

Co-ordinated In-Year Admissions Scheme 2016-17

for in-year admissions from 1 September 2016
Reception to Year 11

This Policy applies to:

All state-funded schools in the Devon County Council area at primary and secondary phase except for Special Schools.

All parents and carers seeking admission after the normal round of admissions to any state-funded school within the Devon County Council area.

Policy version:

This policy was determined by the Cabinet of Devon County Council on 12 February 2016 following a consultation hosted at www.devon.gov.uk/admissionarrangements between 1 December 2015 and 31 January 2016. It will be reviewed and determined annually. The next consultation period will be for normal round admissions in September 2017 and will be between 1 December 2016 and 31 January 2017.

Description of Policy:

This policy describes how parents can request school places after the normal round for admission to primary, infant, junior, secondary and studio schools and University Technical Colleges, including academies and free schools.

Linked Policies:

[Co-ordinated Admissions Scheme for Primary Schools 2016-17](#)

[Co-ordinated Admissions Scheme for Secondary Schools 2016-17](#)

[Individual policies for own admission authority schools 2016-17](#)

[Fair Access Protocol](#)

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General Information and Contacts

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Review date	Annual
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ADMISSIONS POLICY

1 Purpose

- 1.1 The Devon Schools Admissions Service operates within the People Directorate of Devon County Council to deliver the statutory responsibilities of Devon County Council (the LA) with regard to admissions to school and to support schools in delivering their responsibilities.
- 1.2 The School Admissions Service will:
- Act as admissions champion for children and families;
 - Offer advice to parents and schools;
 - Monitor and challenge the admission arrangements and practices of schools within the Devon County Council area and those others affecting the residents of Devon;
 - Operate schemes to co-ordinate and allocate places on behalf of schools for the first admission to a primary, infant, junior, secondary, studio school and university technical college (UTC);
 - Operate a Fair Access Protocol to ensure children at risk of missing education are allocated a school place quickly, even where local schools have reached an admissions limit;
 - Operate a scheme to co-ordinate admissions to school at other times during Year Groups Reception to 11;
 - Assist schools to correctly rank applications according to their oversubscription criteria as necessary;
 - Manage school waiting lists as required;
 - Support schools in the preparation and presentation of school admissions appeals;
 - Liaise with other teams within the local authority and beyond where this assists in the planning of school places across the county;
 - Report no less than annually on school admissions within Devon as required to the Office of the Schools' Adjudicator and partner organisations across the county;
 - Offer a traded service to academy schools to support them in the delivery of their responsibilities.

2 Equality and Safeguarding Statements

- 2.1 Devon County Council will only commit to policies and practices which will eradicate discrimination and promote equality for all, regardless of age, gender, disability, religion and belief, race and ethnicity and sexual orientation.
- 2.2 This policy will be subject to an Equality Impact and Needs Assessment. This assessment will be integral to all future policy and guidance reviews.
- 2.3 Devon County Council and its partners recognise that safeguarding is everybody's responsibility. Whether their interest is in all young people 'staying safe' in all aspects of our services, or whether they are working in specific areas of vulnerability, all staff will have appropriate training and induction so that they understand their roles and responsibilities and are confident in carrying them out. Schools, settings, children, young people and their parents or carers, or any member of the community should feel secure that they could raise any issues or concerns about the safety or welfare of children and know that they will be listened to and taken seriously. This will be achieved by maintaining an ethos of commitment to safeguarding and promoting the welfare of

children and young people. This is supported by a clear child protection policy, appropriate induction and training, briefings on and discussion of relevant factors and refreshed learning in line with current legislation and guidelines.

- 2.4 Devon County Council acts as a Corporate Parent for Children in Care. This means that the LA has a legal and moral duty to provide the kind of support that any good parents would provide their own children. This policy has been written to comply with this principle.

3

Introduction

- 3.1 Parents may wish to admit children to schools at times other than the normal round of admissions – the first intake into a school. These admissions are called **in-year** or **casual** or **out of normal rounds** admissions. In order to do this, parents¹ must apply for a school place and it must be allocated by or on behalf of the admissions authority for the school.

This scheme details how places will be allocated for in-year admissions, after the first intake into those schools located in the Devon LA area. It details that parents must make an application for a school place and how they can make that application.

Any reference to schools in this scheme should be understood to mean all state-funded schools including academies (except special schools) in the Devon LA area unless otherwise stated.

- 3.2 This scheme makes provision for parents to express up to three preferences for school places only where the preferred schools are in the administrative county of Devon, whether or not the preferred school is designated² to serve the child's home address.

Parents can apply for a school place either direct to a school which is its own admission authority or via the LA. While it is not mandatory for parents to apply via the LA where the child lives, this scheme recognises the merits of a co-ordinated system which allows parents to apply via Devon LA for places at Devon schools:

Consistency and transparency in school admissions is fundamental to confidence that all parents have the same opportunity for a child to be admitted to a school and that decisions on admission will be taken in a timely, fair and reasonable manner.

By co-ordinating applications, the LA is better able to give advice on vacancies and the options open to parents where schools are unable to admit. Children are less liable to miss education where there are difficulties in securing admission to a local school. Where children are not in school there is a heightened risk to their welfare.

While all schools in Devon are encouraged to participate in this co-ordinated scheme for in-year admissions, the LA recognises that some may opt to manage applications directly. (To do this, schools that are their own admissions authority must consult on and determine arrangements which provide explicitly for application forms to be returned direct to the school rather than to the LA.) The School Admissions Service of the LA operates this scheme and can advise on those schools which have consulted on and

¹ Students who are 16 or who will be 16 at the time for which admission is sought can apply in their own right. They can also appeal where the application is refused. Any reference to a parent making an application should be taken to also mean a student unless otherwise stated.

² Most addresses in the Devon LA area lies within a designated school area for the primary and secondary phases. This gives a priority for admissions purposes and often an entitlement to free education transport (subject to other criteria). A map showing the designated areas for Devon and school locations is available at www.devon.gov.uk/schoolareamaps

determined arrangements making provision for direct applications to the school. The decision on whether or not a place can be made available at any school will be made according to the same criteria regardless of the route for the application.

All state-funded schools are required to participate in Devon's Fair Access Protocol.

- 3.3 Where any part of this policy is identified at any time as not being compliant with the School Admissions Code 2014³, it will be amended without delay to meet the requirements of the Code. Amendments will be recorded in the Policy History below.
- 3.4 This scheme makes provision for parents to express up to three preferences for school places solely at schools in the Devon LA area, whether or not the preferred school has a vacancy or is designated to serve the child's home address. It allows for the order of preferences expressed by the parent to be confidential and for each child to be offered one and only one school place following an application.

4 Interpretation

- 4.1 Devon will also operate a [Primary Co-ordinated Admissions Scheme](#) and [Secondary Co-ordinated Admissions Scheme](#) to manage admissions at the normal round into schools. These Schemes fulfil a statutory function of the LA. All applications for admission at the normal round must be submitted via the LA within whose area the child resides.
- 4.2 This scheme is made by Devon County Council, the Local Authority (LA) for the County of Devon, acting under the provisions of The School Admission (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012, and in accordance with the School Admissions Code 2012 (Department for Education). It is mindful of good practice presented in the 2010 and 2012 School Admissions Codes where it remains compliant with the 2014 Code.

This scheme applies to the governing bodies of all community, foundation, voluntary controlled (VC) and voluntary aided (VA) primary, infant and junior schools maintained by Devon LA and the Trusts of free schools and academies in Devon. Academies, free schools, VA and foundation schools are their own admissions authority, responsible for decisions regarding admissions.

The LA is the admission authority for community and VC schools. In all admissions decisions, the LA will seek the view of a community or VC school.⁴

- 4.3 After the determination of admission arrangements, schools may seek foundation or academy status. The arrangements determined by the Cabinet of Devon County Council on **12 February 2016** will remain the arrangements following conversion. Other schools may be newly established or convert to academy, foundation or voluntary aided status. Unless otherwise stated, any reference to schools will mean all state-funded schools and academies including free schools, university technical colleges (UTCs) and studio schools.

³ It is anticipated that there will be a revised Code available for comment early in 2016

⁴ Any reference to a decision by the admission authority in this policy should be taken to mean that the LA will also seek the view of the headteacher of a community or VC school.

PROCEDURE

5

The Scheme

- 5.1 The scheme shall be determined and processed in accordance with the provisions and timetable set out here. Subject to paragraph 5.2, it will apply to every state-funded school in the LA area (except special schools) and shall take effect for in-year admissions from **September 2016 to July 2017**.
- 5.2 Where boarding accommodation is provided for children at state-funded schools, the scheme shall not apply to those places intended to admit children to the school as boarders, as determined under section 89A(2)(a) of the School Standards and Framework Act 1998.
- 5.3 The scheme shall be based on the equal preference system, as required under the School Admissions Code 2014:
- Parents can apply for – express a preference for one, two or three schools in Devon.
 - Parents must rank those schools in the order they would most like to be offered a place.
 - Each preference will be considered alongside all other applications for that school and prioritised using oversubscription criteria for the school if the school receives more applications than there are places available. A decision will be taken by the admission authority for the school whether a place could be made available or not.
 - Schools will not be advised of the order of preference expressed by the parent and applications will be ranked only using the oversubscription criteria.
 - Where a place **could** be made available at more than one school preferred by the parent, Devon will offer a place at the school ranked **highest** by the parent. Only one offer will be made.
 - Where no preference can be met, the LA will offer a place either at the school designated for the child's home address if one remains available or at the closest school to the home address with a vacancy after all preferences have been considered. The "offer" may be at the school where the child is already on roll.
 - Parents will have the right of appeal for any school at which an application has been refused and children's names will be added to waiting lists automatically.
- 5.4 There will be a standard form known as the Common Application Form. This will be available to parents in hard copy and electronic format where possible. A list of the different Common Application Forms in Devon is below at Appendix 7.

The D-CAF will be used for admitting pupils into the first year of education at any school **after** the Year Group has begun or into any other Year Group at the school.

The D-CAF6 will be used for admitting pupils into the first year of education at any school **after** the Year Group has begun or into any other Year Group at the school under certain circumstances (see section 5.10).

