Arnesby Church of England Primary School

ADMISSIONS POLICY & PROCEDURES

(Affecting first time admissions for entry autumn 2021 and mid-term transfers from autumn 2021 onwards)

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Purpose of the Policy

This policy sets out the admission arrangements for the purposes of allocating school places at Arnesby C of E Primary School in an open and fair way.

Scope of the Policy

1.0 This policy sets out the admission arrangements that will apply to any applications for admission to Arnesby C of E Primary School.

1.1 For the purposes of this policy, parents and carers are collectively referred to as parents, which includes but is not limited to natural parents, those who have day-to-day care of a child and/or parental responsibility.

1.2 Where one parent objects to a school application made by the other parent, to prevent the application from being processed, the Leicestershire County Council School Admissions Service will require a court order. In such circumstances, the application will be paused for seven days (following a letter from a solicitor confirming a court order request has been submitted) to allow the objecting parent time to obtain the court order.

1.3 Leicestershire County Council (the council) will endeavour:

- ~ where possible to give priority for a place to those living in the school's catchment area (dependent on the parent applying at the appropriate time);
- ~ to give entitlement to a place in the preferred school if there is room;
- ~ to give entitlement to be considered according to the same priority criteria as other children where the preferred school is oversubscribed. The application will be determined in accordance with the priority criteria, where oversubscribed.

Legal Position & Other Requirements: Summary

2.0 Arnesby C of E Primary School is its own admissions authority and it must determine (confirm) its admission arrangements for subsequent academic years by 28 February following a formal consultation as prescribed in the National School Admissions Code.

2.1 In preparing its admission arrangements, Arnesby C of E Primary School adheres in full to the requirements and arrangements surrounding consultation and determination detailed within the School Admissions Code. Where any changes to admission arrangements are proposed, Arnesby C of E Primary School will undertake a minimum 6–week consultation period between 1 October and 31 January. Parents, schools and local groups with an interest in the local area must be consulted. Consultation is only required to take place every seven years if the admission arrangements have not materially changed since the previous consultation.

2.2 The council is required to co-ordinate applications for all residents in its area. To this purpose it has an approved scheme for co-ordination which is published on its website and Arnesby C of E Primary School will participate in full with the scheme.[1]

2.3 The council has a duty to provide school places for all pupils resident in its area. The council

[1] Co-ordination includes applications for first-time admission, transfer at the normal year of entry for Arnesby C of E Primary School, not mid-term (in-year) applications.

achieves this by giving high priority to catchment area children and by allowing parental preference wherever possible.

2.4 Parents have a right to express a preference for a school place, including where the child has an Education, Health and Care Plan. Parents must ensure their children receive suitable full-time education by attendance at school or otherwise; they are not obliged to do this before the child has reached compulsory school age.

2.5 Compulsory school age is from the term immediately following a child's 5th birthday, which means:

- ~ a child turning 5 between 1 September and 31 December must start school no later than from the start of the spring term (January);
- ~ a child turning 5 between 1 January and 31 March must start school no later than from the start of the summer term (April);
- ~ a child turning 5 between 1 April and 31 August must start school no later than the following autumn term (September).

2.6 Arnesby C of E Primary School has an admission number relevant to normal points of entry, ie reception, with careful consideration being given to the relationship between admission limits and infant class size requirements. Arnesby C of E Primary School's admission number is 10.

2.7 Arnesby C of E Primary School will only admit children up to the admission number except in certain limited circumstances (see Section 4 and 16) and will ordinarily consider that anything over and above that number would be prejudicial to the efficient education and/or efficient use of resources.

2.8 Arnesby C of E Primary School must allocate any places according to objective and transparent criteria. Where the admission number has not been reached, Arnesby C of E Primary School will allocate a place at the school, except where paragraphs 17.10 regarding twice excluded pupils (reception aged children would be exempt) and 17.11 regarding children being considered under the fair access protocol apply.

