

North Somerset Council Decision



Decision Of: Executive Member for Children's Services & Lifelong Learning

With Advice From: Director of Children's Services and Head of Strategic Planning & Governance

Directorate: Children's Services

Decision No: CY109 (2022/23 scheme)

Subject: Community and Voluntary Controlled School (Kewstoke Primary School) Admission Arrangements 2024-25

Key Decision: No

Reason: Each local authority (LA) has a duty to set admissions arrangements for schools for which the LA is the admissions authority. The only school that the Local Authority is currently the responsible body for is Kewstoke Primary School.

Background:

Admission authorities are responsible for setting their arrangements for admissions to their schools and must act in accordance with the School Admissions Code, the School Admission Appeals Code, other laws relating to admissions, and relevant human rights and equalities legislation. Local Authorities are the admission authority for community and voluntary aided schools.

As at 1 February 2023, the Council is the admissions authority for Kewstoke Primary School only.

Decision:

The Admissions Arrangements 2024-25 are approved and adopted by the Authority for use at Kewstoke Primary School.

Reasons:

Each Local Authority has a duty to set admissions arrangements for schools for which the LA is the admissions authority.

Options Considered:

It is a legal requirement to set admissions arrangements.

Financial Implications:

None.

Costs:

None.

Funding:

None.

Legal Powers and Implications:

Section 1 (1.1 to 1.54) of the School Admissions Code December 2021 and the main provisions relating to admissions are in Chapter 1 of Part 3 of the SSFA 1998.

Climate Change and Environmental Implications:

Within each oversubscription criterion, priority is given to children living nearest to the school, which, where possible, encourages local schools for local children. The reduced travel distance increases the likelihood of sustainable travel choices, such as walking and cycling.

Consultation:

The School Admissions Code 2021 (section 1.45) requires that, when changes are proposed to admission arrangements, all admission authorities must consult on their admission arrangements (including any supplementary information forms) that will apply for admission applications the following school year. Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities must consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period.

The Community and Voluntary Controlled Admissions Arrangements were last consulted on for the 2023-24 intake. The latest arrangement are available at: <https://www.n-somerset.gov.uk/my-services/schools-learning/school-admissions/full-school-admissions-policies>

There no proposed changes to the policies from 2024/25.

However, for the purpose of clarification, the document has been amended to read “School Admission Arrangements for Kewstoke Primary School 2024-25” as Kewstoke Primary School is the only remaining Community or Voluntary Controlled school within North Somerset.

The papers have been available to the School Organisation Scrutiny Steering Group (CYPS Policy and Scrutiny Panel) to review. The responses received were supportive.

Risk Management:

There is a legal requirement for policies to be set. A failure to set arrangements would place the Council in breach of the school admissions code.

Equality Implications:

Have you undertaken an Equality Impact Assessment? No

The legal requirements for setting admissions arrangements have been adhered to.

Corporate Implications:

The council has a duty to formulate and publish the admission arrangements for all schools for which the LA is the admissions authority.

Appendices:

Community & VC Admissions Arrangements 2024-25

Background Papers:

[School Admissions Code 2021](#)

[School Admissions Appeals Code 2022](#)

[School Standards and Framework Act 1998](#)

Signatories:

Decision Maker(s):



Signed:

Title: Executive Member for Children's Services and Lifelong Learning

Date: 24.02.23

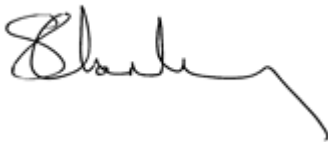
With Advice From:



Signed:

Title: Director of Children's Services

Date: 24.02.23



Signed:

Title: Head of Strategic Planning and Governance

Date: 24.02.23

Footnote: Details of changes made and agreed by the decision taker since publication of the proposed (pre-signed) decision notice, if applicable:

**School Admission Arrangements for
Kewstoke Primary School
2024-25**

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1. Introduction

North Somerset Council is the Admissions Authority for all Community and Voluntary Controlled schools located within North Somerset. Kewstoke Primary School. There are no other community or Voluntary Controlled schools in North Somerset.