Parents of young people seeking places in post-16 education may complete a D-CAF.⁵ However, applications will not be co-ordinated by the LA and parents are advised to contact the school and to use their own application forms. In either case, applications must be made direct to the establishment.

- 5.5 The common application form may be used as a means of expressing one, two or three preferences for the purposes of section 86 of the School Standards and Framework Act

⁵ A young person aged 16 or who will be 16 on admission, may submit an application in their own name.

1998 by parents of children resident in the LA area wishing to express a preference for their child:

to be admitted to any state-funded school within the LA area.

5.6 The common application form will:

- invite the parent to express up to three preferences, in rank order, by completing the form.
- invite parents to give their reasons for each preference;
- explain that the parent will receive no more than one offer of a school place and that a place will be offered at the highest ranking nominated school for which they are eligible for a place and if a place cannot be offered at a nominated school, a place will be offered at an alternative school;
- specify that it should be returned as soon as possible and where it must be returned.

5.7 The LA will make reasonable steps to ensure where possible:

- that the common application form and any relevant Supplementary Information Form (SIF) is available from the LA online and on request through the My Devon Call Centre.⁶
- that the common application form is accompanied on request by a written explanation of the co-ordinated admissions scheme including details of neighbouring authorities.
- that an electronic version of the common application form will be available for parents to complete at www.devon.gov.uk/admissionsonline instead of completing a hard copy common application form or an interactive version will be available at www.devon.gov.uk/admissions.
- that the electronic version of the common application form will be accompanied on request by an e-version explanation of the co-ordinated admissions scheme including details of neighbouring authorities.
- SIFs must also be available in hard copy form from the relevant school.

5.8 The LA will take all reasonable steps to ensure that every parent resident in the LA area has access to a copy of the common application form together with written guidance or an e-version of the guidance. The onus will remain on parents to make applications notwithstanding the efforts undertaken by the LA to alert them to the process.

5.9 All preferences expressed on the common application form are valid applications. The admissions authority for a school can require parents who wish to nominate or have nominated their school on a common application form to provide additional information on a Supplementary Information Form (SIF) only where the additional information is required for the admissions authority to apply their oversubscription criteria to the application. Where a SIF is required it must be returned to the relevant school. SIFs are available from the school and from the LA and should be returned direct to the school. Where they are received by the LA in error they will be passed onto the school(s).

5.10 A D-CAF6 will be available to parents to complete instead of a D-CAF under the following circumstances:

- the child is new to an area and does not have a school place locally; **and**
- the parent has only one preference for school; **and**

⁶ Where a school manages its own admissions applications or does not participate in a traded service agreement with the LA, the LA will refer parents to the school to access an application form or SIF. Copies will also be available on the LA website at www.devon.gov.uk/admissions .

- the child does not have an Education, Health and Care Plan or a Statement of SEN⁷; **and**
- the child has not been permanently excluded from school; **and**
- there is no person or body with a legal objection to the application; **and**
- the parent is advised by the school, in contact with the School Admissions Service, that the school has a vacancy which is not also the subject of another application; **and**
- the school has not raised any concerns that further information may affect the outcome of the application.

In these circumstances, a parent may complete a D-CAF6 during a visit to the school. This will allow the child to be admitted at the earliest convenience. In completing the D-CAF6, the parent will voluntarily forego additional preferences and will be offered a place on the basis of the information provided on the form.

The D-CAF6 will be available from the school, either on copies held locally or from the Just4Schools webpages of Devon County Council.

It will not be appropriate for a parent to complete a D-CAF6 where:

- the child is on roll at another local school; **or**
- the preferred school does not have a vacancy; **or**
- the preferred school has outstanding applications for admission which would make it oversubscribed; **or**
- the parent has other preferences for schools; **or**
- the child has an Education, Health and Care Plan or a Statement of Special Educational Needs; **or**
- the child has been permanently excluded from school or comes from a Pupil Referral Unit or similar provision; **or**
- another person or body may have a legal objection to the application; **or**
- the school has concerns that further information may affect the outcome of an application.

In any of these circumstances, a D-CAF should be completed rather than a D-CAF6.

- 5.11 Where a school receives a SIF from a parent it will not be regarded as a valid application unless the parent has also completed a common application form and the school is nominated on it. Where SIFs are received directly by schools, the school must inform the LA without delay so it can verify whether a common application form has been received from the parent, and if not, contact the parent and request that they complete one.

Many schools require the completion of a SIF or the provision of a letter from a priest for applications to be considered under specific faith oversubscription criteria or where there is admissions priority for children of staff or where a form is required for registration to sit an entrance or aptitude test.

- 5.12 Children without a school place are at greater risk of harm and of not achieving their potential. By enabling them to access education or be reintegrated into education, this policy seeks to safeguard the children of Devon.

6

General Principles

⁷ A Statement of Special Educational Needs is a formal document describing a child's special educational needs (SEN) and how they will be provided for in a school. The Children and Families Act 2014 phases out Statements and replaces them with Education, Health and Care Plans. References to Statements should include EHC plans.

- 6.1 The majority of admissions to school will be at the normal round of admissions, as covered by the Primary Co-ordinated Admissions Scheme and the Secondary Co-ordinated Admissions Scheme. This is at the beginning of:
- the Reception year for primary and infant schools
 - Year 3 for junior schools
 - Year 7 for secondary schools
 - Year 9 or 10 for studio schools and university technical colleges
 - Year 12 for sixth forms⁸
 - other Year Groups for middle and high schools in other LAs⁹
- 6.2 There will a number of children who require admission to a school at other times than the normal round of admissions, once the intake year has begun or during any other Year. These are in-year admissions, sometimes called **mid-term**, **out of normal round** or **casual** admissions.
- 6.3 Children seeking places at school in-year may have personal circumstances which combine to make them more vulnerable to missing education. This may in turn have an impact on the child's welfare, health and safety, happiness and educational opportunity. Children seeking places at school in-year may have personal circumstances which combine to make them more challenging in their behaviour. These children have been referred to as **hard to place**.
- 6.4 The Admissions Code requires all LAs to operate a Fair Access Protocol to assist children who would otherwise be disadvantaged in seeking appropriate education to be admitted to school. The Fair Access Protocol will apply as a safety net where a child is unable to access an appropriate school setting locally.
- 6.5 A parent may request a place in-year at any time and for a variety of reasons, for example, where:
- the family has moved home, either into Devon or from another part of Devon;
 - a child has moved to live with another member of the family
 - a child has been taken into the Care of a local authority
 - there is a preference to change schools;
 - there is a preference to move from home-based to school education;
 - there is a preference to move from a fee-paying school to a state-funded school;
 - the child has been permanently excluded from a school;
 - he or she agrees with the current school that a move elsewhere would be in the child's best educational or social interest, for example, through what is called a **managed move**.
- 6.6 As far as possible the LA, as admission and co-ordinating authority, will have regard to:
- a duty to promote social inclusion;
 - meeting parental preference, where this is not judged to compromise its duties either to use resources efficiently or to ensure high standards of achievement for all pupils;
 - the use of similar criteria to those which are used when schools are oversubscribed at the normal admission round, especially with regard to children living in the designated

⁸ Applications for in-year admission to a sixth form must be returned to the establishment itself and not to the LA.

⁹ There are no middle or high schools in this LA where the normal round of admissions is at the beginning of Year 4, 5, 8 or 9. Parents cannot apply for in-year places at these schools via Devon County Council.

area of a school.

The LA will also promote the same aims with regard to those schools for which it is not the admission authority.

- 6.7 The LA recognises that a place must be provided for a child at the school named in his or her Statement of SEN or Education, Health and Care Plan. This function will be carried out by the 0-25 Special Educational Needs Team.¹⁰
- 6.8 All parents seeking a place at school will be invited to express their preference for school, having sought advice regarding eligibility to education transport.
- 6.9 The responsibility of the LA is to ensure that there are sufficient places to accommodate the expected level of demand in an area and to administer arrangements for admission and for education transport.

It is the responsibility of parents to ensure that their children receive suitable and appropriate full-time education, either by attendance at a state maintained school or otherwise, such as by home-based education or attendance at a fee-paying school.

- 6.10 Children below 5 are not required to receive full-time education although they may seek a school place as a **Rising 5**.

Children above 16 are not required to receive full-time education although they may seek a school place in a sixth form or further education college.¹¹

7 Devon Local Authority Co-ordination

- 7.1 All requests for admission for places in Devon schools, including requests for places at schools which are their own admission authorities, may be made to Devon LA, regardless of the child's home address. Applications may also be made direct to a school where the school has made provision for this in its determined admission arrangements for the academic year 2016-17.

Devon will not co-ordinate applications for schools in another LA area. Parents must approach the schools directly or the LA in which the school is located.

- 7.2 It is the intention of this scheme to enable parents to continue to approach one body to request a school place at any Devon school. While individual schools may decide to accept applications direct, the LA must be informed about every application, the outcome of every application and changes to numbers on roll and vacancies at the school.
- 7.3 Parents should have confidence that their requests for admission will be considered objectively and without fear that their background, employment, gender, sexual orientation, race, religion or belief, appearance or any other circumstance not relevant to admission may be taken into account.

¹⁰ Formerly known as the County Special Educational Needs Team CSET.

¹¹ The Government is increasing the age to which all young people in England must continue in education or training, requiring them to continue until the end of the academic year in which they turn 17 from 2013 and until their 18th birthday from 2015. Nevertheless, the leaving date for children remains the last Friday in June.

8 Admission Arrangements for Community and Voluntary Controlled Schools

8.1 The LA is the admissions authority for community and VC schools. Other types schools which are their own admission authority will include this information in their own admissions policy documents.

8.2 Parents must make applications in all cases for admission to school. Applications can be made for admission to Devon schools in two ways:

- to the School Admissions Service of Devon LA, or
- direct to the school.

Applications will not be accepted by Devon LA for admission to a school outside of the Devon County Council area – schools in Torbay and Plymouth and other counties.

9 How to Apply to Devon LA for a Devon school

9.1 Parents can apply to the School Admissions Service of the LA by completing a:

- D-CAF, common application form (up to three preferences); or
- D-CAF6, common application form (one preference under certain circumstances)

and handing, posting or emailing the same to School Admissions.

This may be in addition to a school Supplementary Information Form (SIF) or letter from a priest or minister where these are required by a school to either arrange a selection test or aptitude assessment or to operate particular oversubscription criteria.

