



### **Admission policy for community and voluntary controlled primary schools for 2020/21 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 1 September 2020 and 31 August 2021 may start school in the Autumn Term 2020.

#### **Deferred admission**

Parents may wish to consider delaying their child's admission until the term after their fifth birthday. This is called deferred admission. Parents considering deferred admission are strongly advised to still apply for a reception place by the closing date. The offer of a reception place will be kept open, even if your child does not take it up until later in the academic year. Free nursery places would cease at the end of the term when the child turns five.

However, if you delay your child starting school until September 2021, the original offer of a place in the Reception class will be withdrawn. You will have to re-apply for a place in the school as this is a new academic year. The Admission Authority would then make a decision about whether your child can be offered a place in their normal age group. If your child is refused admission to the school, you have a right of appeal to an independent appeal panel, but the school may claim "class size prejudice".

Please note that deferred admission is different from your child being admitted to a year group outside their normal age group. Full details of the process that applies to requests for a child to be admitted to a year group outside their chronological age are provided later in this policy. Please read that information carefully if you are considering making such a request.

Further information about deferred admission is included in the Council's admissions booklet for parents and can be provided by the Council's Schools Admissions Team.

#### **Making an application**

Applications for admission for September 2020 should be made on the common application form between 9 September 2019 and 15 January 2020. It is not normally possible to change the order of your preferences for schools after the closing date (15 January 2020).

Parents must complete their home Local Authority application form, stating three preferences. The forms are available from the community/voluntary controlled

primary/infant schools, on-line at <http://www.blackburn.gov.uk/admissions> or from the Councils Schools 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 2020. Parents of children not admitted will be informed of the reason and offered an alternative place by the Authority.

All preferences expressed on the application form 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) 'Looked after' children and children who were previously 'looked after' but immediately after being looked after were adopted or became subject to a residence/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;

(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 (see note below);

(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 computer 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/multiple births/2 or more siblings in the same year group wanting admission and there are insufficient places left within the published 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 the other siblings in the birth /year group even when this means breaching infant class size limits.

### **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 Local Authority have established the list of pupils to be admitted, 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/Local Authority. 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.

### **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 Council's Fair Access Team. If there is a place in the appropriate school, your child will normally be admitted. If there is no place, the application will be refused but information will be provided about how to appeal against this refusal.

If your family is moving house, your application (and any 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.

### **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. Parents of a summer born child (born between 1 April and 31 August) may choose not to send their child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group - to Reception rather than year 1.

#### 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.

### Children seeking admission to Reception in the September after their fifth birthday

Parents of children seeking admission to Reception in the September after their fifth birthday will need to submit a normal common application form to the Local Authority (in writing or online) for admission into the normal age group. Parents must do this at the same time as they submit a written request to the Local Authority for their child to be admitted out of the normal age group and submit this with the required evidence outlined below.

**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 1 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 15 May 2020.** 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 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.

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

## **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 oversubscription 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 2020.