Southborough Primary School

Admissions Policy

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Statement of intent

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

The table below sets out who the admission authority is and other responsible bodies in our school.

Type of school	Who is the admission authority?	Who deals with complaints about arrangements?	Who is responsible for arranging/providing for an appeal against refusal of a place at the school?
Academy	Academy trust	Schools Adjudicator	Academy trust

Legal framework

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

- Equality Act 2010
- Human Rights Act 1998
- School Standards and Framework Act 1998
- DfE (2021) 'School Admissions Code'
- DfE (2023) 'School Admission Appeals Code'

This policy operates in conjunction with the following school policies:

- Equalities Objectives Statement
- Data Protection Policy
- Special Educational Needs and Disabilities (SEND) Policy
- SEN Information Report

Roles and responsibilities

The trust board is responsible for:

- Acting in accordance with the relevant legislation and guidance when carrying out the overall admission of pupils into the school.
- Overseeing, and determining annually, admissions arrangements that clearly set out how children will be admitted, including the criteria that will be applied if there are more applicants than places at the school.
- Ensuring that oversubscription criteria does not discriminate against any child.
- Ensuring that the practices and criteria used to decide the allocation of school places are fair, clear and objective.
- Publishing the admissions arrangements on the school website, including the oversubscription criteria.
- Publicly consulting on any proposed changes to the admissions arrangements.
- Clearly communicating any reasons for rejecting the admission of a pupil, as well as the parent's right to appeal and the appeal process.
- Implementing any advice or recommendations given by the Schools Adjudicator without undue delay.
- The Schools Adjudicator is responsible for:
- Acting in line with the relevant legislation and guidance pertaining to admissions.
- Receiving concerns and objections regarding the admission of pupils and making recommendations to the admission authority as a result of these concerns and objections.
- Approving variations to determined admissions arrangements where there has been a major change in circumstances or law.

The appeals clerk is responsible for:

- Having an in-depth knowledge of the relevant appeals codes and other relevant law.
- Providing an independent and impartial service for admission appeals.
- Making the necessary administrative arrangements for hearings.
- Notifying all parties of the order of proceedings in advance of an appeals hearing.
- Responding to queries from appellants in advance of an appeals hearing or identifying who will be appropriate to respond.
- Being an independent source of advice on procedure and admissions law.
- Keeping accurate records of proceedings and providing written notification of the appeals panel's decisions

The headteacher is responsible for:

- Liaising with the trust board where relevant regarding admitting pupils to the school.
- Working with the trust board when determining the school's capacity.
- Ensuring that the trust board has all the information it needs to set admissions arrangements and participate in LA coordination schemes.
- Making arrangements for pupils admitted through in-year admissions to start as soon as possible.

Determining a PAN

The number of places available will be determined by the capacity of the school; the PAN for new reception pupils is 60.

Oversubscription criteria

The trust board will aim to ensure that oversubscription criteria is reasonable, clear, objective, procedurally fair, and compliant with all relevant legislation, including equalities legislation. This means that the oversubscription criteria will not unfairly disadvantage, whether directly or indirectly, any child based on a protected characteristic or economic disadvantage.

In the event that there are more applicants than available places, the trust board will apply the following oversubscription criteria, in order of priority given:

- LAC and previously LAC, including those who have been in state care outside of England and ceased to be in state care as a result of being adopted
- Children with siblings currently at the school, or whose siblings have left the school within the last six years.
- Children of staff who work for the trust.
- Proximity, as measured in a straight line from the front door of the home to the front door of the school.

All pupils who have named the school in their EHC plan will be admitted.

Where two applications cannot otherwise be separated, the trust will follow a fair, clear and effective 'tie-breaker' procedure by allocating the place to the pupil who lives closest to school.

When formulating the school's admission arrangements, the trust board will not:

- Place any conditions on the consideration of any application other than those in the oversubscription criteria published in their admission arrangements.
- Take into account any previous schools attended unless it is a named feeder school.
- Give priority to children whose parents rank preferred schools in their application.
- Introduce any new selection by ability.
- Give priority to children based on any practical or financial support their parents give to the school or associated parties, including any affiliated religious organisation.
- Give priority to children according to the occupational, marital, financial or educational status of parents applying – apart from where these factors determine a child's pupil premium eligibility, and for children whose parents work at school.
- Take account of reports from previous schools about children's past behaviour, attendance, attitude or achievement, or that of any other children in the family.
- Discriminate against any protected characteristic.
- Give priority based on a child's or their parents' past or present hobbies or activities.
- Name fee-paying independent schools as feeder schools.
- Interview children or parents.
- Request financial contributions as part of the admissions process.
- Request photographs of children – apart from for proof of identity when sitting selection tests.

