



**Swallowdale  
Primary School**

# **Admissions Policy**

(Admission Arrangements for children transferring from Autumn 2023 onwards and entry in Autumn 2023 onwards)

## **2022 - 2023**

Reviewed	April 2021
Frequency of Review	Annually
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Approved by:	Full Governing Body

## 1. The purpose of this Policy:

Bradgate Education Partnership is the admission authority for the schools in the multi-academy trust. This policy sets out the admission arrangements for the purposes of allocating school places to the school.

The LA is required to continue to co-ordinate First Time Admissions, using a common application form.

## 2. Planned Admission Number

Swallowdale Primary School has an Admission Number (AN) that is capped at 60. This means that once the school has filled to 60 children in any year group (in line with its admissions criteria as detailed in the LA policy) all other applications for places will be refused, though parents will have the right to appeal.

## 3. Education Health and Care Plan

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

## 4. Application for First Time Admission

For first time admission, applications for a school place must be made by the relevant closing date during the academic year (between 1<sup>st</sup> September and 31<sup>st</sup> 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 regarding delaying admission to the following academic year.

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.

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).

All applications received by the relevant closing date (*please see co-ordinated scheme for dates*) 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 i.e. 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 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.

For those parents that live in Leicestershire, the Council will confirm decisions for applications from the national offer date 16<sup>th</sup> April (or on the next available working day if the 16<sup>th</sup> April falls on a weekend/bank holiday).

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.

**Places will be allocated up to the pupil Admission Number (AN) for Swallowdale Primary School, which is 60 pupils per year group. The AN will NOT be exceeded regardless of living in or moving into the catchment area.**

The 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. A refusal letter will also explain to the parent their right to appeal.

The majority of admissions to reception to all infant and primary schools is the September immediately following a child's fourth birthday (i.e. all children who have turned 4 before 31<sup>st</sup> August).

## **5. Infant Class Size & Exceptions**

Infant Classes (Foundation Stage, Year 1 and Year 2) must not exceed 30 children per teacher<sup>1</sup> 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.

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.

## **6. Admission of children below compulsory school age and deferred entry**

Upon notification of a school place being offered, a child is entitled to a full-time place in the September following their fourth birthday, but they are not required to start school until the start of the term after the term in which they reach compulsory school age.

The date the child is admitted to the school can be deferred until later in the school year or the child can attend part-time until the child reaches compulsory school age in the year the original application was made.

A child's school place may be deferred but only up until the beginning of the summer term.

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.

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

## **7. Admission of children outside their normal age group to Community or Voluntary Controlled schools**

At the point of first time admission, transfer from infant to junior school or admission to secondary school, 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.

Parents of a summer born child, that is those children born between 1<sup>st</sup> April and 31<sup>st</sup> 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).

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.

Decisions will be made by a panel of Local Authority (LA) professionals 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 in to a lower age group if the child was not born prematurely; and
- the views of the Headteacher of the school concerned.

Where the school 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 (or at secondary transfer) 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 a particular school.

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.

## **8. In-Year (mid-term) Transfers (all year groups) whether in-catchment or not**

Mid-term transfer requests (in-catchment or otherwise) will be co-ordinated through the Council's School Admissions Service. The best way to apply is through the Council's mid-term application form (Common Application Form) available online (before applying parents are encouraged to arrange to visit the school).

The Council will aim to process mid-term applications within 20 working days (5 days if child is indicated as in care or previously in care), wherever possible. Delays may occur where further evidence or proof is required (i.e. proof of looked after status or previous looked after status, house purchase, tenancy agreement, fair access information for complex or out of authority applications etc) or during busy periods (such as during the normal admissions round or due to when schools are closed i.e. during school holidays).

Where the mid-term application is made through the Council, the decision will either offer the place or refuse the place because the school is full. A refusal letter will also explain to the parent their right to appeal, and how they should do this.

**The Admission Number for each year group is 60 pupils. This number is capped and will NOT be exceeded to accommodate the catchment area children applying as in-year (mid-term) transfers.**

The Academy will maintain an over-subscription waiting list throughout the autumn term for the first time admissions year (FTA) and throughout the relevant year for in-year admissions (mid-term transfers), ranked in the same order as the published over-subscription criteria and in line with the LA's waiting list rules, and not by the date of application.

