



Cromwell Primary School

Admissions & Appeals Policy

At Cromwell Learning Community Multi Academy Trust we believe that learning without limits means we do not put a ceiling on children's achievement.

Approver: The Trust Board

Date: December 2022

Unless there are legislative or regulatory changes in the interim, this policy will be reviewed every year. Should no substantive changes be required at that point, the policy will move to the next review cycle.

Admissions Arrangements 2022- 2026

Reviewed December 2022

Introduction

This policy is based on the following advice from the Department for Education (DfE):

- School Admissions Code (2021)
- School Admissions Appeals Code (2022)
- School Standards and Framework Act 1998 as amended

As an academy, the school is required by its funding agreement to comply with these codes, and with the law relating to admissions as set out in the School Standards and Framework Act 1998 and associated legislation.

This policy complies with the CLCMAT's funding agreement and articles of association.

The Admissions Body for Cromwell Primary School is the Board of Trustees for the CLCMAT and for Cromwell Primary School will be referred to in this documents as CPS.

Offers of school places will be made on National Offer Day or the next working day on the year of entry.

Admission numbers

CPS accepts pupils from Nursery up to Year 6.

The PAN (Published Admission Number) for nursery (3 - 4 years old) is 52 places, these may be split across the week as part time places, at the Trustees of the CLCMAT's discretion e.g., 26 in the morning and 26 in the afternoon. There is not an automatic transfer from nursery to reception class in the academy. A separate application must be made for a place in a reception class. For nursery places the school will make the formal offer of a place.

The PAN (Published Admission Number) is 30 for Reception.

For admissions into Reception, the Trustees of the CLCMAT for CPS follows the application process and timelines set out by Birmingham City Council. Where eligible applications for admission exceed the number of places available, the oversubscription criteria listed below will be applied in the order set out below to decide which pupil, who meets the required criterion, to admit. Children who have an Educational Health and Care Plan naming CPS will be admitted prior to offers made via co-ordination. These children will be included in the school's PAN.

The oversubscription criteria are also used for in-year admissions for each year group when pupils are on the waiting list. Reception place applications received after the deadline will be processed after National Offer Day. Late applications will be processed in accordance with Birmingham City Council admissions timescales.

Oversubscription Criteria

Once places have been allocated to children with an Educational and Health Care Plan, if there are more applicants than places as set out in the stated PAN, then the following oversubscription criteria for admissions will be used, in the following order:

Criterion 1: A 'looked after child' or a child who was previously 'looked after' but immediately after being 'looked after', became the subject of an adoption, residence order or special guardianship order (as defined in the Notes attached).

Criterion 2: Exceptional and Compelling Medical, Psychological, Social or Special Access Reasons (the definition of which and process to be followed is set out in the Notes attached) which can only be met at the school. It is important that additional evidence is required in respect of this (as defined in the Notes attached). Please note that a Supplementary Information Form (SIF) must be completed for an application under this criterion within the timescales for the point of entry required.

Criterion 3: Siblings (as defined in the Notes attached) of pupils currently on the roll at the Academy at the time of application for the proposed admission of the applicant.

Criterion 4: Children who at the time of the application are eligible for the Early Years Pupil

Premium, the Pupil Premium or the Service Pupil Premium (each defined in the attached Notes). Please note that a SIF form must be completed for an application under this criterion within the timescales for the point of entry required.

Criterion 5: Children whose parent/carer is a permanent member of staff who has been continuously employed at the CLCMAT or has been recruited to fill a vacancy for which there is a demonstrable skill shortage. Please note that a SIF form must be completed for an application under this criterion within the timescales for the point of entry required.

Criterion 6: Any other applications of which priority of placement will be given to children who live nearest to CPS (including if this address is with a parent/carer with shared responsibility for the child or not). The child's home address will be the child's permanent place of residency and must not be a business address, or the address of a relative or carer, unless they have legal custody of the child. Applications must only be made from a single address.

Tiebreaker

Once the above rules have been applied, and if there were to be a tie within any of the above rules, then any further places will be offered in distance order - Home to school distances will be measured in a direct line from a point on the home address as held by Birmingham City Council, defined in the Local Land and Property Gazetteer, (or similar property database) to the front entrance doors to the CPS main building using Birmingham City Council's computerised mapping system.

