

## **Appendix 1**

### **In Year Admissions arrangements 2021-22 for Community and Controlled schools**

- 1.1 School places must be allocated in accordance with admissions legislation which includes the School Admissions Code issued by the Secretary of State. The aim of the Code is to ensure places are allocated and offered in a consistent, open and fair way.
- 1.2 Admission arrangements are subject to consultation with various bodies including parents, schools and neighbouring local authorities. The arrangements are then set and published by the County Council each year.
- 1.3 In-Year Admissions are those relating to children whose parents are seeking admission to a school outside the normal timescale, defined as those requesting admission to school after the first day of the first term on which children in that age group are normally expected to start at the school.
- 1.4 In East Sussex, the normal timescale applies in Reception, year 7, and in the case of junior schools, year 3.
- 1.5 Admissions to years 12 and 13 of those community schools with sixth forms are delegated to the individual schools as they will have academic entry requirements.

## **2 Applying for places**

- 2.1 Parents can name up to three preferred schools via the online admissions portal or the in year application form supplied by the County Council. This is available from 1 June 2020.
- 2.2 Parents are asked to specify the reason for wishing to move school, and the name of the current school, to enable the County Council to establish whether or not the child is currently unplaced, or qualifies for inclusion in the Fair Access Protocol.
- 2.3 Unless the parent specifies otherwise, in year admissions will be assumed to be for the child's chronological age group. See section 5 for admissions out of year group.
- 2.4 If any of the preferred schools are own admission authority schools, the application will be securely shared with the school to enable the admission authority to make a decision on the application.
- 2.5 If vacancies exist in the child's year group at more than one of the preferred schools, a place will be offered at the highest preference possible and parents will be advised of this by the relevant admission authority.
- 2.6 If there is competition for any available places, the following priorities will be used by the County Council as admission authority to decide which children should be admitted:
  - 1) Looked after children and previously looked after children.
  - 2) Children who will have a brother or sister at the school at the time of admission and who live at the same address within the pre-defined community area.
  - 3) Other children living within a pre-defined community area.

- 4) Children who will have a brother or sister at the school at the time of admission and who live at the same address outside the pre-defined community area.
- 5) Other children.

2.3 Children who have a brother or sister who joined the school prior to 1 September 2017 and who is still on roll will be admitted under the previous arrangements which gave priority to siblings regardless of whether they live in the pre-defined community area or not.

2.4 **Tie breaker:** In the event of oversubscription within any criterion, place allocation will be decided by prioritising applications on the basis of home to school distance measured in a straight line. The County Council's Geographical Information System (GIS) measures from the child's home to the school using validated address point data as start and end points.

2.5 Own admission authority schools may have different admission priorities, and parents should check with those schools whether further information is needed to decide who should be offered any available places (usually a 'Supplementary Information Form' (SIF)).

2.6 If a place is available in the child's year group at any or all of the preferred schools, the County Council will issue a decision to the parent offering a place at the highest preference school with a place, and explaining what the parent needs to do to accept the place offered.

### **3 If there are no places available in any of the preferred schools:**

3.1 The County Council will refuse the application and offer the parent the right of appeal, and inform the parent of waiting list arrangements if applicable.

3.2 If the child lives outside East Sussex, the County Council will not offer an alternative school.

3.3 If the child is currently attending a school within a reasonable daily travelling distance, the County Council will suggest that the child remains at the current school.

3.4 If the child is not able to continue to attend the current school due to distance following a house move, or has never attended school in the UK, the County Council will allocate a place at the nearest alternative school with a place available.

3.5 If the child was previously on roll at a state-funded school in East Sussex, but has been withdrawn from that school to electively home educate, the County Council will offer a place at the previous school, unless doing so would breach class size legislation, the child is no longer of the correct age group for the school, or the child has moved out of the area served by the school and attendance there would be impractical due to distance.

