

# EXCALIBUR PRIMARY SCHOOL

## ADMISSIONS POLICY For Admissions from September 2024

**The Admissions Policy in respect of Excalibur Primary School has been discussed and adopted by the Governing Body**

*Chair of Governors*

*Jo Bain*

*Head Teacher:*

*Juliet Jones*

*Agreed and ratified by the Full Governing Body on: 6<sup>th</sup> February 2023*

*To be reviewed February 2024*

## **Statement of Intent**

At Excalibur Primary School, we welcome all pupils, and places at the school are offered on an open, fair, clear and objective manner. We work to the principle that any parent accessing our admission arrangements will be able to understand easily how places for our school will be allocated, and will not be alienated or discouraged from applying based on the admission criteria.

# Admissions Policy

## 1. Aims

This policy aims to:

- Explain how to apply for a place at the school
- Set out the school's arrangements for allocating places to the pupils who apply
- Explain how to appeal against a decision not to offer your child a place

## 2. Legislation and statutory requirements

The school's admission authority is Chancery Multi Academy Trust.

Our admissions process is delivered in line with the Equality Act 2010 and the Human Rights Act 1998.

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

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

As an academy, the school is required by its funding agreement to comply with these codes.

This policy complies with our funding agreement and articles of association.

This policy operates in conjunction with the following school and Chancery Multi Academy Trust policies:

- Single Equality Policy
- Data Protection Policy
- Special Educational Needs Policy
- SEN Information Report

## 3. Determining PAN

The trust board will determine PANs for each school within the trust that educates a relevant age group. The trust's PAN for Excalibur Primary School is 30.

The trust board will publish its PAN annually. The trust board will notify the LA of any increases to the agreed PAN, and will reference the changes on the school's website. The trust board will consult on any proposal to decrease the school's PAN.

If the trust board decides that it can accept more pupils than laid out in its PAN, it will notify the LA in good time so that the LA can deliver its coordination responsibilities effectively.

In line with statutory requirements the trust board will not refuse admission to any age group, other than the relevant age groups, on the grounds that the number of children admitted has already

reached PAN; however, the trust board may refuse admission on the grounds that the admission of another child would prejudice the provision of efficient education or efficient use of resources.

#### 4. Definitions

The **normal admissions round** is the period during which parents can apply for state-funded school places at the school's normal point of entry, using the common application form provided by their home local authority.

**Looked after children** are children who, at the time of making the application to a school are:

- In the care of a local authority, or
- Being provided with accommodation by a local authority in exercise of its social services functions

**Previously looked after children** are children who were looked after, but ceased to be so because they:

- Were adopted under the Adoption Act 1976 or the Adoption and Children Act 2002, or
- Became subject to a child arrangement order, or
- Became subject to a special guardianship order

This includes children who appear, to the admission authority, to have been in state care outside of England and have ceased to be in state care due to being adopted.

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.

#### 5. Admissions procedure

The school will offer parent and child walkarounds by appointment, with a member of the school's senior leadership team, to all potential applicants, irrespective of any protected characteristics. Where necessary, the school will make reasonable adjustments for disabled applicants and disabled parents.

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

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

The CAF should be submitted/returned to the parent's Local Authority by the date stipulated on their website. Late applications are considered after 'on-time' applications. Parents are not guaranteed to have their preferences met.

You will receive an offer for a school place directly from your local authority.

Once a place has been offered, the trust board may ask for the child's short birth certificate as proof of the birth date.

For previously LAC (PLAC) and LAC, the trust board will request a copy of the adoption order, child arrangements order or special guardianship order, and a letter from the Local Authority confirming that the child was looked after immediately prior to the order being made.

## **6. Requests for admission outside the normal age group**

Parents are entitled to request a place for their child outside of their normal age group. This must be put in writing to the headteacher.

Decisions on requests for admission outside the normal age group will be made on the basis of the circumstances of each case and in the best interest of the child concerned. In accordance with the School Admission Code, this will include taking account of:

- Parents' views
- Information about the child's academic, social and emotional development
- Where relevant, their medical history and the views of medical professionals
- Whether they have previously been educated out of their normal age group
- Whether they may naturally have fallen into a lower age group if it were not for being born prematurely
- The headteacher's views

Wherever possible, requests for admission outside a child's normal age group will be processed as part of the main admission round. They will be considered on the basis of the admission arrangements laid out in this policy, including the oversubscription criteria listed in section 6.

