LEICESTERSHIRE COUNTY COUNCIL
CHILDREN AND FAMILY SERVICES

ADMISSIONS TO MAINSTREAM SCHOOLS (COMMUNITY & VOLUNTARY CONTROLLED) POLICY & PROCEDURES

Affecting First Time Admissions, Infant-Junior and Secondary transfers for entry Autumn 2028 and in-year transfers from Autumn 2028-29 onwards.

CONTENTS

Useful Definitions **3**

1.0 Introduction **4**

1.10 The Council and parents' duties and responsibilities 5

1.13 Relevant legislation and other information including definitions 5

1.15 Closing dates for applications 5

1.16 National offer day 6

1.19 The Published Admission Number (PAN) 6

1.28 When can the Council request that the PAN be exceeded 7

1.35 Who can make an application for a school place? 8

1.39 The home address 8

1.47 Parents living outside Leicestershire seeking a school place in Leicestershire .. 9

1.49 Children of UK Service Personnel and Crown Servants 10

1.56 Changing preferences after submitting the application form 11

1.59 Allocating places 11

2.0 Normal round First Time Admissions to Mainstream Primary or Infant Schools and Infant to Junior Transfers **12**

2.1 Applying for a school place 12

2.12 How places are allocated 13

2.18 Children with an Education, Health and Care Plan [EHCP 13

2.20 Offers - First time admission / infant to junior transfer 13

2.21 Acceptance or Refusal of Offers and Withdrawal of Places or Offers of Places 14

2.23 Late Primary or Infant applications for normal admissions round 14

2.31 Waiting lists first time admissions and infant to junior transfer 15

3.0 Infant Class Size & Exceptions **15**

4.0 Admission of children below compulsory school age and deferred entry **16**

5.0 Admission of children outside their normal age group to Community or Voluntary Controlled schools **17**

6.0 Normal round Secondary School Transfer Admissions (not VI Form) **20**

6.1 Applying for a school place 20
6.7 How places are allocated 20
6.13 Secondary Offers 21
6.14 Acceptance or Refusal of Offers and Withdrawal of Places or Offers of Places 21
6.17 Late secondary applications – normal admissions round 21
6.24 Waiting lists secondary transfers 22
7.0 In-Year Applications 23
7.1 What is a in-year application? 23
7.4 Leicestershire's arrangements for in-year applications to Leicestershire schools. 23
7.7 Applying for a place in a Leicestershire School 23
7.15 Notifying parents of the outcome 24
7.22 Acceptance or Refusal of Offers; Withdrawal of Places or Offers of Places 25
7.25 Waiting lists 25
7.27 Oversubscription Criteria for Entry Autumn 2028 Admissions and In-year Applications during 2028/2029 Academic Year 26
7.30 Tiebreaker 28
8.0 Children Who Move Out of Or into the Catchment Area 28
9.0 Withdrawal of places 29
10.0 Errors 30
11.0 Second Applications 30
12.0 Appeals (including class size appeals) 31
13.0 Miscellaneous 32
13.1 Catchment Area Definition and How to Find Out the Catchment Area School for the Home Address 32
13.6 Areas of Dual / Multiple Catchment Entitlement 32
13.8 Finding the school nearest to home address (this may not be the catchment school) 32
13.10 Parental Proof of Residence 32
13.11 Clarification of home address where the family's current address is deemed temporary or multiple addresses 33
13.12 Children from Overseas 33
13.16 Circumstances in which an application might be refused – children with challenging behaviour and twice Excluded Pupils 34

Useful Definitions

The Council / LCC:	Refers to Leicestershire County Council
Code:	School Admissions Code (September 2021)
FCDO:	Foreign, Commonwealth & Development Office
UKVi:	UK Visa and Immigration
DIT:	Department of International Trade
Crown Servant:	A person employed by the Crown – Officers employed by departments of the United Kingdom Government, such as FCDO, UKVi, DIT
FAP:	Fair Access Protocol
CAF:	Common Admissions Form
Maintained schools and Voluntary Controlled (VC):	Schools under the control of the local authority
VA:	Voluntary Aided Schools (under their own control)
Foundation Schools:	Schools that control themselves
FTA:	First Time Admissions
Infant School:	4+ to 7
Junior School:	7+ to 11
Primary School:	4+ to 11
Secondary School:	11+ to 16
National Closing and Offer Date(s):	National dates to either submit the application, or to be informed of the outcome to the application
Leicestershire resident:	A family that lives and pays council tax to a Leicestershire district Council
PAN or AN:	The Published Admission Number or Admission Number is the number of children for each relevant age group
Relevant age group:	The age group to which children are normally admitted. Each relevant age group must have admission arrangements including an admission number.
Normal Admissions Round:	A statutory transfer phase of either starting school or transferring school, i.e. to start infant/primary, to transfer from infant to junior school or transfer from primary/junior school to secondary school
Parents and carers:	For the purposes of this policy, parents and carers are collectively referred to as parents, which includes but is not limited to natural (biological) parents, those who have day-to-day care of a child and/or parental responsibility.

1.0 Introduction

1.1 Leicestershire County Council ("the Council" / LCC) is the admission authority for all community and voluntary controlled schools (maintained schools) within Leicestershire. This policy sets out the admission arrangements for these schools. A list of schools to which the arrangements apply can be found at Co-ordinated admissions arrangements for in-year transfers.

1.2 The policy sets out the application process for applications made at First Time Admission (for Reception year group), Infant to Junior transfers and for transfer at Year 7. It also sets out the admissions process for in year applications (i.e. applications made for other year groups).

1.3 The Council is responsible for coordinating first time admissions, secondary transfers, and infant to junior transfers for all Leicestershire Schools. To this purpose it has two approved coordinated schemes: one for; Co-ordinated Admission Scheme – Infant, Primary and Junior school entry and one for Secondar Transfers. It is also responsible for coordination of in-year transfers to all maintained schools and for academies that participate in Leicestershire's Co-ordinated admissions arrangements for in-year transfers.

1.4 The co-ordinated schemes is published by 1st January in the determination year and is available on the LCC's School Policies webpage.

1.5 This document is the Council's School Admissions Policy and sets out how children will be admitted including the criteria (see section 7.29) that will be applied if there are more applications than places available at the school.

1.6 Some academies use the services of the Council's Admissions team to process their applications. A list of these academies can be found at LCC's School Policies webpage. An academy will have its own admissions policy and criteria for entry.

1.7 The council publish a composite prospectus for parents by 12th September in the offer year which contains the admission arrangements known as Your guide to education.

1.8 The Council must ratify admission arrangements for maintained schools by 28th February each year, following a formal consultation where changes have been proposed.

1.9 Where any changes to admission arrangements are proposed, the Council will undertake a minimum 6–week consultation period between 1st October and 31st January of the school year before those arrangements are to apply. The Code sets out who must be consulted, and this includes for example, parents of children between the ages of two and eighteen; other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions. Consultation is only required to take place every seven years if the admission arrangements have not changed since the previous consultation.

1.10 The Council and parents' duties and responsibilities

1.11 The Council has a duty to provide school places for all pupil's resident in its area. The Council achieves this within community and voluntary controlled schools by giving high priority to catchment area children and by allowing parental preference wherever possible. Parents have a right to express up to five preferences for a school place.

1.12 Parents must ensure their children receive suitable full-time education by attendance at school or otherwise; they are not obliged to do this before the child has reached compulsory school age. Information about compulsory school age can be found below in section 4.0.

