

## **Somerset Local Authority (LA)**

### **Admission arrangements applying to community (C) or voluntary controlled (VC) Schools**

#### **Summary of Proposed Changes to 2019/20**

##### **Admission Arrangements**

###### **1.**

There is one proposed change to the over-subscription criteria for The Somerset Local Authority Admission Arrangements;

Criteria 3 previously stated;

*Children living in the catchment area, with an older sibling at the school at the time of admission, and who live at the same address.*

Criteria 6 previously stated;

*Children living outside the catchment area, with an older sibling at the school at the time of admission, and who live at the same address.*

The word older has been removed so this criteria can apply for all siblings at the schools.

###### **2.**

The waiting list information has been updated to reflect that waiting lists will be held for every year group.

###### **3.**

The information on shared care arrangements has been updated to state that where shared care arrangements are in place and parents/carers of the child submit two separate applications for different schools, the LA will only accept one application which will be the application made by the parent/carer that lives at the same permanent home address as the child.

## **Somerset Local Authority (LA)**

### **Admission arrangements applying to community (C) or voluntary controlled (VC) Schools**

#### **Transferring to a community or voluntary controlled secondary or upper School in September 2019 or joining any year group during the 2019/20 academic year**

Somerset LA is the Admissions Authority for all C and VC schools located within Somerset.

These admission arrangements should be read in conjunction with the LA 2019 coordinated admissions scheme.

**Starting at a secondary or upper school in 2019**– Applications must be submitted to the home LA. If this is Somerset applications can be made on-line at [www.somerset.gov.uk/admissions](http://www.somerset.gov.uk/admissions) . Paper applications are available to download from the Somerset County Council website at [www.somerset.gov.uk/admissions](http://www.somerset.gov.uk/admissions), or upon request by telephoning Somerset Direct on 0300 123 2224. Any supporting information must be received by the exemption period deadline using the appropriate Supplementary Information Form (SIF) where relevant.

Applications must be received by 31 October 2018, otherwise the application will be recorded as late. Late applications will be considered after those received on time. Please see the Somerset LA co-ordinated scheme for full details.

Outcomes for on time applications will be sent out by email (for on line applicants) or second class post sent out on 1 March 2019 (or next working day).

#### **Admissions during the academic year (in year admissions)**

In year applications must be submitted directly to the school using the LA in-year application form (hard copy only)

Batches of applications will be processed with a 4pm daily working day deadline for receipt of applications. If more applications are received than there are places available, the over-subscription criteria will be applied. A decision will be notified in writing by second class post to the applicant within ten school days.

Proof of address may be required to be submitted with the application. This will be either the formal 'exchange of contracts' letter from the solicitor for a house purchase, a recent utility bill or the signing of a minimum of a six month tenancy agreement. The LA reserve the right to seek further documentary evidence to support a claim of residence.

Where there are more applications than places available within a particular year group, applications will be considered against the published oversubscription criteria and allocated up to the admission number/limit.

Places will not be allocated more than six school weeks or half a term in advance of being required. The only exceptions are children of UK service personnel and other crown servants (including Diplomats) returning to the UK with a confirmed posting to the area (see Children of UK service personnel).

### **Oversubscription Criteria**

When the school is oversubscribed, after the admission of pupils with an Education, Health and Care plan naming the school, priority for admission will be given to those children who meet the criteria set out below, in priority order:

