

LANCASHIRE COUNTY COUNCIL

ADMISSIONS POLICY FOR COMMUNITY AND VOLUNTARY CONTROLLED PRIMARY SCHOOLS - 2019/2020

The determined policy for admission to community and voluntary controlled primary schools for 2019/2020 is listed below:-

An admission number will be published showing the maximum number of pupils that the school will admit in the Autumn Term 2019. Parents will be asked to express preferences for three primary schools. Parents are given the opportunity to express three preferences for a primary school. Published criteria are used to decide which children should be offered the available places. In primary schools an equal preference scheme has been introduced to comply with the Schools Admission Code, whereby three parental preferences are given equal status to the preference and will be considered equally against the admissions criteria. If a school is oversubscribed, the following criteria will be applied in priority order:

Primary Schools

When a school is oversubscribed on parental preferences, then the following priorities apply in order:

1. Looked after children and those who have been previously looked after, (see note xi below), then
2. Children for whom the Local Authority accepts that there are exceptional medical social or welfare reasons which are directly relevant to the school concerned (see note (i) below), then
3. Children with older brothers and sisters attending the school when the younger child will start, (see note (iii) below), then
4. Remaining places are allocated according to where a child lives. Those living nearest to the preferred school by a straight line (radial) measure will have priority, (see note (v) below).

Notes

- (i) The medical, social and welfare criterion will consider issues relevant to the child and/or the family. This category may include children without a statement who have special needs.
- (ii) As required by law, all children with a Statement of Special Educational Needs/EHC naming a school will be admitted before the application of the over-subscription criteria. Children who have a statement for special needs have their applications considered separately.
- (iii) Brothers and sisters includes step children, half brothers and sisters, fostered and adopted children living with the same family at the same address (consideration may be given to applying this criterion to full brothers and sisters who reside at different addresses).
- (iv) The distance criterion which will be used as the tie breaker if there is oversubscription within any of the admission criteria is a straight line (radial) measure. If the Local Authority is unable to

distinguish between applicants using the published criteria (eg twins or same block of flats) places will be offered via a random draw.

The distance measure is a straight line (radial) measure centre of building to centre of building.

Please note that the Local Authority may introduce a new measuring system during the admissions round.

- (v) A child's permanent address is the one where he/she normally lives and sleeps and goes to school from. Proof of residence may be requested at any time throughout the admissions process, (including after a child has accessed a school place).
- (vi) The Local Authority will keep waiting lists for all Lancashire primary schools until 31 August 2019. These are kept in priority order using the school's published admission criteria. From 1 September 2019 for one school term only waiting lists will be retained by individual admission authorities (the Local authority for community and voluntary controlled schools and individual voluntary aided and trust schools will each retain their own list).
- (vii) Children will not normally be able to start school other than at the beginning of the term unless they have moved into the area or there are exceptional circumstances.
- (viii) Applications for school places which are received late will not necessarily be dealt with at the same time as those received by the set deadline. The reasons for a late application may be requested and where these are not exceptional the relevant admission criteria will be initially applied to all others received on time. The late application will be dealt with after this process.

Application forms received after the published closing date, will only be considered at that time if the following conditions apply:

- (a) if the number of preferences received for the school is below the published admission number or:
- (b) there are extenuating circumstances justifying a late application.

These may include:

- (a) parents moving into the County after the closing date;
- (b) parent/carer illness which required hospitalisation for the major part of the period between the publication of the composite prospectus and the closing date for applications.
- (ix) Where a child lives with one parent for part of the week and another for the rest of the week only one address will be accepted for a school admission application. This will normally be the one where the child wakes up for the majority of school days (Monday to Friday).
- (x) the highest priority must be given to looked after children¹ and children who were looked after, but ceased to be so because they were adopted² (or became subject to a residence order³ or special guardianship order⁴). Further references to previously looked after children in the Code means children who were adopted (or subject to residence orders or special guardianship orders) immediately following having been looked after. This includes

children who are legally adopted from overseas. Relevant, legal documents must be provided to evidence the adoption.

Shared Care Arrangements

When a child lives with one parent for part of the week and another for the rest of the week only one address will be accepted for a school admission application. This will normally be the one where the child wakes up for the majority of school days (Monday to Friday). Proof of residence may be requested at any time throughout the admissions process.

In the cases where a child lives with parents who have shared responsibility and the child's time is split between two homes, the address of the parent who receives child benefit will normally be used. The Local Authority reserves the right to request further proof, in order to establish the home address, as fit the individual circumstances.

Where shared care arrangements are in place it may be necessary to establish the permanent home address for the child. In certain circumstances parent/carers will be asked to write to the LA stating the number of days each week the child spends with them. The LA may ask for evidence of which parent/carer was in receipt of child benefit at the point of application. If the parent/carer is not in receipt of child benefit, the LA will ask for proof of benefit award notices; Tax Credit Award Notices and child's registered address with the GP at the point of application. If the child's home address cannot be verified the LA reserve the right to request further documentary evidence to support any claim of permanent home address.

