

# Endon Hall Primary & Nursery School

'Learning Together and having fun'



## Admissions Policy

**Policy updated:** Nov 2020, Nov 2021, Nov 2022

**Review date:** Nov 2023

### Statement of intent

Endon Hall Primary School is a Local Authority maintained, inclusive school with a Governor run Nursery attached. We will admit children without reference to general ability or aptitude. We believe we operate in an open, fair, clear and objective manner and, as a school community, we have a commitment to promote equality. Currently, our Pupil Admission Number (PAN) is 30.

We work to the principle that any parent/carer accessing our admissions arrangements will be able to easily understand how places for that school will be allocated, and will not be alienated or discouraged from applying based on admissions criteria.

### 1. Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Equality Act 2010
- Human Rights Act 1998
- School Standards and Framework Act 1998
- DfE (2021) 'School Admissions Code'
- DfE (2022) 'School Admission Appeals Code'

This policy operates in conjunction with the following school policies:

- Equality Policy
- Data Protection & GDPR Policy
- Special Educational Needs and Disabilities (SEND) Policy
- SEND Information Report

### 2. Roles and responsibilities

#### Role of the Governing Board

The Governing Board has:

- delegated powers and responsibilities to the Headteacher to work with the Local Authority (LA) Admissions team in considering all applications to this school;
- responsibility to ensure that the LA has all the information it needs to set admissions arrangements;
- Working with the LA when determining the school's capacity;
- Publishing a link to the full, determined admissions arrangements on the school's website;

- delegated powers and responsibilities to the Headteacher to ensure all school stakeholders and any interested visitors to the school are aware of and comply with this policy;
- responsibility for ensuring that the school complies with all equalities legislation;
- to take appropriate action to deal with all prejudice related incidents or incidents which are a breach of this policy;
- responsibility for the effective implementation, monitoring and evaluation of this policy

### Role of the Headteacher

The Headteacher will:

- liaise with the Local Authority Admissions team regarding Reception class admissions and in signposting Year 6 parents to admissions information for Secondary school;
- consider all In-Year applications to this school;
- inform the Local Authority Admissions team of any In-Year applications received, and the outcome of the application (See Appendix 2), providing copies of letters sent to parents;
- ensure that all applications are looked at fairly and openly;
- ensure school personnel, children and parents/carers are aware of and comply with the policy;
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy;
- report to the Governing Board on the success and development of this policy

### Role of the Local Authority

The Local Authority team is responsible for:

- Acting in accordance with the relevant legislation and guidance when carrying out the overall admission of pupils into the school;
- Clearly communicating any reasons for rejecting the admission of a pupil, as well as the parent's right to appeal and the appeal process;
- Implementing any advice or recommendations given by the Schools Adjudicator without undue delay;
- Determining the admission arrangements on an annual basis and publicly consulting stakeholders on any proposed changes to the admission arrangements;
- Setting clear, fair and effective oversubscription criteria which do not discriminate against any pupil;
- Communicating oversubscription criteria clearly to parents;
- Notifying the LA of any in-year admissions and their outcomes;

### 3. Admissions arrangements

The Local Authority (LA) will consult with the Governing Board where it proposes to increase, decrease or keep the same PAN. Where the LA has set a PAN lower than the school's wishes, the school will submit an objection to the Schools Adjudicator, where appropriate.

The Governing Board will communicate with the LA where the admission of additional children would prejudice the provision of efficient education or efficient use of resources.

#### Oversubscription criteria

The LA is responsible for determining admissions arrangements for the school. The oversubscription criteria is reasonable, clear, objective, procedurally fair, and compliant with all relevant legislation, including equalities legislation. This means that the oversubscription criteria will not unfairly disadvantage, whether directly or indirectly, any child based on a protected characteristic or economic disadvantage.

#### Catchment areas

The point within the school grounds from which the school will measure any distance or radii is **the door of the school reception**. This point will be used to determine the school's catchment area. This will be measured using the child's primary

address. The catchment area is a **five-mile** radius from the school as the crow flies. The school will accept pupils from outside the catchment area – oversubscription criteria will apply where applicable.

### **Siblings of pupils and children of staff**

For the purpose of this policy, “sibling” is defined as any sibling related by **blood or marriage and any fostered or adopted siblings**.

Where oversubscribed, priority will be given to children whose siblings are currently at the school or who attended the school within the last **six** years.