- 1 Children Looked After – Children who are in the care of a Local Authority or have previously been and are now formally adopted or subject to a residence/child arrangement order or special guardianship order. (See important note 1)
- 2 Children identified with a sensory, physical or medical disability (High Needs Pupils), where a multi- agency professional team has identified the school as the nearest suitable school (see important note 2)
- 3 Children living in the catchment area, with a sibling at the school at the time of admission, and who live at the same address.
- 4
  - a) Children of staff employed by the school for at least two years prior to the application closing date.
  - b) Children of staff employed by the school recruited to fill a vacant post for which there is a demonstrable skill shortage. (See important note 3)
5.
  - a) Children living in the rural catchment area. (See important note 4)
  - b) Children living in the catchment area.
- 6 Children living outside the catchment area, with a sibling at the school at the time of admission, and who live at the same address.
- 7 Children attending a middle school (within the transfer school catchment area).
- 8 In VC schools with a religious foundation:
  - a) Children and/or parent(s) who are practising members of the founding – religious body of the school (e.g., Anglican or Methodist).
  - b) Children and/or parent(s) who are practising members of other churches or religious denominations. (See important note 5)

## 9 Children not satisfying a higher criterion

### **Tie-break**

If in categories 1-10 above a tie-break is necessary to determine which child is admitted, the child living closest to the school will be given priority for admission. Distance is measured in a straight line by a Geographical information System (GIS) method from the geocoded point of the school site to the geocoded point of the pupil's home.

Random allocation by drawing lots supervised by someone independent of the school, will be used as a tie-break in categories 1-10 above to decide who has highest priority for admission if in two or more cases the children's homes are equidistant from the school.

However, if children of multiple births (twins and triplets) are tied for the final place, those siblings will be admitted over PAN

### **Important Notes:**

1. A "Looked After Child" means any child who is in the care of a local authority in accordance with Section 22 (1) of the Children Act 1989. A child who was "a previously Looked After Child" means a child who after being Looked After became subject to an Adoption Order under Section 46 of the Adoption and Children Act 2002, a Residence Order under Section 8 of the Children Act 1989 or Special Guardianship Order under Section 14A of the Children Act 1989.
2. Criterion 2 enables schools to plan with SEN Officers for the school entry of children with physical, medical or sensory impairments. This includes children that are in receipt of Early Years School Action Plus funding at level 3 and / or where significant capital works (eg, accessible toilets, changing space, access to classrooms) are required and / or children that are identified as requiring a place at a Resource Base attached to a mainstream school.
3. Criterion 4 - The Head Teacher or Governing Body of the relevant school will be asked to verify point b.
4. 'Rural catchment' is defined as living in the catchment area of a school where there is no alternative school within the statutory walking distance of the home address
5. "Practising" is defined as at least once a month for at least six months prior to the application closing date, attendance at church by at least one parent and/or child. This must be confirmed by a member of the clergy on a supplementary information form. In order for applications to be considered

against criterion 8 applicants will need to use the appropriate Supplementary Application Form (SIF) to demonstrate their ability to meet the particular criterion. The SIF will need to be completed and signed by a member of the clergy and submitted along with the school place application.

6. Criterion 4, 8 and 9 – Children considered under sub-criteria a) will have a priority over children considered under sub-criteria b).

### **Home Address**

The home address is very important as school places are allocated on the basis of the permanent home address of each child. A child's home address is considered to be where the child spends the majority of their time with parents or carers. (Please see shared care arrangements information below).

Documentary evidence of home ownership or suitable rental agreement may be required, together with proof of permanent residence at the property concerned. Places cannot be allocated on the basis of an intended future address, unless the house move can be confirmed through the formal 'exchange of contracts' or the signing of a minimum of a six month formal tenancy agreement from a letting agency. Please note private letting agreements may not be accepted as proof of residence. An address change due to a move to live with other family members or friends will not be considered until the move has taken place and suitable proof of residency has been obtained. Proof that a move from the previous address has taken place may also be required e.g. proof of exchange of contracts, a tenancy agreement showing the end date of the tenancy or a notice to quit from the landlord or repossession notice. The LA reserve the right to seek further documentary evidence to support any claim of residence which could include contacting the estate agent, solicitor landlord or relevant professional. A representative of the LA may carry out a home visit/s without prior notice to verify a pupil's home address.

An address used for childcare arrangements cannot be used as a home address for the purpose of applying for a school place. Fraudulent claims relating to the home address of a particular child may lead to the withdrawal of any offer of a school place.