1.13 Relevant legislation and other information including definitions

1.14 Leicestershire County Council complies with the regulations and legislation set out in the School Admissions Code 2021 and the School Admission Appeals Code 2022, including:

- Equality Act 2010
- Human Rights Act 1998
- School Standards and Framework Act 1998
- School applications for foreign national children and children resident outside England DfE guidance 2024

1.15 Closing dates for applications

- Year 7 transfer applications must be submitted on or before 31st October.
- First time admission / infant to junior transfer applications must be submitted on or before 15th January.

Preferences on the application form

- Application forms for school places allow parents to express up to five preferences for school place;
- Parents should rank their preferences in order with 1 being highest and 5 being lowest;
- Parents should include any additional information the admission authority may need in order to consider their preferences fully;
- Where a place can be offered at more than one preference, only the highest preference will be offered;
- Applications will be prioritised according to the admissions criteria.

1.16 National offer day

1.17 This is the day each year on which local authorities are required to send out the decisions for applications received on time.

a) For secondary pupils, offers are sent out by the home local authority on 1st March;

b) For primary pupils, offers are sent out by the home local authority on 16th April.

1.18 These dates are relevant to all on-time applications in the primary and secondary coordinated admissions rounds. If offer day falls on a non-working day, information will be sent on the next working day.

1.19 The Published Admission Number (PAN)

1.20 Please see link for all Published Admission Number (PANs)

1.21 Admission authorities are required to set a PAN. This is the minimum number of places which must be offered in each relevant age group where the school will admit children for the first time (Reception at an infant/primary school, Year 3 at a junior/primary school, Year 7 at a secondary school).

1.22 The PAN only applies to the relevant age group i.e. Reception, Year 3 at junior transfer, or Year 7. The PAN does not apply to other years, known as in-year (in-year) admissions. In-year admissions may occur as a result of children moving into the area or changing school for other reasons.

1.23 The Council may not refuse admission to other age groups on the grounds that they have already reached their PAN. It may, however, refuse admission where the admission of another child would prejudice the provision of efficient education or efficient use of resources.

1.24 The Council set an admission number for all maintained schools, that are published on or before the 15th March on the Council's website.

1.25 Maintained schools which admit children to Reception year will be subject to the provisions of the School Admissions (Infant Class Size) (England) Regulations 2012 which require that infant classes (Reception, Year 1 and 2) must not contain more than 30 pupils with a single qualified school teacher except in specific exceptional circumstances. These are set out in section 3.0 of this policy.

1.26 Children who have been permanently excluded twice or who display challenging behaviour

1.27 Admission authorities must not refuse to admit a child on behavioural grounds in the normal admissions round or at any point in the normal year of entry, except for where paragraph 3.8 of the **School Admissions Code 2021** applies,

or when paragraph 3.10 applies. Where an admission authority receives an in-year application for a year group that is not the normal point of entry and it does not wish to admit the child because it has good reason to believe that the child may display challenging behaviour [as defined in footnote 76 of the School Admissions Code 2021], it may refuse admission (with access to an appeal) and refer the child to the Fair Access Protocol. The provision in paragraph 3.10 cannot be used to refuse admission to looked after children, previously looked after children; and children who have Education, Health and Care Plans naming the school in question as stated at paragraph 3.12 of the 2021 Code. [For further detail please see section 14.16 of this policy].

1.28 When can the Council request that the PAN be exceeded

1.29 Admission authorities must notify the local authority of their intention to increase the school's PAN and reference to the change should be made on the school's website. If at any time following determination of the PAN, an admission authority decides that it is able to admit above its PAN, it must notify the local authority in good time to allow the local authority to deliver its co-ordinated responsibilities.

1.30 In certain exceptional circumstances with a maintained school the Council may determine, or the school may request, that the PAN be exceeded. Any such request by a school must be made by written request to the School Admissions Service. Where necessary, the School will publish details of any variation to increase the PAN of a particular school on its website.

1.31 For the avoidance of doubt, discretion to exceed the PAN shall rest solely with the Council in liaison with the Headteacher and Governing Body of a school. In reaching any decision the Council will consider the views of interested parties, i.e. other local schools.

1.32 Parents will still submit their application in the usual manner. The Council will determine those applications in the following way:

a) Where the decision to increase the PAN is made before the National Offer Date, applications will be processed in the normal way with on-time applications being considered first and with places being offered in accordance with the oversubscription criteria up to the increased PAN. If there are any places available after on-time applications have been processed, places will be offered to those late applications ranked according to the oversubscription criteria;

b) Where the decision to increase the PAN is made after the National Offer Date, the Council will offer any additional places to children on the waiting list as per the oversubscription criteria up to the increased PAN alongside any further applications received;

c) Where the decision to increase the PAN is made at a time when no waiting list is being held, the Council will offer places on a first come, first served basis, up to the increased PAN.

1.33 When can the Council request the PAN be decreased?

1.34 When changes are proposed to admission arrangements to reduce the PAN, the Council will consult on behalf of community and voluntary controlled schools as set out in Section 1.9 and will apply for admission applications the following school year.

1.35 Who can make an application for a school place?

1.36 Under normal circumstances, the person making the application must hold parental responsibility. The Council considers the parent to be:

- the mother of the child the father of the child where he was married to the mother either when the child was born or at a later date;
- the father of the child if (since 1st December 2003) he was registered as the father on the birth certificate;
- an adoptive parent;
- any other person who has acquired 'parental responsibility' through the courts; evidence of this may be required;
- authorisation may also be given for another person to speak on the parent's behalf.

1.37 If those with parental responsibility are unable to agree on the preferences received by Leicestershire County Council, or where a single home address for the pupil for the purposes of applying for a school place cannot be agreed, Leicestershire County Council can suspend the applications from being processed as the Council cannot get involved in parental disputes. Parents will be advised to obtain further legal advice concerning which parent's application will be processed. Leicestershire County Council will then continue to process the application (following receipt of appropriate legal documentation).

1.38 In cases where multiple applications are received for the same child, parents will be reminded the Code only allows one address for the child for the purposes of applying for a school place.

1.39 The home address and split residence

1.40 The child's place of residence is taken to be the parental home at which they normally reside, other than in the case of children fostered by a local authority, where either the parental address or that of a foster parent(s) may be used.

1.41 Where a family have equal split residency arrangements and the child resides either in the same school catchment or lives in two catchment areas parents must prioritise one address. Informal arrangements between parents will not be taken into consideration.

1.42 Addresses of other relatives or friends will not be considered as the place of residence, even if the child stays there for all or part of the week. Evidence that

the child's place of residence is permanent may also be sought and this should prove that the child lived at the address at the time of the application.

1.43 Where a child lives for part of the week with one parent and for part of the week with the other parent, the address recognised by the Council for the purposes of an application for a school place is the one where the child lives that is the address where the child permanently spends at least three 'school' nights (that is, Sunday, Monday, Tuesday, Wednesday or Thursday) will be taken to be the place of residence.

1.44 Where the weekly residence arrangement varies, and a child stays with both parents, on average, for the same amount of time during the school week over a four-week period, and one parent lives in another school catchment, the parents will be required by the Council to choose one address for the purposes completing a school application. If those with parental responsibility are unable to agree on the preferences received by Leicestershire County Council, it may be necessary for parents to obtain further legal advice. Leicestershire County Council will continue to process an application unless legal documentation is provided that states an application cannot be processed or a pending court hearing. In cases where multiple applications are received for the same child, Leicestershire County Council will establish where the child lives for the majority of the time – as set out in paragraph 1.36.

1.45 Where parents cannot agree a single address, the Council will require parents to seek a Court Order to determine which address is to be used.