The local authority Fair Access Protocol ensures that identified, vulnerable children who are not on a school roll are found a school place quickly and fairly, so that the amount of time they are out of school is kept to the minimum. The protocol also makes sure that all schools and academies admit their fair share of vulnerable children.

2.9 Parents who have their application refused have a right to appeal to an Independent Appeal Panel. The decision of an Independent Appeal Panel is binding on parents, the council and the governing board of the school.

2.10 The law requires that children with an Education Health and Care Plan (EHCP) that names a school in their plan are allocated the place and are not subject to conditions set out within this policy.

First Time Admissions

3.0 For first time admission, applications for a school place must be made by the relevant closing date during the academic year (between 1 September and 31 August) in which the child turns four, even if the child will not be of compulsory school age in September when they start school.

Parents can elect for children not to attend school at the start of the autumn term – for further information see section 5 to defer their child's start of school or see section 6 regarding delaying admission to the following academic year.

3.1 Parents living in Leicestershire must apply to the council for a school place. The best way to apply is by applying online through the council's website, however paper copies of the application form can be requested from the Customer Service Centre by calling 0116 305 6684.

3.2 Parents that do not live in Leicestershire, but are seeking a school place at a school within the area, can do so by applying through their home local authority. Those applications will be forwarded to the council for processing, in accordance with the co-ordinated admissions scheme (please see the council's website for a copy of the co-ordinated scheme).

3.3 All applications received by the closing date of 15 January will be considered first. Where there are more applications than places, these will be ordered in accordance with the approved priority criteria (see section 9). All late applications received after the closing date will receive the lowest priority and will be considered after those that have been received on time. In exceptional circumstances, late applications may be considered as on time where the parent is able to evidence the reason for lateness was beyond their control, ie children in care, forced re-location, new school opening etc. However, late applicant families who are already resident within the catchment area and have moved to another address within catchment will not be excepted children and will not be offered a place at the catchment school in those circumstances, if it is full.

Applications received beyond 4 weeks post-closing date cannot be considered under exceptional grounds, as it is too late to add them to the process and will be considered as a late application.

3.4 For those parents that live in Leicestershire, the council will confirm decisions for applications from the national offer date, 16 April, or on the next available working day if 16 April falls on a weekend/bank holiday.

3.5 For those parents that do not live in Leicestershire, the council will confirm decisions to the relevant home local authority who will in turn inform parents of the council's decision.

3.6 Places will be allocated up to the admission number. Where there are more applications than places, applications will be determined in accordance with Arnesby C of E Primary School's priority criteria (see section 9).

3.7 The council's decision will either be to offer a place at a school or refuse the place because: the school is full or because admission would breach the infant class size limit (in an infant or primary school see section 4). A refusal letter will also explain to the parent their right to appeal – for further information on appeals see section 13.

3.8 The majority of admissions to reception to all infant and primary schools is the September immediately following a child's fourth birthday (ie all children who have turned 4 before 31 August).

3.9 For the avoidance of doubt, and in compliance with the relevant regulations, an infant child (ie Foundation Stage, Year 1 or Year 2) who moves into a school's area after initial allocation decisions have been made and applies for a catchment place, will not be offered a place in their catchment school if the admission number has already been reached and the class to which they

would be admitted will already contain 30 children and there is an alternative school with space available in the relevant year group within 2 miles walking route of the home address.

3.10 Where an infant child moves into a catchment area and applies for the catchment school, and there is no other available school with places within 2 miles walking route of the home address, they will be an excepted pupil in the catchment school and may be offered a place at that school without breaching the infant class size rules. The council may require parents to provide proof of residence – see section 17.4 for more information.

Infant Class Size & Exceptions

4.0 Infant classes (Foundation Stage, Year 1 and Year 2) must not exceed 30 children per teacher[2] and applications for year groups which would cause that number to be exceeded will be refused. That includes where admission would cause the infant class size limit to be breached in the future.

