

# Pear Tree Primary School

## Admissions Policy 2023/24

Date: Spring 2022

Review Date: Spring 2023

Responsible Person: Principal

Responsible committee: Admission Team (part of the Academy Trust)



### **Aims**

This policy aims to:

- Explain how to apply for a place at the school
- Set out the school's arrangements for allocating places to the pupils who apply
- Explain how to appeal against a decision not to offer your child a place

### **Legislation and statutory requirements**

This policy is based on the following advice from the Department for Education (DfE):

- [School Admissions Code 2021](#)
- [School Admission Appeals Code](#)

As an academy, the school is required by its funding agreement to comply with these codes, and with the law relating to admissions as set out in the [School Standards and Framework Act 1998](#).

### **Definitions**

The **normal admissions round** is the period during which parents can apply for state-funded school places at the school's normal point of entry, using the common application form provided by their home local authority.

**Cared for Children and 'Previously Cared for'** are children who, at the time of making an application to a school, are

- [A 'cared for child' is a child who is in the care of a local authority or provided with accommodation by that local authority \(as defined in section 22 of the Children Act 1989\).](#)
- [Children previously 'cared for' are children who were 'cared for' as defined above, but immediately after being 'cared for' became subject to an adoption, child arrangements order \(formerly residence order\), or special guardianship order. A child arrangements order is as 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 amended by Children and Families Act 2014. 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 \(or special guardians\). This includes children who appear to \( in the view of Cheshire East\) have been in state care outside of England and ceased to be in state care as a result of being adopted."](#)

## **School Age Child**

- [A child reaches compulsory school age on the prescribed day following his or her fifth birthday \(or on his or her fifth birthday if it falls on a prescribed day\). The prescribed days are 31 December, 31 March and 31 August.](#)

## **School Admissions Reception – Year 6**

The Trustees of Pear Tree Primary School will consider children regardless of ability or aptitude. We are a non-selective school.

## **Co-ordinated Admission Arrangements for a Primary School**

The school will positively comply with School Admissions legislation requiring all Local Authorities (LA) to co-ordinate admission arrangements in their area. Co-ordinated admission schemes provide a way for ensuring that every parent living in a Local Authority (LA) receives an offer of one, and only one, school place on the same day (National Offer day). If applications are made online, then offers will be sent out electronically, with paper or telephone applicants receiving letter posted out on National Offer day in April. Parents should formally accept or decline the place offered by the date stated in the LA Applying for School Places Booklet. Application key dates are found on Cheshire East Council's website.

As an Academy, Pear Tree Primary School, acts as its own admission authority, applying its own admission criteria as detailed below. However, all parents will only have to fill in one application form and will receive their offer from the LA in whose area they live.

The Cheshire East application form must be used by all Cheshire parents applying for a school place, whether inside or outside Cheshire East. Parents should have regard to the contents of the LA's "Applying for School Places, A Guide to Parents/Carers".

[\(http://www.cheshireeast.gov.uk/schools/admissions/information\\_booklets\\_and\\_sifs/information\\_booklets\\_and\\_sifs.aspx\)](http://www.cheshireeast.gov.uk/schools/admissions/information_booklets_and_sifs/information_booklets_and_sifs.aspx)

## **Admission Information**

### **Admission Numbers**

The published admission number for this school is 30 pupils per year. Published admission numbers are established for each school in order to decide whether any age group within a school is full.

## Admission and Age Groups

Applications for admission, and any appeals, are normally considered in relation to the availability of places in the child's chronological age group, other than in exceptional circumstances.

## Admissions of children residing outside the boundaries of Cheshire East

For children starting reception in September, children residing outside the boundary of Cheshire East are offered places on the same basis as Cheshire East children; however, applications on their behalf for a place at this school must be made using an application from their home LA which will make the necessary arrangements with Cheshire East, e.g. Pupils resident in Shropshire wishing to express a preference for a place at this school, must name Pear Tree Primary School on the Shropshire LA admissions application form.

Applications not resident in England, applying for a place must apply on Cheshire East's common Application Form. Contact the School Admissions Team. (Please see Cheshire East School Admissions website for contact details).

Applications for In Year transfers can be made using the Local Authority application form. This applies to both Cheshire East resident, and families living outside Cheshire East. The forms are directed to the school for processing, and responding to.

## Allocation of Places

As required by law, Cheshire East makes arrangements for parents to express their preference for the school where they wish their child to be educated and an opportunity to give reasons for their preference before any places are offered.

Where a KS2 class (i.e. years 3, 4, 5, & 6) has 30 or 31 pupils the Trustees will admit siblings of pupils who have a place or have been offered a place at the school and who reside within the catchment area or **children who cannot find a place at another school within reasonable distance** up to a maximum of 32 pupils per class.

All preferences must be in writing and those meeting the criteria for this school will be met except where this would prejudice efficient education or the efficient use of resources, e.g. if the year group in question is full.

If the school is not oversubscribed, all applicants will be offered a place.

**The criteria used for prioritising applications if a year group is over-subscribed at the Pear Tree Primary School are:**

In the event that the school receives more applications than the number of places it has available, places will be given to those children who meet any of the criteria set out below, in order until all places are filled.