1.46 Where any claimed residence arrangement is found to be false, and the child is yet to start at the allocated school, the place will be withdrawn as it will be considered obtaining the school place on fraudulent and / or misleading grounds. In such circumstances the application will be considered afresh and determined at that time based on the correct information. Further information regarding withdrawing applications can be found in section 10 of the policy.

1.47 Parents living outside Leicestershire seeking a school place in Leicestershire

1.48 Parents that do not live in Leicestershire but are seeking a school place at a school within Leicestershire can do so by applying through their home local authority. The home local authority is the area in which the child resides. Those applications will be forwarded to the Leicestershire County Council for processing. If parents are unclear as to their home local authority it will be the local authority to which council tax is paid:

If you pay council tax to any of the district and borough councils below, then you will need to apply via Leicestershire County Council which is your local authority:

- Blaby District Council
- Charnwood Borough Council
- Harborough District Council
- Hinckley and Bosworth Borough Council
- Melton Borough Council
- North-West Leicestershire District Council
- Oadby and Wigston Borough Council

1.49 Children of UK Service Personnel and Crown Servants

1.50 It is the parent's responsibility to make sure the Council are informed of the family's Service or Crown Servant status.

1.51 It is important to note that the provisions of the School Admissions Code or Armed Forces Covenant, do not give automatic priority to Service children over other children or guarantee that Service children will get a place at a particular school.

1.52 For families of Service Personnel with a confirmed posting, or Crown Servants returning from overseas, the admission authority will:

a) allocate a place in advance of the family arriving in the area (as long as one is available), provided the application is accompanied by an official letter that declares a relocation date. This must be an official government letter issued by a government department e.g. FCDO, UKVi, DIT. The Council will not refuse to process an application or refuse a place solely because the family do not yet have an intended address, or do not yet live in the area.

b) use the address at which the child will live when applying the oversubscription criteria, as long as the parents provide some evidence of their intended address. For example, the Council will use a Unit or quartering address as the child's home address where a parent requests this.

1.53 Where a parent is unable to provide confirmation of a relocation address, they are advised to provide an indication of the area, narrowed down as far as possible, to which the family intend to return. Parents should keep admission authorities informed of any changes to the planned address during the application process and should note that without being able to provide any confirmation of a relocation address, an admission authority may not be able allocate a place at a preferred school.

1.54 If vacancies exist, the Council will allocate a place at the preferred school to the family in advance of their move, even if they do not yet have a confirmed address. If schools are oversubscribed the Council need to be satisfied that place(s) is/are allocated lawfully (in accordance with the oversubscription criteria) and will expect to have some level of certainty about a family's intended new address, to ensure a place is allocated lawfully, for example, proof of exchange of contracts or a letting agreement.

1.55 Where Crown Servant families are returning to live in a property, they already own, evidence of ownership will be needed. The family will need to provide evidence by the relevant closing dates, to be included in the first allocation round (see paragraph 1.42 to 148).

1.56 Changing preferences after submitting the application form

1.57 Parents may make preference changes to a submitted application by completing an **amendment form**. As long as the amendment form arrives prior to final LA exchanges (end of the second working week in February) after which no more changes can take place. This means for example, re-ranking the order of submitted preferences will not in most instances be considered as a late application. However, if a new school preference is added to an already submitted application form, then the new preference (only) will be treated as a late preference and will be processed after the national offer date of 16th April for First Time Admissions, Infant to Junior,1st March Year 7 transfers.

1.58 After the closing date if a new school preference is added, then that school preference will be considered as a late preference i.e. the preference(s) will not be looked at / processed until after considering the applications that have been received on time.

1.59 Allocating places

1.60 The Council must allocate any places in schools according to objective and transparent criteria.

1.61 Where a school is undersubscribed, i.e. the PAN has not been reached, any parent that applies must be offered a place subject to paragraph 1.25 (people who display challenging behaviour for more information see Paragraphs 1.26 and 14.29). Where a school is oversubscribed, the Council must rank applications in order against its published oversubscription criteria as set out at Section 7.0.

1.62 In regard to the admission of looked after and previously looked after children, a local authority has the power to direct the admission authority for any maintained school in to admit a child who is looked after even when the school is full.

2.0 Normal round First Time Admissions to Mainstream Primary or Infant Schools and Infant to Junior Transfers

2.1 Applying for a school place

2.2 Leicestershire County Council under the co-ordinated admission arrangements is responsible for Co-ordinated Admission Scheme – Infant, Primary and Junior school entry for all Leicestershire schools and Co-ordinated admission arrangements for in-year transfers scheme for academies that participate in Leicestershire's in-year co-ordination scheme.

2.3 Children do not automatically transfer to Reception from early years provision or nursery and parents **must** apply for a school place. Similarly, children attending an infant school (EYFS-Year 2) do not automatically transfer to the junior (Year 3-6) phase of education and parents **must** make an application.

2.4 The majority of admissions to Reception to all infant and primary schools is the September immediately following a child's fourth birthday (i.e. all children who have turned 4 before 31st August).

2.5 The majority transferring from Infant to Junior (i.e. from September immediately following their 6th birthday).

2.6 For first time admission, applications for a school place must be made on or before the national closing date of the 15th January of the year of admission in which the child turns four, even where the child will not be of compulsory school age in September when they start school. The Council open the application portal on the 1st September of the academic year prior to the year the child is eligible to start school.

2.7 For transfers from Infant to Junior School, applications for a school place must be made on or before the national closing date of the 15th January for all children in Year 2 transferring to Year 3 at a junior school.

2.8 Parents living in Leicestershire must apply to the Council for a school place. Parents can apply on a Common Application Form (CAF). To apply use the following link applying online through the Council's website, or paper copies of the application form can be requested from the Customer Service Centre by calling 0116 305 6684.

2.9 Parents that do not live in Leicestershire but are seeking a school place at a school within Leicestershire can do so by applying through their home local authority i.e. the local authority in which the child resides and where the council tax is paid. Those applications will be forwarded to the Leicestershire County Council for processing, in accordance with the co-ordinated admissions scheme (please see the Council's website for a copy of the co-ordinated scheme).

2.10 Parents are able to state up to five preferences in the order they most prefer and give reasons for those preferences. Parents should include any additional

information the admission authority may need in order to consider their preferences fully.

2.11 The Council will process applications from Service Personnel / Crown Servants in accordance with the School Admissions Code 2021 as set out in paragraph 1.46 of this policy.

2.12 How places are allocated

2.13 All schools set an admission number for each relevant age group. This is the age group at which pupils are or will normally be admitted to the school. The PAN is the minimum number of children who must be admitted if there are sufficient applications. Places will be allocated up to the Published Admission Number (PAN) for each relevant age group, when the admission of another child would prejudice the provision of efficient education or efficient use of resources. Where there are more applications than places, these will be ordered in accordance with the relevant own admitting authority's approved priority criteria.

2.14 Admission authorities may not refuse admission to other age groups on the grounds that they have already reached their PAN. They may, however, refuse admission where the admission of another child would prejudice the provision of efficient education or efficient use of resources.

2.15 Infant class size regulations apply to applications made for places in Reception i.e. first-time admission exceptions. Please see paragraph 1.24 and section 3.0 below.

2.16 For those parents that live in Leicestershire, the Council will confirm decisions for applications from the **national offer date 16th April** (or on the next available working day if the 16th April falls on a weekend/bank holiday).

2.17 For those parents that do not live in Leicestershire, the Council will confirm decisions to the home local authority, (the local authority council tax is paid, and child resides) who will in turn inform parents of the Council's decision.

