



# Co-ordinated In-year Admissions Scheme

2020/21



## About this Scheme

1. This Scheme is determined by Cornwall Council, the Local Authority for Cornwall, in accordance with the School Admissions Code 2014 and associated regulations.
2. This Scheme applies to all community and voluntary-controlled schools (primary, junior and secondary) and other primary, junior and secondary schools in Cornwall that participate in the Scheme.
3. The Scheme does not apply to applications for admission to nurseries, nursery schools, special schools, alternative providers, colleges or years 12 and 13.
4. This Scheme will take effect from 1 September 2020 until 31 August 2021.
5. This Scheme will apply to applications for school places outside the normal admissions round from parents/carers resident in Cornwall or with a proposed address in Cornwall at the time of the application. Different arrangements apply to applications for children not currently resident in the United Kingdom. A separate Co-ordinated Scheme deals with applications for the normal admissions round.

## Arrangements for schools that do not participate in this Scheme

6. If a parent wants to apply for a school that does not participate in this Scheme (i.e. they handle their own in-year admissions) they must do so direct to the school. The school will provide an application form and will write to the parent to confirm the outcome of the application. The school must process the application in accordance with the School Admissions Code 2014 and the local Terms of Reference. Non-participating schools must still participate in the locally agreed Fair Access Protocol.

## Making an application

### Children with an Education, Health and Care Plan

7. Parents/carers of children with an **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 will be handled by the Statutory SEN Service. 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.

## Information about available places

8. Cornwall Council must, on request, inform parents/carers of places still available in all of the schools in its area, to the best of its knowledge. Schools must inform Cornwall Council of any pupil movement, including where allocated places are taken up or not taken up, so that up to date data can be held and safeguarding procedures followed.

## The application form

9. There will be an application form known as the 'Changing Schools In-year Application Form'. This will be available to parents/carers as an online form on Cornwall Council's website or as a paper copy on request from Cornwall Council. A guide to in-year admissions will be available on Cornwall Council website and in hard copy on request. The Changing Schools In-year Application Form published at the time must be used by parents/carers resident in Cornwall or with a proposed address in Cornwall to apply for a school place outside the normal admissions round. Different arrangements apply to applications for children not currently resident in the United Kingdom.

## School preferences

10. The in-year application form will ask the parent to name up to three school preferences.
11. 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.
12. Where a child has been permanently excluded from two or more schools, parents/carers can still express a preference for a school place but the requirement to comply with parental preference is removed for a period of two years from the date on which the second exclusion took place.
13. There is no requirement to comply with parental preference for applications considered under the Fair Access Protocol.

## Supplementary information forms

14. If a parent names a school preference where the governing board or the academy trust is the admission authority that school may require the parent to provide additional information on a supplementary form. They can only ask for this where the additional information is needed for them to apply their oversubscription criteria to the application. The supplementary form must be returned direct to the school. The parent must also complete the in-year application form and name that school as one of their preferences in order for the application to be considered.

## Multiple applications in one academic year

15. Parents/carers can only have one application per child processed for each year group at the same school. A second application for the same year group at the same school would only be considered where there has been a significant change in the circumstances of the parent or child and the admission authority, or Cornwall Council acting on behalf of the admission authority, has accepted the reasons and agreed to process a further application for the year group.

## Applications from outside the United Kingdom

16. It is the responsibility of the parent/carer to check that their children have a right to study at a school. In the case of overseas nationals entering the United Kingdom parents/carers should check that they have the right of abode or the conditions of their visas otherwise permit them to access a state-funded school. More information can be found here: <https://www.gov.uk/guidance/schools-admissions-applications-from-overseas-children>
17. Parents/carers will be required to provide a photocopy or scan of the child's passport and a visa (if appropriate) with their application. All other provisions in this Scheme apply to applications from outside the United Kingdom, including those related to the home address.

