



## **St Merryn School Admissions Policy**

2013-2014

**Draft November 2012**

### **Introduction**

St Merryn Primary School, as an Academy, is its own Admissions Authority and as such sets its own Admissions Policy. Every year the governing body will review and publish information concerning the St Merryn School admission policy. This will confirm the maximum number of children to be admitted to the school as a whole, the Pupil Admissions Number (PAN, agreed with the LA), which is currently 15, and explain how places will be allocated.

All pupils will be offered a place in the school without reference to ability, aptitude, ethnicity or gender and all will be treated under the school's Equal Opportunities Policy. This school participates in the Local Authority's Fair Access Protocol. Where this school is named in a child's Statement of Special Educational Needs, the governing body recognises a duty to admit the child to the school.

The Governing Body of St Merryn School is the Admissions Authority for the Academy (The Admissions Authority) as part of the co-ordinated scheme with the Local Authority. This means that parents must apply to the Local Authority for a place at the Academy using the Common Application Form which must be returned to the Local Authority as specified on the form.

Alternatively, parents may apply online directly to the Local Authority at: [www.cornwall.gov.uk/admissions](http://www.cornwall.gov.uk/admissions). Any late applications will also be passed on to the Authority.

### **Allocation of Places**

#### **Reception places**

A full-time school place in the Reception class is available for children from the September following their 4th birthday. (i.e. children born between 01/09/2008 and 31/08/2009 will be admitted in September 2013.) Parents can request that their child attends part-time until the child reaches compulsory school age this can be discussed and agreed with the school.

Admission arrangements for all children are subject to parental consent before the child has reached the age of five. Any deferred admissions would be accepted into the school provided the school has the capacity to accept them. The governors can hold places open until children are of compulsory school age for those children born between 01 September and 31 March. However, for the summer-born children (i.e. those born between 01 April and 31 August), although they are not of compulsory school age until September, the governors may not hold a place open from one school year to the next. In those cases, parents would have to apply for a place in year 1 during the summer term.

#### **Waiting Lists**

As stated above, during the normal admissions round it is always necessary to complete a Local Authority Common Application form to apply for a school place. Registering interest with the school on a "waiting list" before the admissions round guarantees neither a place nor priority within the oversubscription Criteria.

Offers of places will be made by the Local Authority on the school's behalf. If the school is oversubscribed for children due to start in 2013-2014 a waiting list will be maintained. Children on the waiting list for reception, will be listed in priority order according to the school's oversubscription criteria, **although children who are the subject of a direction by the local authority or who are allocated to the school in accordance with the Fair Access Protocol, (please see Appendix One) will take precedence over any child already on the waiting list.**

The position on the list will be determined by applying the published over-subscription criteria and not by date of receipt. This will mean a position will change if a later application is received from someone with higher priority according to the over-subscription criteria. The existence of a waiting list does not remove the right of appeal against any refusal of a place from any unsuccessful applicant.

### **Over Subscription Criteria**

Where more applications have been received than places available, or where to admit would conflict with the school fulfilling class size legislation, the following priorities shall apply in order to occupy any vacant places:

1. **Children in Care/looked after children**
2. **Children with an unequivocal professional recommendation from a doctor, school medical officer or educational psychologist that non-placement at St Merryn School would not be in the interest of the child and that placement at St Merryn School is essential.**
3. **Children living in the school's designated area**
  - i. Where the child has a brother or sister currently attending the school at the intended date of admission and lives in the designated area **and will continue to do so when the (defined as full, half or step) is admitted**
  - ii. All other Children who live in the designated area of St Merryn School, whose parents can provide sufficient evidence that they will be living in the designated area of St Merryn School, by the date from which admission is required **and will continue to do so when admitted to the school.**
4. **Children living outside the school's designated area**
  - i. Where the child has a brother or sister currently attending the school at the intended date **and will continue to do so when the sibling is admitted**
5. **Children of Staff at the School**
  - i. where the member of staff (which means paid or part or fulltime employee) employed at the school for two or more years at the time at which the application for the admission to the school is made, and/or
  - ii. the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.
6. **All other children**

### **Other Year Groups (Years 1- 6)**

Applications for all other year groups at the school will have to be made via the Local Authority. Waiting lists will be kept for all oversubscribed year groups.

A waiting list for all year groups will be made once the PAN has been reached. Children will be listed in priority order according to the school's oversubscription criteria, although children who are the subject of a direction by the Local Authority or who are allocated to the school in accordance with the Fair Access Protocol, will take precedence over any child already on the waiting list.

## **Tie Breakers**

In the event of the need for a tie-breaker because of oversubscription in any of the above criteria when two children have an equal claim, the following tie breaker will be used:

- the proximity of the child's home address (present place of permanent accommodation) from the front gate of the school, as measured by "as the crow flies", using an Ordnance Survey map, will be the deciding factor for admitting the child, with those living nearest accorded the highest priority.

