



Cheshire Academies Trust
Collaboration and Creativity

ADMISSIONS POLICY KELSALL PRIMARY AND NURSERY SCHOOL

FOR SEPTEMBER 2022 INTAKE



1 Introduction

- 1.1 Kelsall Primary and Nursery School (**School**) is a primary academy located in the local authority area of Cheshire West and Chester. It is part of Cheshire Academies Trust (**Trust**), a multi academy trust.
- 1.2 Admission to all state funded schools is governed by the School Admissions Code 2021 (**Code**). Under the Code, the Trust is the 'Admission Authority' for the School, and has a legal duty to formally determine the 'admission arrangements' for each year's intake in accordance with the requirements of the Code.
- 1.3 The Trust Board delegates the task of determining the admission arrangements each year to the Governing Body of the School. The School's admission arrangements are formally determined by the Governing Body, with admission related decisions being made by a committee of three Governors known as the Admission Committee.
- 1.4 This policy and all other admission related documents referred to herein and used during the admission process, together form the School's admission arrangements. Any proposed changes to the admission arrangements are subject to statutory consultation before they can be determined. Determined admission arrangements can only be varied in specific circumstances, and usually only with Secretary of State consent.
- 1.5 In addition to the main school, the school also offers two years of nursery provision to children from the age of two years. The entry arrangements for the nursery (which are not governed by the Code) are contained in a separate document on the School's website called the Nursery Entry Arrangements. Parents should note that nursery pupils do not automatically transfer from the nursery to Reception Year at the School - an application for admission must be made in the usual way at the appropriate time.

2 Definition of a 'Parent'

- 2.1 In this policy and in education law, the definition of a 'parent' includes a natural or adoptive parent of the child (regardless of whether the child lives with them, has contact with them, or they have parental responsibility for the child). It also includes a person who is not a natural or adoptive parent of the child, but who has care of and/or parental responsibility for the child.

3 Inclusivity and Equality

- 3.1 The School is fully inclusive and welcome applications for the admission of children with special educational needs (**SEN**), physical, mental or behavioural disabilities and other protected characteristics defined by the Equality Act 2010. The School's admission arrangements are determined and implemented with its equality duties in mind, including the public sector equality duty (**PSED**).

4 Children with an Education Health and Care Plan (EHC plan)

- 4.1 Children with an EHC plan are admitted to school under separate statutory procedures which are managed by the child's home Local Authority, not under the school's

determined admission arrangements. Parents of children with an EHC plan should therefore liaise with their child's home Local Authority's SEN team if they want them to propose to name the School in their child's EHC plan and consult with the School as to the suitability of the proposed placement.

- 4.2 Where, after consultation, the child's home Local Authority names the School in the child's EHC plan, the child must be admitted. Where this happens in the normal admission round (i.e. entry to Reception Year in September), these children will be allocated their places before all other applicants, which will reduce the number of places left within the published admission number (PAN). At other times, the child will be admitted whether or not the PAN will be exceeded.

5 Published Admission Number (PAN)

- 5.1 The PAN for **Reception Year** is **30** pupils.

6 Oversubscription Criteria for Reception Year

- 6.1 Where there are more applications than places available, the order in which places will be allocated will be as follows:

6.1.1 Cared for and previously cared for children

A 'cared for child' is a child who is in the care of a local authority or provided with accommodation by that local authority (as defined in section 22 of the Children Act 1989). Children previously 'cared for' are children who were 'cared for' as defined above, but immediately after being 'cared for' became subject to an adoption, child arrangements order (formerly residence order), or special guardianship order. 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 amended by 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). This includes children who appear to (in the view of CW&C) have been in state care outside of England and ceased to be in state care as a result of being adopted."

All references to previously looked after children in this Code mean such children who were adopted (or subject to child arrangements orders or special guardianship orders) immediately following having been looked after and those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted.

Applications in this category must be accompanied by **a signed and dated letter from the child's social worker or former social worker confirming their status**, to be received by the application deadline in the normal admission round.

6.1.2 **Children with a sibling at the School in Reception Year to Year 6**

The sibling must attend the School in Reception Year to Year 6 at the time when the applicant child is admitted.

For the purpose of this category, a 'sibling' is a full sibling (sharing both parents), a half sibling (sharing one parent), an adopted sibling, a long term foster sibling (i.e. not a temporary placement), a step sibling (one child's parent married to the other child's parent), or a child of their parent's cohabiting partner. In all cases, the sibling must live at the child's home address (as defined by this policy) as part of the same core family unit. For the avoidance of doubt, a child of a friend or extended family member (e.g. cousin) will **not** be a 'sibling' for this purpose, even if they live at the same address as the applicant child.