Distance from the school

The point within the school grounds from which the school will measure any distance or radii is the door of the school reception. This point will be used to determine the distance from the child's primary address to the school.

Siblings of pupils and children of staff

For the purpose of this policy, "sibling" is defined as any brother or sister related by blood or marriage and any fostered or adopted siblings who are currently enrolled at the school.

Where oversubscribed, priority will be given to children for whom staff members have parental responsibility, where the staff member has been employed by the trust for two or more years at the time at which the application was made, and/or where the member of staff has been recruited to fill a vacant post where there is a demonstrable skill shortage. Trustees of the school are included in the staff criteria with regard to admissions for children.

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.

Admissions procedures

The school will offer open events and school visits to all potential applicants, irrespective of any protected characteristics. Where necessary, the school will make reasonable adjustments for disabled applicants or disabled parents.

The school may assess its ability to cater to the applicant's needs by:

- Inviting the applicant to visit the school.
- Visiting the applicant's current education provision.

Consultation, determination and publication

Consultation

The trust board will consult on any proposed changes to the admissions 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 admissions 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 the ages of two and 18
- Stakeholders
- Other admission authorities within the relevant area
- The LA
- Any LAs in which pupils have historically come from

Determination and publication of admissions arrangements

The trust board will publish a copy of the full proposed admission arrangements and the contact details of the individual responsible for admissions liaison on the https://www.southborough.bromley.sch.uk A copy of the proposed admission arrangements will be made available upon request.

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

The trust board will notify all appropriate bodies of the finalised admissions arrangements when they have been determined. A copy of the finalised admission arrangements will be sent to the LA for entry by 15 March in the determination year. Finalised admission arrangements will also be published on the https://www.southborough.bromley.sch.uk by 15 March in the determination year, and will continue to display them for the whole offer year.

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

The trust board will provide the LA with all of the information it needs to compile the composite prospectus by 8 August in the determination year.

Variations

The trust board will not revise the admissions arrangements for a 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.

The trust board may, in exceptional circumstances, propose variations where there have been major changes in circumstances that necessitate a change.

Any proposals to vary the admissions arrangements will be referred to the Secretary of State.

Applications and offers

Applications

Parents will be provided with a common application form (CAF) by the LA 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 LA area where the parents live. Parents will provide LAs 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 residence

The CAF will be submitted to the parents' LA. Parents are not guaranteed to have their preferences met.

The trust board will request supplementary information for the purpose of processing applications, where necessary; however, it will not request any of the following:

- Any personal details, including information on criminal convictions or financial status
- The first language of the parent or child
- Details about the parents' or child's disability, medical or SEND requirements
- Any parental agreement to follow the ethos of the school in a practical way
- For the child to complete any part of the form or for two parents to provide signatures

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

The school will never give priority to applications solely on the basis that they have completed a supplementary form.

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 LA confirming that the child was looked after immediately prior to the order being made.

The school may request evidence that demonstrates a child was in state care outside of England prior to being adopted.

Allocating places

The trust board will only allocate places on the basis of determined admissions arrangements. Any decisions to offer or refuse places will be decided by the trust board or an admissions committee established by the trust board. A clear record will be kept of all decisions made on applications, including in-year applications.

The trust board will not refuse admission for a child on the basis that:

- They have applied later than other applicants.
- They are not of the faith of the school.
- They followed a different curriculum at their previous school.
- Information has not been received from their previous school.
- They have missed entrance tests for selective places.

Pupils not of usual school age will not be given less of a priority where the school is oversubscribed. In the event that parents of a child wish for their child to be admitted outside their normal age group, the school's headteacher will assist the trust board in deciding on which year group the child will enter. Once a decision has been reached, the child's parents will be informed in writing along with an explanation of how the decision was reached and any reasons why.

For children of UK service professionals and crown servants, the following procedure will be adhered to:

- A place will be allocated to the child in advance of the family arriving in the area named in the application form, where one is available.
- The application must be accompanied with an official letter confirming the relocation date.
- The address at which the child will live will be used when considering the application against the oversubscription criteria – a Unit or quartering address must be used where this is requested by the child's parent.
- The application will not be refused on the grounds of the child not currently living in the area or not currently having an intended address, nor will places be uniquely reserved.
- The arrangements for service children will be in line with the government's commitment to removing disadvantage for service children.

