

**DETERMINED**

**ADMISSION ARRANGEMENTS**

**FOR**

**COMMUNITY AND VOLUNTARY  
CONTROLLED PRIMARY,  
INFANT AND JUNIOR  
SCHOOLS**

**2018-19  
ONWARDS**

## THE PROPOSED ADMISSION ARRANGEMENTS FOR RECEPTION TO YEAR 6 FOR COMMUNITY AND VOLUNTARY CONTROLLED PRIMARY AND INFANT SCHOOLS FOR ENTRY IN 2018 ONWARDS

In accordance with legal requirements children who have an Education Health and Care Plan that names the school will be admitted to that school. In addition those children who have a Statement of Special Educational Needs that names a particular school in Part 4 of that Statement will also be admitted to that school.<sup>1</sup>

The oversubscription criteria for all community and voluntary controlled schools primary and infant schools are shown below in descending order of priority.

1. Children who are looked after<sup>2</sup> by a local authority 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 children” 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 to a school on the grounds of physical accessibility. The definition of disability is that contained within the Equality Act 2010.
3.
  - a. Children living in the designated area of the school with 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 category 3(a) priority will be given to those children who live closest to the school by the nearest designated public route as defined on the Directorate for Children, Education & Families’ Geographic Information System.
  - b. Children living in the designated area of the school. If there are more applicants than places in category 3(b) priority will be given to those children who live closest to the school by the nearest designated public route as defined on the Directorate for Children, Education & Families’ Geographic Information System.
4. Children living outside the designated area who have a brother or sister on

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<sup>1</sup> A Education, Health and Care Plan is a statement made by the local authority under Section 324 of the Education Act 1996 specifying the special educational provision required for that child. 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 (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 s.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).

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 to children who live closest to the school by the nearest designated public route as defined on the Directorate for Children, Education & Families' Geographic Information System.

5. Those children who do not meet any of the above criteria. If there are more applicants than places in this category, priority will be given to those children who live closest to the school by the nearest designated public route as defined on the Directorate for Children, Education & Families Geographic Information System.

## **THE PROPOSED ADMISSION ARRANGEMENTS FOR FIR TREE JUNIOR SCHOOL FOR ENTRY IN 2018-19 ONWARDS**

In accordance with legal requirements children who have an Education Health and Care Plan that names Fir Tree Junior School will be admitted to that school. In addition, those children who have a Statement of Special Educational Needs that names a particular school in Part 4 of that Statement will also be admitted to that school.<sup>6</sup>

The oversubscription criteria for Fir Tree Junior School are shown below in descending order of priority.

1. Children who are looked after<sup>7</sup> by a local authority within the meaning of section 22 of the Children Act 1989 at the time of their application and previously looked after children.<sup>8</sup> The term "previously looked after children" 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>9</sup> or special guardianship order<sup>10</sup>).
2. Disabled children who need to be admitted to a school on the grounds of physical accessibility. The definition of disability is that contained within the Equality Act 2010.
3. a. Children living in the designated area of the school with a brother or sister on roll at the time of application who will still be attending Fir Tree

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<sup>6</sup> A Statement of Special Educational Need is a statement made by the local authority under Section 324 of the Education Act 1996 specifying the special educational provision required for that child. 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 educational provision required for that child. ***This is therefore not an oversubscription criterion.***

<sup>7</sup> A 'looked after child' is a child who is (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>8</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>9</sup> Under the provisions of s.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>10</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).

Junior School at the time of entry. If there are more applicants than places in category 3(a) priority will be given to those children who live closest to the school by the nearest designated public route as defined on the Directorate for Children, Education & Families' Geographic Information System.

- b. Children living in the designated area of the school. If there are more applicants than places in category 3(a) priority will be given to those children who live closest to the school by the nearest designated public route as defined on the Directorate for Children, Education & Families' Geographic Information System.
4. Children living outside the designated area who have a brother or sister on the roll of Fir Tree Junior School at the time of application who will still be attending at the time of entry. If there are more applicants than places in this category priority will be given to children who live closest to the school by the nearest designated public route as defined on the Directorate for Children, Education & Families' Geographic Information System.
5. Children who attend St Nicholas' CE (Controlled) Infants' School and Foundation Stage Unit, Wallingford, and live outside the designated area. If there are more applicants than places in this category priority will be given to those children who live closest to the school by the nearest designated public route as defined on the Directorate for Children, Education & Families' Geographic Information System.
6. Those children who do not meet any of the above criteria. If there are more applicants than places in this category priority will be given to those children who live closest to the school by the nearest designated public route as defined on the Directorate for Children, Education & Families' Geographic Information System.