2.18 Children with an Education, Health and Care Plan [EHCP]

2.19 Some children have an EHCP which is a plan made by the local authority specifying the specialist education provision that is required for that child. All children whose EHCP names the school must be admitted.

2.20 Offers - First time admission / infant to junior transfer

a) Following exchange of offer information with other local authorities, the Council will identify all those preferences which can be met;

b) The Council will inform other local authorities about final decisions for their residents and will receive notification from other local authorities about final decisions for Leicestershire residents.

2.21 Acceptance or Refusal of Offers and Withdrawal of Places or Offers of Places

2.22 In the normal admissions round offers are made for first-time, infant-junior admissions, national offer date 16th April, places will be assumed accepted unless refused.

Where no response has been received within 20 school days of the start of the school term or the date of the offer letter (as may be appropriate), a reminder will be sent explaining that the place may be withdrawn if they do not respond to the offer. Parents will be afforded a further 10 school days to take up the school place. If no further response to the offer (either accepting or refusing it) is received, then the offer of a place will be withdrawn.

2.23 Late Primary or Infant applications for normal admissions round

2.24 Applying late (after the closing date of the 15th January), will mean the application will not be looked at / processed until after considering the applications that have been received on time.

2.25 Where an application was received after the closing date, but before all LA exchanges have closed (end of the second working week in February) and includes independent professional evidence, the Council's School Admissions Manager(s) will consider the evidence and may agree the application as on time where the proof justifies why the application could not be made on time.

2.26 The parent must be able to evidence that the reason for lateness was beyond their control i.e. children in care, forced re-location, new school opening, long term illness or there may have been a family bereavement, which prevented applying by the closing date.

2.27 Moving into the area is not an exceptional reason for applying late. Late applicant families who are already resident within the catchment area and have moved to another address within catchment are also NOT exceptions and will be processed as a late application.

2.28 Applications received after the end of second working week in February, cannot be considered under exceptional grounds, as it is too late to add them to the process and will be considered as a late application. As the process of allocating places will have started including exchanges with other LAs.

2.29 The Council's decision on behalf of the admitting authority will either be to offer a place at a school or refuse the place because the school is full and to admit another student would cause prejudice. A refusal letter will also explain to the parent their right to appeal.

2.30 For those parents that do not live in Leicestershire, the Council will confirm decisions to the home local authority (the local authority where council tax is paid, and the child resides) who will in turn inform parents of the Council's decision.

2.31 Waiting lists first time admissions and infant to junior transfers

2.32 During normal admissions round where an application has been refused and the number of applications received is greater than the number of places available, waiting lists will be maintained from offer day until the 31st December of that year.

2.33 The Council will maintain a waiting list for first time admissions and infant to junior transfers.

2.24 Children's names are only placed on a waiting list for any school that the parent has ranked higher than the school that has been allocated. If a place is subsequently allocated the child's name will be removed from the waiting list for any lower preferences.

2.25 Priority on the waiting list will be decided by reference to the admission oversubscription criteria and not by the date an application was received. The waiting list will be re-ranked each time a child is added, in line with the published admission criteria.

2.26 Applications received after the 1st September will be determined as in-year applications. Any applications that are refused before 31st December will also be automatically placed on the oversubscription (waiting) lists.

2.27 The Council does not hold waiting lists beyond 31st December. At any point while on the waiting list, the family's circumstances change and the Council has been made aware, the application will be assessed again, and the lists will be re-ranked in accordance with the priority criteria. Where a family has failed to notify the Council of such a change and is subsequently offered a place, that place may be withdrawn

3.0 Infant Class Size & Exceptions

3.1 Infant Classes (Reception, Year 1 and Year 2) must not contain more than 30 pupils with a single school teacher[1], unless an exception applies (see paragraph 3.5 below).

3.2 That also includes where admission would cause the infant class size limit to be breached in the future.

3.3 Additional children may be admitted under limited exceptional circumstances. These children will remain an 'excepted pupil' for the time that they are in an

[1] As defined by the section 4 of the School Standards and Framework Act 1998.

infant class or until the class numbers fall back to the current infant class size limit.

3.4 The exceptions, are:

a) children admitted outside the normal admissions round with Education, Health and Care Plans specifying a school;

b) looked after children and previously looked after children admitted outside the normal admissions round;

c) children admitted after initial allocation of places, because of a procedural error made by the admission authority or local authority in the original application process;

d) children admitted after an independent appeals panel upholds an appeal;

e) children who move into the area outside the normal admissions round for whom there is no other available school within reasonable distance;

f) children of UK service personnel admitted outside the normal admissions round;

g) children whose twin or sibling from a multiple birth is admitted otherwise than as an excepted pupil;

h) children with special educational needs who are normally taught in a special educational needs unit attached to the school, or registered at a special school, who attend some infant classes within the mainstream school.

3.5 For late applications for Reception processed after the 16th April (Offer Day) and before 31st August and for all in-year applications for Reception, Year 1, and Year 2, a child who falls into any of these categories will not automatically be admitted as an excepted pupil.

4.0 Admission of children below compulsory school age and deferred entry

4.1 Admission authorities must provide for the admission of children in the September following their fourth birthday.

4.2 The child's parents can defer the date their child is admitted to the school until later in the school year but not beyond the point at which they reach compulsory school age, [see para 4.3] and not beyond the beginning of the final term (1st April) of the school year for which it was made i.e. the Summer Term.

4.3 Compulsory school age is from the term immediately following a child's 5th birthday, which means:

- a child turning 5 between 1 September and 31 December must start school no later than from the start of the Spring Term (January);

- a child turning 5 between 1 January and 31 March must start school no later than from the start of the Summer Term (April);

- a child turning 5 between 1 April and 31 August must start school no later than the following Autumn Term (September).

4.4 Where the parents wish, children may attend part-time until later in the school year but not beyond the point at which they reach compulsory school age.

4.5 Where a child has failed to attend school by the start of the Summer Term in the school year for which the original offer of a school place was made, parents will have to submit a new application unless there are exceptional circumstances which have prevented the child from attending school.

4.6 Exceptional circumstances will include a child who has been unable to attend school because of medical reasons (i.e. hospitalisation, operation recovery that has taken up to two school terms).

4.7 Where there are no exceptional circumstances any application will be treated as an in-year application (see section 7.0).

5.0 Admission of children primary and secondary age outside their normal age group to Community or Voluntary Controlled schools

5.1 At the point of first-time admission, transfer from infant to junior school or admission to secondary school, 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.

5.2 Parents of a summer born child, may choose not to send their child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group, for example into the Reception year group rather than Year 1 (this is considered as a delayed entry for the purposes of this policy).

5.3 Definition of a summer born child is a child born from 1st April to 31st August, these children reach compulsory school age on/by 31st August.

5.4 To request delayed entry or admission outside of chronological age group entry, for first time admission, infant to junior transfer and secondary transfer, parents should make an application for their child's admission to their normal age group at the usual time, in accordance with this policy. Within that application parents should also submit a request to the Council for admission outside of the normal age group. Further information about the process will then be provided to parents upon their request for admission outside of the normal age group or by contacting the School Admissions Service.

5.5 Where a in-year transfer request is made for a child that has been admitted to a year group outside the chronological year group, the requested school is not bound by the decision made by the current admitting authority.

