



## CHILDREN & LEARNING OVERVIEW & SCRUTINY SUB-COMMITTEE AGENDA

7.30 pm

Tuesday  
17 March 2015

Committee Room 2 -  
Town Hall

Members 9: Quorum 4

**COUNCILLORS:**

Gillian Ford (Chairman)  
Jason Frost (Vice-Chair)  
Nic Dodin

John Glanville  
Joshua Chapman  
Philippa Crowder

Carol Smith  
John Wood  
Keith Roberts

**CO-OPTED MEMBERS:**

**Statutory Members  
representing the Churches**

Phillip Grundy, Church of  
England  
Jack How, Roman Catholic  
Church

**Statutory Members  
representing parent  
governors**

Julie Lamb, Special Schools  
Emma Adams, Primary  
Lynda Rice, Secondary

Non-voting members representing local teacher unions and professional associations:  
Ian Rusha (NUT), Margaret Cameron, NAHT & (Vacancy) NASUWT.

**For information about the meeting please contact:**

**Vicky Parish 01708 432 433  
vicky.parish@Onesource.co.uk**

## **Protocol for members of the public wishing to report on meetings of the London Borough of Havering**

Members of the public are entitled to report on meetings of Council, Committees and Cabinet, except in circumstances where the public have been excluded as permitted by law.

Reporting means:-

- filming, photographing or making an audio recording of the proceedings of the meeting;
- using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
- reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

Anyone present at a meeting as it takes place is not permitted to carry out an oral commentary or report. This is to prevent the business of the meeting being disrupted.

Anyone attending a meeting is asked to advise Democratic Services staff on 01708 433076 that they wish to report on the meeting and how they wish to do so. This is to enable employees to guide anyone choosing to report on proceedings to an appropriate place from which to be able to report effectively.

Members of the public are asked to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

### **What is Overview & Scrutiny?**

Each local authority is required by law to establish an overview and scrutiny function to support and scrutinise the Council's executive arrangements. Each overview and scrutiny sub-committee has its own remit as set out in the terms of reference but they each meet to consider issues of local importance.

The sub-committees have a number of key roles:

1. Providing a critical friend challenge to policy and decision makers.
2. Driving improvement in public services.
3. Holding key local partners to account.
4. Enabling the voice and concerns to the public.

The sub-committees consider issues by receiving information from, and questioning, Cabinet Members, officers and external partners to develop an understanding of proposals, policy and practices. They can then develop recommendations that they believe will improve performance, or as a response to public consultations. These are considered by the Overview and Scrutiny Board and if approved, submitted for a response to Council, Cabinet and other relevant bodies.

Sub-Committees will often establish Topic Groups to examine specific areas in much greater detail. These groups consist of a number of Members and the review period can last for anything from a few weeks to a year or more to allow the Members to comprehensively examine an issue through interviewing expert witnesses, conducting research or undertaking site visits. Once the topic group has finished its work it will send a report to the Sub-Committee that created it and will often suggest recommendations for the Overview and Scrutiny Board to pass to the Council's Executive.

## **Terms of Reference**

The areas scrutinised by the Committee are:

- Pupil and Student Services (including the Youth Service)
- Children's Social Services
- Safeguarding
- Adult Education
- Councillor Calls for Action
- Social Inclusion

## AGENDA ITEMS

### 1 **APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

(if any) - receive.

### 2 **DECLARATION OF INTERESTS**

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

### 3 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

### 4 **MINUTES** (Pages 1 - 14)

To approve as a correct record the Minutes of the meetings of the Committee held on 15<sup>th</sup> January 2015, and the minutes of the joint meeting with Health held on 18<sup>th</sup> February 2015, and authorise the Chairman to sign them.

### 5 **SCHOOL ATTENDANCE EXCLUSION DATA** (Pages 15 - 26)

Report given by Paul Tinsley

### 6 **PERFORMANCE OF ALL SCHOOLS AND VULNERABLE GROUPS INCLUDING THOSE IN RECEIPT OF PUPIL PREMIUM**

Report by Susan Sutton

### 7 **MASE (MULTI-AGENCY SEXUAL EXPLOITATION) PARTNERSHIP**

Report by Carol Carruthers

### 8 **ADMISSIONS PROCESS/SCHOOL PLACES** (Pages 27 - 184)

Report by Trevor Cook

### 9 **FINAL SEF FOR NOTING**

Mary Pattinson

**10 FUTURE AGENDAS**

Committee Members are invited to indicate to the Chairman, items within this Committee's terms of reference they would like to see discussed at a future meeting. Note: it is not considered appropriate for issues relating to individuals to be discussed under this provision.

**11 URGENT BUSINESS**

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specified in the minutes, that the item should be considered at the meeting as a matter of urgency.

**Andrew Beesley  
Committee Administration &  
Interim Member Support Manager**

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**MINUTES OF A MEETING OF THE  
CHILDREN & LEARNING OVERVIEW & SCRUTINY SUB-COMMITTEE  
Committee Room 2 - Town Hall  
15 January 2015 (Times Not Specified)**

**Present:** Councillors Gillian Ford (Chairman), Jason Frost (Vice-Chair), Nic Dodin, John Glanville, Joshua Chapman, Philippa Crowder, John Wood, Keith Roberts and Roger Westwood

Co-opted Members: Phillip Grundy, Julie Lamb, Margaret Cameron, Emma Adams and Lynda Rice

Non-voting Member: Ian Rusha

The Chairman advised those present of action to be taken in the event of an emergency evacuation of the building becoming necessary

Apologies for absence were received from , co-opted member Jack How and

**56 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

Apologies were received from Jack How (Special Schools). Councillor Roger Westwood substituted for Councillor Carol Smith

**57 DECLARATION OF INTERESTS**

No declarations of interest were presented.

**58 CHAIRMAN'S ANNOUNCEMENTS**

The chairman advised that she had attended a joint meeting with the Individuals Overview & Scrutiny Sub-Committee, which had a focus on educational care and the plans for children with Learning Difficulties and Disabilities. Health and Children's and Learning OSSC's had arranged to have a joint meeting on 18<sup>th</sup> February to discuss children's health services available in Havering.

The work plan was to be forwarded to all members, and brought to each meeting in order to keep up-to-date on future topics of discussion.

**59 MINUTES OF LAST MEETING**

Due to the judicial process requiring all minutes of Overview & Scrutiny Boards to be signed and bound, a review of the signed copies of minutes was conducted. Several meetings records from 2012 were not available, and required a signature. Councillor Ford asked all present, as she had been the vice chair at the time would all present vouch that the records of the period of March – August 2012 were accurate and allow her to sign the copies. All members **agreed**. Chairman Ford signed the minutes as a true and accurate record for posterity.

Under item 45 (SEND travel), the documents had still not been provided to the Committee. Kathy Bundred took on this item to address and ensure the information was shared.

Item 46, Children's Public Health- At the forthcoming joint meeting, the list of public health functions delivered by Public Health and the CCG commissioned services, was due to be addressed. Outcomes and delivery plans had been requested ahead of the meeting.

The Corporate Parenting Panel was seeking reviews of the Local Safeguarding Children's Board report provided. Feedback would be provided to this scrutiny board once complete.

## 60 **LSCB ANNUAL REPORT**

Brian Boxall, Chair of LSCB gave an update on the headline issues of 2013-14.

National issues were understood because they had become local issues, including Child Sexual Exploitation (CSE) which had links to gangs and Youth Offending. The Introduction of MASH (Multi-Agency Safeguarding Hub), was as a result of the Children's Services provision having been integrated with Adult Services, including the mental health services.

The vacancy rate of social workers was approximately 30%, with the agency rate also at approximately 30%.

The Police CAIT (Child Abusive Investigative Team) has challenged Scotland Yard. There were a number of items still to be addressed, and as a result there was a potential worry that children were being abused in the meantime.

Another CAIT challenge was that Barking & Dagenham and Havering services were both situated in Redbridge, which was a distance away physically. Additional concerns were that there was an increase in Looked After Children (LAC), child protection and CSE.

Mental health provision for adolescent children included self-harm, and a potential increased risk. The LSCB had asked schools to understand the risks involved.



The LSCB had been liaising with the coroner more on child deaths to identify potential issues and address any concerns.

There had been some struggles within the LSCB with how best to deal with youth violence, but every service had started to pull together to give their input.

Provision for adults didn't take into account their role as parents, just as individuals. The transition of children into adult services had helped improve this service. Some of the major issues involved were issues of parental neglect including mental, physical and sexual. The mental health of the individuals as parents was a concern which was being addressed.

Schools were doing well, but still had some work to do as not all schools were forthcoming in providing the right level of safeguarding concern. A Safeguarding review was being planned within schools, as some schools were not meeting the requirements, including some academies and sixth forms. Safeguarding was paramount for all children. Weak schools were to be identified and sent to the committee.

A safeguarding officer had been dedicated for schools, to ensure a single point of contact for all schools was established.

The LSCB reported to the Children's Board Strategy Body since 2006, to look at Child Protection. Everyone had to be treated the same as per section II, and the LSCB had the statutory power to demand their support. It was well known that if the board wanted something to be done, then it would be completed.

A report to the Chief Executive was both intended to report to and change the direction of children's services.

There were robust links with schools out of the borough. The LSCB's job was to challenge the people placing children out of borough, and ensure the right provision was given to each school.

Female Genital Mutilation (FGM) was a key item in a joint meeting with the Local Authority in which midwives were part of the discussion. A specific conference on FGM recently showed that roughly 10 cases had been identified through maternity services; however some GPs were not engaged with reporting back on these issues. It was suggested that teachers may be able to identify some of those at risk, taking messages back into schools, as this item is a new and sensitive area. It is considered that a child is at risk if the mother is a victim of FGM. Guidance for schools from the DFES is being published on FGM.

Some schools lacked engagement for child protection, but overall the services were much improved. The schools were engaging better due to

MASH, as they had a better picture of the children within the context of their families.

The Local Authority had responsibility to make sure working within schools was taking place. Agencies were monitored to ensure their processes were robust. The Virtual Head for Looked After Children had been appointed in order to achieve those ends.

The board wanted to visit two schools - one that does and one that doesn't engage with safeguarding processes.

## 61 **YOUTH OFFENDING & PROBATION**

John Taylor, the new Youth Offending Service (YOS) Group Manager was in attendance to provide a report on the YOS. Previously YOS had been a shared service between The London Borough of Barking & Dagenham and The London Borough of Havering. The service had been brought back into Havering. A changing culture to a holistic approach was evident, as the service worked with the perpetrators, their parents, siblings, friends and their whole families.

The policies and procedures were in-line for review to ensure they were rigorous and robust.

Training for front line staff and volunteers included evidence-based methods such as:

- Victim awareness
- Weapons awareness
- Drug awareness
- Substance misuse

Youth Offending in Havering was predominantly the in 10 – 18 profile group. Specifically, the typical incidents were perpetrated by those aged 16, ranging from low-level to serious incidents. A person of 17 years and 9 months if they met the criteria, would not be considered a youth, they would automatically be held accountable as a full adult.

Only two persons had received custodial sentences within the financial year. Havering had seen a big decline in those cases. Out of court disposal at the police station however had seen a big increase. Intervention was now conducted at a much earlier stage.

MOPAC had reviewed and advised there would be more complex cases arriving in the borough due to residential movement. Havering were ensuring that they were equipped and ready for more complex cases, and that all services were rigorous and robust. There was hope that this would put off some boroughs from deliberately moving their complex cases to Havering. MOPAC were impressed with the gangs strategy and panel, the

training put in place for front line staff, and were waiting to see if the predicted influx of cases would arrive.

A 'live' reoffending tracker toolkit was in use, but did not go back very far. As time went on, more data would be available for cross-checking.

## 62 OFSTED CHILDRENS SERVICES

Children's services presented a report on OFSTED expectations upon their arrival, which could be at any time.

Some of the main elements of the report stated that:

- OFSTED arrived unannounced. Children's Services had prepared a presentation which was updated on a regular basis in order to have the information to hand when OFSTED arrived.
- The methodology required Children's Services to look at individual cases that OFSTED identified, audit them and then score themselves based on how they have met the framework and what level they think they are working at. OFSTED arrived at random, but they aimed for every three years. Their last visit was approximately 2 years prior. Havering usually had 190 Looked After Children (LAC). Within the year, this had risen to 222-225 (minor fluctuations around this number). The number of LAC had risen nationally in the last year. A high proportion were known to be previous LAC.

Children's Services wanted to deliver the best possible service. They benchmarked against cost effectiveness. Recruitment and retention of Qualified Social Workers was making progress - previously 30% now 22% agency staff. They were still using too many agency staff which was inconsistent the LAC.

The previous OFSTED result had advised that the service was 'good' but was too early to establish. The troubled families service within Havering was among the best in London, at stage 2.

Some of the challenges included that the workforce stability had been an on-going issue. Social work was not an attractive profession but was now seen as much better as a career option. The participation worker strategy was due to be completed the following week, but had to be continued to be a challenge

Members were generally sympathetic to children's services.

Fast reaction and retention was needed to keep the children in their homes as much as possible, but where they could not remain at home, the aim was to keep as many children as possible within the borough, and not only within a 20 mile radius.

There was a big emphasis on Looked After Children education.

Social work pay was benchmarked and was a good rate. Pay was not what was putting people off from working in Havering. Most staff leaving were going into agency work. There was a long term problem, but staff were now converting from agency to permanent employees. A new programme was in place for social work development.

22% of vacancies were covered by agency staff. The recent recruitment day had been successful.

Supporting children to complete work experience within schools was considered. It was considered that in some cases it was difficult to get teachers to write references for children, and insurance was a concern for employers. Careers worked with schools in order to provide work experience, but it was not within the jurisdiction of the Local Authority to intervene. It was considered that inviting the Youth Council to meet the committee may provide a way in to help support the work experience schemes, and provide an opportunity to scrutinise the offer provided.

The Chamber of Commerce was to speak to the Youth Council, to engage with young people.

#### 63 **BUDGET PROPOSALS ON YOUTH PROVISION**

The implications of expansion within the forthcoming 2-3 years was that more staff and more services were required. The expansion of already large, popular schools was a detriment to the less popular schools which were overlooked for expansion. All of the schools in the borough should have been given equal consideration for expansion. The committee agreed to lobby for additional funding for the expansion programme of schools requiring attention.

A report was requested for information on extra facilities that expanded schools required, such as meals, lavatories etc.

Work on policies for sexual exploitation, FGM, safeguarding and other systems was outstanding. Special Educations Needs considerations were highlighted as required in all policy work.

From the following academic year, the benchmarking of schools would be monitored as 'progress achieved', as opposed to attainment levels.

Educational Attainment for all children would be a topic group going forward, date to be agreed.

The budget proposals were **agreed**.

#### 64 **DECISION ON WHICH TOPIC GROUPS WILL BE TAKEN FORWARD**

As above, the Committee would take forward the Educational Attainment of all children as a topic item.

65 **CHILD SEXUAL EXPLOITATION REPORT**

Due to time restrictions, the report on Child Sexual Exploitation would be circulated ahead of the following meeting.

66 **REPORTS PACK**

No comments were made on the reports provided.

67 **URGENT BUSINESS**

No urgent business was raised.

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**Chairman**

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**MINUTES OF A MEETING OF THE  
CHILDREN & LEARNING OVERVIEW & SCRUTINY SUB-COMMITTEE  
Council Chamber - Town Hall  
18 February 2015 (19:00 – 21:05)**

**Present:** Councillors Gillian Ford, Jason Frost (Vice-Chair),  
Nic Dodin, John Glanville, Philippa Crowder,  
Carol Smith, John Wood, John Crowder and  
Keith Roberts

Co-opted Members: Lynda Rice and Alan Steward

Non-voting Member: Ian Rusha

The Chairman advised those present of action to be taken in the event of an emergency evacuation of the building becoming necessary

**Also present:** Bev Markham, Healthwatch Havering

**Officers:** Jacqui Van Rossum (NELFT) Pippa Ward (NELFT),  
Susan Milner, Kathy Bundred, Anthony Clements,  
Vicky Parish

**68 ANNOUNCEMENTS**

The chairman gave details of the action to be taken in case of fire or other event that may require an evacuation of the meeting room.

**69 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

Apologies were received from Councillor Joshua Chapman (+Councillor John Crowder as substitute), Philip Grundy; Margaret Cameron;; & Julie Lamb.

Apologies were also received from Ian Buckmaster (Healthwatch Havering). Bev Markham attended as a substitute.

**70 DISCLOSURE OF PECUNIARY INTERESTS**

No disclosures of interest were received.

**71 SCRUTINY OF CHILDREN'S HEALTH SERVICES**

A series of presentations were delivered by Jacqui Van Rossum & Pippa Ward from NELFT, Alan Steward from Havering CCG and Sue Milner, Interim Director of Public Health. These presentations all focussed on the impact to children's health services of the work undertaken by the separate organisations. There was some slight overlap within these areas as partnership working meant that they were working together on some initiatives.

#### **4.1- North East London NHS Foundation Trust (NELFT)**

One of Jacqui Van Rossum's functions was as facilities manager for NELFT. The Havering Children's Development Centre for 0-5s was closed in 2011, and no service had directly replaced it. Using capital funding NELFT had purchased a site in London Road, Romford, and had in the last week opened the new Acorn Centre at this location. The centre offered services for 0 – 19's, mainly with complex health needs.

The Health and Care plans had been revised, whereby children and families were involved in setting the plans. The plans included home, schools, and respite, not just the health care planning. The Health and Care plans were jointly developed and could be requested by any service working with the family. Any additional items that could not be provided through the organisations involved had to be jointly commissioned. This ensured that all aspects of the plan were covered.

The Health and Care plan process was in the process of being scrutinised by the Individuals OSSC. Once complete this would be brought back to this group.

High risk children with speech and language issues were being monitored, and support was being given from the schools, and from the Local Authority.

One hundred and twelve Looked After Children from Barking and Dagenham had been moved to Havering, adding extended pressure to the services for high risk and vulnerable children.

More children with even severe conditions such as muscular dystrophy were reaching adulthood and therefore were transferring from children's to adults services.

Only one specialist school nurse was employed within Havering, so huge pressure was placed upon the individual concerned. More school nursing posts being available would reduce the pressure and provide a more balanced service.

Due to limited staff and what was considered best practice, therapists were heavily involved in teaching parents how to care for and give



the therapeutic support to their child or children themselves rather than relying on a healthcare professional. .

Jacqui Van Rossum suggested that the limited number of health visitors was a possible cause for limiting the service's growth.

All children on statements would be transferred over to the new 'integrated' system within the next two years. The present focus was on those children at transition points.

## **4.2 Havering Clinical Commissioning Group (CCG)**

The CCG priorities were:

### *Urgent Care Pathways*

30 – 40% of children brought into A&E were not medicated or treated in any way. They were only there for parental reassurance. As such, measures had been taken to reduce the number of parents using A&E as initial care, including marketing and publicity of alternative services to Accident and Emergency, and 'hot clinics'.

### *Improving General Practice*

Some GPs were not always confident dealing with children's medical issues, so often referred children to A&E with relatively minor conditions including asthma, allergies and constipation.

Some of the methods of improving General Practice included ensuring all GPs were part of a federation, with shared resources and systems, including out of hours services.

Another method was setting up 'Hot clinics' which housed specialists, providing an almost immediate service via GP referral within Queens's hospital (which was not part of A&E).

### *Long Term Conditions*

#### *Special Educational Needs and Disabilities/ Learning Disabilities*

Havering CCG had been a large part of developing the local offer to promote personal budgets, combining health, social and personal care planning, focussing on continuing to regulate CAHMS speech and language therapies. Children's wheelchairs and mobility equipment were part of an improvement project with NELFT. Respite and short breaks were also part of this programme.

Alan Steward agreed to find the data for success outcomes, and to present the findings to a future meeting.

### **4.3 London Borough of Havering Public Health**

Havering was now responsible for Public Health services, which allowed a more joined up approach for services across the 'whole life' offer, rather than devolved areas of care and support.

Havering schools were all part of the London wide healthy schools programme

NHS England were responsible for the promotion of public health. From October 2015, the Local Authority would however be responsible for health visitors. There were a limited number of health visitors, too few to deliver the service that was required.

Overweight and underweight babies often led to overweight children, teens and adults; however most obesity was gained in adulthood. Obesity was levelling off, but at too high a level. It was felt that sugar was the main culprit, including too many fizzy drinks. There was significant obesity between the ages of 6 and 12 within the borough. It had taken 30 years to get to the current levels of obesity and it would take time to reduce this.

Breast-feeding was highlighted as a benefit as it improved infection control, reduction of cancer and obesity in children. Havering had low breast-feeding rates in the initial six weeks of birth. Within the 6-8 weeks age range for breast feeding, Havering was below the national average. The Council did not commission breast-feeding support, but the CCG provided some information and support. Maternity visitors promoted and supported breastfeeding for all mothers who could do so. Councillor Ford was previously the breast-feeding champion and she was willing to resume her role.

Sexual Health had been highlighted in the news regarding child protection within primary schools. More support was due to be given as part of the healthy schools programme. Sexual Health education was a topical subject. It was asserted by Dr Milner that it was far better to provide age appropriate education (at primary age this would be on relationships rather than the biology of sex), as good age appropriate education had been proven to delay the onset of sexual experience. Contraception was however provided as a sensible measure, not to encourage sexual conduct.

There were challenges in keeping children in treatment for drugs and alcohol misuse, including ensuring that they had no personal negative repercussions if they did not continue the programme. Many instances of drug and alcohol misuse in children were related to gang-culture and violence.

Funding for maternal mental health was desperately needed but was overlooked in budget planning in favour of other areas of health.

Havering was one of 8 pilot areas for the Amy Winehouse Foundation, focussing on the effects, prevention and treatment of drugs and alcohol for children.

More information on the Amy Winehouse Foundation was requested including inviting them to speak at the following meeting. Sue Milner agreed to follow this action up.

Phoenix Counselling for vulnerable children who had been exposed to sexual violence and exploitation was helping to support and help these children.

Havering was receiving one of the smallest budgets for these areas (£9.7 million) of all boroughs, and the partnership organisations were working together to provide the best possible service with the existing resources, but further resources would help support the work that was going on.

### **Going Forward**

Whilst the group would have a broad remit, the areas of particular focus for future scrutiny were:

- Healthy schools
- Health visitors
- Obesity

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**Chairman**

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## CHILDREN AND LEARNING OVERVIEW & SCRUTINY COMMITTEE

**Subject Heading:**

**Title** Attendance and Exclusions

**CMT Lead:**

**Name** Mary Pattinson

**Report Author and contact details:**

**Name** Paul Tinsley, 01708 433837

**Email:** paul.tinsley@havering.gov.uk

**Policy context:**

- **Education Act 1996**
- **Exclusion from maintained schools, academies and pupil referral units in England (DfE, 2012)**

### SUMMARY

*'Central to raising standards in education and ensuring all pupils can fulfil their potential is an assumption so widely understood that it is insufficiently stated - pupils need to attend school regularly to benefit from their education. Missing out on lessons leaves children vulnerable to falling behind. Children with poor attendance tend to achieve less in both primary and secondary school.'* (DfE, 2014).

Absence from school, whether due to poor attendance or school exclusion, has a detrimental effect on the achievement of children and young people. Vulnerable children are particularly at risk in this respect, for example the exclusion rates for certain groups of pupils are consistently higher than average. This includes pupils with SEN, pupils eligible for Free School Meals, looked after children and pupils from certain ethnic groups. The ethnic groups with the highest rates of exclusion are: Gypsy / Roma, Travellers of Irish Heritage and Black Caribbean communities.

One of the reasons for the Government's focus on attendance is that there is clear evidence linking attendance to academic success and positive progression post compulsory schooling. For example, of pupils who miss more than 50 per cent of school only three per cent manage to achieve five or more GCSEs at grades A\* to C including Maths and English. 73 per cent of pupils who have over 95 per cent attendance achieve five or more GCSEs at grades A\* to C.

The issue of taking children out of school for holidays in term time is one which has been much debated. The present Government's stance is that parents should not, except in the most exceptional circumstances, take their child out of school during term time. Local authorities and schools are therefore under an obligation to discourage parents/carers

from taking such action. Again, the Government has tightened its stance in this area through recent updated legislation.

Permanent exclusion rates in Havering have been consistently higher than the London and national average over the past few years. This disrupts learning for young people and in addition, outcomes for excluded pupils do not compare favourably with those of their peers. The London Borough of Havering Local Authority has a responsibility to minimise school absence and exclusions to ensure that all pupils, regardless of background and ability, have the opportunity to achieve their full potential at school.

This report sets out

- The shape of the local authority services seeking to minimise absence and exclusions
- The legal framework and statutory guidance around school attendance and exclusions
- Current performance against regional and national indicators
- Plans to further improve our services and performance against indicators

## RECOMMENDATIONS

### Exclusions

The following actions are recommended to build on support for vulnerable children and young people, and to seek to reduce the number of permanent exclusions:

- Review IYFAP referral process
- Set up a working group with secondary heads to look at alternative strategies to permanent exclusion
- Behaviour and Attendance conference to be organised for September 2015. This will be an opportunity to collate new approaches and share good practice.
- Develop the Alternative Provision traded services offer in Havering.
- Continue to assist schools with reviewing their behaviour/inclusion policies.
- Develop the transition workers role to provide some 'on the job training' for support staff in a formalised way.
- Develop the 'voice of the child in Havering'

### Attendance

Recommended action to build on current practice and improve our support and challenge in relation to improving school attendance are:

- Focussed work with schools to reduce levels of authorised absence, utilise good outcomes from schools such as Broadford.

- Encourage/challenge schools that are not working in line with guidance regarding 'holidays in term time' so that there is a consistent approach in all schools.
- Peer review and case auditing for Attendance and Behaviour Officers
- Continue to ensure that all legal processes are robust and timely.
- Continue to review our CME systems and strengthen our relationship with Health further.
- We will now be presenting prosecution cases within our own team thus making the legal process more timely

## REPORT DETAIL

### **1 Legal Responsibilities and Sanctions**

#### **1.1 Attendance**

Parents are responsible for making sure that their children of compulsory school age receive a suitable full-time education (section 7 of the Education Act 1996.). This can be by regular attendance at school, at alternative provision, or otherwise (e.g. the parent can choose to educate their child at home).

In Havering the support, challenge and intervention work around school attendance is carried out by a dedicated team of professional officers within the Council's Education, Inclusion and Support Service. Officers monitor school attendance and provide support to schools where the attendance of pupils falls below an acceptable level. This involves working closely with parents and pupils and seeking to support families to overcome barriers to school attendance. If a child of compulsory school age fails to attend regularly at a school at which they are registered, or at a place where alternative provision is provided for them, the parents may be guilty of an offence and can be prosecuted by the local authority. Where necessary, legal sanctions can be called upon but these are only used where parents continually fail to encourage their children to attend school after prolonged intervention.

Penalty notices can also be used where the pupil's absence has not been authorised by the school. Penalty notices may also be issued where parents allow their child to be present in a public place during school hours without reasonable justification during the first five days of a fixed period or permanent exclusion.

The Education (Penalty Notices) Regulations 2007 set out the details of how the penalty notice scheme must operate. This includes a requirement that every local authority must draw up and publish a Code of Conduct for issuing penalty notices, after consulting all schools, including academies, and the police. The code should set out the criteria that will be used to trigger the use of a penalty notice. These could include: a number of unauthorised absences, perhaps within a rolling academic year; one-off instances of irregular attendance such as holidays taken during term time without the school's

permission; and where an excluded child is found in a public place during school hours without a justifiable reason.

Following a report by Charlie Taylor, the former Government Adviser on Behaviour, the current Government decided to lower the definition/thresholds around Persistent Absence (PA) from 20% to 15%. In addition to this, fines for parents/carers were increased where local authorities see fit to apply penalty notices in relation to poor school attendance. Penalty notices data for past 3 years are as follows:

2012 – 2013	Total 644
2013 – 2014	Total 1098
2014 to 2015	503 to date

In relation to prosecutions (for irregular attendance under section 441 or 441(a) of the Education Act) the data are:

2012-2013	Total 32
2013-2014	Total 47
2014 to date	47 to date

It is worth noting that legislation changed in September 2013 to toughen the law around holidays in term time and increase the fines payable by parents.

## 1.2 Exclusions

The current statutory guidance in relation to exclusion from school was published in 2012. The guidance states that:

*‘Good discipline in schools is essential to ensure that all pupils can benefit from the opportunities provided by education. The Government supports head teachers in using exclusion as a sanction where it is warranted. However, permanent exclusion should only be used as a last resort, in response to a serious breach, or persistent breaches, of the school’s behaviour policy; and where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.’*

In Havering, schools are encouraged and supported to explore strategies in addition to exclusion. Statutory guidance encourages this approach stating that:

*‘Head teachers should consider the use of a multi-agency assessment for pupils who demonstrate persistent disruptive behaviour. Where a pupil has received multiple exclusions... head teachers should consider whether exclusion is providing an effective sanction. Whilst exclusion may still be an appropriate sanction, head teachers should take account of any contributing factors that are identified after an incident of poor behaviour has occurred. For example, where it comes to light that a pupil has suffered bereavement, has mental health issues or has been subject to bullying.*



Havering Education Inclusion and Support Service includes officers who can provide advice and support in relation to pupils with challenging behaviour. The service also employs a Vulnerable Children’s Officer and Alternative Provision Commissioner who can work with schools to explore alternatives to exclusion, including managed moves and access to alternative education provision. Officers also provide support and guidance to parents where pupils receive a fixed term or permanent exclusion.

## 2 Current Performance against measures

### 2.1 Attendance

The key measures around attendance are set out by the following indicators:

- Persistent Absence (defined as attendance below 85%)
- Unauthorised absence
- Authorised Absence
- Overall Absence

Data for the past two years are as follows:

#### School Attendance Data 2011/12 – Primary Schools

	Havering	Outer London	England
Overall Absence	4.6%	4.3%	4.4%
Authorised Absence	4.0%	3.5%	3.7%
Unauthorised Absence	0.6%	0.8%	0.7%
Persistent Absence	3.6%	2.8%	3.1%

#### School Attendance Data 2011/12 – Secondary Schools

	Havering	Outer London	England
Overall Absence	5.6%	5.3%	5.9%
Authorised Absence	4.5%	4.1%	4.6%
Unauthorised Absence	1.1%	1.3%	1.3%
Persistent Absence	6.1%	6.0%	7.4%

#### School Attendance Data 2011/12 – Special Schools

	Havering	Outer London	England
Overall Absence	7.9%	9.6%	9.6%
Authorised Absence	7.2%	8.1%	7.6%
Unauthorised Absence	0.8%	1.5%	2.0%
Persistent Absence	13.8%	18.0%	16.3%

### School Attendance Data 2011/12 – All Schools

	Havering	Outer London	England
Overall Absence	5.1%	4.8%	5.1%
Authorised Absence	4.3%	3.8%	4.1%
Unauthorised Absence	0.9%	1.0%	1.0%
Persistent Absence	4.9%	4.3%	5.2%

### School Attendance Data 2012/13 – Primary Schools

	Havering	Outer London	England
Overall Absence	4.9%	4.5%	4.7%
Authorised Absence	4.1%	3.5%	3.9%
Unauthorised Absence	0.8%	0.9%	0.8%
Persistent Absence	3.2%	2.5%	2.7%

### School Attendance Data 2012/13 – Secondary Schools

	Havering	Outer London	England
Overall Absence	5.8%	5.2%	5.9%
Authorised Absence	4.7%	4.0%	4.5%
Unauthorised Absence	1.1%	1.3%	1.4%
Persistent Absence	6.5%	5.0%	6.5%

### School Attendance Data 2012/13 – Special Schools

	Havering	Outer London	England
Overall Absence	9.2%	9.3%	9.6%
Authorised Absence	9.0%	7.8%	7.7%
Unauthorised Absence	0.2%	1.5%	1.9%
Persistent Absence	14.3%	16.6%	16.2%

### School Attendance Data 2012/13 – All Schools

	Havering	Outer London	England
Overall Absence	5.3%	4.8%	5.3%
Authorised Absence	4.4%	3.7%	4.6%
Unauthorised Absence	0.9%	1.1%	1.1%
Persistent Absence	4.8%	3.7%	4.2%

Levels of overall absence and PA (persistent absence) remained higher than London and England averages for primary schools and higher than London averages for secondary

schools in 2012/13. However unauthorised absence was below London average in 2012/13 in both primary and secondary schools. Maintained schools in Havering are provided with a SLA agreed via DSG funding and traded agreements with Academies. The vast majority of schools are fully on-board with Havering Attendance Strategy.

Promoting good school attendance falls within the remit of the Attendance and Behaviour Team within Learning and Achievement. Work undertaken by the Attendance and Behaviour team to improve school attendance includes:

- Analysing school level data to establish where school attendance is lowest and utilise data to disseminate good practice.
- A strong focus on Attendance and Behaviour Officers working to support schools on early identification and intervention where patterns of absence occur.
- Promote EHAs and training schools to complete them to a high standard.
- Institution of an 'In Year Fair Access Panel' (IYFAP) for both primary and secondary aged pupils with the support of our schools.
- Challenge and information to school SMT and staff on attendance coding and good practice on following up on non-school attendance including following through with FPN.
- Support to schools on making use of SIMS for early intervention with parents.
- Supportive challenge to vulnerable families where attendance is an issue, promoting good joint multi agency working.
- A dedicated Attendance and Behaviour Officer to promote the attendance of looked after children.

This focussed work has begun to pay dividends and data show that attendance for looked after children has risen over the past four terms. In addition to this, initial spring and summer term data for 2013/14 show that overall absence in primary schools is closer to London and England averages and the number of term time holidays is reducing overall in Havering. Initial data show that

- overall absence in primary schools has reduced from 4.9% in 2012/13 to 4.1% in 2013/14
- secondary school absence has reduced from 5.8% in 2012/13 to 5.5% in 2013/14.

As a case study, the Head teacher at Broadford Primary comments:

*'attendance was below 93.5% three years ago. At the end of 2013-14 the whole school average was 95.6%. This was a direct result of the support offered by our Attendance Officer and her partnership with our own School Attendance Lead. The team were very efficient at helping us to identify trends, highlight target families and then supported us with taking appropriate action. This included monitoring letters, formal warnings, home visits and fines. As a consequence persistent absenteeism was reduced and poor attenders improved.'*

## 2.2 Exclusions

The key measures here are in relation to fixed term and permanent exclusions. The latest data are as follows:

Permanent Exclusions (percentage of school population) 2011/12

	Havering	Outer London	England
Primary	0%	0.01%	0.02%
Secondary	0.20%	0.17%	0.14%
Special Schools	0%	0.17%	0.09%
Overall	0.09%	0.08%	0.07%

Permanent Exclusions (percentage of school population) 2012/13

	Havering	Outer London	England
Primary	0%	0.01%	0.02%
Secondary	0.17%	0.14%	0.12%
Special Schools	0%	0.07%	0.07%
Overall	0.08%	0.07%	0.06%

Fixed Term Exclusions (percentage of school population) 2011/12

	Havering	Outer London	England
Primary	0.44%	0.61%	0.90%
Secondary	5.82%	7.12%	7.85%
Special Schools	0%	15.11%	15.39%
Overall	2.89%	3.47%	4.05%

Fixed Term Exclusions (percentage of school population) 2012/13

	Havering	Outer London	England
Primary	0.41%	0.60%	0.88%
Secondary	6.18%	6.12%	6.75%
Special Schools	2.35%	17.63%	14.68%
Overall	3.01%	3.05%	3.52%

Please note that 2013/14 national data will be published in July 2015

There is a challenge to reduce exclusions not just because they interrupt the learning of pupils but because they also disproportionately affect disadvantaged and vulnerable groups of pupils. For example:

- Pupils with special educational needs (with and without statements) account for 7 in 10 of all permanent exclusions. Pupils with SEN without statements are around ten times more likely to receive a permanent exclusion than pupils with no SEN.
- Pupils known to be eligible for and claiming free school meals (FSM) are four times more likely to receive a permanent exclusion and three times more likely to receive a fixed period exclusion

Havering is seeing a rise in more vulnerable families, including large sibling groups and families with very complex needs moving into the borough. We are also experiencing a rise in child protection cases as the demography of the borough changes. In the face of

these challenges the Learning and Achievement Service has restructured its support for vulnerable groups at risk of exclusion and introduced new support systems including:

- Instituting an 'In Year Fair Access Panel' (IYFAP) for both primary and secondary aged pupils with the support of our schools. A pre-IYFAP meeting includes multi-agency support and considers the holistic needs of pupils to be discussed at the IYFAP meeting.
- Creating a post of Vulnerable Children's Coordinator to facilitate the IYFAP process and liaise with other key LA professionals and external agencies in respect of excluded pupils and those at risk of exclusion.
- Attending governor appeal meetings where pupils are permanently excluded
- Reorganising our former AP and LAC service into an Education Inclusion and Support Service, incorporating Attendance, Behaviour and Traveller Service.
- Acknowledgement that schools are in need of extra support and training around the positive handling of students not only in the classroom but also reviewing whole school approaches to behaviour management such as Restorative Approaches.
- The Attendance and Behaviour Service also provides a transition service to support students via the IYFAP panel.

