



# **Thringstone** **Primary School**

*Believe and Achieve Together*

## **Admissions & Appeals Policy** **2023 - 24**

Agreed by the Governing Body on: 09/05/2022  
Sarah Baxter

# Admissions to Thringstone Primary School

## First Time Admissions & Mid Term Transfers from Autumn Term 2023 onwards

### 1. Principles

- 1.1 The purpose of the policy is to ensure that places at Thringstone Primary School are allocated and offered in an open and fair way.
- 1.2 Thringstone Primary School Admissions Policy should:
- Offer clarity regarding legal requirements and statutory guidance
  - Seek to encourage partnership and avoid conflict at a local and an authority level
  - Maintain parental rights and ease the process of admission for parents and children
  - Have one consistent first-time admissions date to mainstream education
- 1.3 Children's entitlements are as follows:
- entitlement to a place in the catchment area school (dependent on the parent applying at the appropriate time, compliance with infant class size regulations and the availability of a place within the school's AN as admissions are capped at 30 pupils per year group)
  - entitlement to a place in a preferred school if there is room
  - entitlement to be considered according to the same priority criteria as other children where the preferred school is oversubscribed.

### 2. Legal Position & Other Requirements: Summary

- 2.1 Thringstone Primary School is an academy school will consult as required and publish their admissions policy and arrangements.
- 2.2 The Local Authority is required to coordinate admissions for all residents in Leicestershire. To this purpose it must have an approved scheme for coordination and Thringstone Primary School will participate in full with the scheme.
- 2.3 Parents have a right to express a preference for a school place, including where the child has a Statement of Special Educational Needs or Educational Health Care Plan (EHCP). Parents must ensure suitable full-time education for their children by attendance at school or otherwise; they are not obliged to do this before the child has reached compulsory school age.
- 2.4 Compulsory school age is from the term immediately following a child's 5th birthday, this means:

A child turning 5 in the autumn term must start school no later than from the start of the spring term (January)

A child turning 5 in the spring term must start school no later than from the start of the summer term (April)

A child turning 5 in the summer term must start school no later than the following autumn term (September)

- 2.5 Thringstone Primary School has an Admission Number (AN) that is **capped at 30**. This means once Thringstone Primary School has filled to 30 (in line with its admissions criteria para 7.2) all other applications will be refused, and parents will have the right to appeal. Pupils admitted following an appeal will have their admission confirmed by the LA.
- 2.6 There are no required staffing ratios for KS2 age children in education law. Legislation and regulation on infant class sizes requires an upper limit of 30 children per teacher for infant classes.

### 3. First Time Admissions to mainstream Thringstone Primary School

- 3.1 This section refers to first-time admissions (4+ entries)
- 3.2 Parents must apply to their home Local Authority for a school place. The best way to apply is by applying online through Leicestershire County Council's website. All requests received by 15<sup>th</sup> January (national closing date) will be considered first and in accordance with the approved priority criteria. **All late applications receive the lowest priority.**
- 3.3 The Local Authority that you live in will confirm decisions to parents from 16<sup>th</sup> April (national offer date). No child should be admitted without an offer from the Local Authority you live in; and this is regardless of whether the child lives in the catchment area or otherwise and regardless of whether the child has attended a nursery or pre-school group at the school.
- 3.4 For those pupils who do not live in Leicestershire, the School Admissions Service will inform the relevant Local Authority who will in turn inform the parents.
- 3.5 Places will be allocated up to the Admission Number (AN) of 30 and will not be exceeded regardless of living in the catchment or moving into catchment.
- 3.6 Parents must apply for a school place at first-time admission stage. The Admissions Service and Thringstone Primary School in response to this issue launches an annual marketing strategy to publicise and alert parents to the need to complete an application expressing up to three preferences.
- 3.7 Date of admission for all first time admissions is from the beginning of the autumn term immediately following a child's fourth birthday i.e. all children who have turned 4 before the end 31<sup>st</sup> August.
- 3.8 Pre admission visits will only take place in the term before the child is admitted to the school.
- 3.9 Thringstone Primary School will wherever possible bring information to parents in the form of marketing to support parents expressing their preference within the time limits.
- 3.10 Thringstone Primary School has a single start for first time admissions at 4+. Parents must ensure full time education for their child from compulsory school age, from 5+.