Where oversubscribed, priority will be given to children for whom staff members have parental responsibility, where the staff member has been employed by the school for two or more years at the time at which the application was made, and/or where the member of staff has been recruited to fill a vacant post where there is a demonstrable skill shortage. Trustees of the school are included in the staff criteria with regard to admissions for children.

### **Selective criteria**

The LA will publish the entry requirements and process of selection for a school place on the school's website as part of the published admissions arrangements.

All selection tests will be designed in such a way that they are accessible to children with SEND, and reasonable adjustments will be made for these children where necessary.

Parents will be informed of the outcome of selection tests before 31 October where possible, to allow them to make an informed choice of school; however, the trust board will ensure that these parents are aware that the results of a selection test do not necessarily guarantee a selective place for their child.

### **Equal opportunities**

The LA will not establish admissions criteria that excludes individuals with a particular protected characteristic. The admissions criteria will not exclude a greater proportion of pupils with particular protected characteristics, unless the school can justify how this is a proportionate means of achieving a legitimate aim.

The admissions criteria will not discriminate against disabled applicants, unless the school can justify how this is a proportionate means of achieving a legitimate aim.

### **Admissions procedures**

The school will offer open events and school visits to all potential applicants, irrespective of any protected characteristics. Where necessary, the school will make reasonable adjustments for disabled applicants or disabled parents.

The school may assess its ability to cater to the applicant's needs by:

- Inviting the applicant to attend the school for half a day.
- Visiting the applicant's home.
- Visiting the applicant's current education provision.

## **4. Consultation, determination and publication**

### **Consultation**

The LA will consult with the Governing Board on any proposed changes to the admissions arrangements. Consultation will last for a minimum of six weeks and will take place between 1 October and 31 January in the determination year. The LA will consult with the Governing Board on admissions arrangements at least once every seven years, even if no changes have been made in that time.

### **Determination and publication of admissions arrangements**

The school will publish a link to the LA's full proposed admission arrangements and the contact details of the individual responsible for admissions liaison on its website. The Governing Board will address any complaints about the proposed admissions arrangements to the School's Adjudicator.

Admission arrangements will be determined by 28 February in the determination year on an annual basis, even when no changes to the arrangements have been made.

A link to the finalised admission arrangements will also be published on the school website by 15 March in the determination year, and will continue to display them for the whole offer year.

Any objections to the admission arrangements will be directed to the Schools Adjudicator by 15th May in the determination year.

## **5. Applications and offers**

### **Applications**

Parents are invited by the relevant Local Authority (LA), to apply for a Reception place. They will be provided with a common application form (CAF) where they will note their three preferred schools, along with a brief explanation, in rank order – the schools do not have to be located in the LA area where the parents live. Parents will provide LAs with the following information within the CAF:

- Their name and their child's name and date of birth
- Their and their child's address and proof of residence

The CAF will be submitted to the parents' LA. Parents are not guaranteed to have their preferences met. The LA will request supplementary information for the purpose of processing applications where necessary.

### **Offers**

All offers will be made on National Offer Day i.e. 16 April (or the next working day where this date falls on a weekend or bank holiday).

Where the school is oversubscribed, the LA will rank applications in accordance with its determined arrangements, and the qualifying scheme will ensure that only one offer will be made per child by the LA.

An offer will only be withdrawn if it has been made in error, a parent has not responded within 20 working days, or if the offer was made via a fraudulent or misleading application. Where an offer has not been responded to within the designated time frame, the LA will give the parent a further opportunity to respond and will explain that the offer will be withdrawn if they do not. If any application is found to be fraudulent after a child has started at the school in the first term of the new academic year, the school may withdraw the place. If the fraudulent application is found after this time, the pupil will not be removed.

The Headteacher will assist the LA with deciding on which year group a child will enter. Once a decision has been reached, the child's parents will be informed in writing along with an explanation of how the decision was reached and any reasons why.

The school must admit all children who have an EHC plan where the school is named. Children with SEND who do not have an EHC plan will be treated equally to all other applicants in the admissions process. This includes children who may need additional support or reasonable adjustments to be made. The details of the school's SEND provision can be found in our Special Educational Needs and Disabilities (SEND) Policy and SEND Information Report on our website.

## **6. In-year admissions**

The school will follow the same process for in-year admissions as for admissions at the start of the academic year.

We will publish a link to the LA's in-year admissions arrangements on the school website by 31 October 2021. Following this date, the school will publish a link to the LA's in-year admissions arrangements on the school website by 31 August each year.

