

# Public Document Pack

## Executive Member Decisions

Friday, 26th February, 2021

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Date Published: 26<sup>th</sup> February 2021  
Denise Park, Chief Executive

## Executive Member Decision



**REPORT OF:** Executive Member for Children, Young People and Education

**LEAD OFFICERS:** Strategic Director of Children's & Education (DCS)

**DATE:** Friday, 26 February 2021

**PORTFOLIO(S) AFFECTED:** Children, Young People and Education

**WARD/S AFFECTED:** (All Wards);

### **SUBJECT:**

EMD Proposed Schools Admissions Arrangements 2022-2023

### **1. EXECUTIVE SUMMARY**

To advise the Executive member of the Local Authority's proposed admission arrangements for the 2022/23 academic year.

### **2. RECOMMENDATIONS**

That the Executive Member for Children's Services & Education formally determines the proposed admission arrangements for 2022/23 as attached at Appendices 1, 2, 3 and 4.

### **3. BACKGROUND**

The Borough Council is the admissions authority for community and voluntary controlled schools in Blackburn with Darwen and has a statutory duty to act in accordance with the provisions of the School Admissions Code 2014.

As the admission authority for all community and voluntary controlled schools, the statutory responsibility for determining and publishing the admission arrangements for those schools rests with the Local Authority.

Under the current School Admissions Code, all admission authorities are required to "determine" (i.e. formally agree) their admission arrangements annually by 28<sup>th</sup> February even if those arrangements have not been changed from previous years. In addition, the School Admissions Code also stipulates that admission authorities must consult on their admission arrangements at least once every seven years, even if there have been no changes during that period.

Blackburn with Darwen Borough Council undertook their seven year consultation in line with the requirements of the Code for the 2021/22 admissions arrangements.

The proposed admissions arrangements provide clear and concise information and enable parents and pupils to make informed choices when making applications for school places.

### **4. KEY ISSUES & RISKS**

The Local Authority would be in breach of its statutory duties if it failed to determine annually the admissions arrangements for its community and voluntary controlled schools (or if it failed to consult as and when required by the School Admissions Code).

## 5. POLICY IMPLICATIONS

None

## 6. FINANCIAL IMPLICATIONS

None

## 7. LEGAL IMPLICATIONS

Appropriately determining admission arrangements for community and voluntary controlled schools fulfils the Local Authority's statutory duties under relevant legislation and the School Admissions Code.

## 8. RESOURCE IMPLICATIONS

Managed through established staffing resource

## 9. EQUALITY AND HEALTH IMPLICATIONS

**Please select one of the options below.**

Option 1 ☒ Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 ☐ In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision.

## 10. CONSULTATIONS

The School Admissions Code also stipulates that admission authorities must consult on their admission arrangements at least once every seven years, even if there have been no changes during that period. Blackburn with Darwen Borough Council undertook their seven year consultation with key stakeholders for the 2021/22 admissions arrangements.

## 11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

## 12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published.

<b>CONTACT OFFICER:</b>	Carol Grimshaw, carol.grimshaw@blackburn.gov.uk
<b>DATE:</b>	09 February 2021

<b>BACKGROUND PAPER:</b>	<b>Appendix 1</b> – Admission policy for community and voluntary controlled infant and primary schools for 2022/23 academic year <b>Appendix 2</b> – Admission Arrangements for Community Junior Schools for 2022/23 Academic Year <b>Appendix 3</b> – Published Admission Numbers for 2022/22, Community and Controlled Infant, Junior and Primary Schools <b>Appendix 4</b> - In-Year Co-ordinated Admissions Scheme
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## EQUALITY IMPACT ASSESSMENT CHECKLIST

***This checklist is to be used when you are uncertain if your activity requires an EIA or not.***

An Equality Impact Assessment (EIA) is a tool for identifying the potential impact of the organisation's policies, services and functions on its residents and staff. EIAs should be actively looking for negative or adverse impacts of policies, services and functions on any of the nine protected characteristics.

The checklist below contains a number of questions/prompts to assist officers and service managers to assess whether or not the activity proposed requires an EIA. Supporting literature and useful questions are supplied within the [EIA Guidance](#) to assist managers and team leaders to complete all EIAs.

<b>Service area &amp; dept.</b>	Children's Services and Education	<b>Date the activity will be implemented</b>	28/02/2021
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<b>Brief description of activity</b>	Blackburn with Darwen Borough Council's proposed admission arrangements for 2022/23 academic year.
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Answers favouring doing an EIA	Checklist question	Answers favouring not doing an EIA
<input type="checkbox"/> Yes	Does this activity involve any of the following: - Commissioning / decommissioning a service - Change to existing Council policy/strategy - Budget changes	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes	Does the activity impact negatively on any of the protected characteristics as stated within the Equality Act (2010)?	<input checked="" type="checkbox"/> No
<input type="checkbox"/> No <input type="checkbox"/> Not sure	Is there a sufficient information / intelligence with regards to service uptake and customer profiles to understand the activity's implications?	<input checked="" type="checkbox"/> Yes
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	<b>Does this activity:</b> Contribute towards unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act (i.e. the activity creates or increases disadvantages suffered by people due to their protected characteristic)	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Reduce equality of opportunity between those who share a protected characteristic and those who do not (i.e. the activity fail to meet the needs of people from protected groups where these are different from the needs of other people)	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Foster poor relations between people who share a protected characteristic and those who do not (i.e. the function prevents people from protected groups to participate in public life or in other activities where their participation is disproportionately low)	<input checked="" type="checkbox"/> No
<b>FOR =0</b>	<b>TOTAL</b>	<b>AGAINST =6</b>

