

# **Education and Skills**

## **Pupil Entitlement – Admissions**

### **THE WEST SUSSEX AGREED PROTOCOL FOR ALL IN-YEAR PUPIL ADMISSIONS**

#### **1. Objective**

To achieve an effective process for in-year admissions that is applied with transparency and consistency across the county.

#### **2. School Admissions Code**

2.1 The School Admissions Code 2014 requires the following:-

- The Local Authority to publish how in-year applications can be made and will be dealt with.
- The Local Authority to, on request, provide information about the places available in schools within its area.
- The Local Authority to provide a suitable application form for applicants to complete when applying for any school for which it is not the admission authority.
- Admission authorities to notify the Local Authority of applications for their school as and when they are received.
- Admission authorities to notify the Local Authority of outcomes of applications for their school as and when decisions are made.
- Admission authorities to advise each applicant of their right of appeal against the refusal of a place
- Admission authorities to keep the Local Authority up to date on the number of places available at their school.

#### **2.2 What is an in-year application?**

An in-year application is an application for a place at a school during the academic year or for entry to a year group which is outside the normal starting school and transfer processes.

2.3 West Sussex County Council (WSCC) will continue to process the in-year admissions for all Community and Controlled schools and to coordinate admissions for the majority of Own Admission Authorities (OAA) schools. We strongly believe that Local Authority coordination contributes to the safeguarding of children.

### **3. In-year admissions process for Community and Voluntary Controlled schools and OAA schools where WSCC coordinate.**

- 3.1 The Local Authority receives applications and coordinates admissions for Community and Voluntary Controlled schools and OAA schools where there has been a request to do so.
- 3.2 WSCC provides an online form for applicants and encourages applicants to express up to **three** preferences on their application. Applicants who are unable to access the online form can request a paper form by telephoning 03330 142903.
- 3.3 In-year applications are processed in strict order of the date they are received. The exception to this is applications that are received for a September entry (apart from the intake year). These applications will be accepted from 20 May and will be processed from 1 June. In-year applications for September received on or before 19 May will be returned to the applicant and must be resubmitted on or after 20 May. These applications will be managed and places allocated based on their priority under the oversubscription criteria. Where preferences cannot be met, parents will be advised of how to enter onto the waiting list and their right of appeal.

The reason that we do not process in year applications for September before the 1<sup>st</sup> June is to ensure that parents wishing to take up places immediately have priority up until the 1<sup>st</sup> June, after that time all applications are treated equally according to the oversubscription criteria.

- 3.4 On receipt of the completed in-year application the Pupil Admissions Team will check the detail to ensure that it has been completed in full, validate the address and, from the information provided, identify whether the child is a Child Looked After (CLA), has Special Educational Needs or Disability (SEND) or meets the criteria for consideration under the Fair Access Protocol.
- 3.5 If the information provided indicates that the application may meet the criteria for consideration under the Fair Access Protocol, an IYA2 form will be sent to the current/latest school, provided this was in the United Kingdom. The form should be returned within 5 school days.  
NB: There is no legal requirement for schools to complete an IYA2 and if no IYA2 is received within 5 school days then the application will proceed as normal and an offer will be made. Schools should admit the child but may refer any details that come to light following the admission to the Fair Access Team, to enable the placement to be noted as a Fair Access admission.
- 3.6 The Pupil Admissions Team will consider the preferences named on the application against the numbers on roll at the named schools. If there is availability at more than one of the named schools, a place will be offered at the highest available preference and all lower preferences will be disregarded.

- 3.7 Parents not offered a place at one of their preferred schools are allocated a place at their catchment school where possible, or the next nearest alternative school with space if their catchment school is full.
- 3.8 Only the Pupil Admissions Team or the Fair Access Team will issue the offer letter to an applicant and schools should not indicate the outcome to the applicant until the offer letter has been sent. The offer letter will advise the applicant of their right of appeal if the team are unable to offer a place at a higher preference school.
- 3.9 A copy of the offer letter and the application form will be sent by email to the offered school. Once this has been received the school should make contact with the parents to welcome the child and make the arrangements for them to start.
- 3.10 Applicants are advised that their child must start at the offered school within 10 school days from the date of the letter. All schools must complete an 'on roll' form within 5 schools days of the child being placed on roll in accordance with the 'on roll' procedure.
- 3.11 If the offered school is unable to make contact with the applicant within 10 school days, schools must advise the Pupil Admissions Team who will make every effort to contact the applicant. The offer will not be withdrawn until the Pupil Admissions Team is satisfied that the child will not be attending the offered school and that they are receiving suitable education elsewhere. Schools must keep a place for the child until advised otherwise by the Pupil Admissions Team.
- 3.12 Waiting lists for all schools where WSCC coordinate in year admissions will be maintained by the Pupil Admissions Team. Children are placed on the waiting list based on their priority under the oversubscription criteria. Schools must notify the Pupil Admissions Team if there is any movement within year groups to enable them to offer to the next child on the waiting list.
- 3.13 Children can only be placed on waiting lists for higher preference schools they have applied for and been refused in writing. Parents must notify the Pupil Admissions Team in writing if they wish their child to be added to a waiting list(s).
- 3.14 The Pupil Admissions Team will confirm to the school once a waiting list offer has been made.
- 3.15 Waiting lists will be cleared at the end of the Autumn Term. Parents must write to the Pupil Admissions Team in December if they wish their child to be placed on a new waiting list from January.
- 4 In-year admission process for Own Admission Authority (OAA) Schools who coordinate their own applications.**
- 4.1 WSCC provides an online application form for parents to apply for OAA schools who coordinate their own in-year applications. Schools may also