Applications will not be treated as lower priority if parents have made a request for a child to be admitted outside the normal age group.

Parents will always be informed of the reasons for any decision on the year group a child should be admitted to. Parents do not have the right to appeal if they are offered a place at the school but it is not in their preferred age group.

Pupils not of usual school age will not be given less of a priority where the school is oversubscribed.

## **7. Allocation of places**

### **7.1 Admission number**

The school has an agreed admissions number of 30 pupils for entry into the reception class.

### **7.2 Oversubscription criteria**

All children whose education health and care (EHC) plans name the school will be admitted before any other places are allocated.

If the school is not oversubscribed, all applicants will be offered a place.

In the event that the school receives more applications than the number of places it has available, places will be given to those children who meet any of the criteria set out below, in order until all places are filled.

1. Highest priority will be given to looked after children and all previously looked after children, including 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, who apply for a place at the school.
2. Priority will next be given to children on the basis of social or medical need which. Supporting evidence from a registered professional, such as a medical practitioner, psychologist or social

worker, must be provided which sets out the particular reasons why this school is the most suitable school and the difficulties that would be caused if the child had to attend another school. The school will consider the information presented and will determine whether the evidence is sufficiently compelling to apply this criterion to the application. The school, if it is considered appropriate, will seek the views of the School Doctor or Educational Psychologist in the event of parents requesting admission on medical or psychological grounds. This criterion cannot be considered if the required documents have not been received. Few applications fall within this category.

3. Priority will next be given to children with siblings at the school. Siblings include step siblings, foster siblings, adopted siblings and other children living permanently at the same address. The siblings should be already attending this school (in years Reception through to Year 5) and expected to continue at the school in the following school year. (i.e. at the time of admission).
4. Priority will next be given to children resident within the designate catchment zone of the school. Children will be classed within this category if they and their parents/carers are resident within the area served by the school on the closing date for applications.
5. Priority will then be given to the children who live closest to the school. Distance will be measured in a straight line from the child's home address to the school's front gates on Ivy Lane using the National Land and Property Gazetteer (NLPG). The school would class the child's home address as where the child wakes up most Monday to Fridays.

Where the school cannot accommodate all pupils qualifying under one of the criteria stated above, the next criteria will also be applied to determine priority for admission. For example, if the school cannot accommodate all siblings for whom an application has been received, all sibling applicants will be prioritised in the order of:

- i. Siblings (criterion 3) who live within the school's designated catchment area (criterion 4).
- ii. Siblings (criterion 3) who do not live within the school's designated catchment area (criterion 5).

All applicants within each criterion will be put into a distance order with priority being given to those that live nearest to the school, as stated in criterion 5 above. Council Tax records will be used for verification of addresses, where required.

### **7.3 Multiple births and Notes to the admission criteria**

In relation to children of multiple births, exceptionally it may be necessary to offer places over the published admission number to ensure that, as far as possible, siblings (i.e. twins, triplets or children from other multiple births) can attend the same school.

### **7.4 Tie Break**

Where it is identified that there are a limited number of places available and they be cannot differentiate between the applications using the nearest school criterion (criterion 5) a fair, clear, effective and random allocation tie-breaker will be applied. This may be required for example, where applicants reside in the same block of flats or are children of a multiple birth living at the same address. The system will be independently verified.

### **7.5 Equal Opportunities**

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

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

## **8. In-year admissions**

Parents can apply for a place for your child at any time outside the normal admission round. As is the case in the normal admission round, all children whose EHC plans names the school will be admitted.

Likewise, if there are places available in the year group you are applying for, your child will always be offered a place.

If there are no places available at the time of your application, your child will not be offered a place.

If we do not offer a child a place at this school, this will be because to do so would prejudice the education of other children by allowing the number of children in the school to increase too much.

All in year applications must be made on a form that can be obtained from the local authority's website (either online or paper version), and should be submitted/returned to the Local Authority. The Local Authority will notify the school of all applications and the school will notify parents and carers and the Local Authority of the decision as soon as the application has been processed and within the timeframe stipulated.

Parents will be notified of the outcome of their in-year application in writing within 15 school days.

## **9. Fair Access Protocol**

Excalibur School is part of the Fair Access Protocol agreed with Cheshire East Local Authority to ensure that the needs of all pupils, both existing and potential, continue to be met in suitable provision. The Fair Access Protocol is designed to ensure that unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible. The agreed protocol ensures 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 includes how the local authority will use provision to ensure that the needs of pupils who are not ready for mainstream schooling are met.