**Will you now be completing an EIA?**

☐ Yes

☒ No

The EIA toolkit can be found [here](#)

<b>Assessment Lead Signature</b>	Carol Grimshaw
<b>Checked by departmental E&amp;D Lead</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Date</b>	09/02/2021

<b>Name of the activity being assessed</b>					
<b>Directorate / Department</b>		<b>Service</b>		<b>Assessment Author</b>	
<b>Is this a new or existing activity?</b>	<input type="checkbox"/> New <input type="checkbox"/> Existing	<b>Responsible manager / director for the assessment</b>			
<b>Date EIA started</b>	Click here to enter a date.	<b>Implementation date of the activity</b>		Click here to enter a date.	

## SECTION 1 - ABOUT YOUR ACTIVITY

<b>How was the need for this activity identified?</b> i.e. Why are we doing this activity?					
<p>What is the activity looking to achieve?</p> <p>What are the aims and objectives?</p>					
<b>Services currently provided</b> (if applicable)					
<b>Type of activity</b>	<div> <input type="checkbox"/> Budget changes           <input type="checkbox"/> Decommissioning           <input type="checkbox"/> New activity         </div> <div> <input type="checkbox"/> Change to existing activity           <input type="checkbox"/> Commissioning           <input type="checkbox"/> Other [please state here]         </div>				

**SECTION 2 - UNDERSTANDING YOUR CUSTOMER**

**What resources will support in undertaking the equality analysis and impact assessment?**

*Please identify additional sources of information you have used to complete the EIA, e.g. reports; journals; legislation etc.*

**Who are you consulting with? How are you consulting with them?** *(Please insert any information around surveys and consultations undertaken)*

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<b>Who does the activity impact upon?*</b>	Service users	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Members of staff	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	General public	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Carers or families	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
	Partner organisations	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Indirectly			
<b>Does the activity impact positively or negatively on any of the protected characteristics as stated within the Equality Act (2010)?*</b>  <b>The groups in blue are not protected characteristics (please refer to p. 3 of the guidance notes)</b>	Positive impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers
	Negative impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers
	No impact	<input type="checkbox"/> Age	<input type="checkbox"/> Disability	<input type="checkbox"/> Gender reassignment	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Pregnancy & maternity	<input type="checkbox"/> Vulnerable groups
		<input type="checkbox"/> Race	<input type="checkbox"/> Religion or belief	<input type="checkbox"/> Sex	<input type="checkbox"/> Sexual orientation	<input type="checkbox"/> Deprived communities	<input type="checkbox"/> Carers

**\*If no impact is identified on any of the protected characteristics a full EIA may not be required. Please contact your departmental Corporate Equality & Diversity representative for further information.**

**Does the activity contribute towards meeting the Equality Act's general Public Sector Equality Duty?** *Refer to p.3 of the guidance for more information*  
***A public authority must have 'due regard' (i.e. consciously consider) to the following:***

DUTY	DOES THE ACTIVITY MEET THIS DUTY? EXPLAIN
<b>Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act</b> <i>(i.e. the activity removes or minimises disadvantages suffered by people due to their protected characteristic)</i>	
<b>Advance equality of opportunity between those who share a protected characteristic and those who do not</b> <i>(i.e. the activity takes steps to meet the needs of people from protected groups where these are different from the needs of other people)</i>	
<b>Foster good relations between people who share a protected characteristic and those who do not</b> <i>(i.e. the function encourages people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	

<b>ASSESSMENT</b>	<b>Is a full EIA required?</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Please explain how you have reached your conclusion <i>(A lack of negative impacts must be justified with evidence and clear reasons, highlight how the activity negates or mitigates any possible negative impacts)</i>			

<b>Author Signature</b>		<b>Date</b>	Click here to enter a date.
<b>Head of Service/Director Signature</b>		<b>Date</b>	Click here to enter a date.
<i>The above signatures signify acceptance of the ownership of the Initial EIA and the responsibility to publish the completed Initial EIA as per the requirements of the Equality Act 2010.</i>			
<b>Departmental E&amp;D Lead Signature</b>		<b>Date</b>	Click here to enter a date.



### SECTION 3 – ANALYSIS OF IMPACT

Does the activity have the **potential** to:

- **positively** impact (benefit) any of the groups?
- **negatively** impact/exclude/discriminate against any group?
- **disproportionately** impact any of the groups?

Explain how this was identified – through evidence/consultation.