Proof of address will not be required for Traveller families where the address is confirmed by the Traveller Education Service. A foster carer will not be required to supply proof of address for a child placed with them by a L A.

The L A and/or Admissions Authority must be notified of any change of address during the admissions procedure.

### **Shared care arrangements**

Where shared care arrangements are in place and parents/carers of the child submit two separate applications for different schools, the LA will only accept one application which will be the application made by the parent/carer that lives at the same permanent home address as the child. Where there are exceptional grounds

such as on-going court proceedings for example, these applications will be considered on a case by case basis.

Where it is necessary to establish the permanent home address for the child parent/carers will be asked to write to the LA stating the number of days each week the child spends with them. The LA may also ask for evidence of which parent/carer was in receipt of child benefit at the point of application. If the parent/carer is not in receipt of child benefit, the LA will ask for proof of the child's home address as held by the doctor's surgery at the point of application. If the child's home address cannot be verified the LA reserve the right to request further documentary evidence to support any claim of permanent home address.

### **Parent/Carer**

Natural parents, whether they are married or not, any person who, although not a natural parent, has parental responsibility for a child or young person. Any person who, although not a natural parent, has care of a child or young person (having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child is considered to be a parent in education law).

### **Relevant Area**

The School Standards & Framework Act 1998 requires LA's to establish Relevant Area(s) for admission policy consultations. The Relevant Area is the area in which admission authorities must consult with schools regarding their proposed admission arrangements before finalising them.

The Education Act 2002 requires the LA to consult on and review its Relevant Area every 2 years.

The relevant area for Somerset admission authority is the geographical area for Somerset. The relevant area for VA, Foundation, Academies and Free Schools is the district in which the school is located (i.e. Mendip, South Somerset, Taunton Deane, West Somerset or Sedgemoor.)

### **Sibling**

For the purpose of admissions, a sibling is defined as children living at the same permanent home address. Please see section on 'shared residency arrangements' which will apply if necessary in order to determine the sibling's permanent home address.

Siblings in post 16 education are not included as siblings for the purposes of admissions.

### **Appeals**

All applicants refused a place have a right of appeal to an independent appeal panel constituted and operated in accordance with the School Admission Appeals Code.

Details of how to appeal are included in the outcome email or letter. National Offer Day. Information on the timetable for the appeals process is available on the Somerset L A website by 28 February each year.

### **Waiting lists**

The LA will maintain a waiting list for every over-subscribed Community and Voluntary Controlled school. Children will automatically be placed on the waiting list if a place is refused. The waiting list for the year of entry will operate until the end of the first term after the beginning of the school year. If parent/carers wish for their child to remain on the waiting list after this time a request must be made in writing to the Local Authority by the start of the Spring Term.

The waiting list for all other year groups will operate until the end of the academic year for which the place has been requested.

Children's position on the waiting list will be determined solely in accordance with the oversubscription criteria. Where places become vacant they will be allocated to children on the waiting list in accordance with the oversubscription criteria. The waiting list will be reordered in accordance with the oversubscription criteria whenever anyone is added to or leaves the waiting list. It is the responsibility of the parent to ensure the LA are informed of any changes that may affect their child's position on the waiting list.

### **Withdrawal of places**

The LA will consider withdrawing the offer of a place at a Community or Voluntary Controlled school if;

- The place has been offered on the basis of an application which is subsequently found to be fraudulent or intentionally misleading.
- If a school is offered on the basis of an address that is subsequently found to be different from a child's permanent home address then that place is liable to be withdrawn.
- The parent/carer has not responded to the offer within a reasonable period of time and a further opportunity has been given for the parent to respond within 10 days having explained that the offer may be withdrawn if they do not.

### **Admission of children outside their normal age group**

Parents may request that their child is admitted to a year group outside their normal age range, for instance where the child is gifted or talented or where a child has suffered from particular social or medical issues impacting his or her schooling.