In cases where parents are separated and both have retained joint responsibility, an application form will be accepted from the one parent who is in receipt of the child benefit and with whom the child primarily resides. The Local Authority has an obligation to process an application form that has been submitted and signed by a parent with parental responsibility. The Local Authority cannot release information or intervene where disputes or disagreements arise between parents in relation to any proposed or submitted application for a school place.

Where shared care arrangements are in place and parents/ carers of the child submit two separate applications for different schools, the LA requires parents to resolve matters between themselves, taking legal advice if necessary, and inform the LA which application should be processed. The LA will not become involved in private disputes.

We can only process applications from one address. If your child lives at another address from you or with another parent/carer from Monday to Friday, please provide the Parental Responsibility Order or Residence Order for the person the child lives with.

Further evidence can include:~

- a copy of a court order;
- a letter from a solicitor setting out the arrangements;
- a joint statutory declaration (prepared by a Commissioner for Oath);

1 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).

2 Under the terms of the Adoption and Children Act 2002. See section 46 (adoption orders).

3 Under the terms of the Children Act 1989. See section 8 which defines a 'residence order' as an order settling the arrangements to be made as to the person with whom the child is to live.

4 See section 14A of the Children Act 1989 which defines a 'special guardianship order' as an order appointing one or more individuals to be a child's special guardian (or special guardians).

- a tax credit award notice (TC602) for current year.

Moving House

If you are about to move house, please contact the Area Education Office with your new address so that letters which are sent to you do not go astray. If you have already exchanged contracts on a house or have evidence of a confirmed offer of tenancy, you can ask for your child's application to be considered from the new address. It is required that a family does not just own a property in a particular location, but that they are actually resident in the property. Evidence of your/the child's residency in the new property will be required.

If you make a permanent house move after applying, but before allocation procedures have been undertaken, you must contact the Area Education Office. You would be able to change your preferences if you are changing address to a more distant property and the allocation will be based on the new address.

If you move temporarily during the admissions process you must also discuss the matter with the Area Education Office. Temporary addresses are rarely accepted for admission purposes.

If you are moving to another area of Lancashire, details of schools in the area can be obtained from any Area Education Office. Admission Authorities will check address details and may randomly sample applications.

You should contact the Area Education Office if there are any changes in your child's living arrangements during the application and allocation of places period.

Places offered for Lancashire schools may be subsequently withdrawn where misleading or inaccurate information has been discovered.

Applications from abroad (and other areas of the UK)

It is required that families must be physically resident in Lancashire (or nearby) in order to apply within the annual intake processes. Exceptional circumstances will be considered on request (and will require that individual families provide the necessary evidence for consideration). Exceptions will usually include:

- (a) UK Service Personnel families who can provide evidence of a posting into the area and the date from which this will occur.
- (b) New to area families purchasing / renting / leasing an address in Lancashire (providing legal evidence of a contract exchange or lease agreement as a minimum) – see notes below.

Where families are planning to return to an address (whether pre owned or not) within Lancashire, and can provide evidence of ownership, it is required that they are physically in residence during the application period in order for applications to be accepted for annual intakes. This means that the child is in residence with parent/ parents at their permanent address. This applies to those returning from living abroad and those returning from periods of employment / secondment abroad. This principle applies also to (b) above. If there are challenges to an LA decision not to accept an application within the agreed arrangements to coordinate then individual admission authorities will be consulted. Note however that admission policies require that a family does not just own a property in a particular location, but that they are actually resident at that property. Where families relocate or return to an address in Lancashire after a statutory closing date but during the allocation

period (ahead of finalisation of offers) then there will be consideration of accepting a late application. Appropriate evidence must be provided of ownership and date of relocation and residence at that address. The agreed timetable for co-ordination for the primary and secondary annual intake processes include agreed dates after which offers will not be amended. This will usually be mid-February for secondary admissions and the end of March for primary admissions.

Please note that late entry to the annual intake processes will not be possible after the statutory closing dates unless an exception is agreed by the Local Authority and / or the admission authority.

Summer born children – Deferring or delaying school entry

Background

The Department for Education has produced guidance 'Advice on the Admission of Summer Born Children (December 2014)'. The guidance is non-statutory and has been produced to help local authorities, admission authorities and parents understand the framework within which admission authorities must operate, and to dispel some of the myths that appear to have arisen around the admission of summer born children.

It should be read in conjunction with the statutory document, the Department for Education, 'School Admissions Code, which was published in December 2014'.

The Schools Minister, Nick Gibb wrote an open letter in September 2015 which referred to government plans to amend the School Admissions Code so that all summer born children can begin school after their fifth birthday and be placed into a reception class. As yet there has not been a consultation on the legislative changes that would be needed to amend the School Admissions Code. Lancashire County Council is therefore still adhering to the statutory requirements of the December 2014 Code.

