



Admission Arrangements for Malmesbury CE Primary Academy for 2023/24

Status: Final determined admissions arrangements 2023/24, agreed by the directors on 28/09/2021.

Admission Arrangements for the 2023/24 Academic Year

1. General Information

This policy applies solely to applications for places at Malmesbury CE Primary Academy.

The application round for entry into Reception 2023 opens on 1 September 2022. The deadline date for applications to be received is midnight on 15 January 2023.

The home address given for the child must be the address where the child is resident as of the deadline date.

a. Designated Area

A designated area is a discrete geographical zone which enables a school to focus the area from which children are admitted to the school. The address where s/he is ordinarily resident with his/her parent(s) or legal guardian(s) for the majority of the school week is used to determine whether a child lives within the designated area of the school. Malmesbury Primary School has an inner and an outer designated area, shown in Appendix A.

Children living outside the county boundary are treated as if the children live within Wiltshire but outside the designated area for the school(s) in question.

b. Children with an Education, Health and Care Plan (EHCP) or a Statement of Special Education Needs

All children whose Education, Health and Care Plan (EHCP) or Statement of Special Educational Needs that names Malmesbury Primary School will be admitted.

c. Published Admission Number (PAN)

The directors of Malmesbury Primary School have determined that the PAN will be 60 for the 2023/24 academic year.

d. Address

The child's address provided on the application form should be that of the child's normal place of residence. Only one address can be considered for application purposes. The address provided will be used to determine the child's priority for a school place. The Local Authority reserves the right to confirm the address given by the applicant using the council tax reference number which is provided as part of the application.

For September 2023 Reception entry, the address used to determine priority of school places for on-time applications submitted in the main round will be the child's normal place of residence as at the deadline date of 15 January 2023.

Applications from addresses where the applicant owns a property but is not currently in residence at that address will not be eligible as the application address even if the applicant is intending to return to inhabit the property before the admission date. Applicants will only be considered based on their address as of the deadline date (for applications into Reception in September) and this address will be used to determine

the child's priority for a school place. For in-year transfer applications the current address at the time of application will be used.

e. **Shared Parental Responsibility**

Where two (or more) adults have parental responsibility for a child it is preferable that they should agree before submitting an application form which school(s) to name as their preference(s). In cases of dispute, or where two application forms are submitted, Wiltshire Council will process the application received from the adult who has a residence order. If no such order has been made, preference will be given to the parent with whom the child is living for the majority of the school week.

If parents are in dispute as to whom the child lives with the majority of the school week, Wiltshire Council will process the application received from the adult who is in receipt of the child benefit. If this is not available, then the address used on the NHS card will be used.

In the event of a further dispute regarding the address used, parents may wish to take independent legal advice on whether they should seek a specific issue order from the court to decide on where the child is schooled. For in-year transfer applications, until any such order is made, the placement will continue in the best interests of securing educational provision for the child with a minimum of disruption.

f. **Multiple Births**

The school will endeavour to accommodate siblings born at the same time (eg. twins, triplets etc.) in the same school. If necessary, the school will admit over PAN to accommodate such children. In accordance with paragraph 2.16 of the School Admissions Code 2021, twins and multiple births will be classed as permitted exceptions to the Infant Class Size Regulations. This will only be the case when one of the siblings is the 60th child admitted.

g. **Children of UK Service Personnel (UK Armed Forces)**

Applications for children of UK service personnel with a confirmed posting to the county of Wiltshire will be considered in advance of the family moving into the county if necessary. Where possible, an application must be included in the normal admission round.

An official letter, such as a posting note or letter of support from the commanding officer should be sent to the LA as soon as possible. This should include the relocation date and unit postal address or quartering area address.

Until a fixed address is available, the unit postal address will be used and a school place allocated accordingly.

The Local Authority will not refuse a child of UK service personnel a place because the family does not currently live in the area. It is also not permitted to reserve places for children of UK Service Personnel.

Children will be considered to be siblings if any brother or sister has been formally offered and has accepted a place at the school. Their position on any waiting list will be set accordingly.

All applications will be dealt with in accordance with these admission arrangements.

2. Starting School

A school place will be made available for children from the September following their 4th birthday. Full-time education is available to all reception pupils.

Parents have the right to ask that their child attends part-time and this will be provided by arrangement with the school directors. Part-time provision has been determined as either five mornings or five afternoons a week.