For inclusion in this category, parents must state the sibling's details in the application form.

6.1.3 **Children of staff members employed at Kelsall Primary and Nursery School**

The staff member must have a permanent contract, be permanently based at Kelsall Primary and Nursery School for more than 50% of their normal working hours each week during term time, and have been:

- Employed for at least two years at the time of application; **or**
- Recruited to fill a vacant post for which there is a demonstrable skill shortage,

as confirmed by their HR Manager (see below). For the avoidance of doubt, it is **not** possible for a staff member to have priority at more than one School within the Trust.

For the purpose of this category, a 'child' of a staff member is their natural or adopted child (whether they live with the staff member or elsewhere), and/or their step-child or child of their cohabiting partner (where they live and sleep at the staff member's home address for more than 50% of their time from Sunday to Friday night during term time). For the avoidance of doubt, a step-child or child of a cohabiting partner, who lives elsewhere, will **not** be eligible for a place under this category

For inclusion in this category, the **employed parent** must complete the application form, and it must be accompanied by a **signed and dated letter from the employed parent's HR Manager** confirming how they meet the criteria set out above, to be received by the application deadline in the normal admission round.

6.1.4 **All other children**

This category will include all children who do not fall into any of the oversubscription categories above.

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- 6.2 Where there are more applications than places remaining in any of the oversubscription categories, the order in which places will be allocated will be determined by the distance between the child's home address (as defined by this policy) and the School, with those living nearest receiving highest priority.
- 6.3 Distance will be measured using the National Land and Property Gazetteer (NLPG) which measures in a straight line from the School's coordinate point to the coordinate point for the child's home address in miles. Parents should note that, while distance measuring software available online may give them a rough idea as to the distance involved, it will not be as accurate as the dedicated software used by Cheshire West and Chester Council.
- 6.4 Where the child lives in a multi-dwelling building (for example, an apartment block), distance will be measured from same point in the building so that the distance will be the same for all children living there.
- 6.5 Where two or more children live an equal distance from the School (including where they live in the same multi-dwelling building), the order in which places are allocated will be determined by random allocation supervised by someone who is independent of the School.

7 Child's Home Address

- 7.1 The child's home address is the residential (not business) address of their parent (as defined in this policy) at which they live and sleep for more than 50% of their time from Sunday to Thursday night during term time. It will usually be the address at which they are registered with their GP, hospital, dentist and/or optician, and/or where Child Benefit/Child Tax Credit (if eligible) is claimed, at the time of application.
- 7.2 Where any uncertainty arises in respect of the child's home address, the School reserves the right to seek documentary evidence to determine which address meets the definition stated above. For the avoidance of doubt, it is the address which meets this definition that will be used to process the application, which may not be the address given by the parent.
- 7.3 Where the child/child's family is/are not living in the area of the School at the time the application is submitted, the application will be accepted and processed using the child's new address where it is supported by supporting evidence (for example, a signed tenancy agreement, formal mortgage offer, HMLR title deed/document, NHS/GP registration card/letter, etc.).
- 7.4 Applications for the admission of children of UK Armed Forces personnel with a confirmed posting to the area, or Crown servants returning from overseas to live in the area, will be accepted and processed where it is supported by an official letter giving a relocation date and a Unit postal address or quartering area address for use in applying the oversubscription criteria.

8 Statutory Maximum Infant Class Sizes

- 8.1 The statutory maximum infant class size for Reception Year, Year 1 and Year 2 is 30 pupils per teacher.
- 8.2 However, certain categories of children may still be admitted where this would result in a class size exceeding the statutory maximum. These categories are set out in regulations and summarised at Paragraph 2.15 of the Code. Where this happens, the additional pupils are 'excepted pupils' who do not count towards the class size until it falls back to 30, when they will no longer be regarded as 'excepted pupils'.

9 Twins, Triplets and Siblings of a Higher Multiple Birth (Reception Year to Year 6 Only)

- 9.1 Where a twin, triplet(s) or sibling(s) of a higher multiple birth achieves a place at the School within the PAN in the normal way, but their twin, triplet(s) or sibling(s) of a higher multiple birth does not achieve a place, the School will admit their twin, triplet(s) or sibling(s) of a higher multiple birth even where this means exceeding the PAN.