Any negative impacts that are identified within the analysis need to be captured within the action plan in **Section 4**

**N.B.** Marriage & Civil Partnership is only a protected characteristic in terms of work-related activities and NOT service provision

Characteristic	Positive	Negative	Don't know	Reasons for positive and/or negative impact Please include all the evidence you have considered as part of your analysis	Action No.
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Marriage & Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Pregnancy & Maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Vulnerable Groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Deprived Communities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Carers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
Other [please state]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

Does the activity raise any issues for community cohesion?	
Does the activity contribute positively towards community cohesion?	
Does the activity raise any issues in relation to human rights as set out in the Human Rights Act 1998? Details of which can be found <a href="#">here</a>	
Does the activity support / aggravate existing departmental and/or corporate risk?	<i>Is the activity on the departmental risk register? If it is not, should it be?</i>

## CONCLUSIONS OF THE ANALYSIS

<b>Action following completion of the impact assessment</b>			
<i>It is important that the correct option is chosen depending on the findings of the analysis.</i>			
<i>The action plan must be completed as required.</i>			
<input checked="" type="checkbox"/> No major change in the activity	<input type="checkbox"/> Adjust activity	<input type="checkbox"/> Continue with activity	<input type="checkbox"/> Stop and reconsider activity
<b>Please explain how you have reached your conclusion</b>			

## ACTION PLAN

Action No.	What is the negative / adverse impact identified?	Actions required to reduce / mitigate / eliminate the negative impact	Resources required	Responsible officer(s)	Target completion date

## MONITORING AND REVIEW

The responsibility for establishing and maintaining the monitoring arrangements of the EIA action plan lies with the service completing the EIA. These arrangements should be built into the performance management framework.

Monitoring arrangements for the completion of EIAs will be undertaken by the Corporate Equality & Diversity Group and the oversight of the action plans will be undertaken by the Management Accountability Framework.

If applicable, where will the EIA Action Plan be monitored?	<i>e.g. via Service Management Team; Service Leadership Team; Programme Area Meetings</i>
How often will the EIA Action Plan be reviewed?	<i>e.g. quarterly as part of the MAF process</i>
When will the EIA be reviewed?	<i>It should be reviewed at least every 3 years to meet legislative requirements</i>
Who is responsible for carrying out this review?	

<b>Author Signature</b>		<b>Date</b>	Click here to enter a date.
<b>Head of Service/Director Signature</b>		<b>Date</b>	Click here to enter a date.
<i>The above signatures signify acceptance of the ownership of the full EIA, the responsibility for the associated Action Plan (if applicable) and the responsibility to publish the completed full EIA as per the requirements of the Equality Act 2010.</i>			
<b>Departmental E&amp;D Lead Signature</b>		<b>Date</b>	Click here to enter a date.



## Admission Arrangements for community and voluntary controlled infant and primary schools for 2022/23 academic year

### Children to be admitted

The law does not require any child to receive a suitable education until the start of the term following their fifth birthday. In Blackburn with Darwen we operate a single start date of September for all children who will become 5 during that school year. All children who have their fifth birthday between September 1, 2022 and August 31, 2023 may start school in the Autumn Term 2022.

### Deferred admission

Parents may wish to consider delaying their child's admission until the term after their fifth birthday. This is called deferred admission. Further information about deferred admission is included in the Council's admissions booklet for parents and can be found at [www.blackburn.gov.uk/admissions](http://www.blackburn.gov.uk/admissions).

### Making an application

Applications for admission for September 2022 should be made on the common application form between 2 September 2021 and 15 January 2022. It is not normally possible to change the order of your preferences for schools after the closing date (15 January 2022).

Parents must complete the Local Authority application form, stating up to three preferences. The forms are available on-line or from the School Admissions Team

Letters informing parents of whether or not their child has been allocated a place will be sent out by the Local Authority by 16 April 2022. Parents of children not admitted to a preferred school will be informed of the reason and offered an alternative place by the Local Authority.

The published admission number for each infant and primary school is set out in the entry for that school. All preferences expressed for each school will be considered equally. If the number of children requiring admission does not exceed the school's published admission number, all the children will be offered admission. If the number of children requiring admission exceeds the published admission number, then the Local Authority will consider all preferences equally against the oversubscription criteria shown below.

### Admission Criteria for Oversubscribed Schools

Children with an Education, Health and Care plan (EHCP), for whom the preferred school is named in the plan will be admitted first. The remaining applicants who have named this school as a 1<sup>st</sup>, 2<sup>nd</sup> or 3<sup>rd</sup> preference will then be considered equally against the Council's admission policy, in the priority order given below:

- a) (i) 'Looked after' children and children who were previously 'looked after' but immediately after being looked after were adopted or became subject to a child arrangements order, or special

guardianship order. ('Looked after' means that the child was (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);

(ii) Children who were previously in state care before coming to England.

- b) Children with an older sibling (sibling means a brother or sister, half brother or sister, adopted brother or sister, step brother or sister, not cousins, or the child of the parent/carer's partner, and in every case, the child should be living in the same family unit at the same address) who will still be attending the preferred school when the younger child is admitted;
- c) Children with proven exceptional medical, social or welfare needs which are directly relevant to the school concerned. If you wish to be considered under this category you must provide appropriate supporting evidence with your application from a doctor, social worker or other professional. This evidence must explain why the preferred school is the most suitable and what difficulties would be caused if the child had to attend another school;
- d) Geographical proximity - under this category, the remaining places will be offered to children who live nearest to the preferred school. The distance will be measured in a straight line between the home front door and the main gate of the school using a computerised programme.

### Tie-breaker

If category (a), (b) or (c) is oversubscribed, geographical proximity (as set out in category (d)) will be used as the 'tie-breaker' to decide between the remaining cases. If after measuring distances it is still not possible to decide on the child/ren to be offered admission (for example two children living in the same block of flats or in the same house) the Local Authority will then use a random draw allocation (which is carried out automatically by the local authority's computerised system) to decide which of the children can be offered a place.