4.1 There are a number of exceptions where children will not count for the purposes of calculating those 30 which are set out below. Children will remain as permitted class size exceptions for the duration of Foundation Stage and Key Stage One, or until the total number of children within the class drops below 30 per class.

4.2 The exceptions, as set out within the School Admissions Code are:

a) children admitted outside the normal admissions round with an Education, Health and Care Plans specifying a school;

b) looked after children and previously looked after children admitted outside the normal admissions round;

c) children admitted, after initial allocation of places, because of a procedural error made by the admission authority or local authority in the original application process;

d) children admitted after an independent appeals panel upholds an appeal;

e) children who move into the area outside the normal admissions round for whom there is no other available school within reasonable distance;

f) children of UK service personnel admitted outside the normal admissions round;

g) children whose twin or sibling from a multiple birth is admitted otherwise than as an excepted pupil;

h) children with special educational needs who are normally taught in a special educational needs unit attached to the school, or registered at a special school, who attend some infant classes within the mainstream school.

<u>Admission of children below compulsory school age and deferred entry</u>

5.0 Upon notification of a school place being offered, a child is entitled to a full-time place in the September following their fourth birthday.

5.1 The date the child is admitted to the school can be deferred until later in the school year or the

[2] As defined by Part 1 of the School Standards and Framework Act 1998 & Education (Infant Class Sizes) (England) Regulations 1998.

child can attend part-time, until the child reaches compulsory school age in the year the original application was made.

5.2 A child's school place may be deferred, but only up until the beginning of the summer term. To defer a place to later in the school year at first time admission, parents must arrange this with Arnesby C of E Primary School prior to the start of the autumn term.

5.3 Where a child has failed to attend school by the start of the summer term in the school year for which the original application was made, parents will have to submit a new application, unless there are exceptional circumstances which have prevented the child from doing so. Where there are no exceptional circumstances, any application will be treated as an in-year application.

5.4 Exceptional circumstances will include a child who has been unable to attend school because of medical reasons (ie hospitalisation, operation recovery that has taken up to two school terms).

Admission of children outside their normal age group

6.0 At the point of first-time admission, parents may seek a place for their child outside of their normal age group, for example if the child has experienced problems such as ill health.

6.1 Parents of a summer born child, that is those children born between 1 April and 31 August, may choose not to send their child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group, for example into the Reception year group rather than Year 1 (this is considered as a delayed entry for the purposes of this policy).

6.2 To request delayed entry, parents should make an application for their child's admission to their normal age group at the usual time, in accordance with this policy. Within that application, parents should also submit a request to the council for admission outside of the normal age group. Further information about the process will then be provided to parents upon their request for admission outside of the normal age group or by contacting the School Admissions Service.

6.3 Decisions will be made by Embrace Multi Academy Trust (the trust) based on the circumstances of each case and considering the best interests of the child concerned, including the headteacher's view. This will take into account:

- parents' views;
- information about the child's academic, social and emotional development;
- where relevant, their medical history;
- any views of medical and other professionals;
- whether they have previously been educated outside of their normal age group;
- whether they may have fallen into a lower age group if the child was not born prematurely; and
- the views of the headteacher of the school concerned.

6.4 Decisions made by the trust will be clearly set out in a letter. The letter will contain a full explanation to the parent of how the decision was arrived at, as well as what recourse is available if the request is refused.

6.5 Where the trust agrees to the parent's request for their child to be admitted to a year out of their normal age group, it will be necessary for the parent(s) to apply again for a place in Reception at the appropriate time a year later, as part of the co-ordinated first-time admission process. If that application is successful, the child will be admitted into Reception. However, parents must be

aware that any such consent will not guarantee them a place at Arnesby C of E Primary School.

6.6 The council will process any such application as part of the main admissions round and alongside other applications for that age group, on the basis of determined admission arrangements, only including the priority criteria when this applies. Where an application is late, it will be considered after on-time applications.