10 Application Procedure for Admission to Reception Year in September

- 10.1 Applications for admission to Reception Year in September are known as applications made 'in the normal admission round'.
- 10.2 Applications in the normal admission round must be made **directly to the child's home Local Authority** by completing and submitting a Common Application Form (CAF), which is available to download/complete online via the child's home Local Authority's website, by the application deadline. Parents must state a preference for the School in the CAF. www.cheshirewestandchester.gov.uk/admissions
- 10.3 Parents should carefully consider the oversubscription criteria stated above to determine whether other documentation must be submitted in support of the application. This documentation must be submitted to the child's home Local Authority **by the application deadline**. If not, the child will be placed in the next oversubscription category that applies.
- 10.4 The application deadline for admission to Reception year in the normal admission round is **Monday, 17 January 2022**.
- 10.5 National Offer Day for admission to Reception Year in the normal admission round is **Tuesday, 19 April 2022**.
- 10.6 Applications received after an application deadline will be treated as **late applications**, which means they will be processed after all on-time applications have been processed and places allocated thereby reducing the chances of the child being offered a place.

11 Application Procedure for In-Year Admission (Mid-Year/Other Year Groups)

- 11.1 Applications for admission to Reception Year other than in September, and to Years 1

to 6 at any time, are known as applications made 'outside the normal admission round' or 'in-year admission'.

- 11.2 Applications for in-year admission must be made **directly to the School, not the Local Authority**, by completing an In-Year Admission Application Form and submitting it to the School marked for the attention of the School Business Manager. This form is available to download on the School's website or in hard copy from the School's main office.
- 11.3 Parents should carefully consider the oversubscription criteria stated above to determine whether other documentation must be submitted in support of the application. This documentation must be submitted at the same time as the application, or the child will be placed in the next oversubscription category that applies.

12 Expression of Interest List

- 12.1 The School operates an Expression of Interest list for children who are unsuccessful in achieving a place in Reception Year to Year 6 throughout the school year.
- 12.2 The Expression of Interest list is ranked strictly in accordance with the oversubscription criteria set out in this policy, and **not** by reference to the date that the child's name was added to the list. This means that a child's name can go down as well as up the list as more names are added.
- 12.3 Children placed at the School under the Local Authority's Fair Access Protocol will take priority over children on the waiting list. Should a place become available, interested parties will be invited to apply.

13 Statutory Right of Appeal

- 13.1 Parents have a statutory right of appeal against the refusal of a place at the School. This right applies to a refusal of a place in any year group at any time.
- 13.2 The way in which admission appeals are dealt with is set out in the School Admission Appeals Code 2012 (**Appeals Code**). The process is different for appeals against the refusal of a place in a year group to which the statutory maximum class size applies (Reception Year, Year 1 and Year 2) compared to appeals against a refusal of a place in other year groups. Parents should refer to the Appeals Code for further information in this respect.
- 13.3 Full details of the statutory right of appeal will be set out in the formal letter notifying parents of the refusal of a place, including the deadline for lodging an appeal.
- 13.4 The School will also publish an appeals timetable for appeals against the refusal of a place in the normal admission round (i.e. to Reception Year in September) alongside this policy on or before 28 February in the year in which offers are made.

14 Deferred Entry and Part-Time Attendance in Reception Year

- 14.1 All children are entitled to a full-time place in Reception Year in the September following their fourth birthday. Children do not, however, reach compulsory school age (CSA) until one of three prescribed dates following their fifth birthday as follows:

Born on or between:	Prescribed date the child reaches CSA:
1 September and 31 December	31 December
1 January and 31 March	31 March
1 April and 31 August (known as 'summer') born children'	31 August (one school year later)

- 14.2 Parents have an absolute right to decide that their child will not start school until they reach CSA, which is known as 'deferred entry' (or 'delayed entry' in the case of 'summer born children' - see below). The School has no discretion to refuse to allow this.
- 14.3 Where parents choose to defer entry until later in the school year, the School will hold their place in Reception Year for them, rather than giving it to another child, for a maximum of two terms (i.e. until the Easter end of term holiday). Places cannot be deferred or retained beyond this point.
- 14.4 Parents also have an absolute right to decide that their child will attend school part-time until they reach CSA. In this case, the right can be exercised throughout the school year (i.e. all three terms), and it can also be combined with the right to defer. For example, a child born on 5 February could defer starting school until the first day of term after the Christmas and New Year break, and then attend part-time until the Easter break.
- 14.5 Where parents want to defer their child's entry and/or choose for them to attend school part-time, they should apply for a place in the normal way and, once they have accepted the offer of a place, notify the School of their decision, preferably in writing. There is no need to give reasons.

