



Co-ordinated In-year Admissions Scheme

2017/18

Introduction

This scheme is determined by Cornwall Council, the Local Authority (LA) for the County of Cornwall, acting under the provisions of The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2014 and in accordance with the School Admissions Code 2014. The scheme applies to all community and voluntary-controlled schools, for whom the LA is the admission authority and to all other participating schools in Cornwall. There will be an annual review of the Scheme as per the School Admissions Code in force at the time.

Interpretation

1. In this scheme:

“the LA” means Cornwall Council acting in its capacity as local authority;

“the LA area” means the County of Cornwall;

“school” means a community, foundation, voluntary-controlled (“VC”), voluntary-aided (“VA”), or trust school which is maintained by the LA or an academy, free school, studio school or university technical college (but not a special school);

“admission authority” in relation to a community or VC school means the LA and in relation to an academy or free school, the academy trust and in relation to a foundation, VA or trust school, means the governing body of that school;

“the specified year” means the school year beginning at or about the beginning of September 2017;

“admission arrangements” means the arrangements for a particular school which govern the procedures and decision-making for the purposes of admitting pupils to that school;

“in-year application” means any application for a place in any year group at a school for the 2017/18 school year which is received by the LA after 31 August 2017, outside the “normal admissions round”;

“normal admissions round” is the application process relating to admissions to the points of entry to schools in September i.e. to reception in an infant or primary school, year 3 in a junior school, year 7 in a secondary school and year 10 in a KS4 school, known as the “normal point of entry” and applied for within national deadlines;

“PAN” means the Published Admission Number for the year of entry at a school (i.e. admissions relating to the normal admissions round);

“admission number” means the number of pupils that it has been agreed can be admitted to a year group other than at the normal point of entry. This may or may not be the same as the PAN as it has followed the year group from the normal point of entry.

“parent” means a parent or carer;

“eligible for a place” means that a child has been placed on a school’s ranked list at such a point which falls within the admission number;

“reasonable travelling distance” for a secondary age child would usually be 10 miles, extended to 18 miles for those living in the designated area of Budehaven Community School and 5 miles for a primary aged child, with travelling times not exceeding 75 minutes for a secondary child and 45 minutes for a primary child);

“Children in care and children who were previously in care”: A ‘child in care’ is also referred to as a ‘looked after child’ and is a child who is (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions (see the definition in Section 22(1) of the Children Act 1989). A ‘child arrangement order’ is an order settling the arrangements to be made as to the person with whom the child is to live under Section 8 of the Children Act 1989. Section 14A of the Children Act 1989 defines a ‘special guardianship order’ as an order appointing one or more individuals to be a child’s special guardian (or special guardians).

The Scheme

2. The scheme shall be determined and applied in accordance with the provisions set out in Schedule 1 and processed in accordance with the timetable set out in Schedule 2.
3. The scheme shall take effect for community, VC and other participating primary, junior and secondary schools from September 2017.
4. The Scheme will apply to applications for places outside the normal admissions round from parents resident in Cornwall or with a confirmed move to Cornwall at the time of the application. However, for children with an Education, Health and Care plan (EHC Plan) or a Statement of Special Educational Need (Statement of SEN) parents are not required to make an application through the general school admissions system. All requests for a change of school during the school year for children with an EHC Plan or Statement of SEN will be handled by the SEN Assessment and Provision Team, outside this Scheme. Separate Co-ordinated Schemes deal with applications for the normal admissions round.
5. Applications for admission to nursery schools and years 12 and 13 should be submitted to the school direct and will be considered in accordance with the admissions arrangements for that entry point.
6. The PAN as set for the particular year group at their point of entry will, for community and VC schools, follow the year group as it progresses through the school (unless otherwise determined by the Local Authority). For all other schools the PAN at point of entry will normally be maintained as the year group progresses through the school but may change in relation to organisational or other changes.
7. Local authorities must, on request, inform parents of places still available in all of the schools in its area, to the best of its knowledge. Schools must inform the LA of any pupil movement, including where allocated places are taken up/not taken

up, so that up to date data can be held. The School Admissions Team will also request regular updates on numbers on roll from all schools.

