

# IN-YEAR ADMISSIONS SCHEME

2013/14 locally agreed scheme



## Introduction

1. The revised draft Code of Practice removes the requirement for Local Authorities to co-ordinate in-year admission requests but does not prohibit such a scheme operating. All admission authorities must have fair, clear and objective admission arrangements so that parents can look at the arrangements and easily decide how places will be allocated at that school.
2. The provisions in the Code relating to factors that can be taken into account when considering an application apply equally to in-year applications and applications at the normal point of entry. School places must not be allocated with reference to first preference first arrangements, nor can account be taken, amongst other things, of reports from previous schools about past behaviour, attendance, attitude or achievement. Admission authorities cannot place any conditions on the consideration of any application other than those in the oversubscription criteria published in their admission arrangements.
3. Applications must be considered without undue delay, the Local Authority must provide a suitable application form for the purpose.
4. Local Authorities must, on request, inform parents about places still available in all of the schools in its area. In turn, schools must inform the Local Authority of any movement within the school so that up to date data can be maintained.
5. The Local Authority will administer the locally agreed scheme on behalf of all schools in its area. By so doing, the administrative burden is removed from schools in regard to their duty to inform the Local Authority of all applications received and to make formal response to the application in compliance with the School Admission and School Appeals Codes of Practice. This scheme will also enable monitoring of pupil movement within the City which will assist the Admission Forum in its role to monitor effective admission arrangements.

## Interpretation

6. In the scheme:
  - **school** means a maintained community, foundation, trust and voluntary aided (VA) school (but not a special school) or an academy or UTC;
  - **admissions authority** in relation to a community or voluntary controlled school means the Local Authority and, in relation to an academy, foundation, trust, UTC or VA school, means the governing body of that school;
  - **Local Authority (LA)** means the local council. The LA for Plymouth is Plymouth City Council;
  - **the specified year** means the school year 2013/2014, starting September 2013;

- **admission arrangements** means the arrangements for a particular school or schools which govern the procedures and decision making for the purposes of admitting pupils to the school;
  - **in-year admission** means any application for a place in the first year of entry to an infant, primary, junior or secondary school that is received on or after the date specified in schedule 2 of the relevant scheme for co-ordination, and applications for a place in any other year group received at any time from the commencement of the scheme;
  - **eligible for a place** means that a child has been placed on a school's ranked list at such a point which falls within the school's published admission number (PAN);
  - **nearest appropriate school** means the nearest academy, UTC, primary, or secondary school (excluding selective schools) to the applicant's home address with a vacancy;
  - **NoR** means the number of pupils on roll at a particular school in a particular year group;
  - **other agreed limit** means a number agreed with the City Council;
  - **PAN** means the Published Admission Number for the year of entry at a school;
  - **ACE** means the Alternative Complementary Education Services.
7. The scheme shall be determined and processed in accordance with the provisions set out in Schedule 1 and the timetable set out in Schedule 2.
  8. The scheme shall apply to every primary, junior and secondary school in Plymouth (including academy schools and UTCs but excluding special schools and independent schools) and shall take effect for entry in September 2013.
  9. The primary co-ordinated admissions scheme and the secondary co-ordinated admissions scheme cover the admission of children to school at the normal point of entry (e.g. starting reception, starting junior school in year 3 and starting secondary school in year 7). However, a number of children will require admission to school at other times and these admissions, known as in-year admissions will be covered under this scheme with the exception of admissions to nursery schools and years 12 and 13, which are outside the scope of these arrangements.
  10. Applications for admission to nursery schools and years 12 and 13 should be submitted to the school(s) direct and must be considered in accordance with the admission arrangements appropriate to that entry point.
  11. Where a child is not resident with his or her parent, parental responsibility must be conferred by the parent directly on the person with whom the child is to reside and not on a third party or a commercial or charitable organisation. Where this involves a person who is not a close relative of the child, it is the responsibility of that person to refer the arrangement to social care as a private fostering arrangement.
  12. The scheme shall be based on an **equal preferences** system. This means that applications must be considered without reference to the parents' ranked order of preference.
  13. The PAN set for a particular year of entry will normally be maintained as that year group progresses through the school.