#### **4. Infant Class Size Limits, Multiple Birth Children and Permitted Exceptions**

- 4.1 There is a requirement to limit infant class sizes to 30 children for each qualified teacher. This applies to reception, Year 1 and Year 2 classes i.e. children aged 4 to 7. The National Regulations on infant class sizes allow very few exceptions (see para 2.15 National School Admissions Codes December 2014).
- 4.2 In the unusual event of there being one space available within the infant class size limit, children of multiple births are permitted exceptions to the class size limit in these circumstances. In addition, all the following are also considered as exception to the class size limits:
- Those children who are in the care of a Local Authority (including previously in care)
  - Children with a Education and Health Care Plan (including those with an EHC plan receiving part of their education by arrangement at another school or in an infant class part-time)
  - If a recognised error was made during the implementation of the school admission arrangements
  - Those admitted by an independent appeal panel
  - Children of service personnel (e.g. Army children)

Permitted class size exceptions will remain exceptions for the duration of key stage one. In addition, schools will no longer have to take qualifying measures in such circumstances.

#### **5. Deferring First-Time Admission**

- 5.1 When a child's parents are notified of the allocation of a primary school place, they can request deferment of the child's admission. The School will agree to deferment to later in the school year or until the child reaches compulsory school age in that year. Parents can also request that their child attends part-time until the child reaches compulsory school age. The parent would not however be able to defer entry beyond the beginning of the term after the child's fifth birthday, nor beyond the academic year for which the original application was accepted. The place at the school will be held open for the child and not made available to another child. For summer born children if the place is not taken up by the summer half-term then a fresh application must be submitted usually for entry into Year 1, as the admissions application is only valid for the academic year in which you applied. The School may withdraw the offer of the place if it is not taken up after deferment and offer the place to another child according to the School priority criteria. Such withdrawals of offers will only be made when the Admission Number (AN) for the school has been reached and there are additional children seeking places. Where an offer of a place is withdrawn in this way, the child will not be entitled to free transport to a more distant school.
- 5.2 Exceptionally, parents of summer born children that is those children born from 1st April to 31st August, can request delayed admission that is they may request that they are admitted out of their normal age group - to reception rather than Year 1 following their 5<sup>th</sup> birthday. If such a parent requests admission to Reception not Year 1 all relevant factors will be considered in assessing the request, parents would be expected to provide evidence to show that admission to Reception was in the child's best interests and will be taken into consideration. Parents seeking to delay their child's admission into school should contact

The Admissions Service in the autumn term in the year prior to the normal entry in the following September in order for the Admission Authority of the school to make the decision. Decisions will be made on the basis of the circumstances of each case. This will take into account parents' views, information about the child's academic, social and emotional development. The views of the head teacher of the school concerned will be taken in to account. Decisions made by the Admissions Service will be clearly set out. Where the Admissions Service agree to a child being admitted to a year out of their normal age group and as a consequence of that decision the child would be admitted to the age group which pupils are normally admitted to the school, an application will need to be made in the usual way and that application will be processed as part of the main admission round and on the basis of determined admission arrangements. Parents' statutory right to appeal against refusal of a place at a school for which they have applied does not apply if they are offered a place at the school but it is not their preferred age group.

## **6. In-Year (mid-term) Transfers (all year groups)**

- 6.1 All mid-term transfer requests (in-catchment included) will be coordinated through Leicestershire's School Admissions Service for approval before admission takes place.
- 6.2. Before applying parents are encouraged to arrange to visit the school, after which the parent should complete the Local Authority's online Common Application Form.
- 6.3. The aim wherever possible is to always process mid-term applications within 10 working days (5 days if child is indicated as in care or previously in care), delays may occur where further evidence or proof is required i.e. proof of house purchase, tenancy agreement, council tax payment notification for proof of address.
- 6.4 Where the mid-term application is made through the Local Authority the decision letter will either offer the place or refuse the place because the school is full. A refusal letter will also explain to the parent their right to appeal, and how they should do this.