Malmesbury Primary School is responsible for informing parents of the induction arrangements for new entrants to the reception classes.

3. Joint Admission Arrangements with Pre-schools

Registration at any nursery or pre-school unit will not be considered as an application for a school place. Attending a nursery / pre-school does not guarantee any child a place at Malmesbury Primary School. A separate application for a place is required. Applications can only be considered in line with the schools published over-subscription criteria.

4. Early, Deferred or Delayed Admission

a. Deferred admission until later in the academic year

Parents do not have to ensure their child receives full time education until the start of the term following their fifth birthday. However, parents have the right to start their child in school in the September of the academic year following their fourth birthday. In such circumstances, parents also have the option to start their child on a part-time basis or defer their child's entry until later in that academic year.

If a parent decides to defer their child's entry to the school that they have been offered until later in the academic year, that place will be held for the child and will not be offered to another child. However, please note that entry cannot be deferred beyond the point at which their child reaches compulsory school age (for the avoidance of doubt the law states that a child reaches compulsory school age on the prescribed day following his or her fifth birthday [or on his or her fifth birthday if it falls on a prescribed day]). The prescribed days are 31 December, 31 March and 31 August. For children born between 1 April and 31 August, parents cannot defer entry beyond the beginning of the April term of the school year for which the offer was made.

Please note also that children who attend part-time until later in the school year cannot do so beyond the point at which they reach compulsory school age.

If the parent decides that they no longer wish to take up their child's place, they should inform the school and the Local Authority that the place is no longer required. The offer of a place will then be withdrawn and reallocated to the child who is top of the waiting list at that time. The parent must then submit a fresh application for a place in year one for the following academic year. The application can be submitted from April 2023 but will not be considered until at least June 2023.

Any request to defer or attend part-time should be made to the school as soon as an offer is received.

b. Admission of children outside their normal age group

All applications will be dealt with in accordance with the School Admissions Code 2.18, 2.19, 2.20, which came into force on 1 September 2021:

All admission authorities are required to make clear in their admission arrangements the process for requesting admission outside of the normal age group. Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health. In addition, the parents of a summer born child (born from 1 April to 31 August) may choose not to send that child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to reception rather than year 1.

All requests should be made from the September following the child's third birthday, in order to give sufficient time for the case to be considered by the admissions authority prior to the deadline for applications of 15 January. All requests must be submitted to the Local Authority by 15 January 2023.

The decisions on requests for applications outside the child's normal age group are made by the admission authority for each particular school, which in the case of voluntary controlled and community schools is the council. For voluntary aided, foundation schools or academies the admissions authority is the governing body of the school concerned. The decision to admit children outside of their normal age group is made on the basis of the circumstances of each case. All parents who wish to apply for delayed entry into Reception for any Wiltshire school, must first submit a formal application to the council.

If parents are applying for a delayed entry at a voluntary aided, foundation school or an academy, as well as submitting a formal application to the local authority they should also contact their preferred school directly to discuss the request.

If the parental request for delayed admission into Reception is agreed, a separate application for a place in the next cohort would have to be made in the following September. This application would be considered along with all the other applicants for admission in that year at the preferred school. There would be no guarantee that a place would be able to be offered in the preferred school. If the preferred school is over-subscribed and you are not offered a place, the local authority will make an alternative offer. However please note that delayed admission into Reception in the alternative school may not be possible.

If the parental request for delayed admission into Reception is refused, the formal application which has already been submitted will be processed, unless the Local Authority receives a request from the parent to withdraw the application. If no request to withdraw the application is received, then after the offer of a school place has been made, the parent can then inform the Local Authority and the school that they want to defer entry until later in the academic year, as outlined above.

When informing a parent of their decision on the year group the child should be admitted to, the admission authority **must** set out clearly the reasons for their decision.

Right of Appeal for admission of children outside their normal age group

Parents who are refused a place at a school for which they have applied have the statutory right of 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 are dissatisfied with the outcome of the request for delayed entry into Reception they have the right to complain against the decision through the Council's complaints procedure for decisions made by council officers or under the school's complaints procedure where the school is the admissions authority.

5. Deadline – Applications received by the deadline date of midnight 15 January 2023 will be considered as first round applications

The closing date for main round applications (i.e. applications for entry into Reception 2023) is midnight on the 15 January 2023.

