

# Public Document Pack

## Executive Member Decisions

Friday, 25th February, 2022

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### AGENDA

1. **Proposed Schools Admissions Arrangements**  
**EMD Proposed Schools Admissions Arrangements** 2 - 21  
**Appendix1 Admission Policy for 2023-24 for Community and Voluntary Controlled Infant & Primary Schools**  
**Appendix 2 Admissions Policy for 2023/24 for Community Controlled Junior Schools**  
**Appendix 3 Published Admission Numbers for Community and Voluntary Controlled Schools**  
**Appendix 4 Statutory consultation**  
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**EIAChecklist**

Date Published: 25<sup>th</sup> February 2022  
Denise Park, Chief Executive

## EXECUTIVE MEMBER DECISION



<b>REPORT OF:</b>	Executive Member for Children, Young People and Education
<b>LEAD OFFICERS:</b>	Strategic Director of Children's & Education (DCS)
<b>DATE:</b>	14 February 2022

**PORTFOLIO/S AFFECTED:** Children, Young People and Education

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

**SUBJECT: EMD Proposed School Admissions Arrangements 2023-2024**

### 1. EXECUTIVE SUMMARY

To advise the Executive Member of the Local Authority's proposed admission arrangements for the 2023/24 academic year.

### 2. RECOMMENDATIONS

That the Executive Member for Children, Young People & Education formally determines the proposed admission arrangements for 2023/24 as attached at Appendices 1, 2, 3, 4 and 5.

### 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 2021.

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 28th 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 last undertook consultation in 2019 in respect of the 2021/22 admissions round in order to meet their statutory obligations to consult at least every seven years.

The admissions arrangements provide clear and concise information to support 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).

Blackburn with Darwen Borough Council has undertaken consultation with key stakeholders on a proposed reduction in the published admission number (PAN) for Audley Infant School effective from September 2023. This is the only proposed change, the oversubscription criteria will remain the same for all community and voluntary controlled schools.

#### **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. Where appropriate please include the hyperlink to the EIA.**

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. (*insert EIA link here*)

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. (*insert EIA attachment*)

#### **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. In 2019, Blackburn with Darwen Borough Council undertook their seven year consultation with key stakeholders in respect of the 2021/22 admissions arrangements.

The Local Authority, as the Admissions Authority for Audley Infant School, proposes to reduce the published admission number of the school from 105 to 90 for Reception Year (Year R) with effect from September 2023 onwards.

This means that the number of places available for children in Year R at Audley Infant School in 2023, and all subsequent Year R cohorts, will be 90.

The Local Authority consulted with a range of key stakeholders (appendix 4) from Tuesday 30 November 2021 to Saturday 22 January 2022 in line with statutory requirements.

Details of responses received can be found in appendix 5. In total, there were only 4 respondents, of which 50% supported the proposal.

#### **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 and published if applicable.

<b>VERSION:</b>	<b>1</b>
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<b>CONTACT OFFICER:</b>	<b>Carol Grimshaw</b>
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<b>DATE:</b>	14 February 2022
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<b>BACKGROUND PAPER:</b>	<b>Appendix 1:</b> Admission policy for community and voluntary controlled infant and primary schools for 2023/24 academic year
	<b>Appendix 2:</b> Admission Arrangements for Community Controlled Junior Schools for 2023/24 Academic Year
	<b>Appendix 3:</b> Published Admission Numbers for 2023/24, Community and Voluntary Controlled Schools
	<b>Appendix 4:</b> Statutory consultation on a proposed reduction in the published admission number (PAN) for Audley Infant School effective from September 2023.
	<b>Appendix 5:</b> Details of consultation responses received.



## Admission policy for community and voluntary controlled infant and primary schools for 2023/24 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 the 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, 2023 and August 31, 2024 may start school in the Autumn Term 2023.

### 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 2023 should be made on the common application form between September 1, 2022 and January 15, 2023. It is not normally possible to change the order of your preferences for schools after the closing date.