9.2 For applications using the D-CAF, the School Admissions Service will contact the schools named on the form to advise them of the preference. Schools which are their own admissions authority will advise the School Admissions Service whether a place could be made available. The views of schools for which the LA is the admissions authority will be taken into account.

- Where a place could be offered at more than one school, the LA will make a formal written offer to the parent for admission to the school ranked highest by the parent and inform all schools involved of the outcome (see also section 9.3).
- Where a place could be offered at only one school, the LA will make a formal written offer to the parent for admission and inform all schools involved of the outcome.
- Where no place could be offered at a preferred school, the LA will send a formal refusal letter to the parent with the reason for refusal, information regarding the right of appeal and any waiting list. An alternative school may be offered. The LA will inform all schools of the outcome.

9.3 Where it is clear to the LA that the parent will be offered a place at the first preference, the schools named as second or third preference will not be informed of the application as admission would not be offered there.

9.4 For applications where the D-CAF6 is sent to the LA, the School Admissions Service will contact the school named on the form to advise them of the preference. Schools which are their own admissions authority will advise School Admissions whether a place could be made available. The views of schools for which the LA is the admissions authority will be taken into account.

- Where a place could be offered at the school, the LA will make a formal written offer

- to the parent for admission and inform the school involved of the outcome.
- Where a place could not be offered at the school, the LA will send a formal refusal letter to the parent with the reason for refusal, information regarding the right of appeal and any waiting list. An alternative school may be offered. The LA will inform the school of the outcome.

It is not expected that a D-CAF6 will be issued to a parent by a school unless it is able to make a place available.

9.5 A flowchart of the Application Process is shown below at Appendix 8.

10 How to Apply direct to a Devon school

10.1 Parents can apply direct to a school by completing a school application form and returning it to the school where one forms part of the school's determined admission arrangements for that academic year. Parents are not prevented from using a common application form.

This may be in addition to a school Supplementary Information Form (SIF) or letter from a priest or minister where these are required by a school to either arrange a selection test or aptitude assessment or to operate particular oversubscription criteria.

10.2 The school must offer or refuse admission according to the number on roll and its own oversubscription criteria. The expectation is that the application will be successful except where the school can establish that there would be a prejudice to efficient education or the efficient use of resources should the child be admitted or where admission would breach Infant Class Size Legislation which limits a class with a single qualified teacher to 30 children where all or the majority are of Reception, Year 1 or Year 2 age.¹²

- Where the application is successful, the school must make a formal written offer to the parent for admission and inform the School Admissions Service of the outcome.
- Where the application is unsuccessful, the school must send a formal written refusal letter to the parent, with the reason for refusal, information regarding the right of appeal and any waiting list and refer the parent to the LA for further advice. The school must also inform the School Admissions Service of the outcome.

10.3 It is possible that multiple offers may be made where a parent is required to make separate applications to schools. The child can only take up one offer. Another school making an offer will have made preparations for admission and may have refused another applicant as a consequence. Co-ordination of applications by the LA will avoid this risk.

10.4 All other provisions for applications will be as part of the co-ordinated scheme where parents apply through the School Admissions Service of the LA, either using a D-CAF or D-CAF6.

¹² For Children in Care, the expectation is that there would be a **significant** prejudice to efficient education.

- 11.1 There are a number of types of admission within the scope of the in-year co-ordinated admissions scheme:
- New arrival to the county or area within the county
 - A transfer from another school or setting in the area
 - A managed move from one school to another in an area
 - A move back into an education setting following a permanent exclusion.
- 11.2 It is not necessary for a child to be resident in Devon to attend a Devon school.
- 11.3 It will be the role of Devon LA to ensure that only one offer of a school place or education setting is made to a parent where the parent applies through the LA. This will be at the school ranked highest by the parent where more than one school could provide a place; or, where parental preference cannot be met, at an alternative setting.
- An alternative setting may be at the child's current school if this is within a reasonable distance of the home address or at another setting considered appropriate by the LA.
- 11.4 In all cases, decisions whether a place can be offered will be made by the admission authority for the school solely according to the published oversubscription criteria for the school. For community and VC schools in Devon, these are at Appendices 4, 5 and 6¹³
- 11.5 Where a child has a Statement of SEN or Education, Health and Care Plan, any application will be forwarded to Devon's 0-25 SEN Team for consideration and consultation with schools.
- 11.6 Applications will be considered for admission within a maximum of ensuing eight school weeks. This period is to allow time for the child to move home where necessary. It would also be sufficient time in most cases to enable an appeal to be heard where a request has been refused. Requests for admission further in advance will not be considered as it will not be possible to confirm whether a vacancy would be available as requested.
- An exception applies for children of UK service personnel and other Crown servants, as detailed at paragraph 26.
- 11.7 The offer of a school place will lapse if not taken up within 10 school days of a start date. Parents may resubmit applications if the offer has lapsed.
- 11.8 All requests for admission will receive a response from the school or the LA. Where a school does not respond with an offer or refusal within a reasonable time, the LA will assume that the school is unable to offer a place. If the school does not write to refuse, the LA will do so on its behalf. The parent will have the right of appeal. A reasonable period will be 15 school days, except where the school has a good reason why this timescale cannot be met.
- 11.9 A place will be normally allocated prior to actual residence only on receipt of a solicitor's letter or rental agreement confirming intention and date of moving. However, it is recognised that not all parents will be in a position to provide this information. Parents unable to provide these forms of evidence should contact the School Admissions Service.

¹³ For Devon schools which are their own admission authority, these are available at www.devon.gov.uk/admissionarrangements. For schools in other areas, parents should seek advice from the School Admissions Service.

An exception applies for children of UK service personnel and other Crown servants, as detailed at paragraph 26.

12 Closing dates for returning Common Application Forms and SIFs

- 12.1 There is no closing date for in-year applications. Parents should return completed forms as soon as possible. Applications will be considered at the earliest opportunity with an expectation that a decision on which education setting is to be offered within a maximum of 15 school days. Applications received by the LA by midday on the same day will be considered together, ahead of any applications received thereafter.

An exception applies for children of UK service personnel and other Crown servants, as detailed at paragraph 26.

- 12.2 The aim of the LA, in co-operation with schools which are their own admission authority, will be to provide the offer of a school place within the period of 15 days.
- 12.3 There may be occasions when this timescale cannot be met, where, for instance, the decision of another admission authority is delayed. In the case of applications for a place at a selective school, it may be necessary for the child's ability to be assessed through an entrance test or report. The LA will inform the parent of delays in the allocation process. It may seek to offer a place at a lower ranked preference or otherwise where there is a prolonged delay in confirming whether a place can be offered at a school in another area. The higher ranked preference will still be required to reach a decision on whether a place is available.

13 Duplicate and Disputed Application Forms

- 13.1 Where conflicting preferences are received from more than one parent in relation to a child, the School Admissions Service will contact both parents and request that they reach agreement on the preferences for school for the child. In doing so, the LA is concerned that more than one set of preferences from parents and more than one offer of a school place can be unsettling and upsetting for the child.

Applications by parents are subject to Data Protection legislation. Information contained on an application form will not be shared with another party including another person with parental responsibility for the child without the agreement of the person who completed the form unless there is a legal requirement to do so. The LA will inform another parent that an application has been made and the schools named as preferences if requested to do so.

In the event that no agreement is reached and an offer is made to each parent, no offer will be held open once the child has been physically admitted to another school. Where a child is on roll at a school and an application is submitted to transfer to another school against the wishes of the parent with whom the child normally resides, that application will not be considered unless a court order requires the LA or admission authority for the school to do so. This may be the case, for instance, where a new child arrangements order is made or a Specific Issues Order confirms that the preference of one parent should be considered over that of another.¹⁴

Where offers are made, they will be held open for up to 10 school days from the offered

¹⁴ Nevertheless, where a child is removed from one part of the county or country to another and is unable to attend the school where he or she is on roll, the LA will be mindful of education and safeguarding considerations. It may make arrangements for the child to receive education pending the outcome of any legal proceedings.

start date (an exception applies for children of UK service personnel and other Crown servants, as detailed at paragraph 26.1) but will then lapse. Should the adjournment of court hearings delay the take up of a place by either parent, applications must be renewed and will be considered according to whether the schools can accommodate at that time. An application for admission by one child will not be affected by a delay in court proceedings or a house move for another.

- 13.2 Where the outcome of preferences for more than one parent would result in duplicate offers being made for the same school, only one place will be offered with regard to the child.
- 13.3 The LA in its role as an admission authority will not accept more than one address as the child's home address. Own admission authority schools are likely to take adopt the same policy. The terms of a child arrangements order may clarify the home address.

Where necessary to determine which address to recognise and in the absence of a child arrangements order, the LA will consider the home address to be with the parent with primary day to day care and control of the child. In reaching this decision, evidence may be requested to show the address to which any Child Benefit¹⁵ is paid and from which the child is registered with a medical GP. Any other evidence provided by parents will also be considered by the LA or school in reaching a decision on the home address for admissions purposes.

This may be necessary for instance where parents do not agree on the child's home address. Parents are urged to reach agreement or seek a Specific Issues Order from a court to decide which parent should or should not pursue an application. Where they do not, the LA will determine the home address. In reaching this decision, the LA will seek the views of those schools for which it is the admission authority.

Where the LA asks for evidence of the address from which a child would attend school, this would usually be written confirmation of a house purchase or a formal tenancy agreement. It is recognised that some families may be unable to provide this – for example, where a house move is at very short notice or where a family is escaping domestic violence. Applicants who cannot provide this evidence should contact the LA or school. There is no intention to penalise families where there is a genuine reason why the usual evidence cannot be provided.

Schools that are their own admissions authority may delegate this function to the LA or other agent.

14 Determining Offers in response to Applications

- 14.1 The LA will act as a clearing house for the allocation of places in schools at primary phase by the relevant admission authorities in response to applications. The LA will only make a decision with respect to the offer or refusal of a place in response to any preference expressed on the application form where:
- it is acting in its separate capacity as an admission authority, or
 - an applicant is eligible for a place at more than one school, or
 - an applicant is not eligible for a place at any school that the parent has nominated.
- The LA will allocate places in accordance with the provisions set out in paragraph 14.4

¹⁵ Child Benefit will not be an automatic determining factor. This benefit is not universal and does not necessarily reflect a child's main residence. Payment of the benefit can take some time to follow the child after a change in living arrangements.

below.

