



# Derwent Primary School

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## ADMISSION POLICY (2024/2025)

**The published admission number is 45 pupils.**

Admission arrangements means the overall procedure, practice, criteria, and supplementary information used in deciding on the allocation of school places. This document sets out the admission arrangements for Derwent Primary School.

The Believe Academy Trust is the overall Admission Authority for Derwent Primary School, this is in accordance with paragraph 11 of the School Admissions Code 2021.

All applications for places are made on the applicants home local authority application form. In the majority of cases, this will be the Derby City (the local authority) common application form which is available from the local authority. Although the Governing Body has responsibility for deciding on admissions, under law the local authority will co-ordinate all admissions in its area and will communicate all admission decisions to parents within specified timeframes.

### Relevant legislation and other information

Believe Academy Trust complies with the regulations and legislation set out in the School Admissions Code 2021 and the School Admission Appeals Code 2022, including:

- Equality Act 2010
- Human Rights Act 1998
- School Standards and Framework Act 1998
- Overseas nationals entering the UK, who wish to apply for a state-funded school place, are advised to check that they have a right of abode (<https://www.gov.uk/right-of-abode>) or that the conditions of their immigration status otherwise permit access to a state-funded school before making an application for a school place

### Applications for the Reception Year in 2024

Children do not automatically transfer to reception from early years settings or nursery, including Derwent Primary's own Nursery provision. Parents must apply for a school place.

For entrance to the academy in September 2024 the closing date of the co-ordinated admission scheme is 15 January 2024 (application round opens on 6<sup>th</sup> November 2023). Offers of school places will be made on the national offer date of 16 April 2024 (or the next working day). Further details on Reception admission arrangements see appendix 1).

## **Catchment areas**

Derwent Primary School has a defined catchment area for the relevant age group which forms part of the oversubscription criteria (see below). Details of catchment areas across Derby City are available via the following public website:

[School and academy contact details - Derby City Council](#)

Catchment areas do not prevent parents who live outside the catchment of Derwent Primary from expressing a preference for the school. Whilst living in a catchment area gives higher priority within the oversubscription criteria, it does not guarantee a place will be allocated.

## **Children with an Education, Health and Care Plan (EHCP)**

Some children have an EHCP which is a plan made by the local authority specifying the provision that is required for that child. In conjunction with Derby City, all children whose EHCP names Derwent Primary School specifically will be admitted.

## **Late applications for the normal Year of Entry**

An application received after the closing date including any changes to preference, or order of preferences, are considered late and will be processed after all on time applications. In very limited circumstances an application received after the closing date may be considered as 'on time' in the following circumstances:

- Re location into the area of Derby City from another local Authority area.
- Relocation within Derby City
- Exceptional reasons for missing the closing date eg. Family bereavement, hospitalisation or family trauma

Each case will be treated on a case-by-case basis.

All other late applications for Derwent Primary School received by Derby City Local Authority after the specified date (above) but before 31st August will be considered after the National Offer Day. This will be after all 'on time' applications have been processed and decisions have been sent to parents. Other local authorities might have different policies when dealing with late applications. We would advise that you contact your home or destination local authority to find out what their policies are.

In addition, any late applications for reception processed after National Offer Day and before 31 August 2024, Believe Academy Trust will also consider whether the limited exceptional circumstances for infant class sizes could apply. A child who falls into any of these categories will not automatically be admitted as an excepted child.

Any applications received after 1 September 2024 will be processed as in-year applications.

## **In Year Applications**

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 term 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.

The Academy currently participates in Derby City council Authority co-ordinated scheme and all applications are dealt with through them. Details of how to apply for places in any year group, made during the school year from September 2024 onwards, will be made available on the Academy's website nearer the time.

Admissions will normally be agreed up to the published admission number for the relevant age group. Admission to other age groups will not be refused on the grounds that the PAN has already been reached however, admission may be refused where the admission of another child would prejudice the provision of efficient education or efficient use of resources.

If the respective year group total is full, the child will be only offered a place if there are very exceptional circumstances and if the Governors decide that the education of pupils in that year group will not be detrimentally affected by the admission of an extra pupil. Parents will have 14 days to accept the offer of a school place.