Endon Hall Primary School will consider all such applications and if the year group applied for has space available, then a place will be offered. If a place is not available, then the child's parent can ask for their child's name to be added to the appropriate

waiting list. As with admissions at the start of the academic year, parents whose applications are turned down are entitled to appeal through the process outlined below.

We will ensure that parents can access a hard copy of the information from the LA about in-year applications upon request.

We will provide the LA with details of the number of places available, or any supporting evidence, no later than two school days following the request of such information from the LA.

## 7. Waiting lists

For admissions at the start of the academic year, the school will operate a waiting list which is maintained until 31 December on year of entry. The list will set out the priority for places in the same order set out in the oversubscription criteria. When additional children are placed on the waiting list, the list will be re-ordered in line with the oversubscription criteria – no pupil will be prioritised based on when their name was added to the list.

The LA will make clear in the admissions arrangements the process for requesting admission outside of the normal age group for the admissions round.

Parents may request that their child is placed on the waiting list if they are not successful in receiving a place. Where a place becomes available, it will be offered to the parents of the child at the top of the list.

For in-year admissions, if there is a waiting list for that year, the child will be placed on a waiting list until a space becomes available, or the child finds a new school setting. The list will set out the priority for places in the same order as admissions at the start of the year – when a place becomes available, it will be offered to the parents of the child at the top of the list.

If a child on the waiting list is offered a position at the school, the parents will be notified by **letter** and will have the option of accepting or rejecting the place within **28 days**.

## 8. Admissions Appeals

In circumstances where a school place is refused, parents, and in some circumstances their children, will have the right to appeal against an LA's decision to refuse admission.

Where this is the case, the LA will establish an independent appeals panel to hear the appeal. The appeal panel will perform its judicial function in a transparent, accessible, independent and impartial manner, and operate according to principles of natural justice.

The LA and appeal panel will ensure that it acts in accordance with this Code, the School Admissions (Appeal Arrangements) (England) Regulations 2012, the School Admissions Code, other law relating to admissions, and relevant human rights and equalities legislation, for example, the Equality Act 2010.

The procedures outlined within this section will apply to all appeals lodged on or after 1 October 2022. Appeals lodged on or before 30 September 2022 will be heard in accordance with the 'School Admissions Appeals Code' 2012 and the School Admissions (Appeals Arrangements) (England) Regulations 2012, as amended.

The Governing Board will be aware of, and assist the LA where relevant with regard to, the below admissions appeals procedure.

### Timetable

The LA will set a timetable for organising and hearing appeals that:

- Includes a deadline for lodging appeals which allows appellants at least **20 school days** from the date of notification that their application was unsuccessful to prepare and lodge their written appeal.
- Ensures that appellants receive at least **10 school days'** notice of their appeal hearing.

- Includes reasonable deadlines for appellants to submit additional evidence, for admission authorities to submit their evidence, and for the clerk to send appeal papers to the panel and parties.
- Ensures that decision letters are sent within **5 school days** of the hearing wherever possible.

The LA will publish the appeals timetable on their website by **28 February each year**.

The LA will ensure that appeals lodged by the appropriate deadlines are heard within the following timescales:

- For applications made in the normal admissions round, appeals will be heard within **40 school days** of the deadline for lodging appeals
- For late applications, appeals will be heard within **40 school days** from the deadline for lodging appeals where possible, or within **30 school days** of the appeal being lodged.
- for applications for in-year admissions, appeals will be heard within **30 school days** of the appeal being lodged.

Any appeals submitted after the appropriate deadline will still be heard, in accordance with the timescales set out in the table published by the LA.

### **Notifying appellants of the right to appeal and the appeal hearing**

When informing a parent of their unsuccessful admissions application, a letter will be sent by the LA which includes:

- The reason why admission was refused
- Information about the right to appeal
- The deadline for lodging an appeal
- Contact details for making an appeal

Parents will be informed in the letter that, if they wish to appeal, they must make the appeal in writing. The LA will not limit the grounds on which an appeal can be made.

The LA will provide appellants with written notification of the date and all final arrangements of the appeal hearing no later than **10 school days** before the hearing. This notification will include the deadline for the submission of any further evidence that was not sent in the original appeal.

The LA will comply with any reasonable request for information from parents to help them prepare their case for the appeals hearing.