8. The LA reserves the right to require documentary evidence before accepting that information given in an application is genuine (see also 'Proof of address and fraudulent applications'). The LA may consult with schools, other council departments or the health authority or may ask parents to provide evidence.

Schedule 1

Making an application

9. There will be a standard application form known as the 'In-year Application Form'. This will be available to parents as an online form on the LA's website or as an electronic or paper copy on request from the LA. A guide to in-year admissions will be available on the LA website and in hard copy on request.
10. Applications submitted on the incorrect form will not be considered valid and parents will be asked to complete the correct form. The 'start date' for the processing of applications will be recorded as the date on which a valid application is received. The 'correct form' will be determined by the LA and will generally be the form as provided at the time of application on the Council's website or on request. The LA may ask for a supplementary form to be completed where an application is submitted using another local authority's form. Where an application form is incomplete and the missing information is necessary for the LA to carry out the admissions process, the applicant will be asked to provide the information and the 'start date' for the processing of applications will be recorded as the date that all necessary information has been received by the LA.
11. The in-year application form will be used for the purpose of admitting children into a school other than at the normal point of entry.
12. The scheme comes into force from the date specified in Schedule 2.
13. The in-year application form must be used as a means of expressing one or more preferences for the purposes of section 86 of the School Standards and Framework Act 1998, by parents resident in the LA area (or who can provide evidence that they will be living in the LA area by the required date of admission) wishing to express a preference for their child:
 - (a) to be admitted to a school within the LA area; or
 - (b) to be admitted to a school located in another LA's area, if that LA co-ordinates applications to the specified school.
14. The in-year application form and the accompanying written information will:
 - (a) invite the parent to express up to three preferences by completing the form, including, where relevant, any schools outside the LA's area, in ranked order of preference;
 - (b) invite parents to give their reasons for each preference;
 - (c) explain that the parent will receive no more than one offer of a place at a school and that:
 - (i) all preferences will be treated equally initially;

(ii) a place will be offered at the highest ranking nominated school for which they are eligible for a place; and

(iii) if a place cannot be offered at a nominated school a place will be offered at an alternative school (usually the nearest school to the home address with available space) unless the child is already on roll at a local school (a school within reasonable travelling distance of the address for which the application is made) or the child is already on roll at a school and the family is not moving house.

15. The LA will make appropriate arrangements to ensure:

(a) that the in-year application form is available on the Cornwall Council website or on request from the LA and from all schools in the LA area; and

(b) that a written explanation of the Co-ordinated Admissions Scheme is available on the Council's website and on request from the LA and all schools in the LA area.

16. All preferences expressed on the in-year application form are valid applications. If a parent expresses a preference for a school where the governing body or the academy trust is the admission authority, that school may require the parent to provide additional information on a supplementary form only where the additional information is required for them to apply their oversubscription criteria to the application. Where a supplementary form or information is required it must be returned direct to the relevant school but such supplementary information cannot be regarded as a valid application unless the parent has also completed the in-year application form and named that school as one of their preferences.

17. Parents will only be able to have one application per child processed for the same year group for the same school. A second application would only be considered by the admission authority where there has been a significant and material change in the circumstances of the parent, child or school which would affect the level of priority to be given to the application.

18. Completed in-year application forms for community, VC and participating schools must be returned to the LA or forwarded to the LA by the school.

19. The 'closing date' for applications will be 23:59 each day, to include applications received via the online form, in hard copy, electronically or by fax.

Applications from outside the United Kingdom

20. Children who hold a full British Citizen passport or children whose passport has been endorsed to show they have a right to abode in the country are entitled to apply for a place in a maintained school. The passport or visa should be made available for inspection before an offer of a school place can be made. Asylum seekers should make available evidence of their right to abode as provided by the National Asylum Support Service.

21. Applications on behalf of children currently living outside the UK will be

considered but until the child/ren are resident in the country their home address will be considered as being their place of residence outside the UK. Exceptions to this would be instances where the children are of parents returning from foreign postings, such as UK Service Personnel and other Crown Servants who have been posted abroad on a fixed term contract and who are returning to live within the UK. Proof of the future UK residency will be required if an application is made to an oversubscribed school.