If there is oversubscription within any year group the school will maintain a waiting list. Details will be provided on request. Inclusion in a school's waiting list does not mean that a place will eventually become available. If a child is not allocated a place, parents have a statutory right to appeal (see 'Appeals' below). Appeals should be lodged within 20 school days after the date of your decision letter.

Local Authorities are required to have Fair Access Protocols (FAPs) in order to make sure that unplaced children who live in the home local authority, especially the most vulnerable and/or hard to place children, are offered a place at a suitable school as quickly as possible. This includes admitting children above the published admissions number to schools that are already full.

FAPs must not be used in place of the usual in-year admissions process. A parent can make an in-year application at any time and is entitled to have their preferences met wherever possible, as well as the opportunity to appeal a decision when a place is not offered.

### **Applications outside of normal age group**

Parents may request that their child is admitted outside their normal age group, for example, children born between 1st April to 31 August, if the child is gifted and talented, has experienced problems such as ill health or is born prematurely. All requests of this nature should be made directly to the academy.

For Reception year, any parent of a summer born child wanting their child to be admitted outside of the normal age group should make an application to their Local Authority for their child's normal age group at the usual time but also submit a request for admission outside of the normal age group at the same time.

For other year groups, any parent, wanting their child to be admitted out of the normal age group should submit a request, in writing, to Derwent Primary School as soon as possible.

When a request is made, the Academy will make a decision on the basis of the circumstances of the case and in the best interests of the child concerned, taking into account the views of the parent, the Headteacher and any supporting evidence provided by the parent. The Academy is responsible, as the admissions authority, for making the decision on which year group a child should be admitted to.

All applications will be considered at the time they are submitted.

### **Oversubscription Criteria**

All schools must have admission arrangements that clearly set out how children will be admitted, including information about what happens if there are more applications than places available, i.e. oversubscription criteria. If the school is not oversubscribed all applicants will be offered a place.

All admission authorities must include the oversubscription criteria in their arrangements. This criteria must be reasonable, clear, objective, procedurally fair and comply with relevant legislation, including equalities legislation.

In the event of oversubscription within any of the criteria listed below, preference will be given to applicants who live closest to the school, as measured in a straight line (by a computerised geographical information system)

from a point on the school site to a point at the pupil's home. In the event of two measurements being equal, it will be measured to the next decimal point. The local Authority conduct this process and specifics in relation to measuring criteria can be found on the Local authority website. Where two or more pupils are equal in all respects and it is therefore not possible to differentiate between them, a method of random allocation by drawing lots will be used to allocate places (supervised by someone independent of Derwent Primary School).

**Pupils who have a Education, Health and Care Plan, where that school is named in the child's plan will be admitted. This will reduce the number of places available for other pupils.**

1. Looked after children and previously looked after children, including 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.
2. Places will then be allocated to pupils who, at the closing date for applications, live within the catchment area, whose parents have requested a place at the academy and who, at the time of admission, will have a brother or sister attending the academy, not including places within the Academy nursery setting.
3. Places will then be allocated to other pupils who, at the closing date for applications, live within the catchment area and whose parents have requested a place at the academy.
4. Places will then be allocated to pupils who live outside the catchment area, whose parents have requested a place at the academy and who, at the time of admission, will have a brother or sister attending the academy.
5. Places will then be allocated to other pupils who live outside the catchment area whose parents have requested a place at the academy.

**The above criteria (2-5) may be overridden and priority given to an applicant who can establish any of the following:**

- pupils with special educational needs that can only be met at the Derwent Primary School (e.g. where the academy has specialist provision)
- children of travellers, pupils with exceptional medical, mobility, or social grounds that can only be met at Derwent Primary School\*.

At the time of application, applications in these categories must be supported by a statement in writing from a doctor, social worker or other relevant professional. This is necessary because you will be asking the academy to assess your child as having a stronger case than other children.

Each case will be considered on its' merits by the Governing Body of Derwent Primary School.

### **Withdrawing an offer of a place**

An offer of a place may only be withdrawn if it has been offered in error, a parent has not responded within a reasonable period of time, or it is established that the offer was obtained through a fraudulent or intentionally misleading application (e.g. a false claim to residence in the catchment area). #

Where the allocation has been withdrawn due to an error or confirmed fraudulent or intentionally misleading information, the application will be reconsidered, and the usual statutory right of appeal will be made available if a place is subsequently refused.

