



# Cherry Orchard Primary School

## Admissions Policy - 2024 to 2025

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### Admissions Criteria:

The Published Admission Number for Cherry Orchard Primary School is 90, and places will be allocated in the following order:

1. **\*'Children Looked after and previously \*'Children Looked after'; including \*\*'Children who have previously been in state care outside of England, and have ceased to be in state care as a result of being adopted;**
2. **Siblings** (see below for definition) of pupils attending Cherry Orchard Primary School **and** living within the **catchment area** of the school. In order to qualify for a place on the grounds of a sibling attending the school, the sibling must already be attending the school at the time of application and still be attending at the time of admission. A copy of the catchment area map is available on the school website or can be viewed in school office. To find the catchment school for a postcode visit: - [Find a school | Find a school | Worcestershire County Council](#)
3. Pupils living within the **catchment area** of the school. A copy of the catchment area map can be viewed on the school website.
4. Pupils living **outside of the catchment area** but who would still have a **sibling** connection (see below for definition) at school at the time of admission. In order to qualify for a place on the grounds of a sibling attending the school, the sibling must already be attending the school at the time of application and still be attending at the time of admission;

5. **Children of staff** at the school, in either of the following circumstances:
  - a) Where that member of staff has been employed for two or more years at the time at which the application for admission is made, or
  - b) the member of staff is recruited to fill a post for which there is a demonstrable skill shortage;
6. Pupils who live **nearest** to the school by the shortest **straight line distance**. The measurement will be taken using the GeoCode Points for each property and the GeoCode point for the School. The school uses the Local Authority software package called Arcview GIS to determine distance. Ordnance Survey supplies the co-ordinates that are used to plot an address within this system. (In the event of equi-distance applicants, any place will be allocated by random selection (lottery). Someone totally independent of School Admissions will supervise this process).

In accordance with legislation, a child with an Education, Health and Care Plan will be offered a place at the school named in the Plan.

\*'Looked after' means all those currently in the care of a Local Authority or accommodated by a Local Authority under the terms of the Children Act 1989 and children who were previously in the care of or accommodated by a Local Authority but immediately after being looked after, became subject to an adoption, a child arrangements order or special guardianship order.

\*\*'By children previously in state care outside of England', we mean children who have been looked after outside of England by a public authority, a religious organisation or another provider of care whose sole purpose is to benefit society. The care may have been provided in orphanages or other settings. Independent supporting evidence will be required to be provided with the application.

Where there are too many applications from within the catchment area, priority within the catchment area will be decided in the following order, i.e. sibling connection then children of staff then according to distance, each assessed as indicated above.

The sibling connection, as well as brother and sister will include half-siblings, adopted children, step-siblings or a child of the parent/carers partner. They must also be living at the same home address. Children who are brought together as a family by a civil partnership and who are living at the same address, are also considered to be siblings.

In the event that one or more but not all children from a multiple birth can be allocated a place(s), all of the children from that multiple birth will be admitted even if this takes the school over PAN. These children are exceptions to the Infant Class Size legislation.

There are a number of additional limited exceptions to the Infant Class Size legislation, including children of UK service personnel admitted outside the normal admissions round, children with an EHCP, looked after children, children with special educational needs who are normally taught in a

unit attached to the school, where a procedural error has occurred, children admitted following successful appeal and children admitted outside of the normal admissions round where no other place is available.

### **Published Admissions Number (PAN)**

The school's Published Admission Number (PAN) is **ninety**.

### **Late Applications**

The school has agreed to accept late applications, between 16<sup>th</sup> January 2024 and 28<sup>th</sup> February 2024, and treat them as being on time, only in the following circumstances;

- a) where a family have just moved address, (refer to Information for Parents booklet);
- b) where it is agreed by the Governing Body, that individual circumstances apply and the delay was reasonable given the circumstances of the case;

In each case supporting documentary evidence will be required. In all other circumstances, or if the application is not received until after the 28<sup>th</sup> February 2024, late applications will receive a lower priority, and will only be considered after the applications received (or deemed to be) on time.

### **Waiting Lists**

Waiting lists for Cherry Orchard Primary School are maintained by the school office and parents need to apply, in order to be included. The waiting list is ranked in line with the published oversubscription criteria and is maintained until the 31st December 2024. Each child added to that list will require the list to be ranked again in line with the published over subscription criteria. Parents will need to reapply at the start of the following term if they wish to be included on the new waiting list for that term. Only on receipt of an acknowledgement letter from the school will that child be on the list.

### **Appeals**

If the parental preference cannot be met, you may, if you wish, appeal against the decision. Appeals by parents, setting out the grounds upon which the appeal is made, should be submitted in writing to the school by the deadline **17<sup>th</sup> May 2024** Appeals are heard by an independent appeal panel and whether your appeal is successful is likely to depend on the merits of your case.