### Priority for Twins/Multiple births

Where there are twins, etc wanting admission and there is only a single place left within the admission number, the Local Authority will exercise as much flexibility as possible within the requirements of infant class sizes. In exceptional circumstances admission authorities are able to offer places to children of multiple births, even when this means breaching infant class size limits. This may also apply to siblings who are in the same year group.

### NOTE – Criterion (c) medical, social, welfare reasons

If you feel that there are exceptional medical/social/welfare needs relating to your child which support the need for your child to attend a particular school, and wish your application to be considered under criterion (c) you must state this on your application form AND provide appropriate written supporting evidence for your application from a doctor, social worker or other professional. This evidence must explain why the preferred school is the most suitable and what difficulties would be caused if the child had to attend another school.

This evidence should accompany the application form. If necessary, parents can submit the application form and send the supporting evidence at a later date but the supporting evidence MUST be received by the Local Authority on or before the closing date for applications (15 Jan). It is the parent's responsibility to ensure that the Local Authority receives the supporting evidence.

If you do not provide the supporting evidence on or before the closing date, then it will not be possible to consider your application under the medical/social/welfare criterion.

Please bear in mind the following points in relation to this criterion:

- 1) Only *exceptional* reasons associated with the child and directly relevant to the suitability of that specific school (i.e. showing why the child needs to be admitted to that particular school) are normally accepted under this criterion.
- 2) All schools can make provision for special educational needs and can also manage common conditions – e.g. asthma, diabetes, epilepsy.

After the closing date, during the early stages of the allocations process, all applications which have requested consideration on the grounds of medical/social/welfare need are considered separately by a panel from the Admission Authority. This involves considering all statements and evidence provided by parents/carers to support the application. The panel may, at their own discretion, contact parents/carers and third parties (with parental consent) to request further information where this is needed to reach a decision.

The Panel's focus in assessing each claim for consideration under this criterion will be to assess whether the evidence provided (a) actually confirms that this child has an exceptional medical/social/welfare need AND (b) demonstrates a clear and exceptional need for this child to attend that specific school for reasons arising from the exceptional medical/social/welfare need.

Where the reasons claimed are not considered exceptional or do not disclose an exceptional need for the child to attend that specific school, then the application will be dealt with under the other admission criteria for the school(s) requested.

### Late applications for admission

Where there are extenuating circumstances for an application being received after the closing date for applications, and it is received by the Local Authority before the cut-off date (11 March 2022) then it will be considered alongside all the others.

Otherwise, applications which are received after the closing date will be considered after all the others, and placed on the waiting list in order according to the admission criteria.

### Address of pupil

The address used on the common application form must be the current one at the time of application, i.e. the family's main residence. If the address changes subsequently, the parents should notify the school. Where the parents live at different addresses, and there is shared parenting, the address used will normally be the one where the child wakes up for the majority of Monday to Friday mornings. If there is any doubt about this, then the address of the Child Benefit recipient will be used.

Parents may be asked to show evidence of the claim that is being made for the address, e.g. identity cards of various sorts showing the child's address as the one claimed. Where there is dispute about the correct address to use, the Local Authority reserve the right to make enquiries of any relevant third parties, e.g. the child's G.P. Council Tax Office, Electoral Registration Officer, utilities provider. For children of UK Service personnel and other Crown Servants returning to the area proof of the posting is all that is required.

Where more than one person with Parental Responsibility for the child submits an application for the same child, then neither application will be considered and the parents/carers will be asked to agree a single application. The local authority will require the parents to resolve matters between themselves, taking legal advice if necessary and inform the local authority which application should be processed. PLEASE NOTE - if agreement is not reached or a legal decision is not made before the closing date, this may affect the chances of your child being allocated a place at the preferred school(s).

## Non Routine Admissions

### In Year admissions

It sometimes happens that a child needs to change school other than at the “normal” time; such admissions are known as in-year admissions. Parents need to submit an “In Year Application Form” to the Fair Access Team. If there is a place in the appropriate school, your child will normally be admitted. If there is no place, the place will be refused but information will be provided about how to appeal against this refusal.

### Admission of children outside their normal age group

Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health.

### Children who are already of school age

Parent(s)/carer(s) must submit their written request for admission out of the normal age group to the Local Authority. If their request is agreed and a place is available in the requested year group, the child will be admitted.

Please note: The Local Authority will not honour a decision made by another admission authority on admission out of the normal age group. Parent(s)/carer(s), therefore, should consider whether to request admission out of the normal year group at all of their preferred schools, rather than just their first preference school.

The Local Authority will make a decision on the request before the offer date if at all possible.

If the request is agreed, the parent(s)/carer(s) must make a new application for the next main admission round the following year, and their current application for the normal age group should be withdrawn before a place is offered.

If their request for admission outside the normal age group is refused, parent(s)/carer(s) must decide whether to accept the offer of a place for the normal age group that they receive from the Local Authority, or to refuse it and make an in-year application to the Local Authority for admission to year one for the September following their child's fifth birthday.

### Making the decision

Parent(s)/carer(s) seeking admission of their child outside their normal age group must send their written request to the Local Authority. It is the responsibility of the parent(s)/carer(s) to provide the Local Authority with all relevant information relating to this request, including the parent(s)/carer(s) views; information about the child's academic, social and emotional development; medical history and views of a medical professional (where relevant); whether the child would naturally have fallen into a lower age group if it were not for being born prematurely; and whether the child has previously been educated out of their normal age group.