## IMPLICATIONS AND RISKS

### **Financial implications and risks:**

#### **Attendance**

The Attendance and Behaviour Team are part funded through traded services agreements with academies. At present all primary academies buy in the service and around 60% of secondary academies. Where academies do not buy in the service provides the minimum legal intervention around penalty notices and prosecutions. However it is worth noting that absence is higher in some academies not buying in.

#### **Exclusions**

The cost of providing alternative education for excluded pupils falls on the LA. At this moment in time there are high numbers of permanent exclusions and the LA commissions the Pupil Referral Service (PRS) to provide education for children and young people who are excluded or at risk of exclusion. In addition to the costs involved in supporting excluded pupils, there is additional funding and resource allocated to supporting vulnerable pupils through commissioning alternative provision.

### **Legal implications and risks:**

#### **Attendance**

Section 7 of the Education Act 1996 provides that:

*"The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable -*

*(a) to his age, ability and aptitude, and*

*(b) to any special educational needs he may have, either by regular attendance at school or otherwise."*

In order to secure good school attendance, the LA has a duty to prosecute parents who are in breach of the above terms. It also issues penalty notices as an alternative to prosecuting parents but legal action against parents is generally a last resort following intensive intervention to improve school attendance. Legal action may occasionally need to increase in order to ensure that school attendance is seen, by parents, as an important and essential part of their child's right to an education.

The LA is also experiencing a rise in the number of parents who are electing to 'home educate' and this places an additional resource strain on the LA as there is a requirement to visit such parents to seek to ensure that a suitable education is provided. It is also a potential safeguarding concern that more pupils are being withdrawn from formal education and thus become less visible to professionals.

## **Exclusions**

The current statutory guidance '*Exclusion from maintained schools, academies and pupil referral units in England*' allows for a head teacher to permanently exclude a pupil. The guidance states that a decision to exclude a pupil permanently should only be taken:

- in response to a serious breach, or persistent breaches, of the school's behaviour policy; and
- where allowing the pupil to remain in school would seriously harm the education or welfare of the pupil or others in the school.

For permanent exclusions, the local authority must arrange suitable full-time education for the pupil to begin no later than the sixth day of the exclusion

## **Human Resources implications and risks:**

### **Attendance**

There are potential risks to the human resource of promoting good school attendance should academies not buy in the traded services element.

### **Exclusions**

There is a limited education staff resource providing support for schools and parents in relation to vulnerable pupils. This is in the face of rising demand and this resource will need to be managed and allocated carefully.

## **Equalities implications and risks:**

### **Attendance**

There is a risk of inconsistency in relation to attendance procedures in schools, especially where academies are not buying in. For example leave may be authorised for a pupil in one school that would not be authorised for a pupil in another school in similar circumstances.

### **Exclusions**

As stated above, there are potential inequalities with higher numbers of certain groups experiencing exclusions. The LA has a duty to challenge schools where it would appear that exclusions are being disproportionately applied to particular groups and also to support parents. This may be through the Parents In Partnership Service (PIPs) or through the work of the Vulnerable Children's Coordinator, who attends at exclusion appeals.

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**CHILDREN & LEARNING OVERVIEW AND SCRUTINY COMMITTEE**

<b>Subject Heading:</b>	School Admissions
<b>CMT Lead:</b>	Joy Hollister - Group Director, Children Services, Housing and Adult Social Care
<b>Report Author and contact details:</b>	Trevor Cook – Education Provision Commissioning Manager, 01708 431250
<b>Policy context:</b>	Education

**SUMMARY**

The School Admissions Code is the statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels. The purpose of the Code is to ensure that all school places for maintained schools (excluding maintained special schools) and Academies are allocated and offered in an open and fair way. The Code has the force of law and imposes mandatory requirements and includes guidelines setting out aims, objectives and other matters in relation to the discharge of functions relating to admissions.

The local authority, acting as the admission authority for the community and voluntary controlled schools in the borough, is required to determine its admission arrangements to these schools for each school year. The local authority is also required to adopt qualifying schemes for the co-ordination of admissions during the course of the normal admission rounds to Reception, Year 3 and Year 7 at all maintained schools and academies.

**RECOMMENDATIONS**

The purpose of this report is to inform Members of the School Admissions Code and its application in Havering. Members are asked to note the content of the report.

**REPORT DETAIL**

## **1. School Admissions Code**

1.1 The School Admissions Code is the statutory guidance for admission authorities, governing bodies, local authorities, schools adjudicators and admission appeals panels. The purpose of the Code is to ensure that all school places for maintained schools (excluding maintained special schools) and Academies are allocated and offered in an open and fair way. The Code has the force of law and imposes mandatory requirements and includes guidelines setting out aims, objectives and other matters in relation to the discharge of functions relating to admissions by the bodies listed below:

- a) Admission authorities of maintained schools as defined in Section 88(1) (a) and (b) of the SSFA 19982
- b) Governing bodies and local authorities (when not admission authorities)
- c) Schools Adjudicators
- d) Admission Appeal Panels.

These bodies have a statutory duty to act in accordance with the relevant provisions of the Code.

1.2 The local authority, acting as the admission authority for the community and voluntary controlled schools in the borough, is required to determine its admission arrangements to these schools for each school year. The local authority is also required to adopt qualifying schemes for the co-ordination of admissions during the course of the normal admission rounds to Reception, Year 3 and Year 7 at all maintained schools and academies.

## **2. Principles**

2.1 In drawing up their admission arrangements, admission authorities must ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.

## **3. How Admissions Work**

3.1 In summary, the process operates as follows:

- a) All schools must have admission arrangements that clearly set out how children will be admitted, including the criteria that will be applied if there are more applications than places at the school.
- b) Admission authorities must set ('determine') admission arrangements annually. Where changes are proposed to admission arrangements, the admission authority must first publicly consult on those arrangements. This consultation period allows parents, other schools, religious authorities and the local community to raise any concerns about proposed admission arrangements.
- c) Once all arrangements have been determined, arrangements can be objected to and referred to the Schools Adjudicator. Any decision of the

Adjudicator must be acted on by the admission authority and admission arrangements amended accordingly. The local authority will collate and publish all the admission arrangements in the area in a single composite prospectus.

- d) In the normal admissions round, parents apply to the local authority in which they live for places at their preferred schools. Parents are able to express a preference for at least three schools and up to six. The application can include schools outside the local authority where the child lives as a parent can apply for a place for their child at any state-funded school in any area. If a school is undersubscribed, any parent that applies must be offered a place. When oversubscribed, a school's admission authority must rank applications in order against its published oversubscription criteria and send that list back to the local authority.
- e) All preferences are collated and parents then receive an offer from the local authority at the highest preference school at which a place is available. For secondary schools, the offer is made on or about 1 March (known as National Offer Day) in the year in which the child will be admitted. For primary schools, the offer is made on or about 16 April, in the year in which the child will be admitted.
- f) Parents, have the right to appeal against an admission authority's decision to refuse admission. The admission authority must set out the reasons for the decision, that there is a right of appeal and the process for hearing such appeals. The admission authority must establish an independent appeals panel to hear the appeal. The panel will decide whether to uphold or dismiss the appeal. Where a panel upholds the appeal the school is required to admit the child.

#### **4. Published Admission number**

- 4.1 As part of determining their admission arrangements, all admission authorities must set an admission number for each 'relevant age group'. Own admission authorities are not required to consult on their PAN where they propose either to increase or keep the same PAN. For a community or voluntary controlled school, the local authority (as admission authority) must consult at least the governing body of the school where it proposes either to increase or keep the same PAN. All admission authorities must consult where they propose a decrease to the PAN.
- 4.2 Admission authorities must notify their local authority of their intention to increase the school's PAN and reference to the change should be made on the school's website. If, at any time following determination of the PAN, an admission authority decides that it is able to admit above its PAN, it must notify the local authority in good time to allow the local authority to deliver its co-ordination responsibilities effectively. Admission authorities may also admit above their PAN in-year.

#### **5. Oversubscription criteria**

- 5.1 The admission authority for the school must set out in their arrangements the criteria against which places will be allocated at the school when there are more applications than places and the order in which the criteria will be applied. All children whose statement of special educational needs (SEN) or Education, Health and Care (EHC) plan names the school must be admitted. If the school is not oversubscribed, all applicants must be offered a place.
- 5.2 All schools must have oversubscription criteria for each 'relevant age group' and the highest priority must be given, unless otherwise provided in this Code, to looked after children and all previously looked after children. Previously looked after children are children who were looked after, but ceased to be so because they were adopted (or became subject to a child arrangements order or special guardianship order). Oversubscription criteria must then be applied to all other applicants in the order set out in the arrangements.
- 5.3 Oversubscription criteria must be reasonable, clear, objective, procedurally fair, and comply with all relevant legislation, including equalities legislation. Admission authorities must ensure that their arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs, and that other policies around school uniform or school trips do not discourage parents from applying for a place for their child. Admission arrangements must include an effective, clear and fair tie-breaker to decide between two applications that cannot otherwise be separated.
- 5.4 The Code does not give a definitive list of acceptable oversubscription criteria. It is for admission authorities to decide which criteria would be most suitable to the school according to the local circumstances.

## **6. Consultation**

- 6.1 When changes are proposed to admission arrangements, all admission authorities must consult on their admission arrangements (including any supplementary information form) that will apply for admission applications the following school year. Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities must consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period. Consultation must last for a minimum of 6 weeks and must take place between 1 October and 31 January in the determination year.
- 6.2 Admission authorities must consult with:
- a) parents of children between the ages of two and eighteen;
  - b) other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions;

- c) all other admission authorities within the relevant area (except that primary schools need not consult secondary schools);
  - d) whichever of the governing body and the local authority who are not the admission authority;
  - e) any adjoining neighbouring local authorities where the admission authority is the local authority; and
  - f) in the case of schools designated with a religious character, the body or person representing the religion or religious denomination.
- 6.3 For the duration of the consultation period, the admission authority must publish a copy of their full proposed admission arrangements (including the proposed PAN) on their website together with details of the person within the admission authority to whom comments may be sent and the areas on which comments are not sought. Admission authorities must also send upon request a copy of the proposed admission arrangements to any of the persons or bodies listed above inviting comment. Failure to consult effectively may be grounds for subsequent complaints and appeals.

## **7. Determination**

- 7.1 All admission authorities must determine (i.e. formally agree) admission arrangements every year, even if they have not changed from previous years and a consultation has not been required. Admission authorities must determine admission arrangements for entry in September 2016 by 15 April 2015 and for all subsequent years, by 28 February in the determination year.
- 7.2 Once admission authorities have determined their admission arrangements, they must notify the appropriate bodies and must publish a copy of the determined arrangements on their website displaying them for the whole offer year (the school year in which offers for places are made). Admission authorities must send a copy of their full, determined arrangements to the local authority. Admission authorities for schools designated with a religious character must also send a copy of their arrangements to the body or person representing their religion or religious denomination.
- 7.3 Local authorities must publish on their website the proposed admission arrangements for any new school or Academy which is intended to open within the determination year, details of where the determined arrangements for all schools, including Academies, can be viewed, and information on how to refer objections to the Schools Adjudicator. Following determination of arrangements, any objections to those arrangements must be made to the Schools Adjudicator.

### **IMPLICATIONS AND RISKS**

**Financial implications and risks:**

There are no direct financial implications or risks arising from this report which is for information purposes only.

Rav Nijjar, Strategic Finance Business Partner, Children & Adults

**Legal implications and risks:**

There are no legal implications in noting this Report.

Stephen Doye, Legal Manager (Litigation) for Assistant Chief Executive, Legal and Democratic Services.

**Human Resources implications and risks:**

There are no direct HR implications or risks to the Council, or its workforce, that can be identified from this report.

Eve Anderson, Strategic HR Business Partner, Children, Adults & Housing

**Equalities implications and risks:**

A full Equality Analysis (EA) has been undertaken on all the arrangements relating to admissions to schools and academies for the school year 2015/16. The Code will be reviewed annually and any significant changes will be reflected in the corresponding EA.

Andreyana Ivanova – Diversity Advisor – Corporate Policy and Community

**BACKGROUND PAPERS**

Appendix 1 - School Admissions Code

Appendix 2 - School Appeals Code

Appendix 3 - 2015/16 Determined Arrangements Equality Analysis

Appendix 4 - 2015/16 Determined Arrangements

Appendix 5 – Pan-London Co-ordinated Admissions Arrangements



Department  
for Education

# **School Admissions Code**

**Statutory guidance for admission  
authorities, governing bodies, local  
authorities, schools adjudicators and  
admission appeals panels**

**December 2014**

# Contents

The Statutory Basis for the School Admissions Code	4
Introduction	7
Purpose of this Code	7
Overall principles behind setting arrangements	7
How admissions work	7
Section 1: Determining Admission Arrangements	9
Published Admission Number (PAN)	9
Oversubscription criteria	9
Consultation	18
Determination	19
Composite prospectuses	20
Section 2: Applications and Offers	21
Applying for places	21
Applying for places at Sixth Form	22
Allocating places	22
Withdrawing an offer or a place	23
Waiting lists	23
Infant class size	23
Admission of children below compulsory school age and deferred entry to school	24
Admission of children outside their normal age group	25
Children of UK service personnel (UK Armed Forces)	25
Children from overseas	26
Co-ordination	26
Offering a place	27
Right to appeal	27
School closure	27
Section 3: Ensuring Fairness and Resolving Issues	28
The Schools Adjudicator	28
Variations	29
Children with challenging behaviour and those who have been excluded twice	29
Local authority powers of direction (general)	31



Local authority powers of direction (looked after children)	32
Secretary of State's power of direction (Academies)	32
Local authority reports	33
Appendix – Relevant Legislation	34
Equality Act 2010	34
Human Rights Act 1998	35
School Standards and Framework Act 1998	35
Appendix – Sample Admission Arrangements	36
The Admissions Timeline	37
Example timetable	37
Glossary	39
Index	43

# The Statutory Basis for the School Admissions Code

1. The School Admissions Code ('the Code') has been issued under Section 84 of the School Standards and Framework Act 1998 ('SSFA 1998')<sup>1</sup>. The Code has been made following a consultation under Section 85(2) of the SSFA 1998 and after being laid before Parliament for forty days.
2. This Code comes into force on **19 December 2014** and, unless otherwise stated, applies with immediate effect. It will apply to admission arrangements determined in 2015 for admission in school year 2016/17 and any future years. The Code applies to admissions to all maintained schools in England. It should be read alongside the School Admission Appeals Code and other guidance and law that affect admissions and admission appeals in England.
3. This Code imposes mandatory requirements and includes guidelines setting out aims, objectives and other matters in relation to the discharge of functions relating to admissions by the bodies listed below:
  - a) **Admission authorities of maintained schools** as defined in Section 88(1) (a) and (b) of the SSFA 1998<sup>2</sup>
  - b) **Governing bodies and local authorities (when not admission authorities)**
  - c) **Schools Adjudicators**
  - d) **Admission Appeal Panels.**

These bodies have a statutory duty to act in accordance with the relevant provisions of the Code.

## Application of the Code to Academies

4. Academies, by which we mean Academy Schools<sup>3</sup>, (including those that are Free Schools), University Technical Colleges and Studio Schools, are state-funded, non fee-paying independent schools set up under a Funding Agreement between the Secretary of State and the proprietor of an Academy (most commonly, and hereafter, referred to as an Academy Trust). Academies are required by their funding agreements to comply with the Code and the law relating to admissions, although the Secretary of State has the power to vary this requirement where there is demonstrable need.

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<sup>1</sup> Where statutory provisions have been amended, any references to them are references to them as amended.

<sup>2</sup> For community and voluntary controlled schools the admission authority is usually the local authority, but it may be the governing body if the local authority with the governing body's agreement has delegated responsibility to it for determining admission arrangements. Governing bodies are the admission authorities for foundation schools (including Trust schools) and voluntary aided schools.

<sup>3</sup> Academies are defined in Section 1A of the Academies Act 2010.

## Compliance with the Code

5. It is the responsibility of admission authorities to ensure that admission arrangements<sup>4</sup> are compliant with this Code. Where a school is the admission authority, this responsibility falls to the governing body or Academy Trust.
6. Section 88P of the SSFA 1998 requires local authorities to make reports to the adjudicator about such matters connected with relevant school admissions as required by the Code. Minimum requirements for that report are set out at paragraph 3.23 of this Code and include an assessment of the effectiveness of Fair Access Protocols and co-ordination in their area, how admission arrangements affect the interests of looked after children and previously looked after children, and the number and percentage of lodged and upheld parental appeals. The report must be published locally. The Schools Adjudicator will report annually to the Secretary of State on Fair Access.
7. Objections to the admission arrangements of both maintained schools and Academies can be made to the Schools Adjudicator whose decisions are binding and enforceable<sup>5</sup>.
8. The Secretary of State may refer the admission arrangements of any school to the Schools Adjudicator at any time if the Secretary of State considers that they do not or may not comply with the mandatory requirements of this Code or the law.
9. The Schools Adjudicator may investigate the admission arrangements of any school that the Adjudicator considers do not or may not comply with the mandatory requirements of this Code or the law.
10. Any decision of the Adjudicator will be binding on the admission authority. It will be for the admission authority to implement those decisions without undue delay. Where schools fail to implement decisions of the Adjudicator the Secretary of State may direct the admission authority (either the governing body, the local authority, or Academy Trust) to do so under Section 496 or 497 of the Education Act 1996 or the Funding Agreement.

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<sup>4</sup> Admission arrangements means the overall procedure, practices, criteria and supplementary information to be used in deciding on the allocation of school places and refers to any device or means used to determine whether a school place is to be offered.

<sup>5</sup> Section 88H of the SSFA 1998.

11. The table below sets out the admission authority for each type of school in England.

<b>Type of School</b>	<b>Who is the admission authority?</b>	<b>Who deals with complaints about arrangements?</b>	<b>Who is responsible for arranging/providing for an appeal against refusal of a place at a school?</b>
Academies	Academy Trust	Schools Adjudicator	Academy Trust
Community Schools	Local Authority	Schools Adjudicator	Local Authority
Foundation Schools	Governing body	Schools Adjudicator	Governing body
Voluntary aided schools	Governing body	Schools Adjudicator	Governing body
Voluntary controlled schools	Local Authority	Schools Adjudicator	Local Authority

# Introduction

## Purpose of this Code

12. The purpose of the Code is to ensure that all school places for maintained schools (excluding maintained special schools<sup>6</sup>) and Academies are allocated and offered in an open and fair way. The Code has the force of law, and where the words '**must**' or '**must not**' are used, these represent a mandatory requirement.

13. Admission authorities and local authorities **must** also comply with the regulations and legislation set out in the Appendix to this Code.

## Overall principles behind setting arrangements

14. In drawing up their admission arrangements, admission authorities **must** ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.

## How admissions work

15. In summary, the process operates as follows:

- a) All schools **must** have admission arrangements that clearly set out how children will be admitted, including the criteria that will be applied if there are more applications than places at the school. Admission arrangements are determined by admission authorities.
- b) Admission authorities **must** set ('determine') admission arrangements annually. Where changes are proposed to admission arrangements, the admission authority **must** first publicly consult on those arrangements<sup>7</sup>. If no changes are made to admission arrangements, they **must** be consulted on at least once every 7 years. For admission arrangements for entry in September 2016, consultation **must** be for a minimum of 8 weeks and **must** be completed by **1 March 2015**. For all subsequent years, consultation **must** be for a minimum of 6 weeks and **must** take place between **1 October** and **31 January** of the school year before those arrangements are to apply. For example: for arrangements which are to apply to applications in 2016 (entry in September 2017), consultation **must** be completed by 31 January 2016. This consultation period allows parents, other schools, religious authorities and the local community to raise any concerns about

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<sup>6</sup> A maintained special school is a school maintained by the local authority, specially designed to make special educational provision for pupils with special educational needs.

<sup>7</sup> Except where the change is an increase to a school's published admission number (see paragraph 1.3) or is made to comply with any mandatory requirements of the Code or The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 (hereafter the "School Admissions Regulations 2012").

proposed admission arrangements.

- c) Once all arrangements have been determined, arrangements can be objected to and referred to the Schools Adjudicator. Objections to admission arrangements for entry in September 2016 **must** be referred to the Adjudicator by **30 June 2015**. For all subsequent years, objections **must** be referred to the Adjudicator by **15 May** in the determination year. Any decision of the Adjudicator **must** be acted on by the admission authority and admission arrangements amended accordingly. The local authority will collate and publish all the admission arrangements in the area in a single composite prospectus.
- d) In the normal admissions round<sup>8</sup> parents apply to the local authority in which they live for places at their preferred schools. Parents are able to express a preference for at least three schools. The application can include schools outside the local authority where the child lives: a parent can apply for a place for their child at any state-funded school in any area. If a school is undersubscribed, any parent that applies **must** be offered a place. When oversubscribed, a school's admission authority **must** rank applications in order against its published oversubscription criteria and send that list back to the local authority. Published admission arrangements **must** make clear to parents that a separate application **must** be made for any transfer from nursery to primary school, and from infant to junior school.
- e) All preferences are collated and parents then receive an offer from the local authority at the highest preference school at which a place is available. For secondary schools, the offer is made on or about **1 March** (known as National Offer Day) in the year in which the child will be admitted. For primary schools, the offer is made on or about **16 April**, in the year in which the child will be admitted.
- f) Parents, and in some circumstances children, have the right to appeal against an admission authority's decision to refuse admission. The admission authority **must** set out the reasons for the decision, that there is a right of appeal and the process for hearing such appeals. The admission authority **must** establish an independent appeals panel to hear the appeal. The panel will decide whether to uphold or dismiss the appeal. Where a panel upholds the appeal the school is required to admit the child.

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<sup>8</sup> (i.e. application in October (secondary school) for following year and January (primary school) for same year admission).

## Section 1: Determining Admission Arrangements

1.1 Admission authorities are responsible for admissions and **must** act in accordance with this Code, the School Admission Appeals Code, other laws relating to admissions<sup>9</sup>, and relevant human rights and equalities legislation.

### Published Admission Number (PAN)

1.2 As part of determining their admission arrangements<sup>10</sup>, all admission authorities **must** set an admission number for each 'relevant age group'<sup>11</sup>.

1.3 Own admission authorities are not required to consult on their PAN where they propose either to increase or keep the same PAN<sup>12</sup>. For a community or voluntary controlled school, the local authority (as admission authority) **must** consult at least the governing body of the school where it proposes either to increase or keep the same PAN. All admission authorities **must** consult in accordance with paragraph 1.42 below where they propose a decrease to the PAN. Community and voluntary controlled schools have the right to object to the Schools Adjudicator if the PAN set for them is lower than they would wish. There is a strong presumption in favour of an increase to the PAN to which the Schools Adjudicator **must** have regard when considering any such objection.

1.4 Admission authorities **must** notify their local authority of their intention to increase the school's PAN and reference to the change should be made on the school's website<sup>13</sup>. If, at any time following determination of the PAN, an admission authority decides that it is able to admit above its PAN, it **must** notify the local authority in good time to allow the local authority to deliver its co-ordination responsibilities effectively. Admission authorities may also admit above their PAN in-year.

1.5 Any admissions above the PAN as set out in paragraph 1.4 above will not constitute an increase to the PAN<sup>14</sup>. Information on variations to the PAN in-year is set out in paragraph 3.6 of this Code.

### Oversubscription criteria

1.6 The admission authority for the school **must** set out in their arrangements the criteria against which places will be allocated at the school

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<sup>9</sup> The main provisions relating to admissions are in Chapter 1 of Part 3 of the SSFA 1998.

<sup>10</sup> See Sections 88C and 88D of the SSFA 1998.

<sup>11</sup> This is the age group at which pupils are or will normally be admitted to the school e.g. reception, year 7 and year 12 where the school admits external applicants to the sixth form (Section 142 of the SSFA 1998).

<sup>12</sup> Regulation 14 of School Admissions Regulations 2012.

<sup>13</sup> Where a school does not have a website it will have to take suitable alternative action. This applies to all further requirements in this Code to publish information on websites.

<sup>14</sup> Where an enlargement of school premises is proposed the governing body of a maintained school is required to observe the relevant regulations, currently the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 (SI 2013/3110). For Academies, such changes are agreed with the Secretary of State through the Funding Agreement.

when there are more applications than places and the order in which the criteria will be applied. All children whose statement of special educational needs (SEN) or Education, Health and Care (EHC) plan<sup>15</sup> names the school **must** be admitted. If the school is not oversubscribed, all applicants **must** be offered a place (with the exception of designated grammar schools - see paragraph 2.8 of this Code).

1.7 All schools **must** have oversubscription criteria for each 'relevant age group' and the highest priority **must** be given, unless otherwise provided in this Code, to looked after children<sup>16</sup> and all previously looked after children. Previously looked after children are children who were looked after, but ceased to be so because they were adopted<sup>17</sup> (or became subject to a child arrangements order<sup>18</sup> or special guardianship order<sup>19</sup>). Further references to previously looked after children in this Code means such children who were adopted (or subject to child arrangements orders or special guardianship orders) immediately following having been looked after. Oversubscription criteria **must** then be applied to all other applicants in the order set out in the arrangements.

1.8 Oversubscription criteria **must** be reasonable, clear, objective, procedurally fair, and comply with all relevant legislation, including equalities legislation. Admission authorities **must** ensure that their arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs, and that other policies around school uniform or school trips do not discourage parents from applying for a place for their child. Admission arrangements **must** include an effective, clear and fair tie-breaker to decide between two applications that cannot otherwise be separated.

1.9 It is for admission authorities to formulate their admission arrangements, but they **must not**:

- a) place any conditions on the consideration of any application other than those in the oversubscription criteria published in their admission arrangements;
- b) take into account any previous schools attended, unless it is a named feeder school;
- c) give extra priority to children whose parents rank preferred schools

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<sup>15</sup> A Statement of Special Educational Need is a statement made by the local authority under Section 324 of the Education Act 1996 specifying the special educational provision required for that child. An Education, Health and Care plan is a plan made by the local authority under Section 37 of the Children and Families Act 2014 specifying the special education provision required for that child.

<sup>16</sup> 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.

<sup>17</sup> This includes children who were adopted under the Adoption Act 1976 (see section 12 adoption orders) and children who were adopted under the Adoption and Children Act 2002 (see section 46 adoption orders).

<sup>18</sup> Child arrangements orders are defined in s.8 of the Children Act 1989, as amended by s.12 of the Children and Families Act 2014. Child arrangements orders replace residence orders and any residence order in force prior to 22 April 2014 is deemed to be a child arrangements order.

<sup>19</sup> See Section 14A of the Children Act 1989 which defines a 'special guardianship order' as an order appointing one or more individuals to be a child's special guardian (or special guardians).



- in a particular order, including ‘first preference first’ arrangements;
- d) introduce any new selection by ability<sup>20</sup>;
  - e) give priority to children on the basis of any practical or financial support parents may give to the school or any associated organisation, including any religious authority. The exception to this is where parents pay optional nursery fees to the school or school-run nursery, for additional hours on top of their 15-hour funded early education, where children from the school nursery class or school-run nursery are given priority for admission to Reception;
  - f) give priority to children according to the occupational, marital, financial or educational status of parents applying. The exceptions to this are children of staff at the school and those eligible for the early years pupil premium, the pupil premium and the service premium who may be prioritised in the arrangements in accordance with paragraphs 1.39 – 1.39B;
  - g) take account of reports from previous schools about children’s past behaviour, attendance, attitude or achievement, or that of any other children in the family;
  - h) discriminate against or disadvantage disabled children, those with special educational needs, or those applying for admission outside their normal age group where an admission authority has agreed to this under paragraphs 2.17 to 2.17B;
  - i) prioritise children on the basis of their own or their parents’ past or current hobbies or activities (schools which have been designated as having a religious character<sup>21</sup> may take account of religious activities, as laid out by the body or person representing the religion or religious denomination<sup>22</sup>);
  - j) in designated grammar schools that rank all children according to a pre-determined pass mark and then allocate places to those who score highest, give priority to siblings of current or former pupils;
  - k) in the case of schools with boarding places, rank children on the basis of a child’s suitability for boarding – more information on boarding schools is set out at paragraphs 1.40 - 1.41 below;
  - l) name fee-paying independent schools as feeder schools;
  - m) interview children or parents. In the case of sixth form applications, a meeting may be held to discuss options and academic entry requirements for particular courses, but this meeting cannot form part of the decision making process on whether to offer a place. Boarding schools may interview children to assess their suitability for boarding;

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<sup>20</sup> There is a general restriction on selection by ability. Only designated grammar schools or schools with partially selective arrangements which already had such arrangements in place during the 1997/98 school year are permitted to continue to use selection by ability. Grammar schools are designated as such by order made by the Secretary of State under Section 104 of the SSFA 1998.

<sup>21</sup> Designated by order under Section 69(3) of the SSFA 1998.

<sup>22</sup> Schedule 3 of the School Admissions Regulations 2012. For Academies, the representative body or person is set out in the Funding Agreement.

- n) request financial contributions (either in the form of voluntary contributions, donations or deposits (even if refundable)) as any part of the admissions process – including for tests; or
- o) request photographs of a child for any part of the admissions process, other than as proof of identity when sitting a selection test.

1.10 This Code does not give a definitive list of acceptable oversubscription criteria. It is for admission authorities to decide which criteria would be most suitable to the school according to the local circumstances. The most common are set out below.

## Siblings at the school

1.11 Admission authorities **must** state clearly in their arrangements what they mean by 'sibling' (e.g. whether this includes step siblings, foster siblings, adopted siblings and other children living permanently at the same address or siblings who are former pupils of the school). If an admission authority wishes to give some priority to siblings of former pupils, it **must** set out a clear and simple definition of such former pupils and how their siblings will be treated in the oversubscription criteria (bearing in mind the restrictions set out in paragraph 1.9 above).

1.12 Some schools give priority to siblings of pupils attending another state funded school with which they have close links (for example, schools on the same site, or close links between two single sex schools). Where this is the case, this priority **must** be set out clearly in the arrangements.

## Distance from the school

1.13 Admission authorities **must** clearly set out how distance from home to the school will be measured, making clear how the 'home' address will be determined and the point in the school from which all distances are measured. This should include provision for cases where parents have shared responsibility for a child following the breakdown of their relationship and the child lives for part of the week with each parent.

## Catchment Areas

1.14 Catchment areas **must** be designed so that they are reasonable and clearly defined<sup>23</sup>. Catchment areas do not prevent parents who live outside the catchment of a particular school from expressing a preference for the school.

## Feeder Schools

1.15 Admission authorities may wish to name a primary or middle school as

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<sup>23</sup> R v Greenwich London Borough Council, ex parte John Ball Primary School (1989) 88 LGR 589 [1990] Fam Law 469 held that pupils should not be discriminated against in relation to admission to the school simply because they reside outside the local authority area in which the school is situated. Section 86(8) of the SSFA 1998 places an equal duty on local authorities to comply with parental preference in respect of parents living within and outside their boundary.

a feeder school. The selection of a feeder school or schools as an oversubscription criterion **must** be transparent and made on reasonable grounds.

## Social and medical need

1.16 If admission authorities decide to use social and medical need as an oversubscription criterion, they **must** set out in their arrangements how they will define this need and give clear details about what supporting evidence will be required (e.g. a letter from a doctor or social worker) and then make consistent decisions based on the evidence provided.

## Selection by ability or aptitude

1.17 All selective schools **must** publish the entry requirements for a selective place and the process for such selection.

## Grammar schools

1.18 Only designated Grammar schools<sup>24</sup> are permitted to select their entire intake on the basis of high academic ability<sup>25</sup>. They do not have to fill all of their places if applicants have not reached the required standard.

1.19 Where arrangements for pupils are wholly based on selection by reference to ability and provide for only those pupils who score highest in any selection test to be admitted, no priority needs to be given to looked after children or previously looked after children.

1.20 Where admission arrangements are not based solely on highest scores in a selection test, the admission authority **must** give priority in its oversubscription criteria to all looked after children and previously looked after children who meet the pre-set standards of the ability test.

## Pre-existing, partially selective schools

1.21 Partially selective schools select a proportion of their intake by ability. Where schools can partially select, they **must** publish the entry requirements for a selective place, and the process for such selection. They **must** offer places to other children if there are insufficient applicants who have satisfied the published entry requirements for a selective place.

1.22 Partially selective schools **must not** exceed the lowest proportion of selection that has been used since the 1997/98 school year<sup>26</sup>.

1.23 In relation to the proportion of pupils admitted on a selective basis, where arrangements provide for only those pupils who score highest in any

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<sup>24</sup> As designated by the Education (Grammar School Designation) Order 1998 (SI 1998/2219). Where a designated grammar school converts to become an Academy, the Academy is permitted to continue selecting their entire intake: Section 6(3) of the Academies Act 2010.

<sup>25</sup> Section 104 of the SSFA 1998.

<sup>26</sup> Section 100 of the SSFA 1998.

selection test to be admitted, no priority needs to be given to looked after children or previously looked after children. Where such arrangements are not based on highest scores in a selection test, the admission authority **must** give priority in its oversubscription criteria to all looked after children and previously looked after children who meet the pre-set standards of the test. For the allocation of the remainder of places after selection, looked after children and previously looked after children **must** again be given first priority for admission.

## Selection by aptitude

1.24 Schools that have arrangements to select by aptitude **must not** allow for more than 10 per cent of the total admissions intake to be allocated on the basis of such aptitude (even if the school has more than one specialism). The only specialist subjects on which a school may select by aptitude are:

- a) physical education or sport, or one or more sports;
- b) the performing arts, or any one or more of those arts;
- c) the visual arts, or any one or more of those arts;
- d) modern foreign languages, or any such language; and
- e) design and technology and information technology. Only schools which selected on either of these specialist subjects in the school year 2007/08 and every subsequent year may continue to do so.