## Designated areas

18. Cornwall Council has divided Cornwall into geographical areas. Each of these areas is served by a specific primary school, or in some cases, groups of schools. These areas are called 'designated areas'. Not all schools prioritise on the basis of designated area or use Cornwall Council's defined area. However, entitlement to home to school transport will still be based on these areas. The designated school will not always be the one nearest to the home address. Maps are available for all designated areas online at: [www.cornwall.gov.uk/admissions](http://www.cornwall.gov.uk/admissions) or by calling the School Admissions Team.

## Home address

19. Each child can have one registered address only for the purposes of determining priority for admission and transport entitlement. The admission authority or Cornwall Council acting on behalf of the admission authority may require evidence of a current or proposed address where this is necessary to determine priority for a place or required as part of the school's admission arrangements. Evidence of a current or proposed address will also be required if it is necessary for Cornwall Council to determine the nearest school with a place available or for the admission authority to add the child to a waiting list where one is held. Evidence of a proposed address would

be in the form of written confirmation of a house purchase or a formal tenancy agreement. The home address should be the place where the child is normally resident or will be normally resident.

20. 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, Cornwall Council 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.
21. It is expected that parents/carers 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 Cornwall Council (where it is acting on behalf of the admission authority) will determine the home address.
22. Applications for children of Service Families will be processed and places allocated based on the proposed address (with supporting evidence). If the family is 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**

23. 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 or a dispute relating to a requested school change should be settled between the parties, neither Cornwall Council nor the admission authority will become involved in any parental disputes.
24. If a person with parental responsibility submits an application that is disputed by another person with parental responsibility or more than one parent submits an application within the processing timescales and those applications have different preferences Cornwall Council may ask for proof of parental responsibility from either party as necessary and either:
  - a. proceed with the admissions process on the basis of the current application

form or one of the application forms, taking into account the home address, the living arrangements and other factors including what is considered to be in the child's best interests; or

- b. advise the parents/carers that the application(s) cannot be processed until they reach agreement or obtain a court order and that a new application will need to be submitted when the matter is settled.

25. Information relating to or supplied in an application form will not be shared with a person that does not have parental responsibility. Basic information (i.e. application date and preferences) may be shared with someone with parental responsibility when it is established that they have a right to the information.

### **Proof of address and fraudulent applications**

26. Cornwall Council reserves the right to ask parents/carers for proof of their address. Acceptable proof of address would be a document dated within the last three months, including:
  - a copy of a Council Tax bill;
  - a solicitor's letter stating that contracts have been exchanged and specifying a completion date;
  - a signed and dated tenancy agreement plus proof of residency, for example a copy of a recent utility bill.
27. Parents/carers 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/carers must notify Cornwall Council 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, Cornwall Council 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. Cornwall Council 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.

## Admission of children outside their normal age group

28. Parents/carers 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 which body is a school's admission authority. Guidance on the process can be found at [www.cornwall.gov.uk/admissions](http://www.cornwall.gov.uk/admissions) or on request from the School Admissions Team.
29. Parents/carers 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/carers 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's academy trust or governing board is the admission authority.

## Fair Access Protocol

30. All local authorities are required to have a Fair Access Protocol which applies to all schools in the area. This document sets out how Cornwall Council 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. However, there is no requirement to comply with parental preference under the Fair Access Protocol. To find out more about admissions during the school year and the Protocol visit [www.cornwall.gov.uk/fairaccess](http://www.cornwall.gov.uk/fairaccess) or contact the School Admissions Team.

## The allocation process

31. Cornwall Council 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').
32. In-year application forms that are determined at any point during the processing of the form to fall under **Level 2 of Cornwall Council's Fair Access Protocol** ([www.cornwall.gov.uk/fairaccess](http://www.cornwall.gov.uk/fairaccess)) will be dealt with outside this Scheme, in accordance with the Fair Access Protocol.
33. 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 and as described in the separate Protocol for these children, available at [www.cornwall.gov.uk/admissions](http://www.cornwall.gov.uk/admissions) or on request from the School Admissions Team.