1) Highest priority will be given to 'cared for' children and all previously 'cared for' children who apply for a place at the school.

2) Siblings – children with younger/elder sister/brother including half-sister/brother and unrelated children living together as part of one household already attending Pear Tree Primary School (in Reception – Year 5) and expected to continue here the following school year. (I.e. at the time of admission)

3) Children resident within the designated catchment zone of the school, living nearest to the school as measured using an address-point system. (Distances are measured using an address-point system which measures straight line distances in miles from the address point of the school to the address point of the place of residence to three decimal points. Where the distance is the same for more than one child a random allocation tie-breaker will be applied)

4) Children living outside the catchment area – the same measurement is taken using the address-point system

**Proof of address and residency may be required, and Trustees retain the right to withdraw any place offered on the basis of a fraudulent or intentionally misleading application.**

When a child lives at more than one address (e.g. spends part of each week at different addresses) full details of the arrangements and evidence must be included on the application form (or by means of an accompanying note) to use for admission purposes.

Where the school can accommodate some, but not all, children qualifying for one of the preceding criteria, priority will be given to children having regard to the subsequent criteria.

Follow this link for details of the catchment area.

<http://maps.cheshire.gov.uk/CE/interactivemapping/Default.aspx?gotolayer=PSCA&gotofield=OBJECTID&gotovalue=161&layers=PSCA&hlayer=PSCA&hfield=OBJECTID&hvalue=161>

### **Multiple Births**

Where a twin or child from a multiple birth is admitted to a school under this policy then any further twin or child of the same multiple birth will be admitted, if the parents so wish, even though this may raise the number in the year group above the school's PAN

### **Tie break**

In the case of 2 or more applications that cannot be separated by the oversubscription criteria outlined above, the school will use the distance between the school and a child's home as a tie breaker to decide between applicants. Priority will be given to children who live closest to the school. Distance will be measured in a straight line from the child's home

address to the school's front gates on Pear Tree Fields. A child's home address will be considered to be where he/she is resident for the majority of nights in a normal school week.

Where the distance between 2 children's homes and the school is the same, random allocation will be used to decide between them. This process will be independently verified.

### **Challenging behaviour**

We will not refuse to admit a child on behavioural grounds in the normal admissions round or at any point in the normal year of entry. We may refuse admission in certain cases where the specific criteria listed in the School Admissions Code (paragraph 3.8) apply, i.e. where section 87 of the School Standards and Framework Act 1998 is engaged.

We may refuse admission for an in-year applicant for a year group that isn't the normal point of entry, only in such a case that we have good reason to believe that the child may display challenging behaviour that may adversely affect the provision we can offer. In this case, we will refer these pupils to the Fair Access Protocol. We will not refuse admission on these grounds to 'cared for' children, previously 'cared for' children and children with EHC plans listing the school.

### **Fair Access Protocol**

We participate in Cheshire East's Fair Access Protocol. This helps ensure that all children, including those who are unplaced and vulnerable, or having difficulty in securing a school place in-year, get access to a school place as quickly as possible.

### **Children below compulsory school age**

Where children below compulsory school age are offered a place at the school, they will be entitled to attend the school full-time in the September following their fourth birthday.

Parents may defer their child's entry to the school until later in the school year but not beyond the point at which the child reaches compulsory school age, and not beyond the beginning of the final term of the school year the offer was made for.

Where the parents wish, children may attend part-time until later in the school year but not beyond the point at which they reach compulsory school age.

### **Admission Appeals**

Parents who are not offered a place here have a right of appeal to an Independent Schools Appeals Panel. Appeals must be submitted in writing, but parents have the right to present their case to the panel in person. The Panel will allow parents to be accompanied by a friend or to be represented although government advice is that legal representation should not normally be necessary. The school will make the necessary administrative arrangements to engage with an outside body for hearing appeals made up of members who are totally independent to Pear Tree Primary School. The decisions of Schools Appeal Panels are binding on the school's trustees and Parents. Appeal forms can be obtained from

the school. Appeals should be submitted within 20 school days of the date of notification that the application was unsuccessful.

### **Late Applications**

Late applications for places will be considered after all applications received on time (unless there are very exceptional reasons for a late application which must be explained at the time of application). Reference can be made to the “Co-ordinated Scheme” on Cheshire East Council’s website

### **Repeat Applications**

Repeat applications will not be considered within the same school year, unless the parents’, child’s or the school’s circumstances have changed significantly since the original application was made.

### **Transfer between Schools (In Year Admissions)**

Trustees are prepared to consider requests for transfers between schools other than at normal admission times and parents seeking transfer should approach the Headteacher or admissions officer to find out if there are any places in the appropriate school year. Where appropriate parents are however, advised as a first step, to discuss their child’s progress and problems with the Headteacher of child’s present school.

### **Educating Children and Young People Out of Year**

Pear Tree Primary School follows the Local Authority Protocol for educating children out of year.

Follow this link for details of the protocol.