The Local Authority is required to take into account the views of the Head Teacher on the application as well as the information from the parent(s)/carer(s). The Local Authority will make their decision on the basis of the circumstances of each individual case, and in the best interests of the child concerned.

The Local Authority will then inform the parent/carer of their decision on the year group the child should be admitted to and will provide the reasons for their decision.

Parent(s)/carer(s) have a statutory right to appeal to an independent admission appeal panel against the refusal of a place at a school for which they have applied. As the purpose of the appeals process is to



consider whether a child should be admitted to a particular school, the right of appeal does not apply if they are offered a place at the school but it is not in their preferred year group. However, they may make a complaint about an admission authority's decision not to admit their child outside their normal age group.

## Appeals

Where the Local Authority is unable to offer a place because the school is oversubscribed, parents have the right to appeal to an independent admission appeal panel, set up under the School Standards and Framework Act 1998, as amended by the Education Act 2002. **Parents should complete and return the appeal form to the Local Authority by 24 May 2022.** Parents will have the opportunity to submit their case to the panel in writing and also to attend in order to present their case. Parents normally receive 14 days' notice of the place and time of the hearing.

Appeals which are received after the deadline will be slotted into the schedule where this is possible. There is no guarantee that this will happen and late appeals may be heard after the stipulated date at a second round of hearings. The schedule is subject to change depending upon the availability of appeal panel members, clerks, venues and the number of appeals for each school (which will vary year on year).

If your family is moving house, your application and appeal will be considered as being made from your old address until you provide suitable evidence of a permanent change of address, e.g. exchange of contracts on your house purchase or the signed tenancy agreement and rent book for your new address.

Please note that you cannot re-appeal for a place at a school within the same school year unless there has been relevant, significant and material change in the family circumstances.

This right of appeal against the Local Authority's decision does not prevent you from making an appeal in respect of any other school.

## Fraudulent applications

Where the Local Authority discovers that a child has been awarded a place as the result of an intentionally misleading application from a parent, for example, a false claim of residence which effectively denies a place to a child with a stronger claim, then the Local Authority may withdraw the offer of the place. The application will be considered afresh and a right of appeal offered if a place is refused.

## Waiting list

Where a school has more applications than places, the admissions criteria will be used. Children who are not admitted will have their name placed on a waiting list. The names on this waiting list will be in the order resulting from the application of the admissions criteria. Since the date of application cannot be a criterion for the order of names on the waiting list, late applicants for the school will be slotted into the order according to the extent to which they meet the criteria. Thus it is possible that a child who moves into the area later may have a higher priority than one who has been on the waiting list for some time. If a place becomes available within the published admission number, the child whose name is at the top of the list at that time will be offered a place. This is not dependent on whether an appeal has been submitted. Please note that looked after children, previously looked after children and those allocated a place at the school in accordance with the Fair Access protocol must take precedence over those on the waiting list.

This waiting list will operate until 31 December 2022.



## Admission Arrangements for Community Junior Schools for 2022/23 Academic Year

### Making an application

Applications for admission for September 2022 should be made on the common application form between 2 September 2021 and 15 January 2022. It is not normally possible to change the order of your preferences for schools after the closing date (15 January 2022).

Parents must complete the Local Authority application form, stating up to three preferences. The forms are available from the community infant school or the School Admissions Team.

Letters informing parents of whether or not their child has been allocated a place will be sent out by the Local Authority by 16 April 2022. Parents of children not admitted to a preferred school will be informed of the reason and offered an alternative place by the Local Authority.

The published admission number for each junior school is set out in the entry for that school. All preferences expressed for each school will be considered equally. If the number of children requiring admission does not exceed the school's published admission number, all the children will be offered admission. If the number of children requiring admission exceeds the published admission number, then the Local Authority will consider all preferences equally against the oversubscription criteria shown below.

### Admission criteria for oversubscribed schools

Children with an Education, Health and Care plan (EHCP), for whom the preferred school is named in the plan will be admitted first. The remaining applicants who have named this school as a 1<sup>st</sup> 2<sup>nd</sup> or 3<sup>rd</sup> preference will then be considered equally against the Council's admissions policy, in the priority order given below:

- a) **(i)** 'Looked after' children and children who were previously 'looked after' but immediately after being looked after were adopted or became subject to a child arrangements order, or special guardianship order. ('Looked after' means that the child was (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);  
**(ii)** Children who were previously in state care before coming to England.
- b) Pupils completing Year 2 at Audley Infant School if applying for admission at Audley Junior School, or Longshaw Infant School if applying for Longshaw Junior School or Meadowhead Infant School if applying for admission at Meadowhead Junior School, or Shadsworth Infant School if applying for admission at Shadsworth Junior School.
- c) Children with an older sibling (sibling means a brother or sister, half brother or sister, adopted brother or sister, step brother or sister, not cousins, or the child of the parent/carer's partner, and in

every case, the child should be living in the same family unit at the same address) who will still be attending the preferred school when the younger child is admitted;

- d) Children with proven exceptional medical, social or welfare needs which are directly relevant to the school concerned. If you wish to be considered under this category you must provide appropriate supporting evidence with your application from a doctor, social worker or other professional. This evidence must explain why the preferred school is the most suitable and what difficulties would be caused if the child had to attend another school;
- e) Geographical proximity - under this category, the remaining places will be offered to children who live nearest to the preferred school. The distance will be measured in a straight line between the home front door and the main gate of the school using a computerised programme.

