

Lincolnshire County Council

Co-ordinated In-Year Admissions Arrangements

Applicable from September 2021

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Introduction

The purpose of these arrangements is to co-ordinate the admission of pupils into schools and academies in Lincolnshire outside of the normal admission round. These are known as 'In Year' admissions.

Lincolnshire County Council (LCC) operate a co-ordinated in year service as it is felt that this system reduces demands on all parties and is in the best interests of our residents. We believe it has the following advantages;

- It is most likely to ensure that everyone's safeguarding responsibilities are met, particularly to vulnerable students.
- It provides a clear application process for parents, including option to apply online
- It ensures children can be placed in a timely manner.
- It ensures children only receive one offer of a school place
- It ensures consistent distance measurements for schools
- It allows for centralised verification of application status

Co-ordination in line with these arrangements does not affect the right of individual admission authorities who participate within it to set and operate their own admissions policies but they need to comply with the timescales below to enable the LA to co-ordinate these admissions.

LCC are the clearing house for these applications but do not take part in the decision making unless we are the admissions authority for the school.

The main reason for parents to request a transfer is that they are moving house and their children will need to transfer schools, as to continue to attend the current school will be impractical. However, parents can make an application for any reason and the application must be processed. If a space is available, it must be offered unless permitted exceptions apply.

Any Lincolnshire mainstream school must respond to

- applications,
- requests for information regarding available spaces and
- requests for placements for children when no preferred school can offer a place.

All schools must also participate in the Local Authorities Fair Access Protocol.

Scope

All Lincolnshire mainstream schools who co-ordinate admissions are within the scope of the arrangements. Not covered by this scheme are

- Independent schools
- Specialist schools or alternative provision
- Schools outside of the Local Authority (LA) area
- Nursery schools
- Sixth forms and colleges
- Lincolnshire schools who opt out of centralised co-ordination. These schools are

- UTC Lincoln

Applications for Children with a statement of Special Educational Need or an Education and Health Care Plan naming the school are outside the remit of these arrangements; their in year moves are handled by the Special Educational Needs and Disabilities team.

Applications

Applications may be made online via the parent portal on the LCC website, by phone calling the Customer Service Centre on 01522 782030 or on a paper application form.

Parents will be asked to name up to three preferred schools on their application form and to rank them in the order they would like them to be offered.

Parents cannot list schools that do not co-ordinate in year admissions on their application form. If a mainstream school in Lincolnshire is accidentally listed on the application form that does not co-ordinate, the admissions team will forward the request directly to the school.

Application details for all schools in Lincolnshire will be available on the Lincolnshire County Council website. A paper copy of the form can be obtained from schooladmissions@lincolnshire.gov.uk. A link to LCC admissions should be displayed on schools websites.

Schools should not require that parents fill out a local admissions form asking alternative information, unless declared to the Local Authority for publication on the LCC website.

Direct Applications

Under these arrangements all schools may deal with an application directly from the parents using the LA paper application form. The Code states that schools **must** notify the LA of any application and its outcome as soon as possible. Schools must email the information (Child name, Date of Birth, Gender, Address, parent name, parent contact and outcome of application) to midyearadmissions@lincolnshire.gov.uk within a maximum of 2 school days.

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. If refused a place, schools must notify parents of their right of appeal.

Published Admissions Number (PAN)

A schools PAN is relevant at the year of entry. After the year of entry it is for the school to decide where prejudice occurs and at which point to refuse admission. It is expected that these decisions would be defensible in appeal and that schools would replace children who have left the school.

Schools are permitted to offer over their admissions number and should not refuse admission purely based on the fact that the PAN has been met. In all cases, refusals should occur where there would be prejudice in admitting further students.

Responding to applications / LA requests

Schools access their admissions information through the Schools Access Module (SAM). This must be checked regularly. Admissions will notify schools of an application after 2 school days if no response has been received from the school.

*The admissions code states that 'upon receipt of an in-year application, the admission authority, or the local authority if it is coordinating the admissions authority's in-year admissions, should aim to notify the parents of the outcome of their application in writing within 10 school days, but they **must be notified in writing within 15 school days**'.*

The School Admissions Code (2021) further outlines that schools must respond to information regarding available places within **2 school days**.

To deal with applications promptly schools should respond to midyear requests advising whether there is available space **within 2 school days**. Schools should offer or refuse admission within this time. The exception to this is where a school has spaces and is requesting further information about a child's behavior to refer through the protocol – these should be received as soon as possible to but ideally within **10 school days**. These must be received within **12 school days**. Co-ordination in this scheme is acknowledgement that the LA operates to these timescales.

