Community and Controlled Schools First/Primary School Admissions Policy for 2023/24

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WORCESTERSHIRE CHILDREN FIRST

Contents

Community and Controlled Schools First/Primary School Admissions Policy for 2023/24 1
Contents 2
Admissions Criterion for Community and Voluntary Controlled First/Primary Schools: 3
Definitions 3
Children Looked after and previously Children Looked after, including those who appear to have been in state care outside of England and ceased to be in state care as a result of being adopted. 3
Catchment area 3
Siblings 4
Children of Staff 4
Straight Line Distance 4
Multiple Births 4
Late Applications including changes to on time applications 4
Waiting Lists 5
Appeals 5
Second Appeal 6
Admission of children into Reception 6
Shared Catchment Areas 7
Fair Access Protocol 7
'In Year' transfer arrangements 7
The procedure for in-year admissions for Worcestershire residents is as follows; 7
Admission of Children outside of their normal age group 8
Parental Responsibility and what is considered to be the Home Address 8

Admissions Criterion for Community and Voluntary Controlled First/Primary Schools:

1. **Children Looked after** and **previously Children Looked after** including those who **appear to have been in state care outside of England**;
2. **Catchment Area Siblings;**
3. **Catchment Area Children of Staff**;
4. **Catchment Area**;
5. **Out of Catchment Area Siblings**;
6. **Out of Catchment Area Children of Staff**
7. **Out of Catchment Area.**
8. **Distance**

In each criteria, children will be ranked in accordance with **Straight Line Distance**.

In accordance with legislation, a child with an Education, Health and Care Plan will be offered a place at the school named in the Plan, this will be prior to the allocation of any other places, wherever possible, and could reduce the number of places available.

Definitions

Children Looked after and previously Children Looked after, including those who appear to have been in state care outside of England and ceased to be in state care as a result of being adopted.

'Looked after' means all those currently in the care of a Local Authority or accommodated by a Local Authority under the terms of the Children Act 1989 and children who were previously in the care of or accommodated by a Local Authority but immediately after being looked after, became subject to an adoption, a child arrangements order or special guardianship order and includes those children who appear to have been in state care outside of England and ceased to be in state care as a result of being adopted. By children previously in state care outside of England, we mean children who have been looked after outside of England by a public authority, a religious organisation or another provider of care whose sole purpose is to benefit society. The care may have been provided in orphanages or other settings. Independent supporting evidence will be required to be provided with the application.

Catchment area

It is the school allocated to take children for the geographical area within which your address falls. It is likely to be the school nearest to your home address but this will not always be the case. **There is no guarantee you will be allocated a place at your catchment school**. Copies of catchment area maps, if required are available from the LA, or can be viewed in schools. **To find the catchment school for a postcode visit this web page** **Search for a School Catchment by Postcode (opens in a new window)**

In the event of a school catchment area change being approved, pupils who would still have a sibling connection (see below for definition) at the time of admission and who are living at the same address in the previous catchment area for a school, (but not within the revised catchment area), at the time the change was approved will be considered as living within the catchment area.

Siblings

A brother or sister of pupils attending the school. In order to qualify for a place on the grounds of a sibling attending the school, the sibling must already be attending the school at the time of application and still be attending at the time of admission.

The sibling connection, as well as brother and sister will include half-siblings, adopted children, step-siblings or a child of the parent/carers partner. They must also be living at the same home address. Children who are brought together as a family by a civil partnership and who are living at the same address, are also considered to be siblings.

Children of Staff

Children of any member of staff employed at the mainstream school in either of the following circumstances:

a) Where that member of staff has been employed for two or more years at the time at which the application for admission is made, or

b) the member of staff is recruited to fill a post for which there is a demonstrable skill shortage;

Straight Line Distance

The measurement will be taken using the GeoCode Points for each property and the GeoCode point for the School. The Local Authority uses a software package called Arcview GIS to determine distance. Ordnance Survey supplies the co-ordinates that are used to plot an address within this system. (In the event of equi-distance applicants, any place will be allocated by random selection (lottery). Legal And Democratic Services, who are totally independent of School Admissions will supervise this process).

Multiple Births

In the event that one or more but not all children from that multiple birth can be allocated a place(s), all of the children from that multiple birth will be admitted even if this takes the school over PAN. In circumstances where no children from a multiple birth can be offered a place and parents/carers appeal against the decision, parents are advised to note, that all appeals are dealt with on their own merits and independent appeal panels are not obliged to allow all children from a multiple birth to be admitted, if one appeal is successful.

