

# **ADMISSION RULES AND ARRANGEMENTS**

## **RECEPTION TO YEAR 6**



**River Learning Trust**

## **Introduction**

New Marston Primary School is an academy. [River Learning Trust \(RLT\)](#) is responsible for admissions decisions. The Trust has delegated this responsibility to the school's Governors. The Trust and Governors will work closely with Oxfordshire County Council and will use the Council as their agent for the processing of applications for places.

This admissions policy meets all lawful requirements including those set out in the following Acts, Codes, policies and relevant case law:

- [Children Act 1989](#)
- [School Standards & Framework Act 1998](#)
- [Education Act 2002](#)
- [Equality Act 2010](#)
- [School Admissions Code 2014](#)
- [Oxfordshire County Council's Co-ordinated Admissions Scheme](#)

School Admissions Appeals will be conducted under arrangements set out in

- [School Standards & Framework Act 1998](#)
- [School Admissions Appeals Code 2012](#)

## **Admission Number**

The admission number for entry to Reception year group each academic year will be 60.

## **Coordination of admissions for the normal admissions round (Entry to Reception year group each September)**

New Marston Primary School is part of the coordinated admission process for Oxfordshire for children starting school for the first time in the Reception year group each year.

Children can start school for the first time in the Reception year group in the academic year after their 4<sup>th</sup> birthday and must start school in the term after their 5<sup>th</sup> birthday. Applications must be made by 15 January of the academic year in which their 4<sup>th</sup> birthday falls. Applications made after this date will be considered to have been made late. Applications can be made online by using the link on Oxfordshire County Council's website [www.oxfordshire.gov.uk/primaryadmissions](http://www.oxfordshire.gov.uk/primaryadmissions)

Notification will be sent by second-class post on 16 April of the academic year in which the application was made (or next working day) for applications received by 15 January. Online applicants will also receive notification by email.

Late applications received after 15 January but by the closing date for late applications published in Oxfordshire County Council's co-ordinated admissions scheme will be treated as late applications. Notifications for late applications will be sent by second-class post on the date published in Oxfordshire County Council's co-ordinated admissions scheme (mid-June of the application year).

Late applications or changes of preference received after the late closing date for applications published in Oxfordshire County Council's co-ordinated admissions scheme will not be processed until after the response date for late applications (late-June of the application year).

[The full scheme is published on Oxfordshire County Council's public website.](#)

## **In-Year Admissions (Reception year group to Year 6)**

New Marston Primary School is part of the coordinated in-year admissions process for Oxfordshire.

Applications for entry to other year groups at the school (Reception year group to Year 6) to start during the academic year, can be made at any time. Applications for entry to other year groups each September can be made no earlier than the first day of the second-half of the Summer Term (June each year).

Applications can be made via Oxfordshire County Council's website:

[www.oxfordshire.gov.uk/schooltransfer](http://www.oxfordshire.gov.uk/schooltransfer)

5pm on each Thursday during term-time will be treated as a closing date for applications for that week, although a different time-scale may operate during the late summer term.

Applications received by each "closing date" will be considered during the following 10 school days. In most cases the admissions authority would aim to respond to applications by the Thursday, 10 school days after the "closing date".

The last date for which an application can be accepted for immediate entry during each academic year will be the last Thursday in June of that academic year.

It is possible to apply in advance of an intended start date. However, in-year applications can be made no more than six weeks before the requested entry date if this is not the beginning of a school term or half-term or from the beginning of the half-term prior to the requested start date (at the earliest).

Usually, places will be offered if there are places available in the year group (the number of children in the year group is less than the published Admission Number for the school). Where the Admission Number has changed since that particular year group joined the school, the previous Admission Number may be used. Sometimes, it will not be possible to offer places even though there are less children in the year group than the Admission Number because the school has had to organise in such a way that the admission of a further pupil would cause prejudice to the efficient education of the children already there.

If a place is available in the appropriate year group and there are less applications for places than places available, all applicants will be offered a place regardless of home address and distance from home to school.

If there are no places available in the appropriate year group, no applicants will be offered a place.

If a place is available in the appropriate year group but there are more applications for places than places available, the over-subscription criteria (below) will be applied and the child(ren) with the highest priority under the rules will be offered place(s).

When a place is offered, a child is expected to start as soon as possible, unless the place has been offered during the previous term for a start at the beginning of the following term. In this latter case, the child is expected to start no later than the beginning of the term requested.