## **9. Priority Criteria for Entry Autumn 2022 Admissions and Mid-term Applications during 2022/2023 Academic Year**

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):

<b>1<sup>st</sup></b>	Children who are looked after and those children who were previously looked after children. (See note i.)
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2 <sup>nd</sup>	Pupils who live in the catchment area. <i>(See note ii.)</i>
3 <sup>rd</sup>	Pupils who will have a brother or sister attending the same school at the same time at the point that they are attending. <i>(See notes iii.)</i>
4 <sup>th</sup>	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.) <i>(See note iv.)</i>
7 <sup>th</sup>	Pupils living nearest to the school measured in a straight-line distance (home to school front gate). <i>(See note v.)</i>

**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 (became subject to child arrangements orders in 2014 or special guardianship orders) including 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.
- 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)
- A child for who transfer to the catchment area school would involve attending a different school until he/she is the right age for transfer. (This is dependent on the child having attended the present school for at least a year.)

Each case will be assessed on its individual merits.

- v. 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 .

## **10. Tiebreaker**

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.

## **11. Children Who Move Out of or Into the Catchment Area including Late and or Mid-Term Applications**

A child who is already attending the school and whose place of residence changes to an out-of-catchment address is entitled to continue attending the school.

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.

Where a family have applied for or been offered a place at the school and move home during the course of the admissions process (i.e. after the closing date for first time admissions or transfers but before they start) they must notify the Council immediately.

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 and junior transfers and the third Friday in December for secondary transfers. Home moves will not be accepted without proof. Where proof is received beyond the above respective 'Fridays', the applications will be considered as late.

## 12. Withdrawal of places

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<sup>2</sup>.

## 13. Mid-term Applications

For applications made outside of the normal round of admissions i.e. seeking to move school part way through an academic year, where a place exists at the school it will be offered.

Applications submitted in accordance with this section will usually be processed within 20 school days, although there may be delays during the main round for applications and appeals. The Council will notify parents of the outcome of their application confirming that the application has been accepted or setting out the reason it has been refused.

## 14. Appeals (including class size appeals)

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 LA's website.

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

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 LA's webpage.

## 15. Second Applications (Further Appeals)

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.

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

- change of address i.e. where the change of address is into the catchment of
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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);
- there has been a significant and or material change in the circumstances of the school i.e. significant extensions / new build, an increase their AN, increase in the number of teaching staff.

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.

## **16. Errors**

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.

Applicants are responsible for the accuracy of all and any information which they submit. The Council takes no responsibility for incorrect information submitted (i.e. 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.

## **17. Exceeding the Admission Number (AN)**

In certain exceptional circumstances the Council may determine, or the school may request, that the AN be exceeded.

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;

## **18. Determining Home Address/Parental Proof of Residence**

In determining an application for a school place, the Council may request evidence of an address.

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 you 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 occupier;
- Stamped passport or visa;
- Boarding passes.

Where the Council does not consider it is 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.

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

For the purposes of this policy the following will not normally be accepted as the home address except in the circumstances stated:

- (a) Purchase of a second property by a family, while the first property is retained; 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 (i.e. discounted council tax, see section 17.6); or
- (c) Temporary living arrangements whether living with relatives or not i.e. 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; or

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

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 i.e. a letter from a medical professional, and a declaration from the relative or carer of the arrangements.

## **20. Oversubscription Lists**

The Council will maintain an oversubscription (waiting) list for first time admissions:

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 national offer date until the 31<sup>st</sup> December of that year.

Applications received after the National Offer Date will be determined as mid-term applications. Any applications that are refused before 31<sup>st</sup> December will also be automatically placed on the oversubscription (waiting) lists.

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

## **21. Circumstances in which an application might be refused – children with challenging behaviour and twice Excluded Pupils**

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 special educational needs statements or Education, Health and Care Plans.

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.

Where a governing body 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.

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. For those of secondary school age the relevant Area Behaviour Partnership will be responsible to place the student with support as necessary.

Parents are not precluded from applying for a school place even whilst the FAP is ongoing.

For those children who have been permanently excluded and are in a transition phase (i.e. transferring from Year 6 to Year 7), all exclusions are expunged and the receiving school must take the child.

## **22. Children from Overseas**

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

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.

## **23. Children of UK Services Personnel and other Crown Servants**

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.

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.

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.

# Appendix 1: Catchment Map