## **Places offered in error**

Where it has been identified that Believe Academy Trust has made an administrative error in the processing of an application for a school place and it is established that another child has been disadvantaged by this error the place may be withdrawn. If it is established that no other child has been disadvantaged, the allocation will remain.

Applicants are responsible for the accuracy of all and any information which they submit. Believe Academy Trust takes no responsibility for incorrect information submitted as part of the application (i.e failure to mention a sibling(s) or provide supporting evidence).

## **Response within a reasonable time**

Failure to accept a place offered at the academy within the 14 days previously specified may also lead to the withdrawal of that offer.

## **Waiting list**

If, after the offer of available places has been made, the academy is oversubscribed, all unsuccessful applications will be placed on the waiting list which will be administered by the Governors of the academy in partnership with the local authority for the duration of the co-ordinated admissions scheme. Once the co-ordinated scheme is closed, the waiting list will remain open but will be administered by the Governors of the academy. A waiting list will also be in operation for any other years where the academy receives more applications than places available. The waiting lists will remain open whilst the number of places in the year group is full, or until 31st May.

Where the number of students in a particular year group falls below 45 students, the person whose name appears first on that particular year group's waiting list will be offered a place. A child's position on this waiting list will be determined by the application of the academy's published oversubscription criteria.

Parents are welcome to ask what position they currently hold on the list. However, because the academy constantly receives applications for admission throughout the year, the waiting list is continually being re-ordered. Parents need to be aware that their position on the list may rise and fall over time and therefore a higher position on the list is not necessarily a good indicator of the likelihood of a place being offered. Length of time on the waiting list will not be a factor in offering a place.

Children who are the subject of a direction by a Local Authority to admit or who are allocated to the academy in accordance with the In-Year Fair Access Protocols, will take precedence over those children on a waiting list.

## **Independent Appeals**

Parents have the right to an independent appeals panel in the event that their child is declined admission to the academy. Repeat applications in the same academic year will not be considered unless there is a significant and material change in circumstances.

Admission authorities must ensure that appeals lodged by the appropriate deadlines are heard within the following timescales:

- a) for applications made in the normal admissions round, appeals must be heard within 40 school days of the deadline for lodging appeals;
- b) for late applications, appeals should be heard within 40 school days from the deadline for lodging appeals where possible, or within 30 school days of the appeal being lodged;
- c) for applications for in-year admissions, appeals must be heard within 30 school days of the appeal being lodged.

Parents wishing to appeal should write to the Clerk to Governors, c/o Derwent Primary Academy, St Mark's Road, Derby, DE21 6AL.

**Definitions of terms used in these arrangements:**

Address	The child's place of residence is taken to be the parental home, other than in the case of children fostered by a local authority, where either the parental address or that of a foster parent(s) may be used. If a child's parents live at separate addresses, the address where the child permanently spends at least three 'school' nights (that is, Sunday, Monday, Tuesday, Wednesday or Thursday) will be taken to be the place of residence. Addresses of other relatives or friends will not be considered as the place of residence, even if the child stays there for all or part of the week. Evidence that the child's place of residence is permanent may also be sought and this should prove that the child lived at the address at the time of the application. Informal arrangements between parents will not be taken into consideration
Appeals	When an application for a school is refused, the parent has a right to appeal to an independent appeal panel. Parents are informed of this when they receive their outcome and to lodge an appeal.
Compulsory School Age	A child reaches compulsory school age on the prescribed day following their fifth birthday. The prescribed days are 31 December, 31 March and 31 August. Children must be attending school the term following their fifth birthday. Parents can request that their child takes up the place part-time until the child reaches compulsory school age within the academic year that the place has been allocated for
Deferred entry to school	All children can start school full time in reception in the September following their fourth birthday. Parents can request that the date their child is admitted to school is deferred until later in the school year, or until the term in which the child reaches compulsory school age.
Delayed admission	When a summer born child starts school at compulsory school age (age 5), whether this is in year 1 or reception.
Infant Class Sizes	The School Admissions (Infant Class Sizes) (England) Regulations 2012 permit children to be admitted as exceptions to the infant class size limit. Section 1 of the SSFA 1998 limits the size of an infant class (that is, a class in which the majority of children will reach the age of five, six or seven during the school year) to 30 pupils per school teacher. The School Admissions Code 2021 (2.16) states that additional children may be admitted under limited exceptional circumstances. These children will remain as 'excepted pupils' for the time they are in an infant class or until the class numbers fall back to the current infant class size limit.
Looked after and previously looked after children	<p>The School Admissions Code 2021 states that all admission authorities must give highest priority to this group of children and provides the following definition:</p> <p>A 'looked after child' 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) at the time of making an application to a school.</p> <p>Previously looked after children are children who were looked after, but ceased to be so because they were adopted (or became subject to a child arrangements order or special guardianship order). Further references to previously looked after children means such children who were adopted (or</p>