6.7 Any agreement by the trust to delay entry or be admitted in advance of their chronological age group will only apply in relation to Arnesby C of E Primary School. Parents should contact the admission authority of other schools they may wish their child to attend to confirm the process that they will need to follow in relation to that school.

6.8 Parents' statutory right to appeal against the refusal of a place at a school for which they have applied does not apply if they are offered a place at the school, but it is not their preferred age group.

In-Year (mid-term) Transfers (all year groups)

7.0 Mid-term transfer requests (in-catchment or otherwise) are managed by the school. Before applying, parents should contact the headteacher at Arnesby C of E Primary School to enquire if places are available and to arrange a visit. Mid-term applications should be made via the form on the school's website.

7.1 The school will aim to notify parents of the outcome of their application in writing within 10 school days.

7.2 Where there are multiple in-year admissions and the school does not have sufficient places for every child who has applied for one, places must be allocated on the basis of the oversubscription criteria in the determined admission arrangements only.

7.3 Where a mid-term application is made, the decision will either offer the place or refuse the place if the school is full, because admitting the child would prejudice the efficient provision of education or use of resources. A refusal letter will also explain to the parent their right to appeal, and how they should do this.

7.4 Information setting out the process for applying for mid-term admissions is set out on the school's website.

Processing Parental Preferences

8.0 Application forms for school places allow parents to express up to three preferences for school places. Parents should rank their preferences in order with 1 being highest and 3 being lowest. Where a place can be offered at more than one preference, only the highest preference will be offered. Applications will be prioritised according to the admissions criteria.

8.1 Relevant co-ordinated scheme applications received after the closing date for submission shall only be considered after all other applications which were received on time, unless there is a significant reason for lateness. In exceptional circumstances, late applications may be considered as on time where the parent is able to evidence the reason for lateness was beyond their control, ie children in care, forced re-location, new school opening etc. However, late applicant families who are already resident within the catchment area and have moved to another address within catchment will not be excepted children and will not be offered a

place at the catchment school in those circumstances, if it is full.

Applications received beyond 4 weeks post-closing date in the normal round cannot be considered under exceptional grounds, as it is too late to add them to the process.

8.2 Parents may vary the order of the schools for which they have expressed a preference by logging into their account before the closing date. If, on the rare occasion they need to change preference order after the closing date, they must contact the School Admissions Service for further advice.

However, post the closing date, if a new school is added, then that school preference will be considered as a late preference.

Priority Criteria for Entry Autumn 2021 Admissions and Mid-term Applications during 2021/2022 Academic Year

9.0 Priority will be given to children whose parents applied on time and ranked in accordance with the priority criteria set out below. Where there are more applications than places or there is a tie, the next relevant criteria will be used to determine which application should be offered the place, if they still have identical ranking then lots will be drawn (see section 9.1 below):

1st	Children who are looked after and those children who were previously looked after children. *(See note i)*
2nd	Pupils who live in the catchment area. *(See note ii)*
3rd	Pupils who will have a brother or sister attending the same school at the same time at the point that they are attending. *(See notes iii)*
4th	Pupils who have a serious medical condition or exceptional social or domestic needs that make it essential they attend the school requested. (Professional documentation confirming the situation must be submitted with the application.) *(See note iv)*
5th	Pupils who are attending a feeder school at the point of application. *(See note v)*
6th	Pupils living nearest to the school measured in a straight-line distance (home to school front gate). *(See note vi)*

Notes:

i. A 'looked after child' is a child who is (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions (see the definition in Section 22(1) of the Children Act 1989) at the time of making an application to a school. Previously looked after children are children who were looked after but ceased to be so because they were adopted (or became subject to a child arrangement order or special guardianship order); children who were adopted (or became subject to a child arrangement order or special guardianship order) immediately following having been looked after; and those who appear (to the admission authority) to have been in state care* outside of England and ceased to be in state care as a result of being adopted.