## Banding

1.25 Pupil ability banding is a permitted form of selection<sup>27</sup> used by some admission authorities to ensure that the intake for a school includes a proportionate spread of children of different abilities. Banding can be used to produce an intake that is representative of:

- a) the full range of ability of applicants for the school(s);
- b) the range of ability of children in the local area; or
- c) the national ability range.

1.26 Admission authorities' entry requirements for banding **must** be fair, clear and objective. Banding arrangements which favour high ability children that have been continuously used since the 1997/98 school year may continue, but **must not** be introduced by any other school.

1.27 The admission authority **must** publish the admission requirements and the process for such banding and decisions, including details of any tests that will be used to band children according to ability.

1.28 Where the school is oversubscribed:

- a) looked after children and previously looked after children **must** be

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<sup>27</sup> Section 101 of the SSFA 1998.

given top priority in each band, and then any oversubscription criteria applied within each band, and

- b) priority **must not** be given within bands according to the applicant's performance in the test.

1.29 Schools that operate admission arrangements which include both banding and selection of up to 10% of pupils with reference to aptitude shall set out clearly in their admission arrangements how those two methods of selection will be applied.

1.30 Children with statements of special educational needs or Education, Health and Care Plans may be included in banding tests and allocated places in the appropriate bands but, regardless of any banding arrangements, they **must** be allocated a place if their statement or Education, Health and Care Plan names the school.

## Tests for selection

1.31 Tests for all forms of selection **must** be clear, objective, and give an accurate reflection of the child's ability or aptitude, irrespective of sex, race, or disability. It is for the admission authority to decide the content of the test, providing that the test is a true test of aptitude or ability.

1.32 Admission authorities **must**:

- a) ensure that tests for aptitude in a particular subject are designed to test only for aptitude in the subject concerned, and not for ability;
- b) ensure that tests are accessible to children with special educational needs and disabilities, having regard to the reasonable adjustments for disabled pupils required under equalities legislation, and
- c) take all reasonable steps to inform parents of the outcome of selection tests before the closing date for secondary applications on **31 October** so as to allow parents time to make an informed choice of school - while making clear that this does not equate to a guarantee of a selective place.

1.33 Admission authorities **must not** adjust the score achieved by any child in a test to take account of oversubscription criteria, such as having a sibling at the school.

## Random allocation

1.34 Local authorities **must not** use random allocation as the principal oversubscription criterion for allocating places at all the schools in the area for which they are the admission authority. Admission authorities that decide to use random allocation when schools are oversubscribed **must** set out clearly how this will operate, ensuring that arrangements are transparent, and that looked after children and previously looked after children are prioritised.

1.35 The random allocation process **must** be supervised by someone independent of the school, and a fresh round of random allocation **must** be

used each time a child is to be offered a place from a waiting list.

## Faith based oversubscription criteria in schools designated with a religious character

1.36 As with other maintained schools, these schools are required to offer every child who applies, whether of the faith, another faith or no faith, a place at the school if there are places available. Schools designated by the Secretary of State as having a religious character (commonly known as faith schools) may use faith-based oversubscription criteria<sup>28</sup> and allocate places by reference to faith where the school is oversubscribed.

1.37 Admission authorities **must** ensure that parents can easily understand how any faith-based criteria will be reasonably satisfied. Admission authorities for schools designated with a religious character may give priority to all looked after children and previously looked after children whether or not of the faith, but they **must** give priority to looked after children and previously looked after children of the faith before other children of the faith. Where any element of priority is given in relation to children not of the faith they **must** give priority to looked after children and previously looked after children not of the faith above other children not of the faith<sup>29</sup>.

1.38 Admission authorities for schools designated as having a religious character **must** have regard to any guidance from the body or person representing the religion or religious denomination when constructing faith-based admission arrangements, to the extent that the guidance complies with the mandatory provisions and guidelines of this Code. They **must** also consult with the body or person representing the religion or religious denomination when deciding how membership or practice of the faith is to be demonstrated. Church of England schools **must**, as required by the Diocesan Boards of Education Measure 1991<sup>30</sup>, consult with their diocese about proposed admission arrangements before any public consultation.

## Children of staff at the school

1.39 Admission authorities may give priority in their oversubscription criteria to children of staff in either or both of the following circumstances:

- a) where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made, and/or
- b) the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.

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<sup>28</sup> Funding Agreements for entirely new Academies (i.e. not converters from the maintained sector, or those sponsored Academies with a predecessor school) and Free Schools with a religious character provide that where the school is oversubscribed at least 50% of places are to be allocated without reference to faith.

<sup>29</sup> Regulation 9 of the School Admissions Regulations 2012

<sup>30</sup> 1991 No 2.

## Children eligible for pupil premium or service premium

1.39A Admission authorities may give priority in their oversubscription criteria to children eligible for the early years pupil premium<sup>31</sup>, the pupil premium<sup>32</sup> and also children eligible for the service premium<sup>33</sup>. Admission authorities should clearly define in the arrangements the categories of eligible premium recipients to be prioritised.

1.39B Admission authorities may give priority in their oversubscription criteria to children eligible for the early years pupil premium, the pupil premium or the service premium who:

- a) are in a nursery class which is part of the school; or
- b) attend a nursery that is established and run by the school. The nursery **must** be named in the admission arrangements and its selection must be transparent and made on reasonable grounds.

## Maintained boarding schools

1.40 Maintained boarding schools can set separate admission numbers for day places and boarding places<sup>34</sup>. A maintained boarding school can interview applicants to assess suitability for boarding, but such interviews **must** only consider whether a child presents a serious health and safety hazard to other boarders or whether they would be able to cope with and benefit from a boarding environment. To help with this assessment, they may also use a supplementary information form, and information provided by the previous school and by the child's home local authority (on safeguarding issues). These processes, and the timeline for them, **must** be clearly set out in the school's admission arrangements.

1.41 Boarding schools **must** give priority in their oversubscription criteria in the following order:

- a) looked after children and previously looked after children;
- b) children of members of the UK Armed Forces who qualify for Ministry of Defence financial assistance with the cost of boarding school fees;
- c) children with a 'boarding need', making it clear what they mean by this.

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<sup>31</sup> The early years pupil premium is additional funding paid to support disadvantaged children receiving government-funded early education, per section 7 of the Childcare Act 2006. It will be introduced in April 2015.

<sup>32</sup> The pupil premium is additional funding paid annually to schools under section 14 of the Education Act 2002 for the purposes of supporting the attainment of disadvantaged children.

<sup>33</sup> The service premium is additional funding paid annually to schools under section 14 of the Education Act 2002 for the purposes of supporting the pastoral needs of the children of Armed Services personnel

<sup>34</sup> Boarding places are places for pupils who are provided with overnight board and lodging at the school. Day places are places for pupils who attend school on a daily basis, including pupils who participate in optional school activities outside school hours (for example breakfast club, after-school clubs, music lessons, tea and supervised homework sessions).



## Consultation<sup>35</sup>

1.42 When changes<sup>36</sup> are proposed to admission arrangements, all admission authorities **must** consult on their admission arrangements (including any supplementary information form) that will apply for admission applications the following school year. Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities **must** consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period<sup>37</sup>.

1.43 For admission arrangements determined in 2015 for entry in September 2016, consultation **must** be for a minimum of 8 weeks and **must** be completed by **1 March 2015**. For all subsequent years, consultation **must** last for a minimum of 6 weeks and **must** take place between **1 October** and **31 January** in the determination year.

1.44 Admission authorities **must** consult with:

- a) parents of children between the ages of two and eighteen;
- b) other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions;
- c) all other admission authorities within the relevant area (except that primary schools need not consult secondary schools);
- d) whichever of the governing body and the local authority who are not the admission authority;
- e) any adjoining neighbouring local authorities where the admission authority is the local authority; and
- f) in the case of schools designated with a religious character, the body or person representing the religion or religious denomination.

1.45 For the duration of the consultation period, the admission authority **must** publish a copy of their full proposed admission arrangements (including the proposed PAN) on their website together with details of the person within the admission authority to whom comments may be sent and the areas on which comments are not sought<sup>38</sup>. Admission authorities **must** also send upon request a copy of the proposed admission arrangements to any of the persons or bodies listed above inviting comment. Failure to consult effectively may be grounds for subsequent complaints and appeals.

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<sup>35</sup> See also paragraph 1.3. Regulations 12 to 17 of the School Admissions Regulations 2012 cover consultation requirements.

<sup>36</sup> An increase to PAN, or a change to the admission arrangements to comply with the mandatory provisions of the Code or the School Admissions Regulations 2012, is not a change requiring consultation.

<sup>37</sup> A consultation on a proposal to increase or keep the same PAN by a local authority as admission authority with the governing body of a voluntary controlled or community school is not a consultation for the purposes of calculating a seven year period without consultation.

<sup>38</sup> Regulation 16 of the School Admissions Regulations 2012.



## Determination

1.46 All admission authorities **must** determine (i.e. formally agree) admission arrangements every year, even if they have not changed from previous years and a consultation has not been required. Admission authorities **must** determine admission arrangements for entry in September 2016 by **15 April 2015** and for all subsequent years, by **28 February** in the determination year<sup>39</sup>.

1.47 Once admission authorities have determined their admission arrangements, they **must** notify the appropriate bodies<sup>40</sup> and **must** publish a copy of the determined arrangements on their website displaying them for the whole offer year (the school year in which offers for places are made). Admission authorities **must** send a copy of their full, determined arrangements to the local authority. Admission authorities **must** send a copy of their determined admission arrangements for entry in September 2016 as soon as possible before **1 May 2015**, and for all subsequent years, as soon as possible before **15 March** in the determination year. Admission authorities for schools designated with a religious character **must** also send a copy of their arrangements to the body or person representing their religion or religious denomination.

1.48 Where an admission authority has determined a PAN that is higher than in previous years, they must notify the local authority that they have done so, and make specific reference to the change on their website.

1.49 Local authorities **must** publish on their website the proposed admission arrangements for any new school or Academy which is intended to open within the determination year, details of where the determined arrangements for all schools, including Academies, can be viewed, and information on how to refer objections to the Schools Adjudicator. Local authorities **must** publish these details in 2015 by **1 May 2015** and in all subsequent years by **15 March** in the determination year<sup>41</sup>.

1.50 Following determination of arrangements, any objections to those arrangements **must** be made to the Schools Adjudicator. Objections to admission arrangements for entry in September 2016 **must** be referred to the Adjudicator by **30 June 2015**. For all subsequent years, objections **must** be referred to the Adjudicator by **15 May** in the determination year<sup>42</sup>. Admission authorities that are not the local authority **must** provide all the information that the local authority needs to compile the composite prospectus no later than **8 August**, unless agreed otherwise<sup>43</sup>.

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<sup>39</sup> Regulation 17 of the School Admissions Regulations 2012.

<sup>40</sup> In addition to the bodies listed at paragraph 1.44 (c), (d) and (f) and so far as not covered by them, all governing bodies for community and voluntary controlled schools in the relevant area.

<sup>41</sup> Regulation 18 of the School Admissions Regulations 2012.

<sup>42</sup> Regulation 23 of the School Admissions Regulations 2012. See also 3.2-3.5 of this Code regarding objections to the Schools Adjudicator.

<sup>43</sup> Regulation 7 of the School Information (England) Regulations 2008 SI 2008/3093.

## Composite prospectuses

1.51 Local authorities **must** publish online - with hard copies available for those who do not have access to the internet - a composite prospectus for parents by **12 September**<sup>44</sup> in the offer year, which contains the admissions arrangements and any supplementary information forms for each of the state-funded schools in the local authority area to which parents can apply (i.e. all schools including Academies). They **must** ensure that this information is kept up to date throughout the period in which it is possible for parents to apply for a place for their child, and that it is written in a way that makes it clear and accessible to all parents.

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<sup>44</sup> See regulations 5, 6 and Schedule 2 of the School Information (England) Regulations 2008.

## Section 2: Applications and Offers

### Applying for places

2.1 For applications in the normal admissions round, local authorities **must** provide a common application form (CAF) that enables parents to express their preference for a place at any state funded school, with a minimum of 3 preferences in rank order, allowing them to give reasons for their preferences. While parents may express a preference for any state funded school – regardless of whether it is in the local authority area in which they live - admission authorities **must not** give any guarantees that a preference will be met.

2.2 The CAF **must** allow parents to provide their name, their address (including documentary evidence in support), and the name, address and date of birth of the child. The child **must not** be required to complete any part of the CAF. Local authorities **must** provide advice and assistance to parents when they are deciding which schools to apply for<sup>45</sup>.

2.3 Regardless of which schools parents express preferences for, the CAF is required to be returned to the local authority in the area that they live (the 'home' authority). The home authority **must** then pass information on applications to other local ('maintaining') authorities about applications to schools in their area. The maintaining authority **must** determine the application and inform the home local authority if a place is available. The offer to parents **must** be made by the home local authority.

2.4 In some cases, admission authorities will need to ask for supplementary information forms in order to process applications. If they do so, they **must** only use supplementary forms that request additional information when it has a direct bearing on decisions about oversubscription criteria or for the purpose of selection by aptitude or ability. They **must not** ask, or use supplementary forms that ask, for any of the information prohibited by paragraph 1.9 above or for:

- a) any personal details about parents and families, such as maiden names, criminal convictions, marital, or financial status (including marriage certificates);
- b) the first language of parents or the child;
- c) details about parents' or a child's disabilities, special educational needs or medical conditions;
- d) parents to agree to support the ethos of the school in a practical way;
- e) both parents to sign the form, or for the child to complete the form.

2.5 Admission authorities may need to ask for proof of address where it is unclear whether a child meets the published oversubscription criteria. In these

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<sup>45</sup> In accordance with Section 86(1A) of the SSFA 1998.

cases they **must not** ask for any evidence that would include any of the information detailed above. Once a place has been offered, admission authorities may ask for proof of birth date, but **must not** ask for a 'long' birth certificate or other documents which would include information about the child's parents. In the case of previously looked after children, admission authorities may request a copy of the adoption order, child arrangements order or special guardianship order and a letter from the local authority that last looked after the child confirming that he or she was looked after immediately prior to that order being made.

## Applying for places at Sixth Form

2.6 Children and their parents applying for sixth form places may use the CAF, although if they are already on the roll they are not required to do so in order to transfer into year 12. Admission authorities can, however, set academic entry criteria for their sixth forms, which **must** be the same for both external and internal places. School sixth form admission arrangements for external applicants must be consulted upon, determined and published in accordance with the same timetable as for admission arrangements for other entry points. As with other points of entry to schools, highest priority in oversubscription criteria for sixth form places **must** be given to looked after children and previously looked after children who meet the academic entry criteria. As stated in paragraph 1.9 m) above, any meetings held to discuss options and courses **must** not form part of the decision process on whether to offer a place.

## Allocating places

2.7 Admission authorities **must** allocate places on the basis of their determined admission arrangements only, and a decision to offer or refuse admission **must not** be made by one individual in an admission authority. Where the school is its own admission authority the whole governing body, or an admissions committee established by the governing body, **must** make such decisions.

2.8 With the exception of designated grammar schools, all maintained schools, including schools designated with a religious character, that have enough places available **must** offer a place to every child who has applied for one, without condition or the use of any oversubscription criteria.

2.9 Admission authorities **must not** refuse to admit a child solely because:

- a) they have applied later than other applicants;
- b) they are not of the faith of the school in the case of a school designated with a religious character;
- c) they followed a different curriculum at their previous school;
- d) information has not been received from their previous school; or
- e) they have missed entrance tests for selective places.

2.10 In the normal admissions round, offers of primary and secondary

places **must** be sent by the home local authority and schools **must not** contact parents about the outcome of their applications until after these offers have been received. Admission authorities **must not** provide any guarantees to applicants of the outcome of their application prior to the formal notification of any offers of a place in a suitable school by the home local authority.

2.11 Where a place is available for a child at more than one school, the home local authority **must** ensure, so far as is reasonably practicable, that the child is offered a place at whichever of these schools is their highest preference. If the local authority is unable to offer a place at one of the parents' preferred schools it **must**, if there are places available, offer a place at another school.

## Withdrawing an offer or a place

2.12 An admission authority **must not** withdraw an offer unless it has been offered in error, a parent has not responded within a reasonable period of time, or it is established that the offer was obtained through a fraudulent or intentionally misleading application. Where the parent has not responded to the offer, the admission authority **must** give the parent a further opportunity to respond and explain that the offer may be withdrawn if they do not. Where an offer is withdrawn on the basis of misleading information, the application **must** be considered afresh, and a right of appeal offered if an offer is refused.

2.13 A school **must not** withdraw a place once a child has started at the school, except where that place was fraudulently obtained. In deciding whether to withdraw the place, the length of time that the child has been at the school **must** be taken into account. For example, it might be considered appropriate to withdraw the place if the child has been at the school for less than one term.

## Waiting lists

2.14 Each admission authority **must** maintain a clear, fair and objective waiting list until at least **31 December** of each school year of admission, stating in their arrangements that each added child will require the list to be ranked again in line with the published oversubscription criteria. Priority **must not** be given to children based on the date their application was received or their name was added to the list. Looked after children, previously looked after children, and those allocated a place at the school in accordance with a Fair Access Protocol, **must** take precedence over those on a waiting list.

## Infant class size

2.15 Infant classes (those where the majority of children will reach the age of 5, 6 or 7 during the school year) **must not** contain more than 30 pupils with a single school teacher<sup>46</sup>. Additional children may be admitted under limited exceptional circumstances. These children will remain an 'excepted pupil' for

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<sup>46</sup> 'Teacher' is defined in Section 4 of the SSFA 1998.

the time they are in an infant class or until the class numbers fall back to the current infant class size limit. The excepted children are:

- a) children admitted outside the normal admissions round with statements of special educational needs or Education, Health and Care Plans specifying a school;
- b) looked after children and previously looked after children admitted outside the normal admissions round;
- c) children admitted, after initial allocation of places, because of a procedural error made by the admission authority or local authority in the original application process;
- d) children admitted after an independent appeals panel upholds an appeal;
- e) children who move into the area outside the normal admissions round for whom there is no other available school within reasonable distance;
- f) children of UK service personnel admitted outside the normal admissions round;
- g) children whose twin or sibling from a multiple birth is admitted otherwise than as an excepted pupil;
- h) children with special educational needs who are normally taught in a special educational needs unit<sup>47</sup> attached to the school, or registered at a special school, who attend some infant classes within the mainstream school<sup>48</sup>.

## Admission of children below compulsory school age<sup>49</sup> and deferred entry to school

2.16 Admission authorities **must** provide for the admission of all children in the September following their fourth birthday. The authority **must** make it clear in their arrangements that, where they have offered a child a place at a school:

- a) that child is entitled to a full-time place in the September following their fourth birthday;
- b) the child's parents can defer the date their child is admitted to the school until later in the school year but not beyond the point at which they reach compulsory school age and not beyond the beginning of the final term of the school year for which it was made; and
- c) where the parents wish, children may attend part-time until later in the school year but not beyond the point at which they reach compulsory school age.

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<sup>47</sup> A special educational needs unit forms part of a maintained school and is specially organised to provide education for pupils with special educational needs.

<sup>48</sup> The School Admissions (Infant Class Sizes) (England) Regulations 2012.

<sup>49</sup> Compulsory school age is set out in section 8 of the Education Act 1996 and the Education (Start of Compulsory School Age) Order 1998. A child reaches compulsory school age on the prescribed day following his or her fifth birthday (or on his or her fifth birthday if it falls on a prescribed day). The prescribed days are 31 December, 31 March and 31 August.

## Admission of children outside their normal age group

2.17 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. In addition, the parents of a summer born child<sup>50</sup> may choose not to send that child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to reception rather than year 1. Admission authorities **must** make clear in their admission arrangements the process for requesting admission out of the normal age group.

2.17A Admission authorities **must** make decisions on the basis of the circumstances of each case and in the best interests of the child concerned. This will include taking account of the parent's views; information about the child's academic, social and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if it were not for being born prematurely. They **must** also take into account the views of the head teacher of the school concerned. When informing a parent of their decision on the year group the child should be admitted to, the admission authority **must** set out clearly the reasons for their decision.

2.17B Where an admission authority agrees to a parent's request for their child to be admitted out of their normal age group and, as a consequence of that decision, the child will be admitted to a relevant age group (i.e. the age group to which pupils are normally admitted to the school) the local authority and admission authority **must** 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 their determined admission arrangements only, including the application of oversubscription criteria where applicable. They **must not** give the application lower priority on the basis that the child is being admitted out of their normal age group. Parents have a statutory right to appeal against the refusal of a place at a school for which they have applied. This right does not apply if they are offered a place at the school but it is not in their preferred age group.

## Children of UK service personnel (UK Armed Forces)

2.18 For families of service personnel with a confirmed posting to their area, or crown servants returning from overseas to live in that area, admission authorities **must**:

- a) allocate a place in advance of the family arriving in the area provided the application is accompanied by an official letter that declares a relocation date and a Unit postal address or quartering area address

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<sup>50</sup> The term summer born children relates to all children born from 1 April to 31 August. These children reach compulsory school age on 31 August following their fifth birthday (or on their fifth birthday if it falls on 31 August). It is likely that most requests for summer born children to be admitted out of their normal age group will come from parents of children born in the later summer months or those born prematurely.



- when considering the application against their oversubscription criteria. This **must** include accepting a Unit postal address or quartering area address for a service child. Admission authorities **must not** refuse a service child a place because the family does not currently live in the area, or reserve blocks of places for these children;
- b) ensure that arrangements in their area support the Government's commitment to removing disadvantage for service children. Arrangements **must** be appropriate for the area and be described in the local authority's composite prospectus.

## Children from overseas

2.19 Admission authorities **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.

## Co-ordination

2.20 Each year all local authorities **must** formulate and publish on their website a scheme by **1 January** in the relevant determination year to co-ordinate admission arrangements for all publicly funded schools within their area<sup>51</sup>. Where the scheme is substantially different from the scheme adopted for the previous academic year, the local authority **must** consult the other admission authorities in the area and any other local authorities it determines. Where the scheme has not changed from the previous year there is no requirement to consult, subject to the requirement that the local authority **must** consult on the scheme at least once every seven years, even if there have been no changes during that period. Following any such consultation, which **must** be undertaken with a view to ensuring the admission of pupils in different local authorities is, as far as reasonably practicable, compatible with each other, the local authority **must** determine the qualifying scheme and **must** take all reasonable steps to secure its adoption. A local authority **must** inform the Secretary of State whether they have secured the adoption of a qualifying scheme by **15 April 2015** for admission arrangements for entry in 2016 and thereafter, by **28 February** in the determination year. The Secretary of State may impose a scheme where a scheme has not been adopted. All admission authorities<sup>52</sup> **must** participate in co-ordination and provide the local authority with the information it needs to co-ordinate admissions by the dates agreed within the scheme. Local authorities **must** make application forms available to parents who wish to apply to a school in a neighbouring area which operates a different age of transfer (e.g. middle schools), and process these as it would in

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<sup>51</sup> Regulations 26 to 32 and Schedule 2 of the School Admissions Regulations 2012 cover the requirements for such schemes.

<sup>52</sup> Academies are required under their Funding Agreements to participate in and comply with requirements in relation to local authority co-ordination of admission arrangements. For the first year of opening only, Funding Agreements for Free Schools, University Technical Colleges (UTCs) and Studio Schools will provide that they may choose whether they wish to participate in the local qualifying scheme.



its normal admissions round.

2.21 There is no requirement for local authorities to co-ordinate in-year applications but they **must** provide information in the composite prospectus on how in-year applications can be made and will be dealt with. Local authorities **must**, on request, provide information to a parent about the places still available in all schools within its area, and a suitable form for parents to complete when applying for a place for their child at any school for which they are not the admission authority. Any parent can apply for a place for their child at any time to any school outside the normal admissions round. They can do this by applying directly to admission authorities, except where other arrangements are in place locally (e.g. the local authority coordinates all in-year admissions).

2.22 Own admission authority schools **must**, on receipt of an in-year application, notify the local authority of both the application and its outcome, to allow the local authority to keep up to date figures on the availability of places in the area. The admission authority **must** also inform parents of their right to appeal against the refusal of a place.

## Offering a place

2.23 Where schools are oversubscribed, admission authorities **must** rank applications in accordance with their determined arrangements. The qualifying scheme **must** ensure that:

- a) only one offer per child is made by the local authority;
- b) for secondary school applications, all offers **must** be made on the same secondary National Offer Day i.e. **1 March or the next working day**, and
- c) for primary school applications, all offers **must** be made on the same primary National Offer Day i.e. **16 April or the next working day**.

## Right to appeal

2.24 When an admission authority informs a parent of a decision to refuse their child a place at a school for which they have applied, it **must** include the reason why admission was refused; information about the right to appeal; the deadline for lodging an appeal and the contact details for making an appeal. Parents **must** be informed that, if they wish to appeal, they **must** set out their grounds for appeal in writing. Admission authorities **must not** limit the grounds on which appeals can be made.

## School closure

2.25 Where a maintained school or Academy is to be closed, the local authority **must** collaborate with all schools in their area to consider the best way to secure provision for children in other local schools.

## Section 3: Ensuring Fairness and Resolving Issues

### The Schools Adjudicator

3.1 The Schools Adjudicator **must** consider whether admission arrangements referred to the Adjudicator comply with the Code and the law relating to admissions. The admission authority **must**, where necessary, revise their admission arrangements to give effect to the Adjudicator's decision within two months of the decision (or by **28 February** following the decision, whichever is sooner), unless an alternative timescale is specified by the Adjudicator. An Adjudicator's determination is binding and enforceable.

3.2 Local authorities **must** refer an objection to the Schools Adjudicator if they are of the view or suspect that the admission arrangements that have been determined by other admission authorities are unlawful. If requested by the Schools Adjudicator, admission authorities **must** provide the information set out in Schedule 1 to the School Admissions Regulations<sup>53</sup>.

3.3 Any person or body who considers that any maintained school or Academy's arrangements are unlawful, or not in compliance with the Code or relevant law relating to admissions, can make an objection to the Schools Adjudicator<sup>54</sup>. The following types of objections cannot be brought<sup>55</sup>:

- a) objections that seek to remove selective arrangements at a maintained school (which are permitted under Section 105 to 109 of the SSFA 1988) or a selective Academy;
- b) objections about own authority admission's decision to increase or keep the same PAN;
- c) objections about a decision by the admission authority of a voluntary controlled or community school to increase or keep the same PAN, unless the objection is brought by the governing body of the school;
- d) objections in respect of an agreed variation from the Code in relation to admission arrangements for an Academy;
- e) objections to arrangements which raise the same or substantially the same matters as the adjudicator has decided on for that school in the last 2 years<sup>56</sup>; and
- f) anonymous objections<sup>57</sup>.

3.4 The Adjudicator may also consider arrangements that come to the

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<sup>53</sup> Regulation 25 of the School Admissions Regulations 2012.

<sup>54</sup> Section 88H of the SSFA 1998.

<sup>55</sup> Regulation 21 of the School Admissions Regulations 2012.

<sup>56</sup> Regulation 22 of the School Admissions Regulations 2012.

<sup>57</sup> Regulation 24 of the School Admissions Regulations 2012. The person or body referring the objection must provide their name and address to the adjudicator.

Adjudicator's attention by other means which the Adjudicator considers may not comply with mandatory requirements.

3.5 Objections to admission arrangements for entry in September 2016 **must** be referred to the Adjudicator by **30 June 2015**. For all subsequent years, objections **must** be referred to the Adjudicator by **15 May** in the determination year<sup>58</sup>. Further information on how to make an objection can be obtained from the [Office of the Schools Adjudicator](#).

## Variations

3.6 Once admission arrangements have been determined for a particular school year, they cannot be revised by the admission authority unless such revision is necessary to give effect to a mandatory requirement of this Code, admissions law, a determination of the Adjudicator or any misprint in the admission arrangements<sup>59</sup>. Admission authorities may propose other variations where they consider such changes to be necessary in view of a major change in circumstances<sup>60</sup>. Such proposals **must** be referred to the Schools Adjudicator for approval, and the appropriate bodies notified<sup>61</sup>. Where the local authority is the admission authority for a community or voluntary controlled school, it **must** consult the governing body of the school before making any reference. A variation to increase a school's PAN is not required to be referred to the Schools Adjudicator<sup>62</sup>.

3.7 Admission authorities **must** notify the appropriate bodies<sup>63</sup> of all variations and **must** display a copy of the full varied admission arrangements on their website until they are replaced by different admission arrangements. Local authorities **must** display the varied admission arrangements on their website where an admission authority has raised its PAN.

## Children with challenging behaviour and those who have been excluded twice

3.8 Admission authorities **must not** refuse to admit children in the normal admissions round on the basis of their poor behaviour elsewhere. Where a child has been permanently excluded from two or more schools there is no need for an admission authority to comply with parental preference for a period of two years from the last exclusion<sup>64</sup>. The twice excluded rule does not apply to children who were below compulsory school age at the time of the exclusion, children who have been re-instated following a permanent

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<sup>58</sup> Regulation 23 of the School Admissions Regulations 2012.

<sup>59</sup> Regulation 19 of the School Admissions Regulations 2012.

<sup>60</sup> Section 88E of the SSFA 1998. Academies do not have to refer proposed variations to their admission arrangements to the Schools Adjudicator, but instead seek agreement with the Secretary of State.

<sup>61</sup> In addition to the bodies listed at paragraph 1.44 (c), (d) and (f) and so far as not covered by them, all governing bodies for community and voluntary controlled schools in the relevant area.

<sup>62</sup> Regulation 20 of the School Admissions Regulations 2012.

<sup>63</sup> See footnote 57.

<sup>64</sup> Section 87 of the SSFA 1998.

exclusion (or would have been had it been practicable to do so)<sup>65</sup>, and children with special educational needs statements or Education, Health and Care Plans.

3.9 Each local authority **must** have a Fair Access Protocol, agreed with the majority of schools in its area to ensure that – outside the normal admissions round - unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible. In agreeing a protocol, the local authority **must** ensure that no school - including those with available places - is asked to take a disproportionate number of children who have been excluded from other schools, or who have challenging behaviour. The protocol **must** include how the local authority will use provision to ensure that the needs of pupils who are not ready for mainstream schooling are met.

3.10 The operation of Fair Access Protocols is outside the arrangements of co-ordination and is triggered when a parent of an eligible child has not secured a school place under in-year admission procedures.

3.11 All admission authorities **must** participate in the Fair Access Protocol in order to ensure that unplaced children are allocated a school place quickly. There is no duty for local authorities or admission authorities to comply with parental preference when allocating places through the Fair Access Protocol.

3.12 Where a governing body does not wish to admit a child with challenging behaviour outside the normal admissions round, even though places are available, it **must** refer the case to the local authority for action under the Fair Access Protocol<sup>66</sup>. This will normally only be appropriate where a school has a particularly high proportion of children with challenging behaviour or previously excluded children. The use of this provision will depend on local circumstances and **must** be described in the local authority's Fair Access Protocol. This provision will not apply to a looked after child, a previously looked after child or a child with a statement of special educational needs or Education, Health and Care Plan naming the school in question, as these children **must** be admitted.

3.13 Admission authorities **must not** refuse to admit a child thought to be potentially disruptive, or likely to exhibit challenging behaviour, on the grounds that the child is first to be assessed for special educational needs.

3.14 A Fair Access Protocol **must not** require a school automatically to take another child with challenging behaviour in the place of a child excluded from the school.

3.15 The list of children to be included in a Fair Access Protocol is to be agreed with the majority of schools in the area but **must**, as a minimum, include the following children of compulsory school age who have difficulty securing a school place:

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<sup>65</sup> Following changes made to the exclusions review framework (Section 51A of the Education Act 2002 will be inserted by Section 4 of the Education Act 2011), in addition to these exceptions, the twice excluded rule will also not apply where, following a permanent exclusion, a review panel has quashed a decision of a governing body not to reinstate a pupil.

<sup>66</sup> Where in the case of an Academy it cannot agree with the local authority over admitting a child, only the Secretary of State can direct the Academy to admit the child.

- a) children from the criminal justice system or Pupil Referral Units who need to be reintegrated into mainstream education;
- b) children who have been out of education for two months or more;
- c) children of Gypsies, Roma, Travellers, refugees and asylum seekers;
- d) children who are homeless;
- e) children with unsupportive family backgrounds for whom a place has not been sought;
- f) children who are carers; and
- g) children with special educational needs, disabilities or medical conditions (but without a statement or Education, Health and Care Plan).

## Local authority powers of direction (general)

3.16 A local authority has the power<sup>67</sup> to direct the governing body of a maintained school for which they are not the admission authority to admit a child in their area even when the school is full. The local authority can only make such a direction in respect of a child in the local authority's area who has been refused entry to, or has been permanently excluded from, every suitable school within a reasonable distance. The local authority **must** choose a school that is a reasonable distance from the child's home and from which the child is not permanently excluded. It **must not** choose a sixth-form that selects by ability unless the child meets the selection requirements, or a school that would have to take measures to avoid breaking the rules on infant class sizes if those measures would prejudice the provision of efficient education or the efficient use of resources.

3.17 Before deciding to give a direction, the local authority **must** consult the governing body of the school, the parent of the child and the child if they are over compulsory school age. If, following consultation, the local authority decides to direct, it **must** inform the governing body and head teacher of the school. The governing body can appeal by referring the case to the Schools Adjudicator within 15 days. If it does this, the governing body **must** tell the local authority. The local authority **must not** make a direction until the 15 days have passed and the case has not been referred.

3.18 If the case is referred to the Adjudicator, the Adjudicator may either uphold the direction or determine that another maintained school **must** admit the child. The Adjudicator's decision is binding. The Adjudicator **must not** direct a school to admit a child if this would require the school to take measures to avoid breaking the rules on infant class sizes and those measures would prejudice the provision of efficient education or the efficient use of resources.

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<sup>67</sup> Sections 96 and 97 of the SSFA 1998.

## Local authority powers of direction (looked after children)

3.19 A local authority also has the power<sup>68</sup> to direct the admission authority for any maintained school in England (other than a school for which they are the admission authority) to admit a child who is looked after by the local authority, even when the school is full. The local authority **must not** choose a school from which the child is permanently excluded but may choose a school whose infant classes are already at the maximum size<sup>69</sup>.

3.20 Before deciding to give a direction, the local authority **must** consult the admission authority of the school it proposes to direct. The admission authority **must** tell the local authority within 7 days whether it is willing to admit the child. If, following consultation, the local authority decides to direct, it **must** inform the admission authority, the governing body (if the school is a voluntary controlled or community school), the local authority that maintains the school, and the head teacher. The admission authority can appeal by referring the case to the Schools Adjudicator within 7 days. If the child has been permanently excluded from two other schools and the most recent exclusion was within the previous two years, the governing body (if the school is a voluntary controlled or community school) may also refer the case to the Adjudicator. The admission authority or governing body **must not** refer the case unless it considers that admitting the child would seriously prejudice the provision of efficient education or the efficient use of resources. If the admission authority or governing body does refer the case, it **must** notify the local authority that looks after the child. The local authority **must not** make a direction until the 7 days have passed and the case has not been referred.

3.21 If the case is referred to the Adjudicator, the Adjudicator may either uphold the direction or determine that another maintained school in England **must** admit the child. The Adjudicator's decision is binding. The Adjudicator **must not** direct an alternative school to admit a child unless the local authority that looks after the child agrees, nor if the child is permanently excluded from that school, nor if the admission of the child would seriously prejudice the provision of efficient education or the efficient use of resources.