When will my child reach statutory school age?

Children must be receiving full-time education by the start of the term following their fifth birthday.

- For children born between 1 September and 31 December, they reach compulsory school age on 31 December and must be receiving full-time education at the start of the spring term (i.e. after the Christmas holidays, in January).
- For children born between 1 January and 31 March, they reach compulsory school age on 31 March and must be receiving full-time education by the start of the summer term (i.e. after the Easter holidays, in March or April).
- For children born between 1 April and 31 August, they reach compulsory school age on 31 August and must be receiving full-time education at the start of the new school year (i.e. after the summer holidays, in September).

Delayed admission to Reception

In Lancashire, we provide for the admission of all children in the September following their fourth birthday. Parents of non-compulsory school age children (four year olds) may request a pattern of part-time attendance or deferment if that best suits the needs of their child. Parents will be offered the opportunity for their child to:

- Start Year R (Reception) in September on a full-time basis from their first day of attendance or on a part-time basis up to the point of reaching compulsory school age.
- Defer the date their child is admitted to the school until later in the school year but not beyond the point at which they reach compulsory school age and not beyond the beginning of the summer term of the school year for which the offer of the school place was made.

Deferred admission to Reception

Parents who are considering deferring their child's entry to school should be aware that teachers are skilled in differentiating the curriculum to meet a diverse range of needs. Parents are encouraged to visit the schools they are thinking of applying for, where staff will be able to explain the provision on offer to children in Reception class, how it is tailored to meet the needs of individual pupils and how the needs of each pupil will continue to be met as they move up through school.

Where a parent wishes to defer their child's admission until the following school year, parents are encouraged to make requests to defer in good time before the closing date for the normal admission round. Parents will need to provide the detailed reasons to enable their request to be given proper consideration and are encouraged to include any supporting evidence from relevant professionals. Please complete the County Council's application form 'Application for a Lancashire school place for summer born children'.

Parents submitting a request for admission out of the normal age group are required to also make an application for a place in their child's normal age group at the same time. If the application to defer is made by the national closing date for applications the admission authority will ensure that the parent receives the response to their request before the primary school national offer day.

All summer born requests for deferred admission will be considered by the individual admissions authority of each preferred school. Where requests are made for differing admission authorities, the request must be sent to the local authority that will co-ordinate the request and the decisions made. If a joint agreement cannot be reached then the decision to defer admission will only stand for any named school that agreed the request.

When considering a request for deferred admission for a community or voluntary controlled school the following factors will be considered:

- any delayed social, emotional or physical development which may be affecting the child's readiness for school (supported by a relevant professional);
- premature birth and the fact that the child may have naturally fallen into a lower age group if they had been born on their expected date of birth; • any medical incapacity, if this has prevented access to early years provision.
- any significant learning or special educational needs (supported by a relevant professional);
- the views of the head teacher of the preferred school (s)

It will not be sufficient for the parent to provide personal views and opinions and /or to refer to national research. The request should demonstrate why it would be in a child's interest to be admitted to reception following their fifth birthday, rather than year one.

Making a decision in the child's best interests

The Local Authority will share information provided on the application form with the admission authorities and head teachers of the school(s) parents have expressed a preference for. They will not however be informed of the order of preferences. These admission authorities and head teachers will then come to a decision as to whether they support the request for deferred entry. The final decision will be for the admission authority to make.

The Local Authority will then write to parent/carers to confirm the result of these decisions. **If the request to defer admission is approved**, the application for the normal age group can be withdrawn. A new application will need to be submitted the following autumn as part of the main admission round for the following year.

If the request to defer admission is refused, you will need to decide whether to accept the offer of a place for the normal age group, or to refuse it and make an in-year application for admission to Year 1 for the September following the child's fifth birthday.

Places are not held open for children who defer entry, so parent/carers must then reapply for a school place the following year for a place in Reception alongside children who are one school year younger.

Additional factors for consideration

Parents/carers should be aware that as the number of applications and preferences, and even the number of available places, may differ from year to year, that a deferral does not mean a place at the same school can be allocated one year later or provide any additional priority for a place.

Once a child has been admitted to a school it is for the head teacher to decide how best to educate them. The head teacher may consider that it would be appropriate for a child who has been admitted out of their normal age group to be moved to their normal age group. Any decision to move a child to a different age group would be based on educational reasons and in consultation with the parents.

For any child not being educated in the year group in which their chronological age falls there may be complications if a change of school is required or a move to another local authority. It will be for the admission authority of any receiving school to decide whether to admit the child out of their normal age group. This also applies at the time of transfer from primary to secondary school.

Any child who remains a year below their chronological age group will no longer be of compulsory school age during Year 11 of secondary school and therefore will be able to leave school before completing examinations. There is no formal right to appeal a decision made by the admission authority. However, for schools where the LA is admission authority, a parent may request a review of the decision made.