** A child is regarded as having been in state care outside of England if they were in the care of or were accommodated by a public authority, a religious organisation, or any other provider of care whose sole or main purpose is to benefit society, ie a charity group that benefits society, but does not include private fostering whether in England or from outside of England.*

ii. For the purpose of processing a school application a single home address must be used. The child's place of residence is taken to be the parental home at which they normally reside. Where parents claim equal or dual residency they must prioritise one address over the other, or risk the application not being processed. For children of UK service personnel (UK Armed Forces) and crown servants a unit postal address or quartering area address that has been formally declared by an official letter will be used as the home address prior to arrival into the UK.

iii. The term "brother or sister" includes half brother or sister, step brother or sister or legally adopted child being regarded as the brother or sister living at the same home address.

iv. If criterion 4 is used, professional supporting documentation from the lead professional must be supplied and must be submitted with the application. The following list are the areas that are considered exceptional:

- Crown Servants
- Children subject to Child Protection Plans
- Hard to Place children – who fall under the Fair Access Protocol
- Parents suffering domestic violence. (This is dependent on documentary evidence by a lead professional)

v. For criterion 5 above, the child must be on roll at the feeder school at the point of application.

vi. For criterion 6 above, measurement of distance of up to three decimal places will be in a straight line from the centre point of the property to the school's main designated front gate, using a computerised mapping system (*Routefinder*). Where there is equal distance then lots will be drawn, supervised by an independent officer (see section 9.1).

Tiebreaker

9.1 If, two or more applications have identical ranking following applying all the above criteria in priority order, lots will be drawn. The drawing of lots will be undertaken by a senior officer in the Children and Families Department, supervised by an officer of the council from another department that is independent of the council's School Admissions Service.

Children Who Move Out of or Into the Catchment Area, including Late and or Mid-Term Applications

10.0 A child who is already attending a school and whose place of residence changes to an out-of-catchment address is entitled to continue attending that school. However, any subsequent application, as a mid-term or at the point of transfer to a junior or secondary school, must be made using the new address.

10.1 Where a family have made an application they must notify the council of any change in their address as soon as possible after the move.

10.2 Where a family have applied for or been offered a place at Arnesby C of E Primary School and move home during the course of the admissions process (ie after the closing date for first time admissions or transfers but before they start) they must notify the council immediately.

10.3 During the normal round, the latest date a proof of change of address can be accepted for the purposes of an application that has already been submitted is the third Friday in March for first time admissions. Home moves will not be accepted without proof (see section 17.4). Where proof is received beyond the above date, the application will be considered as late.

Withdrawal of places

11.0 Once a place has been offered at a school the council may withdraw that place prior to starting school where it has been established that:

- the place was offered in error;

or

- it is established that the place was obtained through a fraudulent or intentionally misleading application;

or

- where the parent has not responded within a reasonable time[3].

Mid-term Applications

12.0 For applications made outside of the normal round of admissions, ie seeking to move school part way through an academic year, where a place exists at Arnesby C of E Primary School it will be offered.

12.1 Where an application is made, but Arnesby C of E Primary School is oversubscribed, a school place may still be offered subject to the following:

(i) Arnesby C of E Primary School is the catchment school for the new address; and

(ii) Documentary evidence of the house move is provided (see section 17.4); and

(iii) There is no alternative school within a reasonable distance which has available places in the relevant year group. Reasonable distance for these purposes is 2 miles for a primary school, measured as the shortest safest walking route from the home address to the school's front gate; and

(iv) The application is made within 90 calendar days of the family first moving into the property and the application requests a start date of no later than half a school term from the point the application was received; or

(v) That the child has/will have a sibling attending the school at the same time.

12.2 Applications submitted in accordance with this section will usually be processed within 20 school days. The school will notify parents of the outcome of their application confirming that the

[3] Including a failure to respond within a reasonable time to a request for information, such as to provide proof of an address.

application has been accepted or setting out the reason it has been refused.