All applications received after the deadline of 15 January 2023, including those directed incorrectly to schools and not forwarded to the LA before the deadline, will be treated as late applications and considered only after those applications received before the deadline have been determined.

6. Oversubscription Criteria

If the school is oversubscribed, places are allocated to children in order of the ranked criteria listed below:

a. Looked-After Children/Previously Looked-After Children

The definition of looked-after children - a 'looked-after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order. A looked-after child is a child who is (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions (see the definition in section 22 (1) of the Children Act 1989.)

b. Vulnerable Children

This category includes: children from families registered with the National Asylum Support Service; children or families with a serious medical, physical or psychological condition where written evidence is provided at the time of application from a senior clinical medical officer, general practitioner or specialist showing that it would be detrimental to the child or family not to be admitted to the preferred school.

For the purpose of the above criteria the word 'families' is determined as living at the same address at the time of the application and also living at the same

address on a permanent basis. Proof will be required and must be submitted by the deadline date.

c. Siblings living within the inner or outer designated areas

A child is considered under this category if a sibling is attending the school as at the deadline date and will continue to attend the school at the time of entry, and where the child lives within the outer designated area at the same address as the sibling. Step, half and foster siblings are included in this category.

d. Children of staff of the school living within the inner or outer designated areas

A child is considered in this category where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made and where the child lives within the outer designated area at the same address as the staff member.

e. Children within the inner designated area

A child is considered in this category if they are resident within the inner designated area and do not qualify under one of the criteria above. Should the school be oversubscribed when allocating places within this category, places will be allocated based on a random allocation (details below). Where the catchment boundary follows the middle of a road, children living in a property outside of the catchment but with frontage on to that section of road are included inside the designated area.

f. Children within outer designated area

A child is considered in this category if they are resident within the outer designated area and do not qualify under one of the criteria above.

g. Other siblings outside of both designated areas

A child is considered under this category if a sibling is attending the school at the deadline date and will continue to attend the school at the time of entry, and where the child lives at the same address as the sibling. Step, half and foster siblings are included in this category.

h. Other children outside of both designated areas

A child is considered under this category if none of the above criteria apply to them.

Tie Break

Each category is admitted in the above ranked order.

When the school becomes oversubscribed in categories a, b, c, d, f, g and h, the straight-line distance from the child's home address to the school will be used as the determining factor for that category. Distances will be measured according to the Ordnance Survey eastings and northings for the child's home address and school.

Those living closer to the school will be given priority. *Distances supplied by the Local Authority's computerised system will be used for this purpose.*

If two or more children with the same priority for admission live an indistinguishable distance from the preferred school, but cannot all be admitted, then the available places will be decided by means of random allocation (see below).

When the school becomes oversubscribed in category 'e', admission will be determined by random allocation (see below)

Random Allocation

Random Allocation is the drawing of lots, supervised by a person independent of the school. Each child is allocated a number and ranked in the order that they are drawn, up to the published admission number (currently 60 children). The random allocation will be conducted independently by Wiltshire Council.

For children of a multiple birth, only the allocated number of one of the children will be entered in the draw. Where this number is drawn, the other child or children will be deemed to have also been drawn. Lots will then also be drawn for these children to decide their individual ranking. This process will also be applied to brothers or sisters who are not from a multiple birth but are applying for a place in the same year group.

7. Waiting Lists

Waiting lists will be maintained for all intake year groups in schools. Children will automatically be added to these lists if a preference higher than the school place offered has been refused. All applicants have the right of appeal against any refusal of a place. The existence of a waiting list does not remove this right from any unsuccessful applicant.

The position on a waiting list will be determined by applying the published oversubscription criteria and not by date order of receipt. This will mean a position will change if a later application is received from someone with higher priority according to the oversubscription criteria.

Waiting lists for all year groups will close on the last day of the summer term 2023.

A fresh application can be made for a place for the next academic year group but this will not be considered before 31 May 2023.

Places that become available will not be offered to pupils who are not on the waiting list.

If a child is offered a place from a waiting list, then the place must be accepted or declined within 10 working days of the date of offer. If the place is not accepted then a further letter will be sent informing the applicant that should they not accept or decline the place within 5 working days, the place will be withdrawn. A further letter will be sent informing the applicant the place has been withdrawn.

Notes:

- Names will only be removed from the waiting lists if a written request is received or if the offer of a place that becomes available is declined.