Parents must complete the Local Authority application form, stating three preferences. Applications should be made online at [www.blackburn.gov.uk/admissions](http://www.blackburn.gov.uk/admissions). For families who are unable to apply online, application forms can be requested from the Schools Admissions Team, Telephone - 01254 666605 or Email – [admissions@blackburn.gov.uk](mailto:admissions@blackburn.gov.uk)

Parents and carers who apply online will receive the decision letter by email and will be able to view which school their child has been offered on the online parent portal on Monday 17<sup>th</sup> April 2023. Parents and carers who apply using the paper application form will receive the decision letter by post on or after Monday 17<sup>th</sup> April 2023.

### Admission Arrangements for infant and primary community and voluntary controlled schools for 2023/24 academic year

All preferences expressed 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) A 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements or special guardianship order, including those who appear to this admission authority to have been in state care outside of England and ceased to be in state care as a result of being adopted.

*'A looked after child'* is a child who is (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions (see the definition in Section 22(1) of the Children Act 1989) at the time of making an application to a school. An *'adoption order'* is an order under the Adoption Act 1976 (see Section 12 adoption orders) and children who were adopted under the Adoption and Children Act 2002 (see Section 46 adoption orders). A *'child arrangements order'* is an order settling the arrangements to be made as to the person with whom the child is to live under Section 8 of the Children Act 1989 as amended by Section 14 of the Children and Families Act 2014. Section 14A of the Children Act 1989 defines a *'special guardianship order'* as an order appointing one or more individuals to be a child's special guardian (or special guardians). A child is regarded as *having been in state care outside of England* if they were in the care of or were accommodated by a public authority, a religious organisation, or any other provider of care whose sole or main purpose is to benefit society.

- 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 (b), (c) or (d) 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. 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 before the cut-off date (10 March 2023) 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 26 May 2023. 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 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 2023.



## Admission policy for community controlled junior schools for 2023/24 academic year

### Making an application

Applications for admission for September 2023 should be made on the common application form between September 1, 2022 and January 15, 2023. It is not normally possible to change the order of your preferences for schools after the closing date.

Parents must complete the Local Authority application form, stating 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 April 17, 2023. Parents of children not admitted will be informed of the reason and offered an alternative place by the Local Authority.

All preferences expressed 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) A 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements or special guardianship order, including those who appear to this admission authority to have been in state care outside of England and ceased to be in state care as a result of being adopted.

*'A looked after child'* is a child who is (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions (see the definition in Section 22(1) of the Children Act 1989) at the time of making an application to a school. An *'adoption order'* is an order under the Adoption Act 1976 (see Section 12 adoption orders) and children who were adopted under the Adoption and Children Act 2002 (see Section 46 adoption orders). A *'child arrangements order'* is an order settling the arrangements to be made as to the person with whom the child is to live under Section 8 of the Children Act 1989 as amended by Section 14 of the Children and Families Act 2014. Section 14A of the Children Act 1989 defines a

*'special guardianship order'* as an order appointing one or more individuals to be a child's special guardian (or special guardians). A child is regarded as *having been in state care outside of England* if they were in the care of or were accommodated by a public authority, a religious organisation, or any other provider of care whose sole or main purpose is to benefit society.

- 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 (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 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 (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. 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 before the cut-off date (10 March 2023) 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 26 May 2023. 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 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 2023.

