Admissions Policy

Admission Arrangements for Burley Oaks Primary School 2027/2028

Burley Oaks Primary School is a Moorlands Learning Trust academy and as such, the Academy Trust is the Admission Authority and has the ability to set its own admissions policy. We choose to follow the criteria set out by Bradford Council who then manage and administer the process and any subsequent appeals.

Moorlands Learning Trust schools are compliant with the regulations as laid out in the Schools Admission Code (2021), the School Admissions Appeals Code and relevant human rights and equalities legislation.

Burley Oaks Primary School published admission number (PAN) is 60. Any complaints about admission arrangements are dealt with by the School's Adjudicator.

Objectives

1. To ensure the criteria for allocation of school places are fair, clear and objective.
2. To review admission arrangements annually

Burley Oaks Primary School Primary School Admission Arrangements

The Academy will admit up to 60 students in Reception if sufficient applications are received. All applicants will be admitted if 60 or fewer apply.

Children are admitted into Reception in the September following their fourth birthday. Parents can request that the date their child is admitted to the school is deferred until later in the school year or until the term in which the child reaches compulsory school age. This is on 31 December, 31 March or 31 August following their fifth birthday - whichever comes first. If your child's fifth birthday is on one of those dates then they reach compulsory school age on that date.

Parents can request that their child takes up the place part time until the child reaches compulsory school age. The admission criteria will apply to all children seeking a school place, whatever their term of entry. The place offered will be reserved on condition that it is taken up within the same school year.

Admissions of summer born children may be deferred to the following September but in those cases, children may be offered a place to enter Year 1 unless an application has been made and agreed by the admitting authority in advance.

The Local Authority will manage the application process for a deferred entry into Reception of summer born children for the September following their fifth birthday. Such requests will be considered by the school/Trust in accordance with DfE Advice and the Local Authority's 'Guidance on the admission of summer born children'.

Pupils with an Education, Health and Care Plan
The admission of pupils with an Education, Health and Care Plan (EHCP) is dealt with by a separate procedure. Such children are dealt with through a separate legislative process and without reference to the oversubscription criteria below. Children who have an EHCP which names a specific school, will be admitted to that school.

Tie Break
When demand exceeds places in any of the following policies, the distance between the child's home and school, measured by a straight-line distance from the Ordnance Survey address point of the home to the main entrance to the school building, will be used to decide who is given a place; those living nearest being given the available places. Where the offer of places to applicants with equi-distant addresses would lead to oversubscription, the decision of who will be offered the place will be made by random selection.

Multiple Births
Where a parent of multiple births (twins, triplets etc) request admission and only one of the siblings can be offered a place, the remaining siblings will also be offered places above the admission number.

ADMISSION POLICIES

Where the number of preferences for a school exceeds the number of places available, priority will be given to children in the following categories:

1. Looked after children and all previously looked after children, including those children who appear (to the admissions authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted. (see Note 1)

2. Children who have **exceptional** social or medical needs, supported by a written recommendation from the child's paediatrician/consultant or professional from Children's Services. The letter must explain why the school is the only suitable school to meet the child's needs and why no other school could provide the appropriate support for the child.

3. Children who have a brother or sister, living at the same address and who will still be attending the school at the time of admission. (see Note 2)

4. All other children.

NOTES

1. Previously looked after children are children who were looked after but ceased to be so because they were adopted (or became subject to child arrangements order or special guardianship order) immediately following having been looked after and those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted. (in accordance with 1.8 School Admissions Code of Practice)

2. The terms "siblings" refers to children who live with the same family at the same address. Children living with the same family e.g. foster children and step-sisters and brothers are also included. Cousins are not siblings.

3. 'Home address' refers to the child's permanent home at the date of admission. Where the child lives with split parents who have shared responsibility, it is for the parents to determine which address to use when applying for a primary school. Proof of residency may be required at any time during or after the allocation process.

