



Barclay Academy Admissions Arrangements Explanation 2021-22

Published Admission Number (PAN)

Barclay Academy will admit up to the Published Admission Number of 196 pupils.

Children with an Education, Health and Care Plan (EHCP).

Section 324 of the Education Act 1996 requires the governing bodies of all maintained schools to admit a child with an Education, Health and Care Plan (EHCP) that names the school. These children will be admitted within the school's PAN but before any child prioritised under the school's oversubscription criteria.

Oversubscription Criteria

Rule 1. Admission of **Children Looked After (CLA)** in public care or **Previously Looked After (PCLA)***, but ceased to be so because they were adopted (or become subject to a child arrangement order or a special guardianship order).

* Children Looked After (CLA)/ Previously Looked After (PCLA) means a child who is looked after, or has been looked after by a local authority in accordance with section 22(1) of the Children Act 1989 at the time an application for his/her admission to the school is made.

Rule 2. Medical or Social: Admission of children with specific medical needs, social needs and special needs where the application is supported by specific written advice as to why admission to the Academy is necessary. On behalf of the Governors of the Academy, HCC will determine, whether the evidence provided is sufficiently compelling to meet the requirements for this rule. The evidence must relate specifically to Barclay Academy and must clearly demonstrate why Barclay Academy is the only school that can meet the child's needs. Applications for children adopted but previously looked after abroad will be considered under this rule and accepted if the child's previously looked after status and adoption is confirmed. Hertfordshire's "Virtual School" will be asked to verify all such applications.

Rule 3. Sibling: Children with a sibling on roll of the Academy. The Academy reserves the right to ask for proof of relationship once offers have been made.

Rule 4. Nearest School: Children who live in the priority area for whom it is their nearest* Hertfordshire maintained school or academy that is non-faith, co-educational and non-partially selective.

Note: Non-partially selective means that the school does not offer any places based on academic ability.

Rule 5. Distance: Admission of children who live nearest to the Academy. The student's permanent address is where he or she normally lives and sleeps and goes to school from. If a fraudulent application is made deliberately, any offered place may be withdrawn.

Rule 6. Children living outside the priority area on the basis of distance, with those living nearest to the school given priority. These rules are applied in the order they are printed above. If more children qualify under a particular rule than there are places available, a tie break will be used by applying the next rule to those children.

Tie Break

If more children qualify under a particular rule than there are places available, a tie break will be used by applying the next rule to those children. When there is a need for a tie break where two different addresses are the same distance from a school, in the case of a block of flats for example, the lower door number will be deemed nearest as logically this will be on the ground floor and therefore closer. If there are two identical addresses of separate applicants, the tie break will be random. Every child entered onto the HCC GIS measurement system and the distances are

automatically available with application information in SEAM. The HCC’s admissions database has an individual random number assigned, between 1 and 1 million, against each 2 preference school. When there is a need for a final tie break the random number is used to allocate the place, with the lowest number given priority.

A ‘straight line’ distance measurement is used in all home to school distance measurements. Distances are measured using a computerised mapping system to two decimal places. The measurement is taken from the AddressBase Premium address point of your child’s house to the address point of the school. Premium data is a nationally recognised method of identifying the location of schools and individual residences.

Twins/Multiple births

The Barclay Academy Governing Body, as the admission authority, will admit over the school’s published admission number when a single twin/multiple birth child is allocated the last place at a school.

Priority Area

The school priority area is based on the following towns, parishes/unparished areas. These apply to Rules 4 and 5:

	Priority Area	Towns/Parishes/Unparished areas	Schools
5	Stevenage	Aston, Benington, Datchworth, Graveley, Great Ashby, Knebworth, Stevenage, Walkern.	The Barclay, Barnwell*, Marriotts, TheNobel*, Thomas Alleyne*

Home Address

The address provided must be the child’s current permanent address at the time of application. ‘At the time of application’ means the closing date for applications. “Permanent” means that the child has lived at that address for at least a year and/or the family own the property or have a tenancy agreement for a minimum of 12 months.

The application can only be processed using one address. If a child lives at more than one address (for example due to a separation) the address used will be the one which the child lives at for the majority of the time. If a child lives at two addresses equally, the address of the parent/carer that claims Child Benefit/Child Tax Credit will be considered as the child’s main residence.

If a family is not in receipt of Child Benefit/Tax Credit alternative documentation will be requested. If a child’s residence is in dispute, parents/carers should provide court documentation to evidence the address that should be used for admission allocation purposes.

Fraudulent Applications

The Academy will work in close liaison with the Hertfordshire County Council to do as much as possible to prevent applications being made from fraudulent addresses.