- Registration of interest on a school's pre-admission list will not be considered as an application for a school place.
- Parents must contact the Academy to obtain information on the existence of a waiting list and or maintenance of a waiting list.
- Except for service families, children will not be considered to be living within the designated area for a school until the LA receives evidence of an exchange of contracts or a signed tenancy agreement.
- Children will not be considered to be a sibling unless their brother or sister is attending the school and is expected to still be in attendance at the chosen start date.

8. Applications for Reception 2023 Intake – Applications Received After 15 January 2023

Applications received after the deadline of 15 January 2023 will be considered as late applications.

Applications received between the 16 January 2023 and 25 April 2023 will be treated as second round applications.

Applications received after the 26 April 2023 will be treated as third round applications.

9. Appeals Procedure – Main Round Applications

Parents have a right of appeal to an independent panel against any decision made by or on behalf of the Authority as to the school where education is to be provided for their child.

First round appeals

For applications received from 1 September 2022 – 15 January 2023 and for offers made on National Offer Date, appeals must be received by the Local Authority no later than 14 May 2023.

Second round appeals

For applications received from 16 January 2023 – 23 April 2023 and for offers made on 31 May 2023, appeals will be heard as soon as possible.

Third round appeals

For applications received after the 23 April 2023 and for offers made after 30 June 2023, appeals will be heard as soon as possible.

All appeals will be heard in accordance with the timescales which have been determined and are explained in the School Admissions Appeals Code.

Parents who have appealed unsuccessfully can reapply for a place at the same school in a later academic year, and have a right of appeal if unsuccessful.

Where there have been material changes in circumstances in the same academic year and a repeat application is considered and again refused, the parents will have the right to a fresh appeal.

Please note appeals are only heard in term time.

10. In-Year Transfer Applications for Year Groups Other Than Reception

Applications received after the 25 July 2023 for the year of entry and any applications received for other year groups are classed as in-year transfer applications.

All applications will be considered together with any applications that have already been refused and the child's name will be placed on the waiting list accordingly.

Applications for transfer will be considered no more than a maximum of one term in advance. All requests for admissions will be processed in line with the timetable below. All applications will be considered together and are ranked using the oversubscription criteria listed in this policy.

The following table gives the earliest date that applications can be sent and when they are considered. Decision letters should be posted within 20 school days of either the date in the last column or, if your application is later than this, our receipt of your form.

| Date admission being sought | Earliest application should be submitted | Applications will be processed from |
|------------------------------------|---|--|
| January to March | 1 September | 31 October |
| April to July | 1 January | 15 February |
| September to December | 1 April | 31 May |

Applications received requesting more immediate admission are considered in the order that the School Admissions Team receives them. If more than one additional application for a particular school is received on the same date, places are allocated to children in order of the oversubscription criteria as listed in this policy.

In all cases parent(s)/guardian(s) will be invited to state up to a maximum of three preferences. An offer will be made at the school listed as highest preference possible which has an available place.

If a child is offered a place, then the place must be accepted or declined within 10 working days of the date of offer.

If a child is offered a place and the parent(s)/guardian(s) accept the place, it must be taken up within 28 working days of the required admissions date stated on the original application form. Should the place not be taken up within the 28 working days, the LA will then write to the parents informing them that the place has been withdrawn.

Requests for places in year groups other than the one relating to the child's chronological age will only be agreed if supported by the LA's relevant professional adviser(s) and the school.

11. Appeals Procedure – In-Year Transfer Applications

Parents have a right of appeal to an independent panel against any decision made by or on behalf of the Admissions Authority as to the school where education is to be provided for their child.

All appeals will be heard in accordance with the timescales which have been determined and are explained in the School Admissions Appeals Code.

Information about the appeal procedure will be provided where a place at one or more of the preferred schools has been refused. Parents should contact the Council Customer Services Team (01225 713010) to obtain an appeals form which should be returned to the Democratic and Members Service team (D&M) at County Hall, Trowbridge. The clerk to the appeals panel will be provided by the D&M Service team.

Parents who have appealed unsuccessfully can reapply for a place at the same school in a later academic year, and have a right of appeal if unsuccessful.

Where there have been material changes in circumstances in the same academic year and a repeat application is considered and again refused, the parents will have the right to a fresh appeal.

Please note appeals are only heard in term time.