## **7. Parental Preferences & Criteria used for Prioritising Admissions to Schools**

- 7.1 Application forms for school places allow parents to express up to three preferences for school places. Parents should rank their preferences, so that if more than one preference can be agreed the one which the parent wants most is offered. However, the Local Authority considers all preferences to have equal value, e.g. one parent's first preference and another parent's second or third preference are to be considered equally against the admissions criteria. Late applications receive the lowest priority, i.e. they are only considered after all other applications which were received on time, unless it can be demonstrated with documentary evidence that the lateness of the form was beyond your control.
- 7.2 *Priority criteria for entry Autumn 2022 admissions and mid-term applications during 2022 / 2023 academic year*

If there are too many requests, priority will be given to children in the appropriate age-range, whose parents applied on time, in the following order (see note i below):-

<b>1st</b>	Children who are in public care and those children who were previously looked after children including children who appear to the admissions authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted. (See note ii).
<b>2nd</b>	Pupils who live in the catchment area at the time of application (See note iii)
<b>3rd</b>	Pupils who will have an older brother or sister attending <b>Thringstone Primary School</b> at the same time who live in the same house. (See notes iv and v).
<b>4th</b>	Children of staff who are employed at <b>Thringstone Primary School</b> (viii)
<b>5th</b>	Pupils who have a serious medical condition or exceptional social or domestic needs that make it essential they attend the school requested. (Professional documentation confirming the situation must be submitted with the application). (See note v).
<b>6th</b>	Pupils living nearest the school measured in a straight line distance (home to school front gate) (notes vi vii)

Thringstone Primary School will need to ask for proof of the following when applying the oversubscribed criteria

- Address
- Childs date of birth
- Copy of an adoption, residence or special guardianship order and letter from the LA that last looked after the child confirming that he or she has looked after immediately prior to that order being made. **Notes:**

- i. Thringstone Primary School's admission number limited to 30 only, where more than 30 applications for Thringstone are received for any one year group, combinations of the above criteria will be used to rank the 30 places. Anyone refused will have the right to appeal.
- ii. Children in care of the Local Authority and those children who were previously looked after children, but ceased to be adopted (or became subject to a residence order or special guardianship order) are considered under this criterion. In such circumstances a letter from the last local authority in which the child was in the care of will be required. This criterion includes children who appear to the admissions authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted.
- iii. The child's place of residence is taken to be the parental home. Living in the catchment area means the child's place of permanent home residence is in the catchment area for Thringstone Primary School. Simply moving into the catchment area mid-year will not guarantee you a place at the school.
- iv. The term "brother or sister" includes half brother or half sister or legally adopted child being regarded as the brother or sister.
- v. If criterion 5 is used, professional supporting documentation from the Lead Professional must be supplied and must be submitted with the application. The following list are the areas that are considered exceptional:-

- Crown Servants
- Children subject to Child Protection Plans
- Hard to place children – who fall under the Fair Access Protocol
- Parents suffering domestic violence (This is dependent on documentary evidence by a lead professional)
- A child for who transfer to the catchment area school would involve attending a different school until he/she is the right age for transfer. (This is dependent on the child having attended the present school for at least a year.)

Each case will be assessed on its individual merits.

- vi For Criterion 6 above, measurement of distance is in a straight line from the centre point of the home property to the school's main designated front gate, using a computerised mapping system.
- vii If there is a tie using the above criteria, the final tie-breaker will be drawing lots witnessed by an independent officer.
- viii A staff member must have been at the school for two or more years and/or be employed to fill a vacancy where there is a demonstrable skills shortage. This includes permanent part-time or full-time teaching and non-teaching staff.

## **8. Out-of-Catchment Requests and Admissions**

- 8.1 Parents are encouraged to visit both the catchment and the preferred school, in order to make informed judgements.
- 8.2 If an out of catchment parent approaches Thringstone Primary School, the Headteacher (and other staff):
  - suggest that the parent also visits their catchment school in which they live;
  - inform parents that if they still wish to apply to Thringstone that they must complete an application form and submit it to Leicestershire's School Admissions Service.

