



# **Admissions Policy**

## **Academic Year 2023-24**

This policy was ratified by Governors on 12<sup>th</sup> September 2022 and is reviewed annually.

Signed: Emma Turner/Tristan Marshall Co-Chairs of Governors

Date of next review: September 2024

### ***Statutory Policy***

(First Time Admissions for entry September 2023 onwards and mid-term transfers from August 2023)

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## **1. Introduction**

- 1.1. The purpose of this policy and procedure is to ensure that places at Ashby Hill Top Primary School are allocated and offered in an open and fair manner.

Ashby Hill Top Primary School will endeavour to:

- Allocate a place at the school for children living in the catchment area (dependent on the parent applying by the Local Authority deadline for first time applications to Reception, or on compliance with infant class size regulations);
- Allocate a place at the school if the school has room

- 1.2. This policy aims to:

- Provide clarity regarding legal requirements and statutory guidance for school admissions;
- Encourage partnership and avoid conflict with other schools in the area and with the Local Authority;
- Maintain parental rights; and
- Ease the process of school admission for parents and children

## **2. Principles (including a summary of legal and other requirements)**

- 2.1. As Ashby Hill Top Primary School is an academy, the Governors are the admissions authority and must consult as required and publish their admissions policy on the school website. Unless the school proposes changes to the policy, it will consult every seven years in line with the Code of Practice. There is a minimum 6-week consultation period between 1st October and 31st January, during which parents and local groups with an interest in the local area must be consulted in the event that any changes are proposed to this policy. This Consultation will take place on the School's website. The School's Governing Body must formally ratify the Policy by 28<sup>th</sup> February and the ratified Policy must be published on the School's website by 15<sup>th</sup> March.
- 2.2. The Local Authority has a duty to coordinate school admissions and provide school places for all pupils resident in its area. To this purpose Leicestershire County Council must have an approved scheme for coordination Ashby Hill Top Primary School will participate fully with this scheme. (Coordination includes applications for first-time admission, infant to junior transfers and secondary transfer at the normal year of entry for that school and mid-term (in-year) applications).
- 2.3. In accordance with the School Admissions Code, (September 2021), Ashby Hill Top Primary School will participate in two statutory co-ordinated processes for school admissions, and will also participate in one non-statutory process (in-year co-ordination):
- Starting school for the first time (statutory)
  - Transferring to secondary school (statutory)
  - Time-term (in-year) transfers (non-statutory)

Details about these processes is available from the Leicestershire County Council School Admissions website: <https://www.leicestershire.gov.uk/education-and-children/schools-colleges-and-academies/school-admissions>

- 2.4. Parents have a right to express up to three preferences for a school place. 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.
- 2.5. Compulsory school age is from the term immediately following a child's 5<sup>th</sup> birthday, which means:
  - A child turning 5 in the Autumn term must start school no later than from the start of the Spring term;
  - A child turning 5 in the Spring term must start school no later than from the start of the Summer term;
  - A child turning 5 in the Summer term must start school no later than from the start of the Autumn term (paragraph 8.3 of this policy applies for summer born children).
- 2.6. The school cannot argue that a child should not be admitted unless the admission would prejudice the efficient use of resources or efficient education: this normally means that the Admission Number (AN) must have been reached.
- 2.7. Spare places must be allocated according to objective and published priority criteria. Children from other authorities must be treated in the same way as Leicestershire children and parents who do not express a preference will not be given priority over those who do.
- 2.8. Ashby Hill Top Primary School has an Admission Number (AN) of 45. This means that once the school has filled to 45 children in any year group (in line with its admissions criteria as detailed in this policy) all other applications for places will be refused, though parents will have the right to appeal.