We would not expect schools to ask for additional information if the school is full. More details on refusals due to challenging behaviour are below.

The following responses are acceptable –

Accept

Full – The admission of a further child will cause prejudice

Full - Infant class size limit has been reached

Not full – offer

Not full - Prejudice – Child has challenging behavior and referral is being considered through Fair Access Protocol.

Not full - Prejudice – Child has challenging behavior and referral has been made through Fair Access Protocol.

Grammar Schools

Accept

Not qualified – Prejudice (school full)

Not qualified – No prejudice (school not full)

Full – The admission of a further child will cause prejudice

Not full – offer

Not full - Prejudice – Child has challenging behavior and referral is being considered through Fair Access Protocol.

Not full - Prejudice – Child has challenging behavior and referral has been made through Fair Access Protocol.

Writing to parents with the outcome of the application.

LCC School Admissions write to the parent to detail the outcome of the application. This must be done within 15 school days of the application being made. If a school has not responded to an application within 15 school days, parents will be notified to contact the school to lodge a complaint.

A copy of the offer letter will be sent to parent and the offered school.

If an offer is made, the offer letter asks parents to contact the school to arrange admission by a specified date. This date is considered the 'expected or notified' first day of attendance at the offered school. On this date, at the latest, the school must place the child on roll unless an alternative date has been agreed with parents. Schools must do this and take responsibility for the child regardless of whether parents engage promptly with the process of integrating the child.

The admissions team write separately to the parent to offer an alternative school if no preferred school can offer a place. The offered school will be copied into this letter.

Placing children on roll

The offered school is responsible for following up with parents in the event that the child does not begin to attend on the agreed date. This includes where the place offered is the next nearest rather than parental preference. Normal non-attendance procedures should be followed.

Determination of the next nearest school

When an application is received for a child that does not have a school place, and none of the preferences can be met, the LA will approach the schools, in order of straight line distance from the child's home, with the closest being approached first, to consider the application.

Schools must respond to these requests in the same way as the requests made by parents. Schools should prioritise those that apply over those who are a next nearest request; however schools cannot refuse to accept next nearest students simply because no formal application was made to the school, if a space is available.

Schools and admission authorities must offer next nearest places promptly, in line with the timescales within these arrangements, when approached by the LA.

Where the LA has a completed Behaviour Supplementary Information Form (SIF) from another school application, this will be sent to the next nearest school requested via email when the application is placed on SAM for schools to view.

Application timescales

Applications are normally dealt with a maximum of 6 school weeks in advance of a place being required. This information is declared to parents throughout the application process. The exception to the usual 6 week lead time is an application relating to a start at the beginning of term in September; we will send these to schools as soon as practically possible at the start of term 6 after the summer half term holiday.

It is important to note that this six week period is a local working practice applied equally to all applicants; schools may wish to deviate from this so applications will be sent to schools for consideration regardless of the start date declared. It will be for schools to agree start dates with parents who accept or decline an offered place.

Supplementary forms

Where, as part of its admission arrangements, a school considers additional information not captured by the Common Application Form (CAF) for example regarding religion, pupil premium or medical support, schools will have a Supplementary Information Form (SIF) to capture the additional information.

Parents/carers may choose to complete this form to support their application but this does not constitute an application, so parents must still submit an application to apply for a school place. The supplementary form will be available from the schools and LA websites and directly from the school. It should be submitted directly to the school concerned.

If a parent does not fill out the SIF, schools should not delay the application on this basis and should instead rank the applicant appropriately if no SIF has been received.

A response is still required within 2 school days to notify if a place is available in line with the timescales in these arrangements. Schools should not delay responding to applications based on the fact that a parent has not completed a SIF.

Supplementary form - Behaviour

If the school require further information to co-ordinate the request and consider referring the application to the fair access protocol, the LCC SIF should be sent to the child's current school to gather additional information. The child's most recent school can be contacted if the child has left school to Electively Home Educate within the past 12 months.

It is not possible to require parents to list their child's current school on the CAF as the software does not allow this. The admissions team will chase parents for this information if it is lacking and may set the application to inactive until the information has been received.

Schools should not ask for information that does not have relevance to the application. The LCC SIF contains all the necessary information to refer to the protocol so schools should not have a local version of this form. This form is available from the school admissions team at midyearadmissions@lincolnshire.gov.uk

On the LCC application form LCC ask the parent FAP questions in order to give an indication to schools whether the child is likely to meet the definition of challenging behaviour without asking the child's current school. We will contact schools each morning if parents have ticked any FAP questions positively on the application as this information currently is not displayed to schools through SAM. The automatic assumption is that no FAP responses are ticked if no contact is received from the team. It is recommended that schools only ask a child's previous school for further information if FAP responses are ticked on the application form by the parents, but

schools are welcome to ask all applicants where there is a space if they wish as the School Admissions Code is silent on this.