## SCHEDULE I

### PART I - THE SCHEME

1. There shall be a common application form available from the LA.
2. The common application form shall be used by all applicants' wishing to apply for a school place at a school in Plymouth other than at the normal point of entry. Parents seeking a school place in-year in another LA should contact that LA for advice on how to submit an application for a school place.
3. The scheme comes into force from the date specified in Schedule 2. Once completed, the common application form will be submitted via Plymouth City Council. Any requests for admission received by the school direct (e.g. from other admission authorities, parents, other LAs) will be forwarded to Plymouth City Council without delay.
4. The common application form shall be used as a means of expressing one or more preferences, in accordance with the School Standards and Framework Act 1998, Section 86, by parents wishing to express a preference for their child to be admitted to a school in Plymouth (including academy, foundation, trust, UTC and VA schools). Parents submitting an application via the LA may specify up to three school preferences on their application.
5. The common application form and the written information that accompanies it shall:
  - a) invite the parent to express up to three preferences;
  - b) invite the parent to give reasons for each preference;
  - c) explain that the parent will receive no more than one offer of a school place and that:
    - i) a place will be offered at the highest ranking, nominated school for which the child is eligible for a place; and
    - ii) if a place cannot be offered at a nominated school, a place will be offered at an alternative school;
    - iii) any refusal of a place applied for will explain clearly why a place has not been allocated and will explain the right and procedure for appeal.
6. The City Council shall make appropriate arrangements and take all reasonable steps to ensure that the common application form is available on the City Council's website and on request from the City Council. A parental guide will be available on the City Council's website to explain how the scheme operates and will also be available in hard copy on request.
7. All preferences expressed on the common application form are valid applications. The governing body of an academy, foundation, trust, UTC or VA school may require parents who wish to nominate, or have nominated, their school on the common application form, to provide supplementary information, only where the supplementary information is required for the governing body to apply its over-subscription criteria to the application. Where supplementary information is required, the applicant must return it to the relevant school.
8. When an academy, foundation, trust, UTC or VA school receives supplementary information, it shall not be regarded as a valid application unless the parent has also completed the City Council common application form. Where supplementary information is received directly by a

foundation, trust, UTC or VA school in the absence of a common application form, the school shall inform the City Council so that it can verify whether a common application form has been received from the parent and, if not, contact the parent to ask them to complete one.

9. It is necessary that the information available to the City Council regarding NoR in any year group is accurate and up to date. To this end, all Plymouth schools will alert the School Admissions Team to 'leavers' without delay so that vacancies can be identified and the leaver's whereabouts tracked. When a child is allocated to a school, the receiving school will also notify the date that the child started.

### **Processing application forms**

10. Completed application forms should be returned to the City Council. Any application received by a school must be forwarded to the City Council without delay. A parent approaching a school with a view to admission must be referred to the City Council for the City Council to act upon the admission request.
11. If the school is approached by a parent seeking admission and determines that the admission request is on behalf of a vulnerable child who requires priority admission and the school has room in the year group, the school should arrange for the parent to complete the common application form at the school and immediately notify the City Council of receipt of the application, at the same time, emailing a copy of the completed application form to the City Council. The City Council will, where possible prioritise that application by establishing whether the admission could cause prejudice to other applications received and notify the school without delay of the outcome. This measure should streamline the process for urgent admission requests. Note however that any admission request could not be considered until the day following receipt due to the scheme close date for application and possible prejudice.
12. In respect of applications received by the City Council, the close date for applications under this scheme will be midnight each working day and all applications received in Plymouth's School Admissions Team by midnight on the same day will be treated equally.
13. Applications will be accepted no more than 6 school weeks before the date that the school place is required and the applicant will normally be expected to take up the place within 2 weeks of allocation of that place. Failure to take up the place within the expected time may lead to withdrawal of the allocated place. In the case of UK service personnel this application period may be extended up to 12 school weeks if the application is accompanied by an official government letter which declares a relocation date and a Unit postal address or quartering area address.

### **Determining consideration of the common application form**

14. On receipt of a common application form, the request will be reviewed in the light of the City Council's Fair Access Protocol and will be determined as either:

#### **(i) a standard admission request**

Most requests received will be assessed under the standard admission procedure. The PAN set for the normal point of entry is usually applied to all year groups. Applications will be considered up to PAN or other agreed limit. Looked after children or a child who was previously looked after but immediately after being looked after became subject to an adoption, residence, or special guardianship order will be admitted to the school even where that school is above PAN or other agreed limit as long as the regulations relating to infant class

size are not compromised.