- 14.2 Within 5 school days of receipt of the application, the LA will notify own admissions authority schools of each nomination that has been made for their school, irrespective of ranking, sending them all details from the application form required by the school to apply their admission criteria.¹⁶ As all schools must use equal preference, they will not be notified of the ranking made by parents on the application form. The school may request that the LA contact the applicant for missing information required so that applications can be prioritised using the school's oversubscription criteria.

Where a parent has expressed a preference for a school outside Devon, the LA will advise the parent that he or she must apply for that school direct or through the LA in which it is situated.

- 14.3 Within 5 school days the admission authority for each school will consider all applications, apply the school's oversubscription criteria (if appropriate) and provide the LA with a list of those applicants ranked according to the school's oversubscription criteria. This list will be returned where necessary to the LA for allocation under the agreed scheme. For schools delegating the ranking function to the LA, the list will be ranked by the LA and shared with the school which retains the responsibility for ranking.

The LA may request confirmation of the number of children on roll and any known impending changes. Where there are more applications than places available, the school will provide the LA with a list of those preferences ranked along with those children on any existing waiting list according to the school's oversubscription criteria. Where a place can be offered by an admission authority on faith grounds, the LA will be informed. This information will be provided whether or not the school is over-subscribed and may be used to determine eligibility for Education Transport assistance.

- 14.4 The LA will match this ranked list against the ranked lists of the other schools nominated and:

- where the child is eligible for a place at only one of the preferred schools, that school will be allocated to the child;
- where the child is eligible for a place at two or more of the preferred schools, the child will be allocated a place at whichever of these is the highest ranked preference;
- where the child is not eligible for a place at any of the preferred schools, the child will be allocated a place at the nearest appropriate school with places available within the LA. This may be the child's current school.

- 14.5 Within 15 school days, parents will be notified that they are being offered a place at the allocated school. This letter will be sent by second class post or by email and will give the following information:

- the name of the school at which a place is offered;
- give a date on which the child is to be taken on roll;
- the reasons why the child is not being offered a place at each of any other schools preferred on the D-CAF (if appropriate);
- advise of the right of appeal if parental preference has not been met;
- contact details for the school (and, if appropriate, those schools which are their own admission authority where parents were not offered a place, so that they can lodge an appeal with the governing body. See paragraph 17 below);
- advise that the child will be placed on a waiting list if a higher preference has been

¹⁶ For community and VC schools, the LA will seek the views of the school.

- refused;
- give information regarding Education Transport;

Devon will not inform parents of places still available at other schools.

- 14.6 Information in the letter will be forwarded to the school which has been offered other than information which would serve to inform the school of the order of preferences. Where the offer of a place is for the child's current establishment, the school will be informed that a request has been refused unless the parent has requested that this does not happen. The LA may decide to override this request if this is seen to be in the child's best interests.

15 Parents' Responses to Offers

- 15.1 Parents must inform the school or the LA in writing as soon as possible if they do not wish to take up the offered place. If they do not respond the LA will assume that they have accepted the place.

Schools may contact the parents of children following the formal offer of a place under the co-ordinated scheme. Where a parent does not respond to the school within 10 school days of that contact, the LA will advise the parent of the need to respond and that the place may be withdrawn if no response is received within a further 5 school days.

If a parent believes he or she will not be able to respond to an offer within this timescale, for example, due to a prolonged period of absence from home, he or she should advise the LA with an alternative contact point so that the offer is not withdrawn.

- 15.2 When making an allocation because a place cannot be offered at any of the parent's preferred schools, the School Admissions Service will make an alternative offer according to the [Fair Access Protocol](#). Expressions of preference against a particular school will be considered but there is no requirement to meet preference. The parent would be able to submit further preferences and appeal against a refusal to admit to a preferred school. Attendance at a school further away due to parental preference may have implications for entitlement to free school transport.

16 Selection Testing

- 16.1 It is the responsibility of the parent to make arrangements with the school to arrange to attend the selection or aptitude testing.
- 16.2 Where a selection or aptitude assessment is part of the school's admission arrangements, the parent may express a preference on a common application form. The school must inform the LA of all requests to sit a selection test or aptitude assessment and the outcome of the application.
- 16.3 Parents may be notified direct by selective schools according to each school's timetable. The LA will not enter into any correspondence with parents regarding the outcome of testing except where a parent has concerns that a school's admission arrangements have not been followed.

17

Appeals

- 17.1 In all cases except where a child has been excluded twice, parents will be informed of the right of appeal to an independent schools admissions panel where they have been refused a place at a preferred school. For children with a Statement of SEN or Education, Health and Care Plan this will be to SENDISP¹⁷. Only in limited circumstances does a school have the right to appeal against a placement.
- 17.2 Parents will be required to contact the School Admissions Service to advise of their wish to appeal for most Devon schools. They will then be sent the relevant appeal forms by the School Admissions Service, either electronically or in hard copy.
- Where a school manages its own admissions and appeals arrangements, the parent will be directed to contact the school.
- 17.3 Completed Devon appeal forms should be returned to the Clerk to the Independent Appeals Panel as soon as possible.
- 17.4 Parents may appeal for any school for which their application for admission has been refused.

18

Waiting Lists

- 18.1 Where an expression of parental preference for a Devon school has been refused, the child will be placed on a waiting list for vacancies. The waiting list will be kept in oversubscription criteria order by the LA unless it is passed to the relevant school by mutual agreement. Waiting lists will be kept so long as at least one name is on them unless a school that is its own admission authority has determined admission arrangements not to do so. The LA believes that it is good practice for waiting lists to be maintained so long as there is at least one name on them. This ensures that parents are not required to be in very frequent contact with a school to check whether a vacancy has arisen.
- Only children refused a place as a result of a formal application will be added to waiting lists.
- 18.2 Waiting lists for Year 3 in junior schools will be recalculated at the beginning of September, the end of the primary co-ordinated admissions scheme. This will remove the criterion which recognises a priority for children attending a linked infant school, applicable only during the primary co-ordination scheme until **31 August 2015**.
- 18.3 Waiting lists for Year 7 in secondary schools will be recalculated at the beginning of September, the end of the secondary co-ordinated admissions scheme. This will remove the criterion which recognises a priority for children attending a linked primary or junior school, applicable only during the secondary co-ordination scheme until **31 August 2015**.
- 18.4 Periodically, the School Admissions Service will contact the parents of children on waiting lists to seek confirmation that a place is still required. A negative response or no response will lead to the child's name being removed from the waiting list. Otherwise, children will only be removed from the waiting list once they are offered a place at the school.

Parents should ensure that their contact details for waiting lists are kept up to date.

¹⁷ SENDISP: Special Educational Needs & Disability Panel

19 Admission out of a Child's Chronological Year Group

- 19.1 Places will normally be offered in the Year Group according to the child's date of birth.¹⁸ A parent may submit an application for a Year Group other than the child's chronological Year Group. It is expected that supporting evidence, including the views of independent professional(s) working with the child will also be submitted. The admission authority for the school will decide on the most appropriate Year Group setting for the child on a case by case basis. Where a place is refused in a different Year Group but a place is offered in the school, there will be no right of appeal.

The admission authority for the school will give reasons in writing for any refusal to accommodate a parent's preference for admission out of the child's chronological Year Group.

Approval for admission out of a child's chronological Year Group does not establish a priority within oversubscription criteria for the child. A decision at one school does not bind another school.

- 19.2 Where twins or other multiple birth siblings have birthdays recorded on their birth certificates on either side of midnight on **31 August**, the siblings will have been born in different academic years. In anticipation that parents will want the children to be admitted to school together, a parent may specify that both of the twins (or all triplets etc) be admitted to the same academic year. This will mean that one or more of the children is admitted out of his or her chronological cohort. The expectation will then be that the children will continue to be taught with that cohort as their school career progresses.

20 Where Age is Disputed

- 20.1 A parent may be required to provide evidence of the child's date of birth if he or she has not been previously admitted to a school in the United Kingdom. Where it is required, a short birth certificate is acceptable, as is a passport.
- 20.2 Where the child is in the Care of a LA and his or her age is unclear or in dispute, the child's age will be determined before the offer of a school place or as soon as is reasonably possible following the emergence of a dispute over age. Where necessary, the child will be referred to a social care officer for assessment.

21 Home Address

- 21.1 Parents are requested to provide accurate and up to date information on their application form.

In order to enable all parents to have greater confidence that places are taken according to the published oversubscription criteria and to minimise the risk of children gaining admission through the provision of fraudulent or misleading information, the admission authority for each school may investigate addresses. Where a child changes his or her home address after the offer of a place that change must be notified to the LA or admission authority immediately. A decision will then be made by the admission authority in accordance with the oversubscription criteria as to whether he or she is still eligible for a school place. If not, the place may be withdrawn. The following will be taken into consideration:

¹⁸ For admissions in the academic year **2016-17**, the Year Groups appropriate to dates of birth are detailed at Appendix 6.

- whether it was reasonable on the date when the offer was made for the parent to believe that the child would attend school from the address given;
 - whether a move was required at short notice due to unavoidable personal circumstances;
 - whether the address given provides suitable and appropriate accommodation;
 - whether a move into the designated area for a school or closer to the school is followed by a further move back to the original address or other address outside the designated area for the school or further away from the school;
 - the address record of any other children in the family.
- 21.2 Where concerns are expressed that an address has been given which is fraudulent or misleading, further information may be requested from the parent and an Education Welfare Officer may visit the address to establish whether residence is genuine.
- 21.3 While the purpose of investigations into a child's home address is to reduce the use of fraudulent addresses which gain an advantage over other children, parents should be assured that there will be no automatic withdrawal of the offer of a school place. No place will be withdrawn where the family circumstances are vulnerable and no parent should feel that unorthodox circumstances will be penalised.
- 21.4 A place may be withdrawn after admission where a fraudulent or misleading address has been used to gain advantage over other applicants. In considering whether this is appropriate, the admission authority will take into account the length of time the child has been attending. Where the LA is the admissions authority, it will seek the views of the school.