Home address

22. Each child can have only one registered address for the purposes of determining priority for admission and transport entitlement. This address should be the place where the child is normally resident at the point of application or evidence of the address from which a child will attend school, in the form of written confirmation of a house purchase or a formal tenancy agreement. Exceptional circumstances in relation to the provision of a home address will be considered on a case-by-case basis. If there is shared residence of the child or a query is raised regarding the validity of an address, the LA will consider the home address to be with the parent with primary day to day care and control of the child. Residency of a child may also be clarified through a child arrangement order where it is shown who has care of the child. Evidence may be requested to show the address to which any Child Benefit is paid and at which the child is registered with a doctor's surgery.
23. It is expected that parents will submit only one application for each child. Any disputes in relation to the child's home address should be settled before applying, the admission authority will not become involved in any parental disputes. If agreement cannot be obtained before an application is made then parents/carers may need to settle the matter through the courts. Where no agreement is reached or order obtained, the admission authority or the LA (where it is acting on behalf of the admission authority) will determine the home address.
24. Applications for children of Service Families will be processed and places allocated based on the proposed address (with supporting evidence) or, if the family are not able to confirm a proposed address and a unit or quartering address is provided, an allocation will be made based on the unit or quartering address. This is to ensure that the child is not left without a school place, although it is accepted that the family may want/need to change their preference when a new address is confirmed in order to try to secure a school closer to that address.

Shared parental responsibility – duplicate and disputed applications

25. Where more than one application is received for a child from persons with parental responsibility or an application is disputed, the School Admissions Team will contact each parent and request that they reach an agreement on the preference/s of school for the child. The School Admissions Team may need to ask for proof of parental responsibility from each party.
26. Information contained on an application form will not be shared with another party, including another person with parental responsibility, 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 school/s named as a preference if requested to do so.

27. Only one application can be processed for each child and only one offer of a school place made. Disputes on the preferred schools by those with parental responsibility should be settled between the parties, neither the LA nor the admission authority will become involved in any parental disputes.
28. If a person with parental responsibility submits an application that is disputed by another person with parental responsibility then parents may need to settle the matter through the courts. Where no agreement is reached or order obtained in time for the LA to carry out its duties in accordance with the published timescales, the admission authority will proceed with the admissions process on the basis of the current application form.
29. If more than one parent submits an application within the processing timescales and those applications have different preferences, the LA will only proceed with the allocation process where agreement on preferred schools is reached and notified to the LA by both parties in writing or where a court order is obtained and a copy provided to the LA. This may mean that the LA is unable to offer a school place within the stated timescales.

Proof of address and fraudulent applications

30. The LA reserves the right to ask parents for proof of their address. Acceptable proof of address includes:
 - a. a copy of a Council Tax bill;
 - b. a solicitor's letter stating that contracts have been exchanged and specifying a completion date;
 - c. a signed and dated tenancy agreement plus proof of residency (e.g. copy of a recent utility bill).
31. The guidance which accompanies the in-year application form will explain that parents that make a false statement or omit any relevant and appropriate information in their application could be subject to investigation and may potentially face criminal proceedings. The information they supply in the application may be shared, as the law allows, for the purpose of preventing and detecting fraud. The offer of a school place may be withdrawn if the application is found to be fraudulent. Parents must notify the LA immediately of any change in their circumstances – failure to do so or providing false or misleading information may lead to prosecution action being taken against them. As part of the process of ensuring that school places are allocated fairly, the LA undertakes address checks on a random sample of applications each year to ensure that information submitted by parents/carers is correct. If a parent is randomly selected they will receive a letter requesting evidence of their current address. The LA may also request evidence where it is alerted to potential false statements. In either of these circumstances, any concerns about the validity of the information provided may lead to investigation and applicants could face criminal proceedings in addition to the withdrawal of the offer of a school place.