	<p>subject to child arrangements orders or special guardianship orders) 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.</p> <ul style="list-style-type: none"> <li>• A child is regarded as having been in state care outside of England if they were in the care of or were accommodated by a public authority, a religious organisation, or any other provider of care whose sole or main purpose is to benefit society.</li> <li>• Children who were adopted under the Adoption Act 1976 and children who were adopted under section 46 of the Adoption and Children Act 2002.</li> <li>• Child arrangements orders are defined in section 8 of the Children Act 1989, as amended by section 12 of the Children and Families Act 2014. Child arrangements orders replace residence orders and any residence order in force prior to 22 April 2014 is deemed to be a child arrangements order. 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).</li> </ul>
National Offer Day	<p>This is the day each year on which local authorities are required to send the offer of a school place to all parents in their area. For primary pupils, offers are sent out by the home local authority on 16 April.</p> <p>These dates are relevant to all on-time applications in the primary and secondary coordinated admissions rounds. If offer day falls on a non-working day, information will be sent on the next working day.</p>
Parent/parental responsibility	<p>The person making the application must hold parental responsibility. Believe Academy Trust considers the parent to be:</p> <ul style="list-style-type: none"> <li>• the mother of the child</li> <li>• the father of the child where he was married to the mother either when the child was born or at a later date</li> <li>• the father of the child if (since 1 December 2003) he was registered as the father on the birth certificate</li> <li>• an adoptive parent</li> <li>• any other person who has acquired 'parental responsibility' through the courts; evidence of this may be required</li> <li>• authorisation may also be given for another person to speak on the parent's behalf.</li> </ul>
Sibling (brother or sister)	<p>For admission purposes Derwent Primary School considers the following as siblings:</p> <ul style="list-style-type: none"> <li>• A brother or sister who share the same parents;</li> <li>• A half-brother or half-sister or legally adopted child living at the same address;</li> <li>• a child looked after by a local authority placed in a foster family with other school age children</li> <li>• a stepchild or children who are not related but live as a family unit, where parents both live at the same address as the child.</li> </ul> <p>Derwent Primary Academy <b>does not</b> consider these as siblings:</p> <ul style="list-style-type: none"> <li>• Cousins or other family relationships not included in 1 above;</li> <li>• Siblings who at 1 September 2024 will not be registered pupils in reception or an above year group at the academy.</li> </ul>

	Where applications are received in respect of twins, triplets or children of other multiple births, the school's admissions code allows for infant class size restrictions to be exceeded under the provision of an 'excepted' pupil.
Waiting Lists	<p>Children's names will only be added to the waiting list where the application has been refused. The position on a waiting list is decided by the oversubscription criteria; each child added to the list means the list will be ranked again in line with the oversubscription criteria. No reference is made to the date an application has been received or whether a parent has appealed against the decision. If any applications are received that have higher priority within the admission oversubscription criteria, these will be placed higher than applications that may have been on the list for some time. Being on a waiting list does not mean that a place will eventually become available.</p> <p>If a place becomes available, the place will be allocated at that time, to the child who has highest priority on the waiting list according to the admission oversubscription criteria. This will include all applications that have been received requesting a place at that school where a higher preference has not been met.</p> <p>For Derwent Primary, waiting lists are held for admission to year groups reception to year 5 until 31 May. Waiting lists will close on 31 May and parents would need to make a new application for the next academic year.</p>

## Appendix 1.

Reception Admission additional information.

- a) the child is entitled to a full-time place in the September following their fourth birthday;
- b) the child's parents can defer the date their child is admitted to the school until later in the school year but not beyond the point at which they reach compulsory school age and not beyond the beginning of the final term of the school year for which it was made; and
- c) 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.