## Secretary of State's power of direction (Academies)

3.22 Where a local authority considers that an Academy will best meet the needs of any child, it can ask the Academy to admit that child but has no power to direct it to do so. The local authority and the Academy will usually come to an agreement, but if the Academy refuses to admit the child, the local authority can ask the Secretary of State to intervene. The Secretary of State has the power under an Academy's Funding Agreement to direct the Academy to admit a child, and can seek advice from the Adjudicator in reaching a decision<sup>70</sup>.

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<sup>68</sup> Sections 97A-C of the SSFA 1998.

<sup>69</sup> Looked after children are excepted pupils outside of the normal admissions round under the School Admissions (Infant Class Sizes) (England) Regulations 2012.

<sup>70</sup> Section 25(3A) of the SSFA 1998.

## Local authority reports

3.23 Local authorities **must** produce an annual report on admissions for all the schools in their area for which they co-ordinate admissions, to be published locally and sent to the Adjudicator by **30 June** following the admissions round. The report **must** cover as a minimum:

- a) information about how admission arrangements in the area of the local authority serve the interests of looked after children and previously looked after children, children with disabilities and children with special educational needs, including any details of where problems have arisen;
- b) an assessment of the effectiveness of Fair Access Protocols and co-ordination in their area, including how many children were admitted to each school under them;
- c) the number and percentage of lodged and upheld parental appeals;  
and
- d) any other issues the local authority may wish to include.



## Appendix – Relevant Legislation

1. This appendix sets out the primary legislation and regulations most relevant to admissions decisions. Admission authorities, Schools Adjudicators, appeal panels, local authorities and maintained schools **must** comply with the relevant law as well as acting in accordance with the provisions of this Code. This Code and the School Admission Appeals Code (the Codes) are applied to Academies through their Funding Agreements. The information here aims to signpost the relevant law; it does not aim to provide definitive guidance on interpreting the law: that is for the courts.

### Equality Act 2010

2. This Act consolidates the law prohibiting discrimination, harassment and victimisation and expands the list of protected characteristics. All schools **must** have due regard to their obligations under the Act and review their policies and practices to make sure these meet the requirements of the Act, even if they believe that they are already operating in a non-discriminatory way.
3. An admission authority **must not** discriminate on the grounds of disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil.
4. An admission authority **must not** harass a person who has applied for admission as a pupil, in relation to their disability; race; or sex.
5. An admission authority **must not** victimise a person in relation to a protected act either done, or believed to have been done by that person (e.g. bringing proceedings under the Equality Act 2010) in the arrangements and decisions it makes as to who is offered admission as a pupil.
6. This Act contains limited exceptions to the prohibition of discrimination on grounds of religion or belief and sex. Schools designated by the Secretary of State as having a religious character are exempt from some aspects of the prohibition of discrimination on the grounds of religion or belief and this means they can make a decision about whether or not to admit a child as a pupil on the basis of religion or belief. Single-sex schools are lawfully permitted to discriminate on the grounds of sex in their admission arrangements.
7. Admission authorities are also subject to the Public Sector Equality Duty and therefore **must** have due regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity, and foster good relations in relation to persons who share a relevant protected characteristic and persons who do not share it.
8. The protected characteristics for these purposes are: disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex;



and sexual orientation.

9. Further guidance on the Public Sector Equality Duty is available on the website of the Government Equalities Office and from the Equality and Human Rights Commission.

## Human Rights Act 1998

10. The Human Rights Act 1998 confers a right of access to education. This right does not extend to securing a place at a particular school. Admission authorities, however, do need to consider parents' reasons for expressing a preference when they make admission decisions, though this may not necessarily result in the allocation of a place. These might include, for example, the parents' rights to ensure that their child's education conforms to their own religious or philosophical convictions (as far as is compatible with the provision of efficient instruction and the avoidance of unreasonable public expenditure).

## School Standards and Framework Act 1998

11. Chapter 1 of Part 3 of the School Standards and Framework Act 1998 contains the key provisions regarding schools admissions, including the statutory basis for this Code.
12. Section 86 of the SSFA 1998 provides that the admission authority for a maintained school (with the exception of those that select wholly by ability) **must** comply with any preference expressed by a parent except where to do so would prejudice the provision of efficient education or the efficient use of resources.
13. Section 94 of the SSFA 1998 provides that parents (and in some circumstances children) may appeal against a decision to refuse admission to the school. Two or more admission authorities in the same local authority area may make joint arrangements.
14. The Codes largely include the provisions relating to school admissions made in regulations. The most relevant regulations are:
  - a) The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012;
  - b) The School Admissions (Infant Class Sizes) (England) Regulations 2012;
  - c) The School Admissions (Appeals) (England) Regulations 2012; and
  - d) The School Information (England) Regulations 2008

## Appendix – Sample Admission Arrangements

*These example arrangements are provided for illustrative purposes only – they are not “suggested” arrangements and should not be seen as such. Arrangements for individual schools **must** be set in the context of local circumstances.*

The school has an agreed admission number of 240 pupils for entry in year 7. The school will accordingly admit up to 240 pupils in the relevant age group each year if sufficient applications are received. All applicants will be admitted if 240 or fewer apply.

If the school is oversubscribed, after the admission of pupils with a Statement of Special Educational Needs or Education, Health and Care Plan where the school is named in the Statement or Plan, priority for admission will be given to those children who meet the criteria set out below, in order:

- (1) A 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order<sup>71</sup>. 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).
- (2) Children with a sibling attending the school at the time of application. Sibling is defined in these arrangements as children who live as brother or sister in the same house, including natural brothers or sisters, adopted siblings, stepbrothers or sisters and foster brothers and sisters.
- (3) Other children by distance from the school, with priority for admission given to children who live nearest to the school as measured by using Ordnance Survey data to plot an address in this system. Distances are measured from the main entrance of the child's home to the main entrance of the school as specified in the school information pack.

Random allocation will be used as a tie-break in category '3' above to decide who has highest priority for admission if the distance between two children's homes and the school is the same. This process will be independently verified.

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<sup>71</sup> An adoption order is an order under the Adoption Act 1976 (see section 12 adoption orders) and children who were adopted under the Adoption and Children Act 2002 (see section 46 adoption orders) Children Act 2002. A 'child arrangements order' is an order settling the arrangements to be made as to the person with whom the child is to live under Section 8 of the Children Act 1989 as amended by s.14 of the Children and Families Act 2014. Section 14A of the Children Act 1989 defines a 'special guardianship order' as an order appointing one or more individuals to be a child's special guardian (or special guardians).

## The Admissions Timeline

The timetable and procedures for admissions are set out in both this Code and the School Admissions Regulations 2012<sup>72</sup>. The admissions timeline applies to all state funded schools including Academies and Free Schools (through their funding agreement).

Local Authorities have a key role in providing information to parents on admission arrangements and schools in their area and in co-ordinating school admissions for parents for all state funded schools. Local authorities will also be notified and have oversight of the outcome of all in-year applications.

In the normal admissions round (i.e. October - end February), parents apply to the local authority in which they live for places at their preferred primary or secondary schools. For late applications outside the normal round of admissions (i.e. March - end August), parents apply to the local authority. For in-year applications (i.e. September onwards) there is no requirement for local authorities to co-ordinate applications but they **must**, on request, provide information to a parent about the places still available in all schools within its area, and a suitable form for parents to complete when applying for a place for their child at any school for which they are not the admission authority. Any parent can apply for a place for their child at any time to any school outside the normal admissions round. Parents can apply directly to own admission authority schools.

## Example timetable

### Determination Year (2015/16)<sup>73</sup>

(The school year in which admission authorities determine their admission arrangements)

1 October 2015	Earliest date to start consultation on proposed arrangements. Consultation <b>must</b> last a minimum of 6 weeks.
1 January 2016	Deadline for the local authority to formulate a co-ordinated scheme for state funded schools in their area, including any new school or Academy which is expected to open.
31 January 2016	Deadline for the completion of the consultation on proposed admission arrangements.
28 February 2016	Deadline for admission arrangements to be determined even if they have not changed from the previous year and a consultation has not been required.
28 February 2016	After which the Secretary of State may impose a co-ordinated scheme if local agreement has not been

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<sup>72</sup> These regulations will be amended to implement the timetable changes.

<sup>73</sup> A different timetable applies for determination year 2014/15 and this is set out in paragraphs 1.43 to 1.51.

secured by this date.

- 15 March 2016 Deadline for admission authorities to send a copy of their full determined admission arrangements to their local authority.
- 15 March 2016 Deadline for local authorities to publish on their website the proposed admission arrangements for any new school or Academy which is intended to open within the determination year, details of where the determined arrangements for all schools, including Academies, can be viewed, and information on how to refer objections to the Schools Adjudicator.
- 15 May 2016 Deadline for objections to the Schools Adjudicator.
- 30 June 2016 Deadline for local authorities to report to the Schools Adjudicator on admission arrangements in their area.
- 8 August 2016 Deadline for governing bodies to provide admission arrangements information to the local authority to allow them to compile composite prospectus.

### **Offer Year (2016/17)**

- 12 September 2016 Deadline for local authorities to publish composite prospectus.
- 31 October 2016 National closing date for secondary school applications.
- 15 January 2017 National closing date for primary school applications.
- 28 February 2017 Deadline for admission authorities to publish their appeals timetable on their website.
- 1 March 2017 National offer day for secondary school places.
- 16 April 2017 National offer day for primary school places.
- 30 June 2017 Deadline for local authorities to report to the Schools Adjudicator on admission arrangements in their area.

### **Appeals**

The timescales within which admission authorities must ensure that appeals are heard are detailed in Section 2 of the School Admission Appeals Code. For example, for applications made in the normal admissions round, appeals must be heard within 40 days of the deadline for lodging appeals.

**September 2017 New intake starts at school.**

# Glossary

## **Academic Year**

A period commencing with 1 August and ending with the next 31 July, as defined by Section 88M of the SSFA 1998.

## **Admission Authority**

The body responsible for setting and applying a school's admission arrangements. For community or voluntary controlled schools, this body is the local authority unless it has agreed to delegate responsibility to the governing body. For foundation or voluntary aided schools, this body is the governing body of the school. For Academies, this body is the Academy Trust.

## **Admission Arrangements**

The overall procedure, practices and oversubscription criteria used in deciding the allocation of school places including any device or means used to determine whether a school place is to be offered.

## **Admission Number (or Published Admission Number – (PAN))**

The number of school places that the admission authority must offer in each relevant age group of a school for which it is the admission authority. Admission numbers are part of a school's admission arrangements.

## **Banding**

A system of oversubscription criteria in which all children applying for a place at a banding school are placed into ability bands based on their performance in a test or other assessment. Places are then allocated so that the school's intake either reflects the ability profile of those children applying to the school, those children applying to a group of schools banding jointly, the local authority ability profile or the national ability profile.

## **Catchment Area**

A geographical area, from which children may be afforded priority for admission to a particular school. A catchment area is part of a school's admission arrangements and must therefore be consulted upon, determined and published in the same way as other admission arrangements.

## **Common Application Form (CAF)**

The form parents complete, listing their preferred choices of schools, and then submit to local authorities when applying for a school place for their child as part of the local co-ordination scheme, during the normal admissions round. Parents must be allowed to express a preference for a minimum of three schools on the relevant common application form as determined by their local authority. Local authorities may allow parents to express a higher number of preferences if they wish.

## **Composite prospectus**

The prospectus that a local authority is required to publish by 12 September in the offer year. This prospectus must include detailed admission arrangements of all maintained schools in the area (including admission numbers and catchment areas).

## **Conditionality**

Oversubscription criterion that stipulates conditions which affect the priority given to an application, for example taking account of other preferences or giving priority to families who include in their other preferences a particular type of school (e.g. where other schools are of the same religious denomination). Conditionality is prohibited by this Code.

## **Co-ordination / Co-ordinated Scheme**

The process by which local authorities co-ordinate the distribution of offers of places for schools in their area. All local authorities are required to co-ordinate the normal admissions round for primary and secondary schools in their area. Schools can take in-year applications directly from parents, provided they notify their local authority of each application and its outcome.

## **Determined Admission Arrangements**

Admission arrangements that have been formally agreed by the admission authority, for example, agreed at a meeting of the admission authority and the decision recorded in the minutes of the meeting.

## **Determination Year**

The school year immediately preceding the offer year. This is the school year in which admission authorities determine their admission arrangements.

## **First Preference First**

Oversubscription criterion that giving priority to children according to the order of other schools named as a preference by their parents, or only considering applications stated as a first preference. The First Preference First oversubscription criterion is prohibited by this Code.

## **Governing Bodies**

School governing bodies are bodies corporate responsible for conducting schools with a view to promoting high standards of educational achievement. Governing bodies have three key roles: setting strategic direction, ensuring accountability, and monitoring and evaluation.

## **Grammar Schools (designated)**

These were the 164 schools that were designated under Section 104(5) of the SSFA 1998 as grammar schools. A 'grammar school' is defined by Section 104(2) of that Act as a school which selects all (or substantially all) of its pupils on the basis of general (i.e. academic) ability. At the time of publication, most grammar schools have converted to Academy status.

## **Home Local Authority**

A child's home local authority is the local authority in whose area the child resides.

## **Infant Class Size Exceptions**

The School Admissions (Infant Class Sizes) (England) Regulations 2012

permit children to be admitted as exceptions to the infant class size limit. These are set out in paragraph 2.15.

### **Infant Class Size Limit**

Section 1 of the SSFA 1998 limits the size of an infant class (i.e. a class in which the majority of children will reach the age of five, six or seven during the school year) to 30 pupils per school teacher.

### **Local Government Ombudsman**

An independent, impartial and free service that investigates complaints about maladministration of certain public bodies.

### **Looked After Children (see also Previously Looked After Children)**

Children who are in the care of local authorities as defined by Section 22 of the Children Act 1989. In relation to school admissions legislation a 'looked after child' is a child in public care at the time of application to a school.

### **Maintaining Local Authority**

The area in which a school is located is referred to as the maintaining local authority.

### **National Offer Day**

The day each year on which local authorities are required to send the offer of a school place to all parents of secondary age pupils in their area. For secondary pupils, offers are sent out by the home local authority on 1 March. For primary pupils, this will be on a locally determined date in 2013, then on 16 April from 2014 onwards.

### **Normal Admissions Round**

The period during which parents are invited to express a minimum of three preferences for a place at any state-funded school, in rank order on the common application form provided by their home local authority. This period usually follows publication of the local authority composite prospectus on 12 September, with the deadlines for parental applications of 31 October (for secondary places) and 15 January (for primary places), and subsequent offers made to parents on National Offer Day as defined above.

### **Offer Year**

The school year immediately preceding the school year in which pupils are to be admitted to schools under the admission arrangements in question. This is the school year in which the offers of school places are communicated.

### **Oversubscription**

Where a school has a higher number of applicants than the school's published admission number.

### **Oversubscription Criteria**

This refers to the published criteria that an admission authority applies when a school has more applications than places available in order to decide which

children will be allocated a place.

### **Previously Looked After Children**

Previously looked after children are children who were looked after, but ceased to be so because they were adopted (or became subject to a child arrangements order or special guardianship order).

### **Reception Class**

Defined by Section 142 of the SSFA 1998 as a class in which education is provided which is suitable for children aged five and any children who are under or over five years old whom it is expedient to educate with pupils of that age.

### **Relevant Age Group**

The age group to which children are normally admitted. Each relevant age group must have admission arrangements, including an admission number. Some schools (for example schools with sixth forms which admit children into the sixth form) may have more than one relevant age group.

### **Relevant Area**

The area for a school (determined by its local authority and then reviewed every two years) within which the admission authority for that school must consult all other prescribed schools on its admission arrangements.

### **Schools Adjudicator**

A statutory office-holder who is appointed by the Secretary of State for Education, but is independent. The Adjudicator decides on objections to published admission arrangements of all state-funded schools and variations of determined admission arrangements for maintained schools.

### **School Year**

The period beginning with the first school term to begin after July and ending with the beginning of the first such term to begin after the following July, as defined by Section 579 of the Education Act 1996.

### **Statement of Special Educational Need (SEN)**

A Statement of Special Educational Need is a statement made by the local authority under Section 324 of the Education Act 1996, specifying the special educational provision required for that child

### **Twice Excluded Pupils**

A child who has been permanently excluded from two or more schools.

### **Waiting Lists**

A list of children held and maintained by the admission authority when the school has allocated all of its places, on which children are ranked in priority order against the school's published oversubscription criteria.



# Index

## A

Ability/Aptitude: 1.17, 1.24, 1.32 a)  
Academies: 4, 12, 1.49, 3.3, 3.22  
Adjudicator, Schools: 3 c), 6-10, 1.3, 1.49-1.50, 3.1-3.5, 3.16-3.22  
Admission arrangements: 2, 4, 5-9, 11, 14-15, 1.1-1.51, 2.16-2.19  
Admission number (PAN): 1.2-1.5, 1.48, 3.3 b), 3.6-3.7  
Admission authorities: 5, 10, 11, 13-15, 1.1-1.51, 3.7  
Admission of children below compulsory age: 2.16  
Admission of children outside normal age group: 2.17, 2.17A, 2.17B  
Allocating places: 2.7-2.11  
Appeals: 15 f), 2.22, 2.24  
Applying for places: 2.1-2.12  
Applying for places at sixth form: 2.6  
Armed forces/UK service personnel: 2.18  
Asylum seekers and refugees: 3.15 c)

## B

Banding: 1.25-1.30  
Behaviour: 1.9 g), 3.8-3.9  
Birth certificates: 2.5  
Boarding schools: 1.9 k), 1.9 m), 1.40-1.41

## C

Catchment areas: 1.14  
Challenging behaviour: 3.8; 3.12  
Children below compulsory school age: 2.16  
Children from overseas: 2.19  
Children of staff: 1.39  
Children of armed forces/UK service personnel: 2.18  
Children outside their normal age group: 2.17  
Common Application Form (CAF): 2.1-2.3, 2.6  
Composite prospectus: 1.51, 2.21  
Conditionality: 1.9 a)  
Consultation: 15 b), 1.3, 1.42-1.45  
Co-ordination: 2.20-2.23

## D

Deferred entry: 2.16  
Determination of admission arrangements: 1.46-1.50  
Direction (local authority powers): 3.16-3.18  
Direction (local authority powers – looked after children): 3.19-3.21  
Direction (Secretary of State's powers – academies): 3.22  
Disability: 1.8, 1.9 h), 1.32 b), 2.4 c)

## E

Equality Act: Appendix 2  
Excluded pupils: 3.9  
Excepted pupils: 2.15

## F

Fair Access Protocols (FAP): 2.14, 3.9-3.15  
Faith based oversubscription criteria: 1.36-1.38  
Faith, schools designated with a religious character: 1.36, 1.37, 1.44 f), 1.47, 2.8, 2.9 b)  
Feeder schools: 1.9 b), 1.9 l), 1.15  
Financial contributions: 1.9 e), 1.9 n)  
Financial status: 1.9 f)  
Free school meals: 1.9 f)

## **G**

Gifted and talented children: 2.17  
Governing body: 3 b), 11  
Grammar schools: 1.6, 1.9 j), 1.18-1.20

## **H**

Homeless children: 3.15 d)  
Human Rights Act: Appendix 10

## **I**

In-year admission/application: 2.21  
Independent school: 1.9 l)  
Infant class size: 2.15

## **L**

Local authority reports: 6, 3.23  
Looked after children and previously looked after children: 1.7, 1.19-1.20, 1.23, 1.28, 1.37, 1.41 a), 2.5-2.6, 2.14, 3.12, 3.19-3.21

## **M**

Medical and social need: 1.16  
Misprints in admission arrangements: 3.6  
Multiple births: 2.15 g)

## **N**

National Offer Day: 15 e), 2.23 b) & c)  
Normal admissions round: 15 d), 2.1  
Nurseries: 1.9 e), 1.39B

## **O**

Objections to determined admission arrangements: 7-8, 15 c), 1.49-1.50, 3.2-3.5  
Offering a place: 2.8-2.11, 2.23  
Overseas children: 2.19  
Oversubscription criteria: 1.6-1.41

## **P**

Partial selection: 1.21-1.23, 1.24, 1.29  
Photographs: 1.9 o)  
Preferred schools 1.9 c)  
Previous schools: 1.9 b)  
Proof of address: 2.5  
Prospectus: 1.51, 2.21  
Public Sector Equality Duty: Appendix 7 & 9  
Published Admission Number (PAN): 1.2-1.5, 1.48, 3.3 b), 3.6-3.7

Pupil Premium: 1.9 f), 1.39A, 1.39B

## **R**

Racial groups: 1.8

Random allocation: 1.34-1.35

Religious character, schools designated with: 1.36, 1.37, 1.44 f), 1.47, 2.8, 2.9 b)

Refugees and asylum seekers: 3.15 c)

Relevant age group: 1.2, 1.7

## **S**

School closure: 2.25

Schools Adjudicator: 3 c), 6-10, 1.3, 1.49-1.50, 3.1-3.5, 3.16-3.22

School trips: 1.8

School uniform: 1.8

Selection by ability: 1.9 d), 1.17-1.23, 3.3 a)

Selection by aptitude: 1.17, 1.24

Service children: 2.18

Service Premium: 1.9 f), 1.39A-B

Siblings: 1.9 j), 1.11-1.12

Sixth form: 1.9 m), 2.6

Social and medical need: 1.16

Special Educational Needs (SEN): 1.6, 1.8, 1.9 h), 1.30, 1.32 b), 2.4 c), 2.15 h), 3.12-3.13, 3.15 g)

Summer born children: 2.17, 2.17A, 2.17B

Supplementary Information Form (SIF): 1.40, 2.4

## **T**

Tests (Selection): 1.31-1.33

Tie breaker: 1.8

Travellers / Gypsies / Roma: 3.15 c)

## **U**

Uniform: 1.8

## **V**

Variations (to determined admission arrangements): 3.6-3.7

Vulnerable children: 3.9

## **W**

Waiting lists: 2.14

Withdrawing an offer: 2.12-2.13



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Department  
for Education

# **School Admission Appeals Code**

**Statutory guidance for school leaders,  
governing bodies and local authorities**

**February 2012**

## Contents

<b>Statutory basis for the School Admission Appeals Code .....</b>	<b>4</b>
<b>Introduction.....</b>	<b>6</b>
<b>Section 1: Constitution of Appeal Panels .....</b>	<b>7</b>
Membership.....	7
Training.....	8
Roles and responsibilities .....	8
Indemnity .....	9
Costs .....	9
<b>Section 2: Appeal Hearings.....</b>	<b>10</b>
Timetable .....	10
Notifying appellants of the right to appeal and the appeal hearing .....	11
Production of evidence from the admission authority prior to the hearing.....	11
Attendance and representation .....	11
The appeal hearing .....	12
The order of the hearing .....	12
Multiple appeals.....	12
Guiding principles for appeal panels .....	13
Reaching a decision.....	13
Notification of the decision .....	13
Notes and records of proceedings .....	14
<b>Section 3: Reaching Decisions on Appeals .....</b>	<b>15</b>
Two stage process.....	15
First stage – examining the decision to refuse admission .....	15
Second stage – balancing the arguments .....	16
Consideration of prejudice .....	16
Appeals for grammar schools .....	16
Appeals for admission to sixth forms .....	17
Boarding schools .....	17
Children with disabilities.....	18
Children with statements of special educational needs.....	18
Waiting lists.....	18
Expressing a preference and Fair Access Protocols .....	18

<b>Section 4: Infant Class Size Appeals.....</b>	<b>20</b>
Two stage process.....	20
First stage – examining the decision to refuse admission.....	20
Second stage – comparing cases .....	21
Consideration of ‘reasonableness’ .....	21
Deferred entry to primary schools .....	21
The provision of information to parents on infant class size appeals .....	22
<b>Section 5: Further appeals and complaints about appeals .....</b>	<b>23</b>
Further appeals.....	23
Complaints about appeals .....	23
<b>Section 6: Appeals by governing bodies against local authority decisions to admit twice excluded children .....</b>	<b>24</b>
Notice of appeal .....	24
Appeal panels .....	24
The appeals procedure .....	24
<b>Appendix 1: Relevant Legislation.....</b>	<b>26</b>
<b>Appendix 2: Further information about the Local Government Ombudsman</b>	<b>28</b>

## Statutory basis for the School Admission Appeals Code

1. The School Admission Appeals Code ('this Code') has been issued under Section 84 of the School Standards and Framework Act 1998. It has been made following a consultation under Section 85(2) of that Act and after being laid before Parliament for forty days.
2. This Code comes into force on **1 February 2012** and applies to all appeals lodged on or after that date. It applies to admission appeals for all maintained schools in England. It should be read alongside the School Admissions (Appeal Arrangements) (England) Regulations 2012, the School Admissions Code and other guidance and law that affect admissions and admission appeals in England.
3. Appeals lodged before 1 February 2012 **must** be heard in accordance with the 2009 Admission Appeals Code and the Education (Admission Appeals Arrangements) (England) Regulations 2002 as amended.
4. This Code imposes mandatory requirements and includes guidelines setting out aims, objectives and other matters in relation to the discharge of functions by the bodies listed below:
  - a) **admission authorities of maintained schools** as defined in Section 88(1)(a) and (b) of the School Standards and Framework Act 1998;
  - b) **governing bodies and local authorities** (when not admission authorities);
  - c) **admission appeal panels**.

These bodies have a statutory duty to act in accordance with the relevant provisions of the Code.

### Application of the Code to Academies

5. Academies, by which we mean Academy Schools<sup>1</sup> (including those that are Free Schools), University Technical Colleges and Studio Schools, are state-funded, non fee-paying independent schools set up under a funding agreement between the Secretary of State and the proprietor of an Academy (most commonly, and hereafter, referred to as an Academy Trust). Academies are required by their funding agreements to comply with the Code and the law relating to admissions, though the Secretary of State has the power to vary this requirement where there is demonstrable need.

The table overleaf sets out the admission authority for each type of school in England<sup>2</sup>.

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<sup>1</sup> Section 53 of the Education Act 2011 will insert Section 1A, which defines an Academy School, into the Academies Act 2010 when it comes into force in 2012. At the time of laying the Code, Academies are defined in Section 1 of the Academies Act.

<sup>2</sup> For community and voluntary controlled schools the admission authority is usually the local authority, but it may be the governing body if the local authority with the governing body's agreement has delegated responsibility to it for determining admission arrangements.



<b>Type of school</b>	<b>Who is the admission authority?</b>	<b>Who is responsible for arranging an admission appeal?</b>
Academies	Academy Trust	Academy Trust
Community schools	Local Authority	Local Authority
Foundation schools	Governing body	Governing body
Voluntary aided schools	Governing body	Governing body
Voluntary controlled schools	Local Authority	Local Authority

6. The admission authorities of foundation and voluntary aided schools and Academies may ask another body, e.g. the local authority, to carry out some or all of their admissions functions on their behalf. However, the admission authority remains responsible for ensuring those functions are carried out properly.

7. This Code deals with two separate categories of admission appeals:

- a) appeals by parents, and in certain circumstances children (see paragraph 8 below), against an admission authority's decision to refuse admission; and
- b) appeals by governing bodies of community or voluntary controlled schools against a decision by the local authority, as their admission authority, to admit to their school a child who has been permanently excluded from two or more schools.

8. Children have the right to appeal against an admission authority's decision to refuse them admission:

- a) to a school sixth-form; or
- b) to a school at which they wish to receive education other than sixth form education once they have ceased to be of compulsory school age.

## Introduction

### Purpose of this Code

The purpose of this Code is to ensure the independence of admission appeal panels and to ensure that all admission appeals for maintained schools and Academies are conducted in a fair and transparent way.

This Code has the force of law. Where it imposes mandatory requirements, or refers to requirements in legislation, the words '**must**' or '**must not**' are used.

This Code is designed to give admission authorities the freedom they need to run the appeals process efficiently, whilst maintaining minimum requirements which will ensure fairness and transparency. In drawing up this simpler, shorter Code, we have been guided by the principle that admission authorities are best placed to decide how to meet those requirements.

## Section 1: Constitution of Appeal Panels

1.1. Under Section 94 of the School Standards and Framework Act 1998, responsibility for making arrangements for appeals against the refusal of a school place rests with the admission authority of the school. The admission authority and appeal panel **must** act in accordance with this Code, the School Admissions (Appeal Arrangements) (England) Regulations 2012, the School Admissions Code, other law relating to admissions<sup>3</sup>, and relevant human rights and equalities legislation, for example, the Equality Act 2010.

1.2. Appeal panels perform a judicial function and **must** be transparent, accessible, independent and impartial, and operate according to principles of natural justice.

1.3. Two or more admission authorities in the same local authority area may make joint arrangements for hearing appeals.

### Membership

1.4. Admission authorities **must** appoint a clerk to the appeal panel who is independent of the school and the education functions of the local authority. The clerk **must** have knowledge of this Code, the School Admissions Code, other law relating to admissions and other relevant law, and be able to offer advice to enable the panel to undertake its judicial function.

1.5. The admission authority, or the clerk acting on behalf of the admission authority, **must** appoint an independent appeal panel that is comprised of a chair and at least two other panel members. A panel **must** consist of the following persons with at least one from each category:

- a) lay people (someone without personal experience in the management of any school or provision of education in any school (except as a school governor or in another voluntary capacity));
- b) people who have experience in education, who are acquainted with educational conditions in the local authority area, or who are parents of registered pupils at school.

1.6. Admission authorities **must** ensure that panel members are independent and retain their independence for the duration of their service.

1.7. The School Admissions (Appeal Arrangements) (England) Regulations 2012 disqualify certain people from membership of an appeal panel. The clerk to the panel **must not** allow a disqualified person to be a member of a panel. A person is disqualified if they are:

- a) a member of the local authority which is the admission authority or in whose area the school in question is located;
- b) a member or former member of the governing body of the school in question;
- c) employed by the local authority or governing body of the school in question, other than as a teacher or teaching assistant<sup>4</sup>;
- d) any person who has, or at any time has had, any connection with the authority,

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<sup>3</sup> The main provisions relating to admissions are in chapter 1 of Part 3 of the School Standards and Framework Act 1998.

<sup>4</sup> A teaching assistant is a person who carries out work under paragraph 10 of Schedule 2 to the Education (Specified Work and Registration) (England) Regulations 2003.

- school or any person in sub-paragraph c) above which might reasonably be taken to raise doubts about that person's ability to act impartially;
- e) any person who has not attended training required by the admission authority arranging the appeal panel.

1.8 A person employed as a teacher or a teaching assistant by the local authority or the governing body of another school maintained by the authority may not be taken, by reason only of that employment, to have such a connection with the authority as mentioned in paragraph 1.7(d) above. A person who is a teacher or teaching assistant at a school may not be a member of an appeal panel for the consideration of an appeal for that school. A person may not be a member of an appeal panel for the consideration of a decision not to offer a child a place where they were involved in making that decision or provided information which contributed to the decision.

1.9 Where a panel starts with three members, and one has to temporarily withdraw (for example because of illness), the panel **must** postpone the remaining hearings until the third panel member returns. If the panel member is unable to return, a replacement **must** be appointed and all appeals **must** be reheard. Any appeals which have been part heard before the withdrawal of the panel member **must** be reheard.

## **Training**

1.10 Panel members and clerks **must not** take part in hearings until they have received appropriate training. Admission authorities **must** arrange and fund up-to-date training for appeal panel members on any aspect felt to be relevant to the functioning of the panel. As a minimum, this **must** include the law relating to admissions; their duties under the Human Rights Act 1998 and Equality Act 2010; procedural fairness and natural justice; and the roles of particular panel members (for example, chairing skills). It is the responsibility of the clerk to ensure that all panel members have received any training necessary to enable them to fulfil their role.

## **Roles and responsibilities**

### **The clerk**

1.11 The clerk **must** provide an independent and impartial service. Wherever possible, an appeal panel should have the same clerk for all appeals for a particular year group at a particular school. The clerk's role (in addition to that set out in paragraph 1.10 above) is to make the necessary administrative arrangements for hearings (unless a separate appeals administrator is appointed for this purpose); to notify the parties of the order of proceedings in advance of the hearing; to respond to queries from appellants in advance of the hearing, or to identify the appropriate person to provide a response; to be an independent source of advice (or to seek appropriate advice) on procedure and on admissions law; to keep an accurate record of proceedings; and to provide the parties with written notification of the panel's decision.

### **The chair**

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

ask questions.

## **Indemnity**

1.13 Admission authorities **must** indemnify the members of any appeal panel against any reasonable legal costs and expenses they incur in connection with any decision or action taken in good faith whilst acting as members of the appeal panel.

## **Costs**

1.14 Local authorities **must** allocate reasonable funds to governing bodies of maintained schools which are admission authorities to meet admission appeals costs, including training for panel members, unless the school and local authority agree that the local authority will carry out the administration on the governing body's behalf. Academies receive funding in accordance with their funding agreements.

1.15 Panel members are eligible to receive travel and subsistence allowances and can also be compensated for any loss of earnings or any expenses, including child minding costs, which are necessarily incurred as a result of attending an appeal hearing or associated training<sup>5</sup>. The rate of payment for community and voluntary controlled schools is set by the local authority which **must** have regard to the recommendations of its independent remuneration panel<sup>6</sup>. The rate of payment for voluntary aided and foundation schools and Academies should be set by the respective governing body or Academy Trust with regard to the rate set by the local authority.

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<sup>5</sup> In accordance with the application of Sections 173 and 174 of the Local Government Act 1972 as provided for by the School Admission (Appeals Arrangements) (England) Regulations 2012.

<sup>6</sup> As provided for in the Local Authorities (Members Allowances) Regulations 2003 (SI 2003/1021).

## Section 2: Appeal Hearings

### Timetable

- 2.1 Admission authorities **must** set a timetable for organising and hearing appeals that:
- a) 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;
  - b) ensures that appellants receive at least 10 school days' notice of their appeal hearing;
  - c) 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;
  - d) ensures that decision letters are sent within five school days of the hearing wherever possible.
- 2.2 Admission authorities **must** publish their appeals timetable on their website by **28 February** each year.
- 2.3 Admission authorities **must** ensure that appeals lodged by the appropriate deadlines are heard within the following timescales:
- a) for applications made in the normal admissions round<sup>7</sup>, appeals **must** be heard within 40 school days of the deadline for lodging appeals;
  - b) for late applications<sup>8</sup>, appeals should be heard within 40 school days from the deadline for lodging appeals where possible, or within 30 school days of the appeal being lodged;
  - c) for applications to sixth forms:
    - i) where the offer of a place would have been conditional upon exam results, appeals **must** be heard within 30 school days of confirmation of those results;
    - ii) where the offer of a place would not have been conditional upon exam results, appeals **must** be heard within 40 school days of the deadline for lodging appeals;
  - d) for applications for in-year admissions<sup>9</sup>, appeals **must** be heard within 30 school days of the appeal being lodged.
- 2.4 Any appeals submitted after the appropriate deadline **must** still be heard, in accordance with whatever timescale is set out in the timetable published by the admission

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<sup>7</sup> Under the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 an application is made in the 'normal admissions round' if it is not a 'late application' or an 'in-year application': see footnotes 8 and 9.

<sup>8</sup> An application is a 'late' application if it is for the admission of a child to a relevant age group; it is submitted before the first day of the school term of the admission year; and a determination relating to the application is not made by an authority on or before the offer date. The 'relevant age group' is the age group at which pupils are or will normally be admitted to the school e.g. reception or year 7 (Section 142 of the School Standards and Framework Act 1998).

<sup>9</sup> An application is an 'in-year' application if it is for the admission of a child to a relevant age group and it is submitted on or after the first day of the first school term of the admission year, or it is for the admission of a child to an age group other than a relevant age group.

authority.