22 Applications from outside the United Kingdom

- 22.1 Where applications are received from outside the United Kingdom, they will not be considered unless they meet the terms of paragraph 22.2 or the applicant can provide evidence of right of entry to the United Kingdom. No offer of a school place will be made which may influence the decision of the United Kingdom Border and Immigration Agency.
- 22.2 Where a child is not currently resident in the United Kingdom, an application will be accepted:
- with a photocopy or scan of his or her passport confirming nationality of a country in the European single market, or
 - with a photocopy or scan of his or her passport including a valid visa allowing for entry into the United Kingdom, or
 - (for children whose nationality is of a country other than those in the European single market) on production of the child's passport, establishing he or she has entered the country.
- 22.3 Countries in the European single market are:
The European Union (EU) countries: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the UK.
- Additionally, Iceland, Liechtenstein and Norway Switzerland are part of the single market.
- 22.4 Where a child is resident in Devon or its environs and is living with a host family, the LA

will contact the home family – the family abroad with whom the child is normally resident. All applications will be from the home family unless there are particular reasons why this is not possible. This will be to ensure that the birth family is aware of the address at which the child is residing, gives authority to a member of the host family to seek a school place and is aware that no fees are payable for the application, allocation or provision of a school place where a child is of statutory school age.

- 22.5 Where a child who is not a citizen of a European single market country has been resident in the United Kingdom before or after an application is submitted and then leaves the country, evidence of right of entry will be required. It will not be assumed that a child will be in position to return to a previous address.

23 Admission to Sixth Form

- 23.1 Admission arrangements for community school sixth forms in the Devon LA area have been delegated to individual establishments. Parents or children seeking a place at any sixth form should contact establishments directly for admission.

Parents or students should also apply for places at Devon sixth forms that are their own admission authority direct to the school.

There are no VC schools with a sixth form in Devon.

24 Late Applications

- 24.1 Applications will be considered along with all other applications received by the LA by midday on that day.

25 Where no Application is Received by the LA

- 25.1 The LA will not consider a child for in-year admission unless it receives:

- Common Application Form (D-CAF or D-CAF6); or
- Common Application Referral Form (CARF).

The CARF enables a body such as the Education Welfare Service, a social care team or other agency to alert the LA to a child requiring a school place. This may be the case where the child is from an unsupportive family background and a school place has not otherwise been requested.

26 UK service personnel and other Crown servants

- 26.1 Families of UK Service personnel and other Crown servants are subject to frequent movement at short notice. This can mean that children of such families are disadvantaged educationally. Admission authorities must allocate places in advance where the family is relocated by the Ministry of Defence, Foreign and Commonwealth Office or Government Communications HQ.
- 26.2 The best interests and needs of the child should be the focus of any discussions surrounding his or her admission to school. The process of identifying a child who may benefit from early confirmation of the result of a request for a school place should begin as early as possible and integration planned to make the process as smooth as possible.
- 26.3 A place will be allocated to a child in advance of the posting where necessary. Decisions on whether a place can be made available will be based on a Unit address in advance of a home address being confirmed. Where it is necessary to measure the distance to

school for the purposes of deciding priority in relation to other applicants, the main entrance of the Unit will be used.

- 26.4 The child shall have a parent who is a serving member of the UK Services with a confirmed posting to the area or other Crown servant returning from overseas to live in the area.

There is no intention to accept a Unit address or offer places earlier where the child already has a school place locally and the parent is seeking to transfer according to parental preference or where a member of the reserve forces moves from one part of the county to another without there being a posting. No additional places are created to meet demand created by postings to an area.

- 26.5 Where a family provides a letter from the Ministry of Defence, Foreign and Commonwealth Office or Government Communications HQ confirming a posting and relocation to an area a place can be offered and held open for up to 16 school weeks rather than the 8 school week limit detailed elsewhere. It should be noted that school holidays will not be counted when calculating school weeks.

- 26.6 There is no additional admissions priority permitted under the School Admissions Code for children of UK service personnel.

- 26.7 Children of UK service personnel admitted to Infant Classes are permitted exceptions to Key Stage One class size legislation. This means that where they would be the 31st child (or higher) in the class, they will not breach legislation and the school will not be required to take qualifying measures.

This is not a requirement for a school to admit, nor is it a guarantee of admission. The school may yet be full and unable to make a place available.

- 26.8 Children of UK service personnel posted to a new area are recognised as vulnerable and are included in the criteria of Devon's [Fair Access Protocol](#).

27 Gypsy, Roma or Traveller families

- 27.1 Families from Gypsy, Roma and Traveller communities are subject to frequent movement at short notice. This can mean that children of such families are disadvantaged educationally and have additional challenges when accessing education. Children from Gypsy, Roma and Traveller communities have a higher risk of underachievement or exclusion from school. The aim in Devon is to ensure that a place is allocated to a child as quickly as possible - within three working days of a request.

- 27.2 The School Admissions Code does not require a higher priority to be given to children of Gypsy, Roma and Traveller communities when admissions authorities set over-subscription criteria. Neither does it provide for the consideration of family background when deciding whether a place should be made available.

- 27.3 The best interests and needs of the child should be the focus of any discussions surrounding his or her admission to school. Early identification will enable all appropriate agencies to take a full part in decision-making and providing support to the child.

- 27.4 The term Gypsy, Roma and Traveller means both:
- Gypsies, including Romanies, Romanichals, Welsh Gypsies/Kaale, Scottish Gypsies/Travellers;
 - Irish Travellers, Minceir;
 - Roma from Eastern and Central Europe;

- Showmen (Fairground people);
- Circus people;
- Boat Travellers / Bargees;
- New Travellers or New Age Travellers; or
- the parent is engaged in a trade or business of such nature that requires them to travel from place to place.

Some Gypsy, Roma and Traveller families live in houses or on permanent sites for at least part of the year. The nature of the parents' work may mean that they travel at other times of the year. The term 'travelling' means travelling as part of the parents' trade or business. It does not mean travelling as part of a holiday or extended holiday.

- 27.5 Where there is doubt whether a child is a member of a Gypsy, Roma and Traveller family, advice of the Gypsy, Roma and Traveller Achievement (GRTA) will be sought. Confirmation will be sought that the family are recognised by the Service or by others in the community and that the family itself considers themselves as such.

That a family is not known to GRTA will not, of itself, preclude the family from being considered as being a part of the Gypsy, Roma and Traveller community. In such cases, GRTA will make enquiries to seek further information.

- 27.6 A member of the GRTA may make preliminary contact with a school to query the number of children on roll in the relevant Year Group(s). The GRTA will lead on issues such as additional support for the family. This may include resources, training or pupil support for the most vulnerable children.

Where there are literacy difficulties within a Gypsy, Roma and Traveller family, it may be necessary for a member of GRTA to complete any relevant application form. A parent will be invited to sign the form.

- 27.7 The responsibility for offering places lies with the School Admissions Service.

- 27.8 Children from Gypsy, Roma and Traveller families can be on the register at more than one school. This is known as dual registration. A base school is the school a child from a Gypsy, Roma or Traveller family most recently attended during the preceding 18 months, when the family was not travelling. This is the school of ordinary attendance. A child may not be removed from the roll of a base school within that period without authority to do so from the parent or in the absence of advice from GRTA or the Education Welfare Service.

A child from a Gypsy, Roma and Traveller family will not be removed from the roll of a base school just because he or she has registered at another school.

A child from a Gypsy, Roma and Traveller family may be removed from the roll of a school other than the base school if he or she is no longer attending. If a school requires specific advice regarding removing a child from its register, it should consult GRTA or the Education Welfare Service of the LA.

- 27.9 Schools should make provision to support children from Gypsy, Roma and Traveller families in enrolling, with particular reference to issues such as school uniform in order that their actions and requirements are not discriminatory. Parents will be asked to give as much notice as possible of dates when they will be travelling away in order to better plan on-going education and accurately record absence and attendance data.

- 27.10 While the aim is to admit a child from the Gypsy, Roma and Traveller community as quickly as possible, this may impact on transport arrangements. The Education

Transport Team will assist in this process as far as possible. Decisions regarding transport entitlement will be made without undue delay. However, the LA retains a responsibility to ensure that transport provision is managed efficiently. This may lead to a delay in provision during the transport provider tendering process. All parents are advised that transport will normally be provided within 5 working days.

- 27.11 Children of Gypsy, Roma and Traveller families are recognised as vulnerable and are included in the criteria of Devon's [Fair Access Protocol](#).

28 **School Uniforms**

Individual schools will ensure that other policies do not undermine the principles of fair access. This includes a requirement for expensive school uniform, sportswear or school visits or other activities, unless arrangements are put in place to ensure that parents on low incomes can afford them. Here, low income should mean those parents entitled to the maximum level of working tax credit or where the child is eligible for free school meals. Schools where there is a uniform should:

- ensure it is widely available, not from an expensive sole supplier;
- not operate as sole suppliers in order to raise additional school funds;
- have arrangements so that no family feels unable to apply for admission on account of high uniform or specialist equipment costs;
- operate discreet schemes for remission of cost. These schemes should be widely publicised and clearly explained in admissions or other literature provided by the school.

29 **Home-School Agreements**

The LA recognises the benefits of clear understanding and agreement of expectations between schools, parents and children. Schools will not ask parents to sign, or express a willingness to sign, Home-School Agreements before they have been offered a place at the school. The offer of a school place will not be conditional on signing an Agreement.

30 **School charges**

There is no charge to parents for applying for a place at any school, for admission or for the provision of education. No activities such as school visits are compulsory. A policy on charging for activities is available on request from the school and can be viewed on school websites.

31 **Objections**

For information on how to object to the terms of this or any other admissions policy or procedure, advice is available at www.schoolsadjudicator.gov.uk. A formal objection must be made by **15 March 2016**.

32 **Education Travel**

Parents should consider arrangements for transport to the school their child is to attend for the whole time he or she attends. Transport may be provided at no cost to the parent where the child is attending the designated school or the closest school available. Where a parent does not make an application for a school, this will be considered to be a deliberate decision with regard to school places. If a place would have been made available at a school closer to home had the parent applied when they could have

applied, transport will not be provided to a school further away from home.

Parents should review the [Education Travel Policy](#) for further information regarding transport to and from school, particularly in relation to low-income families, children attending the nearest school to home on the grounds of belief and exceptions to eligibility on the designated school grounds.