Where two or more applicants have a home address at the same distance from CPS and it is necessary to decide which child will be admitted, random allocation will be used. The random allocation process will be independently supervised.

Multiple Births

For application into any year group, in the case where there is one place left and the next pupil due to be admitted is one of a twin, triplet or other multiple birth group, both twins may be admitted, or all pupils in the case of multiple births, even if this goes above the capacity for the CPS.

Waiting List

If any vacancies arise between National Offer Day and 31 December (the next working day if this falls on a weekend) of the same year for reception, priority will be given to those on the waiting list managed by Birmingham City Council.

From 1 September to 31 August the waiting list for admissions into all other year groups of current school age children will be maintained by Birmingham City Council and the CLCMAT for CPS.

If places become available during this period, or for the beginning of the following academic year, admissions will be handled in accordance with the In-Year procedure outlined below.

Any places will be allocated from the waiting list using the oversubscription criteria set out above and not by the date that a child joined the waiting list. If parents/carers decline an offer of a place, they may subsequently request to re-join the waiting list. The child's name will then be added onto the end of the waiting list as extant at the time the request to rejoin is made.

Each time a child is added to the waiting list this will require the overall waiting list for the CPS to be ranked again in line with the oversubscription criteria. Priority will 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 the Fair Access Protocol, will take precedence over those on a waiting list.

The CPS's waiting lists are only maintained for an academic year, so one will need to apply again for the next academic year.

In-Year Admission Arrangements - Making an in-year application

Please refer to the CPS's website on how to make an application for an in-year place for your child. In year admissions will be handled in accordance with the CPS In-Year Procedure on the website.

Where a vacancy is created through a planned move by parents to coincide with the start of a term/half-term, CPS will make an offer to the first child on the waiting list as soon as written notice of intention to remove the child from the CPS has been received from the parents. (If there is a change of circumstance for the pupil on roll at CPS, e.g., the family wish to continue to educate their child at the CPS, then this will be reviewed at the Trustee's discretion, appreciating that this may mean going above the capacity). The offer will be made for the child to be placed on roll at the start of the following term / half-term or sooner.

In all other circumstances where a place becomes vacant, for example, permanent exclusion, a place will be offered to the child in the first position on the waiting list, as soon as the pupil currently holding the place has been removed from CPS's roll. Such formal removal will only take place after all appropriate procedures have been completed.

Admission outside the normal age group Summer Born entry

In exceptional circumstances, parents or carers may wish to seek admission to a year group that is not the normal group for a child of that age. If a parent or carer is considering this, they must contact the CPS for a discussion prior to making an application. The Trustees will consider a request and make a decision on the basis of the circumstances of the case and the best interests of the child concerned. This will include consideration of the parent's or carer's views, the academic, social and emotional development of the child, any relevant information provided by medical professionals, and whether they have previously been educated outside of their normal age group. If the Trustees refuse a request to consider an application for outside of the child's normal age range, they will set out the reasons for this refusal. If the Trustees agree to the request, the application would be processed using the oversubscription criteria outlined above. While parents have a right of appeal against a decision to refuse admission to their child, there is no right of appeal if they have been offered a place but not in their preferred year group.

Parents of summer born children may choose not to send their child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to reception rather than year 1. 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 anticipated 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.

Parents seeking admission to an age group below the child's actual age should submit their request for the September of the year before the year when children of the same age are due to start school. This enables a parent to apply for a school place in their child's actual age group before the closing date if the request for later admission is refused by CPS. If the school approves the request, the parent will be advised to re-apply in the following year and provide a copy of the decision. However, there can be no guarantee of a place being available at CPS, as this is dependent on the number of applicants that year. It is not possible to reserve a place for the following year. Parents are therefore advised to have alternative arrangement in place.

Other year groups

On very rare occasions, you may feel it is in your child's best interests for them to be admitted to school outside of their normal age group.

For example, you may feel it is better for your child to start in Reception Class when other children their age are starting in Year 1. This may perhaps be due to your child's:

- ill health; or
- premature birth

You can apply for your child to start school outside of their normal age group, but you cannot insist that your child is admitted to a particular age group.