## **LOOKED AFTER CHILDREN**

A 'looked after child' is a child who, at the time of making an application to a school, is:

- in the care of a local authority; or
- 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).

## **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 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.

## **CONTINUED INTEREST LISTS**

Parents will be able to place their children’s names on the continued interest list for a community or voluntary controlled secondary school.

For those applying through the normal admissions round for entry to Reception the continued interest lists will be maintained from immediately following initial allocation to the 30 June of the academic year of entry.

In the case of those applying in year the continued interest lists will be maintained for one 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 of that academic year.

## **TIME OF ENTRY**

The admission rules give a high priority to those with a brother or sister attending the relevant school at the applicants “time of entry”. This means that, in the normal admissions round, there will be no sibling connection for admission purposes for those applicants for Reception who have a brother or sister in Year 6 at the primary school (or in Year 2 in the case of St Nicholas’ CE (Controlled) Infants’ School and Foundation Stage Unit, Wallingford).

## **ADMISSION OUTSIDE THE NORMAL AGE GROUP**

Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health. .

In addition where the parents of a summer born child choose not to send that child to school until the September following their fifth birthday, they may request that they are admitted out of their normal age group – to Reception rather than Year 1.

Any decision will be made on the basis of the circumstances of each case. This will include:

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

## **RANDOM ALLOCATION**

If the distance "tie break" produces an identical result for two or more applicants the Local Authority will use random allocation to determine who will be offered a place.

## **SIBLINGS/BROTHER OR SISTER**

For admission purposes for community and voluntary controlled schools a sibling is defined as a brother, sister, half-brother, half-sister, step brother or step sister who will be resident at the same address at the time of entry.

## **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 normally be offered a place at that school. This means that, in these circumstances, the Published Admission Number would be

exceeded.

## **FAIR ACCESS PROTOCOL**

The Fair Access Protocol is part of the admission arrangements of all community and voluntary controlled schools in Oxfordshire and all own admission authority schools that have also adopted these admission arrangements

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## **HOME ADDRESS**

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).

## **CHANGES OF ADDRESS**

Changes of address which occur after 15 January 2018 but before 6 February 2018 may be taken into account if proof of this change is provided (see below). To confirm your new address we need 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 September 2018 we may not accept the address for admissions purposes; or
- a copy of your Council Tax Bill showing the same name(s) as in Section 5 of the CAF.

Parents may also be asked to provide proof of address from correspondence they have received from HM Revenue & Customs, Child Benefit Division or Tax Credits Division. Such correspondence must pre-date the application you have made.

## **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 this should be declared in writing and signed by all parties with parental responsibility. We may ask for proof of the living arrangements (i.e. a court decision) and we may ask for confirmation of an address you have given. If it is accepted by the Local Authority that a child spends time equally at two different addresses (for example, one week with each parent in turn during term-times), the address used for admissions purposes will be the address most favourable (i.e. closest) to the first preference requested.

## **PARENTS UNABLE TO AGREE ON THE SCHOOLS TO BE LISTED**

## ON THE CAF

If parents cannot agree on the schools to list on the CAF and submit separate applications the 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 only recourse would be to seek an order from the Court.

## 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 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.”

## THE NEAREST DESIGNATED PUBLIC ROUTE AS DEFINED ON THE DIRECTORATE FOR CHILDREN, EDUCATION & FAMILIES' GEOGRAPHIC INFORMATION SYSTEM

For admissions purposes for all schools where the Local Authority (LA) is the Admissions Authority for the school, and any own admission authority schools that have adopted the LA's measuring system, the route from home to school will be measured using the shortest designated route.

The start point of a measurement is the “**seed point**” of the home address. The “seed point” is provided by Ordnance Survey from information compiled from Royal Mail and/or district or city councils. The seed point normally falls within the bounds of a property. The accuracy of seed points is to the nearest ten centimetres. It is possible to move the location of an individual seed point, but this is not necessary for most addresses. It is not possible to verify the individual location of every seed point prior to measuring due to the number of addresses in Oxfordshire and surrounding areas.