[The full scheme is published on Oxfordshire County Council's public website.](#)

## Over-subscription Criteria

In accordance with legal requirements, children who have an Education, Health & Care (EHC) Plan<sup>1</sup> or a Statement of Special Educational Need naming the school will always be admitted.

The admission rules for New Marston Primary School are shown below in descending order of priority.

1. Children who are "looked after"<sup>2</sup> by a Local Authority (LA) within the meaning of Section 22 of the [Children Act 1989](#) at the time of their application, and "previously looked after" children<sup>3</sup>. The term "previously looked after" refers only to children who were looked after but ceased to be so because they were adopted (or became subject to a child arrangements order<sup>4</sup> or special guardianship order<sup>5</sup>).
2. Disabled children who need to be admitted on the grounds of physical accessibility. The definition of disability is that contained within the [Equality Act 2010](#).
3. a. Children who live in the designated area with a brother or sister on roll at the time of application who will still be attending at the time of entry. However, if there are more applicants than places in category 3(a) priority will be given, within this group, to those children who live closest to the school by the nearest designated public route as defined on the Oxfordshire County Council's Directorate for Children, Education & Families' Geographic Information System.

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<sup>1</sup> An Education, Health and Care plan is a plan made by the local authority under Section 37 of the Children and Families Act 2014 specifying the special education provision required for that child. ***This is therefore not an oversubscription criterion.***

<sup>2</sup> A 'looked after child' is a child who is either (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions (see the definition in Section 22(1) of the Children Act 1989) at the time of making an application to a school.

<sup>3</sup> This group includes children who were adopted under the Adoption Act 1976 (see section 12 adoption orders) and children who were adopted under the Adoption and Children Act 2002 (see section 46 adoption orders).

<sup>4</sup> Under the provisions of Section 14 of the Children and Families Act 2014, which amend section 8 of the Children Act 1989, residence orders have now been replaced by child arrangements orders.

<sup>5</sup> 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).

- b. Children who live in the designated area who live closest to the school by the nearest designated public route as defined on the Oxfordshire County Council's Directorate for Children, Education & Families' Geographic Information System.
4. Children living outside the designated area who have a brother or sister on roll at the time of application who will still be attending the preferred school at the time of entry. If there are more applicants than places in this category priority will be given within this group to children who live closest to the school by the nearest designated public route as defined on the Oxfordshire County Council's Directorate for Children, Education & Families' Geographic Information System.
5. Those children who live closest to the school by the nearest designated public route as defined on Oxfordshire County Council's Directorate for Children, Education & Families Geographic Information System.

### **"Looked After" children**

A 'looked after child' is a child who is either

- (a) in the care of a local authority, or
- (b) being provided with accommodation by a local authority in the exercise of their social services functions (see the definition in Section 22 of the [Children Act 1989](#)) at the time of making an application to a school.

### **Previously "Looked After" children**

The School Admissions Code 2012 introduced a requirement for all admission authorities to broaden the existing priority for 'looked after' children or children in care (defined in section 22 of the [Children Act 1989](#)) to also include 'previously looked after' children. Children who were 'previously looked after' were defined for admissions purposes as those who, immediately after being in care, became subject to an adoption, residence, or special guardianship order.

A revised School Admissions Code came into force on 19 December 2014 and this states that 'previously looked after' children include those who were adopted under the [Adoption Act 1976](#) (see Section 12 - Adoption Orders) and not simply those children who were adopted under the [Adoption and Children Act 2002](#) (see Section 46 - Adoption Orders). In addition, residence orders have now been replaced by child arrangements orders. Those who previously received a residence order are now deemed to have a child arrangement order.

If applying on behalf of a "previously looked after" child the parent will need to provide the following evidence:

- an Adoption Order under Section 46 of the Adoption and Children Act 2002; or
- an Adoption Order under the Adoption Act 1976; or
- a Child Arrangements Order; or
- a Residence 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; or
- a Special Guardianship Order appointing one or more individuals to be a child's special guardian(s), under section 14A of the Children Act 1989.

## **Brothers and sisters (siblings)**

For admissions purposes, a brother or sister is defined as one of the following:

- A brother or sister (both parents the same) living at the same home address; or
- A half- brother or half-sister (one parent the same) living at the same home address; or
- A step-brother or step-sister (sharing a parent who is married or in a civil partnership) living at the same home address; or
- An adopted child who, by reason of the adoption, now shares one or more parents with a child living at the same home address.

