



Birches First School

Believe, Grow, Succeed...

...to be the best 'me' I can be

Designated Nursery Provision: Academic Year 2023/2024

Revised 1/2/2022

Designated Nursery Provision

It is the Academy's policy to try and meet parents' wishes where possible, however in some cases there may be more applications for a particular setting than there are places. Admission to these settings is determined by the oversubscription criteria detailed below.

Oversubscription Criteria

If the total number of preferences for admission to a nursery exceeds the number of available places, then the following order of priority will be used to allocate the available places.

- 1) Children in Care and children who ceased to be in care because they were adopted (or became subject to a residence order or special guardianship order) including 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.

- 2) Children who satisfy both of the following tests:

Test 1: the child is distinguished from the great majority of other applicants either on their own individual medical grounds or by other exceptional circumstances.

Medical grounds must be supported by a medical report (obtained by the applicant and provided at the point of application). This report must clearly justify, for health reasons only, why it is better for the child's health to attend the Academy's maintained nursery rather than any other nursery.

Exceptional circumstances must relate to the Academy and the individual child, i.e. the circumstances of the child, not the specific economic or social circumstances of the parent/carer, and be supported by a professional report (obtained by the applicant and provided at the point of application), e.g. social worker, justifying why it is better for the child to attend the Academy's maintained nursery rather than any other nursery.

and

Test 2: the child would suffer hardship if they were unable to attend the Academy's nursery setting.

Hardship means severe suffering of any kind, not merely difficulty or inconvenience, which is likely to be experienced as a result of the child attending a different school. Applicants must provide detailed information about both the type and severity of any likely hardship at the time of application.

- 3) Children who have an elder brother or sister in attendance at the Academy at the time of the proposed admission date. (For admission purposes, a brother or sister is a child who lives at the same address and either: have one or both natural parents in common; are related by a parents marriage; are adopted or fostered by a common parent or are unrelated children who live at the same address, whose parents live as partners.)
- 4) Children of staff who have been employed at the school for two or more years at the time at which application for admission to the school is made, and/or where the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage (as per 1.39 of the [DFE School Admissions Code](#)).
- 5) Children living within the defined catchment of the Academy.
- 6) Other children arranged in order of priority according to how near their home addresses are to the main gate of the Academy, determined by Googlemaps.

Where it is not possible to accommodate all children applying for places within a particular category then the Academy will allocate the available places in accordance with the remaining criteria. If for instance, all the catchment area children cannot be accommodated at the Nursery, children who are resident within the catchment will be arranged in order of priority according to the remaining criteria.

Additional Notes

A copy of the catchment area map is available from the Academy or Local Authority.

Attendance at the Academy's nursery setting will not guarantee admission to Reception Class or give any advantage to the child's application for Reception. Parents must make a separate application for admission to Reception at the appropriate time.

In accordance with legislation, children who have a statutory statement of special educational need or an Education, Health and Care Plan (EHCP) that names the Academy's nursery must be admitted. This will reduce the amount of places available to other applicants.

Children in Care means children who are looked after by a local authority in accordance with section 22 (1) of the Children Act 1989 and who is (a) in care of a Local Authority, or (b) being provided with accommodation by a Local Authority in the exercise of their social - 4 - services functions (see definition in Section 22 (1) of the Children Act 1989) at the time of making an application to a school. This includes children who were adopted under the Adoption Act 1976 (see section 12 adoption orders) and children who were adopted under Adoption and Children Act 2002 (see section 46 adoption orders).

Child arrangements orders are defined in s.8 of the Children Act 1989, as amended by s.12 of the Children and Families Act 2014. Child arrangements orders 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).

The 2021 School Admissions Code (the Code) requires 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 to be given equal first priority in admission arrangements. This advice refers to these children as internationally adopted previously looked after children – "IAPLAC".

It is the applicant's responsibility to provide any supportive information required in order for the application to be assessed against the published admissions criteria, the Academy will not seek to obtain this information on behalf of the applicant.

The Academy uses the Local Authority's Geographical Information System (GIS) to calculate home to school distances in miles. The measurement is calculated using Ordnance Survey (OS) data from an applicant's home address to the main front gate of the school. The coordinates of an applicant's home address is determined and provided by the Local Land and Property Gazetteer (LLPG) and OS Address Point data.

The home address is considered to be the child's along with their parent/carer's main and genuine principal place of residence at the time of the allocation of places i.e. where they are normally and regularly living. If a child is resident with friends or relatives (for reasons other than legal guardianship) the friends or relative's address will not be considered for allocation purposes.