Parents should not rely on other arrangements continuing for the time their child is at a particular school. This includes the provision of particular public service routes and lift-share arrangements.

Parents are encouraged to use sustainable transport methods to get their child to and from school.

33 Applying the Policy

- 33.1 There are formal legal requirements which involve schools for which the LA is the admission authority being 'directed' to admit. Schools which are their own admission authority can be 'directed' to admit in some limited circumstances¹⁹.
- 33.2 Schools which are in Special Measures or Serious Weaknesses (or have been within the previous two years) or subject to a national priority improvement programme²⁰ will not be asked to admit over the PAN or other agreed limit, or to accept permanently excluded children, except by agreement with the governing body.
- 33.3 Children in Care, those previously in Care and those allocated a place in accordance with the [Fair Access Protocol](#) will take precedence over children already on any waiting list²¹.
- 33.4 It is necessary that the information available to the LA regarding the numbers of children on roll in any Year Group at any school is accurate and up to date. It is also important in order to assist in a process of safeguarding children that every child's education arrangements are known. To these ends, each school will alert the School Admissions Service to leavers without delay so that:
- vacancies can be identified;
 - the leaver's whereabouts tracked.
- 33.5 Further, each school will alert the School Admissions Service without delay where a child who has been offered a place does not present at the school for admission within five school days of the offer date.
- 33.6 Schools which are their own admission authority will need to consider requests for places promptly. Meetings of their governing body or academy trust or the admissions committee of the governing body or academy trust may need to be convened at short notice in order to limit the amount of time a parent waits for a decision. No single person at a school, including the headteacher or principal, may make a decision on an admission.
- 33.7 Some schools may wish to delegate decisions to the School Admissions Service or other agent under pre-agreed circumstances. Such decisions would be made on behalf of the school. Any agreement would confirm that contentious admission decisions would not be

19 Code: from paragraphs 3.16

20 or equivalent category replacing these categories at any time.

21 Code: paragraph 2.14

made without reference to the school.

34

Standard Admissions

- 34.1 Where a child can be offered a place at a school according to parental preference and under the PAN or other agreed limit for the relevant Year Group, the child will be admitted as a **Standard** admission, taking into account:
- parental preference; and
 - the numbers on roll and vacancies at the preferred school or schools.
- 34.2 Children may be admitted as **Standard** admissions whether the application was made direct to the school or through the LA.
- 34.3 Where a school has reached its PAN or Admission Limit in a Year Group, a child will not be admitted as a **Standard** admission until a vacancy arises and the number on roll in the Year Group has fallen below the PAN or other Admission Limit.

35

Setting Agreed Admission Limits or Working PANs

- 35.1 Formal Published Admission Numbers (PANs) only apply to Year Groups that are normal intakes to a school, subject to either the [Primary or Secondary Co-ordinated Admissions Schemes](#). While it is anticipated that the PAN figure will follow a cohort through a school, it may be changed in response to a change in circumstances at a school. This may be where accommodation is removed or put to another purpose or where registration forms are not used. In these cases, the Year Group will operate with an agreed admission limit (AL) or working PAN.

An AL applies for every admission application to a school. ALs cannot be set which apply only to groups of children such as those who live in the designated area or who satisfy faith criteria. If the school declares that it can admit more children than the originally set PAN, this applies to all applicants. This is not the same as admissions over-PAN which are allowed in recognition of the personal circumstances of an applicant, where the detriment to the child by not being admitted to that school outweighs the prejudice there would be to efficient education or the efficient use of resources.

Where the number of children on roll in a year group at a secondary school is at a low level and the school has organised after Year 7 with fewer forms of registration or admission than was planned for the cohort's intake into the school, an AL may be agreed with the LA. This should be in whole forms of registration or admission in recognition of the prejudice to efficient education or the efficient use of resources the school would experience should an additional form be required.

For example, a school may have planned for 6 forms of entry, organised in forms of 30 children. Prejudice to efficient education would be at 180. If 140 children are admitted, the school would organise with 5 forms of entry, with prejudice being at 150. In this case, from Year 8 an AL of 150 should be considered and set at the beginning of an academic year.

An AL should not be set lower than the number of children on roll. In all cases, the 3% over-PAN provision of the Fair Access Protocol will apply to the AL as it would to the PAN itself.

- 35.2 Lower ALs at primary school will rarely be whole forms of entry below the originally determined PAN. Nevertheless, in all cases, they should reflect the prejudice level for the year group.
- 35.3 ALs may also be higher than the originally determined PAN. They will reflect changes to

the school's organisation or accommodation which allow for more children to be admitted. The new limit should reflect the prejudice level for the year group.

36

Exceptions to Standard Admissions

36.1

Moving between schools

Where a place is offered, this will be as soon as can be arranged with the school except:

Moving between schools

Where there is no significant change of circumstances, such as a change of home address, but the parent expresses a wish to change schools, the LA will offer a place on behalf of the school's admission authority to be taken up:

- at the beginning of the next term or
- at the beginning of the next half-term so long as that is not less than ten school days in advance or

The School Admissions Service may inform the Education Welfare Service and the school of any approach so that perceived difficulties can be addressed. Unnecessary transfers should be avoided if possible.

While the presumption will be that children in these circumstances will not move before the next term or half-term, a child may transfer sooner. This will be where both schools exceptionally agree that it would be in the best interests of the child to do so. This may include an agreement to transfer at the beginning of the autumn term or before the October school census, recognising that parents may not have been in a position to discuss the reasons behind a request to transfer during the summer holidays but may wish to secure a move and settle the child into a new school at the beginning of the academic year.

There may be an agreement locally such that offers will only be for the beginning of the new term rather than also at the beginning of a new half-term. Such an agreement would not prevent earlier admission where both schools are in agreement that this is appropriate or where the admission arrangements for a school limit the offer of a place to no further in advance than 12 weeks or other specified period.

36.2

Children in Care

No child will be admitted as a **Standard** admission where a school is at or above its PAN or other agreed admission limit except Children in Care

A Child in Care or those who were in Care but ceased to be so because they were adopted, made the subject of a child arrangements order or of a special guardianship order will be admitted to the school even where it is at or above the PAN or other agreed limit. The School Admissions Service will contact the LA Social Care Manager if parental responsibility appears unclear. If the placement is likely to be of short duration, it may be best to leave the child at his or her current school place.

Only where the school can demonstrate **significant** detriment to efficient education or the efficient use of resources may it lawfully refuse admission to a Child in Care. It is not lawful to refuse a Child in Care on behavioural grounds and referral to the Fair Access Protocol.

36.3

Children with a Statement of SEN or an Education, Health and Care Plan (EHC)

No child will be admitted as a **Standard** admission where a school is at or above its PAN or AL except children with a Statement of SEN or an Education, Health and Care Plan (EHC) who will be admitted to the named school, whatever the number on roll.

- 36.4 Where a child is unable to be admitted to a school as a **Standard** admission, he or she will be considered under the Fair Access Protocol as a **Fair Access** or **Reintegration** admission.

37 **Exceptional Need for Admission to a School**

- 37.1 Devon's admission arrangements for community and VC schools allow for higher priority for children where there is an exceptional need for a child to attend a specific school and not another. The need must be specific to that school: a child may have very challenging circumstances that require additional support but if that support could also be provided at another school, there would be no exceptional need to attend a specific school. Exceptional need could include:

- A serious medical condition, which can be supported by medical evidence;
- The death of a parent associated with another school;
- Significant caring responsibilities which can be supported by a social care officer;
- Where one or both parents or the child has a disability that may make travel to another school further away more difficult.

These examples are not meant to be exhaustive or exclusive. Neither should it be assumed that similar circumstances would impact on different children and families in the same way.

- if there are medical reasons that make it essential for a child to attend one school, parents must provide supporting information from a doctor together with any other relevant information by the application closing date
- this must make a compelling case as to why the child's needs can only be met at that school, a medical condition in itself will not automatically result in a place being required at the school. It is not essential for the doctor to name the school but the evidence should explain exactly what the child's needs are and what specialist support and facilities the child requires.
- The LA may seek its own medical advice to establish whether the school is the only school that could meet the child's needs. In most cases, the LA would only expect to agree medical need for a school place at a specific school if a child has an Education, Health and Care Plan or a Statement of SEN as a result of their medical situation.
- if parents want a place at a specific school for other exceptional reasons, they must provide independent evidence from a professional who is supporting the family.
- this evidence must demonstrate that it is essential for the child to attend that school and no other school.
- the supporting evidence must set out the particular reasons why the school is the most suitable and the difficulties that would be caused if the child had to attend another school. It is not essential for the professional supporting the family to have in depth knowledge of the school but the evidence must explain exactly what the child needs, and what specialist support and facilities are required.
- The LA may seek its own advice to establish whether the school is the only school that could meet the child's needs.

- 37.2 Exceptional need for admission will not be accepted on the grounds that

- a child may be separated from a friendship group

- there is a wish not to be in the same school as children from the current or previous school
 - child care arrangements before or after school would have to be changed
 - transport arrangements would have to be changed
 - a medical condition such as mild asthma that does not require specialised treatment
 - a child has a particular interest or ability in a subject or activity.
- 37.3 Where there is exceptional need for admission to a school, the child will be given a higher priority for admission but not a guarantee of a place. If the Year Group is already full, there will still need to be a decision on whether the disadvantage to the child outweighed the prejudice to efficient education or the efficient use of resources at the school should another child be admitted. Where it is agreed that there is an exceptional need for a child to be admitted at the normal round intake, priority under oversubscription criterion 2 will mean it is likely that the application will be successful and a place offered.
- 37.4 Evidence from a relevant professional, independent of the family will be required. It is expected that this will provide a reasoned and unequivocal opinion establishing why the child would suffer a significant detriment by not being admitted to the school. Evidence should be from a GP, consultant or other health care worker or social care officer working with the child. Without satisfactory supporting evidence, the LA will not prioritise an application as demonstrating exceptional need, meeting oversubscription criterion 2.
- 37.5 Parents can indicate on Devon's common application forms that they believe there is an exceptional need for admission here. The onus is on parents to submit their supporting evidence and to provide further evidence if requested to do so. Parents who apply using a common application form from another LA without a tick box for exceptional need should put a note in the reasons for their preference that they are requesting exceptional need priority and will be providing the required supporting evidence.
- If it is agreed that exceptional need has been demonstrated, the LA will advise the school and parent that the application is considered to meet oversubscription criterion 2. Where it is not agreed that the need is exceptional, the application will be prioritised according to our other oversubscription criteria.
- 37.6 Most own admission authority schools in Devon operate with this oversubscription criterion.