The arrangements comply with the requirements of the 2021 [School Admissions Code](#) and the 2012 [School Admission Appeals Code](#) issued, issued under Section 84 of the School Standards and Framework Act 1998.

2. Oversubscription criteria and published admissions number

Where a school is named in a child's Statement of Special Educational Needs or Education, Health and Care Plan, the Admission Authority for the school is legally required to admit the child to the school. Such children will therefore be allocated places at the named school before the oversubscription criteria is applied.

If a school receives more applications than the admission number, the oversubscription criteria will be used to determine who will be allocated places. All applications will be ranked in accordance with the criteria given in order of priority.

When the furthest distance to qualify for a place relates to a household containing two or more children living at the same address for the majority of the time, for whom applications are made (e.g. twins), the place will be offered to one child, which will be determined by drawing lots, unless the admission authority agrees to admit the subsequent child(ren). If the subsequent child(ren) from a multiple birth (e.g. twin, triplet etc) are admitted are for an Infant Class size year group, the admission would be considered as an excepted child under infant class size legislation (School Admissions Code 2021 section 2.16 g).

The following criteria apply to the following school only:

School	Age range	Year of intake	Admissions number
Kewstoke Primary	4-11	Reception	15

1. Children in Care at the time of application and children who were previously in Care but ceased to be so because they were adopted (or became subject to a Child Arrangements Order or special guardianship order) immediately following having been in Care.
2. Children living within the school's First Geographical Area with a sibling who will be attending the school at the time of admission.
3. Children living within the First Geographical Area.
4. Children, living outside the First Geographical Area, with a sibling who will be attending the school at the time of admission.
5. Children living outside the First Geographical Area living nearest to the school.

Priority within each criterion will be given to children living nearest to the school measured in a [direct line](#).

A map of the [First Geographical Area](#) is provided at the end of this policy. A First Geographical Area is an area of priority for a school. Living in this area does not guarantee a child a place at the school but they may receive priority over children who live outside the First Geographical Area.

3. Starting at a primary school

The following information should be read in conjunction with the 2024-25 Coordinated Admission Scheme published by the Local Authority in the area which the child lives (the home Local Authority). For primary school aged children living within North Somerset, this is the North Somerset Primary Coordinated Admission Scheme for new intake admissions for 2024-25.

The scheme can be viewed on the North Somerset Council's website at [co-ordinated scheme](#)

3.1 Applying

North Somerset residents seeking school places should apply on a North Somerset application form. Residents outside North Somerset seeking places at North Somerset schools should apply for places on their home Local Authorities' application form.

For North Somerset children the application form is available for submission using the online system on the North Somerset Council website or in a paper form. Applicants are strongly advised to read the parent guide for this intake which is available on North Somerset Council's web site. See [contact details](#) section for details.

3.2 Deadline

Applications must be received by 11:59pm on 15 January 2024, otherwise the application will be recorded as late. Late applications will not be considered in the first round of allocations and an outcome will not be sent on the National Offer Day. Please see North Somerset Council's [co-ordinated scheme](#) for this intake for full details.

4. In year school transfer applications

The following applications will be treated as in-year admissions during 2024-25:

- applications for admission to Reception which are received after 1 September 2024
- all other applications for admission to Years 1 to 6.

4.1 Applications

Except for deferred entry for Reception Year Group children, applications will not normally be considered in advance of the date the place is required, this will be approximately 35 school days for those moving house, and 21 school days for those not moving house. However, applications for admission in September 2024 can be made from 1 June 2024.

4.2 Outcome

Upon receipt of an in-year application, the local authority will 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. Where an application is refused, the reason for refusal will be set out along with information about the right to appeal. Where an applicant is offered a school place following an in-year application, and the offer is accepted, arrangements should be made for the child to start school as soon as possible, particularly where the child is out of school.

