern family life. Many schools choose to mirror their local authority's definition of 'sibling'.

##### **Catchment children**

Any catchment area must be clearly defined, for example by reference to an easily accessible map or list of street names with postcodes. Current ecclesiastical (i.e. church rather than civil) parish boundaries can be checked by reference to [www.achurchnearyou.com](http://www.achurchnearyou.com). Links to local authority search tools which link a specific postal address to a named catchment school but do not show catchment boundaries are not sufficient to define a catchment area.

Catchment areas should be regularly reviewed, to make sure that they reflect changing local needs, such as new housing developments and parish reorganisations. Any catchment changes **must** be consulted on.

##### **Children whose home address is nearest to the school**

The policy must clearly explain how distance will be calculated and what happens if two children live the same distance away (for example, in a block of flats).

'Home address' must also be defined and include an explanation of how the child's address will be determined if the child lives at more than one address.

##### **Feeder schools**

Feeder schools (which must be state schools) must be named in the policy and the choice of school(s) must be made on reasonable grounds.

##### **Exceptional social and/or medical needs**

If an admission authority wishes to use this criterion, then the policy must make clear the test that will be applied and the kind of evidence that will be required. If the local authority's wording is used, then care must be taken to adapt the wording for use by a specific school.

##### **Children of staff**

This is an exception to the usual rule that children cannot be awarded places on the basis of their parents' occupation. The exception only relates to staff employed at the school itself (so an academy cannot prioritise the children of staff working at other schools in its MAT) and is limited to:

- Staff employed at the school for two or more years at the time of application; and/or
- Staff recruited to fill a vacant post at the school for which there is a demonstrable skill shortage

The admission arrangements should explain to which staff the priority will apply (e.g., does it relate to teaching/permanent staff only?) and define 'child' (e.g., does it include children of a staff member's partner?). Where relevant, they must also explain how a member of staff can find out, before making an application, whether or not their role falls into the 'demonstrable skill shortage' category.

#### **Children eligible for the pupil premium, early years pupil premium or service premium**

The Code allows schools to give priority to these children and the DBE would encourage schools to consider doing so; please note that, for service premium, it is entitlement to the premium that counts and not the current occupation of the parents.

#### **Any other children**

This final criterion is needed in order to take account of any children not falling into one of the higher priority criteria.

The Code sets out a list of oversubscription criteria that must **not** be used. These include giving priority based on parents' occupation, other than staff children (so a priority for children of clergy is **not permitted**).

The Code doesn't expressly prevent schools from giving priority to children in the **school's nursery**, however it can in practice be difficult to achieve this in a way that does not unfairly disadvantage local children who do not attend the nursery. Schools are advised to contact the DBE for specific advice if they are considering this as an option.

### **e. How applications are prioritised**

The policy must make clear how applications will be prioritised if there are more applications than available places in any given oversubscription criterion. Many schools use distance from the child's home address to the school to prioritise applications within criteria but there are other possible options. If distance is used, there must also be a tie-break to deal with a situation where two children live exactly the same distance from the school

## **III. Drawing up admission arrangements**

Admission arrangements must be clear and easy to understand and include all the information set out in the checklist provided in the resource pack accompanying this guidance (the pack also includes example policies which may be of use when drafting school admission policies). Schools must publish their admission arrangements on their school website and most choose to have a designated Admissions page, with all the relevant policies and forms and a link to the Admissions page of the local authority website. Schools should make sure that uniform costs and other school policies do not inadvertently create barriers to parents considering applying for a place for their child at the school.

## IV. Determination and consultation process

Admission policies are set well in advance of the academic year they relate to (see the annual timetable for setting admission arrangements provided in the resource pack accompanying this guidance).

### Consultation

Governing bodies who are the admission authority for their school must consult if they propose any significant changes to their admission policy for the next admission year and must in any event consult **at least once in every seven years**, even if no changes are planned.

Governing bodies **must** discuss their proposed admission arrangements with the Diocesan School Admissions Officer before any public consultation is launched.

Some Local Authorities will coordinate some aspects of the consultation process on behalf of schools, if they are given enough notice about the proposed consultation, but they may charge for this service. Governing Bodies will normally still be responsible for circulating proposals within the local community. Schools planning to consult can contact the Diocesan School Admissions Officer for advice on statutory requirements.

Consultation must be for a minimum period of 6 weeks between 1<sup>st</sup> October and 31<sup>st</sup> January. For the duration of the consultation period, the policy must be published on the school website, together with the details of the person to whom comments may be sent and the deadline for doing this.