The LA will ask appellants whether they intend to call any witnesses or be represented at the hearing and inform them that they may waive their right to **10 school days'** notice of the hearing if they so wish.

### **Constitution of appeals panels**

The LA will appoint a clerk who is independent of the school and the education functions of the LA. The clerk will have sufficient knowledge of the 'School Admission Appeals Code', the 'School Admissions Code', other law relating to admissions and other relevant law, as well as being able to offer advice to enable the panel to undertake its judicial function.

The appeals panel will comprise a chair and at least two other panel members. The panel will also include at least one lay person and a person who has experience in education.

In accordance with 'The School Admissions (Appeal Arrangements) (England) Regulations 2012, the clerk to the panel will ensure that no disqualified person is allowed membership of the panel. A person will be disqualified if they are:

- A member of the LA which is the admission authority or LA in whose area the school is located.
- A member or former member of the Governing Board of the school
- An employee at the LA or Governing Board of the school, other than a teacher or TA
- Any person who has, or at any time has had, any connection with the LA, school or LA who may not act impartially
- Any person who has not attended training required by the LA arranging the appeals panel

The LA will ensure that panel members and clerks will not take part in hearings until they have received appropriate training as outlined within the School Admissions Appeals Code’.

The LA will ensure that panel members are independent from the school and will remain independent for the duration of their service.

The chair of the appeals panel is responsible for the conduct of the hearing, including introducing parties, explaining the roles of the clerk and the panel and how the hearing will be conducted, and ensuring that parties have sufficient opportunity to state their case and ask questions.

The LA will indemnify the members of the appeals panel against any legal costs and expenses they incur in connection with any decision taken in good faith whilst acting as a member of the appeals panel.

Members of the appeals panel will receive travel and subsistence allowances where applicable, and will be compensated for any loss of earnings or expenses.

## **Evidence**

All evidence relating to the appeal hearing will be passed on to the clerk. This evidence will include details of:

- How the admission arrangements and the co-ordinated admissions scheme apply to the appellant’s application.
- Reasons for the decision to refuse admission.
- How the admission would cause prejudice to the education provision of the school.

The clerk will send all the papers required for the hearing to both parties and the members of the panel **seven** days before the hearing.

## **Attendance and representation**

It will be the LA’s responsibility to make arrangements for appeal hearings. Appeal hearings may be held in person, remotely by video conference or a mixture of the two (a hybrid hearing).

Appeal hearings held entirely by telephone will only be permitted where video conferencing cannot be used relating to connectivity or accessibility and if the appellant and presenting officer both agree.

Regardless of the forum chosen, appeal panels will allow appellants the opportunity to make oral representations.

The LA will provide a presenting officer to attend the hearing and present the LA’s case to the panel, ensuring that this person is a member of staff who is well acquainted with the school.

The presenting officer will be responsible for relaying to the attendees the decision not to admit the child, and answer questions where necessary, either in person or remotely

Appellants may attend in person or be represented by another individual. Where appellants cannot attend, a decision will be made based on the written evidence.

## **Appeals hearings**

The LA will publish an appeals timetable on their website by 28 February each year. The timetable will comply with section three of the ‘School Admission Appeals Code’. Appeals will be lodged and heard for the normal admissions round within 40 school days of the deadline for lodging appeals.

For late applications, appeals will be heard between 30-40 school days of the appeal being lodged. For in year admissions, appeals will be heard within 30 days of the appeal being lodged.

The LA will provide appellants with written notification of the date and all final arrangements of the appeal hearing, including a deadline for the submission of any further evidence that was not sent in the original appeal.

The LA will comply with any request for information to help parents prepare their case for the appeals hearing.

All evidence relating to the appeal hearing will be passed on to the clerk, including the admission process, reasons for the decision and how the admission would cause prejudice to the education provision of the school. The clerk will send all the papers required for the hearing to both parties and the members of the panel seven days before the hearing.

The presenting officer will be responsible for relaying to the attendees the decision not to admit the child, and answer questions where necessary.

Appellants may attend in person or be represented by another individual. Where appellants cannot attend, a decision will be made based on the written evidence.

Hearings, whether conducted in-person or remotely, will be held in private. The order of the appeals will be:

- Case for the LA
- Questioning by the appellant(s) and panel
- Case for the appellant(s)
- Questioning by the LA and panel
- Summing up by the LA
- Summing up by the appellant(s)

### **Reaching a decision**

When reaching a decision, the LA will follow the specific two stage process outlined in the 'School Admission Appeals Code'.