## **10. Sizes of classes for infants**

Infant classes are those in which the majority of children turn 5, 6 or 7 during the course of the school year ie; Reception, Year 1 and Year 2 classes. We teach infant children in classes that have a maximum number of 30 children in line with The School Admissions (Infant Class Sizes) (England) Regulations 2012 which limits the size of an infant class during an ordinary teaching session to 30 pupils per school teacher.

Infant class size legislation makes allowance for the entry of an additional child in very limited circumstances where it would be prejudicial to his or her interests not to admit them ('excepted pupils').

## **11. Late Applications**

Late applications for places will be considered after all applications received on time, unless there are very exceptional reasons for a late application which must be explained at the time of application.

## **12. Repeat Applications:**

If the initial application to the school in the academic year is refused and/or an appeal declined, then there cannot be a repeat applications unless there are significant changes in the circumstances of the applicant or the school.

## **13. Waiting lists:**

For entry into the reception year, waiting lists are held until the end of the Autumn term (31st December), in criteria order, by the Cheshire East Local Authority.

Waiting lists for 'in year' are not held by the school.

## **14. Admission appeals**

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

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

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

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

### **Timetable**

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



- Includes a deadline for lodging appeals which allows appellants at least 20 school days from the date of notification that their application was unsuccessful to prepare and lodge their written appeal.
- Ensures that appellants receive at least 10 school days' notice of their appeal hearing.
- Includes reasonable deadlines for appellants to submit additional evidence, for admission authorities to submit their evidence, and for the clerk to send appeal papers to the panel and parties.
- Ensures that decision letters are sent within 5 school days of the hearing wherever possible.

The trust board will publish an appeals timetable on their website by 28 February each year.

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

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

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

When informing a parent of their unsuccessful admissions application, the trust board will send written notification of their decision. This will include:

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

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

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

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

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

### **Constitution of appeals panels**

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

The appeals panel will comprise of a chair and at least **two** other panel members.

The panel will also include at least one lay person **and** one or more people with experience in education.

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

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

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

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

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

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

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

### **Evidence**

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

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

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

### **Attendance and representation**

It is the trust board's responsibility to make arrangements for appeal hearings. Appeal hearings can be held in person, remotely by video conference or a mixture of the two (a hybrid hearing).

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

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

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

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

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

### **Appeals hearings**

Where appeal hearings are held in person, the trust board will 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.

Appeal hearings that are held remotely will be held in such a way that means the appeal is capable of being heard fairly and transparently. Attending parties will be able to present their cases fully and the trust board will be satisfied that each participant has access to facilities that allow them to engage in the hearing at all times.

Where a hybrid hearing is to take place, the arrangements above will be complied with as appropriate.

Hearings, whether conducted in-person or remotely, will be held in private.

The order of appeal hearings will be as below:

- Case for the trust board.
- Questioning by the appellant(s) and panel.
- Case for the appellant(s).
- Questioning by the trust board and panel.
- Summing up by the trust board.
- Summing up by the appellant(s).

### **Reaching a decision**

When reaching a decision, the trust board will follow the specific two stage process outlined in section three of the 'School Admission Appeals Code'.

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

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

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

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

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

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

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

### **Further appeals and complaints**

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

The trust board will inform parents about their right to complain about maladministration on the part of an appeal panel and the arrangements to follow.

If appellants have an issue with the appeal process, they can complain to the Secretary of State.

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

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

The trust board will consult with the following:

- Parents of children between ages two and 18
- Stakeholders
- Other admission authorities within the relevant area
- The Local Authority
- Any Local Authorities in which pupils have historically come from

The trust board will publish a copy of the proposed admissions arrangements and the contact details of the individuals responsible for admission liaison on the school website. A copy of the proposed admission arrangements will be made available upon request.

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

The trust board will not revise the admissions arrangements for the school year once they have been determined, unless this would be necessary to give effect to a mandatory requirement, a determination of the Schools Adjudicator, or any misprint in the admission arrangements.

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

## **16. Monitoring Arrangements**

This policy will be reviewed and approved by the Local Governing Board every year.

Whenever changes to the admission arrangements are proposed (except where the change is an increase to the agreed admission number), the governing board will publicly consult on these changes.