wish to create their own form using the school logo for parents who contact the school directly, or who are unable to access the WSCC online system.

- 4.2 WSCC Online form asks parents to name only **one** preference. If applicants want to apply for more than one OAA school they must complete a separate form for each OAA school.
- 4.3 All applications received by the Pupil Admission Team for OAA schools who coordinate their own in-year admissions will be forwarded to the school for consideration. Schools are expected to consider all applications regardless of which form is completed.
- 4.4 WSCC online form asks applicants to complete information relating to their child which is permitted under the School Admissions Code 2014 that might be relevant to determining admission.
- 4.5 Schools that require additional information in order to apply their admission criteria may use a Supplementary Information Form (SIF).
- 4.6 OAA schools must consider each application in accordance with their published admission criteria. If there is no vacancy in the year group the decision is likely to be straightforward. However, if the school has a vacancy, the only reasons why a school might not be able to indicate an offer are if the child has been permanently excluded from two or more schools. In this case the requirement to comply with a preference is removed for a period of two years following the latest exclusion; or
  - has an Education, Health and Care Plan (EHCP) that names another school in the plan; or
  - meets the relevant criteria under the Fair Access Protocol to be referred for placement by the Fair Access Team.
- 4.7 If an application is received and the year group has a vacancy, the school must first make sure that there is no waiting list. If there is a waiting list, any new application must be ranked against the admission criteria and placed in the appropriate place on the list. The available place must then be offered to the child with the highest priority.
- 4.8 Where a place cannot be offered, the applicant must be notified in writing and the outcome letter must advise the applicant of their right of appeal and give details of the waiting list process.
- 4.9 OAA's must make an offer within 10 school days. If, following the offer no response is received from the parent after 10 schools days from the date of offer, the school must make all reasonable efforts to contact the applicant before making a decision to withdraw the offer. This must include contacting the Pupil Admissions Team as they may have information relating to the applicant.

- 4.10 As soon as the outcome of an application has been made, the school must notify the Pupil Admissions Team. Where an offer is made schools **must** complete an On Roll form within **5 school days** of the child being placed on roll. If there is no vacancy, schools must notify the Pupil Admissions Team as soon as possible after the application is received.
- 4.11 Waiting lists will be maintained by each school. Applicants should not be placed on a waiting list until they have made a formal application and been refused a place in writing.
- 4.12 Waiting lists must be ranked in accordance with the oversubscription criteria. Priority cannot be given to a child based on the date their application was received or when they requested to go on the list.
- 4.12 If a waiting list position is provided to an applicant, the school must not give any likely indication of when a place may become available. Parents must be reminded that their position on the list may go down as well as up if another child joins the list with a higher priority based on the oversubscription criteria.
- 4.13 No one individual is permitted to make an admission decision. OAA schools are advised to take this into account when considering how admission decisions will be made.
- 4.14 If an OAA school allocates a place from their waiting list they must notify the Pupil Admissions Team of the child who receives the offer.

## **5 Applications to an Out of County school and sharing details of Out of County applicants with other Local Authorities**

- 5.1 If an applicant wishes to apply for an out of county school they should complete the relevant Local Authority's in-year application form and return it, as directed by that Local Authority.
- 5.2 Where the Local Authority receives an application from a child who lives outside of West Sussex, the process for considering a place is the same as for children living within West Sussex. The Pupil Admissions Team will share details of the application and the outcome with the relevant home Local Authority to ensure that they can meet their duties with regard to tracking and safeguarding of children.

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

- 6.1 Schools are reminded that local Authorities must secure school placements for Children Looked After within 20 school days. As such, applications for CLA must be considered quickly to prevent any delay in their admission.