### **3. *First Time Admissions to Ashby Hill Top Primary School (4+ Entries)***

- 3.1. Parents must apply for a school place, in accordance with this section of the policy, at first-time admission stage. In response to this requirement Ashby Hill Top Primary School supports the annual marketing strategy adopted by Leicestershire County Council to publicise and alert parents to the need to complete an application expressing up to three school preferences in a timely manner.
- 3.2. Parents must apply to their home Local Authority for a school place. Applications should be made to the Local Authority website: [www.leicestershire.gov.uk/popular-now/apply-for-a-primary-school-place](http://www.leicestershire.gov.uk/popular-now/apply-for-a-primary-school-place)
- 3.3. All requests received by the relevant national closing date (as published by Leicestershire County Council each year, normally 15<sup>th</sup> January) will be considered first and in accordance with the approved priority criteria. All late applications receive the lowest priority.
- 3.4. Places will be allocated up to the pupil Admission Number (AN) for Ashby Hill Top Primary School, which is 45 pupils per year group. The AN will not be exceeded regardless of living in or moving into the catchment area, with the exception of who have an EHCP

(Education Health Care Plan naming Ashby Hill Top Primary School), those who are LAC or PLAC, those agreed under Fair Access and those agreed by an Independent Appeal Panel.

- 3.5. If Ashby Hill Top Primary School is undersubscribed then all applicants will be offered a place. If oversubscribed, all applications will be ranked in order against the published criteria for prioritising admissions and places allocated accordingly.
- 3.6. Confirmed offers of places will be issued in writing by Leicestershire Local Authority.
- 3.7. No child may be admitted to the school without an offer from the Local Authority; this applies 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.
- 3.8. For those pupils who do not live in Leicestershire, the Leicestershire School Admissions Service will inform the relevant Local Authority of the outcome and they, in turn, will inform the parents.
- 3.9. Date of admission for all first time admissions is from the September immediately following a child's fourth birthday (i.e. all those children who have turned 4 before 31<sup>st</sup> August).

#### **4. *Deferring First Time Admission***

- 4.1. When a child's parents are notified of the allocation of a primary school place they can defer the child's admission. Parents can defer their child's school start to no later than the start of the summer term of compulsory school age and can seek part-time entry to later in the school year but not beyond compulsory school age. Such requests should be made to the Head Teacher of Ashby Hill Top Primary School. Parents 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.
- 4.2. The place at the school will be held open for the child and not made available to another child.
- 4.3. For summer born children if the place is not taken up by the summer half-term then a fresh application must be submitted for entry into Year 1 as the admissions application is only valid for the academic year to which it related (see section 14.29).
- 4.4. The school, via the Local Authority, 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 published priority criteria. Such withdrawals of offers will only be made when the Admission Number 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. *Infant Class Size Limits and Permitted Exceptions***

- 5.1. There is a requirement to limit infant (reception, year 1 and year 2) class sizes to 30 children for each qualified teacher, with national regulations allowing very few exceptions.
- 5.2. The following are considered as exceptions to the class size limits:

- a) Those children who are in the care of a Local Authority (including children adopted from being in the care of a Local Authority);
- b) Children with an Education, Health and Care Plan (EHCP) (including those with an EHCP receiving part of their education by arrangement at another school or in an infant class part-time);
- c) Movement into catchment where there is no other available school within a reasonable distance from the home address (where reasonable distance is 2 mile);
- d) If a recognised error was made during the implementation of the school admission arrangements;
- e) Those admitted by an independent appeal panel;
- f) Children of service personnel (e.g. army children).

Permitted class size exceptions will remain exceptions for the duration of key stage 1. In addition, the school will not be required to take qualifying measures in such circumstances.

## **6. Multiple Birth Children**

- 6.1. 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. Similar consideration will be given to children of multiple births where there is only one space available within the Admission Number.

## **7. In-Year (Mid-Term) Transfers (All Year Groups)**

- 7.1. All in-year (mid-term) transfer requests will be co-ordinated through the School Admissions Service for approval before admission takes place.
- 7.2. Before applying parents are encouraged to arrange to visit the school, after which they should complete the Local Authority's online Application Form (paper forms are available on request).
- 7.3. The aim, wherever possible, is to always process in-year (mid-term) applications within 15 school days of the school being formally notified of the application by the Local Authority (5 school days if the 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, fair access information for complex or out of authority applications, etc).
- 7.4. On receipt of an in-year (mid-term) application the school will allocate a place if one is available or refuse a place if the relevant year group is full, and inform Leicestershire School Admissions Service of the decision and the reason for this.
- 7.5. The Local Authority will send a decision letter which will either offer a place or refuse a place because the school / year group is full. Parents have the right of appeal if their application is refused.