ADMISSION GUIDELINES

1. **How admissions work** (from the School Admissions Code)

a) All schools must have admission arrangements that clearly set out how children will be admitted, including the criteria that will be applied if there are more applications than places at the school. Admission arrangements are determined by admission authorities.

b) Admission authorities must set ('determine') admission arrangements annually. Where changes are proposed to admission arrangements, the admission authority must first publicly consult on those arrangements. If no changes are made to admission arrangements, they must be consulted on at least every 7 years. Consultation must be for a minimum of 6 weeks and must take place between 1 October and 31st January of the year before those arrangements are to apply. For example: for arrangements which are to apply to applications in 2025 (entry in September 2026), consultation must be completed by 31st January 2025. This consultation period allows parents, other schools, religious authorities and the local community to raise any concerns about proposed admission arrangements.

c) Once all arrangements have been determined, arrangements can be objected to and referred to the Schools Adjudicator by 15 May. Any decision of the Adjudicator must be acted on by the admission authority and admission arrangements amended accordingly. The local authority will collate and publish all the admission arrangements in the area in a single composite prospectus.

d) In the normal admissions round, parents apply to Burley Oaks Primary School via the local authority in which they live for places at their preferred schools. Burley Oaks Primary School admissions are administered by Bradford. Parents are able to express a preference for five schools. The application can include schools outside the local authority where the child lives: a parent can apply for a place for their child at any state-funded school in any area. If a school is undersubscribed, any parent that applies must be offered a place. When oversubscribed, a school's admission authority must rank applications in order against its published oversubscription criteria and send that list back to the local authority. Published admission arrangements must make clear to parents that a separate application must be made for any transfer from nursery to primary school, and from infant to junior school.

e) All preferences are collated and parents then receive an offer from the local authority at the highest preference school at which a place is available. For secondary schools, the offer is made on or about 1 March (known as National Offer Day) in the year in which the child will be admitted. For primary schools, the offer is made on or about 16 April, in the year in which the child will be admitted.

f) Parents, and in some circumstances children, have the right to appeal against an admission authority's decision to refuse admission. The admission authority **must** set out the reasons for the decision, that there is a right of appeal and the process for hearing such appeals. The admission authority **must** establish an independent appeals panel to hear the appeal. The panel will decide whether to uphold or dismiss the appeal. Where a panel upholds the appeal the school is required to admit the child.

2. **Applications** are made on a common application form (CAF) that enables parents to express their preference for a place at any state funded school, with a minimum of 3 preferences in rank order, allowing them to give reasons for their preferences. While parents may express a preference for any state funded school – regardless of whether it is in the local authority area in which they live - admission authorities must not give any guarantees that a preference will be met.

3. **A Waiting List is** maintained for the first term of the academic year of admissions with each added child ranked in line with the published oversubscription criteria. Priority **must not** be given to children based on the date their application was received, or their name was added to the list. Looked after children, previously looked after children, and those allocated a place at the school in accordance with a Fair Access Protocol, **must** take precedence over those on a waiting list.

4. Children of UK service personnel (UK Armed Forces)

For families of service personnel with a confirmed posting to their area, or crown servants returning from overseas to live in that area, admission authorities **must**:

- allocate a place in advance of the family arriving in the area provided the application is accompanied by an official letter that declares a relocation date and a Unit postal address or quartering area address when considering the application against their oversubscription criteria. This **must** include accepting a Unit postal address or quartering area address for a service child. Admission authorities **must not** refuse a service child a place because the family does not currently live in the area, or reserve blocks of places for these children;

5. **Children from overseas** - Admission authorities **must** treat applications for children coming from overseas in accordance with Home Office rules for non-European Economic Area nationals. Non–statutory guidance on this is available on the website of the Department for Education.

6. **Right to Appeal** - When the local authority, on behalf of Burley Oaks Primary School, informs a parent of the decision to refuse their child a place at the school, it **will** include the reason why admission was refused; information about the right to appeal; the deadline for lodging an appeal and the contact details for making an appeal. Parents **will** be informed that, if they wish to appeal, they must set out their grounds for appeal in writing.

7. **Fair Access Protocol -** The Academy Trust participates in the Fair Access Protocol operated by Bradford, in order to ensure unplaced children, especially the most vulnerable, are allocated a school place quickly. It cannot refuse to admit a child thought to be potentially disruptive or likely to exhibit challenging behaviour, on the grounds that the child is first to be assessed for special educational needs.

8. **Secretary of State's power of direction (Academies)** - Where a local authority considers that an Academy will best meet the needs of any child, it can ask the Academy to admit that child but has no power to direct it to do so. The local authority and the Academy will usually come to an agreement, but if the Academy refuses to admit the child, the local authority can ask the Secretary of State to intervene.