Address evidence is frequently requested, monitored and checked and school places will be withdrawn when false information is deliberately provided. Hertfordshire County Council will take action in the following circumstances:

- When a child’s application address does not match the address of that child at their current school;
- When a child lives at a different address to the applicant;

- When the applicant does not have parental responsibility;
- When a family move shortly after the closing date of applications when one or more of the following applies:
 - The family has moved to a property from which their application was less likely to be successful;
 - The family has returned to an existing property;
 - The family lived in rented accommodation for a short period of time (anything less than a year) over the application period;
 - Council tax information shows a different residence at the time of application.
 - When a child starts at the allocated school and their address is different from the address used at the time of application.

Fair Access (In Year Admissions only)

The academy will admit children under the Fair Access Protocol before those on continuing interest, and over the Published Admission Number (PAN) if required.

Continuing Interest (waiting) lists

After places have been offered, Hertfordshire County Council will maintain a continuing interest (CI) (waiting) list. A child's position on a CI list will be determined by the admission criteria outlined above and a child's place on the list can change as other children join or leave it. The county council will contact parents/carers if a vacancy becomes available and it can be offered to a child. Continuing interest lists will be maintained for every year group until the summer term (date to be confirmed). To retain a CI application after this time, parents must make an In Year application.

In Year Admissions

Parents can make an online in year application via the Hertfordshire County Council website www.hertfordshire.gov.uk/admissions, or contact the Customer Service Centre on 0300 123 4043 for a paper application form. Parents should return the application form direct to the County Council.

Appeals

- **Secondary transfer intake:** Parents wishing to appeal who applied through Hertfordshire's online system should log in to their online application and click on the link "register an appeal". Out of county residents and paper applicants should call the Customer Service Centre on 0300 123 4043 to request their registration details and log into www.hertfordshire.gov.uk/schoolappeals and click on the link "log into the appeals system".
- **In Year Admissions:** The county council will write to you with the outcome of your application and if you have been unsuccessful, will include registration details to enable you to login and appeal online at www.hertfordshire.gov.uk/schoolappeals

Explanatory notes and definitions

The following definitions apply to terms used in the admissions criteria:

Rule 1: Children looked after and children who were looked after, but ceased to be so because they were adopted (or became subject to a child arrangements order¹ or a special guardianship order²)

Places are allocated to children in public care according to Chapter 7, Section 2 of the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012.

These children will be prioritised under rule 1.

Highest priority will also be given to children who were looked after, but ceased to be so because they were adopted, or became subject to a child arrangements order or a special guardianship order.

A “child looked after” 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 (section 22(1) of The Children Act 1989)

All children adopted from care who are of compulsory school age are eligible for admission under rule 1.³

Children in the process of being placed for adoption are classified by law as children looked after providing there is a Placement Order and the application would be prioritised under Rule 1.

Children who were not “looked after” **immediately** before being adopted, or made the subject of a child arrangement order or special guardianship order, **will not** be prioritised under rule 1. Applications made for these children, with suitable supporting professional evidence, can be considered under rule 2.

¹ Child arrangements order

Under the provisions of the Children and Families Act 2014, which amended section 8 of the Children Act 1989, residence orders have now been replaced by child arrangements orders which settle the arrangements to be made as to the person with whom the child is to live.

² Special guardianship order

Under 14A of The Children Act 1989, an order appointing one or more individuals to be a child’s special guardian or guardians.

³ This definition has been amended in accordance with paragraph 1.7 (footnote 17) of the School Admissions Code that came into force on 19 December 2014.

Rule 2: Children for whom it can be demonstrated that they have a particular medical or social need to go to the school

Rule 2 applications will only be considered at the time of the initial application, unless there has been a significant and exceptional change of circumstances within the family since the initial application was submitted.

All schools in Hertfordshire have experience in dealing with children with diverse social and medical needs. However in a few very exceptional cases, there are reasons why a child has to go to one specific school.

Few applications under Rule 2 are agreed.

Applications for children adopted but previously looked after abroad will be considered under this rule and accepted if the child’s previously looked after status and adoption is confirmed. Hertfordshire’s “Virtual School” will be asked to verify all such applications.

All applications are considered individually but a successful application should include the following:

- a) ***Evidence that the child was previously cared for by the state abroad because he or she would not otherwise have been cared for adequately and has been subsequently adopted OR***
- b) Specific recent professional evidence that justifies why only one school can meet a child’s individual needs, and/or
- c) Professional evidence that outlines exceptional family circumstances making clear why only one school can meet the child’s needs.

- d) If the requested school is not the nearest school to the child's home address clear reasons why the nearest school is not appropriate.
- e) For medical cases – a clear explanation of why the child's severity of illness or disability makes attendance at only a specific school essential.

Evidence should make clear why only one school is appropriate. A Rule 2 application will generally not be upheld in cases where more than one school could meet the child's need.

In exceptional cases relating to a disability, where more than one school in the county can meet the child's specific needs, a clear and compelling case can be made for the "nearest" school with the relevant facilities, environment or location. You must clearly explain why attendance at the "nearest" school with these facilities is essential.