## **8. Criteria for Prioritising Admissions**

- 8.1. 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) and therefore they do NOT include preference details when forwarding application information to Ashby Hill Top Primary School.
- 8.2. Late applications receive the lowest priority, and 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.
- 8.3. When there are more applications than there are places available, then the following criteria (in the order listed) will be used to allocate places (see note i.):

|                 |  |
|-----------------|--|
| 1 <sup>st</sup> | Children who are in public care and those children who were previously looked after children. (See note ii.) |
| 2 <sup>nd</sup> | Pupils who live in the catchment area. (See note iii.)   |

|                 |  |
|-----------------|--|
| 3 <sup>rd</sup> | Pupils who will have an older brother or sister attending the same school at the same time. (See note iv)  |
| 4 <sup>th</sup> | 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.) |
| 5 <sup>th</sup> | Children of staff, where the member of staff has been employed at Ashby Hill Top Primary School on a permanent contract of at least 15 hours per week for two or more years at the time at which the application for admission is made.                  |
| 6 <sup>th</sup> | Children living nearest to the school, measured in a straight line distance.<br><br>Distance is measured from a central geocoded point of home address to the school's main designated front gate, using electronic mapping.<br>(See note vi.)           |

**Notes:**

i. Combinations of the above criteria are used where appropriate, in priority order.

ii. 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.

Previously looked after children are children were looked after, but ceased to be so because they were adopted (or became subject to a Child Arrangement Order Section 19 or special guardianship order); 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 does not guarantee you a place at your catchment school.

iv. The term "brother or sister" includes half brother or sister or legally adopted child being regarded as the brother or sister.

v. If criterion 4 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 a central geocoded point of home address to the school's main designated front gate, using a computerised mapping system (Geocoding). Where there is equal distance then lots will be drawn, supervised by an independent officer.

8.4. In the event of over-subscription, Ashby Hill Top Primary School may need to ask for proof of the following when applying the criteria for prioritising admissions:

- Child's date of birth;
- Copy of an adoption order, Child Arrangement Order or special guardianship order and a letter from the Local Authority that last looked after the child confirming that (s)he was looked after immediately prior to that order being made.



- 8.5. In the event that application of the above criteria results in a tie for a place at the school, the allocation of the place will be determined by the drawing of lots, supervised by an independent officer.

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

- 9.1. Parents should be encouraged to visit their catchment area school, as well as Ashby Hill Top Primary School, in order to make informed judgements.

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

- 10.1. At the time of first-time admissions the school, the school's Admission Number will **NOT** be exceeded if the number of requests for in-catchment children exceeds the Admission Number.
- 10.2. The Admission Number (AN) will **NOT** be exceeded in any one year group by the admissions 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.
- 10.3. It may be that in exceptional circumstances the school may agree to exceed its Admission Number in response to a specific request from the Local Authority. Such circumstances might be:
- Children in public care;
  - "Hard to Place" children whose cases fall within the Fair Access protocol
  - Children with an EHCP naming Ashby Hill Top Primary School
  - Independent Appeal Panel Decisions

A full set of "exceptions" can be found in the National School Admissions Codes.

- 10.4. Any one-off increase in the Admission Number should be viewed as exceptional and not set a precedent for subsequent years.

## **11. Waiting List / Over-subscription List**

- 11.1. The Local Authority will maintain an over-subscription (waiting) list (OSL) for places from the completion of the decision-making process for first-time school admissions (i.e. into the reception classes) up to the end of the Autumn term only. All applicants who have not been offered a place will automatically be added to this list.
- 11.2. The OSL will be ranked according to the priority criteria detailed above. Places will be offered to children on this list in priority order in the event of any previously allocated place becoming available. The OSL may change, which means that a child may move up or down the list as the term progresses. The OSL makes no distinction between on- time or late applications.
- 11.3. Waiting lists will not be held for mid-term transfers.