Considering applications

32. The scheme shall be based on an “equal preference” system i.e. applications must be considered without reference to the parent’s ranked order of preference.
33. Parents of children with a **Statement of Special Educational Needs or Education, Health and Care Plan** are not required to make an application through the general school admissions system. All requests for a change of school during the school year for children with an EHC Plan or Statement of SEN will be handled by the SEN Assessment and Provision Team, outside this Scheme. Any application for these children will be processed in accordance with the SEN Code of Practice and associated regulations and will not be dealt with under this Scheme.
34. In-year application forms deemed to fall under **Level 2 of the LA’s Fair Access Protocol** will be dealt with outside this Scheme, in accordance with the Fair Access Protocol.
35. In-year application forms deemed to fall under **Level 1 of the LA’s Fair Access Protocol** will be dealt with in accordance with this scheme as well as the additional provisions of the Fair Access Protocol.
36. Applications for children in care and children who were previously in care (but immediately after being in care became subject to an Adoption, Child Arrangement, or Special Guardianship Order) will be prioritised and a school place identified in accordance with this scheme as well as the additional provisions of the separate Protocol for these children, available at www.cornwall.gov.uk/admissions or on request from the School Admissions Team.
37. Applications for all other vulnerable children, as defined on a case-by-case basis by the LA and where vulnerability can be identified, will be processed as a priority.

Processing of in-year application forms

38. Applications can be submitted at any time during the year and will be processed no more than eight school weeks in advance of a school place being required.
39. In the case of **UK Service Personnel, other Crown Servants and British Council employees**, applications will be processed up to 12 school weeks in advance of a school place being required if the application is accompanied by an official Government letter declaring a relocation date and intended address. If it is not possible for a Service Family to provide evidence of a new address at the time of application, a Unit postal address or ‘quartering area’ address would be acceptable. Any allocation of a school place would be based on the Unit postal address or ‘quartering area’ address if there is no evidence of another address.
40. It is expected any place offered will be taken up within two school weeks of the requested start date or the date of allocation, whichever is the later. The LA will notify the school where a place has been allocated of the date by which the child is to be admitted, although an earlier date is permissible if there is mutual agreement between the school and parent. A later start date is only permissible if the admission authority agrees.
41. In-year applications handled under this scheme will be dealt with, as far as

possible, within 20 school days of the start of processing which will be no more than eight school weeks (twelve for Service Families) in advance of the place being required. There may be occasions when this timescale cannot be met, where for instance the decision of another admission authority is delayed. Applications for children with a Statement of Special Educational Needs or an Education, Health and Care plan or applications falling under the Fair Access Protocol are likely to fall outside 20 school days.

Allocation of places

42. The majority of applications will be straightforward and places will be allocated, wherever possible, within the stated timescales where the number on roll in the year group in question is below the PAN as it has followed the year group through the school from the point of entry or the agreed admission number for that year group if that is different due to organisational or other changes.
43. However, if it has not been possible to secure a school place within a reasonable travelling distance (see 'Interpretation' for definition) and the child is not already on roll at a school within a reasonable travelling distance, the application will then be considered to see whether priority can be given to the application under the Fair Access Protocol. The Fair Access Protocol ensures that children who are most vulnerable and without a school place can be offered a place at a suitable school in the home local authority as soon as possible, even if that school is already full. If a place cannot be secured, parents will then be invited to identify whether they consider their child to be in one of the categories in the Fair Access Protocol, but this information will not be referred to as part of the initial consideration by an admitting authority of whether a place is available. The LA may need to contact the previous school for information to help with assessment under the Protocol. The Fair Access Protocol is available at www.cornwall.gov.uk/admissions or from the School Admissions Team.
44. Determination of eligibility for a place will be based on the number on roll in a year group compared to the admission number. If necessary, a school's oversubscription criteria will be used to prioritise applications.
45. If more applications for a school are received on a single date than there are places available, the LA will notify the governing body or academy trust of those schools which do their own ranking of every nomination, the date received and supporting information for a place at those schools, regardless of the ranking of each preference. At this stage, governing bodies and academy trusts will only be given information which they require in order to apply their oversubscription criteria. The governing body or academy trust will need to submit a ranked list of those applicants to the LA within 5 school days of this information being received.
46. The LA will act as a clearing house for the allocation of places in response to the in-year application forms. 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 in-year application form where:
 - i. it is acting in its separate capacity as an admission authority; or
 - ii. it is acting on behalf of an admission authority;
 - iii. an applicant is eligible for a place at more than one school; or