15 Delayed Entry for Summer Born Children

- 15.1 Children born between 1 April and 31 August (known as 'summer born children') do not reach CSA until 31 August, and are therefore not legally required to start school until one school year after they became entitled to a full-time place in Reception Year.
- 15.2 Parents of summer born children can defer their child's place for one or two terms and/or choose for their child to attend part-time throughout that school year, as set out above. However, they cannot **defer** their child's place for a whole school year and still retain it. If they do not want their child to start school at all until the following year (i.e. **delay** their entry), they will need to refuse the offer of a place and apply for admission again the next year.
- 15.3 However, where a summer born child is admitted one school year later than usual, by default this would be to Year 1 with their normal age group. This means a) they will have missed Reception Year entirely, and b) they will only achieve an offer of a place if there is one available in Year 1 at that time, which is uncommon.

- 15.4 Parents can, however, make a **request** for their child to be admitted one year later than usual, outside their normal age group, to Reception Year. The procedure for making these requests is set out further below, however parents should note that, unlike with deferred/delayed entry and part-time attendance, they do **not** have an absolute right to decide that their child **will** be admitted outside their normal age group - this is at the discretion of the Admission Authority for the school involved.
- 15.5 Parents are strongly encouraged to make their requests in a timely manner, ideally well ahead of any application deadlines, so that they can obtain a decision in principle which will enable them to make informed decisions on school preferences when they subsequently apply for admission.

16 Requests for Admission Outside Normal Age Group

- 16.1 Parents have a right to request that their child is admitted to a year group other than their normal year group at a school. This may be to a year group below or above, and there may be any number of reasons for making this request.
- 16.2 However, parents do not have a right to decide that their child **will** be admitted outside their normal age group. Such requests must be considered by the Admission Authority of the school concerned (in this case the School's Admission Committee) in order for it to decide whether or not to agree the request **in principle**, or refuse the request, taking into account the factors set out below.
- 16.3 Requests for admission outside normal age group are not applications for admission, which must still be made in the usual way. Parents are strongly encouraged to make their requests in a timely manner, ideally well ahead of any application deadlines, so that they can obtain a decision in principle which will enable them to make informed decisions on school preferences when they subsequently apply for admission. A separate request must be made to the Admission Authority for each school being considered.
- 16.4 The Admission Committee will make decisions on the basis of **the circumstances of each case** and in the **best interests of the child concerned**, taking into account the parents' views, information about the child's academic, social and emotional development, the child's medical history and the views of their medical professionals, whether they have previously been educated or attended nursery 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 will also take into account the views of the Principal of the School and, where provided, the Principal of any current or previous school. This is not an exhaustive list, and parents may put forward any matters for the committee to consider.
- 16.5 Parents should make their requests by completing a Request for Admission Outside Normal Age Group Form and submitting it with any supporting documents to the School marked for the attention of the Clerk to the Local Governing Board. This form is available to download on the School's website or in hard copy from the School's main office.
- 16.6 In all cases, the Admission Committee will notify parents of the outcome of their request formally in writing, explaining its reasons in sufficient detail for parents to understand why it came to that decision. Where the request is agreed in principle,

this letter should accompany the application for admission subsequently made for a place at the School.

- 16.7 Parents do **not** have a statutory right of appeal against a refusal of a request for admission outside normal age group, but they may submit a complaint under the School's published Complaints Policy if they do not believe the request was dealt with properly.

17 Review and determination of the School's admission arrangements

- 17.1 The term 'admission arrangements' means *"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"*. The admission arrangements therefore include not only this policy, but all other admission related documents and any other published information about the School's admission processes.
- 17.2 Under the Code, the Admission Authority for a school must formally determine the admission arrangements for the next intake at that school **every year on or before 28 February**. Where no changes (other than changing dates/deadlines) are proposed, there is no need to consult. Where changes are proposed (other than a proposed increase in PAN), the Admission Authority must carry out a 6 week statutory consultation in accordance with the Code between 1 October and 31 January ahead of determination of the admission arrangements. Where no changes have been proposed in the intervening period, the Admission Authority must consult on the admission arrangements every 7 years.
- 17.3 Once determined on or before 28 February, the School's admission arrangements for that intake must be published and a copy provided to their Local Authority. Determined admission arrangements cannot be varied except in limited circumstances to correct a mistake or give effect to a decision of a Schools Adjudicator. All other variations will require Secretary of State consent, which will only be granted where there has been a 'major change in circumstances'.
- 17.4 The admission arrangements for the September 2022 intake were determined by the Governing Body at their Autumn 2020 meeting. They will be reviewed again at the Autumn 2021 meeting for the 2023 intake.