### Tie-breaker

If category (a), (b), (c) or (d) is oversubscribed, geographical proximity (as set out in category (e)) will be used as the 'tie-breaker' to decide between the remaining cases. If after measuring distances it is still not possible to decide on the child/ren to be offered admission (for example two children living in the same block of flats or in the same house) the Local Authority will then use a random draw allocation (which is carried out automatically by the local authority's computerised system) to decide which of the children can be offered a place.

### Priority for twins/multiple births

Where there are twins, etc wanting admission and there is only a single place left within the admission number, the Local Authority will exercise as much flexibility as possible. In exceptional circumstances admission authorities are able to offer places to children of multiple births, even when this means breaching the school's published admission number. This may also apply to siblings who are in the same year group.

### NOTE – Criterion (d) medical, social, welfare reasons

If you feel that there are exceptional medical/social/welfare needs relating to your child which support the need for your child to attend a particular school, and wish your application to be considered under criterion (d) you must state this on your application form AND provide appropriate written supporting evidence for your application from a doctor, social worker or other professional. This evidence must explain why the preferred school is the most suitable and what difficulties would be caused if the child had to attend another school.

This evidence should accompany the application form. If necessary, parents can submit the application form and send the supporting evidence at a later date but the supporting evidence **MUST** be received by the Local Authority on or before the closing date for applications (15 Jan 2022). It is the parent's responsibility to ensure that the Local Authority receives the supporting evidence.

If you do not provide the supporting evidence on or before the closing date, then it will not be possible to consider your application under the medical/social/welfare criterion,

Please bear in mind the following points in relation to this criterion –

1. Only *exceptional* reasons associated with the child and directly relevant to the suitability of that specific school (i.e. showing why the child needs to be admitted to that particular school) are normally accepted under this criterion.
2. All schools can make provision for special educational needs and can also manage common conditions – e.g. asthma, diabetes, epilepsy.

After the closing date, during the early stages of the allocations process, all applications which have requested consideration on the grounds of medical/social/welfare need are considered separately by a panel from the Admission Authority. This involves considering all statements and evidence provided by parents/carers to support the application. The panel may, at their own discretion, contact parents/carers and third parties (with parental consent) to request further information where this is needed to reach a decision.

The Panel's focus in assessing each claim for consideration under this criterion will be to assess whether the evidence provided (a) actually confirms that this child has an exceptional medical/social/welfare need AND (b) demonstrates a clear and exceptional need for this child to attend that specific school for reasons arising from the exceptional medical/social/welfare need.

Where the reasons claimed are not considered exceptional or do not disclose an exceptional need for the child to attend that specific school, then the application will be dealt with under the other admission criteria for the school(s) requested.

### Late applications for admission

Where there are extenuating circumstances for an application being received after the closing date for applications, and it is received by the Local Authority before the cut-off date (11 March 2022) then it will be considered alongside all the others.

Otherwise, applications which are received after the closing date will be considered after all the others, and placed on the waiting list in order according to the admission criteria.

### Address of pupil

The address used on the common application form must be the current one at the time of application, i.e. the family's main residence. If the address changes subsequently, the parents should notify the school. Where the parents live at different addresses, and there is shared parenting, the address used will normally be the one where the child wakes up for the majority of Monday to Friday mornings. If there is any doubt about this, then the address of the Child Benefit recipient will be used.

Parents may be asked to show evidence of the claim that is being made for the address, e.g. identity cards of various sorts showing the child's address as the one claimed. Where there is dispute about the correct address to use, the Local Authority reserve the right to make enquiries of any relevant third parties, e.g. the child's G.P. Council Tax Office, Electoral Registration Officer, utilities provider. For children of UK Service personnel and other Crown Servants returning to the area proof of the posting is all that is required.

Where more than one person with Parental Responsibility for the child submits an application for the same child, then neither application will be considered and the parents/carers will be asked to agree a single application. The local authority will require the parents to resolve matters between themselves, taking legal advice if necessary and inform the local authority which application should be processed. PLEASE NOTE - if agreement is not reached or a legal decision is not made before the closing date, this may affect the chances of your child being allocated a place at the preferred school(s).

### Non Routine Admissions

#### In Year admissions

It sometimes happens that a child needs to change school other than at the "normal" time; such admissions are known as in-year admissions. Parents need to submit an "In Year Application Form" to the Fair Access Team. If there is a place in the appropriate school, your child will normally be admitted. If there is no place, the place will be refused but information will be provided about how to appeal against this refusal.

### Admission of children outside their normal age group

Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health.

### Children who are already of school age

Parent(s)/carer(s) must submit their written request for admission out of the normal age group to the Local Authority. If their request is agreed and a place is available in the requested year group, the child will be admitted.

**Please note:** The Local Authority will not honour a decision made by another admission authority on admission out of the normal age group. Parent(s)/carer(s), therefore, should consider whether to request admission out of the normal year group at all of their preferred schools, rather than just their first preference school.

The Local Authority will make a decision on the request before the offer date if at all possible.

If the request is agreed, the parent(s)/carer(s) must make a new application for the next main admission round the following year, and their current application for the normal age group should be withdrawn before a place is offered.