## **Time of Entry (siblings)**

The admission rules give some priority to those with a brother or sister attending the relevant school at the applicant's "time of entry". This means that, in the normal admissions round, there will be no sibling connection for admission purposes for the following:

- applicants for entry to Reception year group if they have a brother or sister in Year 6 who will have left by the time the younger child is due to start.

## **Twins and Children from Multiple Births**

Where the parent has made the same preferences of school and, through the normal operation of the admission arrangements, the last available place at a school has been allocated to one twin, or child from a multiple birth, the other twin, or the other children from the multiple birth, will be offered a place at that school. This means that, in these circumstances, the Published Admission Number would be exceeded.

## **Measuring distances from home to school (The nearest designated public route as defined on the Oxfordshire County Council's Directorate for Children, Education & Families' Geographic Information System)**

Information about Oxfordshire County Council's Directorate for Children, Education & Families' Geographic Information System for measuring home to school distances can be read [online](#).

## **Random Allocation**

If the distance "tie break" produces an identical result for two or more applicants and these applicants live at different addresses and are not children of a multiple birth (see above), the Admission Authority will use random allocation to determine who will be offered a place.

## **Home address – Starting Primary School (Reception year group)**

The address on the application **should be the child's address at the time of application**. This is the address at which the child spends the majority of term-time school nights (Sunday night to Thursday night).

The **time of application** is the entire time period from the point when applications can start to be made in the October of the year in which the child has his/her 4<sup>th</sup> birthday until National Offer Day on 16 April (or next working day) the following calendar year.

Sometimes an application is made based on an address at the time of application and the address then changes after the application has been submitted. It is important to tell the Admissions Authority (and/or Local Authority) about changes of address so that places can be offered fairly and so notification can be sent by post to the correct home address.

If the application address is found to have subsequently changed after the application was submitted and this information could have been provided when the application was first made or before places were offered, the Admissions Authority (or Local Authority) will consider the application to have been made on the basis of a fraudulent or intentionally misleading address. This may result in the offer of a school place being withdrawn.

If an application is made on the basis of a new address or intention to move to an area, information about the new address will need to be provided in order for it to be taken into account.

Oxfordshire County Council will act as the agent for New Marston Primary School to establish the home address.

### Changes of Address

Changes of address which occur after the closing date for applications (15 January each year) can be taken into account if proof of this change is provided no later than the date set down in Oxfordshire County Council's co-ordinated admissions scheme. To confirm a new address, the Admissions Authority (and/or Local Authority) needs one of the following:

- A solicitor's letter advising contracts have been exchanged (**if the property is being purchased**); *or*
- A copy of a tenancy agreement (if the property is to be rented). **If this tenancy agreement comes to an end before the September when the child could start his/her Reception year, the Admissions Authority (and/or Local Authority) may not accept the address for admissions purposes**; *or*
- A copy of the Council Tax Bill **showing the same name(s) as on the school place application (CAF)**; *or*
- **A letter from a new employer** (e.g. University college) where accommodation is being provided by the employer and is tied to the new post/job giving details of this new address; *or*
- **Service Family Accommodation (New Quarter)** if this is a military posting with provided accommodation; *or*
- **Assignment Order** if this is a military posting but new quarter has not yet been notified – the address of the military base will be used for allocation purposes.

The Admissions Authority (and/or Local Authority) may also ask for proof from HM Revenue & Customs, Child Benefit Division or Tax Credits Division. **Such correspondence must pre-date the application.**

Oxfordshire County Council will act as the agent for New Marston Primary School to establish the home address.

### Multiple Addresses

Where children spend time with parents at more than one address then the address given on the form should be the one that they live at (i.e. sleep at) for the majority of term-time school nights (Sunday night to Thursday night).

If children spend time equally at different addresses then the address which will be used for admissions purposes will be the one registered for child benefit. The Admissions Authority (and/or Local Authority) will request proof of the registered address, which must pre-date the application.

Oxfordshire County Council will act as the agent for New Marston Primary School to establish the address which will be used.

