



army families federation

the voice of army families

Briefing

July 2013

Access to school places in advance of move

Current Department for Education (DfE) policy prevents Army families from accessing school places in advance of moving into an area if they are unable to use their own address and the Unit address is in another Local Authority(LA). AFF believes that this policy disadvantages Army families and that no forward planning is available under the current legislation. This may have a detrimental effect on their children's education and causes unnecessary stress for all concerned.

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Background information

A number of Army families have contacted AFF concerning difficulties in applying for school places in advance of their move. They have been told that they must wait until they actually live in the area. This applies to more than one LA in England. This is not a new issue but it is one that has not been addressed by the Schools Admissions Code 2012¹.

The issue

Families can use their Assignment Order Unit address to be allocated a school place by the LA. If the family are to be housed anywhere else, whether in Service Families Accommodation (SFA), Substitute Service Families Accommodation (SSFA) or their own home then this becomes a futile option. Currently, there is a system in place whereby the address (either Unit or home) is the Home Authority for the family and if they want to apply for a school in another authority, the Home Authority sends the paperwork on their behalf. We have evidence to suggest that Home Authorities will not do this for Unit addresses so families must wait until they are living in the area. This allows for no forward planning and may have a detrimental effect on the child's education.

The Schools Admissions Code 2012

Paragraph 2.18 from the *Schools Admissions Code 2012* states,

‘Children of UK Service personnel (UK Armed Forces) - For families of Service personnel with a confirmed posting to their area, or crown servants returning from overseas to live in that area, admission authorities must:

a) allocate a place in advance of the family arriving in the area provided the application is accompanied by an official letter that declares a relocation date and a Unit postal address or quartering area address when considering the application against their oversubscription criteria. This must include accepting a Unit postal address or quartering area address for a Service child.

Admission authorities must not refuse a Service child a place because the family does not currently live in the area, or reserve blocks of places for these children;

b) ensure that arrangements in their area support the Government's commitment to removing disadvantage for Service children. Arrangements must be appropriate for the area and be described in the Local Authority's composite prospectus.’

The reality for families

The Schools Admissions Code 2012 can be interpreted in a variety of ways. This means each Admissions Authority (either the LA for maintained schools or the schools themselves for academies and free schools) is able to interpret the code as it sees fit creating disparity across both the country and within the local area, and evidence suggests that families suffer from disadvantage as a direct result of this.

Admissions Authorities are increasing in number dramatically due to the numbers of academies and free schools opening which in turn raises issues over the availability of school places and admission criteria. The ISOS Partnership *Action Research into the Evolving Role of the Local Authority in Education*² report speaks of both these issues and states,

‘...with the number of academies growing rapidly, many more schools are acting as their own admission authorities.’

¹ <http://www.education.gov.uk/aboutdfe/statutory/g00213254/school-admissions-code-2012>

² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/184055/DFE-RR224.pdf

SSFA

Families cannot apply for school places until they are resident in the area. SSFA brings its own issues as families have as little as two weeks notice beforehand if moving from within the UK. This is an incredibly short timeframe for applying for a school place with absolutely no preparation time for the child at all.

Further difficulties

In some cases, families are forced to appeal because they applied so late and there are no local places for their children. According to evidence submitted to the Defence Select Committee this year³, the Children's Education Advisory Service (CEAS) helped 198 families in 2012 with appeals and 143 were successful.

Further difficulties are that LA's cannot also hold places open for more than a set number of weeks - again different in every Admissions Authority. This affects families who are moving on a normal assignment and also for those made redundant or retiring.

If LA's state that they can place children quickly in schools of choice for the majority in a matter of days, then AFF feels they need to convey this to families as our evidence suggests otherwise and that the appeals system continues to be widely used.

Assignment Orders which are required by the LA could, depending on the appointment, contain sensitive information not suitable for sending to a LA. They also have no residential address on them or the date of when the family actually moves which is the information that the LA need. An official letter from APC Glasgow is much more suitable and could be personalised to explain why the soldier may not necessarily live on the doorstep of the new assignment.