Leicestershire School Admissions Service on receiving a request for Thringstone Primary School outside the normal transfer cycle:

- contacts Thringstone Primary School to inform them of the details of the application
- the school allocates a place if there is space available within the AN for the relevant year group or will refuse the place and inform parent their right of appeal

## **9. Exceeding the Admission Number (AN)**

- 9.1 At the time of first-time admission/transfer decisions, if there are more requests for in-catchment children than the Admission Number (AN), the Admission Number will be **NOT** exceeded to accommodate the catchment area children.
- 9.2 The admission Number will **NOT** be exceeded in any one year group by the admission of out-of-catchment pupils. If there are more out-of-catchment requests than places available within the Admission Number, places will be allocated up to the Admission Number according to the priority criteria, with any outstanding requests refused.

9.3 Parents whose requests are refused have a right to appeal to an Independent Appeal Committee whose decisions can override Thringstone Primary School's policy. (N.B: In the case of parents whose children have Statements of Special Educational Needs, the appeal is to the Special Educational Needs Tribunal.)

9.4 It may be that in exceptional circumstances Thringstone Primary School may admit out-of-catchment pupils above Admission Number, and exceed its Admission Number. These situations should be viewed as exceptional and not as precedents for subsequent years or for other schools.

Exceptional circumstances might be:

- Children in public care
- "Hard to Place" children whose cases fall within the Fair Access protocol

*[For the full set of 'exceptions' please see para 2.15 of the National School Admissions Codes]*

9.5 There will be no appeal process to challenge the LA's decision by a school or governing body. Thringstone Primary School commissions the LA to undertake all appeals on its behalf.

## **10. Co-ordinated Schemes**

10.1 In accordance with the School Admissions Codes, Thringstone Primary School will participate in two statutory coordinated processes as well as the non-statutory process;

- Starting school for the first time (statutory)
- Transferring to secondary school (statutory)
- Mid-term (In-Year) Transfers

For a detailed breakdown of each process, please refer to the relevant Co-ordinated Scheme on Leicestershire School Admissions website.

## **11. Miscellaneous**

### Children who are in Care or were previously in Care and now adopted

11.1 Children in care of a Local Authority and those children who were previously looked after children, but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order) are considered under high priority in Leicestershire.

11.2 In such circumstance proof must be a letter from the last Local Authority that placed the child in care.

11.3 To be considered as '*in care or previously in care*', Thringstone Primary School does not stipulate a minimum length of time the child is or has been in care.

### Catchment area definition and how to find out the catchment area school for your home address

11.4 Leicestershire divides the county into school catchment areas. The child's full **HOME ADDRESS** determines the school where you would be given PRIORITY admission, for all community and voluntary controlled schools.



If you wish to know if your home address falls in Thringstone's catchment area please contact either Thringstone Primary School office (01530 222489) or the Local Authority's Customer Service Centre in the first instance – (0116) 3056684.

See 'Find a School' at: <https://www.leicestershire.gov.uk/education-andchildren/schools-colleges-and-academies/find-a-school>

### Parental Proof of Residence

- 11.5 Thringstone Primary School will need to seek documentary evidence of residence from parents where the matter is unclear. The School Admission service will request the same.
- 11.6 Thringstone Primary School will be vigilant regarding addresses given by parents before transfer to the next phase of education, particularly if there is a late or unexpected change of address close to transfer.

### Over-subscription Lists

- 11.7 In the case of first-time admissions, parents whose children have not been offered Thringstone Primary School will automatically be added to the school's oversubscription (waiting) list (OSL). The OSL for admission will remain open until the end of the Autumn Term in the admission year.

The OSL is ranked using over subscription criteria listed (see para 7.2). The OSL may change, this means that a child waiting list position during the year could go 'up' or 'down'. The OSL makes no distinction between on time or late applications. Thringstone Primary School will not hold over subscription lists for mid-term transfers.

### 11.8 Tie Break

In instances where more than one child has an equal weighting in accordance with our priority criteria, the tie breaker used is measurement of distance in a straight line from the centre point of the home property to the school's main designated front gate, using a computerised mapping system. Whoever is closer being offered the school place. Where there is equal distance then lots will be drawn supervised by an independent officer.