From the seed point the route firstly connects to the nearest point of the digitised network. The positioning of front doors, driveways and back gates is not relevant to the route or the measurement and they are not programmed to be used by the measuring system.

The digitised network is constructed from road data supplied by Ordnance Survey called the Integrated Transport Network (ITN). The Integrated Transport Network has been accurately digitised to measure along the centre of roads and takes corners at right angles. This is the same underlying information as used by internet-based mapping solutions (e.g. Google Maps). However, the LA has a more accurate start point than internet-based mapping solutions and the ITN has been augmented by the LA to take into account other available public routes (e.g. alleyways, public footpaths, bridleways, etc). The augmented ITN used by the LA is accurate to at least 1 metre.

All 548,000 kilometres of roads in Great Britain are accurately mapped in a consistent and logical network. The network does not include routes that are not defined as public; these include crossing parks with no paths where the park is not open and available all the time, “short-cuts” across patches of open land without paths, or footpaths across private land which are not defined by Ordnance Survey as public routes.

The end point of the “shortest designated route” is the **nearest open gate** of the school first arrived at from the direction of travel from the seed point that is officially available for use by students for entry and exit to the school site at the start and end of the school day. The location of these gates has been set by the LA. The LA consults with each individual school annually to ensure accurate placement of the gate and its availability for use.

The shortest designated route is established using an algorithm within the bespoke software used by the LA. This software is called RouteFinder and is produced by Higher Mapping Solutions ([www.highermappingsolutions.com](http://www.highermappingsolutions.com)). This programme integrates with the LA’s database (ONE) which is supplied by Capita Children’s Services ([www.capita-cs.co.uk](http://www.capita-cs.co.uk)).

RouteFinder measures in kilometres and the measurement is converted into miles accurate to three decimal places, which gives an accurate reading up to 1.609344 metres. The “shortest designated route” is not necessarily a driving route because it may use in whole or in part a non-driveable route (e.g. footpaths).

The “shortest designated route” is also not necessarily a walking route for example, where roads are used; the measurement is along the centre of the road not along the edge (pavement or equivalent) of the road.

Other measuring systems may give a different measurement but the LA cannot take a measurement from another measuring system into account because this would constitute maladministration of the admissions process.

For addresses which are outside the digitised network (approximately 6 miles outside Oxfordshire’s county boundary) an internet mapping solution will be used. For addresses in Europe, we use [maps.google.co.uk](http://maps.google.co.uk) For addresses outside

Europe we measure a straight line distance using longitude and latitude. Firstly, we derive a start point (the home address) using [itouchmap.com/latlong.html](http://itouchmap.com/latlong.html) We then measure the straight line distance in statute miles from this start point to the end point (the school gate) using [www.nhc.noaa.gov/gccalc.shtml](http://www.nhc.noaa.gov/gccalc.shtml)

Other measuring systems may give a different measurement. However, the LA will not take a measurement from another measuring system into account because this would constitute maladministration of the admissions process.

## **COORDINATION OF ADMISSIONS FOR THE NORMAL ADMISSIONS ROUND**

All community and voluntary controlled schools are part of the coordinated admission process for Oxfordshire for entry to Reception in 2018/19.

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

## **IN YEAR ADMISSIONS (RECEPTION TO YEAR 6)**

All community and voluntary controlled schools are part of the coordinated in year admissions process for Oxfordshire.

The In Year Admission Scheme is published on Oxfordshire County Council's public website.

## **DESIGNATED AREAS**

These can be viewed on the Oxfordshire public website. Living within a particular school's designated area gives a high priority for admission but there is no guarantee that a place will always be made available.

## **COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS CONVERTING TO ACADEMY STATUS**

When a school converts to academy status the school retains the existing admission arrangements. However, any new academy can consult on amending these at the next available opportunity.

The Admissions Code states (paragraph 1.42) that admission authorities must consult on their admission arrangements at least every 7 years, even if there have been no changes to the arrangements in that period.

Therefore unless a former community or voluntary controlled school converting to Academy status in 2018/19 and subsequent years specifically consults upon and adopts different admission arrangements the arrangements set out in this document will apply.