More information is in the Fair Access Protocol section below.

Expression of Preference

Schools must offer places to applicants in accordance with their admissions policy without reference to where the applicant has placed the school in their preference order on their application form, therefore, the preference number is not provided. The information about where the child has placed the school on their application form is used by the LA to ensure that any applicant is only offered one place in the event that more than one school can offer a place.

Appeals

In all cases where a place at a school is refused parents will be advised of their right to appeal. Parents can lodge appeals for schools which co-ordinate in year admissions through the Lincolnshire online appeals form found on the LCC website at www.lincolnshire.gov.uk/schooladmissions and these will be forwarded to schools. It is not possible to outline alternative arrangements on the response letter to parents but schools may also request that parents fill out their local appeal form.

Reserve Lists

Schools are responsible for holding their own reserve lists, in line with their oversubscription criteria. Offers from a reserve list are not dealt with as part of LCC co-ordination.

Grammar Schools

Grammar schools need not test all applicants if they are already full. The code states that *'these schools must notify the parent in writing within 15 school days of their in-year application of either the date for the assessment of ability or the reason for refusal with information about the right of appeal (where the admission authority chooses not to assess the child's ability because admitting an additional child would prejudice the provision of efficient education or efficient use of resources)'*. Schools will need to consider what they will do if the child appeals if they have not tested. Schools may wish to contact the Lincolnshire Grammar School Consortium for advice with regard to testing if the school uses GL assessment and is considering refusing in this way. LCC are not involved in the testing process.

Looked After Children

Placing authorities must follow the statutory guidance for placing looked after children when seeking schools for their young people. We would expect that those looking to place children will contact schools prior to making an application to ensure a placement is suitable.

Where this has occurred, It is expected that these children will be accommodated even when the school is technically full, even if other applicants have been refused. Where necessary, these children are an exception to the infant class size limit.

In very rare cases a school may take the view that it would be exceptionally prejudicial to the efficient education and efficient use of resources to offer a place. Where schools take this view we would expect to receive this within 2 school days accompanied by carefully reasoned arguments supported by objective information. In line with DfE expectation we expect that these will be substantially beyond the general argument for "prejudice" under section 86 3 (a) of the SSFA 1998 applicable to general refusals of midyear admission. Where necessary the LA will use its powers of direction or seek directions of academies via the ESFA to support these children.

LAC children and Previously LAC children are not eligible to be refused admission on the grounds of challenging behavior except where the child has been twice permanently excluded from school. More details can be found in the Lincolnshire Fair Access Protocol.

Children Missing Education (CME) and those with poor attendance.

Early help workers and the inclusion and attendance team will support children missing from education to source school places where parents are engaging with the process and students do wish to return to school and it is appropriate for them to do so. In these cases a school attendance order is not appropriate as parents are engaging with the application process. Where a child is allocated as parental preference or as next nearest in these cases, retrospective Fair Access Protocol (FAP) can be used to seek appropriate merit for these children against FAP figures as category B. Once a school place has been offered the early help worker will liaise with the school to discuss the arrangements to integrate the child in to school. As outlined in the FAP, schools can also use the retrospective Fair Access process to seek FAP merit for a child allocated under a school attendance order, although these do sit outside of this process due to their legal underpinning.

Please note: Poor attendance or a child being CME/EHE(Electively Home Educated) does not in itself classify a child to be referred to the protocol as having challenging behaviour, so schools are not permitted to refuse purely on this basis where spaces are available. Where a child does have challenging behaviour, as identified in the protocol, schools may follow the challenging behaviour process outlined in this document. Early help workers may complete behaviour SIFs to provide this information if this information is known and the child has no recent school.

Admission of children outside of their normal age group

The admissions portal for applications bases year group on chronological age. The decision whether to admit out of age group rests with the relevant admissions authority for in year admissions. These decisions must be made in the best interests of the child concerns. If a place has been offered at a school, but not in the parents preferred year group, parents have no right of appeal.

Applications from UK service personnel and returning crown servants.

This applies if the parent is a serving member of the armed forces or is a crown servant returning from abroad.

In year applications can be made in advance of a move but the important consideration will likely be the use of the address to use for purposes of the schools oversubscription criteria. Applications will be coordinated based on a confirmed future address (including quartering addresses, private rental or privately owned properties) if the family has a confirmed posting order to the UK. Parents need to provide evidence of both the posting and the address to be used. Parents with a confirmed posting order may also apply based on the unit postal address if they wish.