In cases where the LA has refused to admit a child on the grounds that admitting an additional child would breach the infant class size limit and there are no measures that can be taken to avoid this without prejudicing the provision of efficient education or efficient use of resources, the two-stage process outlined in Section four of the 'School Admission Appeals Code' will be followed.

Decisions will be decided by a simple majority of votes cast. If votes are split equally, the chair will make the casting vote. The panel will either uphold or dismiss an appeal and will not uphold an appeal subject to any specified conditions.

To communicate the decision made, the panel will send a letter to the appellant, signed by the clerk or chair of the appeals panel, no later than **five school days** after the decision has been made.

The decision letter will contain clear reasons for the panel's decision and a summary of the relevant factors raised by the parties and considered during the hearing. In the case of applications outside the normal admissions round, the LA will ensure that the pupil is admitted to the school without unnecessary delay.

Appeals by the parent of a child with an EHC plan against the choice of school named in the EHC plan will be considered by the First-tier Tribunal (SEND) and not the appeals panel.

In cases where there are multiple appeals, the LA will ensure that, where possible, all appeals are heard by the same appeals panel with the same members, and that no decisions are made until all the appeals have been heard.

In all hearings the clerk to the panel will ensure that an accurate record is taken of the points raised at the hearing, including the proceedings, attendance, voting and reasons for decisions. These notes will be kept securely by the LA for a minimum of two years and are, in most cases, exempt from disclosure under the Freedom of Information Act 2000 and the Data Protection Act 2018.

### **Further appeals and Complaints**

Appellants do not have the right to more than one appeal in respect of the school for the same academic year unless, in exceptional circumstances, the LA has accepted a second application from the appellant due to a material change in the circumstances of the parent, child or school but still refused admission. Appellants can apply for a place at the school for a different academic year.

Appellants may complain about maladministration on the part of an appeal panel to the Local Government and Social Care Ombudsmen. The LA will inform parents about the arrangements for making a complaint.



## Governor run Nursery provision

Admissions to Endon Hall Nursery (Governor run), shall be determined by the criteria set out below:-

- 1) Siblings
- 2) Children residing in our catchment area
- 3) Children requiring a **full time place** i.e. 5 full days per week (15 funded hours + 15 paid hours or 30 funded hours, if eligible)
- 4) Children whose age on entry means they could be accessing the Nursery for over 3 terms

Our rationale for opening a Nursery on site is to enable children who would previously have secured a place in our Reception class (catchment and siblings) to access Endon Hall as early as possible. Therefore, once a session reaches 80% capacity, we will defer a decision for children who do not meet criteria 1 and 2. Once contracts are signed, one month's notice is required in writing if either the school or parent/carer wishes to make any alterations to places, or to end a placement.

### Admissions for the Autumn Term:

For those meeting Criteria 1 and 2, decisions are made in February each year for the following September if the Nursery has been full since the previous September. Deferred decisions for those not meeting Criteria 1 & 2 are made in April each year, following receipt of our Reception admissions list.

If places remain available after the September intake each year:

### Admissions for the Spring Term:

Decisions for those who meet Criteria 1 and 2:	By 1 <sup>st</sup> October
Deferred decisions for those not meeting Criteria 1 & 2:	Upon return from October half term

### Admissions for the Summer Term:

Decisions for those who meet Criteria 1 and 2:	By the start of the Spring Term (January)
Deferred decisions for those who do not meet Criteria 1 and 2:	By February half term

## Role of Parents/Carers

Parents/carers will be aware of and comply with this policy.

Where parents/carers wish to apply for a place In-Year, the In-Year Admissions form will be completed (See Appendix 2) and submitted to the Headteacher at the preferred school.

Where parents/carers wish to apply for a place in Nursery, the Nursery 'Request for Place' form will be completed and submitted to the Headteacher.

## Raising Awareness of this Policy

We will raise awareness of this policy via:

- the school website
- the staff handbook
- meetings with parents/carers such as introductory, transition, parent-teacher consultations
- prospective parents/carers making admissions enquiries

## Equality Act 2010

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, race, religion or belief and sexual orientation. Our Admissions Policy makes clear the sole criteria used to manage admissions to our school.

## Monitoring the Effectiveness of the Policy

Annually (or when the need arises) the effectiveness of this policy will be reviewed by the Headteacher and any necessary recommendations for improvement will be made to the Governors.