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

2.5 When a local authority or an admission authority informs a parent of a decision to refuse their child a place at a school for which they have applied, it **must** include the reason why admission was refused; information about the right to appeal; the deadline for lodging an appeal and the contact details for making an appeal. Parents **must** be informed that, if they wish to appeal, they have to set out their grounds for appeal in writing. Admission authorities **must not** limit the grounds on which an appeal can be made.

2.6 Where a child is refused admission to a sixth form, they and their parents have the same right of appeal and where they appeal separately admission authorities **must** arrange the appeals so that they are heard together.

2.7 No later than 10 school days before the hearing, the admission authority **must** provide appellants with written notification of the date of and arrangements for the hearing. The notification **must** include a deadline for the submission of any further evidence that was not sent with the initial appeal. Admission authorities **must** inform appellants that any information or evidence not submitted by the deadline might not be considered at the appeal (see paragraph 2.10 below). Admission authorities **must** ask appellants whether they intend to call any witnesses or be represented at the hearing. Parents may waive their right to 10 school days' notice of the hearing.

2.8 Admission authorities **must** comply with reasonable requests from parents for information which they need to help them prepare their case for appeal.

### **Production of evidence from the admission authority prior to the hearing**

2.9 The admission authority **must** supply the clerk to the appeal panel with all relevant documents needed to conduct the hearing in a fair and transparent manner and in accordance with the specified timetable. This **must** include details of how the admission arrangements and the co-ordinated admissions scheme apply to the appellant's application, the reasons for the decision to refuse admission and an explanation as to how admission of an additional child would cause prejudice to the provision of efficient education or efficient use of resources.

2.10 The clerk **must** send all the papers required for the hearing, including the names of the panel members, to both the parties and the members of the panel a reasonable time before the date of the hearing. This will allow opportunity for any objections regarding impartiality of panel members to be notified to the clerk. An appeal panel **must** decide whether any material not submitted by the specified deadline is to be considered, taking into account its significance and the effect of a possible need to adjourn the hearing.

### **Attendance and representation**

2.11 The admission authority **must** provide a presenting officer to present the decision not to admit the child and to answer detailed questions about the case being heard and about the school. If no presenting officer attends on the day of the appeal, the panel can decide to resolve the case by using the evidence submitted by the admission authority if it is satisfied that to do so will not disadvantage the appellant.

2.12 Appeal panels **must** allow appellants the opportunity to appear in person and make oral representations. Appellants may be represented, or accompanied by a friend. Where an appellant fails, or is unable, to attend and it is impractical to offer an alternative date the appeal may go ahead and be decided on the written information submitted. Appeal panels **must** comply with their duties under the Equality Act 2010 when considering an appellant's attendance and representation at the appeal.

2.13 Panels **must not** allow representatives of schools to support individual appeals for places at their school at the hearing itself, or by providing letters of support for appellants. Such support could create conflicts of interest and unfairness to other appellants.

### **The appeal hearing**

2.14 Admission authorities **must** take all reasonable steps to ensure the venue is appropriate, accessible to appellants, and has a suitable area for appellants and presenting officers to wait separately from the panel before and between appeals.

2.15 Admission authorities **must** ensure that appeal hearings are held in private<sup>10</sup>, and are conducted in the presence of all panel members and parties. One party **must not** be left alone with the panel in the absence of the other. Where one party is unable to or has failed to attend the clerk **must** remain with the panel and remaining party at all times.

### **The order of the hearing**

2.16 The clerk **must** notify the parties of the order of the proceedings in advance of the hearing. A suggested order is set out below:

- a) case for the admission authority;
- b) questioning by appellant(s) and panel;
- c) case for the appellant(s);
- d) questioning by the admission authority and panel;
- e) summing up by the admission authority;
- f) summing up by the appellant(s).

2.17 The order may need to be varied slightly for grouped multiple appeals (see paragraph 2.20 below). When a parent's and a child's appeals are heard jointly the panel **must** give both the parent and the child the opportunity to present their case. Each may present a different argument. The panel **must** hear all the evidence on an issue before deciding that issue. The panel may decide issues as they occur during a hearing or at the end, but **must** retire to reach such decisions.

### **Multiple appeals**

2.18 Multiple appeals are when a number of appeals have been received in relation to the same school. Admission authorities **must** take all reasonable steps to ensure that multiple appeals for a school are heard by one panel with the same members. Where more than one panel has to consider appeals for the same school, each panel **must** make its own decision independently. A panel hearing multiple appeals **must not** make decisions on any of those

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<sup>10</sup> Except in the first stage of grouped multiple appeals (see paragraph 2.20).



appeals until all the appeals have been heard.

2.19 Multiple appeals may be heard either individually or in groups. Hearing multiple appeals individually means holding a series of consecutive appeal hearings. The panel **must** ensure that the presenting officer does not produce new evidence in later appeals that was not presented in earlier appeals as this would mean that appellants whose cases were heard earlier in the process would not have the opportunity to consider and respond to the new evidence. If material new evidence comes to light during the questioning of the presenting officer, the clerk **must** ensure that the panel considers what bearing that evidence may have on all appeals.

2.20 When multiple appeals are grouped, the presenting officer's case is usually heard in the presence of all the appellants at the beginning of the hearing (or sometimes at the start of each day when a hearing runs over a number of days). The appellants' cases are then heard individually without the presence of other appellants. Where there are a large number of appeals, holding grouped multiple appeals offers efficiencies.

### **Guiding principles for appeal panels**

2.21 Appeal panels **must** operate according to the principles of natural justice. Those most directly relevant to appeals are:

- a) members of the panel **must not** have a vested interest in the outcome, or any involvement in an earlier stage, of the proceedings;
- b) each side **must** be given the opportunity to state their case without unreasonable interruption; and
- c) written material and evidence **must** have been seen by all the parties.

### **Reaching a decision**

2.22 Appeal panels **must** either uphold or dismiss an appeal and **must not** uphold an appeal subject to any specified conditions. Under Section 94(6) of the School Standards and Framework Act 1998, a panel's decision that a child shall be admitted to a school is binding on the admission authority concerned.

2.23 Panels **must** ensure that appeals are decided by a simple majority of votes cast. Where the votes are equally divided the panel chair has a second or casting vote. Sections 3 and 4 of this Code provide detail on the decision making process.

### **Notification of the decision**

2.24 The panel **must** communicate the decision of each appeal, including the reasons for that decision, in writing to the appellant, the admission authority and the local authority. The clerk or chair **must** sign the decision letter and send it to the parties as soon as possible after the hearing but not later than five school days, unless there is good reason. In the case of applications outside the normal admissions round, the child **must** be admitted without unnecessary delay.

2.25 The panel **must** ensure that the decision is easily comprehensible so that the parties can understand the basis on which the decision was made. The decision letter **must** contain a summary of relevant factors that were raised by the parties and considered by the panel. It

**must** also give clear reasons for the panel's decision, including how, and why, any issues of fact or law were decided by the panel during the hearing.

### **Notes and records of proceedings**

2.26 The clerk **must** ensure an accurate record is taken of the points raised at the hearing, including the proceedings, attendance, voting and reasons for decisions.

2.27 These notes and records of proceedings **must** be kept securely by the admission authority for a minimum of two years. Such notes and records will, in most cases, be exempt from disclosure under the Freedom of Information Act 2000 and the Data Protection Act 1998, but admission authorities receiving requests under those Acts for information or data contained in such notes or records should obtain legal advice.

## Section 3: Reaching Decisions on Appeals

### Two stage process

3.1 Panels **must** follow the two stage decision making process below for all appeals except for infant class size appeals which are dealt with in section 4.

### First stage – examining the decision to refuse admission

3.2 The panel **must** consider the following matters in relation to each child that is the subject of an appeal:

- a) whether the admission arrangements (including the area's co-ordinated admission arrangements) complied with the mandatory requirements of the School Admissions Code and Part 3 of the School Standards and Framework Act 1998; and
- b) whether the admission arrangements were correctly and impartially applied in the case in question.

3.3 The panel **must** then decide whether the admission of additional children<sup>11</sup> would prejudice the provision of efficient education or the efficient use of resources.

3.4 In all cases, the panel **must** refer to the local authority and the admission authority (if the appeal is for a school that is its own admission authority) any aspects of the admission arrangements that do not comply with admissions law.

3.5 The panel **must** uphold the appeal at the first stage where:

- a) it finds that the admission arrangements did not comply with admissions law or had not been correctly and impartially applied, and the child would have been offered a place if the arrangements had complied or had been correctly and impartially applied; or
- b) it finds that the admission of additional children would not prejudice the provision of efficient education or efficient use of resources.

3.6 However, in multiple appeals where a number of children would have been offered a place, and to admit that number would seriously prejudice the provision of efficient education or efficient use of resources, the panel **must** proceed to the second stage.

3.7 The panel **must** proceed to the second stage where:

- a) it finds that the admission arrangements did comply with admissions law and that they were correctly and impartially applied to the child; or
- b) it finds that the admission arrangements did not comply with admissions law or were not correctly and impartially applied but that, if they had complied and had been correctly and impartially applied, the child would not have been offered a place;

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<sup>11</sup> At this stage the characteristics and circumstances of the particular child in question will not, except in extreme cases, be relevant to the question of whether the admission will cause prejudice (*R (on the application of M) v Haringey Independent Appeal Panel* [2010] EWCA Civ 1103).

and it finds that the admission of additional children would prejudice the provision of efficient education or efficient use of resources.

### **Second stage – balancing the arguments**

3.8 The panel **must** balance the prejudice to the school against the appellant's case for the child to be admitted to the school. It **must** take into account the appellant's reasons for expressing a preference for the school, including what that school can offer the child that the allocated or other schools cannot. If the panel considers that the appellant's case outweighs the prejudice to the school it **must** uphold the appeal.

3.9 In multiple appeals, the panel **must not** compare the individual cases when deciding whether an appellant's case outweighs the prejudice to the school. However, where the panel finds there are more cases which outweigh prejudice than the school can admit, it **must** then compare the cases and uphold those with the strongest case for admission. Where a certain number of children could be admitted without causing prejudice, the panel **must** uphold the appeals of at least that number of children.

### **Consideration of prejudice**

3.10 Whilst the panel **must** take into account the school's published admission number, the admission authority **must** be able to demonstrate prejudice over and above the fact that the published admission number has already been reached<sup>12</sup>. The panel **must not** reassess the capacity of the school, but **must** consider the impact on the school of admitting additional children. In reaching a decision as to whether or not there would be prejudice the panel may consider the following factors:

- a) what effect an additional admission would have on the school in the current and following academic years as the year group moves through the school;
- b) whether any changes have been made to the school's physical accommodation or organisation since an admission number was originally set for the relevant year group;
- c) the impact of the locally agreed Fair Access Protocol<sup>13</sup>;
- d) the impact on the organisation and size of classes, the availability of teaching staff, and the effect on children already at the school.

### **Appeals for grammar schools**

3.11 Designated grammar schools are permitted to select children for admission on the basis of academic ability and may leave places unfilled if there are insufficient eligible applicants<sup>14</sup>. Some admission authorities for grammar schools offer places to those who score highest, others set a pass mark and then apply oversubscription criteria to those applicants that reach the required standard.

3.12 Some admission authorities for grammar schools operate a 'local review' process to determine whether children who have, for example, failed the entrance test ought to be

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<sup>12</sup> See paragraphs 1.2 to 1.5 of the School Admissions Code for further information about published admission numbers.

<sup>13</sup> See paragraphs 3.9 to 3.15 of the School Admissions Code for further information about Fair Access Protocols.

<sup>14</sup> Section 86(3)(c) of the School Standards and Framework Act 1998.

deemed as being of grammar school standard. Such review will be completed before the allocation of places so that children who are consequently deemed to be of grammar school standard can be considered at the same time as others. The local review process does not replace a parent's right of appeal against the refusal of a place at a school for which they have applied.

3.13 An appeal panel may be asked to consider an appeal where the appellant believes that the child did not perform at their best on the day of the entrance test. In such cases:

- a) where a local review process has not been applied, the panel **must** only uphold the appeal if it is satisfied:
  - i) that there is evidence to demonstrate that the child is of the required academic standards, for example, school reports giving Year 5/Year 6 SAT results or a letter of support from their current or previous school clearly indicating why the child is considered to be of grammar school ability; and
  - ii) where applicable, that the appellant's arguments outweigh the admission authority's case that admission of additional children would cause prejudice.
- b) where a local review process has been followed, the panel **must** only consider whether each child's review was carried out in a fair, consistent and objective way and if there is no evidence that this has been done, the panel **must** follow the process in paragraph 3.13(a) above.

3.14 In either case the panel **must not** devise its own methods to assess suitability for a grammar school place unrelated to the evidence provided for the hearing.

3.15 If a panel has to consider an appeal for an in-year applicant where no assessment has taken place, it **must** follow the process in paragraph 3.13(a) above.

### **Appeals for admission to sixth forms**

3.16 Where applicants have been refused admission to a particular school because there are more eligible children than places available and oversubscription criteria have been applied, appeal panels **must** follow the two stage process at paragraphs 3.2 to 3.9 above.

3.17 In the case of an appeal where the child did not reach the specified entry requirements, the panel **must not** make its own assessment of a child's ability, but **must** decide whether the admission authority's decision that the child was not of the required standard was reasonable in light of the information available to it. In doing so, it **must** consider whether any process in place to consider such cases (for example, where a pupil had not been studying in England and therefore did not have GCSEs) was carried out in a consistent and objective way.

### **Boarding schools**

3.18 In considering whether prejudice would arise if further children were admitted to a boarding school, the panel **must** consider the effect of admitting additional day pupils on the number of boarding places which are available, for example, if the resultant effect on class

size means that the number of boarding places available would have to be reduced. It is up to the admission authority to provide evidence that this would be the case.

3.19 When considering a decision by the admission authority that a child is unsuitable to board<sup>15</sup>, the panel **must not** attempt to make its own assessment of the child's suitability, but **must** decide whether the admission authority's decision was reasonable in light of the information available to it.

### **Children with disabilities**

3.20 In considering whether a child was refused admission because of their disability, panels **must** have regard to the Equality and Human Rights Commission's Code of Practice for Schools when it comes into effect (as of 1 December 2011, the draft Code of Practice is expected to be laid before Parliament in Spring 2012. For the latest information: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-timeline/>). In the interim, non-statutory guidance is available on the Equality and Human Rights Commission's website.

### **Children with statements of special educational needs**

3.21 Appeals by the parent of a child with a statement of Special Educational Needs against the choice of school named in the statement, or the fact that no school has been named, are considered by the First-tier Tribunal (Special Educational Needs and Disability), not a school admission appeal panel.

### **Waiting lists**

3.22 Paragraph 2.14 of the School Admissions Code requires admission authorities to maintain waiting lists for oversubscribed schools. Appeal panels **must not** take account of where the admission authority has placed a child on the waiting list, or of the fact that appeals have not been made in respect of other children on the waiting list. Appeal panels **must not** make any decision relating to the placement of a child on a waiting list.

### **Expressing a preference and Fair Access Protocols**

3.23 Paragraph 3.9 of the School Admissions Code requires each local authority to have a Fair Access Protocol to ensure that, outside the normal admissions round, a place at a suitable school is secured quickly for unplaced children, especially the most vulnerable. It also requires local authorities to ensure that no school is required to take a disproportionate number of children with challenging behaviour. In circumstances set out in its local authority's Fair Access Protocol, an admission authority may refuse to admit a child outside the normal admissions round even though places are available (see paragraph 3.12 of the School Admissions Code).

3.24 The allocation of a place in accordance with a Fair Access Protocol does not override a parent's right to appeal against refusal of a place at any school for which they have applied. If an application has been refused despite there being places available, the governing body **must** present their case for refusal, demonstrating how admission of the child would

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<sup>15</sup> See paragraphs 1.40 and 1.41 of the Admissions Code for more information about admissions to boarding schools and suitability to board.

prejudice the provision of efficient education or efficient use of resources. When considering such an appeal, in addition to considering the appellant's arguments for their child to be admitted, the panel **must** take account of the requirements set out in the local authority's Fair Access Protocol. The panel **must** carefully consider whether the presenting officer has clearly proven that admission of the child would be prejudicial to the school or other children.

## Section 4: Infant Class Size Appeals

### Two stage process

4.1 Regulations<sup>16</sup> made under Section 1 of the School Standards and Framework Act 1998 limit the size of an infant class (a class in which the majority of children will reach the age of 5, 6 or 7 during the school year) to 30 pupils per school teacher<sup>17</sup>. Only in very limited circumstances can admission over the limit be permitted<sup>18</sup>.

4.2 This section deals only with appeals where an admission authority refuses to admit a child on the grounds that the admission of an additional child would breach the infant class size limit and there are no measures it could take to avoid this without prejudicing the provision of efficient education or efficient use of resources. Decisions on appeals for infant classes where the refusal was for any other reason should be made in accordance with the two stage process in section 3.

4.3 Panels **must** follow the two stage decision making process below when considering infant class size appeals<sup>19</sup>. Paragraphs 3.20 (children with disabilities), 3.22 (waiting lists) and 3.23 – 3.24 (Fair Access Protocols) of this Code also apply in relation to this process.

### First stage – examining the decision to refuse admission

4.4 The panel **must** consider all the following matters:

- a) whether the admission of an additional child/additional children would breach the infant class size limit;
- b) whether the admission arrangements (including the area's co-ordinated admission arrangements) complied with the mandatory requirements of the School Admissions Code and Part 3 of the School Standards and Framework Act 1998;
- c) whether the admission arrangements were correctly and impartially applied in the case(s) in question; and
- d) whether the decision to refuse admission was one which a reasonable admission authority would have made in the circumstances of the case.

4.5 The panel **must** immediately refer to the local authority and the admission authority (if the appeal is for a school that is its own admission authority) any aspects of the admission arrangements it identifies as unlawful.

4.6 The panel **may** only uphold the appeal at the first stage where:

- a) it finds that the admission of additional children would not breach the infant

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<sup>16</sup> The School Admissions (Infant Class Sizes) (England) Regulations 2012.

<sup>17</sup> As defined in Section 4 of the School Standards and Framework Act 1998.

<sup>18</sup> See paragraph 2.15 of the School Admissions Code.

<sup>19</sup> The procedure for determining infant class size appeals has been considered by the Court of Appeal and High Court in a number of cases: *R v London Borough of Richmond ex parte JC* [2001] ELR 21, CA; *The School Admission Appeals Panel for the London Borough of Hounslow v The Mayor and Burgesses of the London Borough of Hounslow* [2002] EWCA Civ 900; *R (on the application of South Gloucestershire Local Education Authority) v South Gloucestershire Schools Appeal Panel* [2001] EWHC Admin 732; and *R (K and S) v Admissions Appeal Panel of Cardiff County Council and Cardiff County Council* [2003] EWHC 436 (Admin).



- b) class size limit; or
- b) it finds that the admission arrangements did not comply with admissions law or were not correctly and impartially applied and the child would have been offered a place if the arrangements had complied or had been correctly and impartially applied; or
- c) it decides that the decision to refuse admission was not one which a reasonable admission authority would have made in the circumstances of the case.

4.7 In multiple appeals where a number of children would have been offered a place under paragraph 4.6 above, and to admit that number would seriously prejudice the provision of efficient education or efficient use of resources, the panel **must** proceed to the second stage.

4.8 The panel **must** dismiss the appeal at the first stage where:

- a) it finds that the admission arrangements did comply with admissions law and were correctly and impartially applied; or
- b) it finds that the admission arrangements did not comply with admissions law or were not correctly and impartially applied but that, if they had complied and had been correctly and impartially applied, the child would not have been offered a place;

and it finds that the decision to refuse admission was one which a reasonable admission authority could have made.

### **Second stage – comparing cases**

4.9 The panel **must** compare each appellant’s case for their child to be admitted and decide which of them, if any, to uphold. Where the school could admit a certain number of children without breaching the infant class size limit (or without needing to take measures to avoid breaching it that would prejudice the provision of efficient education or efficient use of resources) the panel **must** uphold the appeals of at least that number of children.

### **Consideration of ‘reasonableness’**

4.10 The threshold for finding that an admission authority’s decision to refuse admission was not one that a reasonable authority would have made is high. The panel will need to be satisfied that the decision to refuse to admit the child was ‘perverse in the light of the admission arrangements’<sup>20</sup> i.e. it was ‘beyond the range of responses open to a reasonable decision maker’ or ‘a decision which is so outrageous in its defiance of logic or of accepted moral standards that no sensible person who had applied his mind to the question could have arrived at it’<sup>21</sup>.

### **Deferred entry to primary schools**

4.11 Primary schools are required to provide for the admission of all children in the September following their following their fourth birthday<sup>22</sup>. However, parents may defer their child’s entry until later in the academic year. In such circumstances the school is required to

<sup>20</sup> *The School Admission Appeals Panel for the London Borough of Hounslow v The Mayor and Burgesses of the London Borough of Hounslow* [2002] EWCA Civ 900.

<sup>21</sup> *Council of Civil Service Unions v Minister for the Civil Service* [1984] 3 All ER 935.

<sup>22</sup> See paragraph 2.16 of the School Admissions Code.

hold place for that child. Panels **must** treat such a place as if it has already been taken up.

### **The provision of information to parents on infant class size appeals**

4.12 Admission authorities **must** provide parents with information on the limited circumstances in which an infant class size appeal can be upheld in order that they can make an informed decision about whether to submit an appeal.

## Section 5: Further appeals and complaints about appeals

### Further appeals

5.1 Appellants do not have the right to a second appeal in respect of the same school for the same academic year unless, in exceptional circumstances, the admission authority has accepted a second application from the appellant because of a significant and material change in the circumstances of the parent, child or school but still refused admission.

5.2 A second appeal panel **must** be made up of different members from the first.

5.3 Appellants may apply for a place in the same school in respect of a later academic year and have a further right of appeal if that application is unsuccessful.

### Complaints about appeals

5.4 Appellants may complain about maladministration on the part of an appeal panel to the Local Government Ombudsmen in respect of maintained schools. They may complain to the Secretary of State in respect of appeal panels for Academies. Admission authorities **must** inform parents about the arrangements for making a complaint.

5.5 The Secretary of State cannot review or overturn an appeal decision relating to a maintained school<sup>23</sup>. An appeal panel's decision can only be overturned by the courts where the appellant or admission authority is successful in applying for a judicial review of that decision.

5.6 However, under Sections 496, 497 and 497A of the Education Act 1996, and under an Academy's funding agreement, the Secretary of State may consider whether:

- a) the panel was correctly constituted by the admission authority; and
- b) the admission authority has acted reasonably in exercising functions in respect of the appeals process or failed to discharge a duty in relation to that process.

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<sup>23</sup> In relation to an Academy, the Secretary of State may be able to intervene under the terms of the funding agreement. See paragraph 5.4

## Section 6: Appeals by governing bodies against local authority decisions to admit twice excluded children

### Notice of appeal

6.1 When a local authority takes a decision that a twice excluded child is to be admitted to a community or voluntary controlled school, it **must** give the governing body of the school notice in writing of that decision and of its right to appeal. The local authority **must** comply with the principles of this Code when organising such appeals.

6.2 The governing body **must** make any appeal against such a decision in writing within 15 school days after the day it is given notice, and **must** give the grounds on which the appeal is being made. Local authorities are not, however, required to make these arrangements where their decisions are in the form of directions made under Section 96 of the School Standards and Framework Act 1998, which empowers the local authority, in prescribed circumstances, to direct a foundation or voluntary aided school to admit a particular child.

### Appeal panels

6.3 The appeal panel **must** be constituted in the same way as one hearing an appeal by a parent or a child against an admission authority's decision not to admit. The hearing **must** be on a date determined by the local authority, within 15 school days from the appeal being lodged. A panel **must not** include a member who has been involved in any way in previous considerations of whether the child should be reinstated at any school from which he or she has been permanently excluded or in any previous appeal relating to the child under Section 95(2) of the School Standards and Framework Act 1998.

### The appeals procedure

6.4 The appeal panel **must** ensure that appeals are heard in private and allow:

- a) the local authority and the governing body to make written representations; and
- b) a representative of the local authority and a governor nominated by the governing body to appear and make oral representations.

6.5 In considering the appeal, the panel **must** consider:

- a) the reasons for the local authority's decision to admit the child; and
- b) any reasons put forward by the governing body as to why it does not want to admit the child.

6.6 Panels **must** ensure that appeals are decided by a simple majority of votes cast. Where the votes are equally divided the panel chair has a second or casting vote. The decision reached is binding and the school and local authority **must** comply with it.

6.7 The clerk **must** communicate in writing the decision of an appeal panel, and the reasons for it, to the local authority, governing body and parents concerned, by the end of the second school day after the conclusion of the appeal hearing. The decision may also be confirmed to the parents by telephone before then.

6.8 Where a child has been permanently excluded from two or more schools (and the

most recent exclusion occurred within the past two years), Section 95 of the School Standards and Framework Act 1998 provides that arrangements do not have to be made for the parent (or, in the case of sixth form education, the child) to appeal against a decision to refuse admission.

6.9 Where a local authority wishes an Academy to admit a particular child against the wishes of the Academy the case should be referred to the Secretary of State, who has the power to direct admission.

## Appendix 1: Relevant Legislation

1. This appendix signposts the law relevant to admission appeals. It does not provide guidance on interpreting the law - that is for the courts.

### Equality Act 2010

2. This Act consolidates the law prohibiting discrimination, harassment and victimisation and expands the list of protected characteristics. All schools **must** have due regard to their obligations under the Act. Their policies and practices, including admissions arrangements and decisions, **must** meet the requirements of the Act, and failure to do so may be relevant to the matters an appeal panel has to decide.

3. An admission authority or appeal panel **must** not discriminate on the grounds of disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation against a person in the arrangements it makes for an appeal.

4. An admission authority or appeal panel **must** not harass an appellant, or a child who is the subject of an appeal, in relation to their disability, race or sex.

5. An admission authority or appeal panel **must** not victimise a person in relation to a protected act done or believed to have been done by that person (e.g. bringing proceedings under the Equality Act 2010) in the arrangements it makes for an appeal.

6. Schools designated by the Secretary of State as having a religious character (faith schools) are exempt from some aspects of the prohibition of discrimination on the grounds of religion or belief. This means they can make a decision about whether or not to admit a child as a pupil on the basis of religion or belief. Single sex schools are lawfully permitted to discriminate on the grounds of sex in their admission arrangements.

7. Admission authorities and appeal panels **must** have regard to the Equality and Human Rights Commission's Code of Practice for Schools when it comes into effect. In the interim, non-statutory guidance is available on the Equality and Human Rights Commission's website.

8. Admission authorities are also subject to the Public Sector Equality Duty. Therefore they **must** have due regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity, and foster good relations in relation to disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

9. Further guidance on the Public Sector Equality Duty is available on the website of the Government Equalities Office and from the Equality and Human Rights Commission.

### Human Rights Act 1998

10. The Human Rights Act 1998 confers a right of access to education. This right does not extend to securing a place at a particular school. However, admission authorities and appeal panels need to consider parents' reasons for expressing a preference when they make admission

decisions and when making decisions on appeals. These reasons might include, for example, the parents' rights to ensure that their child's education conforms to their own religious or philosophical convictions (as far as is compatible with the provision of efficient instruction and the avoidance of unreasonable public expenditure).

### **School Standards and Framework Act 1998**

11. Chapter 1 of Part 3 of the School Standards and Framework Act 1998 contains the key provisions regarding schools admissions and admission appeals.

12. Section 86 of the SSFA 1998 provides that the admission authority for a maintained school (with the exception of those that select wholly by ability) **must** comply with any preference expressed by a parent except where to do so would prejudice the provision of efficient education or the efficient use of resources.

13. Section 94 requires admission authorities to make arrangements for parents (and in some circumstances children) to appeal against a decision to refuse admission to the school. Two or more admission authorities in the same local authority area may make joint arrangements.

14. Where a child has been permanently excluded from two or more schools (and the most recent exclusion occurred within the past two years), Section 95 provides that arrangements do not have to be made for the parent (or, in the case of sixth form education, the child) to appeal against a decision to refuse admission.

15. Under Section 95 local authorities **must** make arrangements for a community or voluntary controlled school in their area to appeal against a decision by the authority to admit a twice excluded child (as above) to the school.

16. The School Admissions (Appeal Arrangements) (England) Regulations 2012 contain requirements relating to the constitution of appeal panels and the payment of allowances to appeal panel members. These requirements are also included within section 1 of this Code.

## **Appendix 2: Further information about the Local Government Ombudsman**

1. The Local Government Ombudsman can investigate complaints about maladministration on the part of an appeal panel for a maintained school. A complaint to an Ombudsman is not a further appeal. It must relate to the administration of an appeal rather than the appeal decision. Maladministration covers issues such as failure to follow correct procedures or failure to act independently and fairly. It does not cover the merits of decisions that only the panel has the authority to make. Therefore, generally, the Ombudsman cannot consider whether the appeal panel was correct to uphold or dismiss the appeal.
2. The Ombudsman is not able to overturn the appeal panel's decision but, where they find that there has been maladministration, they may make recommendations for a suitable remedy. For example, they may recommend that an appeal is reheard by a different panel and with a different clerk.
3. Appellants considering making a complaint can contact the Local Government Ombudsman's **Advice Line** on **0300 061 0614**, visit the website at [www.lgo.org.uk](http://www.lgo.org.uk), email [advice@lgo.org.uk](mailto:advice@lgo.org.uk) or write to:

**The Local Government Ombudsman**  
PO Box 4771  
Coventry  
CV4 0EH.

### **Complaints about appeal panels for Academies**

4. Complaints about maladministration on the part of an appeal panel for an Academy, or that an Academy Trust has failed to comply with the Appeals Code in setting up a panel, are investigated by the agency appointed to investigate complaints about Academies on behalf of the Secretary of State. At the date of publication this is the Young People's Learning Agency.
5. Appellants considering making a complaint can email the Young People's Learning Agency at [academyquestions@ypla.gov.uk](mailto:academyquestions@ypla.gov.uk) or write to:

**Young People's Learning Agency**  
Cheylesmore House  
Quinton Road  
Coventry  
CV1 2WT.





Department  
for Education

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## LONDON BOROUGH OF HAVERING EQUALITY ANALYSIS

### Annual Review of the School Admissions Code

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#### SCOPE OF PROPOSAL

**1. What is the scope and intended outcomes of the activity being assessed; in terms of both the Council's organisation and staffing, and services to the community?**

The purpose of this EA is to assess the impact of the annual School Admission Code review, which aims to determine admissions arrangements for community and voluntary controlled infant, junior, primary and secondary schools in Havering and adopt qualifying schemes for co-ordinating admissions during the course of the normal admission rounds to maintained schools and academies in Havering for the school year 2015-16.

The School Admissions Code ('the Code') applies to admissions to all maintained schools (excluding maintained special schools) and Academies in England and ensures that all school places for community and voluntary controlled schools and Academies are allocated and offered in an open and fair way.

This Code imposes mandatory requirements and includes guidelines setting out aims, objectives and other matters in relation to the discharge of functions relating to admissions by the bodies listed below:

- Admission authorities of maintained schools as defined in Section 88(1) (a) and (b) of the SSFA 1982
- Governing bodies and local authorities (when not admission authorities)
- Schools Adjudicators
- Admission Appeal Panels.

These bodies have a statutory duty to act in accordance with the relevant provisions of the Code.

It is the responsibility of admission authorities to ensure that admission arrangements are compliant with this Code. Where a school is the admission authority, this responsibility falls to the governing body or Academy Trust. Objections to the admission arrangements of both maintained schools and Academies can be made to the Schools Adjudicator whose decisions are binding and enforceable.

### **1 (a) Organisation and Staffing**

Not applicable as the School Admission Code does not affect Council's employees. However, Council staff members may be affected by the above provisions if they have children attending a Havering School. Those staff members will be considered as part of the community.

The Local Authority has considered whether or not the children of schools' staff members should be given priority in the admission arrangements for community and voluntary controlled schools and has taken a decision not to give priority to this group.

### **1 (b) Services to the Community**

In order to comply with the requirements of the Code the Local Authority must ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. Parents should be able to look at a set of arrangements and understand easily how places for individual schools will be allocated.

The Code makes clear that the Local Authority must comply with the relevant law as well as acting in accordance with the provisions of the new School Admissions Code. Specific reference is made in the Code to The Equality Act 2010 the Human Rights Act 1998 and the School Standards and Framework Act 1998.

It should be noted that the Local Authority acts as the admission authority for community and voluntary controlled schools. The governing bodies of foundation and voluntary aided schools and academies act as the admission authorities for these schools. These schools include denominational faith schools/academies, single sex schools and academies that give priority to children with aptitude in specific subjects.

The Local Authority is also required to co-ordinate admissions to all schools and academies in the Borough for Reception and Year 7 i.e. the normal points of admission to schools and academies.

## **PEOPLE AFFECTED**

### **2. Which individuals and groups are likely to be affected by the activity?**

#### **2 (a) Staff Individuals and Groups**

Staff employed at community and voluntary controlled schools with children of school age.

Council staff members may be affected if they have children attending a Havering School. Those staff members will be considered as part of the community. For further information, please refer to section 2 (b).

#### **2 (b) Community Individuals and Groups** (*including voluntary organisations*)

All children and young people between the ages of 4 -16 whose parents/ carers apply for a place in a school/ academy located within the London Borough of Havering.

The following specific groups of children and young people will be given priority under the determined arrangements for admissions to community and voluntary controlled schools in the school year 2015/16:

- Looked after children and children who were looked after, but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order);
- children with exceptional medical or exceptional social grounds (supporting medical or other evidence must be provided at the time of application);
- children who, in September 2014, have an older brother or sister in attendance at the preferred school. For parents/ carers applying for a place for their child at an infant school, this will include siblings attending partner junior schools;
- children whose statement of special educational needs names a specific school will be admitted to that school. (Children may be issued with a statement of special, educational needs as a result of physical, learning, aural or sensory impairments.)

## **DATA AND INFORMATION**

- 3. What data/information do you have about the people with ‘protected characteristics’** (*age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation*) **or other socio-economic disadvantage** (*e.g. disabled and part-time workers, low income and/or lone parents (mothers and fathers), looked-after children, other vulnerable children, families and adults*) **among these individuals and groups? What information do you have about how they will be affected by the activity? Will you be seeking further information in order to assess the equalities impact of the activity? How is this information being used to influence decisions on the activity?**

### **3 (a) Staff**

No information is currently held centrally on the number of schools’ staff members and Council’s staff members living locally who have children at school age.

### **3 (b) Community**

The information below is taken from the January 2013 Demographic, Diversity and Socio-economic Profile of Havering’s Population, 2012 School Census and other relevant data sources held centrally by the School Admissions Team.

## **Demographic Trends**

The 2011 Census total population estimate is 237,232. Havering's population is predicted to rise by 13.5% (32,029 people) by 2021 compared to England projection of 9%.

The average age of Havering residents is 40.4 years. Havering has a higher average age compared to England (39.4) and London (35.6)

Just below 23.9% of Havering's population are children and young people aged between 0 and 19 years old. This percentage is slightly below the average for London (24.5%) and average for England (24%)

The table below shows the 0-19 population in Havering compared to London and England by five year age bands:

2011 Census: 0-19 population breakdown of Havering residents	Havering	London	England
<a href="#">All people (2011)</a>	237,232	8,173,941	53,012,456
<a href="#">People aged 0-4 (census) (% of total population) (2011)</a>	5.76	7.24	6.26
<a href="#">People aged 5-9 (census) (% of total population) (2011)</a>	5.58	5.91	5.61
<a href="#">People aged 10-14 (census) (% of total population) (2011)</a>	6.06	5.59	5.81
<a href="#">People aged 15-19 (census) (% of total population) (2011)</a>	6.47	5.77	6.3

The number of children and young people (0-19) in Havering is also expected to rise, growing by almost 25% by 2021. The fastest increase is expected to be in the single year of age eight and nine (44% each by 2021). This means that the demand for education, social care and health services will increase dramatically.