## **7 Enquiries from applicants**

- 7.1 If an applicant approaches a school about availability of places and there is a vacancy within the relevant year group, schools should be mindful that there may be other applications pending when advising of any vacancies. Problems occur when schools indicate to parents that they have a space for their child without checking with the Pupil Admissions Team for any outstanding applications.
- 7.2 If there are no vacancies, applicants must be advised of their right to make a formal application to allow them the opportunity to have their child placed on the waiting list and of their right of appeal. OAA schools should make parents aware of their application form and Community and Voluntary Controlled schools should direct parents to the West Sussex website [www.westsussex.gov.uk/admissions](http://www.westsussex.gov.uk/admissions).
- 7.3 No applicant should be required to disclose the details of the child when making a general enquiry regarding vacancies.
- 7.4 If a request is received from an applicant to view a school, arrangements should be made for this to happen as this will help the applicant decide if it is the right school for their child. A visit should not be refused on the grounds that there is no vacancy at the school, as an applicant still has the right to state a preference for the school and, if it is not possible to offer a place, the applicant can appeal against the decision.
- 7.5 If an applicant is moving into the area and wishes to apply for a West Sussex school before they have a confirmed address they may do so, but the address used when processing the application will be the address where the child is currently living. If an offer is made, it must be accepted within 10 school days and it is the parent's responsibility to ensure that their child arrives on-time every day.

## **8 Other matters:**

- 8.1 No applicant or child should be interviewed as any part of the application or admission process, unless it is to assess suitability for boarding. If schools meet applicants before admission, for example at an open evening or a visit to the school prior to an application being submitted, it should be made clear that the meeting forms no part of the admission process, and cannot be used to select between applicants on a waiting list.
- 8.2 A school must not refuse to admit a child on the basis of their behaviour elsewhere, nor should they refuse to admit a child thought to be potentially disruptive, or who has exhibited challenging behaviour on the grounds that the child ought first to be assessed for Special Educational Needs. (See the section on Fair Access).
- 8.3 Admissions should not be delayed for a child who has English as an additional language. All applicants must be considered in accordance with the school's admission criteria, and if a place is subsequently offered, arrangements should be made to admit the child within 10 schools days.

- 8.4 If the child is attending another school, the earliest start date can be negotiated to take into account any exceptional circumstances of the child, e.g. where a child is due to take exams at their original school. A reasonable maximum length of time that a place should be held open for is 10 school days. However, this may be extended up to 4 weeks if parents wish their child to start at the beginning of the new term. Where there are no exceptional circumstances, it is reasonable to expect the child to start as soon as possible.

## **9 Fair Access Protocol**

- 9.1 Schools should refer to the West Sussex Primary and Secondary Fair Access Protocol which sets out the criteria for placement under the Protocol and the process for admission.
- 9.2 Additional fair access questions will be asked of all applicants applying for a secondary school and for a primary school where needed. This information will be used to establish whether the child should be considered as a fair access placement and to identify if there are any issues with a placement at a particular school.
- 9.3 Where a child is currently attending a school in the United Kingdom an IYA2 form will be sent to the current school to help identify if a pupil meets the criteria for fair access.
- 9.4 The fair access questions will be checked to identify if there might be any issues regarding placement e.g. any fixed term exclusions, very poor attendance or if a child is currently out of school, if there is data that needs to be shared with other services (privately fostered, at risk) or if the child should be categorised as a Fair Access placement.
- 9.5 It is only appropriate for own admission authority schools to delay admission to a child if they meet the criteria for Fair Access and a placement is being sought through the Pupil Placement Panel. In these cases the schools should refer the case to the Fair Access Team. In all other cases the school should admit the child but may refer any details that come to light following the admission to the Fair Access Team so that the placement may be logged as a Fair Access admission.
- 9.6 If a child lives out of county the Fair Access Team will liaise with the home Local Authority to establish the best placement for the child.

## **10 On Roll/Off Roll forms & Safeguarding**

### **On Roll Forms**

#### **The Education (Pupil Registration) (England) (Amendment) Regulations 2016**

All schools must notify the local authority within five school days of adding a pupil's name to the admission register and must provide the local

authority with all the information held within the admission register about the pupil. This duty does not apply to pupils who are added to the admission register at the start of the school's normal year of entry – for example pupils who are registered at a secondary school at the start of Year 7 – unless the local authority also requests for such information to be provided.

### **Off Roll Forms**

Schools should be adhering to the Pupil Registration Regulations 2006, with amendment of 2016 which states it is compulsory to notify the LA of any removals. The Pupil Registration Regulations 2006 set out when and when not schools can remove a child in Section 8. Section 8 is entitled "Deletions from Admission Register" and sets out the prescribed grounds on which the name of a pupil of compulsory school age can be deleted from the roll. To interpret these grounds:

If schools have any query over whether or not they can remove a pupil from their roll, schools should contact their CME Officer who will provide guidance based on the regulations with consideration of the individual child's circumstances:

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