### Early Transfer or Admission of Children Staying on Outside the Normal Age-Range

- 11.9 Early transfers or admission of children staying on outside the normal age-range are exceptional and must be approved by Thringstone Primary School and Schools admission service.
- 11.10 The parent must request the exceptional arrangement in writing to Thringstone Primary School and the Schools Admissions Service.
- 11.11 Thringstone and other schools affected will then consider the request and the suitability of the arrangement. Expected numbers in the year group and the AN will be taken into account.

- 11.12 Professional advice (e.g. from an Educational Psychologist) on the suitability of the arrangement may be sought in some cases, but this would not override any admissions decision. If the child has an Education Health Care Plan, the view of the Special Educational Needs Assessment Service (SENA) must be sought.
- 11.13 Children transferring younger than the normal age for transfer are subject to the same priority criteria as children in the normal transfer age-group, as long as:
- the relevant schools agree that early transfer is appropriate
  - the Local Authority considers early transfer appropriate
  - The child has been taught in classes with the academic year group which is one year older for at least three years. (N.B: this would normally exclude vertical grouping arrangements in primary schools)

#### Children who move out of the Catchment Area

- 11.14 A child who has started attending and whose place of residence changes to an out-of-catchment address is entitled to retain his/her place in school.
- 11.15 Such an entitlement does not hold if the child changes phase of education in which case entitlement to a place is according to the new address.

#### Excluded or Potentially Disruptive Pupils

- 11.16 Thringstone Primary School does not allow the refusal of admission because the pupil may disrupt the education of other pupils, but will consider exceptions according to the School Admissions Code. The School Admissions Code allows the refusal of places for children with “challenging behaviour” only for those schools able to demonstrate particularly high proportion of children with challenging behaviour or previously excluded children. In such circumstances the Governors must refer the case to the Fair Access Protocol.
- 11.17 Thringstone Primary School is not able to refuse admission where such a pupil lives in the catchment area and the parent has applied properly, and where there is a place available within the AN.
- 11.18 There is no obligation to comply with a parental preference for a child who has been permanently excluded from two or more schools, for a period of two years following the latest exclusion. Parents of such children lose their right of appeal regarding admission may refer to the Secretary of State regarding directions to admit children.
- 11.19 It is possible that a child may receive a second permanent exclusion just before he or she is due to transfer school (e.g. from high or upper school). In these circumstances, the Local Authority will expect the receiving school to admit the child, if the child’s second permanent exclusion is issued after a transfer allocation has been notified to the parent, but before the actual transfer to the new school.
- 11.20 A permanently excluded pupil must not be removed from the school register until any exclusion review is complete or until the time limit for notification of review has passed.

## Children with Special Educational Needs

- 11.21 Thringstone Primary School does not allow the refusal of admission because it is believed that the school cannot cater for the child's special educational needs.
- 11.22 Pupils with special educational needs but no Education Health Care Plan (EHCP) are dealt with through normal admissions policy, and schools cannot refuse to admit a pupil because he/she does not have a EHCP or is being assessed for a EHCP.
- 11.23 All Governing Bodies are required by section 324 of the Education Act 1996 to admit to a school a child with an EHCP that names the school. This is not an oversubscription criterion and schools must admit Statement EHCP children whether they have places or not.

## Children from Overseas

- 11.24 Thringstone Primary School must treat applications for children coming from overseas in accordance with European Union law or Home Office Rules for non-European Economic Area nationals. Non-statutory guidance on this is available on the website of the Department for Education.

## Late Requests, Appeals (including class size appeals) and Further Appeals

- 11.25 Late requests for school places, e.g. those received after a closing date, will be considered on their merits, but generally will have the lowest priority of all requests, even when the parents are requesting the catchment area school. This means that it is probable that a late request will not be allowed if the school is oversubscribed and there is no clear and significant reason (supported with documentary evidence) that it was beyond the parent's control for not applying at the appropriate time e.g. parent ill for some time or family returning from abroad. Anyone refused a place has a right of appeal.
- 11.26 Thringstone Primary School commissions the LA to undertake all Appeals on their behalf.

## Late Appeals

- 11.27 Late appeals will be disallowed unless the appellant can provide clear and convincing reasons why the preference was not expressed at the normal time or why the notice of appeal was not submitted by the normal deadlines.