Infant Class Size Legislation

Legislation is in place to ensure that, Infant classes in Key Stage One, (those where the majority of children will reach the age of 5, 6 or 7 during the school year) must not contain more than 30 pupils with a single school teacher. There are a number of limited exceptions to the Infant Class Size legislation, including children of UK service personnel admitted outside the normal admissions round, children with Education Health Care Plans, looked after children, children with special educational needs who are normally taught in a unit attached to the school, where a procedural error has occurred, children admitted following successful appeal and children admitted outside of the normal admissions round where no other place is available.

Late Applications including changes to on time applications

Between 16th January 2023 and 28th February 2023, it is likely that a number of late applications will be received. The Council has agreed in its co-ordinated scheme to accept

late applications, for Community and Voluntary Controlled Schools within Worcestershire, within this time-frame, and treat them as being on time, only in the following circumstances;

a) where a family have just moved address, (refer to Section 8B of the Information for Parents book);

b) where it is agreed by School Admissions, that individual circumstances apply and the delay was reasonable given the circumstances of the case;

In each case supporting documentary evidence will be required. **In all other circumstances, or if the application is not received until after 28th February 2023, late applications (including late changes to on time applications) will receive a lower priority, and will only be considered after the applications received (or deemed to be) on time.**

NB. If the late application is for an Academy, Foundation, Free and Voluntary Aided School, or a school outside Worcestershire, it will be necessary to refer to the late application policy of the school or the LA, in whose area the school is located.

All applications received after 28th February 2023 for the intake year, must be sent to Worcestershire LA, and will be processed as soon as possible. An offer, or refusal of a school place, will be given by Worcestershire LA, on behalf of the relevant admission authority.

Waiting Lists

Waiting lists for Community and Voluntary Controlled Schools are maintained by the School Admissions Section, and parents need to apply, in order to be included.

The waiting list is ranked in line with the published oversubscription criteria and is maintained for the whole of the academic year, so for applications for intake in September 2023, the waiting list will remain open until the 31st July 2024. Each child added to that list will require the list to be ranked again in line with the published oversubscription criteria. Parents will need to reapply at the start of July 2024 if they wish to be included on the new waiting list for the new academic year, by completing a fresh application form, a CA1 form. Only on receipt of an acknowledgement letter from School Admissions will that child be on the list.

Appeals

If the parental preference cannot be met, you may, if you wish, appeal against the decision. Appeals by parents, must set out the grounds upon which the appeal is made, and should be submitted in writing to School Admissions, by the deadline published on the Worcestershire County Council website at this link: Appealing an Admissions Decision (opens in a new window)

Appeals are heard by an independent appeal panel and whether your appeal is successful is likely to depend on the merits of your case.

Key Stage One Appeals subject to Infant Class Size Legislation

Department for Education (DfE) has suggested that admission authorities should make sure parents understand the nature and severity of the restrictions placed on Appeal Panels, when considering appeals for Key Stage One class size prejudice i.e. would mean the school would have to take qualifying measures (additional accommodation, reorganization or staffing) to comply with the legal duty to limit infant classes to 30 pupils for children in **Reception, Year 1 and Year 2.**

An appeal **WILL BE TURNED DOWN** unless 1 of the 3 clearly defined grounds set out below can be proven:

A) The child would have been offered a place if the admission arrangements (which are published in the "Information for Parents" book) had been properly implemented; or

B) The child would have been offered a place if the arrangements had not been contrary to mandatory provisions in the School Admissions Code and the SSFA 1998; and/or

C) The decision to refuse admission was not one which a *reasonable admission authority would have made in the circumstances of the case. *i.e. it was 'beyond the range of responses open to a reasonable decision maker' or 'a decision which is so outrageous in its defiance of logic or of accepted moral standards that no sensible person who had applied his mind to the question could have arrived at it'

To reiterate the Appeal Panel can only consider these three aspects of any Appeal relating to Key Stage One class size prejudice admission. This advice has been given by the DfE to provide you with a more realistic view of the limits imposed on the Appeal Panel, and to avoid any misconceptions you may have concerning the appeal process. In other words your appeal will be lost unless you can prove one of the VERY limited grounds above.

Second Appeal

The Code of Practice on School Admission Appeals, Section 5 (page 23) covers the issue of second appeals for the same school in the same school year. "Appellants do not have the right to a second appeal for the same school for the same academic year unless, in exceptional circumstances, the admission authority accepts a second application because of a significant and material change in circumstances."