## **12. Withdrawing an Offer or a Place**

- 12.1. Ashby Hill Top Primary School will assume that any offer of a place is accepted unless a written refusal is received.
- 12.2. Leicestershire School Admissions Service, in accordance with its co-ordinating scheme on behalf of Ashby Hill Top Primary School, may withdraw an offer or a place at the school if:
- It has been offered in error;
  - A place has not been taken up within 20 school days from the start of the academic year (or from an agreed deferment date if applicable) and the parent has not responded within 2 weeks, plus an additional 7 days for a reminder, indicating that they want to accept the offered place;

- It is established that a place, or an offer of a place, has been obtained by false or misleading information (e.g. an incorrect address or date of birth);

12.3. Ashby Hill Top Primary School will not withdraw a place once a child has started at the school, except where that place was fraudulently obtained.

### **13. *Right of Appeal***

13.1. Parents have the right to appeal against any decision by Ashby Hill Top Primary School to refuse admission. Details of how to appeal, including timescales, can be found on the Leicestershire County Council Admissions website: [www.leicestershire.gov.uk/education-and-children](http://www.leicestershire.gov.uk/education-and-children)

13.2. Any appeal will be heard by an independent appeals panel whose decisions can override Ashby Hill Top Primary School Admissions Policy. The panel will decide whether to uphold or dismiss the appeal. Where the panel upholds the appeal Ashby Hill Top Primary School is required to admit the child.

### **14. *Miscellaneous***

#### **Children who Move Out of the Catchment Area**

14.1. A child who has started attending Ashby Hill Top Primary School and whose place of residence changes to an out-of-catchment address is entitled to retain his / her place at Ashby Hill Top Primary School and will not be asked to leave or have their name deleted from the register.

14.2. Leicestershire School Admissions Service should be contacted regarding any queries about transport in this situation.

#### **Excluded or Potentially Disruptive Pupils**

14.3. The School Admissions Code allows the refusal of place for children with "challenging behaviour" only for those schools able to demonstrate a particularly high proportion of children with challenging behaviour or previously excluded children. Ashby Hill Top Primary School will not normally refuse to admit a child thought to be potentially disruptive, or likely to exhibit challenging behaviour, but will consider exceptions in accordance with the School Admissions Code. In such circumstances the Governors must refer the case to the Fair Access Protocol.

14.4. Ashby Hill Top Primary School will participate in the Fair Access Protocol in order to ensure that unplaced children are allocated a school place quickly. However, there is no duty for Ashby Hill Top Primary School (or other admissions authorities) to comply with parental preference when allocating places through the Fair Access Protocol.

14.5. Where the governing body does not wish to admit a child with challenging behaviour outside the normal admissions round, even if there are places available they will be guided by Leicestershire School Admissions Service. Refusal to admit such a child will normally only be appropriate if the school has a particularly high proportion of children with challenging behaviour or previously excluded children.

- 14.6. 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 but may refer to the Secretary of State regarding directions to admit children.
- 14.7. 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**

- 14.8. Admission to Ashby Hill Top Primary School will not be refused because of a belief that the school cannot cater for the child's special educational needs.
- 14.9. Pupils with special educational needs but no EHCP are dealt with through normal admissions policy – Ashby Hill Top Primary School cannot refuse to admit a pupil because (s)he does not have a EHCP or is being assessed for a EHCP.
- 14.10. All Governing Bodies are required by section 324 of the Education Act 1996 to admit to a school a child with an Education, Health and Care Plan if that EHCP names the school. This is not an oversubscription criterion and such children will be admitted whether the school has a place or not.

### **Children from Overseas**

- 14.11. Applications for children coming from overseas will be treated in accordance with British Law, or Home Office Rules. Non-statutory guidance on this is available on the website of the Department for Education.

### **Children of UK Services Personal and other Crown servants**

- 14.12. Where Ashby Hill Top Primary School has spaces, such children will be allocated a place as part of the normal round of admissions without the requirement of an official Government letter declaring a relocation date and intended address. The place must be taken up within 20 school days for the normal round of applications from the start of the academic year or it may be withdrawn.
- 14.13. Where during the normal round for admissions a school is oversubscribed, the school will require any application to be supported by an official letter that declares a relocation date and a Unit postal address or quartering area address. The application will then be ranked and determined against the oversubscription criteria.
- 14.14. Where a posting is partway through the school year a place will be considered in advance of the family arriving, provided the application is accompanied by an official letter that declares a relocation date and a Unit postal address or quartering area address. The application will then be processed under the normal priority criteria.