5.6 Decisions will be made, for a maintained / VC school, by a Panel of the Council's professionals based on the circumstances of each case and

considering the best interests of the child concerned. This will take into account:

- parents' views;
- the views of the headteacher of the school concerned;
- information about the child's academic, social and emotional development;
- where relevant, their medical history and the views of a medical professional;
- any views of medical and other professionals;
- whether the child has previously been educated outside of their normal age group;
- whether the child may naturally have fallen into a lower age group if it were not for the child being born prematurely.

5.7 Decisions made by the Council will clearly be set out in writing to the parent. The letter will contain a full explanation to the parent of how the decision was arrived at, including the year group into which the child will be considered for admission as well as what recourse is available if the request is refused.

5.8 Where the Council agrees to the parent's request for their child to be admitted to a year out of their normal age group, the admissions application for a place in the normal year group will then be withdrawn. It will be necessary for the parent(s) to apply again for a place in Reception (or at infant to junior or secondary transfer) at the appropriate time a year later as part of the co-ordinated scheme. If that application is successful, the child will be admitted into Reception, Year 3, or Year 7. However, parents must be aware that any such consent will not guarantee them a place at the preferred school(s).

5.9 If a parent's request is not agreed Leicestershire County Council will continue to process the application for a place in the Reception year, Year 3, or Year 7 at the normal time.

5.10 Parents of first-time admission pupil can seek to defer admission to later in the school year, parents are advised to discuss their options with the headteacher, in accordance with section 2.17 of the Code. Otherwise, parents must apply for Year 1 place. The risk when applying for a Year 1 place is that the preferred school may already be full.

5.11 Where delayed entry has been approved, the Council will process any such application as part of the main admissions round, and alongside other applications for that age group, on the basis of determined admission arrangements only, including the priority criteria when this applies. Where an application is late, it will be considered after on-time applications.

5.12 Any agreement by the Council to delay entry or to be admitted in advance of their chronological age group will only apply in relation to the maintained schools and/or voluntary controlled school(s) identified by the parents. Parents should contact the admission authority of other schools, for example all

academy schools, they may wish their child to attend to confirm the process that they will need to follow in relation to that school.

5.13 At the point of transfer (either from Infant to Junior School or from Junior/Primary to Secondary school) it will be a matter for the admission authority of that requested school(s) to determine whether to approve any request for a child to be admitted outside of their chronological age group.

5.14 Parents' statutory right to appeal against the refusal of a place at a school for which they have applied does not apply if offered a place at the school, but it is not their preferred age group.

6.0 Normal round Secondary School Transfer Admissions (not sixth form)

6.1 Applying for a school place

Leicestershire County Council under the co-ordinated admission arrangements is responsible for co-ordinating secondary transfers scheme for all Leicestershire schools and co-ordinated admission arrangements for in-year transfers scheme for academies that participate in Leicestershire's in-year co-ordination scheme.

6.2 Parents will need to submit an application for admission to secondary school by **the national closing date 31st October** in the year that the child is in Year 6 of primary school. The Council open the application portal from September, and parents are invited to register and apply online.

6.3 Parents living in Leicestershire must apply to the Council for a school place. Parents apply on a Common Application Form (CAF). To apply use the following link: applying online through the Council's website, or paper copies of the application form can be requested from the Customer Service Centre by calling 0116 305 6684.

6.4 Parents that do not live in Leicestershire but are seeking a school place at a school within Leicestershire can do so by applying through their home local authority i.e. the local authority in which the child resides and where the council tax is paid. Those applications will be forwarded to the Leicestershire County Council for processing, in accordance with the co-ordinated admissions scheme (please see the Council's website for a copy of the co-ordinated admissions scheme – Secondary entry).

6.5 Parents are able to state up to five preferences in the order they most prefer and give reasons for those preferences. Parents should include any additional information the admission authority may need in order to consider their preferences fully.

6.6 The Council will process applications from Service Personnel / Crown Servants in accordance with the School Admissions Code 2021 as set out in Section 2.21 and Section 1.49 of this policy.

6.7 How places are allocated

6.8 All schools set an admission number for each relevant year group. This is the age group at which pupils are or will normally be admitted to the school, [at secondary Year 7 and Year 12]. The PAN is the minimum number of children who must be admitted if there are sufficient applications. Places will be allocated up to the Published Admission Number (PAN) for each relevant age group, when the admission of another child would prejudice the provision of efficient education or efficient use of resources.

6.9 This means that admission authorities may not refuse admission to other age groups on the grounds that they have already reached their PAN. They may,

however, refuse admission where the admission of another child would prejudice the provision of efficient education or efficient use of resources.

6.10 Where there are more applications than places, these will be ordered in accordance with the relevant own admitting authority's priority criteria.

6.11 For those parents that live in Leicestershire, the Council will confirm decisions for applications from the **national offer date 1st March** (or on the next available working day if the 1st March falls on a weekend/bank holiday).

6.12 For those parents that do not live in Leicestershire, the Council will confirm decisions to the home local authority (the local authority council tax is paid, and child resides) who will in turn inform parents of the Council's decision.

6.13 Secondary Offers

a) Following exchange of offer information with other local authorities, the Council will identify all those preferences which can be met;

b) The Council will inform other local authorities about final decisions for their residents and will receive notification from other local authorities about final decisions for Leicestershire residents.

6.14 Acceptance or Refusal of Offers and Withdrawal of Places or Offers of Places

6.15 In the normal admissions round offers are made for secondary transfers, national offer date of 1st March, places will be assumed accepted unless refused.

6.16 Where no response has been received within 20 school days of the start of the school term or the date of the offer letter (as may be appropriate), a reminder will be sent explaining that the place may be withdrawn if they do not respond to the offer. Parents will be afforded a further 10 school days to take up the school place. If no further response to the offer (either accepting or refusing it) is received, then the offer of a place will be withdrawn.

6.17 Late secondary applications – normal admissions round

6.18 Applying late (after the closing date of the 31st October), will mean the application will not be looked at / processed until after considering the applications that have been received on time. Decisions for late applications will be after national offer day 1st March.

6.19 Where an application was received after the closing date, but before all LA exchanges have closed (second working week in November) and includes independent professional evidence, which the Council's School Admissions Manager(s) will consider the evidence and may agree the application as on time where the proof justifies why the application could not be made on time.

6.20 The parent must be able to evidence the reason for lateness was beyond their control i.e. children in care, forced re-location, new school opening, long term illness or there may have been a family bereavement, which prevented applying by the closing date.

6.21 Moving into the area is not an exceptional reason for applying late. Late applicant families who are already resident within the catchment area and have moved to another address within catchment are also NOT exceptions and will be processed as a late application.

6.22 The Council's decision on behalf of the admitting authority will either be to offer a place at a school or refuse the place because the school is full and to admit another student would cause prejudice. A refusal letter will also explain to the parent their right to appeal.

6.23 For those parents that do not live in Leicestershire, the Council will confirm decisions to the home local authority (the local authority where council tax is paid, and the child resides) who will in turn inform parents of the Council's decision.

6.24 Waiting lists secondary transfers

6.25 During normal admissions round where an application has been refused and the number of applications received is greater than the number of places available, waiting lists will be maintained from offer day until the 31st December of that year.

6.26 The Council will maintain a waiting list for secondary transfers.

6.27 Children's names are only placed on a waiting list for any school that the parent has ranked higher than the school that has been allocated. If a place is subsequently allocated the child's name will be removed from the waiting list for any lower preferences.

6.28 Priority on the waiting list will be decided by reference to the admission oversubscription criteria and not by the date an application was received.

6.29 The waiting list will be re-ranked each time a child is added in line with the admitting authorities' published admission criteria.