## Ethnic Profile

Havering has the highest percentage (83.3%, 207,815 people) of White

English/ Welsh/ Scottish/ Northern Irish/ British compared to London (44.9%) and E&W (80.5%)

The ethnic minority population in Havering is 12.4% (29,417 people). This percentage is well below the London average (52.9%) and the average for England (19.2%).

Although it is one of the least diverse boroughs in London, Havering has had the highest percentage increase between 2001 Census and 2011 Census of all London boroughs, - the percentage of BME communities has more than doubled, - with the following ethnic groups seeing the highest rise: African (451%, 6,204 people), Pakistani (226%, 1,035 people), White & Black (Mixed origin) Caribbean (138%, 1,143 people) and Caribbean (86%, 1,331 people).

The latest School Census (January 2012) reported that nearly a quarter (23%) of school pupils in Havering were from non-White ethnic groups, with the most common ethnic group being Black or Black British (9%).

The latest School Census (January 2012) reported that 9.4% of school-aged children in Havering speak a language other than English, with 10 most spoken languages (after English) in Havering being: Yoruba, Lithuanian, Bengali, Punjabi, Urdu, Polish, Albanian, Chinese, French and Tagalog/Filipino.

The Traveller Education Service supplies information to the School Admissions Team concerning those Gypsy, Roma and Irish Traveller children requiring education placements. The Education Welfare Service provides information to the School Admissions team concerning children and young people in refuges.

### **Disability profile**

The number of children in Havering with learning difficulties and disabilities (LDD) will increase, most significantly among primary school age children. Current projections suggest an overall increase of 7.5% across all categories of LDD by 2017.

The most common categories of LDD are Moderate Learning Disability (30%), Behaviour, Emotional and Social Difficulties (19%) Speech, Language and Communication Needs (17%).

The School Census in January 2012 identified that there were 1,966 pupils in Havering receiving some sort of Special Educational Needs (SEN) provision. The most common presentations were speech, language and communication needs (546 cases), moderate learning difficulty (458 cases) and behaviour, emotional and social difficulties (401 cases).

Information concerning children and young people with physical and learning difficulties is held by the Special Education Needs Service and the Early Years Service; information concerning exceptional medical or social grounds affecting children is submitted by of parents/ carers at the time of application for school places to the School Admissions Team.

### **Socio-economic groups**

Almost one in five (19%) of children were still estimated to be living in poverty in Havering in 2009<sup>1</sup>. When breaking down this percentage further, 19% of children live in out-of-work families<sup>2</sup> and 13% of pupils are eligible for free school meals<sup>3</sup>. Overall, Gooshays remains the most deprived ward in Havering, with Hylands ward being the least deprived.

Currently there are 106 families identified as families with multiple complex needs by one or more of the following criteria<sup>4</sup>:

<b>Criteria</b>	<b>Number (of 106)</b>
School exclusion	26

<sup>1</sup> According to DWP (2008) – 22% of children in Havering live in families in receipt of IS/JSA or whose income is <60% median income

<sup>2</sup> HM Revenue and Customs (Q04), 2011

<sup>3</sup> Department for Education School Census, 2010

<sup>4</sup> Troubled Families Team, Nov 2012

<b>Criteria</b>	<b>Number (of 106)</b>
School absence	27
Unemployment	98
Offending behaviour	89
ASB	28
Mental health	10
Substance misuse	15
Domestic Violence	9
Housing	37

Social Care Services hold information on individual children who are “looked after” children and children who were “looked after” but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order) and unaccompanied refugees and asylum seekers. This information is supplied direct to the School Admissions Team for children residing outside the Borough by their home authority at the time of application.

#### **Age, gender and religion**

Information is provided on individual children in terms of age, gender and religion at the time of application to the School Admissions Team.

### **CONSULTATION**

#### **4. If no data and information is available about the groups likely to be affected by the activity, how would you inform your EA? Will you be considering carrying out some consultation to inform your EA?**

##### **4 (a) Staff**

Schools’ and Council’s staff members have been invited to respond to the public consultation or consultations held by Academies and own Admissions Authority schools as part of the community. For further information, please refer to section 4 (b).

##### **4 (b) Community**

The Local Authority, acting as the admission authority for community and voluntary controlled schools in the borough, is required to undertake statutory consultation on any proposed changes to its admission arrangements to these schools for an 8 week period between 1 November and the 1 March each year, prior to determining these arrangements by the 15 April in the determination year, i.e. by the 15 April 2014 for admissions in the academic year 2015/16.

It is a requirement of administrative law that the decision maker fully considers the comments made by any consultees prior to making the decision. No comments were received on the proposed admissions arrangements for community and voluntary controlled schools in the borough for the school year



2015/16 so no formal consideration of representations is required prior to the admission arrangements being determined by the Local Authority.

Objections would need to be submitted to the OSA by the 30 June for them to be considered. In the event that there is an objection to the determined admission arrangements this would need to be submitted, in the first instance, to the Schools Adjudicator (OSA). If an objection was upheld, the decision of the Adjudicator would be binding on the Local Authority and the admission arrangements would need to be amended accordingly.

The Local Authority also comments on the proposed admission arrangements for "own admission" authority schools/ academies and can submit objections to the Office of the Schools Adjudicator if it is concerned that the proposed arrangements do not comply with Schools admission Code or the associated legislation.

## **LIKELY IMPACT**

### **5. Based on the collected data and information, what will be the likely impact of the activity on individuals and groups with protected characteristics or other socio-economic disadvantage?**

#### **5 (a) Staff**

The Local Authority has considered whether or not the children of schools' staff members should be given priority in the admission arrangements for community and voluntary controlled schools and has taken a decision not to give priority to this group. However, the following exceptions may apply:

- Where a member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage. Information is available at a national level on subject specialisms for which work permits can be obtained to employ overseas staff for shortage subjects. Currently Maths, Physics and Chemistry are considered to be shortage subjects. This level of detail is not, however, available at Borough level.
- Where the school member of staff has been employed at the school for two or more years at the time at which their child's application for admission to the school is made. In this case the Code enables schools/ Academies to give priority in their admission criteria to the children of staff should they wish to do so.

Council staff members may be affected by the above provisions if they have children attending a Havering School. Those staff members will be considered as part of the community. For further information, please refer to section 5 (b).

#### **5 (b) Community**

Although all children and young people between the ages of 4 -16 whose parents/ carers apply for a place in a school/ academy located within the London Borough of Havering will be affected by the School Admissions Code provisions, we recognise that some children and young people would require specific arrangements to be put in place to enable them to attend school.

We have therefore adopted the below criteria to ensure disabled children and young people, those with special education needs and children and young people from disadvantaged groups will have a fair access to school places.

### **Admissions criteria – Community and Voluntary Controlled Infant, Junior and Primary Schools**

The criteria outlined below apply to all of the borough's community and voluntary controlled schools.

When the demand exceeds the number of places available in a school, places are allocated to community and voluntary controlled infant, junior and primary schools by applying the following criteria in descending order of priority to applicants who have expressed any preference for the school.

- i) Looked after children and children who were looked after, but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order);
- ii) Exceptional medical or exceptional social grounds (supporting medical or other evidence must be provided at the time of application).
- iii) The attendance in September 2015 at the school of an older brother or sister. This will include children in partner junior schools.
- iv) The distance of the home address from the school, as measured by a straight line from the school, those pupils living nearer the school being given higher priority.

If, because of oversubscription in any of the categories i) to iii) above, it is necessary to distinguish between applicants, the distance of the applicant's home address from the school, as measured by a straight line from the school, will be used with those pupils living nearer the school being given higher priority.

#### *Special Education Needs*

Children whose statement of special educational needs names a specific school or academy will be admitted to that school or academy.

#### *Children with a Disability*

It is unlawful for a school in relation to certain activities to treat a disabled child less favourably than a non-disabled child, without justification. These activities include admissions and a school must make reasonable adjustments, as necessary, to ensure that this is the case.

#### *Children of UK service personnel (UK Armed Forces)*

The Local Authority will accept applications in advance of a service family residing in the borough if the application is accompanied by an official government letter declaring a relocation date and a Unit postal address or quartering area address for the parents/ carers of the child concerned

### **Admission Arrangements for Community Secondary Schools in Havering and co-ordinated arrangements for applying to community, voluntary aided and foundation schools and academies**

The Local Authority is required by law to co-ordinate admissions to Year 7 at all secondary schools and academies (except private or special schools) in the borough. It also co-ordinates all in-year admissions to community schools and to those foundation and voluntary aided schools and academies that wish to participate in the in-year co-ordinated scheme.

When the demand exceeds the number of places available in a school, places are allocated by applying the following criteria in descending order of priority to applicants who have expressed any preference for the school:

- i) Looked after children and children who were looked after, but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order);
- ii) Exceptional medical or exceptional social grounds (supporting medical or other evidence must be provided at the time of application);
- iii) The attendance in September 2015 at the school of an older brother or sister;
- iv) The distance of the home address from the school, as measured by a straight line from the school, those pupils living nearer the school being given higher priority.

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It is unlawful for a school in relation to certain activities to treat a disabled child less favourably than a non-disabled child, without justification. These activities include admissions and a school must make reasonable adjustments, as necessary, to ensure that this is the case.

### *Children of UK service personnel (UK Armed Forces)*

The Local Authority will accept applications in advance of a service family residing in the borough if the application is accompanied by an official government letter declaring a relocation date and a Unit postal address or quartering area address for the parents/ carers of the child concerned.

### *Other relevant arrangements*

Priority will be given to the admission of the children of Roman Catholics and Anglicans to denominational faith schools/ academies both within and outside the Borough under the co-ordinated admission arrangements.

A place at a school or academy may be offered using the Local Authority's Fair Access Protocol when a parent/ carer cannot secure a school place under the in-year admission procedures.

## **6. What is the likely impact on arrangements for safeguarding children and/or safeguarding vulnerable adults?**

### **6 (a) Vulnerable children**

Vulnerable children have been given priority in terms of the admission arrangements to community and voluntary controlled schools. For the purposes of the Code, vulnerable children are those who are experiencing difficulty securing a school place.

This group includes as a minimum:

- children from the criminal justice system or Pupil Referral Units who need to be reintegrated into mainstream education;
- children who have been out of education for two months or more;
- children of Gypsies, Roma, Travellers, refugees and asylum seekers;
- children who are homeless;
- children with unsupportive family backgrounds for whom a place has not been sought;
- children who are carers; and
- children with special educational needs, disabilities or medical conditions (but without a statement).

The governing bodies of all schools/ Academies are also required to have adopted appropriate arrangements for safeguarding all children in their care. These arrangements are subject to inspection by OfSTED.

**6 (b) Vulnerable adults**

Not applicable.

**PREVENTING DISCRIMINATION**

**7. If any negative impact is identified, is there a way of eliminating or minimising it to reasonable level? If not, how can the negative impact be justified?**

**7 (a) Staff**

Under the Equality Act 2010, all schools and Academies are required to put in place all necessary arrangements to eliminate discrimination, harassment and bullying in relation to both students and staff members, to adequately address any reported E&D incidents and to provide E&D training/induction to their staff members/students.

Please also refer to sections 5 (a) and 9 (a).

**7 (b) Community**

Parents/ carers who apply after the closing date for applications for Reception and Year 7 places have their applications dealt with after all the “on-time” applications are processed. This can place children at a significant disadvantage in terms of being allocated a place at one of their preferred schools/ academies.

In order to avoid this occurring parents/ carers are contacted prior to the closing dates to remind them of the importance of submitting an application prior to the closing date. Advice and guidance is also available on the admissions process to parents who have difficulty understanding what can be a complex process via the Parents in Partnership Service.

Work will also be undertaken with faith and community groups to ensure process for school admissions is widely communicated. A translation and interpreting service will be made available upon request.

**PROMOTING EQUALITY**

**8. How will the activity help the Council fulfil its legal duty to advance equality of opportunity in the way services are provided?**

**8 (a) Staff**

Under the Equality Act 2010, all schools and Academies are required to have their own Bullying and Harassment Policy, Single Equality Scheme /Equal Opportunities Policy and Action Plan to address any inequalities identified by their equalities data intelligence and optimise equalities outcomes for all their students and staff members, particularly those with protected characteristics.

Please also refer to sections 5 (a) and 9 (a).

### **8 (b) Community**

Please refer to sections 5 (b), 7 (b) and 9 (b).

## **SPECIFIC NEEDS**

### **9. What actions will you be taking in order to maximise positive impact and minimise negative impact from the activity?**

#### **9 (a) Staff**

All necessary arrangement will be put in place to mitigate the increased demand of primary school places. We will also ensure that staff resources, school facilities and accommodation are reflective of students' numbers and needs.

A place at a school or academy may be offered using the Local Authority's Fair Access Protocol when a parent/ carer cannot secure a school place under the in-year admission procedures.

#### **9 (b) Community**

We will widely publicise all changes to the admission arrangements to community and voluntary controlled schools and will use a wide range of communication channels to ensure that all affected residents are aware of those changes. We will also ensure that information and publication materials easy to understand, accessible and inclusive. In Work will be undertaken with faith and community groups and translation and interpreting services will be available upon request.

## **MONITORING AND REVIEW**

### **10. Once implemented, how often do you intend to monitor the actual impact of the activity?**

#### **10 (a) Staff**

Please refer to section 10 (b).

#### **10 (b) Community**

The School Admissions Code will be reviewed annually and any significant changes to the code will be reflected in the corresponding EA accordingly.

## **SIGN OFF AND PUBLICATION**

### **11. When completed, the Equality Analysis needs to be signed off by the Head of Service. Once signed off, it should be forwarded to the Directorate Equality Analysis Web administrator to publish it on the council's website.**

**HEAD OF SERVICE**

**Name: Mary Pattinson**

**Date: 15<sup>th</sup> April 2014**

**Signature:**

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## OSC Report - Appendix 4

### **Havering 2015/16 Co-ordinated Reception (Cohort) Admission Arrangements for all Infant, and Primary Schools in Havering (excluding private Schools), the arrangements for In-Year Infant, Junior and Primary Admissions**

And

### **The Admissions Criteria for the Havering Community and Voluntary Controlled Infant, Junior and Primary Schools**

Index;

Co-ordinated Admission Arrangements

Waiting Lists

Appealing against admission decisions

Transfer from infant to junior Schools

Deferring entry to school

In Year Admissions

Admissions criteria for Community and Voluntary Controlled Schools

Definitions of the Admissions Criteria

Admissions to Nursery Classes

Appendices

The Local Authority (LA) is required by law to co-ordinate all Reception and Infant to Junior admissions for all Schools (excluding private Schools) within the borough.

This LA is part of the Pan-London Co-ordinated Admissions System. The London Inter Authority Admissions Group (LIAAG) is the Admissions Executive Board and is responsible for the scheme that co-ordinates admissions to Schools across all boroughs.

The co-ordinated system is in place to ensure parents receive only one offer of a School place for their child.

#### **When should parents/carers apply for a 2015 Reception School place**

If your child was born between 1 September 2010 and 31 August 2011 they can start full time School in September 2015.

### **Applying for a place in Reception in an infant or primary School or Academy.**

Only legal guardians with parental responsibility are entitled to make an application for a child's School place. A guardian is defined as a parent or carer who has legal responsibility for the child this includes a person who is named legally through a Court Order.

Parents/carers residing in Havering should complete the Common Application Form (CAF) online via the eAdmissions website ([www.eadmissions.org.uk](http://www.eadmissions.org.uk)). Parents who are unable to complete the CAF online will be able to visit the Public Advice & Service Centre (PASC) based in Romford's Liberty Shopping Centre on a Monday, Wednesday or Friday mornings (between 9:30 and 12:30) where Admissions Staff will be able to assist with this online process or if appropriate a paper application will be issued to parents. All applications **must** be submitted by the **15 January 2015**.

Parents/carers may list up to 6 preferred Schools that they wish their child to be considered for within or outside Havering and rank them in order of preference. Should parents/carers wish their children to be considered for any Voluntary Aided Denominational Schools or an Academy / Free School, they need to ensure these Schools are also included on the CAF. Where Parents/carers apply for places at a Voluntary Aided Denominational School or an Academy / Free School (in or outside Havering) they may need to complete a Supplementary Information Form (SIF) for each of these Schools / Academies and submit them direct to the School / Academy concerned with any documents that the School requests by the closing date. The SIF forms will be available from the Schools own websites.

### **Havering residents wanting a School in a different Local Authority (LA)**

Havering residents who wish their child to be considered for a School in another Local Authority must name these Schools on the online CAF via the eAdmissions website or the Havering paper CAF. If parents/carers apply for places at Voluntary Aided Denominational, Foundation, Academy or Free Schools outside of Havering they may be required to complete a SIF for each of these Schools and submit them direct to the School concerned with any documents that the School requests by the closing date **15 January 2015**.

### **Parents who do not live in Havering but are requesting a Havering School**

Each Local Authority (LA) is responsible for providing education or training to children of School age (five to eighteen) living in their LA.

Parents/carers not resident in Havering will need to ensure they read the Admissions Booklet from their own LA as well as the Admissions Criteria for the Havering School/s they wish to apply for. Parents/carers must complete their own Local Authorities Common Application Form (CAF), listing the Havering School/s and complete any relevant Supplementary Information Form (SIF) required before the closing date of **15 January 2015**.

### **Voluntary Aided Denominational, Foundation, Academies and Free Schools**

Voluntary Aided Denominational, Foundation, Academies and Free Schools may also require parents/carers to complete their Supplementary Information Forms (SIF) which must be returned direct to the Schools with additional documents before **15 January 2015**.

The Admissions Team are not responsible for, and will not accept, any supplementary forms on behalf of parents for these Schools. The Governing Bodies are the Admissions Authorities for these Schools, and each School follows its own admissions criteria to rank positions for applicants. SIF's are not valid unless a CAF is also completed for that child.

### **How we use preferences**

The Admissions Team processes all applications using the equal preference system which is a model system where all preferences listed on the Common Application Form (CAF) are considered under the Admissions Criteria for each School without reference to parental rankings.

The Local Authority (LA) considers each preference as if it were the only preference. For each preference listed the LA uses the admissions criteria to see if an offer of a School place can be made. If the LA can offer a place at two or more Schools which a parent has listed, the LA will offer the place at the School ranked highest on the application form.

Schools that require Supplementary Information Forms (SIFs) are responsible for their own admissions. They receive information from the LA of the applications received that listed the School as a preference and combine this with the information provided on the SIFs sent direct from parents. Each Voluntary Aided Denominational, Foundation, Academy or Free School will then rank the children in accordance with their published admissions criteria. The Schools will then advise their ranking order of all applicants to the LA. This information is then used during the offer process.

All preferences are collated and parents then receive an offer from the LA at the highest preferred School at which a place can be offered. All offers will be made on the National Offer Day of **16 April 2015**.

The order of preferences is confidential to the Local Authority and will not be shared with Schools in accordance with the Department for Education's 2012 School Admissions Code.

### **Late applications requesting Havering Schools**

Havering will accept late applications for consideration in the first round of offers only in the event of exceptional circumstances, which must be submitted in writing to the Admissions Manager. Each case will be considered and will be decided on its own merits by the Admissions Panel which is made up of 3 senior Admissions Officers and the Executive Head Teacher of Alternative Provision and Looked After Children. Examples of what will be considered as valid reasons include:

- if a single parent has been seriously ill for some time
- a family has been dealing with the death of a close relative
- a family has just moved into the area after submitting an on time application in their previous area
- Parents/carers have just arrived in the borough and the delay has been created by factors outside of their control.

### **Proof will be required in all cases.**

Except in cases listed above, applications for places received after **15 January 2015** will not be considered until all of the applications received by that date have been dealt with. It is crucial therefore for parents/carers to adhere to the deadline to stand a realistic chance of any of their preferences being offered.

### **Late applications requesting other London Borough Schools**

Where late applications contain preferences for Schools in other London Boroughs, Havering will forward the details to those LA's via a secure document exchange system. The latest date for the upload to the other London Boroughs for late applications which are considered to be on-time within the terms of the home LA's scheme is **13 February 2015**.

### **Parents/carers who move into Havering from another London Borough**

Where a parent/carer moves from another London Borough to Havering after submitting an on-time application under the terms of their previous home authority's arrangements, Havering will treat the application as on-time if received before **13 February 2015**.

### **Children with statements of special educational need**

The 2012 School Admissions Code states 'Schools are required to admit children with statements of special educational need where the School concerned is named on the statement'. As a result, we allocate these places first. The remaining places are offered in accordance with the Schools published admission criteria.

### **Equality Act 2010**

An Admission Authority must ensure that their admission arrangements do not discriminate on the grounds of disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil. The admissions criteria applied by this LA as the Admission Authority for the Havering community and Voluntary Controlled Schools is non-discriminatory.

### **Infant Class Size**

Infant classes, (those where the majority of children will reach the age of 5, 6, or 7 during the School year) must not contain more than 30 pupils with a single teacher. Additional children may be admitted under very limited exceptional circumstances.

These children will remain an “excepted pupil” for the time they are in an infant class or until the class numbers fall back to the current infant class size limit. The excepted children are:

- a) Children with statements of special educational need (SEN) admitted outside the normal admission round;
- b) Looked After Children and previously Looked After Children admitted outside the normal admission round;
- c) Children admitted, after initial allocation of places, because of a procedural error made by the Admission Authority or Local Authority in the original application process;
- d) Children admitted after an Independent Appeals Panel upholds an appeal;
- e) Children who move into the area outside the normal admission round for whom there is no other available School within reasonable distance;
- f) Children of UK service personnel admitted outside the normal admission round;
- g) Twins and children from multiple births when one of the siblings is the 30<sup>th</sup> child admitted;
- h) Children with SEN who are normally taught in a SEN unit attached to the School, or registered at a Special School, who attend some infant classes within the mainstream School.

### **Children with a Disability**

It is unlawful for a School in relation to certain activities to treat a disabled child less favourably than a non-disabled child, without justification. These activities include admissions and a School must make reasonable adjustments, as necessary, to ensure that this is the case.

### **Twins and multiple births**

In the normal admission round, if the last child to be offered a place is a twin, and their sibling cannot be offered a place, the Local Authority will ensure that both twins are offered a place together. In the case of other multiple births, if the majority of children can be offered a place, the Local Authority will offer places to the remaining children. For example if two triplets can be offered a place, the remaining child will also receive an offer of a place.

### **Admission of children outside their normal age group**

Parents/carers of gifted and talented children, or those who have experienced problems or missed part of a year, for example due to ill health, can seek places outside their normal age group. The Local Authority will make decisions in consultation with the School on the basis of the circumstances of each case, informing parents of their statutory right to appeal. This right does not apply if they are offered a place in another year group at the school. Advice will normally be sought from appropriate professionals, such as an educational psychologist, in order

to make a decision.

### **Children of UK service personnel (UK Armed Forces)**

The Local Authority will accept applications in advance of a service family residing in the borough if the application is accompanied by an official government letter declaring a relocation date and a Unit postal address or quartering area address for the parents/ carers of the child concerned.

### **Changing Preferences**

Parents/carers who applied online can change their preferences by logging onto the online system via [www.eAdmissions.org.uk](http://www.eAdmissions.org.uk) and resubmitting their application, any changes will supersede the previous application.

Parents/carers who submitted a paper application will need to complete a new CAF which will supersede the previously submitted application.

All changes must be submitted by the closing date of **15 January 2015** to be considered as on-time applications.

### **School preference order**

Parents/carers should list their preferences in order. If the parents/carers of a child disagree as to the preferences they wish to express, they should resolve that difference before submitting the application, as the Local Authority will only process one application for each child.

### **Using all your preferences**

The Local Authority strongly recommends that parents express more than one preference and this should include a School local to their home address as there is no guarantee that the local School will be offered in the event that none of the preferred Schools are offered.

### **Home to School Travel**

It is important that parents/carers, when selecting their preferences for School admission, take into account how their child will travel to School.

### **Offers**

Havering will inform all applicants of the outcome of their application and, where relevant, the reasons why preferences were not offered if the school concerned is a Havering School.

Havering will ensure, that each Havering applicant who cannot be offered a place at one of their preferred Schools receives an offer of an alternative School place.

Under such circumstances applicants will be allocated a place at the nearest School to the applicant's home address that has a place available.

Parents/carers who submitted an online application will receive an email during the evening of the **16 April 2015** advising them of the School they have been offered. Parents/carers will also be advised in the email to log back onto the eAdmissions website to accept or decline the School offered by the **30 April 2015**.

Parents/carers who submitted paper applications will be sent the results by first class post on the **16 April 2015**.

The Admissions Team will not be able to inform parents/carers of the outcome of their application over the telephone or by e-mail until **Wednesday 22 April 2015**.

### **Accepting or declining an offer**

Havering strongly recommends that all parents/carers accept the School place offered. Accepting a School place does not prejudice the chances of being offered a higher preference later on in the process as the child's name will automatically be placed on the waiting list for the Schools listed higher than the School offered. Accepting an offer will not affect parent/carers chances at an Independent Appeal Hearing.

Parents/carers who applied online must ensure that they accept the offer of a school place by logging back into the eAdmissions website as detailed in the email they receive on **16 April 2015**. Failure to accept the offer may result in the offer being withdrawn.

Parents/carers who applied via a paper application must either return the reply slip sent to them with the initial offer letter or email the School Admissions Team on [Schooladmissions@havering.gov.uk](mailto:Schooladmissions@havering.gov.uk) before the deadline of **30 April 2015**. Failure to accept the offer may result in the offer being withdrawn.

If parents/carers choose to decline an offer this may result in their child being out of School until they become Statutory School age, which is the term after their 5<sup>th</sup> birthday.

For children born on or after the 1<sup>st</sup> day of the Summer Term 2015, this could mean they will miss the entire Reception School year.

### **Waiting Lists**

In the event that parents/carers are offered a lower preference School Havering will automatically place children on a waiting list for higher preference Schools. The child's name will automatically remain on the waiting list for the Autumn Term (September to December) unless a parent advises the School Admissions Team to remove them from the list/s.

The Havering School Admissions Team holds the waiting lists for all School's within Havering. For those Schools that require a Supplementary Information Form (SIF) the Admissions Team will liaise with the relevant School before making any offers.

Havering are not responsible for waiting lists for Schools located outside of Havering. Parents/carers should contact the individual School concerned or the Schools Local Authority to ask about waiting list procedures.

Priority cannot be given to children based on the date that their application was received or their name was added to the waiting list. Waiting lists are re-ranked in accordance with the School's published admission criteria each time a child's name is added to the waiting list.

A child's position on the waiting list can move up as well as down.

### **Remaining on a waiting list after the Autumn Term**

At the end of the Autumn Term (December) 2015, parents/carers wishing for their child's names to remain on the waiting list for their preferred schools, must complete an In Year Common Application Form (ICAF). These forms are available to download from the In Year section on the Havering website [www.havering.gov.uk/admissions](http://www.havering.gov.uk/admissions). The ICAF will only allow parents/carers to request 4 Schools and parents will only be able to appeal for Schools which they have already applied for within the Reception year group.

### **Appealing against admission decisions**

If parents/carers are unhappy about not being offered a place for their child at one of their preferred Schools, they may appeal to an Independent Appeal Panel. Parents/carers wishing to appeal for a Community or Voluntary Controlled School can obtain an appeal form by contacting the School Admissions Team via the following email ([Schooladmissions@havering.gov.uk](mailto:Schooladmissions@havering.gov.uk)) or visiting the Public Advice & Service Centre (PASC) based in the Liberty Shopping Centre, Romford. If the School is a Voluntary Aided Denominational, Foundation, Academy or Free School, parents/carers should contact them direct for the relevant appeal forms.

### **Further Appeals**

The Local Authority can only consider one appeal for each child during each Academic year. In normal circumstances, there is no right to a second appeal for the same School within the same School year. However, if there has been a significant and material change in the family's circumstances which they believe affects the level of priority under which the application was processed, for example, if the family had moved house, the Admissions Team may consider a second application as long as a parent/carer can provide evidence of the changed circumstances. If the second application is accepted but a place is still not available at the School requested, parents/carers will be given the right to a second appeal hearing.

### **Before submitting an appeal please read the following which relates to Infant Class Size Appeals.**

The law states that there must not be more than 30 children in an infant class (that is, classes containing reception, year 1 and year 2 children). Apart from some very limited exceptions, no infant class may contain more than 30 pupils being taught by one teacher.



Any admissions which would increase a class to more than 30 pupils (with the exception of 'excepted pupils') would require 'qualifying measures', such as organising an extra class, appointing an additional teacher, providing an additional classroom or introducing or extending mixed age group teaching.

When the Admission Authority can show to an Appeals Panel that any further admissions would require 'qualifying measures' your appeal could only be won if the Appeals Panel decided either that

- A mistake had been made in the allocation of places according to the admissions criteria which had deprived your child of a place and if the criteria had been applied correctly your child would have received that place
- The child would have been offered a place if the arrangements had not been contrary to mandatory provisions in the School Admissions Code and the School Standards and Framework Act 1998
- That the decision to refuse admission was 'unreasonable' in the circumstances of the case. 'Unreasonable' as defined by the Courts is construed as being perverse or irrational and is a very high threshold for an appeal to be successful.

## **Transfer from Infant to Junior Schools**

### **Children who attend Havering Infant Schools**

When a child attending a Havering Community Infant School, regardless of which borough they live in, is due to transfer to Year 3 there will be an automatic entitlement to transfer to the partner Junior School (A list of partner Infant and Junior Schools are listed at Appendix 2).

Parents/carers who wish to apply for a Year 3 place at a **Junior School** other than the partner Junior School will need to complete a Havering Junior Common Application Form (JCAF). These applications will be considered using the published admissions criteria for the preferred School(s). Such applications should be submitted by **15 January 2015**. Please note that this process cannot be completed online.

Parents/carers who wish to apply for a year 3 place in a **Primary School** will need to complete an In Year Common Application Form (ICAF). These applications will be dealt with in line with the In Year admissions process. Parents/carers should be aware that these applications will be dealt with as they are received. If a place is offered before the end of the Summer Term, the child would be required to start school immediately as places cannot be held until the child is due to start year 3.

In terms of applications for Junior Schools in Havering, places will only be allocated once demand has been met by pupils transferring from the partner Infant School. Havering will co-ordinate the application and a place will be offered at the highest preferred School with a vacancy. If there are no vacancies at any of the preferred Schools, a place will automatically be allocated to the partner Junior School and the parent/carer will be advised of this and of their right of appeal against the decision

not to offer their child a place at any of their preferred Schools.

### **Havering children who attend an out of borough Infant School**

Havering parents/carers whose children attend an out of borough Infant School and want their child to transfer to the out of borough Junior School will need to complete and submit the Havering Junior Common Application Form (JCAF). Some out of borough Junior Schools do not give priority to partner Infant School pupils and therefore parents/carers are advised to speak to the out of borough School prior to applying for a place.

The JCAF forms are available to download from the Infant to Junior transfer section of the Havering website [www.havering.gov.uk/admissions](http://www.havering.gov.uk/admissions) and must be submitted to the School Admissions Team by **15 January 2015**.

Havering and some out of borough Voluntary Aided Denominational, Foundation, Academies and Free Schools may require Supplementary Information Forms (SIF) to be completed and where this is the case these should be sent to the School/Academy direct. The Admissions team in the relevant borough will liaise with the Local Authority in whose area the School is located and advise if a place can be offered at the Junior School.

### **Deferring entry to school**

Havering will offer a school place for all children in the September following their fourth birthday.

Parents/carers can make a **request** in writing to the Head Teacher at the School where a place has been offered that the date their child's admission is deferred until later in the academic year or until the term in which the child reaches compulsory school age. Alternatively parents/carers may **request** in writing that their child takes up the place part-time until the child reaches compulsory school age.

It is at the discretion of the Head Teacher as to whether or not such a request is granted.

Where deferred entry is agreed, Schools must hold the place for that child and the Local Authority must not offer the place to another child. Parents/carers **cannot** defer entry beyond the beginning of the term after their child's fifth birthday, nor beyond the academic year for which the original application was accepted. The normal points of entry to a School are September, January or April.

### **In Year Admissions**

In Year admissions are admissions that take effect after 1<sup>st</sup> September 2015

The Local Authority will continue to administer In Year applications for all Schools in Havering.

Parents/carers including out of borough residents, requesting a School place should

submit an application to the School Admissions Team using the In Year Common Application Form (ICAF) which is available to download from the In Year section on the Havering website [www.havering.gov.uk/admissions](http://www.havering.gov.uk/admissions). Paper ICAF's are also available from the Public Advice & Service Centre (PASC) based in the Liberty Shopping Centre, Romford.

Further information regarding In Year admissions is available in the 'Finding A School Place' booklet available to download from the In Year section on the Havering website [www.havering.gov.uk/admissions](http://www.havering.gov.uk/admissions).

Voluntary Aided Denominational, Foundation, Academies and Free Schools that require Supplementary Information Forms to be completed should be sent to the School direct.

The Local Authority will process the application and a place will be offered at the highest preferred School/ Academy with a vacancy. If there are no vacancies at any of the preferred Schools/ Academies, then the parent carer will be offered an alternative School/ Academy, and will be advised of this fact and of their right of appeal against the decision not to offer their child a place at any of their preferred Schools/ Academy.

### **Use of the Fair Access Protocol**

A place at a School or Academy may be offered using the Local Authority's Fair Access Protocol when a parent/carers cannot secure any School place under the In Year admission procedures.

### **Admissions criteria for Community and Voluntary Controlled Schools**

The criteria outlined below apply **only** to Havering Community and Voluntary Controlled Schools as listed in Appendix 1.

If there are more applications than there are places available at a School, we will use the following criteria, in priority order, for deciding which applications to accept;

- i. Looked After Children and Children who were Looked After, but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order).
- ii. Exceptional medical or exceptional social grounds (supporting medical or other evidence must be provided at the time of application).
- iii. The attendance in September 2015 at the School of a brother or sister. This will include children in partner Junior Schools.
- iv. The distance of the home address from the School, as measured by a straight line from the School, those pupils living nearer the School being given higher priority.

If, because of oversubscription in any of the categories i) to iii) above, it is necessary

to distinguish between applicants, the distance of the applicant's home address from the School, as measured by a straight line from the School, will be used with those pupils living nearer the School being given higher priority.

The number of pupils to be admitted to the Reception age group (the admission number) in infant and primary Schools is detailed in Appendix 1

## **Definitions of Admissions Criteria**

### **Looked after children**

A looked after child is as defined by Section 22(1) of the Children Act 1989, is

- a) a child who is in the care of a Local Authority, or
- b) being provided with accommodation by a Local Authority. Priority is also given under this criterion for looked after children who ceased to be so because they:
  1. were adopted under Section 46 of the Adoption and Children Act 2002;
  2. became subject to a residence order under Section 8 of the Children Act 1989, which settles the arrangements to be made as to the person with whom a child is to live;
  3. became subject to a special guardianship order under Section 14A of the Children Act 1989, which is an order appointing one or more individuals to be a child's special guardian(s).