Any applications you make will be reviewed by CPS. The CLCMAT Trustees will look at the:

- circumstances of your case
- best interests of your child; and
- views of the Senior Executive Leader over all schools in the CLCMAT

To apply for an admission outside of the normal age group for your child, you will need to apply within the admissions timescale to Birmingham City Council and send CPS:

- a letter outlining the reason for the request
- any supporting evidence.

CPS will make sure that you receive a response to your application before the primary National Offer day – the date when parents are told which school their children will be going to as long as the letter and supporting evidence is received within the timescales for applying for a place with Birmingham City Council.

You should still apply for a school place for your child's normal age group at the usual time: you can withdraw your application later if you need to.

If your application for a place outside of your child's normal age group is approved, you must apply for a place as part of the usual process and timescales for that age group.

If your application is refused, you must decide whether to:

- accept the offer of a place for your child's normal age group when the offer is made
- refuse the offer of a place and instead make an in-year application for admission to the expected year group.

The application under this criterion must be made at the same time as applying to Birmingham City Council for a place at CPS within the usual admission timescales. An application does not guarantee a place for the child at CPS and the application will be considered in the new cohort. Where BVPS agrees to a request in principle, they will write to the parents confirming their agreement. A request for admission outside the normal age group is not an application for admission, and parents will need to submit a separate application in the usual way at the appropriate time.

All applications

Where a request for admission to a different year group has been agreed in principle, the letter from CPS confirming the decision to the applicant, must be submitted to the Birmingham City Council with the application for admission.

Appeals Process

If your child has been refused a place at CPS you have the right of appeal to an Independent Appeal Panel (IAP), which is managed by Birmingham City Council on behalf of the CLCMAT which includes CPS. Where admission is refused, the reasons for the decision together with details on how to appeal will be sent to you by Birmingham City Council. There will not be a right of appeal against the refusal of admission for a nursery place.

Please see Birmingham City Council's website for further information and timelines.

As per the School Admissions Code CPS will publish the appeals timetable on CPS's website.

Application for a nursery place

For admissions into the Nursery, please complete the application form available directly from CPS. A place at CPS nursery does not guarantee a place at reception in the CPS reception class. Therefore, an application for a place at CPS must be submitted within the timescales. Where eligible applications for admission exceed the number of places available, the oversubscription criteria will be applied.

CPS has a nursery available for children to start the term after they turn 3 years old. Applications need to be made directly to CPS. There will not be a right of appeal against the refusal of admission for a nursery place.

Policy Review

These Admissions Arrangements are reviewed and determined every year by CLCMAT and is subject to consultation every seven (7) years or whenever changes are proposed.

Fair Access Protocol

CPS is part of the CLCMAT that complies with Birmingham City Council's Fair Access Protocol to ensure that outside the normal admissions round that unplaced, vulnerable and those who are unable to secure a school place in-year (including Child in Need/Child Protection Plan, children in refuge, children in formal kinship care arrangements, children who have been out of education for four or more weeks and previously looked after children for whom the local authority has been unable to promptly secure a school place), are found and offered a place quickly, so that the amount of time any child is out of school is kept to a minimum.

Contact details for Cromwell Primary School

Admissions Applications Administrator

Telephone: 0121 464 2434

Email: enquiry@cromwell.bham.sch.uk

Explanation of terms relating to all Categories of Admission

Note 1 - Definition of Looked after children and previously looked after children

For admissions purposes a 'looked after child' is a child who is in the care of a local authority in England, or is being provided with accommodation by a local authority in England in the exercise of their social services functions (see the definition in Section 22 (1) of the Children Act 1989). Internationally adopted previously looked after children (IAPLAC), that is children who appear to have been in state care outside of England and ceased to be in care as a result of being adopted, will be given equal first priority in admission arrangements, alongside looked after children (LAC) and children who were previously looked after by English local authorities (PLAC). This covers accommodated children and those who are in care under a Care Order/interim order. This can include living with family or friends, in foster care, a children's home, residential school, special school or in supported lodgings. This rule includes children who were previously looked after and immediately after being looked after became the subject of an adoption, child arrangement order or special guardianship order as set out below. For the avoidance of doubt, this includes children who may have been 'looked after' in other jurisdictions. To note, when assessing this, reasonable efforts to verify will be made but, for example, translations will not necessarily be required if it is reasonable to assume that a child was more likely than not to have been 'looked after' or 'previously looked after'.

