

# In-Year Admission Arrangements

## I Introduction

- 1.1 These in-year admission arrangements set out how in-year applications for places will be determined.
- 1.2 For the purposes of these arrangements, an in-year application is an application which:
  - a). is submitted for a place at a school in a year group other than the normal year of entry to the school (the normal year of entry is, for example, Reception at an infant or primary school, Year 3 at a junior school or Year 7 at a secondary school);
  - b). is submitted outside the normal admissions round for a place in the normal year of entry to a school;
  - c). is submitted in the normal admissions round for a place in the normal year of entry to a school but was submitted too late to be determined under the co-ordinated scheme for normal admissions.
- 1.3 The term “East Riding of Yorkshire schools” refers to all community, foundation and voluntary schools maintained by the East Riding of Yorkshire Council and to all academies located in the East Riding of Yorkshire.

## 2 Making an in-year application

- 2.1 Applicants resident in the East Riding of Yorkshire have to make applications for school places in accordance with the East Riding of Yorkshire Council’s Co-ordinated Schemes for School Admissions.
- 2.2 Applicants resident outside the East Riding of Yorkshire should make applications for school places in accordance with the co-ordinated schemes determined by the local authority responsible for the area where they live. If the applicant’s home local authority does not have a co-ordinated scheme for in year school admissions, the application for a place at an East Riding of Yorkshire school should be submitted to the East Riding of Yorkshire Council’s School Admissions Team

## 3 Determining an application

### 3.1 The Fair Access Protocol

- 3.1.1 A child’s eligibility for a place at a school will be determined by reference to the in-year admission arrangements and the Fair Access Protocol. **The admission of a child to a school can normally only be considered under the provisions of the Fair Access Protocol if the child cannot be allocated a place through the operation of the in-year admission arrangements.** (See separate document on the Fair Access Protocol).

### 3.2 In-Year admission arrangements

3.2.1 The following arrangements will be used by the governing body when determining and in year application.

### **3.2.2 Admission Limit**

An in-year applicant will normally be allocated a place at a school if the number on roll in the National Curriculum Year Group appropriate to the child's age is below the admission number published for admissions to that year group when it was the relevant year group for normal admissions. Exceptionally, the admission number applied to a year group outside the normal year of entry can be varied if there has been a change in circumstances at the school since the admission number was published. The school's governing body must be able to demonstrate that there are good and valid reasons for varying the admission number applied to in-year admissions.

### **3.2.3 Child's Year Group**

Applications will normally be determined on the basis that the child is to be admitted to the National Curriculum Year Group appropriate to the child's age. An application for admission to a year group other than that appropriate to the child's age may be considered if the applicant can show that the child's best interests can only be adequately catered for in that way. Having been previously taught in a mixed age group class will not, on its own, be regarded as evidence of accelerated or delayed progress.

Requests from applicants wanting to submit an application for a place for their child in a year group other than that appropriate to the child's age should be submitted to the East Riding of Yorkshire Council's School Admissions Team with any supporting documents. The School Admissions Team will then refer the request to the school's governing body.

Decisions about whether or not an application can be considered for admission to a year group other than that appropriate to the child's age will be made by the school's governing body. Applicants may be asked to submit additional documentary evidence in support of their request to be allowed to apply for a place in a different year group for their child. In determining the applicant's request, the governing body will consider each case on its own, individual merits and may seek advice from the East Riding of Yorkshire Fair Access Panel. If it is decided that an application for a place in a year group other than that appropriate to the child's age can be submitted, the parent's application will then have to be processed and determined in accordance with the relevant Co-ordinated Scheme and the published admission arrangements for the school.

### **3.2.4 Siblings in the Same Year Group**

If applications are received for siblings in the same year group and there are only sufficient places available for one or more of those siblings but not all, the school's admission limit will be exceeded and all siblings in the same year group will be allocated places.

### **3.2.5 Children Permanently Excluded Twice**

The arrangements in the School Admissions Code for suspending the parent's right to express a preference for a place for their child where that child has been permanently excluded from two or more schools will be applied in cases where it is felt appropriate to do so. Each case will be considered on its own merits.

### **3.2.6 Processing Applications**

Applications will be dealt with in order of the date on which the application is received. If more than one in-year application for the same year group at the same school are received at the same time, the school's published over-subscription criteria will be used to prioritise the children if places cannot be offered to all applicants.

### **3.2.7 Waiting Lists**

Other than for the normal year of admission as described in the Co-ordinated Schemes, no waiting lists will be maintained for places at schools.

## **4 Admission to a school**

4.1 With the exception of the provisions relating to looked after children (see below), admission will normally take place in accordance with the following timings unless there are special circumstances:

- a). If the child is not on roll at a school or their current school is not within a reasonable travelling distance of the child's home, the child will be admitted to the school as soon as reasonably possible and normally within 20 school days of the date of the letter notifying the applicant that a school place has been allocated. A school is within a reasonable travelling distance if: the journey to the school from the child's home using the shortest available walking route is up to two miles for a child in Reception or Years 1 to 3 or three miles for a child in Years 4 to 11; or if the child is entitled to free transport to their current school under the provisions of the East Riding of Yorkshire Council's Home to School and College Transport Policy.
- b). If the child is on roll at a school which is within a reasonable travelling distance of the child's home (as defined above), the child will be admitted to the new school at the start of the next school term, unless the notification is sent to the school within 20 school days of the end of a term, in which case the child will be admitted after the half term break in the next school term.

## **5 The Fair Access Protocol**

5.1 The Secretary of State's School Admissions Code includes a mandatory requirement that all local authorities have a Fair Access Protocol. Protocols must include special arrangements to be applied where vulnerable or challenging children cannot be found a suitable school place through the operation of the standard in-year admissions processes. The Fair Access Protocol in operation in the East Riding includes provisions which can be applied automatically in certain cases. Other provisions require cases to be referred to the Fair Access Panel.

5.2 Provisions of the Fair Access Protocol which are applied without reference to the Fair Access Panel include the following.

**5.2.1 Children who are looked after by a local authority and children who were looked after prior to their adoption**

Special arrangements apply to the in-year admission of children who are looked after by a local authority and to children who were looked after but ceased to be so because they were adopted or became subject to a residence order or special guardianship order. A looked after child is a child who is in the care of a local authority or is provided with accommodation by that authority (see section 22 of the Children Act 1989). An “adopted child” is a child adopted under the Adoption and Children Act 2002 or the Adoption Act 1976. A “residence order” is an order made under the terms 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). Where an application is submitted for a school place for a looked after or previously looked after child (as defined above), if the child cannot be allocated a place at the most suitable school through the standard in-year arrangements, the Fair Access Protocol will be used to allocate the child a place at the most suitable school. The East Riding of Yorkshire Council’s School Admissions Team will determine the most suitable school, taking into account, among other things, the catchment area the child lives in, the preferences expressed by the applicant and the availability of places at schools. The Fair Access Panel will determine applications where the School Admissions Team’s determination and the applicant’s preference cannot be reconciled (see Fair Access Protocol). The admission to school of a looked after child or a child who was looked after prior to their adoption must take place as soon as possible. If the child cannot be placed on roll quickly or is not attending within 10 school days of the application being determined, the Executive Principal must notify the School Admissions Team.

**5.2.2 Children with no access to another school**

If a child who is resident in the East Riding of Yorkshire is not eligible for a place at any of the schools for which applications have been submitted and is either not on roll at any school or their current school is not within a reasonable distance from their home, the Fair Access Protocol may be applied to place the child at a school.