Department for Education (DfE) has suggested that admission authorities should make sure parents understand the nature and severity of the restrictions placed on Appeal Panels, when considering appeals for Key Stage One class size prejudice i.e. would mean the school would have to take qualifying measures (additional accommodation, reorganization or staffing) to comply with the legal duty to limit infant classes to 30 pupils for children in **Reception, Year 1 and Year 2**.

An appeal **WILL BE TURNED DOWN** unless 1 of the 3 clearly defined grounds set out below can be proven:

A) The child would have been offered a place if the admission's policy (which is published on the school website) had been properly implemented; or

B) The child would have been offered a place if the arrangements had not been contrary to mandatory provisions in the School Admissions Code and the SSFA 1998; and/or

C) The decision to refuse admission was not one which a \*reasonable admission authority would have made in the circumstances of the case. \*i.e. it was 'beyond the range of responses open to a reasonable decision maker' or 'a decision which is so outrageous in its defiance of logic or of accepted moral standards that no sensible person who had applied his mind to the question could have arrived at it'

To reiterate the Appeal Panel can only consider these three aspects of any Appeal relating to Key Stage One class size prejudice admission. This advice has been given by the DfE to provide you with a more realistic view of the limits imposed on the Appeal Panel, and to avoid any misconceptions you may have concerning the appeal process. In other words your appeal will be lost unless you can prove one of the VERY limited grounds above.

### **Second Appeal**

The Code of Practice on School Admission Appeals, Section 5 (page 23) covers the issue of second appeals for the same school in the same school year. "Appellants do not have the right to a second appeal for the same school for the same academic year unless, in exceptional circumstances, the admission authority accepts a second application because of a significant and material change in circumstances."

### **Admission of children into Reception**

Cherry Orchard Primary School provides for the admission of children in the September following their fourth birthday. Where a place has been offered for a child at Cherry Orchard Primary School that child is entitled to a full-time place in the September following their fourth birthday. The child's parents can defer the date their child is admitted but not beyond the point at which they reach compulsory school age, and not beyond the beginning of the final term of the school year for which it was made. 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.

### **Fair Access Protocol**

As part of the [Worcestershire Fair Access Protocol](#), all schools with Key Stage 2, 3 and 4 classes can be required to exceed the published admission number to admit pupils covered by the Protocol.

### **'In Year' transfer arrangements**

The procedure for in-year admissions for Worcestershire residents is as follows;

1. The Local Authority provides a **common application form (CA1)** for parents to apply for a place at any mainstream school in **Worcestershire**. The CA1 form can be obtained from Worcestershire Admissions' website or from the Cherry Orchard school website. Once completed, this must be returned to the School Admissions Team.
2. Applications from parents for schools outside Worcestershire should be made directly with the school or the local authority in whose area the school is located to find out how they process in-year applications.
3. Parents will be invited to state up to three preferences on the **CA1** for schools in priority order and give reasons for those preferred schools. Preference order is not taken into account when applying admission criteria as the law requires all preferences to be treated equally.
4. Where a parent approaches a school directly the parent should be advised to complete a **CA1 form** and return it to the School Admissions team.

Parents or carers seeking to transfer to a school need to be aware that they are responsible for ensuring their child continues to receive appropriate education in the interim.

### **Admission of Children outside of their normal age group**

Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health, effectively in the year group below or above their chronological age group. In addition, the parents of a summer born child may choose not to send that child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to Reception rather than Year 1.

The Head Teacher must make the decision based on the circumstances of each case and in the best interests of the child concerned. The Head Teacher will take account of the parent's views; information about the child's academic, social and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if it were not for being born prematurely in order to reach a decision as to whether or not it is appropriate for the individual child to delay or accelerate their entry into school and be taught outside of their chronological age group.

### **Parental Responsibility and what is considered to be the Home Address**

Home is defined as the only or main permanent residential address, at the closing date for applications, where the child usually resides and which is the usual address of the parent/carer with main responsibility for the child.

Where parents/carers have shared responsibility, the child's home address will usually be considered to be that of the parent/carer with whom the child lives for the majority of the school week (eg three or more days out of five Monday to Friday during term time). Where care is split equally, parent/carers must provide independent supporting documentary evidence to prove that care is equally split. In such cases the address used will be determined by random selection (lottery). School Admissions, who are totally independent of the Governing Body will supervise this process.

Should more than one parent have parental responsibility for a child, both parents should be in agreement over the preferences expressed prior to the application being submitted. Where more than one parent submits an application for a child, or where there is a parent not in agreement with the preferences, the Local Authority and any admission authority applied for, legally has to comply with the preferences expressed. If this is not the same, then parents will have to seek resolution and if necessary legal resolution. It may be necessary for the courts to determine which parent can make the final decision on schooling. Failure to ensure agreement prior to submission, may result in a delay in any application being processed.

When submitting your application, as part of the terms and conditions, you will be required to confirm that parents are in agreement with the preferences expressed, this will also apply if you wish to transfer in year. If it is subsequently determined that agreement was not made prior to the application being submitted, it could result in the withdrawal of the offer of a place, if it is determined that the information supplied was misleading or fraudulent.