[http://www.cheshireeast.gov.uk/schools/admissions/admission\\_arrangements/educating-children-and-young-people-out-of-year.aspx](http://www.cheshireeast.gov.uk/schools/admissions/admission_arrangements/educating-children-and-young-people-out-of-year.aspx)

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

Places will be allocated in advance of the family arriving in the area for children of UK service personnel, if accompanied by an official government letter which declares a relocation date and a Unit postal address or quartering area address for considering the application against the school’s over subscription criteria.

### **Returning Crown Servants**

Families of crown servants returning from overseas to live in the area may apply for a place in advance of their move provided the application is accompanied by an official letter confirming the posting to the UK and the expected relocation date. Where a parent is unable to provide confirmation of a relocation address, an indication of the area may be provided, narrowed down as far as possible, to which the family intend to return. Preferences will be considered but applications will be considered under criterion 4 until the parent is able to

provide confirmation of the new address such as proof of exchange of contracts or a signed rental agreement. If a place cannot be offered at Pear Tree; no alternative school will be offered until confirmation of the relocation address within the area is received but the right of appeal will be advised. It is the responsibility of parents to keep the school admissions team or school informed of any changes to their planned address during the application process.

### **Waiting Lists**

Children whose applications are unsuccessful will be placed on a waiting list regardless of whether their parents decide to appeal against the decision not to offer a place at the school. Waiting lists will last for the rest of the academic year during which the request for the place is made. Thereafter, parents who wish to remain on the waiting list must reconfirm their interest in writing to the principal. (The Cheshire East Co-ordinated Admissions Scheme 2020 – 2021 states that waiting lists are held until the end of the autumn term – schools who are their own Admission Authority can hold them for longer).

If a parent decides to appeal against the decision not to offer a place for their child at their preferred school the child's name will automatically be placed on a waiting list in case any further places become available. The waiting list will not be held on a 'first come, first served' basis. New applications will be added to the waiting list in criteria order and should places become available, these will be offered in line with the over –subscription criteria outlined above.

### **Appeal Panels**

The Appeals Panels will be appointed by the local authority and will have three members made up of independent lay persons and people who have an educational background. A clerk to the Panel also attends to see that the appeal is heard properly and to keep a record of the hearing. The clerk is impartial and does not represent the school.

### **Timescales**

Casual appeals are normally heard within 30 school days (excluding school holidays) from the date the completed appeal form is received in school. Block appeals for September intake into Reception will be held between April and July each year, if the form is returned within the published time scales. Forms received after the deadline may result in the appeal for your child not being held until September. You will be given the date and time of the appeal hearing two weeks in advance of the hearing and the school's statement of its case will be sent to you one week in advance. You will normally be notified of the Panel's decision in writing no later than 7 working days of the hearings being completed. Decisions of Appeals Panels are final and binding on both the school and the appellants

### **Repeat Appeals**

Parents who are not successful may apply for another appeal, but your application will not be considered within the same school year unless your own or the school's circumstances have changed significantly and materially since your first appeal (e.g. change of address).

### **What Happens If you are not happy with the Outcome of the Appeal?**

Decisions of Appeals Panels are final and binding on both the school and the appellants. The only further rights open to you if your appeal is not upheld is to complain to the local government ombudsman if you consider there has been 'mal administration' in the way your appeal was handled or to seek 'judicial review' of the decision through the Courts.

### **Making your Appeal**

Parents must make the appeal in writing to the school. Parents must also state the 'grounds' on which the appeal is based. Parents should consider when preparing the appeal whether to include copies of any supporting documentation. These are some examples of documentation that might support or corroborate statements in your appeal:

- Letters or statements from doctors, other health professionals or social workers stating why your child must attend this particular school
- In circumstances where a change of address is relevant to your appeal, letters or statements from a solicitor (or others) confirming a change of address

All supporting documentation should be provided at least 7 days before the appeal. If parents submit additional information during the appeal, it will be accepted only at the discretion of the panel. In certain instances this might require the hearing continuing on another day.

The school will acknowledge receipt of your form as soon as possible and will make the necessary arrangements. A copy of your appeal documentation will also be provided to the presenting officer, who, together with the school, will prepare a written response to your appeal, which will be sent to you no later than seven days before the hearing.

### **Other sources of help**

Parents can seek advice from the Advisory Centre for Education (ACE which is a voluntary body providing a helpline service to parents on education matters. The telephone Advice line number is 0300 0115 142, open Monday to Wednesday 10.00am to 1.00pm, term time only. They also have a web site: [www.ace-ed.org.uk](http://www.ace-ed.org.uk).

General information regarding appeals can be obtained from the Cheshire East Admissions & Transfer Team, who will also assist you if your appeal is unsuccessful. Their helpline number is 0300 123 5012.

The Department for Education (DfE) has a web site that provides a range of information for parents: <https://www.gov.uk/schools-admissions>

### **Monitoring arrangements**



This policy will be reviewed and approved by the governing board every year.

Whenever changes to admission arrangements are proposed (except where the change is an increase to the agreed admission number), the governing board will publicly consult on these changes. If nothing changes, it will publicly consult on the school's admission arrangements at least once every 7 years.

**Signed:** 

**Date:**

**Signed: Simon Holden**

**Date:**