If their request for admission outside the normal age group is refused, parent(s)/carer(s) must decide whether to accept the offer of a place for the normal age group that they receive from the Local Authority, or to refuse it and make an in-year application to the Local Authority for admission to year one for the September following their child's fifth birthday.

### Making the decision

Parent(s)/carer(s) seeking admission of their child outside their normal age group must send their written request to the Local Authority. It is the responsibility of the parent(s)/carer(s) to provide the Local Authority with all relevant information relating to this request, including the parent(s)/carer(s) views; information about the child's academic, social and emotional development; medical history and views of a medical professional (where relevant); whether the child would naturally have fallen into a lower age group if it were not for being born prematurely; and whether the child has previously been educated out of their normal age group.

The Local Authority is required to take into account the views of the Head Teacher on the application as well as the information from the parent(s)/carer(s). The Local Authority will make their decision on the basis of the circumstances of each individual case, and in the best interests of the child concerned.

The Local Authority will then inform the parent/carers of their decision on the year group the child should be admitted to and will provide the reasons for their decision.

Parent(s)/carer(s) have a statutory right to appeal to an independent admission appeal panel against the refusal of a place at a school for which they have applied. As the purpose of the appeals process is to consider whether a child should be admitted to a particular school, the right of appeal does not apply if they are offered a place at the school but it is not in their preferred year group. However, they may make a complaint about an admission authority's decision not to admit their child outside their normal age group.

### Appeals

Where the Local Authority is unable to offer a place because the school is oversubscribed, parents have the right to appeal to an independent admission appeal panel, set up under the School Standards and Framework Act, 1998, as amended by the Education Act, 2002. **Parents should complete and return the appeal form to the Local Authority by 24 May 2022.** Parents will have the opportunity to submit their case

to the panel in writing and also to attend in order to present their case. Parents normally receive 14 days notice of the place and time of the hearing.

Appeals which are received after the deadline will be slotted into the schedule where this is possible. There is no guarantee that this will happen and late appeals may be heard after the stipulated date at a second round of hearings. The schedule is subject to change depending upon the availability of appeal panel members, clerks, venues and the number of appeals for each school (which will vary year on year).

If your family is moving house, your application and appeal will be considered as being made from your old address until you provide suitable evidence of a permanent change of address, e.g. exchange of contracts on your house purchase or the signed tenancy agreement and rent book for your new address.

Please note that you cannot re-appeal for a place at a school within the same school year unless there has been relevant, significant and material change in the family circumstances.

This right of appeal against the Local Authority's decision does not prevent you from making an appeal in respect of any other school.

### Fraudulent applications

Where the Local Authority discovers that a child has been awarded a place as the result of an intentionally misleading application from a parent, for example, a false claim of residence which effectively denies a place to a child with a stronger claim, then the Local Authority may withdraw the offer of the place. The application will be considered afresh and a right of appeal offered if a place is refused.

### Waiting list

Where a school has more applications than places, the admissions criteria will be used. Children who are not admitted will have their name placed on a waiting list. The names on this waiting list will be in the order resulting from the application of the admissions criteria. Since the date of application cannot be a criterion for the order of names on the waiting list, late applicants for the school will be slotted into the order according to the extent to which they meet the criteria. Thus it is possible that a child who moves into the area later may have a higher priority than one who has been on the waiting list for some time. If a place becomes available within the published admission number, the child whose name is at the top of the list at that time will be offered a place. This is not dependent on whether an appeal has been submitted. Please note that looked after children, previously looked after children and those allocated a place at the school in accordance with the Fair Access protocol must take precedence over those on the waiting list.

This waiting list will operate until 31<sup>st</sup> December 2022.



Published Admission Numbers for 2022/23  
Community and Controlled Infant, Junior and Primary Schools

SCHOOL	PUBLISHED ADMISSION NUMBER FOR 2021/22	PUBLISHED ADMISSION NUMBER FOR 2022/23
AUDLEY INFANTS	105	105
AUDLEY JUNIORS	105	105
AVONDALE	60	60
BELMONT	14	14
BROOKHOUSE	30	30
CEDARS	60	60
DAISYFIELD	40	40
EDGORTH CE	30	30
FENISCOWLES	60	60
GRIFFIN PARK	30	30
HOLY TRINITY CE	60	60
INTACK	60	60
LAMMACK	70	70
LONGSHAW INFANT	90	90
LONGSHAW JUNIOR	90	90
LOWER DARWEN	60	60
MEADOWHEAD INFANT	60	90
MEADOWHEAD JUNIOR	60	90
ROE LEE PARK	60	60
SHADSWORTH INFANT	60	60
SHADSWORTH JUNIOR	60	60
ST MICHAEL & ST JOHN CE	45	45
ST THOMAS' CE	60	60



## In-Year Co-ordinated Admissions Scheme

### In-Year Admissions

The Local Authority (LA) has responsibility for co-ordinating all normal years of entry, i.e. admission to reception class, transfer from an Infant to a Junior school, and the transfer from primary to secondary school. The LA's Fair Access team is responsible for co-ordinating all other admissions. These are called 'in year applications' and would include:

- Children wishing to change from one school to another school within the borough
- Children who have arrived into the borough requiring a school place
- Children wishing to move from an independent school to a school maintained by the Council

The Local Authority is the admission authority for community and voluntary controlled schools. The Governing Body of a voluntary aided, foundation, trust school or academy/free school is their own admission authority.