12. Proof of Address

The LA and the Academy reserve the right to ask applicants for proof of their address. If the applicant's current address is different to that held on the Local Authority's Council Tax system, the LA may ask applicants to provide proof of the new address if one is indicated. Acceptable proof of address includes:

A formal exchange of contracts or a signed solicitor's letter stating contracts have been exchanged and specifying a completion date or a signed and dated tenancy agreement.

If applicants fail to provide proof of a new address, the LA will use the old address for admission purposes. The LA and Academy reserve the right to check that applicants are living at the address indicated on the application form. If applicants are not living there, the application will be investigated and the allocated place may be withdrawn.

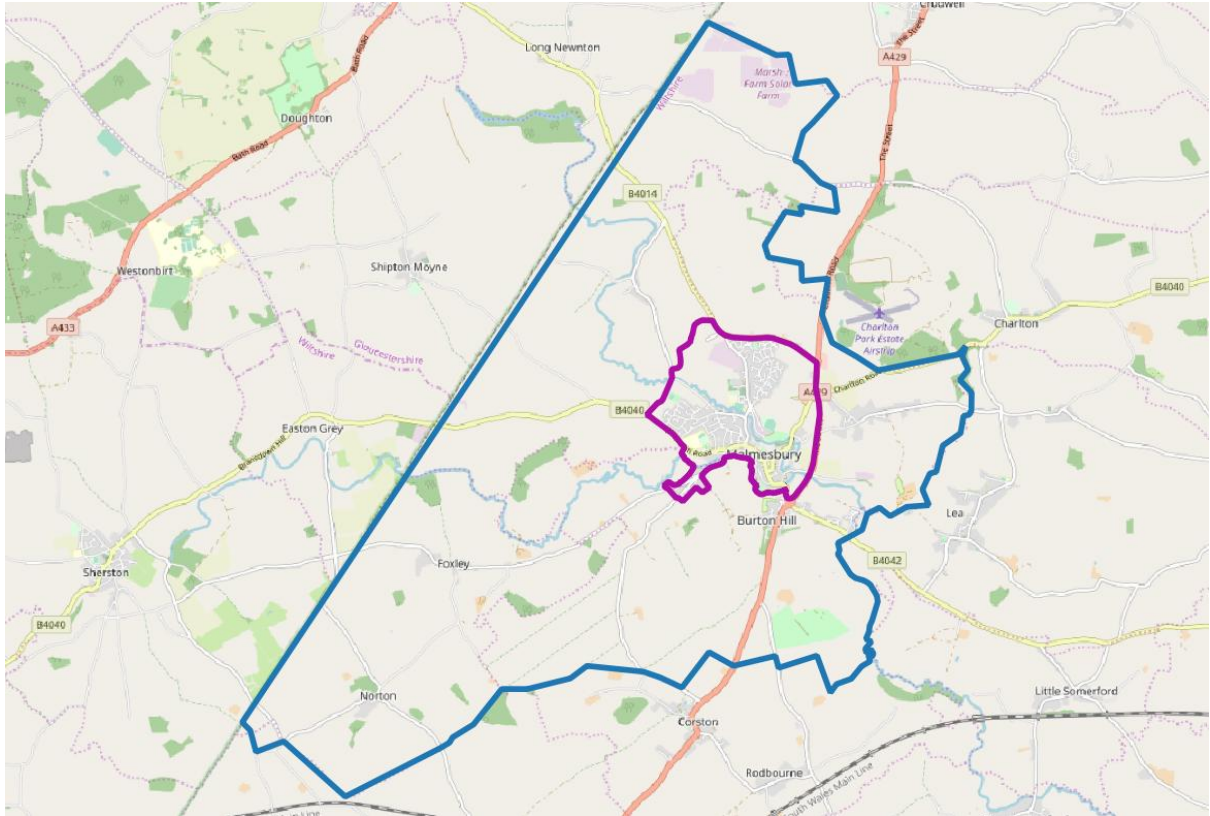
13. Fair Access Protocol

The Academy will act in accordance with the Fair Access Protocol which has been adopted to give access to educational provisions for hard to place children.

