



Department
for Education

Coronavirus (COVID-19): Advice on varying the admission arrangements of faith schools

June 2021

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WITHDRAWN

Latest updates and reviews

This guidance has been updated to provide guidance to admission authorities for state-funded schools on varying 2022/23 admission arrangements. The guidance includes more detailed advice on the variation process than was included in the previous version.

Summary

Admission authorities for state-funded schools designated as having a religious character may use faith-based oversubscription criteria in their admission arrangements and allocate places by reference to faith membership or practice when the school is oversubscribed. The decision as to whether to include such criteria, and how parents must demonstrate membership or practice of the faith, is a decision for the admission authority, in consultation with the relevant body or person representing the religion or religious denomination.

Some admission authorities define membership or practice of the faith as regular attendance at a place of worship over a specified period by parents and their children, as laid out by their religious authority. During the coronavirus (COVID-19) pandemic, there have been periods when the opening of places of worship (especially for public or communal worship) was restricted and many parents and their children will have been unable to attend as normal. This has meant that schools designated as having a religious character, with admission arrangements that prioritise applicants based on regular attendance at a place of worship and/or at public or communal worship, may find their admission arrangements do not work as originally intended for September 2022. As a result, some admission authorities may need to seek a variation to their admission arrangements to ensure parents are clear on what they need to do to meet the relevant criteria.

Significant numbers of schools designated as having a religious character varied their admission arrangements for 2021 so that they could take account of periods during which there were restrictions on gatherings at places of worship. These schools are unlikely to need to vary their 2022 admission arrangements.

Expiry or review date

This guidance applies to admission arrangements for entry in September 2022 and beyond.

Who is this publication for?

This guidance is non-statutory. It is intended for admission authorities of state-funded schools designated as having a religious character which consider they will need to make changes to their admission arrangements for September 2022 entry to account for the period where access to places of worship and/or to public or communal worship was further restricted in 2021 as a result of the COVID-19 pandemic.

It is also relevant to local authorities as coordinating bodies for school admissions.

Admission Arrangements Variations

1. The admission arrangements relevant to children entering school in September 2022 will have been determined before the end of February 2021. In normal circumstances, once admission arrangements have been determined for a particular academic year, they cannot be revised by the admission authority. However, in accordance with paragraph 3.6 of the [School Admissions Code 2014](#) ('the Code'), admission authorities may propose variations where they consider such changes to be necessary in view of a major change in circumstances.
2. The Schools Adjudicator (for maintained schools) or Regional Schools Commissioner ('RSC') on behalf of the Secretary of State (for academy schools) will consider each application for an admissions variation on its merits. The COVID-19 pandemic is a major event so it is likely that the Schools Adjudicator or RSC would consider this as justification for necessary changes to arrangements.
3. If an admission authority for a school designated as having a religious character considers that it needs to vary its 2022 admission arrangements, as a result of the closure of places of worship or restriction of access to those places, it should first contact the body or person representing the religion or religious denomination. Some schools designated as having a religious character are 'non-denominational' and do not have such a designated faith person or body to contact.
4. Some religious bodies have already considered the implications of the periods when the opening of places of worship were restricted, and will be able to offer their schools further guidance and support.
5. Last year, religious authorities co-ordinated variation applications where large numbers of their schools were seeking to vary their admission arrangements. It would be helpful to the schools adjudicator and RSC if they could do so again, where appropriate. If they do so on behalf of school admission authorities, their applications should provide evidence of the admission authority consenting to the variation.

6. Academy school admission authorities would need to seek an in-year variation from their relevant RSC who decides variations on behalf of the Secretary of State. The admission authority should send its request to Academy.QUESTIONS@education.gov.uk.

7. Maintained school admission authorities would need to seek an in-year variation from the Schools Adjudicator via [this website](#).

8. There is an [online form on the adjudicator's website](#) for requesting an admissions variation. Admission authorities for maintained schools should complete this form and submit it to the adjudicator. Admission authorities for academy schools should also use this form, but they submit it to the Academy Questions mailbox.

9. When requesting variations, admission authorities should:

- provide information on what the major change is that necessitates the variation
- be clear as to the exact changes they want to make to their admission arrangements (including any supplementary information form)
- when they want changes to come into effect and
- that they have informed the relevant persons/bodies that they have applied for a variation

10. If the body or person representing the religion or religious denomination has provided views on the proposed variation, then the admission authority should make these views clear in its application. For maintained schools, the religious bodies are set out in schedules 3 and 4 of the [School Admissions \(Admission Arrangements and Co-ordination of Admission Arrangements\) \(England\) Regulations 2012](#) and for academy schools, the religious body is usually named in their funding agreements.

11. The Schools Adjudicator or the RSC, on behalf of the Secretary of State, will consider each application for an admissions variation on its merits. They will need to be satisfied that there has been a major change in circumstances since the arrangements were determined in February 2021 and that the changes requested are the minimum necessary.

12. Each local authority is required to publish its composite admissions prospectus by 12 September 2021 but it is possible for amendments to be made after this date. Whilst it would be helpful to parents if varied arrangements were in place by the deadline for publication, this may not always be possible. It is essential that parents have adequate time to consider any varied admission arrangements sufficiently in advance of the closing date for applications (15 January 2022 for primary schools and 31 October 2021 for secondary schools), so that parents can begin to consider their options on the basis of up to date information. As a result, due to the time it might take to process numerous

variations, it would be helpful if variation requests were submitted as early as possible but, at the latest, by the following dates:

- primary schools – November 2021
- secondary schools – September 2021

13. To vary their admission arrangements, admission authorities must follow the process set out in paragraphs 3.6 and 3.7 of the Code:

- where the local authority is the admission authority it must consult the school's governing body¹
- the admission authority should inform the appropriate bodies/persons listed in footnote 61 and paragraph 1.44 (c), (d) and (f) of the Code as to which changes are being requested and how these will change the admission arrangements. It should provide evidence these groups have been informed of the proposed changes with its application

14. If the RSC or Adjudicator approves the variation, the changes must be published as revisions to the admission arrangements and the amended arrangements must be displayed prominently on the school's website².

15. The admission authority should inform its local authority of any changes, should ensure the body or person representing the religion or religious denomination is informed, and use any other methods it normally uses to inform local parents of changes.

16. The local authority should amend its online admissions prospectus to include the varied admission arrangements. The admission authority and the local authority should ensure that what is published on the school's website and the local authority's website is consistent.

17. Admission authorities wishing to make changes to their admission arrangements for September 2022 entry should be clear that the process set out in paragraphs 1.42-1.49 of the Code would not permit them to revert to their previous arrangements for September 2023 unless they had already begun their consultation by 21 December 2021.

¹ Paragraph 3.6 of the Code

² Paragraph 3.7 of the Code



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