4.3 Alternative places

The Admissions Authority is required to notify North Somerset Council of any in year transfer applications received and the outcome of them. If a place is unable to be offered at a preferred school and the applicant is, or has proven they will be, a resident of North Somerset then the Council will either:

1. offer a place at the nearest school to the home address with a place available
2. advise the applicant of places that may be available at Own Admission Authority school(s)
3. if the child is currently attending the nearest available school to the home address, the Council is not required to take any actions.

4.4 Waiting list

Where there are more children than places available, the School Admissions Team will operate waiting lists for each year group. If parents would like their child's name to be added to the waiting list they must let North Somerset Council know, as no child is added automatically.

Waiting lists for each year group, ~~at each Community and Voluntary Controlled school~~, will be maintained on a two term basis. If applicants wish to remain on the waiting list they must request this for the start of terms 1, 3 or 5. Any applicants that have not requested to be kept on the waiting list will not be considered for any vacancies that may arise. Term dates can be found at www.n-somerset.gov.uk/school-term-dates.

Any application or appeal that is yet to be processed will be considered for a vacancy along with those already on the waiting list. When filling a vacancy, all those seeking a place at the time the decision is made (not at the time the vacancy occurs) will be considered.

Children who are the subject of a direction by a Council to admit or those who are allocated a school in accordance with the [Fair Access Protocol](#), will take precedence over those on the waiting list.

Priority will not be given on the basis of the date an application was added to the list. All applications must be ranked in line with the admission authority's [oversubscription criteria](#) and any allocations will be made using this. Waiting list positions can go up as well as down as additional applicants are added to or removed from the waiting list and ranked in accordance with the specific oversubscription criteria.

4.5 UK Service Personnel and Crown Servants

For UK Service Personnel and other Crown Servants, where possible, places may be allocated in advance of the pupils return to the UK provided the MOD, FCO or GCHQ have provided a letter declaring a return date and residency placement. Places may be offered and reserved up to one term in advance of the place being required. North Somerset operates 6 terms per year. Term dates can be found at www.n-somerset.gov.uk/school-term-dates.

4.6 Fair access

Each Local Authority **must** have a Fair Access Protocol, agreed with the majority of schools in its area to ensure that - outside the normal admissions round - unplaced children, especially the most vulnerable, are offered a place at a suitable school as quickly as possible. In agreeing a protocol, the Local Authority **must** ensure that no school - including those with available places – is asked to take a disproportionate number of children who have been excluded from other schools, or who have challenging behaviour. The protocol **must** include how the Local Authority will use provision to ensure that the needs of pupils who are not ready for mainstream schooling are met.

The Fair Access Protocol is available at www.n-somerset.gov.uk/fair-access-protocol

5. General Information

5.1 Who can apply

Applications will be accepted for children who meet one or more of the following:

- they are resident in the UK
- they hold full British Citizen Passports
- they are from countries whose passports have been endorsed to show that they have the [right to abode](#) in this country

Applications for children who do not meet one of the above will not be accepted until the child is in this country.

5.2 Parent

This includes all of those people, including carers, who have parental responsibility for a child as set out in the Children Act 1989. All references within this document to parent(s) therefore include carers.

5.3 Home address

North Somerset Council will consider the child's home address to be the place where the child permanently and ordinarily resides for the majority of the time as at the closing date and time. This would normally be the same address as a person who has parental responsibility for the child and is their main carer.

An address used for childcare arrangements cannot be used as the home address. The address of a child that is different from his/her parents where the move to this address is expressly linked to obtaining a school place will not be accepted.

Where parents do not live together and the child spends equal amounts of time with both parents, North Somerset Council will consider the home of the parent who made the application to be the child's home.

North Somerset Council will not accept more than one address as the child's home address. If necessary, the terms of a residency order may clarify the home address.

If parents share parental responsibility for the child, and both parents submit an application form, North Somerset Council will ask both parents to determine which application should be considered and which application should be withdrawn. If parents are unable to reach an agreement, North Somerset Council will request to see a Specific Issues Order or a residency order for clarification on which address should be used.