(ii) a Fair Access assess request

The following category of pupil has been determined as potentially vulnerable and will be considered under the Fair Access assessed request:

- applicants for admission to Year 11 of a mainstream school;
- children known to the police or other agencies;
- children of refugees and asylum seekers;
- children of UK Service personnel;
- children returning from the criminal justice system; and
- children who are carers;
- children who have been out of education for longer than one school term (based on a 3 term year);
- children who have English as an additional language;
- children whose parents have been unable to find them a place after moving to the area, because of a shortage of places;
- children with disabilities or medical conditions;
- children with special educational needs (but without a statement);
- children with unsupportive family backgrounds, where a place has not been sought;
- children withdrawn from schools by their family, following fixed term exclusions and unable to find another place;
- children without a school place and with a history of serious attendance problems i.e. 80% or below;
- homeless children;
- traveller children.

These children may face challenges, including behaviour, which require additional consideration and support.

Applications will be considered for the requested school(s) up to PAN (or other agreed limit) for the relevant year plus 3% (rounded to the nearest whole figure where the minimum is 1) as long as the regulations relating to infant class size are not compromised.

A school will not be expected to admit above PAN or other agreed number to meet the preference of a parent for a child:

- where a specified preference can be met;
- where there is a vacancy within a school (excluding selective schools) within a reasonable distance of home;
- who already has a school place within a reasonable distance of home;
- has voluntarily given up a school place in order to seek a place under this scheme;
- is moving from a fee paying school;
- is moving from elective home education;
- where the school is in special measures or serious weakness (or have been within the previous 2 years) or has national challenge status.

Children of Year 11 age will be allocated a place at school as for other year groups until the end of term 2 in December. Where the allocated school determines that the child will not achieve 5 grade A\*-c including Maths and English, the child will be placed on a dual registration basis at the Alternative Complimentary Education Services (ACE) until after the census date.

After admission, the school may discuss whether it may be more appropriate to educate the child below his or her chronological age in Year 10. After the end of term 2 in December, children will be referred to the Inclusion Manager for initial placement at ACE. ACE will consider the child's educational level obtained. It will consult with the child, family members and schools to agree the most suitable placement for the rest of the academic year. This may include an option of moving back an academic year at the discretion of a school. Where it is not considered that a school place is appropriate, ACE will provide educational support.

### (iii) a reintegration request

The following category of pupil has been determined as likely to be vulnerable and will be considered under the Fair Access reintegration request. Such requests for admission will be referred to the Primary and Secondary Placement Panels in order that an appropriate school place can be allocated:

- those children for whom a managed move from one school to another is considered appropriate, including those reintegrating from ACE;
- those children permanently excluded from a school (and not reinstated there at an appeal);
- those children for whom an education setting has not been agreed and where the school Admissions Team has been unable to allocate a place via the Standard Admission or Assessed Admission procedures;
- those children who are seeking reintegration from ACE into a mainstream school.

### **Requests for transfer of school**

15. Parents are entitled to request a change of school at any time during the year but a change of school will not normally take place until the beginning of term 1 in September, term 3 in January or term 5 in April unless:

- the child is moving to a new address served by a different primary or secondary school or;
- there are significant medical or social reasons supported by a medical practitioner or other professional why an immediate transfer is required or;
- a child is taken into care or accommodated and the change is supported by a letter from a social worker;
- the request is accepted as a reintegration request.

If the base school (the current school) is within Plymouth, that school will be notified of the parent/carer's request to transfer out of the school. When an allocation is made for a future term start date, the school that the child attends as the base school may agree an earlier transfer date with the receiving school if they feel it to be in the child's best interest.

### **Children resident abroad**

16. Where the child is not currently resident in the United Kingdom, an application will be accepted on the provision of a photocopy of his/her passport confirming the nationality of a country in the European Economic Area (EEA) or Switzerland and proof of residence in Plymouth.