3.6 If the child is unplaced and vulnerable, the East Sussex Fair Access Protocol may be used to place the child.

3.7 If the child is unplaced and there are no places available within a reasonable travelling distance, the County Council will arrange for the child to be placed at a school within a reasonable distance. This will not necessarily be the preferred school, but will normally be in the school which serves the child's home address. Children placed in this way will have priority over children on the waiting list, as will Looked After Children and children with Education, Health and Care plans naming the school in question. See section 5.

### **4 Refusing an application to a school where places exist in the child's year group:**

- 4.1 An admission authority may only refuse an application in a year group where places exist if the child's behaviour is challenging as defined in the Code and the preferred school has a disproportionate number of challenging pupils already on roll. The County Council will only do this in exceptional circumstances and parents will still have the right of appeal.
- 4.2 The County Council will refer any such cases for placement via the Fair Access Protocol, where the child is unplaced.

## **5 Admission to school outside the child's normal age group:**

- 5.1 In England and Wales, children are entitled to attend school from the September following their fourth birthday. However, formal education is not compulsory until the child is five. The vast majority of children start in reception as soon as they are entitled to and remain with the same age group until they leave school at the age of sixteen, or eighteen if they continue in the sixth form provision.
- 5.2 It is recognised that this arrangement will not suit every child and there is flexibility within every admission authority's arrangements to allow children to be admitted to the year below their chronological age, or, more exceptionally, to the year above.
- 5.3 Parents who believe it to be in their child's best interests to be placed out of year group, are asked to complete a request form available from the Admissions & Transport Service to enable the County Council to reach a decision on whether or not the child should be offered a place out of year group.
- 5.4 For schools where the County Council is the admission authority, this will normally be agreed where the child has applied to move from another school in England and Wales which follows the National Curriculum and has been educated out of year group up until the point of applying for an East Sussex school.
- 5.5 Where this is not the case, the County Council may need more information to enable a decision to be reached.
- 5.6 If an admission authority offers a place at the preferred school, but not in the preferred year group, there is no right of appeal against this decision.

## **6 Withdrawing the offer of a place**

- 6.1 If the County Council offers a place but the parent cannot be contacted, or does not wish to accept the place within a reasonable timescale, the place may be withdrawn.
- 6.2 A place may also be withdrawn if it has been offered based on incorrect information, if it is reasonable to do so. The County Council will not do this if the child is already attending the school.
- 6.3 If a place is withdrawn due to incorrect information, the County Council will reconsider the application based on the correct information, and offer a place or appeal rights if the place should instead have been offered to another child.

## **7 Appeals**

- 7.1 If an admission authority is unable to offer a place in the preferred school, parents have the right to appeal to an independent appeal panel.
- 7.2 In East Sussex County Council, School Admission Appeals are convened and clerked by the Democratic Services team, which is independent of the Admissions and Transport Service.
- 7.3 When a parent notifies East Sussex County Council of their wish to appeal, Democratic Services will notify the Admissions and Transport service, check that the decision to refuse a place has been notified to the parent, and acknowledge receipt of the appeal.
- 7.4 The parent and Admissions and Transport Service will be notified of the arrangements for the appeal to be heard in accordance with the requirements of the School Admissions Appeal Code issued by the Secretary of State.
- 7.5 Independent appeal panels' decisions are binding on the admission authority and the parent, and if the appeal is successful, the school will contact the parent to arrange a start date.

## **8 Waiting lists**

- 8.1 Admission authorities are not obliged to hold a waiting list for places which become available after the end of term 2 in the 'relevant age group'.
- 8.2 Where waiting lists are held, these must be in accordance with the published admission priorities.
- 8.3 Admission authorities must offer places which become available in accordance with their admission priorities.
- 8.4 The County Council will maintain waiting lists and offer places on behalf of schools.
- 8.5 Children admitted on appeal, through the Fair Access Protocol, the EHCP process and as Looked After Children (or previously looked after children) will take priority over children on the waiting list, and will normally be admitted whether a place is available or not.
- 8.6 Where a school has admitted a child or children over numbers, places will not be offered from the waiting list in the year group in question until the number of children on roll has reduced below the published admission number, or the revised admission number if the school has agreed one with the County Council.