The school must admit all children who have an EHC plan where the school is named. Children with SEND who do not have an EHC plan will be treated equally to all other applicants in the admissions process. This includes children who may need extra support or reasonable adjustments to be made. The details of the school's SEND provision can be found in our Special Educational Needs and Disabilities (SEND) Policy and SEN Information Report.

Offers

All offers will be made on National Offer Day, i.e. 16 April or the next working day where this date falls on a weekend or bank holiday.

Where the school is oversubscribed, the trust board will rank applications in accordance with the determined arrangements, and will ensure that only one offer will be made per child by the LA.

Withdrawing an offer

An offer will only be withdrawn if it has been made in error, a parent has not responded within 20 working days, or if the offer was made via a fraudulent or misleading application. Where an offer has not been responded to within the designated time frame, the trust board will give the parent a further opportunity to respond and will explain that the offer will be withdrawn if they do not. If any application is found to be fraudulent after a child has started at the school in the first term of the new academic year, the school may withdraw the place. If the fraudulent application is found after this time, the pupil will not be removed.

Coordination scheme

The LA will publish a scheme to coordinate admissions arrangements for the normal admissions round and late applications by 1 January in the determination year. The LA will consult with the trust board in the event that the scheme is changed substantially from the previous year. The LA will also consult with the trust board and other admissions authorities in the area at least every seven years, even if no changes have been made in that period.

The trust board is under a legal obligation, as the school's trust board, to participate in coordination for the normal admissions round, and will provide the LA with all information it needs to coordinate admissions.

In-year admissions

The school will follow the same process for in-year admissions as for admissions at the start of the academic year.

The trust board will publish in-year arrangements on the school website by 31 August each year, detailing how applications will be dealt with between 1 September until the following 31 August. These arrangements will set out how parents can apply for a school place, including whether the trust board will handle applications or whether the LA will accept these applications on its behalf.

Where the school has places available in--year, it will offer a place to every child who has applied for one without condition or use of oversubscription criteria, unless to do so would be to prejudice the efficient provision of education or use of resources.

The published in-year admissions arrangements will also provide a suitable application form for parents to complete, including a supplementary information form, where necessary, and set out when parents will be notified of the outcome of their application and details about the right to appeal.

The school will consider all such applications and if the year group applied for has space available, then a place will be offered. If a place is not available, then the child's parent can ask for their child's name to be added to the appropriate waiting list. As with admissions at the start of the academic year, parents whose applications are turned down are entitled to appeal through the process outlined below.

The trust board will notify all parents within 15 school days of receipt of an in-year application of the outcome of this application. The school will notify the LA of every application and its outcome within two school days or as soon as is reasonably practicable beyond this.

Where an offer is accepted, the school will make arrangements for the pupil to start as soon as possible.

LA in-year coordination scheme

The school will inform the LA by 1 August of whether it will participate in the LA's in-year co-ordination scheme and will send any relevant information for the LA to publish on its website.

Where the school is participating in the LA coordination scheme, the school will provide the LA with details of the number of places available no later than two school days following the request of such information from the LA. The school will also provide information to parents about how they can find details on the relevant scheme.

Waiting list

For admissions at the start of the academic year, the school will operate a waiting list which is maintained until 31 December on year of entry. The list will set out the priority for places in the same order set out in the oversubscription criteria. When additional children are placed on the waiting list, the list will be re-ordered in line with the oversubscription criteria – no pupil will be prioritised based on when their name was added to the list.

The trust board will make clear in the admissions arrangements the process for requesting admission outside of the normal age group for the admissions round.

Parents may request that their child is placed on the waiting list if they are not successful in receiving a place. Where a place becomes available, it will be offered to the parents of the child at the top of the list.

For in-year admissions, if there is a waiting list for that year, the child will be placed on a waiting list until a space becomes available, or the child finds a new school setting. The list will set out the priority for places in the same order as admissions at the start of the year – when a place becomes available, it will be offered to the parents of the child at the top of the list.

If a child on the waiting list is offered a position at the school, the parents will be notified by email and will have the option of accepting or rejecting the place within 28 days.

Admissions 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.

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.

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 whist 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.