Child arrangements order: is an order setting the arrangements to be made as to the person with whom the child is to live under the Children and Families Act 2014.

Special guardianship order: is an order appointing one or more individuals to be a child's special guardian (or special guardians) under Section 14A of the Children Act 1989.

Note 2 - Adopted Child

An adopted child is a child who was adopted under the Adoption Act 1976 or the Adoption and Children Act 2002 or its equivalent in other jurisdictions or where a child has been adopted outside of the United Kingdom then relevant official documentation may be required in respect of the adoption.

Note 3 - Sibling

A sibling is a brother or sister. For admission purposes this means one of two or more individuals who have one or more parent in common or any other child (including an adopted or fostered child) who lives at the same address and for whom the parent also has parental responsibility or, (in the case of a fostered child) delegated authority or those that are placed in the same home due to a court order, not just a foster placement. A pupil in a primary school will only count to provide a priority to a sibling if he or she is attending the school in Year R - 5 at the time the application is made and is still expected to be on the school's roll at the time of the proposed admission (September).

Note 4 - Parent

The application form should be completed by a person who is the student's parent. This is as defined in law (the Education Act 1996) as either:

- Any person who has parental responsibility (defined in Children Act 1989) for the child or young person; or
- Any person who has care of the child or young person.

Note 5 - Normal Home Address

This is the child's home address. This must be where the parent or legal carer of the child live together unless it is proved that the child is resident elsewhere with someone who has legal care and control of the child. The address should be a residential property that can be permanently occupied fifty-two (52) weeks of the year without any restrictions on occupation and not subjected to any planning or contractual restrictions on the duration of occupancy and is your child's only or main residence that is owned, leased or rented by the child's

parent(s) or person with legal care and control of the child. If the residence is not split equally between the Parent(s)/Carer(s), then the relevant address used will be the address at which the Academy is satisfied that the child spends the majority of the school week. Where there is an equal split or there is any doubt about residence, the Academy will make a judgment about which address to use for the purposes of allocation. In making this judgment the Academy will take into account the following (this is not intended to be an exhaustive list but illustrative of the items which may be considered as suitable evidence):

- any legal documentation confirming residence e.g. GP registration for the child and family
- the pattern of the residence
- the period of time over which the current arrangement has been in place
- confirmation from the previous school of the contact details and home address provided to them by the parents

Where BVPS is oversubscribed, the CLCMAT need to be satisfied that places are allocated lawfully, in accordance with the oversubscription criteria. The CLCMAT expect to have some level of certainty about a family's intended new address, so that they can allocate a place lawfully.

The CLCMAT endeavour to be flexible in what they will accept as confirmation of address, whilst ensuring that the statutory duties are met.

Note 6 – Supplementary Information Form (SIF)

Where the CLCMAT accepts and approves the child has met the criterion, BVPS will write to the parents confirming the decision. A request for admission under the criterion is not an application for admission, and parents will need to submit a separate application in the usual way at the appropriate time. Where a request under the SIF criterion has been approved, the letter from the Academy confirming this must be submitted to Birmingham City Council with the application for admission.

Note 7 – Early Years Pupil Premium, the Pupil Premium or the Service Pupil Premium

Early Years Pupil Premium

Early Years Pupil Premium (EYPP) is additional funding for early years pre-school settings to improve the education they provide for disadvantaged 3 and 4 year-olds including, but not restricted to, those adopted from care.

Pupil Premium

The Pupil Premium is additional funding provided to publicly-funded schools in England with the aim of raising the attainment of disadvantaged children.