34. Applications for all other vulnerable children, as defined on a case-by-case basis by Cornwall Council and where vulnerability can be identified, will be processed as a priority. However, priority for a place will still be determined with regard to the published admission arrangements and based on the date the application was received.
35. The provisions for children of UK Service Personnel and other Crown Servants are explained in the separate Protocol for these children, available at [www.cornwall.gov.uk/admissions](http://www.cornwall.gov.uk/admissions) or on request from the School Admissions Team.

## Processing timescales

### Deadline

36. The 'deadline' for applications will be midnight each day, to include applications received via the online form, in hard copy or electronically by the School Admissions Team.

### Application window

37. 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. Applications submitted before this time will not be processed and the parent will be advised that a new application will need to be submitted no more than eight school weeks ahead of the place being required.
38. In the case of **UK Service Personnel and other Crown Servants**, applications will be processed **up to twelve 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.

### Process start date

39. There will be a 'process start date' which will be the working day following the date that the application is received by the School Admissions Team, if this is within eight (or twelve in the case of Service Families) school weeks of the place being required.
40. Where an application form is incomplete and the missing information is necessary for Cornwall Council to carry out the admissions process, the applicant will be asked to provide the information and the 'start date' for the processing of applications may be

recorded as the date that all necessary information has been received by Cornwall Council.

## Application outcomes

41. In-year applications handled under this scheme will be dealt with, as far as possible, within 20 school days of the process start date. There may be occasions when this timescale cannot be met, where for instance the decision of another admission authority is delayed or places in an area are limited and the Fair Access Protocol (Level 1) needs to be applied or Level 2 of the Fair Access Protocol applies.

## Allocation of places

42. Applications will be dealt with in order of the Process Start Date, with the exception of applications falling under paragraphs 34 to 36.
43. As each application reaches the allocating stage and is assigned to an allocating officer in the School Admissions Team the officer will contact the preferred school or schools to ask if a place can be allocated.
44. If a place can be offered at a school, any lower preference schools will not be approached for a place.
45. If more than one application for the same year group is received by the deadline and there are more applications than places available, the admission authority or Cornwall Council acting on behalf of the admission authority will apply the school's oversubscription criteria.
46. Where a place cannot be allocated at a preferred school, the child will be allocated a place at the nearest suitable school in Cornwall that is able to offer a place. 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 - see 'Definitions') or the child is already on roll at a school and the family is not moving house, Cornwall Council 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 can opt to go on the waiting list of the preferred school(s), if a waiting list is held, or submit an application for an alternative school(s).
47. Distances used to identify the nearest suitable school with a space available are measured as the shortest available route as determined by Cornwall Council's Geographical Information System. This is considered to be the walking route of up to two miles for primary school children up to the end of Year 3 and three miles from Year 4 onwards. For schools outside these distances, driving route will be used. Unlike when eligibility for free home to school transport is assessed, the suitability and safety

of the walking route is not taken into consideration when determining these distances.

48. If it has not been possible to secure a school place within a reasonable travelling distance (see 'Definitions') the application will then be considered under the Fair Access Protocol Level 1 ([www.cornwall.gov.uk/fairaccess](http://www.cornwall.gov.uk/fairaccess)).
49. In certain circumstances it may be necessary to offer alternative provision in accordance with the Fair Access Protocol. Parents/carers will be given information about this process as necessary.

## Notification of application outcome

50. Within 20 school days, where possible, parents/carers will be sent a letter (by email, unless otherwise requested on the application form) by Cornwall Council notifying them of the outcome of their application.
51. If Cornwall Council can offer a school place, as or on behalf of the admission authority, then the letter will name the allocated school and when the place is available by providing a provisional start date.
52. If Cornwall Council, on behalf of the admissions authority, has had to refuse a place then the letter will include details about why the child has been refused and how the parent can submit an appeal.