## **Definition of home address**

Each child may only have one home address for determining priority for admission and transport entitlement. This address should be the place where the child is normally resident. If there is shared residency of the child, it may be necessary to use the address of the person receiving the Child Benefit for the child. Parents may be asked to provide evidence of this.

## **Appeals**

All parents who are refused a place will have the right of appeal to an independent panel. These parents will be sent details of the appeal procedure.

## **Appendix One**

### **Fair Access Protocol**

#### **1. Introduction**

**1.1** The majority of in-year admission applications will be straightforward and places will be allocated immediately where the number on roll in the year group in question is below the Published Admission Number (PAN) or the agreed admission number if that is different. However, if a preference cannot be met, the application will then be considered to see whether priority can be given to the application under the Fair Access Protocol (stage 1). The Fair Access Protocol ensures that children who are most vulnerable can be offered a place at a suitable school in the home local authority as soon as possible, even if that school is already full. Parents will, therefore, be invited to identify whether they consider their child to be in one of the following categories. It should be noted, however, that this information will not be referred to as part of the initial consideration by an admitting authority of whether a place is available.

**1.2** *This protocol will apply equally to community, voluntary controlled, foundation, voluntary aided and Trust schools. If applicable, academies would also be expected to participate.*

#### **2. Fair Access Protocol (stage 1)**

**2.1** The categories of children who would qualify for consideration under the Fair Access Protocol (stage 1) are:

- children who have been out of education for longer than one school term;
- *children whose parents have been unable to find them a place within a reasonable travelling distance after moving to the area because of a shortage of places (“reasonable travelling distance” for a secondary age child would usually be 10 miles, extended to 18 miles for those living in the designated area and 5 miles for a primary aged child, with travelling times not exceeding 75 minutes for a secondary child and 60 minutes for a primary child); children withdrawn from schools by their family, following fixed term exclusions and unable to find another place;*
- children of refugees and asylum seekers; homeless children (including those in a registered refuge);
- children with unsupportive family backgrounds where a place has not been sought;
- children known to the police or other agencies;
- children without a school place and with a history of serious attendance problems;
- traveller children;
- children who are carers;
- children with special educational needs (but without a statement);
- children with disabilities or medical conditions;
- children returning from the criminal justice system;
- children for whom a managed move is considered appropriate;
- children of UK service personnel and other Crown Servants; and
- children returning from elective home education.

Where applicable, parents would be required to provide evidence if they state that they consider their child to meet one or more of the above criteria.

**2.2** For the children in the categories defined above, if the preference is for a designated or nearest school and that school is not already 5% above PAN or agreed operational capacity for the relevant

year group, the LA will allocate a place at that school. If the preference is not for the designated or nearest school and there are reasons why the local school would not be an appropriate placement, the LA will allocate a place at the preferred school, as long as that school is not already 5% above PAN or agreed operational capacity for the relevant year group. If no preferences can be met, the LA will name an alternative school as nearest school with room, irrespective of PAN. This school would usually be the nearest appropriate school to the child's address that is not more than 5% above PAN or agreed operational capacity in the relevant year group.

- 2.3** The Area Heads of Service will receive regular reports of places allocated at schools in their Locality under this stage of the Protocol.

## **Notes**

- i.. The 5% will be rounded down to the nearest whole number.
- ii. For primary schools with a PAN less than 20, 5% would be 0. As a result, these schools would be required to admit one child above PAN in each year group under this policy.
- iii. No children will be placed above PAN in a school in special measures or serious weaknesses or which has national challenge status.
- iv. Children would not usually be placed above PAN in a primary school if this would compromise an infant class size of 30.
- v. The 5% "ceiling" does not prevent a school being named in a statement of special educational needs or a child in care being

## **3. Fair Access Protocol (stage 2 – reintegration)**

- 3.1** A minority of children will be deemed to have challenging behaviour and the LA must ensure that all schools admit their fair share of these children. The LA must also consider whether the needs of children with challenging behaviour would best be met in mainstream schooling or in another setting, such as a further education college. The children who would be considered for placement under this part of the Protocol would include:

- children attending short stay schools (previously known as Pupil Referral Units or PRUs) who need to be reintegrated back into mainstream education;
- children who have been permanently excluded from a school;
- children who are in year 11 for whom an in-year application is made for admission to a new school from January or later; and
- children for whom an appropriate education setting has not been agreed, including those whom it has not been possible to place under the standard in-year application procedures or under the Fair Access (stage 1) Protocol.

### 3.2 The Government makes it clear that there is a balance to be struck

between finding a place quickly and finding a place that is appropriate for the child, and that no school should be asked to take an excessive or unreasonable number of pupils who come under the above categories. In order to achieve this, the placement

of children who are considered under the Fair Access Protocol (stage 2) will be referred to the Short School Pupil Placement Panels (PPP), held in most areas as part of the Behaviour for Learning Partnerships.