17. Where a child is not currently resident in the United Kingdom, an application will not be accepted from children whose nationality is of a country other than those of the EEA or Switzerland. No offer will be made to a child which may influence a decision by the Border and

Immigration Agency to admit or refuse entry to the United Kingdom.

18. Where a child whose nationality is of a country other than those in the EEA or Switzerland, an application will be accepted on production of his/her passport. This will establish that the child has been admitted to the United Kingdom and make any visa restriction available for inspection. An address in Plymouth will also be required.
19. The countries which constitute the EEA are Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Republic of Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, The Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom.

### **Determining offers in response to the common application form**

20. All requests for a school place under this scheme will usually be dealt with within 20 school days. In the case of applications for entry to grammar schools, it will be necessary for pupil's ability to be assessed either through examination or report dependant on the age of the candidate. It may not therefore be possible to meet the 20 day turnaround.
21. In all cases, eligibility will be determined in accordance with the published oversubscription criteria, admission arrangements applicable to the year of entry and the number on roll at the requested school and in accordance with the provisions of the School Admissions Code of Practice and applicable Regulations.
22. Within 10 school days of receipt of the application:
  - a. the City Council will ascertain availability of place(s) at any nominated community or VC school for which it is the admission authority;
  - b. the City Council will notify the admission authority for each academy, foundation, trust, UTC and VA school of every nomination that has been made for that school, forwarding a report detailing the relevant information contained in the common application form or a copy of the common application form (without the rank order of preference) and any supplementary information received which schools require in order to apply their oversubscription criteria;
  - c. where a parent has nominated a school outside Plymouth, the City Council shall refer the applicant to the home LA for advice on the application process.
23. Within 5 school days of receipt of the application information from the City Council the relevant admission authority will confirm to the City Council whether a place can be offered to the applicant based solely on NoR or other agreed limit and the oversubscription criteria. The City Council may ask the school to confirm NoR and PAN. If there are more applicants than spaces available, schools who are their own admission authority will have to submit a ranked list of applicants to be considered for admission. The City Council will confirm availability of places in schools for in its areas to interested parties.
24. The City Council shall act as a clearing house for the allocation of places by the relevant admission authorities in response to the application forms. The City Council shall decide to offer or refuse a place only in response to any preference expressed on the application form where:
  - a) it is acting in its separate capacity as an admission authority, or

- b) an applicant is eligible for a place at more than one school, or
- c) an applicant is not eligible for a place at any school that the parent has nominated.

25. Within 20 school days of receipt of the application, the City Council shall match the application to the schools nominated and where the child is:

- eligible for a place at only one of the nominated schools, that school shall be allocated to the child;
- eligible for a place at two or more of the nominated schools, he or she shall be allocated a place at whichever of these is the highest ranked preference;
- not eligible for a place at any of the nominated schools, he or she shall be allocated a place at the nearest appropriate school with a vacancy.

26. Within 20 school days of receipt of the application, the City Council shall inform each school of the pupils to be allocated places at the school.

27. Within 20 school days of receipt of the application, the City Council shall notify all parents by first class post that they are being offered a place at a school. This letter will include:

- the name of the school at which a place is offered;
- the reasons why the child is not being offered a place at each of the other schools nominated on the common application form;
- information about the statutory right of appeal against the decisions to refuse places at the other nominated schools;
- information about school waiting lists;
- via the website, contact details for the school; the City Council; and those nominated academy, foundation, trust or VA schools where the child was not offered a place, so that the parent may lodge an appeal with the governing body;
- a requirement to notify the City Council whether the applicant intends to accept the place offered to the child.

In respect of applications handled by the City Council, offer letters for this scheme will be issued by the City Council on behalf of all schools.

28. Within 2 weeks of the date of the offer letter, parents/carers must notify acceptance of a school place. Failure to notify acceptance may result in withdrawal of the place offered. Parents declining the offer of a place should notify the educational arrangements they plan to provide for their child.

### **Appeals**

29. A parent will have the right of appeal at any school they been refused.

30. Information about the appeals process will be available from the City Council or the relevant admission authority as appropriate.

