



## **St Oswald's CofE Aided Primary and Nursery School**

### **Admissions Policy Consultation for September 2020 and beyond**

The Governing Body of St Oswald's CofE Aided Primary and Nursery School is the admissions authority for the school. The Admissions Code requires admissions bodies to consult on their admissions policies at least every seven years. To keep in line with Durham County Council, who are the admissions authority for Maintained Community and Voluntary Controlled schools and are consulting on their admissions policy for 2020 and beyond, the Governing Body are consulting on the admissions policy for St Oswald's.

Please send any comments regarding this consultation to: [admissionsconsultation@stoswaldsdurham.net](mailto:admissionsconsultation@stoswaldsdurham.net)

Please indicate in your reply whether you are responding as a parent; governor; head teacher; councillor; Diocese representative; local resident; governor; neighbouring authority; other (please specify).

This consultation is open from Friday 23<sup>rd</sup> November 2018 to Sunday 13<sup>th</sup> January 2019.

**St Oswald's C of E Aided Primary and Nursery School**  
**Nursery Class Admissions Policy from September 2020 and beyond**

If the number of applications exceeds the number of places available, children will be admitted to the nursery class in the following order:

1. Children who are 'looked after' or a child who was previously looked after but immediately after being looked after became subject to an adoption, residence/child arrangement, or special guardianship order\* A looked after child is a child who is, at the time of making an application to a school, in the care of a local authority in England, or 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).
  - *An adoption order is an order under section 12 of the Adoption Act 1976 or section 46 of the Adoption and Children Act 2002. A 'residence 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. A child arrangement order is an order settling the arrangements to be made as to the person with whom the child is to live under section 14 of the 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). Applications under this criterion must be accompanied by evidence to show that the child is looked after or was previously looked after (e.g. a copy of the adoption, child arrangements or special guardianship order).*
2. Children who have previously been in state care outside of England and ceased to be in state care as a result of being adopted.
  - *Children previously in state care outside of England means children who have been looked after outside of England by a public authority, a religious organisation or another provider of care whose sole purpose is to benefit society. The care may have been provided in orphanages or other settings. In the case of children adopted from state care overseas, the admissions authority will require evidence that a child is eligible by asking the child's parents or carers for appropriate evidence of their previously looked-after status.*
3. **Children In Need**

The Children Act 1989 defines a child 'in need' as:  
He/she is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision of services by the Local Authority under Part 3 of the Act.  
His/her health or development is likely to be significantly impaired, or further impaired, without the provision for him/her of such services.  
He/she is disabled.

  - Supporting evidence (e.g. from a paediatrician or social worker) should be submitted with the application form. Parents applying under this criteria are strongly urged to contact the Head Teacher to ensure St Oswald's is an appropriate setting in which the child's needs can be met.
  - A maximum of two part-time nursery places are retained until the end of the Autumn half term in order to accommodate emergency referrals of children "in need" as defined in the requirements of the Children Act, 1989.

**4. Age**

The offer of a place will be prioritised according to date of birth. The earliest a child can begin in our nursery class is the start of the term following their 3<sup>rd</sup> birthday. Where applicants have the same date of birth, priority will be given to the earliest date of application.

#### 4. **Children Living in Other Authorities**

Although there are no catchment areas for places, preference will be given to children whose parents live within County Durham's administrative area. Only when all children living within the boundary of County Durham have been allocated a place, may a child living in a neighbouring area be offered a place. Where there are more applicants living outside of Durham's administrative area than places available, priority will be given to the earliest date of application.

Once all places have been allocated, further applications will be included on a waiting list and places will be allocated in accordance with the oversubscription criteria above.

## St Oswald's C of E Aided Primary & Nursery School Admissions Policy 2020 and beyond

The Governing Body of St Oswald's C of E Aided Primary & Nursery School is the Admissions Authority for the school. The school welcomes pupils from all backgrounds irrespective of gender, disability, race, religion or language.

Our published admission number (PAN) is 20 and we intend to admit up to 20 pupils to the reception year group each September. This arrangement follows consultation between the Governing Body, the Local Authority, other schools in the area, and members of the public as well as other Admission Authorities in the area.

Parents, who would like their children to attend St Oswald's C of E Aided Primary and Nursery School, must complete an admissions application form even if the child attends the nursery. A place in the nursery class does not guarantee admission to the school. Applications must be made on the Local Authority Common Application Form which must be returned to the Local Authority, which is Durham County Council. Applications received after the closing date will only be considered **after** all those received by the closing date.

Children who have an *Education Health Care Plan* (EHCP), which names St Oswald's C of E Aided Primary and Nursery School, will be allocated a place as a statutory entitlement and therefore overriding the subscription criteria. The Local Authority will decide if the school is appropriate for a child with an EHCP following consultation with the child's parents and the school. The School will comply with a parental preference unless the school is unsuitable to the child's age, ability, aptitude or special educational needs, or the placement would be incompatible with the efficient education of the other children with whom the child would be educated, or with the efficient use of resources.