Applications under categories 1 to 3, as outlined above, can only be considered if supporting documents, in the form of a copy of the adoption order, residence order or special guardianship order, together with a letter from the Local Authority that last looked after the child confirming that (s)he was looked after **immediately prior** to the order being made, is submitted with the Common Application Form.

### **Exceptional medical or exceptional social grounds**

Applications under this criterion can only be considered if supporting documents in the form of a letter or report from a doctor, social worker or other appropriate professional is submitted with the Common Application Form (CAF).

The exceptional medical or social reasons must relate to the child. The evidence supplied by the doctor, social worker or other appropriate professional must clearly set out the reasons why the preferred School is the most suitable and the difficulties that would be caused if the child attended and had to travel to another School/ Academy. Please note that under the Disability Discrimination Act the general expectation is that all Schools will make reasonable adjustments to accommodate the needs of individual children with disabilities or medical needs. Consideration will be given to each submission by a panel of Local Authority officers consisting of:

- 2 Senior Admissions Officers
- 2 Special Educational Needs Officers
- 1 Learning Support Manager

### **Sibling (brother or sister)**

A sibling is defined as:

- A full brother or sister
- A half-brother or half-sister
- A step-brother or step-sister and
- An adopted or long term fostered brother or sister;

Who are living at the same address and going to the named School in any year group (the sibling must be attending the Infant, Junior or Primary School when the child they are applying for is admitted).

**Or**

A biological brother or sister, who attends the preferred school (and will still be attending the school when the sibling is admitted), irrespective of the place of residence.

### **Distance of the home address from the School**

The distance between the home address and the preferred School is measured in a straight line, not by the shortest walking or bus route. The measurement is taken between the address point for the preferred School and the address point of the child's normal place of residence.

Address points are located in the centre of the child's home, or in the centre of a block of flats, and for Schools the address point is located in the centre of the School (unless otherwise stated in the schools own admissions arrangements).

In the event that two or more applicants, apply for a single place at a preferred School live at addresses that are located at exactly the same distance from the preferred School, or live in the same block of flats, the place will be offered on a random basis drawn by an officer of the Local Authority who is not involved in the admissions process.

### **Home Address**

The home address is a key part of the admissions process. It is the child's normal place of residence that will take precedence. Parents/carers must not use the address of a relative, a child-minder or a business address which is not the child's normal place of residence. There have been occasions when parents/carers have tried to use false addresses to obtain a place at a School. To prevent this happening, the Havering School Admissions Team undertakes checks on all addresses against the Havering Council Tax register. If after checking Council Tax records, we cannot be satisfied that the address is the parent and child's normal place of residence, the parent/carer will be asked to provide further proof of their home address. Details of such documents are detailed in Appendix 3.

If a parent/carer is found to have used a false address or deliberately provided

misleading information to obtain a School place, the offer will be withdrawn. Should there be doubts about the address to be used parents/carers may be asked to provide evidence concerning the child's normal place of residence. This could include a court order stating where the child should live during the course of the week. The Local Authority would expect that the parent/carer with whom the child is normally resident receives the child benefit for the child.

If parents/carers move address during the admissions process they **must** notify the School Admissions Team and provide verification of the new address immediately. This should be supported by evidence from a solicitor regarding the date of exchange of contracts if parents/carers are purchasing a new home or the signed tenancy agreement if they are renting a property. The length of a tenancy agreement from the letting agent should be sufficient to cover the date on which their child would start attending their preferred School.

If parents/ carers have more than one property they may be required to provide proof of the normal place of residence of the child.

With regards to how the information provided by parents/carers is handled, the following statement is detailed on their application form:

*“Havering Council will handle information you have provided in line with the Data Protection Act (DPA) and will be used for school admission purposes. The information will be held in confidence with only the necessary people working within the combined children’s services able to access and handle it. The Council has a duty under the Children Act 2004 to work with partners to develop and improve services to children and young people in the area. As such, the Council may also use this information for other legitimate purposes and may share information (where necessary) with other Council departments and external bodies responsible for administering services to children and young people. For the purpose of validating proof of address the admissions team may refer to data held by Council Tax records. The Council also has a duty to protect the public funds it administers, and to this end it may use the information you have provided on this form for the prevention and detection of fraud. Under the DPA you have the right to make a formal written request for access to personal data held about you or your child. For further information please contact the School Admissions Team”*

### **Admission to Maintained Nursery Classes**

A number of community Schools have nursery classes. Children can be admitted part-time to nursery classes for a maximum of three terms prior to the term they will start mainstream education. These Schools are:

Broadford Primary	Brookside Infant	Clockhouse Primary
Crowlands Primary	Hacton Primary	Hilldene Primary
Hylands Primary	Mead Primary	Newtons Primary
Parklands Infant	Pyrgo Priory Primary	Rainham Village Primary

For further information about the admissions arrangements parents/ carers should

contact the head teacher of the School concerned.

**Attendance at a nursery class does not mean an automatic transfer to the Reception class of the main School.** If a child is admitted to a nursery class their parents/ carers must express a preference for admission to the main School using Havering's Common Application Form (CAF) if they reside in Havering, or the Common Application Form used by their home Local Authority if they live outside the borough.

Parents/carers residing in Havering should complete the Common Application Form (CAF) online via the eAdmissions website ([www.eadmissions.org.uk](http://www.eadmissions.org.uk)). Parents who are unable to complete the CAF online will be able to visit the Public Advice & Service Centre (PASC) based in Romford's Liberty Shopping Centre on a Monday, Wednesday or Friday mornings (between 9:30 and 12:30) where Admissions Staff will be able to assist with this online process or if appropriate a paper application will be issued to parents. All applications **must** be submitted by the **15 January 2015**.

A number of Voluntary Aided Denominational, Foundation, Academies and Free Schools also have nursery classes within Havering these are;

- St Edwards Church of England School
- St Ursula's Catholic School
- Oasis Academy Pinewood
- Oasis Academy Romford

Parents/carers should contact the Schools direct to ascertain if there are any vacancies.

There are also a number of Private, Voluntary and Independent (PVI) provisions within Havering who deliver up to 15 hours of free early education to children aged 3 and 4. For more information on these provisions parents/carers should visit [www.havering.gov.uk/eee](http://www.havering.gov.uk/eee).

The Admissions Team are not responsible for administering or processing these applications. Parents are advised to visit the pre-schools / nurseries direct or contact the Family Information Service Team on 0800 678 1991. Parents cannot appeal against decisions made about nursery places.

## Appendix 1

### COMMUNITY AND VOLUNTARY CONTROLLED PRIMARY SCHOOLS: Admission Numbers for admissions to the Reception and Year 3

School Name	Published Admission Number	
	Reception	Year 3
Ardleigh Green Infants	90	
Ardleigh Green Juniors		90
Benhurst Primary	45	
Brady Primary	30	
Branfil Primary	90	
Broadford Primary	45	
Brookside Infants	60	
Brookside Juniors		60
Clockhouse Primary	90	
Crowlands Primary	75	
Crownfield Infants	90	
Crownfield Juniors		90
Elm Park Primary	60	
Dame Tipping Primary	15	
Engayne Primary	90	
Gidea Park Primary	60	
Hacton Primary	54	
Harold Court Primary	60	
Harold Wood Primary	90	
Hilldene Primary	90	
Hylands Primary	60	
Langtons Infants	90	
Mead Primary	90	
The RJ Mitchell Primary	30	
Nelmes Primary	60	
Newtons Primary	45	
The James Oglethorpe Primary	45	
Parklands Infants	120	
Parklands Juniors		120
Parsonage Farm Primary	90	
Pyrgo Priory Primary	60	
Rainham Village Primary	60	
Rise Park Infants	90	
Rise Park Juniors		60
Scargill Infants	90	
Scargill Juniors		75
Scotts Primary	30	
Squirrels Heath Infants	90	
Squirrels Heath Juniors		90
Suttons Primary	30	



<b>Towers Infants</b>	<b>90</b>	
<b>Towers Juniors</b>		<b>60</b>
<b>Whybridge Infants</b>	<b>60</b>	
<b>Whybridge Juniors</b>		<b>60</b>
<b>Wykeham Primary</b>	<b>90</b>	

## **Appendix 2**

### **Partner Community Infant/Junior Schools in the London Borough of Havering:**

Ardleigh Green Infant and Junior  
 Brookside Infant and Junior  
 Crownfield Infant and Junior  
 Langtons Infant and Langtons Junior Academy  
 Parklands Infant and Junior  
 Rise Park Infant and Junior  
 Scargill Infant and Junior  
 Squirrels Heath Infant and Junior  
 Towers Infant and Junior  
 Whybridge Infant and Junior

### **Other partner Infant/Junior Schools in the London Borough of Havering:**

St Ursula's Catholic Infant and Junior (Voluntary Aided Denominational Schools)  
 Upminster Infant and Junior (academies)

## Appendix 3

### **Proof of address for School admissions purposes**

When a parent is required to provide proof of address the following information will be required. One document from group **one** and **three** documents from group 2 or **at least five** documents from group 2:

#### Group 1

- Exchange of contracts / proof of completion showing your name and the full address of the property.
- Legal rental document showing your name and the full address and dated for no less than one year with at least 6 months remaining after the application date.
- Solicitor's letter confirming recent house purchase or land registry confirmation (in this case, proof of the sale or rental of your previous address will also be required).
- Council Tax Bill showing your name as a liable person and must be for the current year.
- Current, valid full UK photo-card driving license with signature or 'old style' driving license. (Provisional licenses are not acceptable as proof of address).
- The child or parents UKBA Application Registration Card or IND Application Registration Card issued by the Home Office (either are acceptable).
- UK firearms licence

#### Group 2

- Bank, building society statement (not credit card). It must be no more than three months old and show your name and current address.
- Mortgage Statement showing your name and current address.
- Financial Statement e.g. Pension, endowment, ISA (UK).
- Household utility bill (e.g. gas, electric, water or fixed line telephone but not a mobile phone bill). It must be no more than three months old and show your name and current address.
- Original notification letter from the relevant benefits agency confirming the right to benefits or state pension showing your name and current address.
- HM Revenue & Customs (Inland Revenue) tax document eg tax assessment, statement of account, notice of coding. It must contain your full name and current address. P45s and P60s are not acceptable.
- Vehicle Registration Document (V5C) or old style (V5) showing your name and current address.
- TV licence (valid for the current year) showing your name and current address.
- Vehicle tax renewal document (issued within the last 6 months) showing your name.

If parents/carers current address means they are living with someone who lives either in a privately rented or Council property we must see their 2014/15 Council Tax Bill or Council Tax benefit letter or notice with written confirmation from the

landlord, of all the people who are authorised to live at the premises and for what period of time. The letter must contain the following information:

1. The address of the property
2. The name of all legal tenants and authorised residents
3. A statement confirming that all people applying for a School place are entitled to stay as permanent residents.

## Appendix 4

### Reception Admissions Timetable

#### PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME SCHEDULE 3B

<b>15 Jan 2015</b>	Statutory deadline for receipt of applications
<b>3 Feb 2015</b>	Deadline for the transfer of application information by the Home LA to the PLR (ADT file)
<b>3 Feb 2015</b>	Deadline for the upload of late applications to the PLR
<b>16-23 Feb 2015</b>	Checking of application data
<b>16 Mar 2015</b>	Deadline for the transfer of potential offer information from the Maintaining LAs to the PLR (ALT file).
<b>20 Mar 2015</b>	Final ALT file to PLR
<b>23 Mar - 10 Apr 2015</b>	Checking of offer data
<b>13 Apr 2015</b>	Deadline for on-line ALT file to portal
<b>16 April 2015</b>	Offer letters posted.
<b>30 April 2015</b>	Deadline for receipt of acceptances
<b>14 May 2015</b>	Deadline for transfer of acceptances to maintaining LAs

**Havering 2015/16 Co-ordinated Year 7 (Cohort) Admission Arrangements for all Secondary Schools in Havering (excluding private Schools), the arrangements for In-Year Secondary Admissions.**

**And**

**The Admissions Criteria for the Havering Community Secondary School**

Index;

Co-ordinated Admission Arrangements

Waiting Lists

Appealing against admission decisions

In Year Admissions

Admissions criteria for the Community Secondary School

Definitions of the Admissions Criteria

Appendices

The Local Authority (LA) is required by law to co-ordinate all Junior / Primary (Year 6) to Secondary School (Year 7) admissions (excluding private Schools) within the borough.

This LA is part of the Pan-London Co-ordinated Admissions System. The London Inter Authority Admissions Group (LIAAG) is the Admissions Executive Board and is responsible for the scheme that co-ordinates admissions to Schools across all boroughs.

The co-ordinated system is in place to ensure parents receive only one offer of a School place for their child.

**When should parents/carers apply for a 2015 Year 7 School place**

If your child was born between 1 September 2003 and 31 August 2004 they will start Secondary School in September 2015.

**Applying for a place at a Secondary School or Academy.**

Only legal guardians with parental responsibility are entitled to make an application for a child's School place. A guardian is defined as a parent or carer who has legal responsibility for the child this includes a person who is named legally through a Court Order.

Parents/carers residing in Havering should complete the Common Application Form (CAF) online via the eAdmissions website ([www.eadmissions.org.uk](http://www.eadmissions.org.uk)). Parents who are unable to complete the CAF online will be able to visit the Public Advice & Service Centre (PASC) based in Romford's Liberty Shopping Centre on a Monday, Wednesday or Friday mornings (between 9:30 and 12:30) where Admissions Staff will be able to assist with this online process or if appropriate a paper application will be issued to parents. All applications **must** be submitted by the **31 October 2014**.

Parents/carers may list up to 6 preferred Schools that they wish their child to be considered for within or outside Havering and rank them in order of preference. Should parents/carers wish their children to be considered for any Voluntary Aided Denominational Schools or an Academy / Free School, they need to ensure these Schools are also included on the CAF. Where Parents/carers apply for places at a Voluntary Aided Denominational School or an Academy / Free School (in or outside Havering) they may need to complete a Supplementary Information Form (SIF) for each of these Schools / Academies and submit them direct to the School / Academy concerned with any documents that the School requests by the closing date. The SIF forms will be available from the Schools own websites.

#### **Havering residents wanting a School in a different Local Authority (LA)**

Havering residents who wish their child to be considered for a School in another Local Authority must name these Schools on the online CAF via the eAdmissions website or the Havering paper CAF. If parents/carers apply for places at Voluntary Aided Denominational, Foundation, Academy or Free Schools outside of Havering they may be required to complete a SIF for each of these Schools and submit them direct to the School concerned with any documents that the School requests by the closing date **31 October 2014**.

#### **Parents who do not live in Havering but are requesting a Havering School**

Each Local Authority (LA) is responsible for providing education or training to children of School age (five to eighteen) living in their LA.

Parents/carers not resident in Havering will need to ensure they read the Admissions Booklet from their own LA as well as the Admissions Criteria for the Havering School/s they wish to apply for. Parents/carers must complete their own Local Authorities Common Application Form (CAF), listing the Havering School/s and complete any relevant Supplementary Information Form (SIF) required before the closing date of **31 October 2014**.

#### **Voluntary Aided Denominational, Foundation, Academies and Free Schools**

Voluntary Aided Denominational, Foundation, Academies and Free Schools may also require parents/carers to complete their Supplementary Information Forms (SIF) which must be returned direct to the Schools with additional documents before **31 October 2014**.

The Admissions Team are not responsible for, and will not accept, any supplementary forms on behalf of parents for these Schools. The Governing Bodies

are the Admissions Authorities for these Schools, and each School follows its own admissions criteria to rank positions for applicants. SIF's are not valid unless a CAF is also completed for that child.

### **How we use preferences**

The Admissions Team processes all applications using the equal preference system which is a model system where all preferences listed on the Common Application Form (CAF) are considered under the Admissions Criteria for each School without reference to parental rankings.

The Local Authority (LA) considers each preference as if it were the only preference. For each preference listed the LA uses the admissions criteria to see if an offer of a School place can be made. If the LA can offer a place at two or more Schools which a parent has listed, the LA will offer the place at the School ranked highest on the application form.

Schools that require Supplementary Information Forms (SIFs) are responsible for their own admissions. They receive information from the LA of the applications received that listed the School as a preference and combine this with the information provided on the SIFs sent direct from parents. Each Voluntary Aided Denominational, Foundation, Academy or Free School will then rank the children in accordance with their published admissions criteria. The Schools will then advise their ranking order of all applicants to the LA. This information is then used during the offer process.

All preferences are collated and parents then receive an offer from the LA at the highest preferred School at which a place can be offered. All offers will be made on the National Offer Day of **2 March 2015**.

The order of preferences is confidential to the Local Authority and will not be shared with Schools in accordance with the Department for Education's 2012 School Admissions Code.

### **Late applications requesting Havering Schools**

Havering will accept late applications for consideration in the first round of offers only in the event of exceptional circumstances, which must be submitted in writing to the Admissions Manager. Each case will be considered and will be decided on its own merits by the Admissions Panel which is made up of 3 senior Admissions Officers and the Executive Head Teacher of Alternative Provision and Looked After Children. Examples of what will be considered as valid reasons include:

- if a single parent has been seriously ill for some time
- a family has been dealing with the death of a close relative
- a family has just moved into the area after submitting an on time application in their previous area
- Parents/carers have just arrived in the borough and the delay has been created by factors outside of their control.

### **Proof will be required in all cases.**

Except in cases listed above, applications for places received after **31 October 2014** will not be considered until all of the applications received by that date have been dealt with. It is crucial therefore for parents/carers to adhere to the deadline to stand a realistic chance of any of their preferences being offered.

### **Late applications requesting other London Borough Schools**

Where late applications contain preferences for Schools in other London Boroughs, Havering will forward the details to those LA's via a secure document exchange system. The latest date for the upload to the other London Boroughs for late applications which are considered to be on-time within the terms of the home LA's scheme is **12 December 2014**.

### **Parents/carers who move into Havering from another London Borough**

Where a parent/carer moves from another London Borough to Havering after submitting an on-time application under the terms of their previous home authority's arrangements, Havering will treat the application as on-time if received before **12 December 2014**.

### **Children with statements of special educational need**

The 2012 School Admissions Code states 'Schools are required to admit children with statements of special educational need where the School concerned is named on the statement'. As a result, we allocate these places first. The remaining places are offered in accordance with the Schools published admission criteria.

### **Equality Act 2010**

An Admission Authority must ensure that their admission arrangements do not discriminate on the grounds of disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a pupil. The admissions criteria applied by this LA as the Admission Authority for the Havering community and Voluntary Controlled Schools is non-discriminatory.

### **Children with a Disability**

It is unlawful for a School in relation to certain activities to treat a disabled child less favourably than a non-disabled child, without justification. These activities include admissions and a School must make reasonable adjustments, as necessary, to ensure that this is the case.

### **Twins and multiple births**

In the normal admission round, if the last child to be offered a place is a twin, and their sibling cannot be offered a place, the Local Authority will ensure that both twins are offered a place together. In the case of other multiple births, if the majority of



children can be offered a place, the Local Authority will offer places to the remaining children. For example if two triplets can be offered a place, the remaining child will also receive an offer of a place.

### **Admission of children outside their normal age group**

Parents/carers of gifted and talented children, or those who have experienced problems or missed part of a year, for example due to ill health, can seek places outside their normal age group. The Local Authority will make decisions in consultation with the School on the basis of the circumstances of each case, informing parents of their statutory right to appeal. This right does not apply if they are offered a place in another year group at the school. Advice will normally be sought from appropriate professionals, such as an educational psychologist, in order to make a decision.

### **Children of UK service personnel (UK Armed Forces)**

The Local Authority will accept applications in advance of a service family residing in the borough if the application is accompanied by an official government letter declaring a relocation date and a Unit postal address or quartering area address for the parents/ carers of the child concerned.

### **Changing Preferences**

Parents/carers who applied online can change their preferences by logging onto the online system via [www.eAdmissions.org.uk](http://www.eAdmissions.org.uk) and resubmitting their application, any changes will supersede the previous application.

Parents/carers who submitted a paper application will need to complete a new CAF which will supersede the previously submitted application.

All changes must be submitted by the closing date of **31 October 2014** to be considered as on-time applications.

### **School preference order**

Parents/carers should list their preferences in the order they prefer. If the parents/carers of a child disagree as to the preferences they wish to express, they should resolve that difference before submitting the application, as the Local Authority will only process one application for each child.

### **Using all your preferences**

The Local Authority strongly recommends that parents express more than one preference and this should include a School local to their home address as there is no guarantee that the local School will be offered in the event where none of the preferred Schools have been offered.

### **Home to School Travel**

It is important that parents/carers, when selecting their preferences for School admission, take into account how their child will travel to School.

### **Offers**

Havering will inform all applicants of the outcome of their applications and, where relevant, the reasons why preferences were not offered if the school concerned is a Havering School.

Havering will ensure, that each Havering applicant who cannot be offered a place at one of their preferred Schools receives an offer of an alternative School place. Under such circumstances applicants will be allocated a place at the nearest School to the applicant's home address that has a place available.

Parents/carers who submitted an online application will receive an email during the evening of the **2 March 2015** advising them of the School they have been offered. Parents/carers will also be advised in the email to log back onto the eAdmissions website to accept or decline the School offered by the **16 March 2015**.

Parents/carers who submitted paper applications will be sent the results by first class post on the **2 March 2015**.

The Admissions Team will not be able to inform parents/carers of the outcome of their application over the telephone or by e-mail until **6 March 2015**.

### **Accepting or declining an offer**

Havering strongly recommends that all parents/carers accept the School place offered. Accepting a School place does not prejudice the chances of being offered a higher preference later on in the process as the child's name will automatically be placed on the waiting list for the Schools listed higher than the School offered. Accepting an offer will not affect parent/carers chances at an Independent Appeal Hearing.

Parents/carers who applied online must ensure that they accept the offer of a school place by logging back into the eAdmissions website as detailed in the email they receive on **2 March 2015**. Failure to accept the offer may result in the offer being withdrawn and the parent/carer must inform the Local Authority as to what arrangements they are making for their child's Secondary education.

Parents/carers who applied via a paper application must either return the reply slip sent to them with the initial offer letter or email the School Admissions Team on [Schooladmissions@haverling.gov.uk](mailto:Schooladmissions@haverling.gov.uk) before the deadline of **16 March 2015**. Failure to accept the offer may result in the offer being withdrawn and the parent/carer must inform the Local Authority as to what arrangements they are making for their child's Secondary education.

### **Waiting Lists**

In the event that parents/carers are offered a lower preference School Havering will automatically place children on a waiting list for higher preference Schools. The child's name will automatically remain on the waiting list for the Autumn Term

(September to December) unless a parent advises the School Admissions Team to remove them from the list/s.

The Havering School Admissions Team holds the waiting lists for all Schools within Havering. For those Schools that require a Supplementary Information Form (SIF) the Admissions Team will liaise with the relevant School before making any offers.

Havering are not responsible for waiting lists for Schools located outside of Havering. Parents/carers should contact the individual School concerned or the Schools Local Authority to ask about waiting list procedures.

Priority cannot be given to children based on the date that their application was received or their name was added to the waiting list. Waiting lists are re-ranked in accordance with the School's published admission criteria each time a child's name is added to the waiting list.

A child's position on the waiting list can move up as well as down.

### **Remaining on a waiting list after the Autumn Term**

At the end of the Autumn Term (December) 2015, parents/carers wishing for their child's names to remain on the waiting list for their preferred schools, must complete an In Year Common Application Form (ICAF). These forms are available to download from the In Year section on the Havering website [www.havering.gov.uk/admissions](http://www.havering.gov.uk/admissions). The ICAF will only allow parents/carers to request 4 Schools and parents will only be able to appeal for Schools which they have not already appealed for within the Year 7 year group.

### **Appealing against admission decisions**

If parents/carers are unhappy about not being offered a place for their child at one of their preferred Schools, they may appeal to an Independent Appeal Panel. Parents/carers wishing to appeal for a Community School can obtain an appeal form by contacting the School Admissions Team via the following email [Schooladmissions@havering.gov.uk](mailto:Schooladmissions@havering.gov.uk) or visiting the Public Advice & Service Centre (PASC) based in the Liberty Shopping Centre, Romford. If the School is a Voluntary Aided Denominational, Foundation, Academy or Free School, parents/carers should contact them direct for the relevant appeal forms.

### **Further Appeals**

The Local Authority can only consider one application for each child during each Academic year. In normal circumstances, there is no right to a second appeal for the same School within the same School year. However, if there has been a significant and material change in the family's circumstances which they believe affects the level of priority under which the application was processed, for example, if the family had moved house, the Admissions Team may consider a second application as long as a parent/carer can provide evidence of the changed circumstances. If the second application is accepted but a place is still not available at the School requested, parents/carers will be given the right to a second appeal hearing.

## **In Year Admissions**

In Year admissions are admissions that take effect after 1<sup>st</sup> September 2015

The Local Authority will continue to administer In Year applications for all Schools in Havering apart from The Drapers' Academy, for information on their In Year admissions arrangements for the academic year 2015/16 please refer to the Academy's website.

Parents/carers including out of borough residents, requesting a School place should submit an application to the School Admissions Team using the In Year Common Application Form (ICAF) which is available to download from the In Year section on the Havering website [www.havering.gov.uk/admissions](http://www.havering.gov.uk/admissions). Paper ICAF's are also available from the Public Advice & Service Centre (PASC) based in the Liberty Shopping Centre, Romford.

Further information regarding In Year admissions is available in the 'Finding A School Place' booklet available to download from the In Year section on the Havering website [www.havering.gov.uk/admissions](http://www.havering.gov.uk/admissions).

Voluntary Aided Denominational, Foundation, Academies and Free Schools that require Supplementary Information Forms to be completed should be sent to the School direct.

The Local Authority will process the application and a place will be offered at the highest preferred School/ Academy with a vacancy. If there are no vacancies at any of the preferred Schools/ Academies, then the parent carer will be advised of this fact and of their right of appeal against the decision not to offer their child a place at any of their preferred Schools/ Academy.

## **Use of the Fair Access Protocol**

A place at a School or Academy may be offered using the Local Authority's Fair Access Protocol when a parent/carers cannot secure any School place under the In Year admission procedures.

## **Admissions criteria for the Community Secondary School (Gaynes School)**

The below criteria applies **only** to the Havering Community School (Gaynes School) which has a Published Admissions Number (PAN) of 192.

These criteria will be effective for all year groups throughout the academic year 2015/16

If there are more applications than there are places available at a School, we will use the following criteria, in priority order, for deciding which applications to accept (please see full definitions on page 13).

1. Looked After Children and Children who were Previously Looked After, but

ceased to be so because they were adopted (or became subject to a residence order or special guardianship order).

2. Exceptional medical or exceptional social grounds (supporting medical or other evidence must be provided at the time of application).
3. The attendance in September 2015 at the School of a brother or sister.
4. The distance of the home address from the School, as measured by a straight line from the School, those pupils living nearer the School being given higher priority.

If, because of oversubscription in any of the categories 1) to 3) above, it is necessary to distinguish between applicants, the distance of the applicant's home address from the School, as measured by a straight line from the School, will be used with those pupils living nearer the School being given higher priority.

## **Definitions of Admissions Criteria**

### **Looked after children**

A looked after child is as defined by Section 22(1) of the Children Act 1989, is

- c) a child who is in the care of a local authority, or
- d) being provided with accommodation by a local authority. Priority is also given under this criterion for looked after children who ceased to be so because they:
  - i. were adopted under Section 46 of the Adoption and Children Act 2002;
  - ii. became subject to a residence order under Section 8 of the Children Act 1989, which settles the arrangements to be made as to the person with whom a child is to live;
  - iii. became subject to a special guardianship order under Section 14A of the Children Act 1989, which is an order appointing one or more individuals to be a child's special guardian(s).

(Applications under categories i) to iii), as outlined above, can only be considered if supporting documents, in the form of a copy of the adoption order, residence order or special guardianship order, together with a letter from the local authority that last looked after the child confirming that (s)he was looked after **immediately prior** to the order being made, is submitted with the Common Application Form.)

### **Exceptional medical or exceptional social grounds**

Applications under this criterion can only be considered if supporting documents in the form of a letter or report from a doctor, social worker or other appropriate professional is submitted with the Common Application Form (CAF).

The exceptional medical or social reasons must relate to the child. The evidence

supplied by the doctor, social worker or other appropriate professional must clearly set out the reasons why the preferred School is the most suitable and the difficulties that would be caused if the child attended and had to travel to another School/ Academy. Please note that under the Disability Discrimination Act the general expectation is that all Schools will make reasonable adjustments to accommodate the needs of individual children with disabilities or medical needs. Consideration will be given to each submission by a panel of Local Authority officers consisting of:

- 2 Senior Admissions Officers
- 2 Special Educational Needs Officers
- 1 Learning Support Manager

### **Sibling (brother or sister)**

A sibling is defined as:

- A full brother or sister
- A half-brother or half-sister
- A step-brother or step-sister and
- An adopted or long term fostered brother or sister;

Who are living at the same address and going to the named School in any year group (the sibling must be attending the school when the child you are applying for is admitted).

**Or**

A biological brother or sister, who attends the preferred school (and will still be attending the school when the sibling is admitted), irrespective of the place of residence.

### **Distance of the home address from the School**

The distance between the home address and the preferred School is measured in a straight line, not by the shortest walking or bus route. The measurement is taken between the address point for the preferred School and the address point of the child's normal place of residence.

Address points are located in the centre of the child's home, or in the centre of a block of flats, and for Schools the address point is located in the centre of the School.

In the event that two or more applicants, apply for a single place at a preferred School live at addresses that are located at exactly the same distance from the preferred School, or live in the same block of flats, the place will be offered on a random basis drawn by an officer of the Local Authority who is not involved in the admissions process.

### **Home Address**

The home address is a key part of the admissions process. It is the child's normal place of residence that will take precedence. Parents/carers must not use the address of a relative, a child-minder or a business address which is not the child's normal place of residence. There have been occasions when parents/carers have tried to use false addresses to obtain a place at a School. To prevent this happening, the Havering School Admissions Team undertakes checks on all addresses against the Havering Council Tax register. If after checking Council Tax records, we cannot be satisfied that the address is the parent and child's normal place of residence, the parent/carer will be asked to provide further proof of their home address. Details of such documents are detailed in Appendix 1.

If a parent/carer is found to have used a false address or deliberately provided misleading information to obtain a School place, the offer will be withdrawn. Should there be doubts about the address to be used parents/carers may be asked to provide evidence concerning the child's normal place of residence. This could include a court order stating where the child should live during the course of the week. The Local Authority would expect that the parent/carer with whom the child is normally resident receives the child benefit for the child.

If parents/carers move address during the admissions process they **must** notify the School Admissions Team and provide verification of the new address immediately. This should be supported by evidence from a solicitor regarding the date of exchange of contracts if parents/carers are purchasing a new home or the signed tenancy agreement if they are renting a property. The length of a tenancy agreement from the letting agent should be sufficient to cover the date on which their child would start attending their preferred School.

If parents/ carers have more than one property they may be required to provide proof of the normal place of residence of the child.

With regards to how the information provided by parents/carers is handled, the following statement is detailed on their application form:

*“Havering Council will handle information you have provided in line with the Data Protection Act (DPA) and will be used for school admission purposes. The information will be held in confidence with only the necessary people working within the combined children's services able to access and handle it. The Council has a duty under the Children Act 2004 to work with partners to develop and improve services to children and young people in the area. As such, the Council may also use this information for other legitimate purposes and may share information (where necessary) with other Council departments and external bodies responsible for administering services to children and young people. For the purpose of validating proof of address the admissions team may refer to data held by Council Tax records. The Council also has a duty to protect the public funds it administers, and to this end it may use the information you have provided on this form for the prevention and detection of fraud. Under the DPA you have the right to make a formal written request for access to personal data held about you or your child. For further information please contact the School Admissions Team”*

## Appendix 1

### **Proof of address for School admissions purposes**

When a parent is required to provide proof of address the following information will be required. One document from group **one** and **three** documents from group 2 or **at least five** documents from group 2:

#### Group 1

- Exchange of contracts / proof of completion showing your name and the full address of the property.
- Legal rental document showing your name and the full address and dated for no less than one year with at least 6 months remaining after the application date.
- Solicitor's letter confirming recent house purchase or land registry confirmation (in this case, proof of the sale or rental of your previous address will also be required).
- Council Tax Bill showing your name as a liable person and must be for the current year.
- Current, valid full UK photo-card driving license with signature or 'old style' driving license. (Provisional licenses are not acceptable as proof of address).
- The child or parents UKBA Application Registration Card or IND Application Registration Card issued by the Home Office (either are acceptable).
- UK firearms licence

#### Group 2

- Bank, building society statement (not credit card). It must be no more than three months old and show your name and current address.
- Mortgage Statement showing your name and current address.
- Financial Statement eg. Pension, endowment, ISA (UK).
- Household utility bill (eg gas, electric, water or fixed line telephone but not a mobile phone bill). It must be no more than three months old and show your name and current address.
- Original notification letter from the relevant benefits agency confirming the right to benefits or state pension showing your name and current address.
- HM Revenue & Customs (Inland Revenue) tax document eg tax assessment, statement of account, notice of coding. It must contain your full name and current address. P45s and P60s are not acceptable.
- Vehicle Registration Document (V5C) or old style (V5) showing your name and current address.
- TV licence (valid for the current year) showing your name and current address.
- Vehicle tax renewal document (issued within the last 6 months) showing your name.

If parents/carers current address means they are living with someone who lives either in a privately rented or Council property we must see their 2014/15 Council Tax Bill or Council Tax benefit letter or notice with written confirmation from the legal



landlord, of all the people who are authorised to live at the premises and for what period of time. The letter must contain the following information:

4. The address of the property
5. The name of all legal tenants and authorised residents
6. A statement confirming that all people applying for a School place are entitled to stay as permanent residents.