9. Equality Act 2010

a. This Act consolidates the law prohibiting discrimination, harassment and victimisation and expands the list of protected characteristics. All schools must have due regard to their obligations under the Act and review their policies and practices to make sure these meet the requirements of the Act, even if they believe that they are already operating in a non-discriminatory way.
b. An admission authority must not discriminate on the grounds of disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; or sexual orientation, against a person in the arrangements and decisions it makes as to who is offered admission as a student.

c. An admission authority must not harass a person who has applied for admission as a student, in relation to their disability, race or sex.

d. An admission authority must not victimise a person in relation to a protected act either done, or believed to have been done by that person (e.g. bringing proceedings under the Equality Act 2010) in the arrangements and decisions it makes as to who is offered admission as a student.
e. Admission authorities are also subject to the Public Sector Equality Duty and therefore must have due regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity, and foster good relations in relation to persons who share a relevant protected characteristic and persons who do not share it.
f. The protected characteristics for these purposes are: disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.
g. Further guidance on the Public Sector Equality Duty is available on the website of the Government Equalities Office and from the Equality and Human Rights Commission.

IN-YEAR ADMISSIONS

Since September 2013, there has no longer been a statutory duty on local authorities to co- ordinate in year admissions. However, at Burley Oaks Primary School all in-year admissions continue to be processed and dealt with by the admissions team at the local authority. This is part of the in- year coordinated admissions scheme which operates in line with the revisions to the School Admissions Code 2021 (paragraphs 2.23 to 2.3).

An application is an in-year application if it is for the admission of a child to a relevant age group, but it is submitted on or after the first day of the first term of the admission year, or if it is for the admission of a child to an age group other than a relevant age group. All preferences for in-year admissions must be included on one common application form. The co-ordination of these applications and the offer of a place is the responsibility of the local authority.

The scheme does not apply to nursery schools, special schools or sixth form applications.

A. Application Forms

All Bradford Metropolitan District Council (BMDC) residents who wish to apply for an in-year admission must use the Bradford Authority common application form, unless they are applying to a school who coordinates their own in-year admissions who can be contacted directly, or the child has an Education Health & Care Plan (EHCP).

A copy of the online form can be downloaded from the Council's website: In-year applications to make an application. Paper forms are available to download from the Council website or on request from 01274 439200.

i. The in-year application form will ask parents to:

- list up to five preferences for any type of school (including those in other local authorities) in rank order;
- give details of the child for whom the application is being made (address, date of birth, current school, relevant medical or special needs information or other social circumstances);

- give details of siblings who currently attend the preferred schools;
- give reasons for their preference; and
- give details of the parent/carer completing the application and sign a declaration that they have parental responsibility.
- provide additional details

Parents/carers will be asked to give reasons why they wish their child to transfer. Parents will also need to ask the child's current school to complete Part 2 of the form which asks for further information on the child to establish whether the transfer request should be dealt with through the Fair Access Protocol. If Part 2 is not completed, the form may be returned to the parent for them to discuss the transfer with the current school.

ii. Parents must return the completed application form to the Admissions Team. If Burley Oaks Primary School receives an application or a request for a place direct from the parent, whether the school has places or not, the application **must** be forwarded to the Admissions Team and/or inform parents of the application process and provide contact details for the Admissions Team or the website where they can download an application form. Schools may download application forms from the website and give them to parents to complete if they wish.

iii. Parents must not be refused the opportunity to make an application or be told that they can only be placed on a waiting list rather than make a formal application.

B Numbers on Roll

Local authorities must, on request, provide information to prospective parents about the places still available in all schools within their area. Therefore, all schools are required to communicate the availability of places to the LA when requested to do so, ensuring that the information is provided no later than two school days following

C Application Procedures

Applications for voluntary-aided, foundation, trust schools and academies

i. Where any schools listed on the in-year application form is a school where the governing body is the admission authority, the Admissions Team will forward details of the application, to the relevant school.

ii. The governing body (or delegated persons to determine the application), as the admission authority for VA, foundation, trust schools or academies, will determine whether the applicant can be offered a place at their school. If, at any one time, there are more applicants than there are places in the year group, the school's oversubscription criteria must be used to determine who will be offered the place.

iii. Following receipt of the application details, the governing body (or delegated persons) must inform the Admissions Team whether the applicant can be offered a place. The decision must be made as quickly as possible and communicated to the local authority in order to allow them to notify parents within **10 days of receipt of the application**. If the year group is full, the school should inform the Admissions Team immediately. The applicant's details may be kept on the school's waiting list if one is maintained.

iv. With the exception of designated grammar schools, all maintained schools and academies, that have places available must offer a place to every child who has applied for one, without condition or

the use of any oversubscription criteria, **unless admitting the child would prejudice the efficient provision of education or use of resources**. Admission authorities must not refuse to admit a child solely because:

- they have applied later than other applicants;
- they are not of the faith of the school in the case of a school designated with a religious character;
- they have followed a different curriculum at their previous school;
- information has not been received from their previous school.

v. Where an admission authority is dealing with multiple in-year admissions and do not have sufficient places for every child who has applied for one, they must allocate places on the basis of the oversubscription criteria in their determined admission arrangement. If a waiting list is maintained, it must be in in line with paragraph 2.15 of the 2021 Admissions Code.

vi. Following receipt of the governing body's decision, the Admissions Team will write to the parent informing them of the outcome of their application. This should aim to be within 10 school days of receipt of the application, but statutorily must be **within a maximum of 15 school days.**

vii. Where an application is refused, the admission authority must also set out the reason for refusal and information about the right to appeal in accordance with paragraph 2.32 of the Admissions Code 2021. This information will be communicated by the Admissions Team on behalf of the school in line with the above timescales.

D. Offers of School Places

i. Where an applicant is offered a school place following an in-year application, and the offer is accepted, arrangements should be made for the child to start school as soon as possible, particularly where the child is out of school.
ii. If an offer is made, parents will be required to complete and return an acceptance slip to the Admissions Team or the school within **seven** school days of the decision letter being sent. The school and/or the Admissions Team will contact parents to chase up any non-returns. If a parent refuses the offer or declines to accept the place offered within **ten** school days this will result in the place being withdrawn unless the parent has submitted an appeal. In this case, wherever possible, the offer will remain until the outcome of the appeal is known.

E Admission to School

Once a school place has been determined and the allocated school informed, the student should be admitted to the school within the following timescales:

i) Students new to the district or who have moved house

Students new to the Bradford district or who have had a significant house move (two miles under the age of eight, three miles over the age of eight) should normally be admitted to school within **ten** school days of the offer being made.

ii) Students transferring from another local school

The authority's *'Mid Term Transfer Policy*' states that students who are transferring from one local school to another may only do so at the beginning of a new term. Therefore, in the case of such applicants, the offer of the school place will be from the start of the following term after the application has been made unless in exceptional circumstances the child may be admitted sooner by agreement between the school, parent and the Admissions Team. Year group numbers will be amended to take into account the allocation and the reserved place.

Exceptions

Mid-term transfer of a student may only take place sooner than the start of the next term, if:

- the Headteachers of the current and receiving schools agree that it is in the best interests of the student that transfer should take place sooner;
- the student has moved house to live more than three miles from the present school (if the student is aged over eight years) or over two miles (if the student is aged under eight years);
- the student has been unable to transfer at the start of the term as a result of illness or for other reasons beyond the parents' control;
- the admission is into Year 7 and Reception only, where a place becomes available from the waiting list during the autumn term;
- it has been determined that the admission of the student comes under the 'Fair Access Protocol' or other significant circumstances apply making the child vulnerable; and
- the admission is due to a successful appeal heard by an independent appeals panel.

F Waiting Lists

Parents are required to request that their child is placed on a waiting list for their preferred school(s). Schools which are their own admission authority may choose to keep a waiting list or not. All waiting lists must be maintained in the order of the oversubscription criteria unless a place is requested through the Fair Access Protocol. If places become available, schools must contact the Admissions Team who will write to the relevant parent to offer the place.

G Children with an EHCP

Applications for children with an EHCP will be dealt with by the SEND Specialist Assessment and Support Service (01274 435750) who will liaise with parents and schools to determine which schools can meet the child's needs.

H Fair Access Protocols (FAP)

Each LA must have a Fair Access Protocols (FAP), agreed with the majority of schools in its area to ensure that outside the normal admissions round unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible. The Fair Access Protocol ensures that outside the normal admissions round, all schools admit their fair share of children with challenging behaviour and children who arrive outside the admissions round who may have difficulty securing a school place. In these circumstances, all schools may admit above their PAN. The operation of the Fair Access Protocol is outside the arrangements of co-ordination and may only be used to place the groups of vulnerable and/or hard to place children (as defined at 3.17 of the 2021 Admissions code), where they are having difficulty in securing a school place in-year, and it can be demonstrated that reasonable measures have been taken to secure a place through the usual in-year admission procedures.

There is no duty for local authorities or admission authorities to comply with parental preference when allocating places through the Fair Access Protocol, but parents' views should be taken into account. Where it has been agreed that a child will be considered under the Fair Access Protocol, a school place must be allocated for that child within 20 school days. Once they have been allocated a school place via the Fair Access

Protocol, arrangements should be made for the child to start at the school within 10 days of the Panel meeting.