## Published admission numbers (PAN) for Community and Voluntary Controlled Schools

	<b>2021</b>	<b>2022</b>	<b>2023</b>
Audley Community Infant School	105	105	90*
Audley Community Junior School	105	105	105
Avondale Community Primary School	60	60	60
Brookhouse Community Primary School	30	30	30
Cedars Community Primary School	60	60	60
Daisyfield Community Primary School	40	40	40
Feniscowles Community Primary School	60	60	60
Griffin Park Community Primary School	30	30	30
Holy Trinity CE Controlled Primary School	60	60	60
Intack Community Primary School	60	60	60
Lammack Community Primary School	70	70	70
Longshaw Community Infant School	90	90	90
Longshaw Community Junior School	90	90	90
Lower Darwen Community Primary School	60	60	60
Meadowhead Community Infant School	60	60	60
Meadowhead Community Junior School	60	60	60
Roe Lee Park Community Primary School	60	60	60
Shadsworth Community Infant School	60	60	60
Shadsworth Community Junior School	60	60	60
St Michael With St John CE Primary School	45	45	45
St Thomas CE Primary School	60	60	60
Turton and Edgworth CE/Methodist Controlled Primary School	30	30	30
Turton Belmont Community Primary School	14	14	14

\*Pending the outcome on the proposed reduction from 105 to 90 of the published admission number for 2023/24.





## Consultation on a proposed reduction in the published admission number (PAN) for Audley Infant School with effect from September 2023

The Schools Admissions Code 2021 sets out a requirement for all Admission Authorities to undertake statutory consultation where they propose a variation to the Published Admission Number (PAN) of a school.

The purpose of consultation is to ensure transparency and openness on the contents of a proposal and allow parents, carers and other interested stakeholders to make a representation that will be considered as part of the determination of the proposal.

Requirements for notification and publication

The schools admission code can be found at <https://www.gov.uk/government/publications/school-admissions-code--2>.

Background

The current Published Admission Number (PAN) for Audley Infants School is 105. This means that the number of children admitted into the school reception class each year is limited to 105.

In recent years the school has seen a reduction in the number of applications for school places at Year R.

The number of children on roll in each year group (May Census 2021) were:

Year Group	NOR
R	91
1	69
2	80

Due to the gap between the Published Admission Number (PAN) of 105 and the actual pupil numbers attending the school, there is a need to consider reducing the PAN of the school as part of the wider review of school places in this area. Excessive surplus places has created a significant challenge for the school in respect of providing a cost effective class structure and managing to maintain a balanced budget. Although the school has managed the budget effectively over the past 5 years this is no longer sustainable.

Reducing the PAN at Audley Infant School will assist the school's Governing Body to provide stability in its long-term planning and allow the school to continue to secure high quality educational outcomes for the students currently on roll, while continuing to provide an appropriate number of places for future pupil numbers in-line with demand.

The Local Authority, as the Admissions Authority, will consider representations and recommendations from the consultation exercise before making any decision on the proposal.

## Demographic information

**Housing** – Within the Blackburn East area there are plans to build 395 new homes over the next 5 years, of which 43 of these homes are to be situated within the Audley ward. It is not anticipated that the new housing developments within the immediate area will significantly increase demand for primary school places.

**Population** – The population growth for children aged birth to 3 years in the Audley Infant School area indicates that the intake for the school over the next 3 years will remain similar to the intake over the last 3 years.

## Specific consultation proposal

The Local Authority, as the Admissions Authority for Audley Infant School, proposes to reduce the published admission number of the school from 105 to 90 for Reception Year with effect from September 2023 onwards.

This means that the number of places available for children in Year R in 2023 – and all subsequent Year R cohorts will be 90.

**This is the only proposed change, the oversubscription criteria will remain the same.**

## For noting

The Local Authority also intends to reduce the admissions number from 105 to 90 for the current reception and the September 2022 intake. The legal process to making this change is by way of application to the Office of School Adjudicator, not by public consultation.

For children who already have a place at the school in other year groups there will be no change but the maximum number that will be admitted to all years will be 90.