- iv. an applicant is not eligible for a place at any school that the parent has nominated.
47. Within 20 school days of receipt of an application, for those schools for which it is the admitting authority or has delegated responsibility for admissions decisions, the LA will have decided whether a space is available at the nominated school(s) or, if there are more applications than places available, it will have ranked all applications received for the same year group at the same school on the same day. Using these ranked lists and the information provided by any governing body or academy trust which is the admission authority for the school, the LA will be able to determine the children who are eligible for places at each school.
48. If children are eligible for places at more than one school, they will be allocated a place at the school ranked as the highest preference and removed from the other list(s).
49. Where a child living in Cornwall is not eligible for a place at a nominated school the child will be allocated a place at the nearest suitable school in Cornwall with space. Distances will be measured by the nearest available route, as determined by the LA's nominated Geographic Information System (currently DataMap). However, if the child is already on roll at a local school (a school within reasonable travelling distance of the address for which the application is made) or the child is already on roll at a school and the family is not moving house, the LA will not allocate another school place and the right of appeal will be offered. The child will stay on roll at the current school and the parent/carer can opt to go on the waiting list of the preferred school/s or submit an application for an alternative school/s.
50. Within 20 school days of receipt of an application on behalf of a resident in another LA, Cornwall Council will inform the other LA whether a place in a nominated school in Cornwall could be offered. Similarly, other LAs should notify Cornwall LA if a place at a school in that LA's area can be offered to a resident of Cornwall. If on exchanging such information with other LAs it transpires that another LA is also intending to offer a child a place at a school, the highest ranking preference would take priority and only one school place would be allocated.
51. Within 20 school days of receipt of an application, the LA will notify its schools of the children to be offered places at their establishment.
52. Within 20 school days parents should be sent a letter (by post or electronically if requested, as indicated on the application form) by the LA notifying them that their child is being offered a place at the allocated school. The letter should give the following information:
- the name of the school at which a place is offered;
 - if appropriate, the reasons why the child is not being offered a place at the other school(s) nominated on the in-year application form;
 - if appropriate, the reasons why the child is not being offered a place at any of the schools nominated on the in-year application form;
 - if appropriate, information about the statutory right of appeal against the decision to refuse places at any of the nominated schools;
 - contact details for the school or LA so that they can make the necessary admission arrangements, lodge an appeal with the relevant LA, governing

body or academy trust and request a place on a waiting list (if held), as appropriate;

- where the child has been refused a place at a nominated school where the LA is the admitting authority, an invitation for the child's name to be added to the waiting list for that school;
- where a place has been allocated, information on the date by which the place should be taken up and a request to notify the LA without delay if the parent no longer wishes to accept the place offered.

Accepting places

53. The letter to parents offering a school place will ask them to confirm in writing if the place is no longer required. Where the place is required immediately, the place will be made available approximately one school week from the date of the allocation and will be kept open for two school weeks after that date. An earlier or later start date may be arranged with the school. Where a start date in the future is requested (e.g. at the beginning of a new term), the place will be offered from that date and kept open for two weeks after that date.
54. Where a family does not contact the school to arrange a start date or the child fails to arrive at the allocated school by the date until which the place is to be held open (as stated in the allocation letter), the school will attempt to make contact with the parent. Where the school cannot make contact with the parent by the date until which the place is to be held open (as stated in the allocation letter), the school will alert the LA and may need to follow the Children Missing in Education procedure if no information about the child's whereabouts can be established. Once the 'open until' date has passed and if contact cannot be made with the family, the LA will write a second letter to the parent stating that the place is no longer available and it will then be the parent's responsibility to apply for an alternative school place. Children Missing in Education Procedures may still need to continue.