## Accepting places

53. The letter to parents/carers offering a school place will ask them to confirm in writing if the place is no longer required or if they do not wish to accept the offered place.
54. It is expected that any place offered will be taken up within two school weeks of the proposed start date stated in the allocation letter. An earlier start date can be agreed between the school and the parent. A later start date can only be arranged with the agreement of the admission authority, however places will generally not be held for more than six weeks unless in exceptional circumstances, to be defined by the admission authority.
55. 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 Cornwall Council and may need to follow the Children Missing 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 offer of a place will be withdrawn and Children Missing Education Procedures will continue.

## Appeals

56. 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.
57. Appeals for in-year admissions must be heard within 30 school days of the appeal being lodged.
58. Parents/carers 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 (as determined by the admission authority) but has determined that the new application must also be refused.
59. If a parent decides to appeal and they do this within two school weeks of the date that the place is available (as indicated in the allocation letter) then the place offered will be kept open for their child until the outcome of their appeal is known. If a parent decides to appeal more than two school weeks after the date that the place is available (as indicated in the allocation letter) then the place offered will not be kept open. This means that if their appeal is unsuccessful then they would need to reapply for a school place. They would not be able to reapply for a school that has already refused a place.

## Waiting Lists

60. Parents/carers will be asked to state if they want their child added to a waiting list for any schools where they are refused a place, if a waiting list is being held. Not all schools hold waiting lists, although all schools must hold a list for at least the first term of the year of entry.
61. Children cannot be added to a school's waiting list without first having applied for and been refused a place at that school.
62. 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.
63. Waiting Lists are 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 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. This is in accordance with the School Admissions Code 2014.

64. A child that is at the top of the Waiting List will not necessarily be eligible for a place when a child leaves that year group. If the school is already over its Admission Number then a place will only become available when the year group falls below this number. In addition, pupils admitted after a successful appeal or under the Fair Access Protocol will have priority for a place.
65. Where a school holds a list for the whole of the academic year parents/carers 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/carers 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. Random audits may also be undertaken throughout the year to ensure that waiting lists are up to date.

## Withdrawing the offer of a place

66. Cornwall Council, or Cornwall Council on behalf of the admission authority, is able to withdraw the offer of a place where:
  - the parent has given fraudulent or intentionally misleading information such as a false address; or
  - the child has not taken up the place by the two week deadline indicated in the allocation letter and no other arrangement has been agreed with the school and no appeal has been submitted; or
  - the parent has not accepted the place offered because of a pending appeal, but that appeal was submitted after the two week deadline for taking up the place at the school; or
  - an offer was made in error; or
  - a higher preference offer can be made.

## Summary of the in-year process

**1 September 2020:** In-year Co-ordinated Scheme commences.

**Between 1 September 2020 and 31 August 2021:**

- Application received by School Admissions Team. Process commences on the next working day but only if the requested start date is within 8 school weeks (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.
- Allocation process applied by School Admissions Team.
- **Where possible, within 20 school days** of receipt of application by Cornwall's Admissions Team, Cornwall Council will notify the parent 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 must be taken up.

## Definitions

'school' means a community, foundation, voluntary-controlled ('VC'), voluntary-aided ('VA'), or trust school which is maintained by Cornwall Council 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 Cornwall Council 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;

'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 2020/21 school year which is received by Cornwall Council after 31 August 2020, 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 (AN)’ 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;

‘reasonable travelling distance’ for a secondary age child is considered to be 10 miles, extended to 18 miles for those living in the designated area of Budehaven Community School with travelling times not exceeding 75 minutes. For a primary age child it is considered to be 5 miles with travelling times not exceeding 45 minutes. The distances are measured as the shortest available route as determined by Cornwall Council’s Geographical Information System. This is considered to be the walking route of up to two miles for primary school children up to the end of Year 3 and three miles from Year 4 onwards. For schools outside these distances, driving route will be used. Unlike when eligibility for free home to school transport is assessed, the suitability and safety of the walking route is not taken into consideration when determining these distances;

‘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).

Prepared by:

Education Access and Sufficiency

**Together for Families**

December 2019

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