## Who are we consulting with

We are seeking views from:

- 1) Parents in our borough who have children between the ages of two and eighteen
- 2) Other persons in our borough who the Local Authority believes will have an interest in the proposed admissions;
- 3) All other admission authorities within the borough;
- 4) Governing bodies in the borough (who are not admission authorities);
- 5) Our adjoining/neighbouring local authorities where the admission authority;
- 6) The bodies representing the religions/religious denomination of the faith schools in our borough

## Consultation timetable

30 November 2021	Consultation opens.
22 January 2022	End of consultation period and deadline for submitting responses to the Local Authority.
w/c 24 January 2022	Analysis of consultation representations and preparation of information to be considered by the LA.
31 January 2022	Meeting of the Local Authority's decision panel to consider the responses and agree admission arrangements (Children's SLT).
28 February 2022	Formal determination of admission arrangements.
15 March 2022	Publication of determined admission arrangements.

## How to respond

This consultation will run from Tuesday 30 November 2021 to Saturday 22 January 2022 (a period of six term time weeks). You are invited to submit responses about the proposal above to the Local Authority by:

- Online form: <https://forms.office.com/r/k2FP9ALggu>
- Alternatively, download the consultation response form from [www.blackburn.gov.uk/admissions](http://www.blackburn.gov.uk/admissions) and return via:
- email – Carol Grimshaw at [admissions@blackburn.gov.uk](mailto:admissions@blackburn.gov.uk) or
- post – Carol Grimshaw, School Admissions Team, Floor 5, 10 Duke Street, Blackburn, BB2 1DH

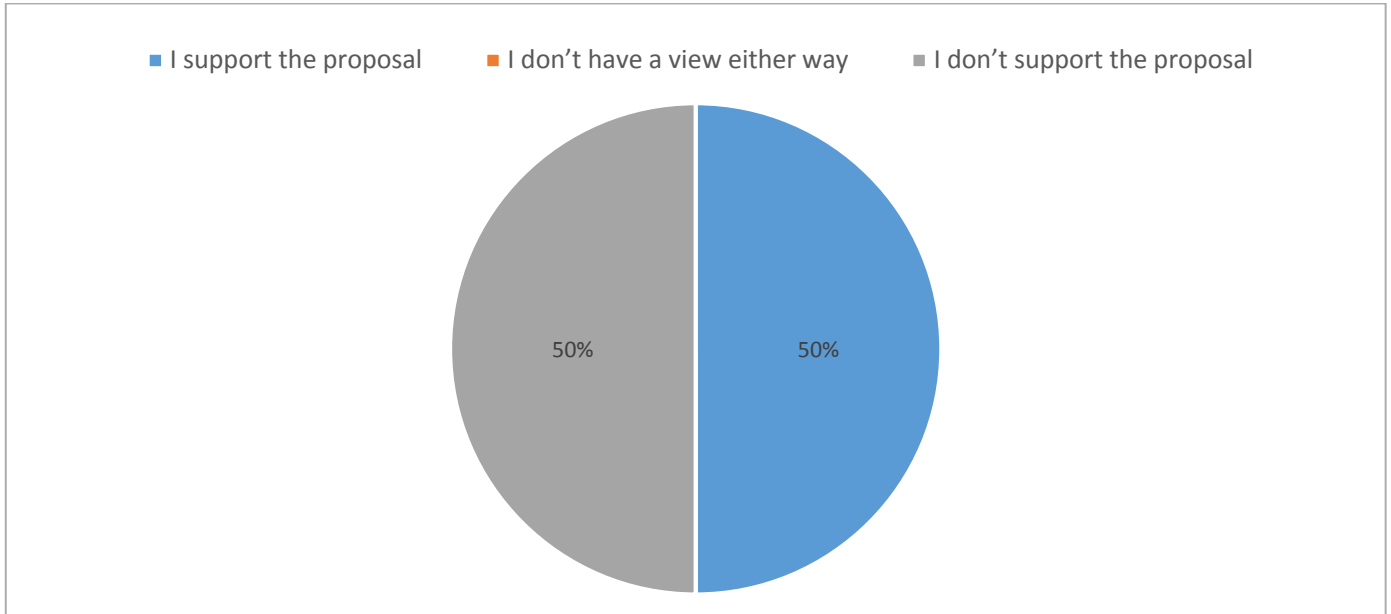
Responses must be received no later than 5pm on Saturday 22 January 2022. Responses received after this time and date may not be considered.