## Acceptance or refusal of offers; Withdrawal of Places or of Offers of Places

- 11.28 In the normal admissions round (i.e. when offers are made for first-time admissions national offer date 16th April it will be assumed by the local authority that the offer is accepted unless it is refused. Once the academic year begins the school place should be taken up within 20 (school) days. If not, the local authority will afford the parent a reasonable time, (the regulations state 2 weeks) plus additional 7 days for a reminder, to accept the offered place. If no acceptance is received, the offered place may be withdrawn. **In addition the local authority reserves the right to withdraw a school**

**place, or an offer of a place where the place has been obtained by false or misleading information, for example an incorrect address or date of birth.** Thringstone Primary School will be vigilant about such matters. The school may ask for a sight of the child's short birth certificate before admission as well as proof of residency.

### Home-School Agreements

11.29 The School Standards & Framework Act does not allow signing a home-school agreement to be a condition for admission.

### Deleting a Child's Name from the School's Register

11.30 The Education Pupil Registration Regulations describe the circumstances in which a child's name can be deleted from a school's register. In normal circumstances it is not reasonable to delete a child's name from the school's register until it is confirmed that he/she is receiving education elsewhere.

### Changes of Address

11.31 Principles:

- Generally, only one address is recognised for each family, and only one family for each address
- Places, or offers of places, may be withdrawn if they were based on incorrect information from the parents or their representatives ▪ Each case is considered on its facts.

11.32 Exceptional circumstances:

The School will always give serious consideration to any exceptional situations, such as where a family has been forced by circumstance to:

- move into temporary accommodation, having lost their previous residence, Or
- where there is a long-term separation between the parents and the child spends time in the week at two separate parent addresses.

11.33 Verification of address:

- Parent's written confirmation and declarations will be sought regarding important information.
- Documentary evidence such as Council Tax payment, Rental agreement or, Child Benefit letter information will be sought.
- Claims of new residence in a school's catchment area will be judged on circumstances and the documents provided; completion of both sale and purchase, where relevant, are normally necessary before a place is allocated.
- Officers from the LA Admissions may be authorised to visit addresses to clarify whether families are living at the addresses claimed. Such visits will be undertaken in a reasonable fashion, by officers carrying appropriate identification.

### Significant Change of Circumstances

- 11.34 The School considers fresh information in support of a parental preference for a school place, even if it is received at a late stage in the admissions process. In normal circumstances there will be no difficulty in meeting the parent's preference if all the school places have not been allocated.
- 11.35 Where the school's places have all been allocated, the School will be unable to offer a place, but may give higher priority to the parent's request if a place subsequently becomes available, according to the family's circumstances, in accordance with the priority criteria.
- 11.36 Verification, e.g. from professional persons or bodies, may be sought from the parent to confirm a change of circumstances. In such circumstances it remains the parent's duty to gather and provide the evidence.

### "Relevant Areas" for Consultation Purposes

- 11.37 Admission authorities consult within "relevant areas" on admissions arrangements. In Leicestershire, "relevant areas" are as follows:

For community and voluntary controlled schools in Leicestershire the geographical boundary of Leicestershire is the "relevant area".

### How and When to apply changes to a school's Admission Number (AN)

- 11.38 If a school's AN is increased, this should be applied immediately to every year group in the school, unless this would have a detrimental effect on teaching and learning, e.g. limits to the number and size of rooms available or large numbers in classes.

If a school's AN is decreased, this should be applied only to the entry year group, unless numbers in other year groups need to be restricted, for instance to comply with the infant class size limit or if there is overcrowding in other year groups.

### 11.39 Children with split residence

Where a child lives for part of the week with one parent and for part of the week with the other parent, the address recognised by the Local Authority is the one where the child lives for the majority of the school week. Where it is claimed that the weekly residence arrangement varies, both addresses will be valid, and in some cases the child will have two catchment area schools. These definitions depend on the written declaration of both parents, and if the claimed residence arrangement is found to be false, the child's place at the allocated school may be withdrawn even if the child has started attending.

### 11.40 Children of UK Services personnel and other Crown servants

- Such children must be allocated a place in advance, dependent on an official government letter declaring a relocation date and intended address, if the applicant would meet the criteria on relocation
- A Unit postal address must be accepted, or if appropriate a “quartering area” address in the absence of a new home postal address.