Admission of children into Reception

Admission authorities must provide for the admission of children in the September following their fourth birthday. Where a place has been offered for a child at a school, that child is entitled to a full-time place in the September following their fourth birthday. The child's parents can defer the date their child is admitted, but not beyond the point at which they reach compulsory school age, and not beyond the beginning of the final term of the school year for which it was made. Where the parents wish, children may attend part-time until later in the school year, but not beyond the point at which they reach compulsory school age.

Shared Catchment Areas

If there is more than one catchment area school and the number of applications for places from within the catchment area for one of those schools exceeds the number of places available, the allocation of places for the shared catchment area will be decided according to the following priorities, in the following sequence:

1. **Siblings**;
2. **Children of staff;**
3. **Distance**.

Definitions of the above criterion are set out on pages 3 and 4.

Fair Access Protocol

As part of the Worcestershire Fair Access Protocol, which can be viewed at the following link: Fair Access Protocol (opens in a new window) , all schools with Key Stage 2, 3 and 4 classes can be required to exceed the published admission number to admit pupils covered by the Protocol.

'In Year' transfer arrangements

The procedure for in-year admissions for Worcestershire residents is as follows;

1. The Authority provides a **common application form (CA1)** for parents to apply for a place at any mainstream school in **Worcestershire**. Once completed, this must be returned to the School Admissions Team.
2. In addition to the **CA1** Form, some Voluntary Aided, Academy, Foundation or Free schools may require parents to fill in a supplementary form which may request information that allows them to apply their oversubscription criteria. If schools use a supplementary form these must be consulted on and published and also available from the Local Authority.
3. A supplementary form, where required, must be submitted with the **CA1** form. It will not be regarded as a valid application unless the parent has also completed the **CA1**.
4. Applications from parents for schools outside Worcestershire should be made direct contact with the school or the local authority in whose area the school is located to find out how they process in-year applications.
5. Parents will be invited to state up to three preferences on the **CA1** for schools in priority order and give reasons for those preferred schools. Preference order is not taken into account when applying admission criteria as the law requires all preferences to be treated equally.
6. Where a parent approaches a school directly the parent should be advised to complete a **CA1** and return it to School Admissions.

Parents or carers seeking to transfer to a school need to be aware that they are responsible for ensuring their child continues to receive appropriate education in the interim.

Admission of Children outside of their normal age group

Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health, effectively in the year group below or above their chronological age group. In addition, the parents of a summer born child may choose not to send that child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to Reception rather than Year 1.

The Local Authority must make the decision based on the circumstances of each case and in the best interests of the child concerned. The Local Authority will request the head teacher of the school to take account of the parent's views; information about the child's academic, social and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if it were not for being born prematurely in order to reach a decision as to whether or not it is appropriate for the individual child to delay or accelerate their entry into school and be taught outside of their chronological age group.

Parental Responsibility and what is considered to be the Home Address

In the case of Community and Voluntary Controlled schools, home is defined as the only or main permanent residential address, at the closing date for applications, where the child usually resides and which is the usual address of the parent/carer with main responsibility for the child.

Where parents/carers have shared responsibility, the child's home address will usually be considered to be that of the parent/carer with whom the child lives for the majority of the school week (eg three or more days out of five Monday to Friday during termtime). Where care is split equally, parent/carers must provide independent supporting documentary evidence to prove that care is equally split. In such cases the address used will be determined by random selection (lottery). Legal and Democratic Services who are totally independent of School Admissions will supervise this process.

Should more than one parent have parental responsibility for a child, both parents should be in agreement over the preferences expressed prior to the application being submitted. Where more than one parent submits an application for a child, or where there is a parent not in agreement with the preferences, the Local Authority and any admission authority applied for, legally has to comply with the preferences expressed. If this is not the same, then parents will have to seek resolution and if necessary legal resolution. It may be necessary for the courts to determine which parent can make the final decision on schooling. Failure to ensure agreement prior to submission, may result in a delay in any application being processed.

When submitting your application, as part of the terms and conditions, you will be required to confirm that parents are in agreement with the preferences expressed, this will also apply if you wish to transfer in year. If it is subsequently determined that agreement was not made prior to the application being submitted, it could result in the withdrawal of the offer of a place, if it is determined that the information supplied was intentionally misleading or fraudulent.