Appeals

55. When a parent is refused a place at a school for which they have applied, they will have the right to appeal to an independent panel. The letter confirming the refusal will explain:
 - a. the reason for the refusal;
 - b. information about the right to appeal; and
 - c. contact details for making an appeal.
56. Appeals for in-year admissions must be heard within 30 school days of the appeal being lodged.
57. If the child has a Statement of Special Educational Needs or Education, Health and Care Plan, the parent will have the right of appeal to the Special Educational Needs and Disability Tribunal. However, in the first instance, they will be advised to contact the Special Educational Needs Assessment and Provision Team.
58. Parents can only appeal again for a place in the same school within the same academic year if the admission authority for that school has accepted a further application because there has been a significant and material change in the circumstances of the parent or carer, child or school (e.g. a change of address into a school's designated area), but has determined that the new application must

also be refused. A school changing to academy status is not considered by the LA to be a significant change.

Waiting Lists

59. Parents will be asked to state if they wish their child to be added to a waiting list for any schools where they are refused a place, if a waiting list is being held.
60. If an appeal is lodged, the child's name will automatically be added to the waiting list for a place at the school being applied for, if a waiting list is being held.
61. The LA, where it holds a waiting list for community and VC schools and on behalf of those governing bodies or academy trusts that request it, will maintain the list for the whole of the academic year for which the application is made. Parents will be reminded during the summer holidays that the waiting lists are being reviewed and that they have the option to remain on it for a further year. If parents do not respond to the reminder, it will be assumed that they no longer require their child's name to remain on the waiting list. Some academies may not hold waiting lists.
62. Where a waiting list is held, it will be based on the school's oversubscription criteria and children's places on a waiting list are subject to change according to additional information received about applications or children being added to the list. No priority is given to the length of time that a child has been on the list. Children in care and those that were previously in care, children with a Statement of Special Educational Needs or an Education, Health and Care Plan or who are allocated to a school in accordance with the Fair Access Protocol will be given priority over children on the waiting list.

Admission of children outside their normal age group

63. Parents may seek a place for their child outside their normal age group, for example if the child is gifted and talented or has experienced problems such as ill health. Those seeking placement outside the normal age group during the school year should contact the school's admission authority which must make the decision on this. The School Admissions Team can advise on who a school's admission authority is. Guidance on the process can be found at www.cornwall.gov.uk/admissions or on request from the School Admissions Team.
64. Parents who are refused a place at a school for which they have applied have the right to appeal to an independent admission appeal panel. They do not have a right of appeal if they have been offered a place and it is not in the year group they would like. However, if parents are dissatisfied with the outcome of the request for an out of year group placement they have the right to complain against the decision through the Council's complaints procedure for decisions made by Cornwall Council in its role as an admission authority or under the school's complaints procedure where the school is the admission authority.

Fair Access Protocol

65. All local authorities are required to have a Fair Access Protocol which applies to all schools. This document sets out how the LA and schools will ensure that, during the school year, any children without a school place can be offered a place at a

suitable school as soon as possible, even if the school is full. It does not apply to applications in the normal admissions round. To find out more about admissions during the school year and the Protocol visit www.cornwall.gov.uk/admissions or contact the School Admissions Team.

Schedule 2

Process for in-year admissions for parents who live in Cornwall

- From 1 September 2017
- In-year co-ordinated scheme commences.
 - Valid application received by School Admissions Team. Process commences on the next working day, unless place is not required until a date more than 8 school weeks away (12 weeks for Service Families).
 - Applications deemed to fall under Level 2 of the Fair Access Protocol will be referred for action under that Protocol.
 - Availability of place(s) at any nominated school checked by School Admissions Team.
 - The governing body or academy trust of any nominated school where they are the admission authority (and have not delegated admissions decisions to the LA) respond to the School Admissions Team and/or the relevant LA for nominated schools outside Cornwall should notify whether a place can be offered at a school(s) in their area. Cornwall Council to notify the other LA whether a place can be offered at a school(s) in Cornwall.
- Within 20 school days of receipt of application by Cornwall's Admissions Team
- Cornwall Council will notify each school (or LA if the school is outside Cornwall) of children to be allocated places and the date they should be enrolled from.
 - Cornwall Council will notify other LAs if places identified as being available at a school in their area are no longer required.
 - Cornwall Council will notify the parent by post (or electronically if requested) of the outcome of their application, including information about appeals and waiting lists, where appropriate.
- Within 2 weeks of the date of a school place being made available
- The school place should be taken up.

Contact details

School Admissions Team

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