Applications under Rule 2 can only be considered when supported by a recent letter from a professional involved with the child or family, for example a doctor, psychologist or police officer. The supporting evidence needs to demonstrate why only one named school can meet the social/medical needs of the child.

Applications for children previously "looked after" but not meeting the specific criteria outlined in Rule 1, may be made under this rule.

Further details on the Rule 2 process can be found here:

<https://www.hertfordshire.gov.uk/media-library/documents/schools-and-education/admissions/rule-2-protocol.pdf>

Definition of sibling

A sibling is defined as: the sister, brother, half brother or sister, adopted brother or sister, child of the parent/carer or partner or a child looked after or previously looked after¹ and in every case living permanently² in a placement within the home as part of the family household from Monday to Friday at the time of this application.

A sibling must be on the roll of the named school at the time the younger child starts or have been offered and accepted a place.

If a place is obtained for an older child using fraudulent information, there will be no sibling connection available to subsequent children from that family.

¹ Children previously looked after are those children adopted or with a special guardianship order or child arrangements order. This definition was amended following a determination by the OSA in August 2014.

² A sibling link will not be recognised for children living temporarily in the same house, for example a child who usually lives with one parent but has temporarily moved or a looked after child in a respite placement or very short term or bridging foster placement.

Applications from children* from overseas

All children of compulsory school age (5 to 16 years) in England have a right of access to education. However, where a child is in England for a short period only, for example less than half a term, it may be reasonable to refuse admission to a school.

An application for a school place will only be accepted for such children currently overseas if, for In Year applications, proof is provided that the child will be resident in Hertfordshire within two weeks. In Year allocations are made on the assumption that the child will accept the school place and be on roll within that timescale.

For the secondary and upper transfer processes; applications will not normally be accepted from, nor places allocated to, an overseas address. The exception to this (for both In Year and transfer processes) is for children of UK service

personnel and crown servants (and from military families who are residents of countries with a Memorandum of Understanding with the UK). In these cases the school will allocate a place in advance of the family arriving in the area provided the application is accompanied by an official letter that declares a relocation date and a HCC Unit postal address or quartering area address, for consideration of the application against oversubscription criteria. If the family already has an established alternative private address, that address will be used for admission purposes.

Barclay Academy in liaison with Hertfordshire County Council will also consider accepting applications from children* whose family can evidence intent to return to and/or permanently reside in Hertfordshire prior to the start of the new academic year. These applications, if accepted, will be processed from the overseas address until sufficient evidence is received to show the child is permanently resident in Hertfordshire. Evidence must be submitted at the time of application.

Evidence submitted after the date for late applications (4 December 2018) cannot be taken into account before National Allocation Day. Decisions on these applications will be made by a panel of senior officers and communicated with parents within 6 weeks of the closing date for applications.

If an applicant owns a property in Hertfordshire but is not living in it, perhaps because they are working abroad at the time of application, the Hertfordshire address will **not** be accepted for the purposes of admission until the child is resident at that address.

Other children, than those mentioned above, from overseas do not generally have automatic right of entry to the UK. An application for a school place will not therefore be accepted until they are permanently resident in Hertfordshire. Proof of residency such as an endorsed passport or entry visa will be required with the application, in addition to proof of Hertfordshire address, for example a council tax bill or 12 month rental agreement.

*Children who hold full British Citizen passports (not British Dependent Territories or British Overseas passports), or have a UK passport describing them as a British citizen or British subject with the right of abode or are European Economic Area nationals normally have unrestricted entry to the UK

Children Out of Year Group

The school's policy is for children to be educated within their correct chronological year group, with the curriculum differentiated as necessary to meet the needs of individual children. This is in line with DfE guidance which states that "in general, children should be educated in their normal age group".

If parents/carers believe their child(ren) should be educated in a different year group they should, at the time of application, submit supporting evidence from relevant professionals working with the child and family stating why the child must be placed outside their normal age appropriate cohort. Supporting evidence should be submitted to HCC's Admissions Team. DfE guidance makes clear that "it is reasonable for admission authorities to expect parents to provide them with information in support of their request – since without it they are unlikely to be able to make a decision on the basis of the circumstances of the case".

Through a panel process, HCC will decide whether the application will be accepted on the basis of the information submitted. On behalf of the governors of the Academy, the panel make decisions based upon the circumstances of each case including the view of parents, the relevant headteacher(s), the child's social, academic and emotional development and whether the child has been previously educated out of year group. There is no guarantee that an application will be accepted on this basis. If the application is not accepted this does not constitute a refusal of a place and there is no right to an independent statutory appeal. Similarly there is no right of appeal for a place in a specific year group at a school. The internal management and organisation of a school, including the placement of pupils in classes, is a matter for the Headteacher and senior leadership of individual schools.

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