### **Children with Split Residence**

- 14.15. 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 and Ashby Hill Top Primary School 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.

### **Late Requests**

- 14.16. Late requests for school places (i.e. those received after a closing date) will be considered on their merits but will generally have the lowest priority of all requests even when Ashby Hill Top Primary School is 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 by documentary evidence) that applying at the appropriate time was beyond the parent's control (e.g. parent ill for some time or the family was returning from abroad).
- 14.17. Catchment requests for pupils who move into the school's catchment area will be regarded as late if they are not received within timescales as set out in the Leicestershire County Council Admissions Policy in force at the time.

### **Changes and Verification of Address**

- 14.18. Ashby Hill Top Primary School will need to seek documentary evidence of residence from parents where the matter is unclear.
- 14.19. The 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.
- 14.20. Generally, only one address is recognised for each family and only one family for each address.
- 14.21. Places, or offers of places, may be withdrawn if they were based on incorrect information from the parents or their representatives.

### **Verification of Address**

- 14.22. Parent's written confirmation and declarations will be sought regarding important information. Parents will be asked to verify in writing that they are residing at the address claimed in the catchment area.
- 14.23. Documentary evidence such as Council Tax payment or Child Benefit letter will be sought.
- 14.24. Claims of new residence in the 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.
- 14.25. Officers 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**

- 14.26. If a change of circumstances takes place after the closing date for applications but before all places have been allocated, then the change of circumstances will be taken into account within the allocation process.
- 14.27. If a change of circumstances takes place after all places at the school have been allocated the application will be added to the waiting list in a position which reflects the published priority criteria.
- 14.28. Verification (e.g. from professional persons or bodies) may be sought from the parent to confirm a change of circumstances. In such situations it remains the parent's duty to gather and provide the evidence.

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

- 14.29. Early transfers or admission of children staying on outside the normal age-range are exceptional and must be approved by Ashby Hill Top Primary School. 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.
- 14.30. The Parents of a summer born child, that is those children born from 1st April to 31st 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, for example, to reception rather than year 1.
- 14.31. To request a delayed entry parents are required to make an application for their child's admission to their normal age group at the usual time in accordance with this policy and at the same time to submit a request to the admission authority for admission out of the normal age group. Further information about the process will be provided to parents upon their request for admission outside of normal age group or by contacting the School Admissions Service.
- 14.32. Decisions will be made by the Admissions Authority on the basis of the circumstances of each case and in the best interests of the child concerned. This will take into account parents' views, information about the child's academic, social and emotional development, where relevant their medical history and any views of a medical professional, whether they have previously been educated outside of their normal age group and whether they may have fallen in to a lower age group if the child was not born prematurely. The views of the Headteacher of the school concerned must be taken in to account. Decisions made by the Admissions Authority will be clearly set out.
- When informing a parent of the decision on which year group the child should be admitted to, the reason(s) will be given.
- 14.33. Where Leicestershire Local Authority agrees to the parent's request for their child to be admitted to a year out of their normal age group, it will be necessary for the parent(s) to apply again for a place at the appropriate time, and as a consequence the child will be admitted to a relevant age group (the age group to which pupils are normally admitted to the school). The Local Authority will process the application as part of the main admissions

round unless the parental request is made too late for this to be possible and on the basis of determined admission arrangements only including the priority criteria when this applies.

- 14.34. One admission authority cannot be required to honour a decision made by another. Upon transfer, it will be a matter for that admission authority. Decisions will be made by the Admission Authority regarding the parental request for admission out of normal age group in time for parents to make an informed decision about whether their child will start school before compulsory school age. An application will not be given a lower priority on the basis that the child is being admitted out of their normal age group.
- 14.35. Parents' statutory right to appeal against or 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.