Those without a posting order may still apply in advance of a move but the address used for the purposes of oversubscription will be their current address.

If none of the schools listed on the application form can offer a place, Lincolnshire County Council will offer the closest Lincolnshire school to the address accepted on the application form if the accepted address is in Lincolnshire. If the address accepted is outside of Lincolnshire, no alternative school will be offered as it is for the child's home LA to offer an alternative placement.

In order to remove disadvantage to families of service personnel, the school admissions team will approach the schools listed on the application to consider whether the school wish to offer a place to the child even if the school is full. The decision whether to over offer a place is made by the individual admissions authorities concerned in line with their admissions procedures for forces applicants.

In all cases, if a place is refused, parents will be notified of their right of appeal.

Applicants from overseas

The admissions team will process applications from overseas applicants in line with European Law and Home Office rules for non EEA nationals. The address used for the purposes of schools oversubscription criteria will be their current overseas address until the child is resident in the UK, except for forces children and children of returning crown servants. The school admissions team will not allocate an alternative school if parental preference cannot be met.

Fair Access Protocol (FAP)

All schools must participate in the [Lincolnshire Fair Access Protocol](#)

All correspondence regarding Fair Access should be sent to FAP@Lincolnshire.gov.uk.

The legislation and [associated DfE guidance](#) dictates that normal in year processes will be explored first, prior to using FAP to place a child. Schools must not refuse admission simply because a pupil is eligible to be referred via the protocol.

It is for the local authority to decide whether a child qualifies to be placed via the Protocol, based on the circumstances of the case. Schools refer a child for consideration under the protocol.

Where a school wishes to refer a child on the grounds of behaviour they must complete the Fair Access 3.8 referral form and provide this alongside the completed behaviour SIF. If behaviour is agreed as challenging this will be communicated to schools within 2 school days.

The requested school should inform the LA that there are available spaces, that they are considering refusing on grounds of behaviour and have requested information from the previous school within 2 days. Where a SIF is completed and the school is referring the application through the protocol this must be communicated to the admissions team within 10 school days. The 3.8 referral form should be received by LA within 12 school days.

The admissions code states that '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'. This additional flexibility is triggered once the school place the 3.8 form in with the LA and behaviour has been accepted as challenging. Where this occurs, LCC will write to parents to indicate that the application is being considered under the protocol and the extended deadline of 20 school days (by which to have sourced a place) will apply.

Note that if a referral is refused as it does not meet the required threshold, the LA must respond to the application within 15 school days which is why schools must send this to admissions within 12 school days.

Referrals on the grounds of challenging behavior will usually only be accepted where a school has a disproportionate number of challenging children on roll but an exceptional referral can still be made where a school does not have a disproportionate number on the same 3.8 form. Where the referral has not been approved but behaviour is accepted as 'challenging' then retrospective FAP recognition will apply but the school are not permitted to refuse.

Schools should not collect information where there is no space available as this information is not necessary to process the application. Where a school is requesting further information, this is an acknowledgement that there is a space available. If a referral is made and is subsequently refused by the LA, the child must be admitted.

Schools are prohibited from refusing on the basis that information has yet to be received from the child's current school. If the current school has not responded the requested school may still refer via the protocol if a parent has ticked a response on the LA application. If there is no indication that the child displays challenging behaviour and the current school has not responded then the child should be accepted and retrospective FAP used to seek recognition if appropriate.

Schools should respond to requests for additional information via the supplementary form as soon as possible but at most **within 5 school days**. Schools must not refuse to provide additional information as this is information for which schools are legally entitled to gather when an application is made.

Figures of the number of FAP referrals for each school will be maintained by the LA and released in the last week of each half term detailing which pupils have been recognised via FAP and the respective FAP merits for each school. Schools should log any queries regarding these figures prior to the start of the next term

Schools with only one available space referring through the protocol only need hold the place if this will go to the applicant if not accepted under FAP. Schools should not

fill the space with another applicant until the outcome of a FAP referral is known if this will be allocated to the child.

Please note – the following children cannot be referred to FAP, even if they indicate they may meet the definition of challenging behaviour so SIFs must not be sent for these children.

- LAC children and PLAC children
- Children with an EHCP naming the school
- Children in the schools year of intake – e.g. Y7

Referring a child through the Fair Access Protocol does not alter a parent's right of appeal if a place is refused. For this reason schools should only refer through the protocol where the admission of the child would prejudice the education and efficient use of resources at the school.