## 4 Main Principles of the Stage 2 Protocol

- 4.1 All schools within Cornwall to agree fully and participate and work within the protocol.
- 4.2 All schools within Cornwall are responsible for all children applying to Cornwall schools.
- 4.3 Every child has the right to be educated.
- 4.4 Children should be placed quickly.
- 4.5 The mobility of children within the authority should be reduced.
- 4.6 The schools that have accepted the largest number of hard to place pupils should be protected.
- 4.7 Schools should work together and support each other in ensuring a fair distribution of hard to place pupils across all schools.
- 4.8 Schools must have effective reintegration processes.
- 4.9 Schools must work, with the appropriate support mechanisms, to engage the parent and child towards regular and effective attendance.

- 4.10 The purpose of the protocol is to ensure a fair distribution of hard to place pupils with challenging behaviour across schools.
- 4.11 No school can be full to permanently excluded pupils/hard to place pupils where that school is the designated school based on the protocol.
- 4.12 Every secondary school will be invited to their PPP Panel.

## **5 Achieving an Equitable Distribution of Stage 2 Pupils**

- 5.1 Each school will be given an initial limit of admitting two Stage 2 pupils in each year group every academic year.
- 5.2 The PP will meet as part of the Behaviour for Learning Partnership apart from the CPR and SKILL areas. In these areas the Short Stay School PPP will be the mechanism for making these decisions.
- 5.3 The Panel will make the final decision as to whether a case will be determined as hard to place (with challenging behaviour) and which school will be nominated to receive each case.
- 5.4 Where a school is full, this will not be cause to reject a placement. If the school can show significant Health & Safety grounds for the rejection of a pupil, the case must be made to the Behaviour for Learning Partnerships.
- 5.5 Where a school permanently excludes a pupil, the Hard to Place Panel will review the limits in 5.1 for that school.

## **6. Considering Applications**

- 6.1 All applicants should complete an in-year application form.
- 6.2 The Commissioning Manager, Admissions and Transport (Policy) or the Education Welfare Officer will provisionally deem cases to be hard to place. This can only be done before a child is admitted to school. Where appropriate additional background evidence will be sought in each case to support the Panel decision making process.
- 6.3 Cases provisionally tagged as Stage 2 will be added to the agenda of the Pupil Placement Panel. The Pupil Placement Panel will meet twice every half term, and will decide if the child is hard to place. The Panel will allocate each child to an appropriate school.
- 6.4 The appropriate school will be considered initially by parental preference. Admissions will encourage all applicants to consider naming their maximum of three preferences to reduce the likelihood of the Panel allocating an unnamed school.
- 6.5 The Panel will refer the paperwork back via Admissions & Transport (Policy) to maintain statistics and to pass the paperwork to the allocated school.
- 6.6 Children to be placed through the Fair Access Protocol take precedence over children on any waiting list the school or Local Authority may hold.

- 6.7 If the child is not allocated their first preference school, they will have a right of appeal against each school which was not offered but named above the allocated school. They will also have a right of appeal against an allocated school if it was not named as a preference. If the school chooses to admit the child instead, a reduction will be made to the PPP limit on the school. (The right of appeal is withdrawn for a child who has been twice permanently excluded.)
- 6.8 Once a child has been allocated by the Panel, the child should be admitted within 2 weeks, with the exception of children being reintegrated from a Short Stay School SSS. The schools will notify Admissions & Transport (Policy) of the admission date in each case.
- 6.9 Where the child is in the SSS, a period of review and continued support will be agreed with the school to try and ensure a successful reintegration.
- 6.10 Once a school has informed Admissions & Transport (Policy) that a start date has been agreed, they will inform Finance to invoke any necessary financial arrangement for permanently excluded children.
- 6.11 The governing body of a voluntary aided, foundation or Trust school may refer a local authority's decision to direct the admission of a child in accordance with a locally agreed protocol to the Schools Adjudicator. The Adjudicator then determines which school is to be required to admit the child. The governing body must then admit the child. If a governing body refuses to comply with a direction, the local authority may refer the matter to the Secretary of State.
- 6.12 If an Academy refuses to admit a child in accordance with a protocol, the local authority can refer the matter to the Secretary of State for consideration.
- 6.13 If a community or voluntary controlled school governing body refuses to accept the local authority decision to admit a child, the local authority may again refer the case to the Secretary of State.

## **7 Minutes and reporting**

- 7.1 Minutes will be reviewed at each Panel meeting.
- 7.2 A report will be made to the Admission Forum on an annual basis regarding the placement of Stage 1 and 2 children under the Protocol.

*Fair Access Protocol Courtesy of Jackie Turner (Commissioning Manager, Admissions and Transport (Policy)) and Rob Gasson (Senior Manager, Additional Education Provision)*

*March 2010 (Cornwall LEA)*