Appeals (including class size appeals)

13.0 All parents will have a right of appeal if an application for a school place is refused and this will be detailed in the refusal letter. Appeals that are to be heard as part of the normal round will be heard in accordance with the appeals timetable published on the council's website.

13.1 Parents may contact the council's School Admissions Service if they require clarification of the procedure that will be followed in respect of an appeal.

13.2 Where an application for admission is refused on the grounds it would cause the infant class size limit to be breached, the grounds on which the appeal may succeed are extremely limited. Please see 'Appeal a School Case' section on the council's webpage.

Second Applications (Further Appeals)

14.0 Ordinarily, parents may only make one application for any particular school per academic year. In exceptional circumstances, and at its sole discretion, the council may allow a further application to be made where there has been a significant and material change in the circumstances of the parent, the child or the school.

14.1 The following is a non-exhaustive list of what may be considered to be exceptional:

- change of address, ie where the change of address is into the catchment of the school;
- new significant and material evidence has come to light in your personal circumstances;
- a significant change in medical circumstances (apart from medical attention for distress or anxiety as a result of unsuccessful applications/appeals);
- a significant and/or material change in the circumstances of the school, ie significant extensions/new build, an increase to their admission number, an increase in the number of teaching staff.

14.2 In such instances, parents must provide the council with written details of the significant and material change together with any evidence of that change. Where the significant and material change is accepted by the council, a second application will be permitted and must be made in the usual way and will be processed in the normal manner and, where necessary, in accordance with the priority criteria.

Errors

15.0 Where the council has made an error in the processing of an application for a school place, and it is established that had the error **not** occurred it would have resulted in the applicant being offered a school place, the council will offer a place at the school.

15.1 Applicants are responsible for the accuracy of all and any information which they submit. The council takes no responsibility for incorrect information submitted (ie an incorrect date of birth, failure to mention sibling(s), failure to provide supporting evidence etc) or the impact that such information may have on the determination of their application. Where applicants become aware of such errors, they should notify the council as soon as possible.

Exceeding the Admission Number

16.0 At the point of first-time admission, if there are more requests for in-catchment children than the admission number, the admission number will not usually be exceeded, except in exceptional circumstances.

16.1 For applications made outside of the normal admissions round (eg mid-term applications) where the admission number has been reached, applications will be refused, subject to section 12.1.

16.2 In certain exceptional circumstances the council may determine, or Arnesby C of E Primary School may request, that the admission number be exceeded. Any such request by Arnesby C of E Primary School must be made by written request to the council's School Admissions Service. Where necessary, the council will publish details of any variation to increase the admission number of a particular school on its website.

16.3 For the avoidance of doubt, discretion to exceed the admission number shall rest solely with the governing board of Arnesby C of E Primary School. In reaching any decision, Arnesby C of E Primary School will consider the views of interested parties, the views of the trust, the impact on the education of children in the school and the availability of other places within the area.

16.4 Parents will still submit their application in the usual manner. The council will determine those applications in the following way:

(a) Where the decision to increase the admission number is made before the National Offer Date, applications will be processed in the normal way with on-time applications being considered first and with places being offered in accordance with the priority criteria up to the increased admission number. If there are any places available after on-time applications, places will be offered to those late applications ranked according to the priority criteria;

(b) Where the decision to increase the admission number is made after the National Offer Date, the council will offer any additional places as per the priority on the waiting list, up to the increased admission number alongside any further applications received;

(c) Where the decision to increase the admission number is made at a time when no waiting list is being held, the council will offer places on a first come, first served basis, up to the increased admission number.

16.5 For the purpose of this section, exceptional circumstances may include but are not limited to:

(a) An independent appeal outcome in the parent's favour;

(b) The admission of children who are subject to Leicestershire's Fair Access Protocol;

(c) The admission of children who would have siblings in the school;

(d) Infant class size exceptions (see section 4).