Policy History				
Date	Summary of change	Contact	Implementation date	Review date
12/2014	2016-17 In-Year Co-ordinated Admissions Scheme consultation	Policy and Strategy Officer (Education)	9/2015	11/2015
3/2015	Scheme considered by School Organisation, Capital and Admissions Group	As above		
8/4/2015	Scheme determined by Cabinet of Devon County Council	As above		
12/2015	2016-17 In-Year Co-ordinated Admissions Scheme consultation	As above	9/2016	11/2016

**The Year Groups for ranges of Dates of Birth
for the 2016-17 academic year**

	DOB from	DOB to
Sixth forms		
Year 14	01 Sep 1995	31 Aug 1996
Year 14	01 Sep 1996	31 Aug 1997
Year 13	01 Sep 1997	31 Aug 1998
Year 12	01 Sep 1998	31 Aug 1999
Secondary schools		
Year 11	01 Sep 1999	31 Aug 2000
Year 10	01 Sep 2000	31 Aug 2001
Year 9	01 Sep 2001	31 Aug 2002
Year 8	01 Sep 2002	31 Aug 2003
Year 7	01 Sep 2003	31 Aug 2004
Primary schools		
Year 6	01 Sep 2004	31 Aug 2005
Year 5	01 Sep 2005	31 Aug 2006
Year 4	01 Sep 2006	31 Aug 2007
Year 3	01 Sep 2007	31 Aug 2008
Year 2	01 Sep 2008	31 Aug 2009
Year 1	01 Sep 2009	31 Aug 2010
Reception	01 Sep 2010	31 Aug 2011

Oversubscription Criteria - Infant and Primary Schools 2016-17

if there are more applications than places for in-year admissions

Any child whose Education, Health and Care Plan or Statement of Special Educational Needs names the school will be admitted. Where the number of applications exceeds the number of places available in the Year Group (the Admission Limit) the following oversubscription criteria will be used to prioritise applicants:

- 1 Children in Care or who ceased to be in Care because they were adopted or made the subject of a child arrangements order or made the subject of a special guardianship order.**
- 2 Children for whom an exceptional medical or social need is demonstrated.**
- 3 Children living in the designated area with a sibling attending the school (or a linked junior school) on the date of application.**
- 4 Other children living in the designated area.**
- 5 Children living outside the designated area, but with a sibling attending the school (or a linked junior school) on the date of application.**
- 6 Children of members of staff employed for more than two years up to the point of application or recruited within the past two years to fill a vacancy for which there was a skills shortage.**
- 7 Other children.**

Notes to Oversubscription Criteria

- a) For infant schools, if it is necessary to differentiate between children in category 3 or category 5, those children with a sibling attending the school will have priority over those with a sibling attending the linked junior school
- (a) Tie-breaker: if it is necessary to distinguish between children in a particular category, priority will be determined on the basis of distance between home and the school. This will be measured in a direct line from the entrance of the residential dwelling, to the school's yellow establishment marker as plotted on the LA's Mapscape (GIS). The shorter the distance, the higher the priority. Where necessary, measurements will be to the closest metre. Parents should note that the direct line policy does not apply to school transport decisions. This means that the closest school for admissions purposes may not be the closest school for the purposes of entitlement to school transport supported by the LA.
- b) Further Tie-breaker: if the tie-breaker above is not sufficient to distinguish between applicants in a particular category, there will be a random ballot. This will be undertaken by the Admissions Manager by the operation of an electronic list randomiser.
- c) Where applications are received from families with multiple birth siblings (twins, triplets, etc.), every effort will be made to allocate places here, including offering place(s) above the Admission Limit wherever possible. This recognises the exceptional nature of the emotional bonds between multiple birth siblings. Where that is not possible, parents will be invited to decide which of the children should be allocated the available place(s) or seek admission to an alternative school with sufficient vacancies to accommodate both or all of the multiple birth siblings.
- d) Multiple birth siblings admitted where one would be the 30th child in a Key Stage 1 class will be considered to be exceptions to Key Stage 1 class size legislation. This is not a guarantee of admission as it may be there is insufficient space in the classroom to admit another child, even one who is a permitted exception to Key Stage One class size limits.
- e) Waiting lists are kept where there are more applications than places available. Waiting lists will be kept so long as there is at least one name on it.
- f) Where two or more children reside within a block of flats, they will be deemed to live at an equal distance from the school.
- g) For children of UK service personnel and other Crown Servants the school will consider a family posted to the area as meeting residence criteria for the designated area even if a residential address has not been identified. This would require confirmation in the form of a

letter from the relevant government department (for example, the Ministry of Defence, the Foreign and Commonwealth Office or Government Communications Headquarters.)

- h) A child of a service family admitted in-year to a Key Stage 1 class will be considered to be an exception to Key Stage 1 class size legislation where he or she would otherwise be prioritised as the 31st child in the class or higher. This is not a guarantee of admission as it may be there is insufficient space in the classroom to admit another child, even one who is a permitted exception to Key Stage One class size limits.
- i) Where applications are made at the same time for two children who are not multiple birth siblings, (sometimes referred to as contemporaneous admissions) the application will not be considered under the 'sibling' criteria.
- j) For criterion 2, priority will be given to the admission of a child for whom an exceptional medical or social need to attend that particular school and no other is demonstrated, including where a child is admitted to a special educational needs support centre at the school.
- k) A member of staff will be any salaried person employed at the school. Where the duties of a member of staff employed are undertaken at different schools, there will be admissions priority only at one school. It is expected that this will be the school where he or she has worked for the majority of the previous year.

Oversubscription Criteria – Junior Schools 2016-17
if there are more applications than places for in-year admissions

Any child whose Education, Health and Care Plan or Statement of Special Educational Needs names the school will be admitted. Where the number of applications exceeds the number of places available in the Year Group (the Admission Limit) the following oversubscription criteria will be used to prioritise applications:

- 1 Children in Care or who ceased to be in Care because they were adopted or made the subject of a child arrangements order or made the subject of a special guardianship order.**
- 2 Children for whom an exceptional medical or social need is demonstrated.**
- 3 Children living in the designated area with a sibling attending the school (or a linked infant school) on the date of application.**
- 4 Other children living in the designated area.**
- 5 Children living outside the designated area, but with a sibling attending the school (or a linked infant school) on the date of application.**
- 6 Children of members of staff employed for more than two years up to the point of application or recruited within the past two years to fill a vacancy for which there was a skills shortage.**
- 7 Other children.**

Notes to Oversubscription Criteria

- a) For junior schools, if it is necessary to differentiate between children in category 3 or category 5, those children with a sibling attending the school will have priority over those with a sibling attending the linked infant school
- b) Tie-breaker: if it is necessary to distinguish between children in a particular category, priority will be determined on the basis of distance between home and the school. This will be measured in a direct line from the entrance of the residential dwelling, to the school's yellow establishment marker on the LA's Mapscape (GIS). The shorter the distance, the higher the priority. Where necessary, measurements will be to the closest metre. Parents should note that the direct line policy does not apply to school transport decisions. This means that the closest school for admissions purposes may not be the closest school for the purposes of entitlement to school transport supported by the LA.
- c) Further Tie-breaker: if the tie-breaker above is not sufficient to distinguish between applicants in a particular category, there will be a random ballot. This will be undertaken by the Admissions Manager by the operation of an electronic list randomiser.
- d) Where applications are received from families with multiple birth siblings (twins, triplets, etc.), every effort will be made to allocate places here, including offering place(s) above the Admission Limit wherever possible. This recognises the exceptional nature of the emotional bonds between multiple birth siblings. Where that is not possible, parents will be invited to decide which of the children should be allocated the available place(s) or seek admission to an alternative school with sufficient vacancies to accommodate both or all of the multiple birth siblings.
- e) Waiting lists are kept where there are more applications than places available. Waiting lists will be kept so long as there is at least one name on it.
- f) Where two or more children reside within a block of flats, they will be deemed to live at an equal distance from the school.
- g) For children of UK service personnel and other Crown Servants the school will consider a family posted to the area as meeting residence criteria for the designated area even if a residential address has not been identified. This would require confirmation in the form of a letter from the relevant government department (for example, the Ministry of Defence, the Foreign and Commonwealth Office or Government Communications Headquarters.)

- h) Where applications are made at the same time for two children who are not multiple birth siblings, (sometimes referred to as contemporaneous admissions) the application will not be considered under the 'sibling' criteria.
- i) For criterion 2, priority will be given to the admission of a child for whom an exceptional medical or social need to attend that particular school and no other is demonstrated, including where a child is admitted to a special educational needs support centre at the school.
- j) A member of staff will be any salaried person employed at the school. Where the duties of a member of staff employed are undertaken at different schools, there will be admissions priority only at one school. It is expected that this will be the school where he or she has worked for the majority of the previous year.