### Determining final arrangements

Each year, whether they consult or not, governing bodies must determine (i.e., formally approve) their admission arrangements, for entry in the September of the relevant academic year and record this in their minutes. This must be completed by **28<sup>th</sup> February**, after the governing body has considered any comments and objections from consultees. Governors should keep a record of all correspondence and communication during the consultation process as an evidence trail in case of an appeal or objection. Governors **must** send a copy of their determined arrangements to the Diocesan School Admissions Officer.

### Publication

Once determined, admission arrangements must be published on the school website by 15<sup>th</sup> March each year and can only be changed within the school year if necessary to comply with a mandatory requirement of the Code, a decision of the Schools Adjudicator or to correct a misprint. If there is a major unexpected change in circumstances and a strong case for changing the arrangements mid-year, VA and foundation schools can apply to the Schools Adjudicator for a permitted variation. There is a separate notification process for this. Academies and free schools must seek agreement for a variation from the Secretary of State.

## V. Published Admission Number (PAN)

Schools are not currently required to consult if they wish to increase their PAN, though they must inform the LA of their decision. However, schools must consult if they decide to reduce their PAN and should discuss this with the DBE and the LA before making any such proposals. **The PAN only applies to the normal year of admission.** It cannot be used to refuse a place in other year groups. A refusal to admit to other year groups must be on the basis that to admit an additional pupil will prejudice the efficient provision of education and use of resources (which, for infant classes, includes the steps that would have to be taken to avoid a breach of the Infant Class Size Limit legislation). A school can have more than one normal point of entry and so more than one PAN (e.g. a secondary school with a sixth form must set a PAN for year 7 and a separate PAN for external applicants for year 12).

## VI. The application and allocation process

It is important to remember that admission decisions are taken by the admission authority itself. However, the processing of applications can be delegated to the local authority. Admission decisions (other than Fair Access Protocol admission decisions) cannot be delegated to the headteacher or other school staff, or to a single governor.

### Main admissions round applications

All applications for entry to Reception, Year 7 (and, in the case of junior schools, Year 3, and middle schools, Year 5) are coordinated by local authorities and the timetable is set nationally. Own admission authorities (OAAs) will be asked to provide details of their admission arrangements annually, so that these can be published on the LA website. Parents must apply online to their home local authority, within the application window, and OAA schools will be asked to consider and rank applications once the closing date has been reached. The local authority's website will set out details of how late applications are handled and how the initial continuing interest rounds will work.

### SIFs

Schools will need to agree with LAs how any supplementary forms requiring additional information are to be received or submitted. Some local authorities (e.g., Central Bedfordshire and Bedford Borough) ask applicants applying under church attendance criteria to complete centralised Religious Affiliation Forms/Declarations, submitted with or as part of the Common Application Form (CAF), in which case a separate SIF will be unnecessary (unless other criteria require additional evidence). Admission policies should make clear the implications of not completing a SIF, where one is required.

SIFs must not ask for any information which is already available from the CAF or ask both parents (or the child) to sign the form. Proof of birth date can only be requested **after** a place has been allocated.

### **In-year applications**

Most local authorities also offer OAA schools the option to be part of their co-ordinated in-year scheme and the decision whether or not to join any such scheme must be made annually by 1<sup>st</sup> August. All in-year admission decisions must be made by the governing body (or an admissions committee with delegated powers). All applications must be properly considered, no matter how many children are already in the relevant cohort, and no prospective parent should be denied the opportunity to make an application on the grounds that the class is already 'full'. Schools that choose to handle their own in-year applications will need to provide a suitable application form; it is very important that this asks only for information relevant to admission decisions.

## **VII. Waiting lists**

Schools are required to maintain a clear, fair, and objective waiting list until at least 31<sup>st</sup> December of each school year of admission. The list must be drawn up in accordance with the published oversubscription criteria and re-ranked each time a name is added to or removed from the list. If a place becomes available, this must be offered to the child with highest priority under the published oversubscription criteria. Priority must not be given to children based on the date their application was received or their name was added to the list. Any LAC children or those to be admitted under the Fair Access Protocol must take precedence over all others on the waiting list.

## **VIII. Appeals**

All unsuccessful applicants have the right to appeal, and an appeals timetable must be published annually on the school's website. Full information about the right to appeal must be included in any refusal of a place. Schools that handle their own in-year applications must set out on their website when parents will be notified of the outcome of their applications and details about their right to appeal. Some local authorities will carry out the administration of appeals on behalf of OAAs but may charge for doing so. There is no statutory right of appeal against a refusal of a nursery place or a decision not to admit a child to a year group which is not the child's chronological year group. Schools are welcome to contact the Diocesan School Admissions Officer for advice in relation to admission appeals and example appeal statements for Reception, KS1 and KS2 appeals can be found in the resource pack accompanying this guidance.