Children of UK service personnel (UK Armed Forces) whose parents have a confirmed posting to the area or crown servants returning from overseas to live in the area, will be allocated a place in advance of the family arriving in the area. This is provided that the application is accompanied by an official letter that declares the relocation date and a unit postal address or quartering area address.

### **Oversubscription criteria**

If the number of applications exceeds the number of places available, children will be admitted in the following order:

1. Children who are 'looked after' or a child who was previously looked after but immediately after being looked after became subject to an adoption, residence/child arrangement, or special guardianship order\* A looked after child is a child who is, at the time of making an application to a school, in the care of a local authority in England, or 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).

*An adoption order is an order under section 12 of the Adoption Act 1976 or section 46 of the Adoption and Children Act 2002. A 'residence 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. A child arrangement order is an order settling the arrangements to be made as to the person with whom the child is to live under section 14 of the 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). Applications under this criterion must be accompanied by evidence to show that the child is looked after or was previously looked after (e.g. a copy of the adoption, child arrangements or special guardianship order).*

2. Children who have previously been in state care outside of England and ceased to be in state care as a result of being adopted.

*Children previously in state care outside of England means children who have been looked after outside of England by a public authority, a religious organisation or another provider of care whose sole purpose is to benefit society. The care may have been provided in orphanages or other settings. In the case of children adopted from state care overseas, the admissions authority will require evidence that a child is eligible by asking the child's parents or carers for appropriate evidence of their previously looked-after status.*

3. Children who have a sibling\* already attending the school and who is expected to still be on the school roll at the date of admission.

*\*Sibling is defined as children who live as brother or sister in the same house, including natural brothers or sisters, half brothers or sisters, adopted brothers or sisters, step brothers or sisters and children of the parent/carer's partner.*

4. Medical Need: Children with very exceptional medical factors directly related to school placement. *Applications must be supported by written evidence from a paediatrician or other medical practitioner, setting out the particular reasons why St Oswald's school is the most suitable school, and applications will be considered on a case-by-case basis. It is the parents' responsibility to provide the relevant documentation. The supporting evidence should be wholly persuasive and set out the particular reasons why your child requires their placement at this school rather than any other school and the difficulties that would be caused if they had to attend another school. Reasons such as, but not limited to, food allergies and Attention Deficit Hyperactivity Disorder (ADHD) will not be considered as exceptional medical factors as all schools are able to effectively manage these. Supporting evidence will be considered by the Governing Body and may require liaison with relevant health care professionals. The provision of any information/evidence does not necessarily in itself guarantee the offer of a place at this school. The Governing Body will make the final decision on the application.*

5. Children of Staff at the School

*Children with a parent (defined as an adult who has parental responsibility for the child and with whom the child normally resides) who has been employed at the school for two or more years at the time at which the application for admission to the school is made.*

6. Any other children.

#### **Tie-Breaker**

Where there are places for some children, but not all, in any category (1-6) then a distance criterion will be applied as follows:

Children who live nearest St Oswald's School measured by the shortest walking route\*\* will be given preference.

Where the last place to be allocated would mean that a multiple birth sibling group i.e. twins, triplets or other multiple birth sibling groups, would be split, the sibling group will be given priority over other children. Otherwise if only one final place can be offered and two applicants live equidistant from the school, random allocation will apply.

\*\* In assessing home to school distance the school employs the services of the LA which uses a Geographic Information System (GIS) to identify and measure the shortest route utilising only the Ordnance Survey Integrated Transport Network (ITN) and Urban Paths Network (UPN) which are national recognised datasets. The LA will not include any other routes or any other method of measurement. Routes are measured from the centre point\*\*\* of the child's house, or in the case of a flat from the centre point\*\*\* of the building, to the main school gate on School Lane. In all cases the GIS identifies the route to be measured by connecting in a straight line the centre point\*\*\* of the child's house to the closest point on the nearest route on the ITN/UPN.

\*\*\*In accordance with the co-ordinates of the Basic Land and Property Unit on the National Land and Property Gazetteer.

\*\*\*\*Distance will be measured from the child's normal home address. By normal home address, we mean the child's home address. This must be where the parent or legal carer of the child lives with the child unless it is proved that the child is resident elsewhere with someone else who has legal care and control of the child. The address should be a residential property that is owned, leased or rented by the child's parent/s or person with legal care and control of the child.

To avoid doubt, where a child lives with parents with shared responsibility, each for part of a week or month, the address where the child lives will be determined having regard to a joint declaration from the parents stating the exact pattern of residence. If the residence is not split equally, then the relevant address used will be that at which we are satisfied that the child spends the majority of the school week. Where there is an equal split or there is any doubt about residence, we will make the judgment about which address to use for the purpose of determining whether or not to offer a place. We will take into account, for example, the following:

- any legal documentation confirming residence
- the pattern of the residence
- the period of time over which the current arrangement has been in place
- confirmation from any previous school of the contact details and home address supplied to it by the parents
- where the child is registered with his/her GP
- any other evidence the parents may supply to verify the position.