6.30 Applications received after the 1st September will be determined as in-year applications. Any applications that are refused before 31st December will also be automatically placed on the oversubscription (waiting) lists.

6.31 The Council does not hold waiting lists beyond 31st December. At any point while on the waiting list, the family's circumstances change and the Council has been made aware, the application will be assessed again, and the lists will be re-ranked in accordance with the priority criteria. Where a family has failed to notify the Council of such a change and is subsequently offered a place, that place may be withdrawn.

7.0 In-Year Applications

7.1 What is an in-year application?

7.2 A parent can apply for a place for their child at any school, at any time. In-year applications can be made for children requiring a school place during the school year. This would be newly arrived families or where a child needs to change for other reasons part way through an academic year.

7.3 Where the application is seeking a place in Reception, transferring to junior school or transferring to secondary school, and received on or after the first day of the academic year in the year of admission (1st September). The application will be considered an in-year application and will be processed in accordance with the Council's in-year co-ordinated scheme for maintained schools and for those academies that participate in the Council's co-ordinated scheme.

7.4 Leicestershire's arrangements for in year applications to Leicestershire schools.

7.5 In year transfer requests will be co-ordinated through the Council's School Admissions Service, for schools under the Local Authority's control and for those academies (own admitting authorities) that have indicated that they wish to participate in the Local Authority's Co-ordinated admission arrangements for in-year transfers scheme.

7.6 Local authorities are required to publish information on their public website by 31st August at the latest each year to explain how in-year applications can be made and how they will be dealt with from 1st September onwards in that year.

7.7 Applying for a place in a Leicestershire School

7.8 Information setting out the process for applying for in-year applications , is set out on the council's website for both maintained schools and those academies that participate in the council's co-ordinate scheme and for those admitting authorities that manage their own in-year admissions see the Council's Co-ordinated admission arrangements for in-year transfers scheme.

7.9 School places cannot be reserved, and places are allocated in line with the admission arrangements for the school.

7.10 Applications can be made using the Council's in-year application form (Common Application Form) available online or on a paper copy of the application form which can be requested from the Customer service centre by calling 0116 305 6684 (before applying parents are encouraged to arrange to visit the school).

7.11 Parents can state up to five preferences on an application for any of the schools participating in the scheme.

7.12 All Leicestershire maintained schools and academies including schools designated with a religious character that have a place available must offer a

place to every child who has applied for one, without condition or the use of any oversubscription criteria, unless admitting the child would prejudice the efficient provision of education or use of resources.

7.13 Where there are more applications than places available, places must be allocated on the basis of the oversubscription criteria in the determined admission arrangements for the relevant admitting authority only.

7.14 Where an application is made to a maintained or VC school that is oversubscribed, a school place may still be offered subject to the following conditions:

i. The requested school is the catchment school for the new address; and

ii. Documentary evidence of the house move is provided (see paragraph 14.21); and

iii. There is no alternative school within a reasonable distance which has available places in the relevant year group. Reasonable distance for these purposes is 2 miles for a primary school and 3 miles for secondary school, measured as the shortest safest walking route from the centre of the home address to the School's front gate using an electronic mapping tool; and

iv. The application is made within 90 calendar days of the family first moving into the property and the application requests a start date of no later than half a school term from the point the application was received;

or,

v. That the child has/will have a sibling attending the school at the same time.

7.15 Notifying parents of the outcome

7.16 The Council will aim to notify the parents of the outcome of their application in writing within 10 school days and must notify in writing within 15 school days.

7.17 Where the in-year application is made through the Council, the decision will, either be to offer the place or refuse, if the school is full and it would cause education prejudice to the efficient provision of education or use of resources. The refusal letter will also explain to the parent their right to appeal, and how they should do this.

7.18 Admission authorities must not refuse to admit a child on behavioural grounds in the normal admissions round, or at any point in the normal year of entry, except for children who have been permanently excluded from two or more schools.

7.19 Where an admission authority receives an in-year application for a year group that is not the normal point of entry and it does not wish to admit the child because it has good reason to believe and can evidence that the child displays challenging behaviour, [as defined in the School Admissions Code 2021] it may

then have grounds to refuse admission and refer the child to the Fair Access Protocol.

7.20 This can only be used if the school in question can evidence it has a particularly high proportion of either children with challenging behaviour or previously permanently excluded pupils on roll compared to other local schools; and it considers that admitting another child with challenging behaviour would prejudice the provision of efficient education or the efficient use of resources.

7.21 There are some exceptions – set out in Section 14.16 of this policy.

7.22 Acceptance or Refusal of Offers; Withdrawal of Places or Offers of Places

7.23 For in-year applications (outside the normal round), parents should respond to any offer of a school place within 20 school days of the date of that letter directly with offered school to make starting arrangements.

7.24 Where no response has been received within 20 school days of the start of the school term or the date of the offer letter (as may be appropriate), a reminder will be sent explaining that the place may be withdrawn if they do not respond to the offer. Parents will be afforded a further 10 school days to take up the school place. If no further response to the offer (either accepting or refusing it) is received, then the offer of a place will be withdrawn.

7.25 Waiting lists

7.26 The Council only maintains waiting lists for first time admissions, infant to junior transfers and for secondary transfers, until 31st December. The Council maintains no oversubscription (waiting) list for any other year groups. Each child added will require the waiting list to be re ranked in accordance with the published oversubscription criteria.

7.27 **Oversubscription Criteria for Leicestershire Maintained and VC Schools Entry Autumn 2028 Admissions and in-year Applications during 2028/2029 Academic Year**

[All academies will have their own admissions criteria parents are advised to visit the academy website to view their criteria]

7.28 Where there are more applications than places available, the oversubscription criteria are used to decide the priority of applications for school places Applications will be ranked in accordance with the priority criteria set out below. The first criterion represents the group of children most likely to get a place at the school. The last criterion represents the group of children least likely to get a place.

7.29 The highest criterion plus distance will be used where there are more applications than places available within a single criterion, for example where there are 120 places and 125 catchment applications are submitted, the 125 children that are in catchment will then be ranked by distance, with the closest 120 being offered the places.

Priority	LA Criteria for entry to maintained or VC schools only
1st	Children who are looked after and those children who were previously looked after children. (See note i.)
2nd	Pupils who live in the catchment area at point of application. (See note ii.)
3rd	Sibling, where there is sibling attending the requested school and will still be attending the requested school at point of entry. (See note iii.)
4th	Pupils who have a serious medical condition or exceptional social or domestic needs that make it essential they attend the school requested. (Professional documentation confirming the situation must be submitted with the application.) (See note iv.)
5th	Pupils who are attending a feeder school at the point of application. (See note v.)
6th	Pupils with a sibling attending the Linked Junior School. (See note vi.)
7th	Pupils living nearest to the school measured in a straight-line distance (home to school front gate). (See note vii.)

Notes:

i. The School Admissions Code 2021 states that all admission authorities must give highest priority to this group of children and provides the following definitions:

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) at the time of making an application to a school.

'Previously looked after children' are children who were looked after but ceased to be so because they were adopted (or became subject to a child arrangements order or special guardianship order). Further references to previously looked after children means such children who were adopted (or subject to child arrangements orders or special guardianship orders) immediately following having been looked after and those 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.