Collaborative working

I asked for a response from the DfE and received the following reply:

'Paragraph 2.18 of the School Admissions Code requires UK Service personnel to have a confirmed posting in the admission authority's area for a school place to be allocated in advance. So if, for example, a soldier is posted to Catterick and the family is therefore moving to Catterick then 2.18 would apply. It would not apply if the soldier was being posted to Germany and the family remaining in the UK. Armed Forces personnel leaving the Services would not have a confirmed posting for a particular area and therefore 2.18 will not apply.'

You should also note paragraph 2.18 merely ensures that the process for allocating a school place starts in advance of the family arriving in the area. It offers no automatic admission priority to children of UK Service personnel. Service children do as you know attract Pupil Premium funding and may be given admissions priority in the oversubscription arrangements of some Academies. Not all do so as it is for each admissions authority to decide whether to include this priority in their admissions arrangements.'

All maintained schools (including faith schools) are required to comply with the School Admissions and Appeals Codes. Academies (including Free Schools) are required to comply as a condition of their funding agreement. All maintained schools including Academies are required to comply with the local Fair Access Protocol which ensures that outside the normal admissions around unplaced children, especially the most vulnerable are offered a place at a suitable school as quickly as possible.'

³ <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmdfence/586/130416.htm> Q380

The MOD's Directorate of Children and Young People (DCYP)

AFF has contacted both to the Directorate and a representative in the CEAS. They have been helpful and supportive and are actively working on behalf of families to get the wording changed. DCYP are writing a report on this issue.

The human impact

AFF has been contacted by a soldier who asked the Minister for Defence Personnel, Welfare and Veterans, The Rt. Hon. Mark Francois MP to help him with school places in Lincolnshire at the Germany conference in June 2013. He applied in February for a school place from his home in Germany, knowing that he was moving into his own home in August. He has been unable to secure a school place as he doesn't live in the area despite wanting to plan for his family in advance. It is unlikely that he will secure a place before the first day of term and his family is unable to prepare in any way for the new school.

The future

With the New Employment Model (NEM) in mind, families are being encouraged to settle down in one area. These families regard being able to find the right school as of the utmost importance but due to Assignment Orders they may not be able to compete for places within the normal admissions round. The RSA report *Between the Cracks*⁴ states that,

‘an in-year mover was more than three times as likely to move to a low performing secondary school as move to a high performing school.’

Conclusion

Families are still being told they cannot apply for a school place until they reside in the area leaving inadequate time for a child to start school on the first day of term or in a timely manner.

The Assignment Order is of limited or no use if the catchment area is in a totally different area and a list of recognised accepted paperwork should be drawn up to include those families who are moving into their own home.

The School Admissions Code 2012 is worded in such a way that it does not address the particular issues of mobility on Service families, and this needs to be made more specific. The Defence Select Committee Report entitled *Armed Forces Covenant in action? Part 3: Educating children of Service Personnel*⁵ was published on 23 July 2013. AFF was actively involved in submitting evidence to this report. The following is quoted from this publication.

‘The nature of Service life means that families are required to be mobile if they are to accompany the Service parent. This mobility has major impact on the continuity of children's education; in particular, parents can find it difficult to get their children into the school of their choice.’

The number of Admissions Authorities is increasing, potentially exacerbating the issue of interpretation.

⁴ <http://www.thersa.org/action-research-centre/learning.-cognition-and-creativity/education/reports-and-events/social-justice/between-the-cracks>

⁵ http://www.aff.org.uk/army_family_life/education_childcare/legislation_policy.htm

AFF VIEW:

AFF feels that mobile Army families are disadvantaged when applying for school places under the current wording of the Schools Admissions Code. AFF requests that the Minister for Defence Personnel, Welfare and Veterans liaise with other Government departments and SMEs in order to change the wording of the code and help these families. We would also like the Armed Forces Covenant Reference Group to look at this issue and work to negate the clear disadvantage to Army families.

The Rt. Hon. James Arbuthnot MP, Chair of the House of Commons Defence Select Committee says,

'The Government should explain how it intends to resolve the conflict between the Armed Forces Covenant, which says that Service children may need special arrangements to access school places, and the Schools Admissions Code which sets out a strict timetable and criteria for admissions.'