We may ask for evidence of the normal home address in the form of a recent bill. This could be, for example, the most recent Council Tax bill, utility bill no more than three months old, a current TV licence, buildings and contents insurance, mortgage statement or rent book which shows the address concerned. Parents who are unable to provide this evidence should contact the school to discuss what evidence might be acceptable. If it becomes clear or if there is any doubt that the parents and child are not living at the address given on the application form, the school may seek further evidence. The school works closely with the LA to ensure that places are not obtained at the school on the basis of false addresses, and, in cases of doubt, will take steps to verify the information provided. If a place at the school is offered, and it later becomes clear that the offer was made on fraudulent or misleading information (e.g. a false claim to living in the catchment area), and the school has denied a place to a child with a stronger claim, the school will withdraw the offer of a place. The offer can also be withdrawn even after the child has started at the school.

We regard a child's home address to be where he or she sleeps for the majority of the school week (Monday to Friday). We may ask to see official documentation, such as a child benefit book or medical card if there are reasons why a child does not live at his or her parent's address. For example, if he or she is resident with a grandparent, this needs to be made clear on the application form. If such arrangements are not declared or a relative's address is used on the application, we may consider that a false declaration has been made, and withdraw the offer of a place. Childcare arrangements are **not** sufficient reason for listing another address.

If parents move house after the application has been made, but before any offer of a place has been made, the home LA must be informed.

If parents are moving, we will ask for evidence of the move, before considering any application for a place under the co-ordinated scheme.

We would not accept an address where the one given is that of a second home with the main home being elsewhere. If there are two or more homes, we will check which is the main home, and may refuse to base an allocation of a place on an address which might be considered only temporary. Nor would we accept an address where the child was resident other than with a parent or carer unless this was part of a fostering or formal care arrangement. We would not normally accept an address where only part of a family had moved, unless connected with a divorce or permanent separation arrangement, in which case we would require proof.

### **Waiting List**

The school maintains waiting lists for those children who are not offered a place and whose parents ask for the child's name to be added to the waiting list. The order of priority on the waiting list is the same as the list of criteria for over-subscription, and does not depend on the date on which an application is received. No account is taken of length of time on a waiting list. Waiting lists are maintained until 31<sup>st</sup> August. After this date, parents may request that their child is added again to the waiting list. *All enquiries relating to our waiting list should be directed to the school office.*

### **Right of Appeal**

If you are not successful in obtaining a place for your child at our school, you have a statutory right of appeal. There are established arrangements for appeals against non-admission. Details are available from the school, including the date by which an appeal should be submitted. It should be noted that, in the event of an unsuccessful appeal against

non-admission to the school, the school does not consider any further application in the same school year (1 September – 31 August), unless there has been a material change in circumstances, for example a change of address which results in a move from outside the catchment area to inside it.

### **Admission of children below compulsory school age and deferred entry to school for Summer Born Children**

The School Admissions Code requires school admission authorities to provide for the admission of all children in the September following their fourth birthday. However, a child is not required to start school until they have reached compulsory school age following their fifth birthday. For summer born children (those born after 1 April) this can sometimes be almost a full school year after the point at which they could first be admitted. Some parents may feel that their child is not ready to start school in the September following their fourth birthday. Parents are entitled to request in writing that:-

- their child attends part-time until they reach compulsory school age, or
- that the date their child is admitted to school is deferred until later in the same academic year or until the term in which the child reaches compulsory school age. The school will hold any deferred place for the child, although, in the majority of cases, we find that children benefit from starting at the beginning of the school year, rather than part way through it.
- that the date their child is admitted to school is deferred until the term after the child reaches compulsory school age. The child must, however, start school full-time in the term after their fifth birthday.

If parents of summer born children wish to defer entry as outlined above and wish them to be admitted to the Reception Year in the term following their fifth birthday, rather than year 1, then parents should apply at the usual time for a place in September of the current academic year together with a written request that the child is admitted outside of his or her normal age group to the Reception Year in September the following year providing supporting reasons for seeking a place outside of the normal age group. This should be discussed with the Head Teacher as soon as possible. If the request is agreed, and this should be clear before the national offer day, their application for the normal age group may be withdrawn before any place is offered and they should reapply in the normal way for a Reception place in the following year. If their request is refused, the parents must decide whether to wait for any offer of a place in the current academic year (NB. it will still be subject to the over-subscription criteria in the admission policy) or to withdraw their application and apply for a Year 1 place the following year. Parents should be aware that the Year 1 group may have no vacancies at that point. Further information and advice on the admission of summer born children is available from Durham County Council.

It should be noted that if a place in the requested age group is refused, but one in the normal age group is offered then there is no right of appeal.

Please note that one admission authority cannot be required to honour a decision made by another admission authority on admission out of the normal age group. Parents, therefore, should consider whether to request admission out of the usual year group at all their preference schools, rather than just St Oswald's school (or other first preference school).

Once a child has been admitted to St Oswald's School it is for the headteacher to decide how best to educate them. In some cases it may be appropriate for a child who has been admitted out of their normal age group to be moved to their normal age group, but in others it will not. Any decision to move a child to a different age group will be based on sound educational reasons and made by the headteacher in consultation with the parents.