- A child is regarded as having been in state care outside of England if they were in the care of or were accommodated by a public authority, a religious organisation, or any other provider of care whose sole or main purpose is to benefit society.
- Children who were adopted under the Adoption Act 1976 and children who were adopted under section 46 of the Adoption and Children Act 2002.
- Child arrangements orders are defined in section 8 of the Children Act 1989, as amended by section 12 of the Children and Families Act 2014. Child arrangements orders replace residence orders and any residence order in force prior to 22 April 2014 is deemed to be a child arrangements order. 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).

ii. All schools for which the Council is the admission authority have catchment areas these can be seen at the following link: catchment areas. For the purpose of processing a school application a single home address must be used. The child's place of residence is taken to be the parental home at which they normally reside. Where parents claim equal or dual residency the home address is the address where the child permanently spends at least three 'school' nights (that is, Sunday, Monday, Tuesday, Wednesday or Thursday) will be taken to be the place of residence.

For children of UK service personnel with a confirmed posting to the area or crown servants returning from overseas to live in the area, the Council will use the address at which the child will live when applying the oversubscription criteria, as long as the parent provides some evidence of their intended address. A unit or quartering address will be used as the child's home address where a parent requests this and evidence, such an official letter declaring the relocation, is received.

For families of service personnel with a confirmed posting, or crown servants returning from overseas, the admission authority will:

a. allocate a place in advance of the family arriving in the area (as long as one is available), provided the application is accompanied by an official letter that declares a relocation date. This must be an official government letter issued by a government department e.g. FCDO, UKVi, DIT. We will not refuse to process an application or refuse a place solely because the family do not yet have an intended address, or do not yet live in the area.

b. use the address at which the child will live when applying their oversubscription criteria, as long as the parents provide some evidence of their intended address. For example, we will use a Unit or quartering address as the child's home address where a parent requests this.

iii. The term sibling relates to:

- brothers and/or sisters who share the same parent(s)
- a half-brother, half-sister or legally adopted child living at the same address
- a child looked after by a local authority placed in a foster family with other school age children
- a stepchild or children who are not related but live as a family unit, where parents both live at the same address as the child.

iv. If criterion 4 is used, when making an application parents should send evidence from an independent professional person who knows about the child and supports the application to the school. It must clearly show why the school is the most suitable and any difficulties if alternate schools were offered. Examples of an independent professional person are a health professional, social worker, teacher/early years professional or support worker or such other appropriate person. The evidence must be supplied and must be submitted with the application for a school place.

The following list are the areas that are considered exceptional:-

a. Children with a serious medical condition - showing that the needs of the child can only be met at the specific school and why other schools would not be able to meet this need, or a child has an exceptional illness or disability (for example, limited mobility) which means that, the child can only reasonably attend one school.

b. Children subject to Child Protection Plans and Child in Need Plans and the child can only reasonably attend one school.

c. Parents suffering domestic violence (This is dependent on documentary evidence by a lead professional for example a health professional, social worker, teacher/early years professional or support worker or such other appropriate person)

The Service Manager along with the Admissions Manager will make the decision during the processing period in consideration with relevant professional documentation.

v. For criterion 5 above, the child must be on roll at the feeder school at the point of application.

vi. A younger sibling will be considered under this criterion where they have an older sibling attending the linked junior school and will still be attending the linked junior when the younger sibling starts school.

vii. For criterion 7, measurement of distance of up to three decimal places will be in a straight line from the centre point of the home property to the school's main designated front gate, using a computerised mapping system. Where there is equal distance then lots will be drawn. The drawing of lots will be undertaken by a senior officer in the Children and Families Department, supervised by an officer of the Council from another department that is independent of the Council's School Admissions Service.

7.30 Tiebreaker

7.31 If having applied the highest criterion plus distance and, two or more applications have identical ranking lots will be drawn. The drawing of lots will be undertaken by a senior officer in the Children and Families Department, supervised by an officer of the Council from another department that is independent of the Council's School Admissions Service.

8.0 Children Who Move Out of Or into the Catchment Area

8.1 A child who is already attending a school and whose place of residence changes to an out-of-catchment address is entitled to continue attending that school. However, any subsequent application, as an in-year or at the point of transfer to a junior school, must be made using the address the child is living at when the application is made.

8.2 Where a family have made an application, they must notify the Council of any change in their address as soon as possible after the move.

8.3 Where a family have applied or been offered a place at a community or voluntary controlled school and move home during the course of the admissions process (i.e. after the closing date for first time admissions or transfers but before they start) they must notify the Council immediately.

9.0 Withdrawal of places

9.1 Once a place has been offered at a school the Council may withdraw that place prior to starting school where it has been established that:

the place was offered in error;

or

it is established that the place was obtained through a fraudulent or intentionally misleading application;

or

where the parent has not responded within a reasonable period of time[2].

9.2 The parent will be given a further opportunity to respond and will be informed that the offer may be withdrawn if they do not respond. For in-year applications (outside the normal round), parents should respond to any offer of a school place within 20 school days of the date of that letter directly with offer school to make starting arrangements.

9.3 Where no response has been received within 20 school days of the start of the school term or the date of the offer letter (as may be appropriate), a reminder will be sent explaining that the place may be withdrawn if they do not respond to the offer. Parents will be afforded a further 10 school days to take up the school place. If no further response to the offer (either accepting or refusing it) is received, then the offer of a place will be withdrawn.

9.4 Fraudulent applications: The Council investigates any applications where there are doubts about the information provided. In these cases, parents will be required to provide evidence that the information submitted as part of the application was accurate. If the parent does not provide information or is unable to provide this information the Council will seek to obtain confirmation of the information from other local government departments, including schools. Where an offer of a place is found to be based on fraudulent or intentionally misleading information provided on the application, and this effectively denied a place to a child with higher priority for the place at the school, the offer of a place may be withdrawn. The Council reserves the right to check the information provided on the application is genuine.

[2] Including a failure to respond within a reasonable time (10 working days) to a request for information, such as to provide proof of an address.

9.5 Where an offer has been withdrawn due to an error or confirmed fraudulent /intentionally misleading information, the application will be considered and a right of appeal offered if an offer is refused.

10.0 Errors

10.1 Where the Council has made an error in the processing of an application for a school place, and it is established that had the error **not** occurred it would have resulted in the applicant being offered a school place, the Council will offer a place at the school.

10.2 Applicants are responsible for the accuracy of all and any information which they submit. The Council takes no responsibility for incorrect information submitted as part of an application (i.e. an incorrect date of birth, failure to mention sibling(s), failure to provide supporting evidence etc.) or the impact that such information may have on the determination of their application. Where applicants become aware of such errors, they should notify the Council as soon as possible.

10.3 If an administrative error in the processing of the application for a school place results in another child being disadvantaged by this error the place may be withdrawn. If it is established that no other child has been disadvantaged the allocation will remain.

11.0 Second Applications

11.1 Ordinarily parents may only make one application for any particular school per academic year. In exceptional circumstances, and at its sole discretion, the Council may allow a further application to be made where there has been a significant and material change in the circumstances of the parent, the child or the school.

11.2 The following is a non-exhaustive list of what may be considered to be exceptional:

- change of address i.e. where the change of address is into the catchment of the school;
- new significant and material evidence has come to light in personal circumstances;
- a significant change in medical circumstances (apart from medical attention for distress or anxiety as a result of unsuccessful applications / appeals);
- there has been a significant and or material change in the circumstances of the school i.e. significant extensions / new build, an increase their PAN, increase in the number of teaching staff.

11.3 In such instances parents must provide the Council with written details of the significant and material change together with any evidence of that change. Where the significant and material change is accepted by the Council a second application will be permitted and must be made in the usual way and will be

processed in the normal manner and, where necessary, in accordance with the priority criteria. The decision will be made by the Admissions Manager(s).