Service Pupil Premium

Pupils attract Service Pupil Premium if they meet one of the following criteria:

- one of their parents is serving in the regular armed forces (including pupils with a parent who is on full commitment as part of the full time reserve service)
- they have been registered as a 'service child' on the January school census at any point since 2016 and/or
- one of their parents died whilst serving in the armed forces and the pupil receives a pension under the Armed Forces Compensation Scheme or the War Pensions Scheme

On publication of this document the current information for 2020 – 2021 including eligibility criteria can be located <https://www.gov.uk/government/publications/pupil-premiumallocations-and-conditions-of-grant-2020-to-2021/pupil-premium-conditions-of-grant-2020to-2021>

Note 8 – UK forces personnel and crown servants

The School Admissions Code requires that for families of UK service personnel with a confirmed posting to their area or Crown servants returning from overseas to live in that area, admission authorities must allocate a school place in advance of their move, provided their application is accompanied by an official letter declaring a relocation date and unit address or quartering address.

Returning UK forces personnel and crown servants will be dealt with in line with the guidance under the Schools Admissions Code.

Where vacancies exist at the school, places will be allocated to the family in advance of their move, even if they do not yet have a confirmed address.

Where BVPS is oversubscribed, Trustees will need to be satisfied that places are allocated lawfully, in accordance with the oversubscription criteria. The CLCMAT expect to have some level of certainty about a family's intended new address, so that they can allocate a place lawfully.

The CLCMAT endeavour to be flexible in what they will accept as confirmation of address, whilst ensuring that statutory duties are met.

Note 9 - Exceptional and Compelling Medical, Psychological, Social or Special Access Reasons

Applications for Exceptional and Compelling Medical, Psychological, Social or Special Access Reasons will only be considered at the time of the initial application, unless there has been a significant and exceptional change of circumstances within the family since the initial application was submitted. All academies in CLCMAT have experience in dealing with children with diverse social and medical needs. All applications must be made on a SIF form and submitted directly to the Academy whilst still applying for a place within the usual timescales for point of entry with Birmingham City Council or follow the in-year admissions process.

In a few very exceptional cases, there are reasons why a child has to go to one specific school. All applications are considered individually but a successful application should include the following:

- Specific recent professional evidence that justifies why only one school can meet a child's individual needs, and/or
 - Professional evidence that outlines exceptional family circumstances making clear why only one school can meet the child's needs

If the requested school is not the nearest school to the child's home address clear reasons why the nearest school is not appropriate.

For medical cases – a clear explanation of why the child's severity of illness or disability makes attendance at a specific school essential. Evidence should make clear why only one school is appropriate.

The medical circumstances must relate to the child, and parents will be expected to provide supporting evidence from a consultant who is monitoring the child's condition (i.e. not solely a General Practitioner (GP) in relation to medical circumstances, or a social worker (or other appropriate professionally qualified person) in relation to social circumstances. All supporting evidence showing why education should be at the preferred school must be submitted at the time of application, when applying for Reception at the usual point of entry.

The CLCMAT will consider all claimed Exceptional and Compelling Medical, Psychological, Social or Special Access needs circumstances in line with admissions criteria and inform parents of their decision.

An Exceptional and Compelling Medical, Psychological, Social or Special Access

Reasons application will generally not be upheld in cases where more than one school could meet the child's need. In exceptional cases relating to a disability, where more than one school in the area can meet the child's specific needs, a clear and compelling case can be made for the "nearest" school with the relevant facilities, environment or location. You must clearly explain why attendance at the "nearest" school with these facilities is essential.

Evidence relating to the medical or social circumstances of the parent can be considered, but only if this impacts on the child and their need to attend a specific school. Requests may not be considered if long-term mobility issues are cited and you have not applied to your closest school. Please note that the following are unlikely to be considered grounds for exceptional medical/social need(s):

- speech & language delay
- child is awaiting an Education, Health and Care Plan (EHCP)
- asthma, diabetes, eczema or allergies
- car/travel sickness
- the need for a child to stay in friendship groups
- family attending the same school
- child care arrangements; and/or short term mobility issues

If you feel that one of these examples should be considered, you will need to prove how this has a significant impact on your child and why only the school you have selected as your first preference can meet your child's exceptional need(s). The application under this criterion will be reviewed by the Executive Leader and SENCO at the CLCMAT.