

Prohibition of unfair oversubscription criteria

Paragraph 2.13

In setting oversubscription criteria the admission authorities for all maintained schools **must not**:

- a) stipulate any conditions that affect the priority given to an application such as taking account of other preferences for schools. For example, by saying that priority will be given if all or some other preferences are for a school with particular characteristics (e.g. other schools are of a particular religious denomination). This includes criteria often described as 'conditionality';
- b) give priority to children according to the order of other schools named as preferences by their parents, including 'first preference first' arrangements;
- c) give priority to children according to their parents' willingness to give practical support to the ethos of the school or to support the school financially or in some other way;
- d) give priority to children according to the occupational, financial or marital status of parents;
- e) give priority to children according to the educational achievement or background of their parents;
- f) take account of reports from primary or nursery schools about children's past behaviour, attendance, attitude or achievement;
- g) discriminate against or disadvantage children with special educational needs or disabilities;
- h) allocate places at a school on the basis that a sibling or other relative is a former pupil, including siblings who were on roll at the time of application but will have left by the time the child starts school;
- i) take account of the behaviour of other members of a child's family, whether good or bad, including a good or bad attendance record of other children in the same family;
- k) give priority to children whose parents are current or former staff or governors or who have another connection to the school, subject to paragraph 2.14 below;
- l) give priority to children according to their, or their parents' particular interests, specialist knowledge or hobbies. This does not include taking account of membership of, or participation in, religious activities for faith schools providing this is consistent with this Code and guidance issued by the faith provider body/religious authority;

- m) give priority to children based on the order in which applications were received;
- n) in the case of designated grammar schools that rank all children according to a pre-determined pass mark and allocate places to those who score highest, give priority to siblings of current or former pupils;
- o) in the case of schools with boarding places take account of a child's suitability for boarding (see paragraphs 1.74 to 1.75 and Appendix 6 of this Code).