In the absence of any Specific Issues or residency order, North Somerset Council will consider the home address to be the parent with the primary day to day care and control of the child. In reaching this decision, North Somerset Council may request evidence from both parents. Examples of evidence would be the address of the parent who receives Child Benefit and/or the address which is registered with a medical GP. Parents are urged to reach agreement but where they do not, North Somerset Council will determine the home address.

If a child is temporarily living away from his/her parents in a different Council area, the Council where the child ordinarily lives will continue to be the home Council.

Whilst the place of residence of the child for the first round of allocations would normally be his/her physical place of residence as at Closing Date and time for applications, it should be noted that in certain circumstances and acting in the interests of the child, North Somerset Council may use an alternative place of residence*, for example where a child is temporarily living away from his/her parent's home and the new temporary place of residence is the home where the child is likely to be living whilst attending school.

*If necessary this would be determined by North Somerset Council.

5.4 Change of Address

Parents must inform North Somerset Council if they change address as soon as possible or any offer of a place may be withdrawn. If a change of address will occur after the closing time and date (and before the start of term 1), and independent confirmation is submitted by the closing time and date, it will be considered in the first round of allocations.

Examples of independent confirmation of a change of address are:

- a solicitor's letter confirming the exchange of contracts with a completion date,
- a tenancy agreement signed by both parties,
- a utility bill dated within three months prior to submission,

An address change due to a move to live with other family members or friends will not be considered until the move has taken place and parents have provided suitable proof of residency. Proof that a move from the previous address has taken place may also be required, for example proof of exchange of contracts, a tenancy agreement showing the end date of the tenancy or a notice to quit from the landlord or repossession notice. North Somerset Council reserve the right to seek further documentary evidence to support any claim of residence, which could include contacting the estate agent, solicitor, landlord or relevant professional and also may carry out home visits without prior notice to verify a child's home address.

If the child is from a family of a Crown Servant or of UK Service Personnel, a letter from the MOD, FCO or GCHQ declaring a return date and residency area.

Applicants may also be required to provide proof that they have left the previous property, for example by supplying a final account utility bill.

If a new address is not accepted for a round of allocations, where none of the parental preferences can be offered, the alternative school offered will be based on the new address (providing details and independent confirmation is received before the round of allocation has been finalised).

Where a change of address is from one Local Authority to another, the Local Authority of the new address, will then normally be the home Local Authority. The new home Local Authority will then process the application and notify the parents of the outcome.

5.5 Documentary evidence

The Admissions Authority reserves the right to require documentary evidence of the genuineness of a family address and if this is not produced, reserves the right to make its own enquiries, including unannounced home visits.

The child's normal permanent home address where he or she lives with his or her parents or legal guardians will be used to decide where the child lives. If parents or guardians plan to move documentary evidence will be required.

Examples of evidence that may be acceptable to determine a child's address are:

1. A solicitor's letter confirming exchange of contracts and a completion date for a property which is being purchased or a property which is being sold.
2. A copy of a signed rental agreement or a solicitor's letter if moving to a Council or rented property and proof of your sale or Notice to Quit on your current/previous property.
3. A copy of a council tax bill or utility bill such as water, gas or electricity in your name for your newly owned or rented property together with proof of your sale or Notice to Quit on your current/previous property.

4. If you are moving in with a relative, a letter from them will be required confirming the date you will be moving in together with a copy utility bill showing their name and address. A solicitor's letter will also be required confirming that completion of contracts has taken place on your sale or Notice to Quit on your current/previous property. Applicants must also provide documentation showing the applicants name and new address.

5.6 Supporting documents

Any letters/supporting documents should also be submitted to [North Somerset Council](#).

Whilst it is not the responsibility of other offices/schools, North Somerset Council will use discretion and may accept applications/documents received by other Councils, Schools or other Council offices that are passed to the School Admissions Team. They will be accepted as on time if North Somerset Council feels they were submitted by the closing time and date.