## Waiting Lists

31. Each admission authority shall maintain waiting lists with a view to re-allocation of any places that may become available. Own admission authority schools may delegate this task to the LA if they wish. The list will be kept in the order of the oversubscription criteria. The waiting list must be held for at least the first term of the academic year of admission, each added child will require the list to be ranked again in line with the published oversubscription criteria. Priority must not be given to children based on the date their application was received or their name was added to the list. In respect of schools for which the City Council holds a waiting list, a child will automatically be placed on a waiting list, to be re-allocated a place if one becomes available after the allocation, at any school ranked higher on the application form than the school that was offered. By change of preference, a child may join a waiting list for a school not previously requested. In the case of own admission authority schools, parents will need to contact the school direct to discuss the procedure for waiting lists. In the case of Devonport High School for Boys, eligibility to join the waiting list is dependant upon score attained in the selection examination.
32. Accordingly, where a child has been allocated a place:
- at the parent's first ranked preference school, he or she will not be considered for re-allocation;
  - at the parent's second ranked preference school, he or she may be placed on the waiting list of the first ranked preference school, but not the third;
  - at the parent's third ranked preference school, he or she may be placed on the waiting lists of the first and second ranked preference schools;
  - at a school that the parent did not nominate on the common application form, he or she may be placed on the waiting lists of any schools that were nominated.
33. The admission authority may ask parents to renew their intent to remain on the waiting list and may remove a child's name from the list if there is a negative or nil response.

## **PART II - MANAGING COMPLIANCE WITH THE INFANT CLASS SIZE DUTY**

34. Section 1 of the School Standards & Framework Act 1998 (as amended by the Education Act 2002) and The School Admissions (Infant Class Sizes) (England) Regulations 2012 limit the size of an infant class during an ordinary teaching session.
35. Infant classes (those where the majority of children will reach the age of 5, 6 or 7 during the school year) **must not** contain more than 30 pupils with a single school teacher. Additional children may be admitted under very limited exceptional circumstances. These children will remain an 'excepted pupil' for the time they are in an infant class or until the class numbers fall back to the current infant class size limit. The excepted children are:
- a) children with statements of special educational needs admitted outside the normal admission round;
  - b) looked after children and previously looked after children admitted outside the normal admission 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 admission round for whom there is no other available school within reasonable distance;
- f) children of UK service personnel admitted outside the normal admission round;
- g) twins and children from multiple births when one of the siblings is the 30<sup>th</sup> child admitted;
- h) children with SEN who are normally taught in an SEN unit attached to the school, or registered at a special school, who attend some infant classes within the mainstream school.

36. Schools are required to accurately complete Census returns for submission to the LA. The LA has a duty to check these returns before submitting to the Department for Education.

37. Schools that do not comply with infant class size restrictions will be required to take qualifying measures in order to comply with the class size limit.

## SCHEDULE 2

### Timetable for in-year admissions to a Plymouth school

<b>From 1<sup>st</sup> day of term 1 (autumn) 2013 (2 September)</b>	<ul style="list-style-type: none"> <li>• In-year admission scheme commences.</li> </ul>
Up to 6 school weeks before the date a school place is required (extended for UK service families)	<ul style="list-style-type: none"> <li>• Application forms accepted from parents/carers.</li> </ul>
Within 10 school days of the initial receipt of an application	<ul style="list-style-type: none"> <li>• The City Council ascertains availability of place(s) at nominated schools for which it is the admission authority.</li> <li>• The City Council notifies the admission authority for each academy, foundation, trust, UTC and VA school of every nomination that has been made for that school.</li> </ul>
Within 5 school days of receipt of the application information from the City Council/other LA	<ul style="list-style-type: none"> <li>• The relevant admission authority will confirm to the City Council whether a place can be offered to the applicant based solely on NoR or other agreed limit and the oversubscription criteria.</li> <li>• The City Council may ask the school to confirm NoR and PAN.</li> </ul>

<p>Within 20 school days of receipt of the application</p>	<ul style="list-style-type: none"> <li>• The City Council shall inform each school of the pupils to be allocated places at the school.</li> <li>• The City Council shall notify all parents by first class post that they are being offered a place at a school</li> </ul>
<p>Within 2 weeks of the date of the application response letter</p>	<p><b>Parents/carers to respond to application response letters direct to the City Council.</b></p>
<p>Within 2 school weeks of the date of allocation</p>	<p>The child should start at the allocated school.</p>