### Fraudulent Applications

If a place has been obtained on the basis of a fraudulent or intentionally misleading application (for example, a false claim to residence in a designated/ catchment area) and this results in the denial of a place to a child with a stronger claim, the admission authority for the school may withdraw the offer of the place. This follows the guidance in paragraphs 2.12 and 2.13 of the School Admissions Code (December 2014) published by the Department for Education:

[2.12] An admission authority **must not** withdraw an offer unless it has been offered in error, a parent has not responded within a reasonable period of time, or it is established that the offer was obtained through a fraudulent or intentionally misleading application. Where the parent has not responded to the offer, the admission authority **must** give the parent a further opportunity to respond and explain that the offer may be withdrawn if they do not. Where an offer is withdrawn on the basis of misleading information, the application **must** be considered afresh, and a right of appeal offered if an offer is refused.

[2.13] A school **must not** withdraw a place once a child has started at the school, except where that place was fraudulently obtained. In deciding whether to withdraw the place, the length of time that the child has been at the school **must** be taken into account. For example, it might be considered appropriate to withdraw the place if the child has been at the school for less than one term.

Oxfordshire County Council will act as the agent for New Marston Primary School to establish whether a fraudulent application has been made and whether to withdraw a school place offer.

### **Multiple Applications (Applicants unable to agree on the schools to be listed on the application)**

If parents cannot agree on the schools to list on the application and submit separate applications, the Admissions Authority (and/or Local Authority) will only consider the application made by the parent who receives Child Benefit for that child.



If a parent is unhappy with this decision their recourse would be to seek an order from the Court.

## **School transport**

Some children qualify for free transport from home to school.

Oxfordshire County Council does not accept responsibility for the provision or cost of free travel to the designated area school if it is not the closest or nearest available school.

Where a child is eligible for free travel, but spends time with different parents at different addresses, Oxfordshire County Council will only accept responsibility for the provision and/or cost of free travel from the registered home address.

[The home to school transport policy is available online.](#)

## **Admission to an older or younger age group**

Parents of gifted and talented children, or those who have experienced problems or missed part of a year, for example due to ill health, can seek places outside their normal age group. Any decision will be made on the basis of the circumstances of each case. This will include:

- taking account of the parent's views; and
- any information about the child's academic, social and emotional development; and
- whether they have previously been educated out of their normal age group; and
- the views of the head teacher of the school(s) concerned.

When informing a parent of the decision on the year group to which their child should be admitted, the Admission Authority will give clear reasons for the decision. Where it has been agreed that a parent's request for their child to be admitted out of their normal age group and, as a consequence of that decision, the child will be admitted to a relevant age group (i.e. the age group to which pupils are normally admitted to the school) the application will be:

- processed as part of the main admissions round, unless the parental request is made too late for this to be possible; and
- considered against the determined admission arrangements only, including the application of oversubscription criteria where applicable.

The Admission Authority (and/or Local Authority) will not give a lower priority on the basis that the child is not of the correct age.

Parents' statutory right to appeal against the refusal of a place at a school for which they have applied will not apply if they are offered a place at the school but it is not in their preferred age group.

## **Fair Access Protocol**

The Fair Access Protocol is part of the admission arrangements for New Marston Primary School as it is for all state-funded mainstream schools in Oxfordshire.

The Protocol is published on the County Council's public website.

### **Continued Interest Lists**

Oxfordshire County Council will act as the agent for New Marston Primary School for Continued Interest lists (the name for waiting lists in Oxfordshire).

For those applying through the normal admissions round for Reception the Continued Interest list will be maintained from shortly following initial allocation in the April preceding the start of the academic year in September until the end of June of their Reception year.

In the case of those applying in year the Continued Interest list will be maintained until the end of June of that academic year. It will be possible to place a name on the list from 1 August, the beginning of the academic year, and the list will be discontinued on 30 June.

[The Continued Interest List policy is published on the County Council's public website.](#)

### **Admission Appeals**

There is a statutory right to an admission appeal should a child be refused a place at New Marston Primary School. Any appeal will be heard by an independent admission appeal panel.

[www.oxfordshire.gov.uk/schoolappeals](http://www.oxfordshire.gov.uk/schoolappeals)

## Determined

Paragraph 1.46 of the 2014 School Admissions Code requires Admission Authorities (and/or the Local Authority) to determine Admission Arrangements by 28 February each year regardless whether a consultation has taken place.

[Objections to these arrangements and rules can be made to the Office of the Schools Adjudicator by 15 May in the determination year.](#)

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