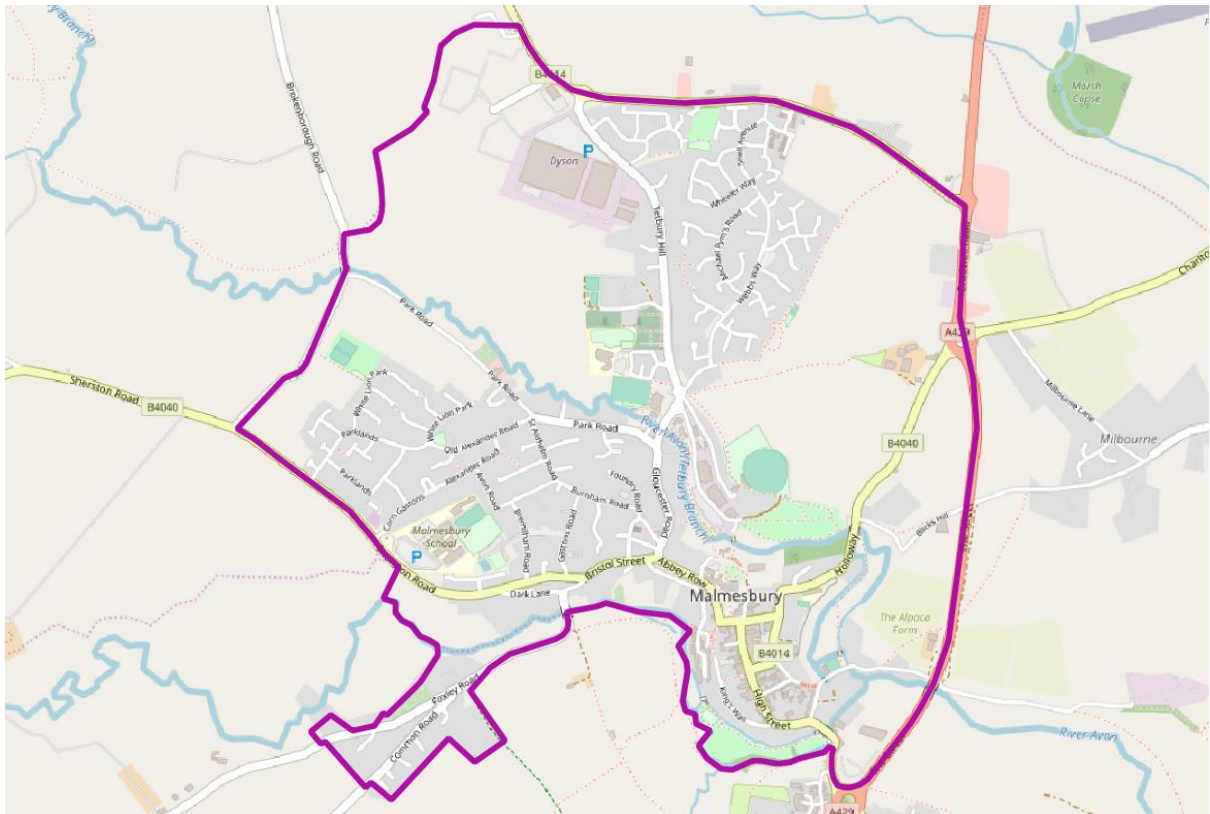
This protocol does not apply to a Child in Care (Looked-after Child, a Previously Looked-After Child) or a child with a Statement of Special Educational Needs or Education Health and Care Plan (EHCP) as these children must be admitted.

Further information on the In Year Fair Access Protocol including further can be viewed at www.wiltshire.gov.uk

**APPENDIX A
PROPOSED OUTER DESIGNATED AREA (BLUE) AND INNER (PURPLE)**



PROPOSED INNER DESIGNATED AREA (PURPLE)



The inner catchment is as follows.

- From the roundabout at Burton Hill by Waitrose, the catchment boundary heads north along the A429 to the roundabout where the A429 and the B4014 to Tetbury meet.
- It then follows the B4014 until just past the Dyson complex.
- It then turns south west and follows field boundaries to where it joins the Brokenborough Road just north west of the junction of Park Road.
- It then joins Park Lane and follows the road to where it joins the B4040 Sherston Road.
- It then follows the Sherston Road in a south east direction towards the centre of Malmesbury until just before it reaches Riversdale House (opposite the Secondary School).
- The boundary then turns south west and then follows the river till it turns south west to encompass the housing within the 30 mile an hour zone on Foxley and Common Roads.
- The boundary then returns down Foxley Road towards town to where it meets the river.
- The boundary then follows the river to the weir at Avon Mills, when it then joins the B4042 back up towards the A429 (Waitrose) roundabout.