Please note that certain children may be more appropriately assisted under either the Fair Access Protocol or via the special educational needs process, as set out below.

### Fair Access Protocol

This protocol operates outside of the 'normal' in year admission arrangement and particularly applies to the following groups of vulnerable children:

- Children from the criminal justice system or Pupil Referral Units who need to be reintegrated into mainstream education
- Children who have been out of education for two months or more
- Children of Gypsies, Roma, Travellers, refugees and asylum seekers
- Children who are homeless
- Children with unsupportive family backgrounds (pupils on CPP)
- Children who are carers



- Children with special educational needs, disabilities or medical conditions (but without an EHCP)

Schools and Local Authorities are also free to include within a Fair Access Protocol other categories to meet the needs of children residing in their area, and BwD has the following additional categories.

For secondary school applications, additional criteria include:

- Children who have been permanently excluded and parents are refusing a place at the Pupil Referral Unit.
- Children in year 10 during Summer Term and all year 11s
- New international arrivals who have not accessed the UK secondary school system
- Children who moved to a new school via the Fair Access Panel but it did not work out within one term and whose parents are requesting admission into another school
- Children not on the roll of a BwD mainstream school with a history of persistent and ongoing challenging behaviour which consistently contravenes the school's behaviour and discipline policy at their previous school(s) which is evidenced through a history of fixed period exclusions and/or behaviour records
- Children not on the roll of a BwD mainstream school classified as a 'Persistent Absentee' (i.e. has been absent for 10% or more of possible sessions over the past 3 terms).
- Children resident within BwD who wish to return to school following a period of Elective Home Education

For primary school applications, additional criteria include:

- Children who have been permanently excluded and parents are refusing a place at the Pupil Referral Unit.
- Children in Year 6 who are seeking a transfer to another school within the Borough (Year 6 children who have moved into the borough will normally follow the in-year admissions process)
- New international arrivals
- Children who moved to a new school via the Fair Access Panel but it did not work out within one term and whose parents are requesting admission into another school
- Children with a history of persistent and ongoing challenging behaviour which consistently contravenes the school's behaviour and discipline policy at their previous school(s) which is evidenced through a history of fixed period exclusions and/or behaviour records

### Children with an Education, Health and Care Plan (EHCP)

Please contact the LA's Statutory Assessment team regarding applications for a school place for a child with an Education, Health and Care Plan (EHCP).

### Stage 1 – In Year Admission Form (IYAF)

Parents / carers of Blackburn with Darwen (BwD) children must complete the Council's In-Year Admission Form in order to apply for admission to any publically-funded school within the boundary of BwD. This form is available from either the 'Fair Access' or 'Place Planning and Admissions' teams.

The completed In-Year Application form should then be submitted to the 'Fair Access' team.

The In-Year Admission form allows parents / carers to express up to three preferences in order of preference and to state reasons for the preferences.

When applying for admission for the following schools parent(s)/carer(s) must also complete an additional school application form that is available within the Council's prospectus and should be returned to the school:

- St Wilfrid's CE Academy
- Queen Elizabeth's Grammar School

Parent(s)/carer(s) who are applying for admission under the Muslim faith and / or mosque membership criteria for the following schools must also complete an additional school application form which is available within the Council's prospectus and should be returned to the school.

- The Olive School
- Tauheedul Islam Girls' High School
- Tauheedul Islam Boys High School

If you are applying for a place at an **aided (faith) school**, please contact the school as you may also need to complete an additional form available from the school.

### Stage 2 – Process for Considering Applications

The Local Authority may seek further information from your child's current school.

The LA will provide details of your application to the admission authorities of the schools which you have indicated as a preference on the In-Year Admission form. The Local Authority will normally do this within 10 school days of receiving your application form and information from the current school (where applicable).

The order of preference, whether a first, second or third preference, will not be taken into consideration at this stage.

Provided all the relevant information has been provided with the In-Year application form, each of the admission authorities will apply its own published admission criteria and reply to the 'Fair Access' team indicating whether a place can be offered to your child. The Admission Authority should do this within 5 school days of receiving all the relevant information.

### Cross-border applications

Not all local authorities co-ordinate the in-year admission process. If you are considering applying for a school place outside of BwD, you should contact that local authority to seek information about their application process.

### Stage 3 – Letter Offering/Refusing a School Place

If it is possible to offer admission at more than one of the preferred schools then the school at which a place will be offered will be the one that is the highest ranked on the application form. Offers from lower preference schools will be removed and these places (if available) will be offered to other eligible children.

Once it has been possible to determine the BwD school at which a place can be offered to your child, the LA's 'Fair Access' team will contact you informing you of the outcome of your application for admission.

If you have been refused admission to a BwD school, the LA's letter will advise you of your right of appeal and provide details of the appeals process.

If contact with the offered school has not been made within 7 days of receipt of the written offer of a place, the offer may be withdrawn, and may be offered to another child applying for a place at that school.

### Fraudulent Applications

If a school place is offered and this is then found to have been based upon fraudulent or inaccurate information then it may be withdrawn. This can apply even where a child has started at the school.

### Waiting List

The LA will maintain a waiting list for admission to community/voluntary controlled schools for those children whose parents have indicated they want their children to be placed on such a list.

If your child has been refused a place at a voluntary aided, foundation, trust school or at an academy or free school, please contact that school/academy to ascertain whether a waiting list is maintained by the school or academy.