12.0 Appeals (including class size appeals)

12.1 If an application for a school place is refused, a refusal letter is issued, which will set out the reason for refusal information about the right to appeal, the deadline for lodging an appeal and the contact details for making an appeal. Parents if they want to appeal have to set out their grounds for appeal in writing.

12.2 Parents have a right to appeal to an Independent Appeal Panel.

12.3 The decision of an Independent Appeal Panel is binding on parents, the Council and the governing body of the school.

12.4 Appeals that are to be heard as part of the normal round will be heard in accordance with the appeals timetable published on the LA's website.

12.5 More information about the school appeals process can be found on the Council's website see following link – Appealing a school place decision. The School Admission Appeals code 2022 provides mandatory requirements and statutory guidance for admission authorities local authorities and admission appeals panels [insert link].

12.6 The online application form for an appeal can be found on the Council's website see following link – Appealing a school place decision or a paper copy can be requested from the customer service centre by calling 0116 305 6684.

13.0 Miscellaneous

13.1 Catchment Area Definition and How to Find Out the Catchment Area School for the Home Address

13.2 Community and Voluntary Controlled schools have their own defined catchment areas, which are available to view on the website: Links to school catchment area maps and general information. These are the geographic area from which pupils / students are eligible to be considered under criterion 2 of the Priority Oversubscription Criteria.

13.3 The home address determines into which catchment area the applicant resides (definition of home address see section 1.39 (and section 7.29 note (ii)). There are some instances where a single catchment has multiple schools, this will mean families may have more than one catchment school.

13.4 If unclear in which catchment area the home address falls, please contact the Council's Customer Service Centre, on (0116) 305 6684.

13.5 Where a family have equal split residency arrangements and the child resides either in the same school catchment or live in two catchment areas, parents must prioritise one address.

13.6 Areas of Dual / Multiple Catchment Entitlement

13.7 In areas where there is dual or multiple catchment entitlement, equal preference process will be applied at the normal round of applications. For children who move into an area outside of the normal admissions round, the normal criteria will be applied (see Section 7.27). In both circumstances the highest-ranking preference where possible will always be offered.

13.8 Finding the school nearest to home address (this may not be the catchment school)

13.9 See the link below for the nearest school not necessarily the catchment school: leicestershire.gov.uk – Find a school

13.10 Parental Proof of Residence

a. The Council may request evidence of an address or of a move into a catchment area. Such evidence may include but not be limited to:
   - Opening Council Tax Bill;
   - Signed and dated copy tenancy agreement;
   - Copy of a letter of completion of house purchase from a solicitor.

b. In addition to the above the following may also be asked for:
   - Copy of child benefit letter;
   - Copy of current driving licence;

- Copy of registration at GP practice or hospital consultant.

c. Where a family has moved in with relatives or friends (including new to UK):
   - A declaration from Parents and householder / homeowner / relative / friend confirming the applicant family now reside at the address;
   - A copy of most current council Tax bill from occupier.

13.11 Clarification of home address where the family's current address is deemed temporary or multiple addresses

For the purposes of this policy the following will be accepted as the home address:

a. Purchase of a second property by a family, while the first property is retained, where the family moves to the second address and provides proof of residence - as set out in section 13.10; or

b. Rented accommodation while a previous property is retained. The family must provide satisfactory evidence to the Council that the rented accommodation is their primary residence through proof of residence, and by demonstrating that the old property is not being occupied by them. In that instance, the Council must be provided proof of zero/vacant occupancy (i.e. discounted council tax, see section 13.10); or

c. Temporary living arrangements whether living with relatives or not i.e. whilst re-furbishing, building or decorating the permanent home address. The home address will be taken as the one where the family can provide proof of residence - see section 13.10 a), b) or c); or

d. Where because of reasons beyond parental control a house move has been imposed on the family or children ((i.e. fleeing domestic violence (refuge address), safe home (witness protection), home repossessions, losing home residence through an 'act of god' i.e. home destroyed, etc.)), subject to supporting documentation; or

e. Where the parent has been hospitalised and the children have been placed with a relative or carer, the temporary address will be accepted for the purposes of a school application on proof of hospitalisation i.e. a letter from a medical professional, and a declaration from the relative or carer of the arrangements.

13.12 Children from Overseas

13.13 Applications from non-UK nationals will be processed in accordance with this policy.

13.14 Foreign nationals who do not normally reside in the UK will be asked to check that their children have an immigration status which permits them to enter the UK to access a state-funded school.

13.15 Children may be breaching their UK entry conditions by entering the country in order to attend a state funded school if they do not have an immigration status that permits such study.

13.16 Circumstances in which an application might be refused – children with challenging behaviour and twice Excluded Pupils

13.17 Where a child has been permanently excluded from two or more schools there is no need for an admission authority to comply with parental preference for a period of two years from the last exclusion.

13.18 The twice excluded rule does not apply to the following children:

a. children who were below compulsory school age at the time of the permanent exclusion;

b. children who have been reinstated following a permanent exclusion (or would have been reinstated had it been practicable to do so);

c. children whose permanent exclusion has been considered by a review panel, and the review panel has decided to quash a decision not to reinstate them following the exclusion; and

d. children with Education, Health and Care Plans naming the school.

13.19 Admission authorities must not refuse to admit a child on behavioural grounds in the normal admissions round or at any point in the normal year of entry, except for where the above applies.

13.20 For those children who have been permanently excluded and are in a transition phase (i.e. transferring from Year 2 to Year 3 or Year 6 to Year 7), all exclusions are expunged, and the receiving school must take the child.

13.21 Where an admission authority receives an in-year application for a year group that is not the normal point of entry and it does not wish to admit the child because it has good reason to believe that the child may display challenging behaviour, it may refuse admission and refer the child to the Fair Access Protocol.

13.22 Challenging behaviour is defined the School Admissions Code 2021 as ‘behaviour can be described as challenging where it would be unlikely to be responsive to the usual range of interventions to help prevent and address pupil misbehaviour or it is of such severity, frequency, or duration that it is beyond the normal range that schools can tolerate. We would expect behaviour to significantly interfere with the pupil’s/other pupils’ education or jeopardise the right of staff and pupils to a safe and orderly environment.

13.23 Challenging behaviour only be used if the school in question has a particularly high proportion of either children with challenging behaviour or previously permanently excluded pupils on roll compared to other local schools and it considers that admitting another child with challenging behaviour would prejudice the provision of efficient education or the efficient use of resources. This cannot be used to refuse admission to looked after children, previously looked after children; and children who have Education, Health and Care Plans naming the school in question.

13.24 Admission authorities must not refuse to admit a child thought to be potentially disruptive, or likely to exhibit challenging behaviour, on the grounds that the child is first to be assessed for special educational needs.

13.25 In addition to this, applications for vulnerable children who have been unable to secure a school place outside of the normal admissions round may be referred for consideration under the Fair Access Protocol. Further details about this can be found on the Council's website. Parents should be aware that where children are considered under the protocol, the protocol has no obligation to comply with school preference rights (although it will be considered) in seeking to secure a school place. However, there is nothing to prevent a parent from applying for a different school at that time – any such application will be considered in accordance with the usual process.

13.26 Where a Governing Body does not wish to admit a child with challenging behaviour outside the normal admissions round, even though places are available, it must refer the case to the Council for action under the Fair Access Protocol.

13.27 For those of primary school age the Primary Fair Access Panel will consider the most appropriate school and will aim to facilitate a re-integration. For those of secondary school age the relevant Area Behaviour Partnership will be responsible to place the student with support as necessary.

13.28 Parents are not precluded from applying for a school place even whilst the fair access process is ongoing.