When such a request is made, the LA will make a decision on the basis of the circumstances of the case and in the best interests of the child concerned, taking into account the views of the Headteacher and any supporting evidence provided by

the parent. If a request is refused, the child will still be considered for admission to their normal age group.

The parent is required to make an on-time application for the child's normal age group (if relevant) but can submit a request for admission out of the normal age group at the same time. The LA will ensure the parent is aware of whether the request for admission out of age group has been agreed before National Offer Day and the reason for any refusal.

Requests for admission out of the normal year group will be considered alongside other applications made at the same time. An application from a child who would 'normally' be a year 8 child for a year 7 place will be considered alongside applications for year 7.

If a request for delayed admission is agreed, the school place application may be withdrawn before a place is offered and a new school place application will need to be made as part of the normal admissions round the following year.

If a request for a child to be transfer school a year early is agreed, the school place application will be processed and an outcome will be sent on the National Offer Day.

If a request for delayed admission is refused, the school place application will be processed and an outcome will be sent on the National Offer Day.

If a request for a child to transfer school a year early is refused, the school place application will not be processed and a new school place application will need to be made as part of the normal admissions round the following year.

There is no right of appeal against the decision not to allow your child to be admitted outside of their normal age group.

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 normal year group at all their preference schools, rather than just their first preference schools.

For further information and guidance please visit;

<http://www.somerset.gov.uk/education-learning-and-schools/choosing-a-school/starting-or-transferring-school-early-or-late/>

### **Children from outside the UK**

The LA will treat applications for children coming from overseas in accordance with European Union law or Home Office rules for non-European Economic Area nationals.



The L A will process applications for children who are citizens of the European Economic Area (EEA) and for UK citizens living abroad. If proof of the Somerset address is not available the application will be considered on the current address. The only exceptions are children of UK service personnel and other crown servants (including Diplomats) returning to the UK with a confirmed posting to the area (see children of UK service personnel).

The L A will not allocate a place to any non EEA citizen moving into Somerset from outside the UK prior to their arrival in the country. In such cases the L A will require copies of the passports, appropriately endorsed visas and proof of residency – see home address definition. Applicants who are citizens of countries from outside the EEA should first check that their visas will not be invalidated by taking up a maintained school or academy place before applying. If in doubt, parents should contact the Home Office.

### **Children of UK Service Personnel**

The Admissions Authority endeavours to ensure that their admission arrangements support the Government's commitment to removing disadvantage for service children. In year applications are usually considered for admission up to a maximum of half a term in advance of the place being taken up. An exception is made for children of UK service personnel with a confirmed posting to the area and crown servants returning from overseas to live in the area where a place can be made available up to a year in advance of being required providing the appropriate documentation is provided as proof of posting (an official government letter (e.g. MOD, FCO or GCHQ) declaring a relocation date and intended posting.)

Usually, a place may be allocated prior to actual residency, only on receipt of exchange of contracts or a formal signed rental agreement. An exception is made for children of UK service personnel with a confirmed posting to the area and crown servants returning from overseas to live in the area. This means that, providing the application is accompanied by an official government letter (e.g. MOD, FCO or GCHQ) declaring a relocation date and intended posting, The admissions authority will process the application on that address. If proof of a home address is not available at this stage the admissions authority will accept a unit postal address or quartering area address.

If the parent/carer is moving to the area as a result of leaving the armed forces then no special consideration will be given to the application under the grounds of the application being made by a service family.

For further information please refer to the DfE explanatory note on Admission of Children of Crown Servants;

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/461481/Admission\\_of\\_children\\_of\\_crown\\_servants.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/461481/Admission_of_children_of_crown_servants.pdf)



### **Children Looked After (CLA)**

The L A will endeavour to secure a place for a CLA at the catchment or nearest school to the address at which they are placed. A LA has the power to direct the admission authority for any maintained school (e.g. Voluntary Controlled, Community, Foundation and Voluntary Aided schools) in England to admit a child who is looked after by the LA, even when the school is full. The LA must not choose a school from which the child is permanently excluded but may choose a school whose infant classes are already at the maximum size. Before deciding to give a direction, the LA must consult the admission authority of the school it proposes to direct. In the case of an academy a LA can request that the Secretary of State consider directing the admission of a CLA.