## Appendix 2

### PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME

### Secondary (Year 7) Admissions Timetable

<b>24 Oct 2014</b>	Published closing date (Friday before half-term)
<b>31 Oct 2014</b>	Statutory deadline for receipt of applications
<b>14 Nov 2014</b>	Deadline for the transfer of application information by the Home LA to the PLR (ADT file)
<b>12 Dec 2014</b>	Deadline for the upload of late applications to the PLR
<b>15 Dec 2014 – 2 Jan 2015</b>	Checking of application data
<b>3 Feb 2015</b>	Deadline for the transfer of potential offer information from Maintaining LAs to the PLR (ALT file)
<b>16 Feb 2015</b>	Final ALT file to PLR
<b>17 –24 Feb 2015</b>	Checking of offer data
<b>25 Feb 2015</b>	Deadline for on-line ALT file to portal
<b>2 Mar 2015</b>	Offer letters posted
<b>16 Mar 2015</b>	Deadline for return of acceptances
<b>23 Mar 2015</b>	Deadline for transfer of acceptances to maintaining LAs

**PAN-LONDON CO-ORDINATED ADMISSION SYSTEM**

**Template LA Schemes for Co-ordination of Admissions to Year 7 and Reception in Maintained Schools and Academies in 2015/16**

Contents

Definitions used in this document

Template scheme for co-ordination of admissions to Year 7 in September 2015

Template scheme for co-ordination of admissions to Reception in September 2015

Content of Common Application Form -Year 7 and Reception Schemes (Schedule 1)

Template outcome letter -Year 7 and Reception Schemes (Schedule 2)

Timetable for Year 7 Scheme (Schedule 3A)

Timetable for Reception Scheme (Schedule 3B)

## PAN-LONDON CO-ORDINATED ADMISSION SYSTEM

### **Template LA Schemes for Co-ordination of Admissions to Year 7 and Reception in 2015/16**

#### **Definitions used in the template schemes**

“the Application Year”	the academic year in which the parent makes an application (i.e. in relation to the academic year of entry, the academic year preceding it).
“the Board”	the Pan-London Admissions Executive Board, which is responsible for the Scheme
“the Business User Guide (BUG)”	the document issued annually to participating LAs setting out the operational procedures of the Scheme
“the Common Application Form”	this is the form that each authority must have under the Regulations for parents to use to express their preferences, set out in rank order
“the Equal Preference System”	the model whereby all preferences listed by parents on the Common Application Form are considered under the over-subscription criteria for each school without reference to parental rankings. Where a pupil is eligible to be offered a place at more than one school within an LA, or across more than one participating LA, the rankings are used to determine the single offer by selecting the school ranked highest of those which can offer a place
“the Highly Recommended Elements”	the elements of the Template Scheme that are not mandatory but to which subscription is strongly recommended in order to maximise co-ordination and thereby simplify the application process as far as possible
“the Home LA”	the LA in which the applicant/parent/carer is resident

“the LIAAG Address Verification Register	the document containing the address verification policy of each participating LA
“the Local Admission System (LAS)”	the IT module for administering admissions in each LA and for determining the highest offer both within and between participating LAs
“the London E-Admissions Portal”	the common online application system used by the 33 London LAs and Surrey County Council
“the Maintaining LA”	the LA which maintains a school, <i>or within whose area an academy is situated, for which a preference has been expressed</i>
“the Mandatory Elements”	those elements of the Template Scheme to which authorities <b>must</b> subscribe in order to be considered as ‘Participating Authorities’ and to benefit from use of the Pan-London Register
“the Notification Letter”	the agreed form of letter sent to applicants on the Prescribed Day which communicates any determination granting or refusing admission to a primary or secondary school, which is attached as Schedule 2
“the Prescribed Day”	the day on which outcome letters are posted to parents/carers.  1 March (secondary) and 16 April (primary) in the year following the relevant determination year except that, in any year in which that day is not a working day, the prescribed day shall be the next working day.
“the Pan-London Register (PLR)”	the database which will sort and transmit application and outcome data between the LAS of each participating LA
“the Pan-London Timetable”	the framework for processing of application and outcome data, which is attached as Schedule 3

“the Participating LA”

any LA that has indicated in the Memorandum of Agreement that they are willing to incorporate, at a minimum, the mandatory elements of the Template LA Scheme presented here.

“the Qualifying Scheme”

the scheme which each LA is required to formulate in accordance with The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) Regulations 2012, for co-ordinating arrangements for the admission of children to maintained primary and secondary schools and academies.

## PAN LONDON CO-ORDINATED ADMISSIONS SYSTEM

### Template Scheme for Co-ordination of Admissions to Year 7 in 2015/16

*All the numbered sections contained in this scheme are mandatory, except those marked with an\* which are highly desirable.*

#### Applications

1. This LA will advise home LAs of their resident pupils on the roll of this LA's maintained primary schools and academies who are eligible to transfer to secondary school in the forthcoming academic year.
2. Applications from residents of this LA will be made on this LA's Common Application Form, which will be available and able to be submitted on-line. This will include all the fields and information specified in Schedule 1 to this Template LA Scheme. These will be supplemented by any additional fields and information which are deemed necessary by this LA to enable the admission authorities in the LA area to apply their published oversubscription criteria.
3. This LA will take all reasonable steps to ensure that every parent/carer who is resident in this LA and has a child in their last year of primary education within a maintained school, either in this LA or any other maintaining LA, receives a copy of this LA's admissions booklet and Common Application Form, including details of how to apply online. The admissions booklet will also be available to parents/carers who do not live in this LA, and will include information on how they can access their home LA's Common Application Form *if unable to apply online*.
4. The admission authorities within this LA will not use supplementary information forms except where the information available through the Common Application Form is insufficient for consideration of the application against the published oversubscription criteria. Where supplementary information forms are used by the admissions authorities within this LA, the LA will seek to ensure that these only collect information which is required by the published oversubscription criteria, in accordance with paragraph 2.4 of the School Admissions Code 2012.
5. Where supplementary information forms are used by admission authorities in this LA, they will be available on this LA's website. Such forms will advise parents that they must also complete their home LA's Common Application Form. This LA's admission booklet and website will indicate

which schools in this LA require supplementary forms to be completed and where they can be obtained.

6. Where an admission authority in this LA receives a supplementary information form, this LA will not consider it to be a valid application unless the parent/carer has also listed the school on their home LA's Common Application Form, in accordance with paragraph 2.3 of the School Admissions Code 2012.
7. \*Applicants will be able to express a preference for six maintained secondary schools or Academies within and/or outside the Home LA. [If the above recommendation of six preferences is inappropriate for this authority, an alternative number will be substituted].
8. The order of preference given on the Common Application Form will not be revealed to a school within the area of this LA in accordance with paragraph 1.9 of the School Admissions Code 2012. However, where a parent resident in this LA expresses a preference for schools in the area of another LA, the order of preference for that LA's schools will be revealed to that LA in order that it can determine the highest ranked preference in cases where an applicant is eligible for a place at more than one school in that LA's area.
9. This LA undertakes to carry out the address verification process as set out in its entry in LIAAG Address Verification Register. This will in all cases include validation of resident applicants against this LA's primary school data and the further investigation of any discrepancy. Where this LA is not satisfied as to the validity of an address of an applicant whose preference has been sent to a maintaining LA, it will advise the maintaining LA no later than **12 December 2014**.
10. This LA will confirm the status of any resident child for whom it receives a Common Application Form stating s/he is a 'Child Looked After' and will provide evidence to the maintaining LA in respect of a preference for a school in its area by **14 November 2014**.
11. This LA will advise a maintaining LA of the reason for any preference expressed for a school in its area, in respect of a resident child born outside of the correct age cohort, and will forward any supporting documentation to the maintaining LA by **14 November 2014**.

## **Processing**

12. Applicants resident within this LA must return the Common Application Form, which will be available and able to be submitted on-line, to this LA by **31 October 2014**. However, this LA will publish information which



encourages applicants to submit their application by **24 October 2014 (i.e. the Friday before half term)**, to allow it sufficient time to process and check all applications before the mandatory date when data must be sent to the PLR.

13. Application data relating to all preferences for schools in the area of a participating LA, which have been expressed within the terms of this LA's scheme, will be up-loaded to the PLR by **14 November 2014**. Supplementary information provided with the Common Application Form will be sent to maintaining LAs by the same date.
14. [This LA shall, in consultation with the admission authorities within this LA's area and within the framework of the Pan-London timetable in Schedule 3A, determine and state here its own timetable for the processing of preference data and the application of published oversubscription criteria.]
15. \*This LA will accept late applications only if they are late for a good reason, deciding each case on its own merits. [If this recommendation is deemed inappropriate for this authority an alternative approach should be substituted]
16. Where such applications contain preferences for schools in other LAs, this LA will forward the details to maintaining LAs via the PLR as they are received. This LA will accept late applications which are considered to be on time within the terms of the home LA's scheme.
17. The latest date for the upload to the PLR of late applications which are considered to be on-time within the terms of the home LA's scheme is **12 December 2014**.
18. Where an applicant moves from one participating home LA to another after submitting an on-time application under the terms of the former home LA's scheme, the new home LA will accept the application as on-time up to **12 December 2014**, on the basis that an on-time application already exists within the Pan-London system.
19. This LA will participate in the application data checking exercise scheduled between **15 December 2014 and 2 January 2015** in the Pan-London timetable in Schedule 3A.
20. All preferences for schools within this LA will be considered by the relevant admission authorities without reference to rank order in accordance with paragraphs 1.9 of the School Admissions Code 2012. When the admission authorities within this LA have provided a list of applicants in criteria order to this LA, this LA shall, for each applicant to its schools for whom more than one potential offer is available, use the highest ranked

preference to decide which single potential offer to make. [This is the 'Equal Preference System'.]

21. This LA will carry out all reasonable checks to ensure that pupil rankings are correctly held in its LAS before uploading data to the PLR.
22. This LA will upload the highest potential offer available to an applicant for a maintained school or academy in this LA to the PLR by **3 February 2015**. The PLR will transmit the highest potential offer specified by the Maintaining LA to the Home LA.
23. The LAS of this LA will eliminate, as a Home LA, all but the highest ranked offer where an applicant has more than one potential offer across Maintaining LAs submitting information within deadline to the PLR. This will involve exchanges of preference outcomes between the LAS and the PLR (in accordance with the iterative timetable published in the Business User Guide) which will continue until notification that a steady state has been achieved, or until **16 February 2015** if this is sooner.
24. This LA will not make an additional offer between the end of the iterative process and **2 March 2015** which may impact on an offer being made by another participating LA.
25. Notwithstanding paragraph 24, if an error is identified within the allocation of places at one of this LA's schools, this LA will attempt to manually resolve the allocation to correct the error. Where this impacts on another LA (either as a home or maintaining LA) this LA will liaise with that LA to attempt to resolve the correct offer and any multiple offers which might occur. However, if another LA is unable to resolve a multiple offer, or if the impact is too far reaching, this LA will accept that the applicant(s) affected might receive a multiple offer.
26. This LA will participate in the offer data checking exercise scheduled between **17 and 24 February 2015** in the Pan-London timetable in Schedule 3A.
27. This LA will send a file to the E-Admissions portal with outcomes for all resident applicants who have applied online no later than **25 February 2015**. (33 London LAs & Surrey LA only).

## Offers

28. This LA will ensure, so far as is reasonably practical, that each resident applicant who cannot be offered a preference expressed on the Common Application Form, receives the offer of an alternative school place.[The LA should state here how it will determine the school to be offered].

29. This LA will inform all resident applicants of their highest offer of a school place and, where relevant, the reasons why higher preferences were not offered, whether they were for schools in the Home LA or in other participating LAs.
30. This LA's outcome letter will include the information set out in Schedule 2.
31. On **2 March 2015**, this LA will send by first class post notification of the outcome to resident applicants.
32. \*This LA will provide primary schools with destination data of its resident applicants by the end of the Summer term 2015.

### **Post Offer**

33. This LA will request that resident applicants accept or decline the offer of a place by **16 March 2015**, or within two weeks of the date of any subsequent offer.
34. Where an applicant resident in this LA accepts or declines a place in a school within the area of another LA by **16 March 2015**, this LA will forward the information to the maintaining LA by **23 March 2015**. Where such information is received from applicants after **16 March**, this LA will pass it to the maintaining LA as it is received.
35. Where a place becomes available in an oversubscribed maintained school or academy in this LA's area, it will be offered from a waiting list ordered in accordance with paragraph 2.14 of the School Admissions Code 2012.
36. When acting as a maintaining LA, this LA will inform the home LA, where different, of an offer for a maintained school or Academy in this LA's area which can be made to an applicant resident in the home LA's area, in order that the home LA can offer the place.
37. When acting as a maintaining LA, this LA and the admission authorities within it, will not inform an applicant resident in another LA that a place can be offered.
38. When acting as a home LA, this LA will offer a place at a maintained school or Academy in the area of another LA to an applicant resident in its area, provided that the school is ranked higher on the Common Application Form than any school already offered.

39. When acting as a home LA, when this LA is informed by a maintaining LA of an offer which can be made to an applicant resident in this LA's area which is ranked lower on the Common Application Form than any school already offered, it will inform the maintaining LA that the offer will not be made.
40. When acting as a home LA, when this LA has agreed to a change of preference order for good reason, it will inform any maintaining LA affected by the change. In such cases, paragraphs 37 and 38 shall apply to the revised order of preferences.
41. When acting as a maintaining LA, this LA will inform the home LA, where different, of any change to an applicant's offer status as soon as it occurs.
42. When acting as a maintaining LA, this LA will accept new applications (including additional preferences) from home LAs for maintained schools and academies in its area.
43. [This LA will determine and state here how waiting lists will operate].

## PAN- LONDON CO-ORDINATED ADMISSIONS SYSTEM

### Template LA Scheme for Co-ordination of Admissions to Reception in 2015/16

*All the numbered sections contained in this scheme are mandatory, except those marked with an\* which are highly desirable.*

#### Applications

1. Applications from residents of this LA will be made on this LA's Common Application Form, which will be available and able to be submitted on-line. This will include all the fields and information specified in Schedule 1 to this Template LA Scheme. These will be supplemented by any additional fields and information which are deemed necessary by this LA to enable the admission authorities in the LA area to apply their published oversubscription criteria.
2. This LA will take all reasonable steps to ensure that every parent/carer who is resident in this LA and has a child in a nursery class within a maintained school, either in this LA or any other maintaining LA, receives a copy of this LA's admissions booklet and Common Application Form, including details of how to apply online. The admissions booklet will also be available to parents/carers who do not live in this LA, and will include information on how they can access their home LA's Common Application Form *if unable to apply online*.
3. The admission authorities within this LA will not use supplementary information forms except where the information available through the Common Application Form is insufficient for consideration of the application against the published oversubscription criteria. Where supplementary information forms are used by the admissions authorities within this LA, the LA will seek to ensure that these only collect information which is required by the published oversubscription criteria, in accordance with paragraph 2.4 of the School Admissions Code 2012.
4. Where supplementary information forms are used by admission authorities in this LA, they will be available on this LA's website. Such forms will advise parents that they must also complete their home LA's Common Application Form. This LA's admission booklet and website will indicate which schools in this LA require supplementary forms to be completed and where they can be obtained.

5. Where a school in this LA receives a supplementary information form, this LA will not consider it to be a valid application unless the parent/carer has also listed the school on their home LA's Common Application Form, in accordance with paragraph 2.3 of the School Admissions Code 2012.
6. \*Applicants will be able to express a preference for up to six maintained primary schools or academies within and/or outside the Home LA . [If the above recommendation of six preferences is inappropriate for this authority, an alternative number will be substituted].
7. The order of preference given on the Common Application Form will not be revealed to a school within the area of this LA in accordance with paragraph 1.9 of the School Admissions Code 2012. However, where a parent resident in this LA expresses a preference for schools in the area of another LA, the order of preference for that LA's schools will be revealed to that LA in order that it can determine the highest ranked preference in cases where an applicant is eligible for a place at more than one school in that LA's area.
8. This LA undertakes to carry out the address verification process set out in its entry in the LIAAG Address Verification Register. This will in all cases include validation of resident applicants against this LA's maintained nursery and primary school data and the further investigation of any discrepancy. Where this LA is not satisfied as to the validity of an address of an applicant whose preference has been sent to a maintaining LA, it will advise the maintaining LA no later than **13 February 2015**.
9. This LA will confirm the status of any resident child for whom it receives a Common Application Form stating s/he is a 'Child Looked After' and will provide evidence to the maintaining LA in respect of a preference for a school in its area by **3 February 2015**.
10. This LA will advise a maintaining LA of the reason for any preference expressed for a school in its area, in respect of a resident child born outside of the correct age cohort, and will forward any supporting documentation to the maintaining LA by **3 February 2015**.

### **Processing**

11. Applicants resident within this LA must return the Common Application Form, which will be available and able to be submitted on-line, to this LA by **15 January 2015**.
12. Application data relating to all preferences for schools in the area of a participating LA, which have been expressed within the terms of this LA's scheme, will be up-loaded to the PLR by **3 February 2015**. Supplementary

information provided with the Common Application Form will be sent to maintaining LAs by the same date.

13. [This LA shall, in consultation with the admission authorities within this LA's area and within the framework of the Pan-London timetable in Schedule 3B, determine and state here its own timetable for the processing of preference data and the application of published oversubscription criteria.]
14. \*This LA will accept late applications only if they are late for a good reason, deciding each case on its own merits. [If this recommendation is deemed inappropriate for this authority an alternative approach should be substituted]
15. Where such applications contain preferences for schools in other LAs, this LA will forward the details to maintaining LAs via the PLR as they are received. This LA will accept late applications which are considered to be on time within the terms of the home LA's scheme.
16. The latest date for the upload to the PLR of late applications which are considered to be on-time within the terms of the home LA's scheme is **13 February 2015**.
17. \*Where an applicant moves from one participating home LA to another after submitting an on-time application under the terms of the former home LA's scheme, the new home LA will accept the application as on-time up to **13 February 2015**, on the basis that an on-time application already exists within the Pan-London system.
18. This LA will participate in the application data checking exercise scheduled between **16 and 23 February 2015** in the Pan-London timetable in Schedule 3B.
19. All preferences for schools within this LA will be considered by the relevant admission authorities without reference to rank order in accordance with paragraphs 1.9 of the School Admissions Code 2012. When the admission authorities within this LA have provided a list of applicants in criteria order to this LA, this LA shall, for each applicant to its schools for whom more than one potential offer is available, use the highest ranked preference to decide which single potential offer to make. [This is the 'Equal Preference System'.]
20. This LA will carry out all reasonable checks to ensure that pupil rankings are correctly held in its LAS before uploading data to the PLR.
21. This LA will upload the highest potential offer available to an applicant for a maintained school or academy in this LA to the PLR by **16 March 2015**. The PLR will transmit the highest potential offer specified by the Maintaining LA to the Home LA.

22. The LAS of this LA will eliminate, as a Home LA, all but the highest ranked offer where an applicant has more than one potential offer across Maintaining LAs submitting information within deadline to the PLR. This will involve exchanges of preference outcomes between the LAS and the PLR (in accordance with the iterative timetable published in the Business User Guide) which will continue until notification that a steady state has been achieved, or until **20 March 2015** if this is sooner.
23. This LA will not make an additional offer between the end of the iterative process and the **16 April 2015** which may impact on an offer being made by another participating LA.
24. Notwithstanding paragraph 24, if an error is identified within the allocation of places at one of this LA's schools, this LA will attempt to manually resolve the allocation to correct the error. Where this impacts on another LA (either as a home or maintaining LA) this LA will liaise with that LA to attempt to resolve the correct offer and any multiple offers which might occur. However, if another LA is unable to resolve a multiple offer, or if the impact is too far reaching, this LA will accept that the applicant(s) affected might receive a multiple offer.
25. This LA will participate in the offer data checking exercise scheduled between **23 March and 10 April 2015** in the Pan-London timetable in Schedule 3B.
26. This LA will send a file to the E-Admissions portal with outcomes for all resident applicants who have applied online no later than **13 April 2015**. (33 London LAs & Surrey LA only).

## **Offers**

27. This LA will ensure, so far as is reasonably practical, that each resident applicant who cannot be offered a preference expressed on the Common Application Form, receives the offer of an alternative school place.[The LA should state here how it will determine the school to be offered].
28. This LA will inform all resident applicants of their highest offer of a school place and, where relevant, the reasons why higher preferences were not offered, whether they were for schools in the Home LA or in other participating LAs.
29. This LA's outcome letter will include the information set out in Schedule 2.
30. This LA will, on **16 April 2015**, send by first class post notification of the outcome to resident applicants.



31. \*This LA will provide nursery and primary schools with destination data of its resident applicants by the end of the Summer term 2015.

### **Post Offer**

32. This LA will request that resident applicants accept or decline the offer of a place by **30 April 2015**, or within two weeks of the date of any subsequent offer.
33. Where an applicant resident in this LA accepts or declines a place in a school maintained by another LA by **30 April 2015**, this LA will forward the information to the maintaining LA by **14 May 2015**. Where such information is received from applicants after **30 April**, this LA will pass it to the maintaining LA as it is received.
34. Where a place becomes available in an oversubscribed maintained school or academy in this LA's area, it will be offered from a waiting list ordered in accordance with paragraph 2.14 of the School Admissions Code 2012.
35. When acting as a maintaining LA, this LA will inform the home LA, where different, of an offer for a maintained school or Academy in this LA's area which can be made to an applicant resident in the home LA's area, in order that the home LA can offer the place.
36. When acting as a maintaining LA, this LA and the admission authorities within it, will not inform an applicant resident in another LA that a place can be offered.
37. When acting as a home LA, this LA will offer a place at a maintained school or Academy in the area of another LA to an applicant resident in its area, provided that the school is ranked higher on the Common Application Form than any school already offered.
38. When acting as a home LA, when this LA is informed by a maintaining LA of an offer which can be made to an applicant resident in this LA's area which is ranked lower on the Common Application Form than any school already offered, it will inform the maintaining LA that the offer will not be made.
39. When acting as a home LA, when this LA has agreed to a change of preference order for good reason, it will inform any maintaining LA affected by the change. In such cases, paragraphs 36 and 37 shall apply to the revised order of preferences.
40. When acting as a maintaining LA, this LA will inform the home LA, where different, of any change to an applicant's offer status as soon as it occurs.

41. When acting as a maintaining LA, this LA will accept new applications (including additional preferences) from home LAs for maintained schools and academies in its area.

[This LA will determine and state here how waiting lists will operate].

**PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME  
SCHEDULE 1**

**Minimum Content of Common Application Form for Admissions to  
Year 7 and Reception in 2015/16**

Child's details:

Surname

Forename(s)

Middle name(s)

Date of Birth

Gender

Home address

Name of current school

**Address of current school (if outside home LA)**

Parent's details:

Title

Surname

Forename

Address (if different to child's address)

Telephone Number (Home, Daytime, Mobile)

Email address

Relationship to child

Preference details (x 6 recommended):

Name of school

Address of school

Preference ranking

Local authority in which the school is based

Additional information:

Reasons for Preferences (including any medical or social reasons)

Does the child have a statement of SEN? Y/N\*

Is the child a 'Child Looked After(CLA)'? Y/N

Is the child formerly CLA but now adopted or subject of a 'Residence Order' or 'Special Guardianship Order'? Y/N

If yes, name of responsible local authority

Surname of sibling

Forename of sibling

DOB of sibling

Gender of sibling

Name of school sibling attends

Other:

**Signature of parent or guardian**

Date of signature

\* Where an LA decides not to request this information on the CAF, it must guarantee

that no statemented pupil details will be sent via the PLR.

PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME

**SCHEDULE 2**

**Template Outcome Letter for Admissions to Year 7 and Reception in 2015/16**

From: Home LA

Date: **2 March 2015 (sec)**  
**16 April 2015 (prim)**

Dear Parent,

Application for a Secondary / Primary School

*I am writing to let you know the outcome of your application for a secondary/primary school. Your child has been offered a place at X School. The school will write to you with further details.*

I am sorry that it was not possible for your child to be offered a place at any of the schools which you listed as a higher preference on your application form. For each of these schools there were more applications than places, and other applicants have a higher priority than your child under the school's published admission criteria.

*Offers which could have been made for any schools which you placed lower in your preference list, were automatically withdrawn under the co-ordinated admission arrangements, as a higher preference has been offered.*

If you would like more information about the reason that your child was not offered a place at any higher preference school, you should contact the admission authority that is responsible for admissions to the school within the next few days. Details of the different admission authorities for schools in the borough of X are attached to this letter. If the school is outside the borough of X, the admission authority will either be the borough in which the school is situated, or the school itself.

You have the right of appeal under the School Standards & Framework Act 1998 against the refusal of a place at any of the schools for which you have applied. If you wish to appeal, you must contact the admission authority for the school within the next few days to obtain the procedure and the date by which an appeal must be received by them.

*Please would you confirm that you wish to accept the place at X School by completing the reply slip below. If you do not wish to accept the place, you will need to let me know what alternative arrangements you are making for your child's education.*

You must contact this office if you wish to apply for any other school, either in this borough or elsewhere.

[You can also request that your child's name is placed on the waiting list for a school which was a higher preference on your application form than the school you have been offered. Please use the enclosed reply slip and return it to this office]. OR

{Your child's name has been placed on the waiting list for any school which was a higher preference on your application form than the school you have been offered. If you need to find out your child's position on the waiting list please contact the admission authority or the borough in which the school is situated}.

(One of the above bracketed paragraphs should be used depending on whether the LA automatically places children on a waiting list for higher preference schools).

*Please return the reply slip to me by **16 March 2015 (sec) / 30 April 2015 (prim)**. If you have any questions about this letter, please contact me on*

\_\_\_\_\_.

Yours sincerely

*(First preference offer letters should include the paragraphs in italics only)*

**PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME  
SCHEDULE 3A**

Timetable for Admissions to Year 7 in 2015/16

<b>Fri 24 Oct 2014</b>	Published closing date (Friday before half-term)
<b>Fri 31 Oct 2014</b>	Statutory deadline for receipt of applications
<b>Mon 17 Nov 2014</b>	Deadline for the transfer of application information by the Home LA to the PLR (ADT file).
<b>Fri 12 Dec 2014</b>	Deadline for the upload of late applications to the PLR.
<b>Mon 15 Dec 2014 – Fri 2 Jan 2015</b>	Checking of application data
<b>Tues 3 Feb 2015</b>	Deadline for the transfer of potential offer information from Maintaining LAs to the PLR (ALT file)
<b>Mon 16 Feb 2015</b>	Final ALT file to PLR
<b>Tues 17 – Tues 24 Feb 2015</b>	Checking of offer data
<b>Wed 25 Feb 2015</b>	Deadline for on-line ALT file to portal
<b>Mon 2 Mar 2015</b>	Offer letters posted.
<b>Mon 16 Mar 2015</b>	Deadline for return of acceptances
<b>Mon 23 Mar 2015</b>	Deadline for transfer of acceptances to maintaining LAs

**PAN-LONDON CO-ORDINATED ADMISSIONS SCHEME  
SCHEDULE 3B**

**Timetable for Admissions to Reception in 2015/16**

<b>Thurs 15 Jan 2015</b>	Statutory deadline for receipt of applications
<b>Tues 3 Feb 2015</b>	Deadline for the transfer of application information by the Home LA to the PLR (ADT file)
<b>Fri 13 Feb 2015</b>	Deadline for the upload of late applications to the PLR.
<b>Mon 16 – Mon 23 Feb 2015</b>	Checking of application data
<b>Mon 16 Mar 2015</b>	Deadline for the transfer of potential offer information from the Maintaining LAs to the PLR (ALT file).
<b>Fri 20 Mar 2015</b>	Final ALT file to PLR
<b>Mon 23 Mar- Fri 10 Apr 2015</b>	Checking of offer data
<b>Mon 13 Apr 2015</b>	Deadline for on-line ALT file to portal
<b>Thurs 16 April 2015</b>	Offer letters posted.
<b>Thurs 30 April 2015</b>	Deadline for receipt of acceptances
<b>Thurs 14 May 2015</b>	Deadline for transfer of acceptances to maintaining

**Pan London Co-ordinated Admissions Scheme**

**London Borough of Havering**

**Protocol for co-ordination of (Year 3) Admissions to Junior Schools for the  
Academic Year 2015-16**

**Applications**

1. Applications from residents of this LA will be made on this LA's Infant to Junior Common Application Form (JCAF) for admission to Year 3 in a junior school, unless paragraph 14. below applies. This will include all the fields and information specified in Schedule 1 to this LA Scheme. These will be supplemented by any additional fields and information which are deemed necessary by this LA to enable the admission authorities in the LA area to apply their published oversubscription

criteria. The form will be available from this LA and will also be downloadable from this LA's website.

2. The admission authorities within this LA will not use supplementary information forms except where the information available through the Common Application Form is insufficient for consideration of the application against the published oversubscription criteria. Where supplementary information forms are used by the admissions authorities within this LA, the LA will seek to ensure that these only collect information which is required by the published oversubscription criteria, in accordance with paragraph 2.4 of the School Admissions Code.

3. Where supplementary information forms are used by admission authorities in this LA, they will be available on this LA's website. Such forms will advise parents that they must also complete their home LA's Common Application Form. This LA's admission booklet and website will indicate which schools in this LA require supplementary forms to be completed and where they can be obtained.

4. Where a school in this LA receives a supplementary information form, this LA will not consider it to be a valid application unless the parent/carer has also listed the school on their home LA's Common Application Form, in accordance with paragraph 2.3 of the School Admissions Code 2012.

5. Applicants will be able to express a preference for up to six maintained junior schools and/ or academies within and/or outside the Home LA.

6. The order of preference given on the Infant to Junior Common Application Form will not be revealed to a school within the area of this LA in accordance with paragraph 1.9 of the School Admissions Code 2012. However, where a parent resident in this LA expresses a preference for schools in the area of another LA, the order of preference for that LA's schools will be revealed to that LA in order that it can determine the highest ranked preference in cases where an applicant is eligible for a place at more than one school in that LA's area.

7. This LA undertakes to carry out the address verification process set out in its entry in the Business User Guide. This will in all cases include validation of resident applicants against this LA's maintained primary school data and the further investigation of any discrepancy. Where this LA is not satisfied as to the validity of an address of an applicant whose preference has been sent to a maintaining LA, it will advise the maintaining LA no later than **13 February 2015**.

8. This LA will confirm the status of any resident child for whom it receives a Common Application Form stating s/he is a 'Child Looked After', or who was "Looked After", but ceased to be so because (s)he was adopted (or became subject to a Residence Order or Special Guardianship Order immediately following having



been “Looked After”, and will provide evidence to the maintaining LA in respect of a preference for a school in its area by **3 February 2015**.

9. This LA will advise a maintaining LA of the reason for any preference expressed for a school in its area, in respect of a resident child born outside of the correct age cohort, and will forward any supporting documentation to the maintaining LA by **3 February 2015**.

## **Processing**

10. Applicants resident within this LA who wish to apply for a place at an out-borough junior school/ academy must return the Infant to Junior Common Application Form to this LA by **15 January 2015**.

11. Parents/ carers applying for places at out-borough academies and voluntary aided and foundation junior schools will be advised that they may need to complete and submit a supplementary information form direct to the school by **15 January 2015**.

12. This LA will pass details of any preference for a school in the area of another LA to the maintaining LA using the Pan-London Secure Document Exchange by **3 February 2015**. Supplementary information provided with the Common Application Form will be sent to the maintaining LA's by the same date.

13. Under this LA's admission arrangements, when a child is due to transfer schools in Year 3 from a community infant school located in this LA there is an entitlement to transfer to the partner\* community junior school. Should there be any vacancies left in a junior school after children from the partner infant school have been accommodated, then all other applications will be considered using the published admissions criteria.

14. The parents/ carers of children attending a community infant school located in this LA who wish their children to be admitted to Year 3 at the partner community junior school in September 2014 will be required to confirm this, in writing by, **3 February 2015**, using the standard proforma supplied by the LA.

15. The parents/ carers of children attending community infant schools located in this LA who wish to apply for a place at a community junior school other than the infant school's partner junior school should submit a separate Infant to Junior Common Application Form listing these schools by **15 January 2015**.

16. Applications for places using the Infant to Junior Common Application Form received after **15 January 2015** will not be considered by the LA until all of the applications received by that date have been dealt with unless the parent/ carer has just arrived in the borough; the delay has been created by factors outside of their control, or there are other exceptional circumstances. The reasons for a late application must be submitted in writing and each case will be considered and decided on its own merits.

17. The LA will notify the governing bodies of schools acting as their own admissions authorities (foundation and voluntary aided schools and academies) of every preference expressed for those schools by **13 February 2014**. The admissions authorities will apply their published admission criteria to the preferences received and rank them accordingly. The list of preferences, ranked in accordance with the admissions criteria, will be returned to the LA by **5 March 2015**.

18. This LA, as the Home LA, will eliminate all but the highest ranked offer by **16 March 2015**.

19. This LA will inform the home LA of the highest potential offer available to an applicant for a junior school in this LA's area no later than **16 March 2015**.

### **Offers**

20. This LA will inform all resident applicants Infant to Junior Common Application Form of their highest offer of a school place and, where relevant, the reasons why higher preferences were not offered, whether they were for schools in the Home LA or in other participating LA's.

21. This LA will, on **16 April 2015**, send by first class post notification of the outcome to resident applicants who have applied for places at out-borough junior schools/ academies and/or junior schools other than the infant school's partner junior school located within this LA.

22. This LA will make available to infant and junior schools the destination data of its resident applicants by the end of the summer term 2015.

### **Post Offer**

23. This LA will request that resident applicants accept or decline the offer of a place by **30 April 2015**, or within two weeks of the date of any subsequent offer.

24. Where an applicant resident in this LA accepts or declines a place in a school maintained by another LA by **30 April 2015**, this LA will forward the information to the maintaining LA by **14 May 2015**. Where such information is received from applicants after **14 May 2015**, this LA will pass it to the maintaining LA as it is received.

25. The LA will automatically place children on a waiting list for higher preference schools for the first term in the normal year of entry. At the end of this period parents/ carers will need to request that their children's names be placed on the waiting list for community and voluntary controlled schools via the completion of a "Waiting List Notification Form". If the school concerned is a foundation or voluntary aided school or academy located within the borough details of how individual schools maintain their waiting lists can be obtained from the LA's website or via the websites of the individual school's concerned. If the school concerned is located in

another borough, then parents/ carers will be advised to contact the individual school concerned or the maintaining LA to ask whether a waiting list is maintained and, if so, request that their child's name can be added to the list.

**\*Partner community infant/ junior schools in the London Borough of Havering:**

Ardleigh Green Infant and Junior

Brookside Infant and Junior

Crownfield Infant and Junior

Langtons Infant and Langtons Junior Academy

Parklands Infant and Junior

Rise Park Infant and Junior

Scargill Infant and Junior

Squirrels Heath Infant and Junior

Towers Infant and Junior

Whybridge Infant and Junior

**Other partner infant/ junior schools in the London Borough of Havering:**

St Ursula's Catholic Infant and Junior (voluntary aided denominational faith school)

Upminster Infant and Junior (academies)

**CO-ORDINATED ADMISSIONS SCHEME  
LONDON BOROUGH OF HAVERING  
SCHEDULE 1**

**Minimum Content of Common Application Form for Admissions to Year 3  
(Junior Schools) in 2015/16**

**Child's details:**

Surname  
Forename(s)  
Middle name(s)  
Date of Birth  
Gender  
Home address  
Name of current school  
Address of current school (if outside home LA)

**Parent's details:**

Title  
Surname  
Forename  
Address (if different to child's address)  
Telephone Number (Home, Daytime, Mobile)

Email address  
Relationship to child

**Preference details (x 6 schools):**

Name of school  
  
Address of school  
Preference ranking  
Local authority in which the school is based

**Additional information:**

Reasons for Preferences (including any medical or social reasons)  
Does the child have a statement of SEN? Y/N  
Is the child a 'Child Looked After' (CLA)? Y/N  
Is the child formerly CLA but now adopted or subject of a "Residence Order" or "Special Guardianship Order"? Y/N

If yes, name of responsible local authority

Surname of sibling  
Forename of sibling  
DOB of sibling  
Gender of sibling  
Name of school sibling attends

**Other:**

**Signature of parent or guardian**

Date of signature

## CO-ORDINATED ADMISSIONS SCHEME

### LONDON BOROUGH OF HAVERING

#### Timetable for Admissions to Year 3 (Junior Schools) in 2015/16

<b>15 Jan 2015</b>	Statutory deadline for receipt of applications using the Infant to Junior Common Application Form (JCAF) from residents who wish to apply for a place at an out-borough junior school and/ or parents/ carers of children attending community infant schools located in this LA who wish to apply for a place at a community junior school other than the infant school's partner junior school.
<b>3 Feb 2015</b>	Deadline for receipt of written confirmation from the parents/ carers of children attending a community infant school located in this LA that they wish their children to be admitted to Year 3 at the partner junior school in September 2014.  Details of any preferences for out-borough junior schools passed to maintaining authority.
<b>23 Mar- 10 April 2015</b>	Checking of offer data
<b>16 April 2015</b>	Offer letters posted.
<b>30 April 2015</b>	Deadline for receipt of acceptances
<b>14 May 2015</b>	Deadline for transfer of acceptances to maintaining LA's