Miscellaneous

Catchment Area Definition and How to Find Out the Catchment Area School for Your Home Address

17.0 Each school has its own catchment area, which is defined as the geographic area from which pupils/students are eligible to be considered under criterion 2 (section 9). The home address determines into which catchment area you reside (definition of home address see section 9 note (ii)).

17.1 If you are unclear in which catchment area your home address falls please contact the council's Customer Service Centre, on (0116) 305 6684.

17.2 Where a family has equal split residency arrangements and the child resides either in the same school catchment or lives in two catchment areas, parents must prioritise one address.

Areas of Dual / Multiple Catchment Entitlement

17.3 In areas where there is dual or multiple catchment entitlement, equal preference process will be applied at the normal round of applications. For children who move into an area outside of the normal admissions round, the normal criteria will be applied (see section 9). In both circumstances, the highest-ranking preference where possible will always be offered.

Determining Home Address/Parental Proof of Residence

17.4 In determining an application for a school place, the council may request evidence of an address or of a move into a catchment area or arriving in the UK.

Such evidence may include but not be limited to:

- Opening council tax bill;
- Signed and dated copy tenancy agreement;
- Copy of a letter of completion of house purchase from a solicitor.

In addition to the above, the following may also be asked for:

- Copy of child benefit letter;
- Copy of current driving licence;
- Copy of registration at GP practice or hospital consultant.

Where a family has moved in with relatives or friends (including new to UK):

- A declaration from parents and householder / homeowner / relative / friend confirming the applicant family now reside at the address;
- A copy of most current council tax bill from the occupier;
- Stamped passport or visa;
- Boarding passes.

Where the council does not consider it has been provided with satisfactory proof of address, the application will not be processed until the council is satisfied that adequate proof has been obtained.

Clarification of home address where the family's current address is deemed temporary or multiple addresses

17.5 For the purposes of this policy the following will be accepted as the home address:

(a) Purchase of a second property by a family, while the first property is retained, where the family moves to the second address and provides proof of residence - as set out in section 17.4; or

(b) Rented accommodation while a previous property is retained. The family must provide satisfactory evidence to the council that the rented accommodation is their primary residence through proof of residence, and by demonstrating that the old property is not being occupied by them. In that instance, the council must be provided proof of zero/vacant occupancy (ie discounted council tax, see section 17.4); or

(c) Temporary living arrangements whether living with relatives or not, ie whilst re-furbishing, building or decorating the permanent home address. The home address will be taken as the one where the family can provide proof of residence - see section 17.4; or

(d) Where, because of reasons beyond parental control, a house move has been imposed on the family or children (ie fleeing domestic violence (refuge address), safe home (witness protection), home repossessions, losing a home through an 'act of God', ie home destroyed, etc.), subject to supporting documentation; or

(e) Where the parent has been hospitalised and the children have been placed with a relative or carer, the temporary address will be accepted for the purposes of a school application on proof of hospitalisation, ie a letter from a medical professional, and a declaration from the relative or carer of the arrangements.

Oversubscription Lists

17.6 The council will maintain an oversubscription (waiting) list for first time admissions.

17.7 The oversubscription (waiting) list is ranked in the same order as the published oversubscription criteria and not by date of application. The list will be held after the national offer date until the 31 December of that year.

17.8 Applications received after the national offer date will be determined as mid-term applications. Any applications that are refused before 31 December will be placed on the oversubscription (waiting) lists.

17.9 The school does not hold waiting lists past 31 December in relation to any mid-term applications. If at any point while on the oversubscription (waiting) list, the family's circumstances change and the school has been made aware, the application will be re-assessed and the list will be re-ranked in accordance with the priority criteria. Where a family has failed to notify the school of such a change and is subsequently offered a place, that place may be withdrawn in accordance with section 11.

Circumstances in which an application might be refused – children with challenging behaviour and twice excluded pupils

17.10 Where a child has been permanently excluded from two or more schools, there is no obligation on the council to comply with parental preference for a period of two years from the last exclusion. This does not apply where exclusion was before the child was of compulsory school age, for children who have been re-instated following a permanent exclusion or for children with Education, Health and Care Plans.