# Supplementary Information Form for Voluntary Controlled Schools

**This form must be completed and submitted to Somerset Local Authority if you would like your application for a Voluntary Controlled school to be considered under criterion 8 of the over subscription criteria relating to regular church attendance which is:**

Children and/or parent(s) who are practising members of the founding religious body of the school (eg, Anglican or Methodist).

Children and/or parent(s) who are practising members of other churches or religious denominations.

“Practising” is defined as at least once a month for at least six months prior to the application closing date attendance at church by at least one parent and/or child.

Please ensure that the attached form is completed by you and signed by the relevant church representative (vicar, priest, minister, pastor, church warden) and submitted to Somerset Local Authority. It must be received by Somerset Local Authority by midnight on 8 February 2019 for primary admissions and 3 December 2018 for secondary admissions. For in year admissions it must be submitted directly to the school alongside an in year application form.

Failure to send the correctly completed supplementary information form to Somerset Local Authority by the closing date will mean that your application cannot be considered under the church attendance criterion.

**Please return form to:**

Admissions & Entitlements Team  
PPC402C  
Somerset County Council  
County Hall  
Taunton  
Somerset  
TA1 4DY

# Notes for Clergy

Notes for clergy or those responsible and authorised to sign supplementary information forms for those applying to church schools under a church attendance criterion.

The recommendation of the Bath & Wells DBE is that it is best practice to have a sub-committee of at least three members, including clergy, church wardens and those with responsibility for Sunday school to consider these requests and be authorised to sign the form if it is agreed appropriate.

Please also note that if this form is not received by Somerset Authority prior to the published deadline the child cannot be considered eligible under any church attendance criteria.

In order for the application to be considered under any church attendance criteria within the school's admissions arrangements, the following must be ensured:

1. The DBE does recommend that the child or a parent has attended actual worship and that attendance at toddler groups or other activities that are held at the church does NOT meet the requirements.
2. The completed form must be received by Somerset Local Authority by midnight on 8 February 2019 for primary admissions and 3 December 2018 for secondary admissions. For in year admissions the parent/carer must submit it directly to the school alongside an in year application form.
3. For applicants who have recently, or are about to move to a different area, the supplementary information form should be completed by the clergy at the church where they have been regularly worshipping. It is the responsibility of the applicant to organise this and ensure that the SIF is completed and sent in on time.

## **Please Note:**

The application process is a legal one and every effort **MUST** be made to ensure that applications and any supplementary forms are completed accurately and on time. If applicants are unsuccessful, they have the right to appeal. **Clergy should not be pressured into signing a form if they know that the applicant does not, or are in doubt as to whether the applicant does, meet the criteria laid down by the school. This is one reason why a committee should consider every application. It is also particularly helpful where there is an inter-regnum or where clergy have been in post less than 6 months.**



Please complete your child's details then give this form to your clergy leader (priest/minister/pastor), who will complete the remaining part of the form.

**Details of Child/Children**

Applicants Name:.....

Childs Full Name:.....

Childs Date Of Birth:.....

**Details of Church and Church Representative**

Name and Address of Church:.....

.....

Name and Position of Church Representative.....

.....

Church Denomination (ie Anglican, Methodist etc).....

Tel:.....

**Declaration**

I, (insert name).....

confirm that the child and/or parent(s)/carer(s identified above has attended

(name of church).....

at least once a month for a minimum of 6 months prior to the date of application.

Signed:.....

Date:.....

**Please return form to:** Admissions Team, PPC402C, Somerset County Council,  
County Hall, Taunton, Somerset, TA1 4DY