5.7 Withdrawal of an offer

The Admissions Authority reserves the right to withdraw an offer of a school place in certain limited circumstances. Examples include:

1. Where a parent has given fraudulent or intentionally misleading information such as a false address, which effectively denied a place to a child with a stronger claim.
2. Where a parent has not responded to an offer within the deadline set or to any subsequent reminder to reply within a further 7 days.
3. Where the offer was made as a result of an administrative error.
4. If children do not commence attendance at school at the date arranged for their child to commence and the school is not given a satisfactory reason for the absence.

If a child or parent(s) move address but the parents do not inform the Admissions Authority, this may be deemed to be intentionally misleading and any place offered may be withdrawn if it has denied another child a place.

Where before offers are made, an application is deemed to be fraudulent or intentionally misleading the application will be considered on the basis of the correct information. It is the parent's responsibility to inform North Somerset Council and/or the Admissions Authority if their contact details change after making an application.

5.8 Children in care

Children in Care are defined as follows:

Children in Care' are children who are (a) in the care of a local Council or (b) being provided with accommodation by a local Council in the exercise of their social services functions (see the definition in section 22(1) of the Children Act 1989).

For Children previously in Care:

- this includes children who were adopted under the Adoption Act 1976 (see section 12 adoption orders) and children who were adopted under the Adoption and Children Act 2002 (see section 46 adoption orders)
- child arrangements orders are defined in s.8 of the Children Act 1989, as amended by s.12 of the Children and Families Act 2014. Child arrangements orders replaced

residence orders and any residence order in force prior to 22 April 2014 is deemed to be a child arrangements order

- in accordance with Section 14A of the Children Act 1989, a Special Guardianship Order is defined as an order appointing one or more individuals to be a child's special guardian (or special guardians)
- 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.

5.9 Siblings

To be considered as a sibling a child must be living at the same address for the majority of the time (at least 50% of the time), as a full, half, step or adoptive sibling.

Full and adoptive siblings are defined as children who have the same biological or adoptive parents.

Half siblings are defined as children who share only one biological or adoptive parent.

Step siblings are defined as children who are not necessarily related biologically (including foster children) but are living in the same household for the majority of the time at the address the Admissions Authority considers to be the address of the child for whom the application is made.

It is the responsibility of parents to ensure that they declare on their application if they have a child (or have been allocated a place for a child) at their preferred school(s) or to inform the Admissions Authority if a child obtains a place after they have applied.

A sibling must be attending (or is expected by the Admissions Authority to be attending) the school at the time of admission.

A child attending a nursery/pre-school part of a school does not count as a sibling attending the school at the time of admission.

5.10 Distances

A direct line distance is where distances are measured in a straight line between the address point of the child's home and the main entrance marker for the school, indicated on North Somerset Council computerised system(s). Unless stated otherwise, where the direct line distances are equal, the ranking of applications will be determined by drawing lots.

5.11 Admissions of children outside their normal chronological age group

Applications for delayed or accelerated entry in cases where parents would like their child to be admitted to a year group that is not their child's chronological age year group, will be considered. The Admissions Authority for the school will make the final decision.

In addition, parents of summer born children (born on or between 1 April and 31 August) can request for their child to be admitted into the Reception year, one year after they would normally enter the school. The Admissions Authority for the school will make the final decision.

Decisions will be made on the basis of the circumstances of each case and in the best interests of the child. This will include taking account:

- the parent's views;
- information about the child's academic, social and emotional development;
- where relevant, their medical history and the views of a medical professional;
- whether they have previously been educated out of their normal age group;
- whether they may naturally have fallen into a lower age group if it were not for being born prematurely.

The Admissions Authority must also take into account the views of the head teacher.

For ~~Community and Voluntary Controlled schools~~ Kewstoke Primary School North Somerset Council is the Admissions Authority and the School Admissions Team will make the decision to agree or decline the request. It is recommended that any parent wishing to request a delayed or accelerated entry, that they contact their preferred school(s) to request that their child starts a year later or earlier than their chronological age. Parents will need to give reasons for the request and details of the child's particular needs. Any reports or evidence to support your request should also be enclosed. The head teacher should discuss this with the parents, consider the child's needs and explain the options that are available to the child. The head teacher will then put in writing whether they are in agreement or not and give their reasons.