17.11 In addition to this, applications for vulnerable children who have been unable to secure a school

place outside of the normal admissions round may be referred for consideration under the Fair Access Protocol. Further details about this can be found on the council's website. Parents should be aware that where children are considered under the protocol, the protocol has no obligation to comply with school preference rights (although it will be considered) in seeking to secure a school place. However, there is nothing to prevent a parent from applying for a different school at that time – any such application will be considered in accordance with the usual process.

17.12 Where a governing board does not wish to admit a child with challenging behaviour* outside the normal admissions round, even though places are available, it must refer the case to the council for action under the Fair Access Protocol.

** Behaviour can be described as challenging where it would be unlikely to be responsive to the usual range of interventions to help prevent and address pupil misbehaviour or it is of such severity, frequency, or duration that it is beyond the normal range that schools can tolerate. We would expect this behaviour to significantly interfere with the pupil's/other pupils' education or jeopardise the right of staff and pupils to a safe and orderly environment.*

17.13 For those of primary school age, the Primary Fair Access Panel will consider the most appropriate school and will aim to facilitate a re-integration.

17.14 Parents are not precluded from applying for a school place even whilst the Fair Access Protocol is ongoing.

Children with Education Health and Care Plans (EHCP) (Special Educational Needs and Assessment (SENA))

17.15 All applications that have an EHCP will be forwarded to SENA for their consideration and processing.

Children from Overseas

17.16 Applications from non-UK nationals will be processed in accordance with this policy.

17.17 If the council have any concerns as to a child's leave to remain in the UK and/or entitlement to state education, such concerns shall be referred to the Home Office.

Acceptance or Refusal of Offers; Withdrawal of Places or of Offers of Places

17.18 In the normal admissions round (ie when offers are made for first-time admissions, national offer date 16 April, places will be assumed accepted unless refused.

17.19 For mid-term applications (outside the normal round), parents must respond to any offer of a school place within 20 days of the date of that letter directly with the school to make starting arrangements.

17.20 Where no response has been received within 20 school days of the start of the school term or the date of the offer letter (as may be appropriate), a reminder will be sent explaining that the place may be withdrawn if they do not respond to the offer. Parents will be afforded a further 10 school days to take up the school place. If no further response to the offer (either accepting or refusing it) is received, then the offer of a place will be withdrawn.

Children with Split Residence

17.21 Where a child lives for part of the week with one parent and for part of the week with the other parent, the address recognised by the council for the purposes of an application for a school place is the one where the child lives for the majority of the school week – Monday to Friday.

17.22 Where the weekly residence arrangement varies, and a child stays with both parents, on average, for the same amount of time during the school week over a four-week period, and one parent lives in another school catchment, the parents will be required by the council to choose one address for the purposes of completing a school application. Where parents cannot agree a single address, the council will require parents to seek a court order to determine which address is to be used.

17.23 Where any claimed residence arrangement is found to be false, and the child is yet to start at the allocated school, the place will be withdrawn as it will be considered obtaining the school place on fraudulent and/or misleading grounds. In such circumstances the application will be considered afresh and determined at that time based on the correct information.

Children of UK Services Personnel and other Crown Servants

17.24 Where a school has spaces, such children will be allocated a place as part of the normal round of admissions, without the requirement of an official government letter declaring a relocation date and intended address. The place must be taken-up within 20 school days for the normal round of applications from the start of the academic year or it may be withdrawn.

17.25 Where during the normal round for admissions a school is oversubscribed, the council will require any application to be supported by an official letter that declares a relocation date and a Unit postal address or quartering area address. The application will then be ranked and determined against the oversubscription criteria.

17.26 Where a posting is partway through the school year, a place will be considered in advance of the family arriving, provided the application is accompanied by an official letter that declares a relocation date and a Unit postal address or quartering area address. The application will then be processed under the normal priority criteria.