**Oversubscription Criteria - Secondary Schools 2016-17
but not including St Luke's Church of England Science and Sports College**
if there are more applications than places for in-year admissions

Any child whose Education, Health and Care Plan or Statement of Special Educational Needs names the school will be admitted. Where the number of applications exceeds the number of places available in the Year Group (the Admission Limit) the following oversubscription criteria will be used to prioritise applications:

- 1 Children in Care or who ceased to be in Care because they were adopted or made the subject of a child arrangements order or made the subject of a special guardianship order.**
- 2 Children for whom an exceptional medical or social need is demonstrated.**
- 3 Children living in the designated area with a sibling attending the school at the time of application.**
- 4 Other children living in the designated area.**
- 5 Children living outside the designated area, but with a sibling attending the school at the time of application.**
- 6 Children of members of staff employed for more than two years up to the point of application or recruited within the past two years to fill a vacancy for which there was a skills shortage.**
- 7 Other children.**

Notes to Oversubscription Criteria

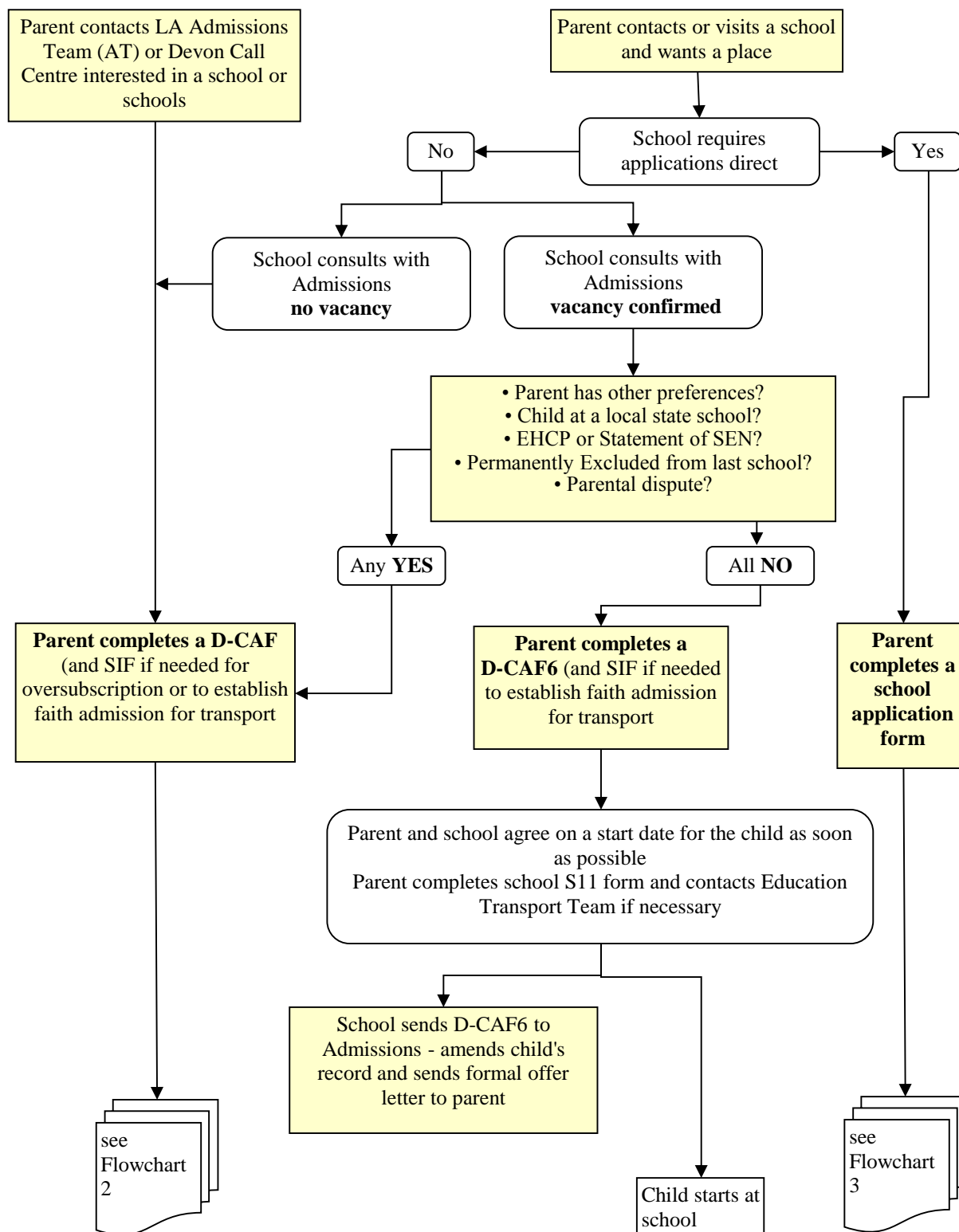
- a) Tie-breaker: if it is necessary to distinguish between children in a particular category, priority will be determined on the basis of distance between home and the school. This will be measured in a direct line from the entrance of the residential dwelling, to the school's blue establishment marker on the LA's Mapscape (GIS). The shorter the distance, the higher the priority. Where necessary, measurements will be to the closest metre. Parents should note that the direct line policy does not apply to school transport decisions. This means that the closest school for admissions purposes may not be the closest school for the purposes of entitlement to school transport supported by the LA..
- b) Further Tie-breaker: if the tie-breaker above is not sufficient to distinguish between applicants in a particular category, there will be a random ballot. This will be undertaken by the Admissions Manager by the operation of an electronic list randomiser.
- c) Where applications are received from families with multiple birth siblings (twins, triplets, etc.), every effort will be made to allocate places here, including offering place(s) above the Admission Limit wherever possible. This recognises the exceptional nature of the emotional bonds between multiple birth siblings. Where that is not possible, parents will be invited to decide which of the children should be allocated the available place(s) or seek admission to an alternative school with sufficient vacancies to accommodate both or all of the multiple birth siblings.
- d) Waiting lists are kept where there are more applications than places available. Waiting lists will be kept so long as there is at least one name on it.
- e) Where two or more children reside within a block of flats, they will be deemed to live at an equal distance from the school.
- f) For children of UK service personnel and other Crown Servants the school will consider a family posted to the area as meeting residence criteria for the designated area even if a residential address has not been identified. This would require confirmation in the form of a letter from the relevant government department (for example, the Ministry of Defence, the Foreign and Commonwealth Office or Government Communications Headquarters.)
- g) Where applications are made at the same time for two children who are not multiple birth siblings, (sometimes referred to as contemporaneous admissions) the application will not be considered under the 'sibling' criteria.

- h) For criterion 2, priority will be given to the admission of a child for whom an exceptional medical or social need to attend that particular school and no other is demonstrated, including where a child is admitted to a special educational needs support centre at the school.
- i) The criteria for St Luke's Science and Sports College, Exeter include aptitude criteria. They can be found at: www.devon.gov.uk/admissionarrangements
- j) A member of staff will be any salaried person employed at the school. Where the duties of a member of staff employed are undertaken at different schools, there will be admissions priority only at one school. It is expected that this will be the school where he or she has worked for the majority of the previous year.

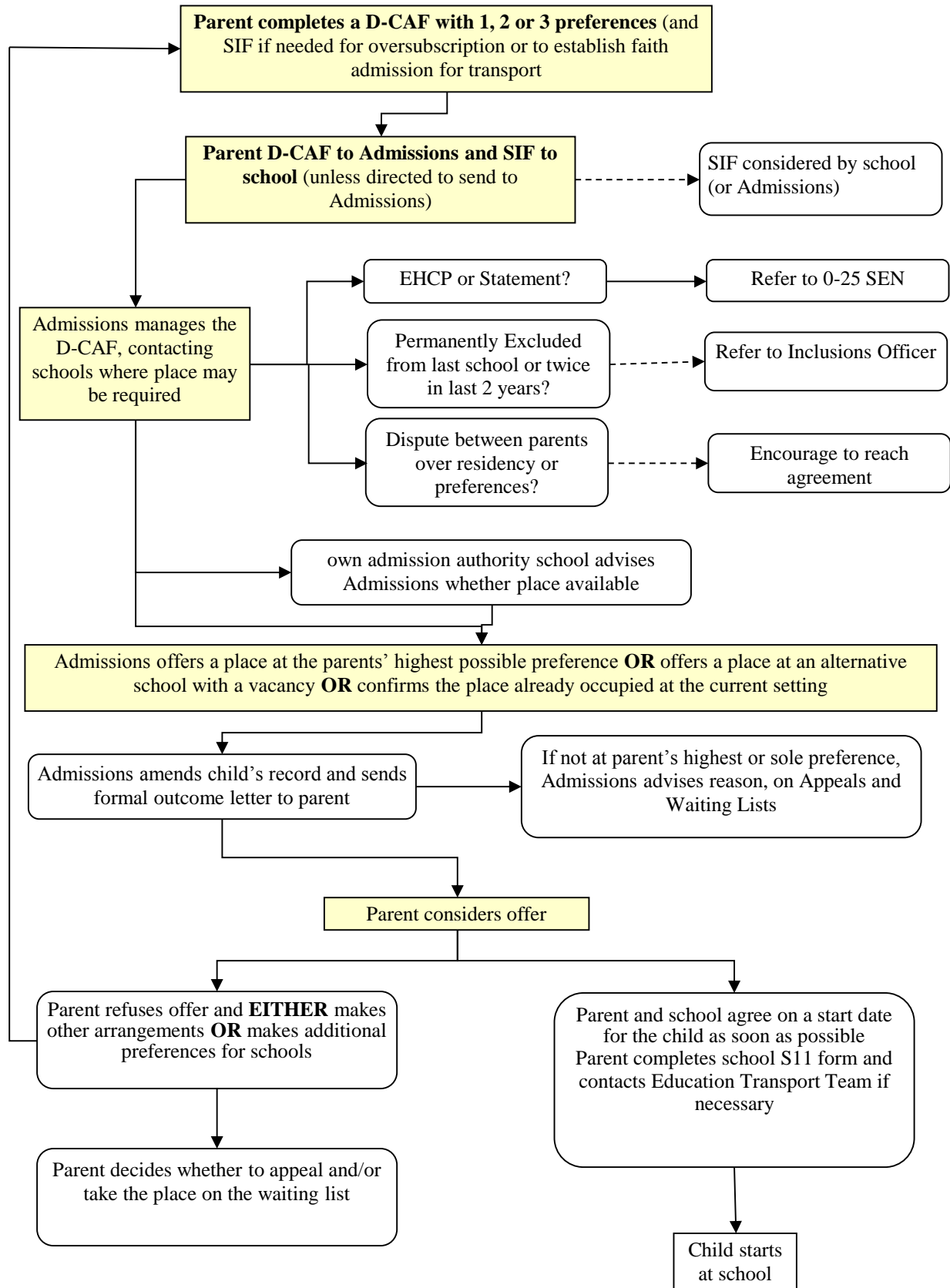
**List of Schools with Determined Admission Arrangements Requiring Applications for
Admission Direct to the School 2016-17**

Colyton Grammar School
Pilton Bluecoat Church of England Academy
Sparkwell All Saints Primary School
Steiner Academy Exeter
St Peter's Church of England Aided School, Exeter

Flowchart 1



Flowchart 2



Flowchart 3