Once the head teacher has considered the request, parents will need to write to North Somerset Council School Admissions Team requesting a delayed or accelerated entry. Parents will need to give reasons for the request and details of the child's particular needs. Any reports or evidence to support your request should also be enclosed. The letters from the school(s) that have been approached will need to be attached. North Somerset Council will convene a panel to discuss your specific request and make a final decision.

For reception intake applications, it is advised that an on time application is submitted, for the correct chronological year group. If the delay/accelerated request is agreed, the on time application can be withdrawn and a new application should be made the following year. If the request is not agreed, and the child stays in their chronological age group, the on time application can still be processed. If a request is not agreed and the child does not have an on time application then a late application would need to be submitted.

Where an Admission Authority agrees to a parent's request for their child to be admitted out of their normal age group the parent must apply according to the timescales of the agreed admission cohort. The application will be processed as part of the main admissions round (including applying the oversubscription criteria where applicable), unless the parental request is made too late for this to be possible. Parents have a statutory right to appeal against the refusal of a place at a school for which they have applied and been refused. This right does not apply if they are offered a place at the school but it is not in their preferred age group.

Where an Admission Authority does not agree a request for a summer born child to be admitted into the Reception Year Group, the parent may apply for their child to be admitted with their chronological age group for admission at the time they would normally enter the school. Such children who do not start school in the school year that they become 5 will normally be placed in a Year 1 class and will miss the Reception year.

5.12 Deferred Entry

Places will be offered for admission in September 2024. However, depending on their child's date of birth, places may be deferred until the start of [term 3 or term 5](#) but no later than the term following the child's fifth birthday and cannot be deferred until the start of the following academic year. Parents should make any request to the school for a deferment once they have received an offer of a school place. The school place will be held for that child and will not be available to be offered to another child.

All children offered a place are entitled to a full-time place in the September following their fourth birthday. Parents can request that their child takes up their place on a part-time basis until their child reaches compulsory school age.

If parents wish to defer their child's admission and the term following their fifth birthday would be September 2025, parents will need to notify the school, where a place has been offered, of their intentions to do so. Parents will need to put this in writing to the school and their child's place at the school will be withdrawn and may be offered to another child. It is then the parent's responsibility to apply for a school place in year 1, with their chronological cohort.

Parents should be aware that a school might become full in the Reception age group with pupils whose parent applies for a place during the 2024-25 school year. There may be no places available in a preferred school for those who defer their child's admission until Year 1. These parents will need to apply for a Year 1 school place for their child and these applications will be considered from June 2025 onwards.

All children offered a place are entitled to a full time place in the September following their fourth birthday.

Parents may also request that that their child takes up their place part time until the child reaches compulsory school age.

5.13 Appeals

All applicants refused a place have a right of appeal to an independent appeal panel constituted and operated in accordance with the [School Admission Appeals Code](#). Details of how to appeal are included in the outcome email or letter.

5.14 Education, Health and Care Plan

Applicants in receipt of a Statement of Educational Needs or Education, Health and Care Plan should contact their SEN Officer to apply for schools.

5.15 Alteration

It should be noted that this policy is subject to alteration to reflect any changes in legislation, case law, Council policy or to ensure legal compliance.

6. Contact details

	<p>Address: School Admissions Team People and Communities North Somerset Council Town Hall Walliscote Grove Road Weston-super-Mare BS23 1UJ</p> <p>Telephone: 01275 884078 Email: admissions@n-somerset.gov.uk Website: www.n-somerset.gov.uk/admissions</p>
	<p>Address: Kewstoke Primary School Kewstoke Road Weston-super-Mare BS22 9YF</p> <p>Telephone: 01934 623430 Email: office@kewstokeprimary.co.uk Website: www.kewstokeprimary.co.uk</p>

7. First Geographical Area (FGA)



Kewstoke FGA

Scale: 1:20000
Date: 09 November 2015



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