# Consultation responses

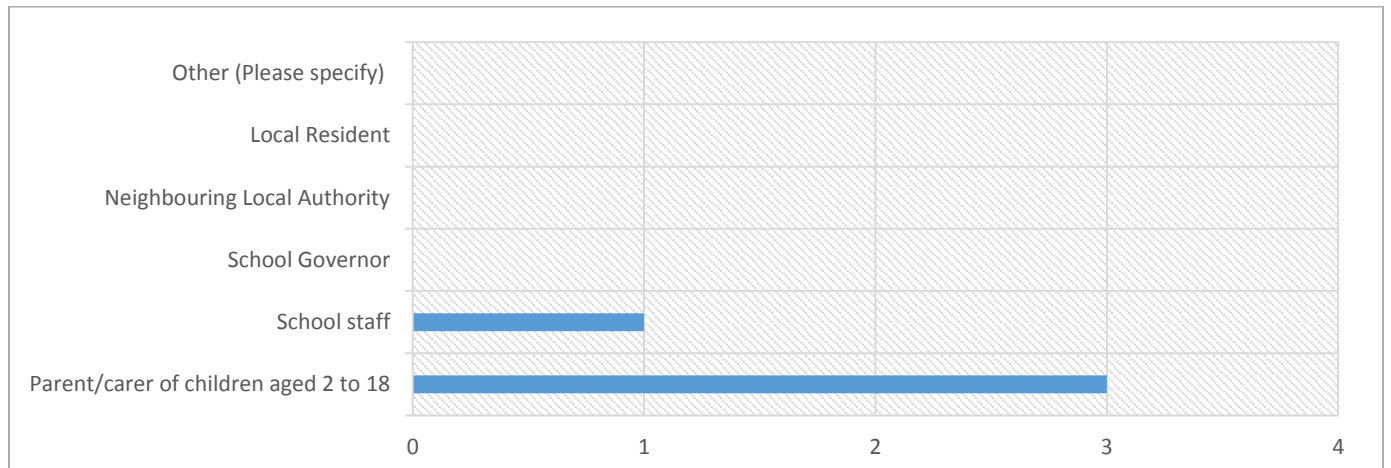
Statutory consultation on a proposed reduction in the published admission number (PAN) for Audley Infant School effective from September 2023

The following charts detail the responses to the proposed admission arrangements for Audley Infant School for 2023/24.

**Q1) How do you feel about the proposed change to the published admission number of Audley Infant School from 105 to 90 for Reception Year with effect from September 2023 onwards?**



**Q2) Which of the following best describes you?**



**Q3) Please tell us the reason for your views, or write any other comments on this proposal.**

*“This meets the needs of both the community and school.”*

*“each child should be given an opportunity”*

*“Best option for the school”*

*“Please don't reject /refuse admission to those children who want admission in Audley infant school. Thanks”*

## 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, Young People and Education	<b>Date the activity will be implemented</b>	28/02/2022
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<b>Brief description of activity</b>	Proposed School Admissions Arrangements 2023-2024
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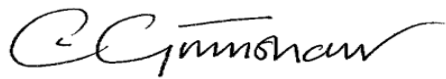
Answers favouring doing an EIA	Checklist question	Answers favouring not doing an EIA
<input type="checkbox"/> Yes	Does this activity involve any of the following: - Commissioning / decommissioning a service - Budget changes - Change to existing Council policy/strategy	<input checked="" type="checkbox"/> 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>(i.e. the activity creates or increases disadvantages suffered by people due to their protected characteristic)</i>	<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>(i.e. the activity fail to meet the needs of people from protected groups where these are different from the needs of other people)</i>	<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>(i.e. the function prevents people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	<input checked="" type="checkbox"/> No
<b>FOR =</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>	
<b>Checked by departmental E&amp;D Lead</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Date</b>	14/02/2022