If a place is offered on the basis of an address that is subsequently found to be different from the child's normal and permanent home address at the time of allocation of places then that place is likely to be withdrawn.

Where parents have shared responsibility for a child, and the child lives with both parents for part of the school week, parents will be required to provide documentary evidence to support the address they wish to be considered for allocation purposes.

It is expected that parents will agree on school places before an application is made, and it may be necessary to request evidence from you to confirm that this is the case. The Academy is not in a position to intervene in disputes between parents over school applications and will request that these are resolved privately.

If there are a limited number of spaces available and we cannot distinguish between applicants using the criteria listed, such as in the case of children who live in the same block of flats or are the result of a multiple birth, then the child or children who will be offered the available spaces will be randomly selected. This process will be independently verified.

Unsuccessful applicants will be placed on a waiting list in accordance with the oversubscription criteria stated above and not based on the date their application was

received. There will be a period of two weeks after the published offer date whereby available places will not be reallocated. If places become available after this date they will be offered according to the child at the top of the waiting list. Waiting Lists will be kept until the end of the autumn term of admission.

Inclusion on the Academy's waiting list does not mean that a place will eventually become available.

A child's position on a waiting list is not fixed and is subject to change during the year, i.e. they can go up or down the list since each added child will require the list to be ranked again in line with the oversubscription criteria.

There is no statutory right of appeal for admission to a maintained nursery setting. Any disputes over the administration of the policy will be dealt with by the Academy's complaints procedure.

Extended School's Provision

Once the school's admission has been reached, in respect of Birches afternoon extended school provision (39 pupils or as staffing ratio dictates), places will be allocated as per the school's admission policy after the following criteria has been applied:-

Preference will be given to children requiring 5 days a week over those who need it on a part-time basis.

Reception Admissions Birches First School, Codsall

Normal Age of Entry: Academic Year 2023/2024

Full time places in reception classes will be available in September of the academic year within which the child becomes five years old.

It is the Academy's policy to try and meet parents' wishes where possible, however in some cases there may be more applications than there are places available. Admission is determined by the oversubscription criteria detailed below.

Oversubscription Criteria

If the total number of preferences exceeds the Academy's Published Admission Number (PAN), the following order of priority is used to allocate the available places:

- 1) Children in Care and children who ceased to be in care because they were adopted (or became subject to a residence order or special guardianship order) including 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.

- 2) Children who satisfy both of the following tests:

Test 1: the child is distinguished from the great majority of other applicants either on their own medical grounds or by other exceptional circumstances.

Medical grounds must be supported by a medical report (obtained by the applicant and provided at the point of application). This report must clearly justify, for health reasons only, why it is better for the child's health to attend the Academy rather than any other school.

Exceptional circumstances must relate to the Academy and the individual child, i.e. the circumstances of the child, not the economic or social circumstances of the parent/carer. They should be supported by a professional report (obtained by the applicant and provided at the point of application), e.g. social worker. This report must clearly justify why it is better for the child to attend the Academy rather than any other school.

and

Test 2: the child would suffer hardship if they were unable to attend the Academy.

Hardship means severe suffering of any kind, not merely difficulty or inconvenience, which is likely to be experienced as a result of the child attending a different school. Applicants must provide detailed information about both the type and severity of any likely hardship at the time of application.

- 3) Children who have an elder sibling in attendance at the Academy and who will still be attending the school at the proposed admission date; (For admission purposes, a brother or sister is a child who lives at the same address and either: have one or both natural parents in common; are related by a parents marriage; are adopted

or fostered by a common parent or are unrelated children who live at the same address, whose parents live as partners.)

- 4) Children of staff who have been employed at the school for two or more years at the time at which application for admission to the school is made, and/or where the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage (as per 1.39 of the [DFE School Admissions Code](#)).
- 5) Children living within the catchment area of the Academy.
- 6) Other children arranged in order of priority according to how near their home addresses are to the main gate of the school, determined by a straight-line measurement as calculated by the Local Authority's Geographical Information System.

Where it is not possible to accommodate all children applying for places within a particular category then the Academy will allocate the available places in accordance with the remaining criteria. If for instance, all the catchment area children cannot be accommodated at a school, children who are resident within the catchment area will be arranged in order of priority according to the remaining criteria.

Additional Notes

Copies of school catchment area maps are available from the Academy or Local Authority.

There is no charge or cost related to the admission of a child to a school.

Admissions are administered through a coordinated admission scheme and preferences will be processed centrally by the School Admissions and Transport Service.

In accordance with legislation, children who have a statutory statement of special educational need or an Education, Health and Care Plan (EHCP) that names the Academy as being the most appropriate to meet the child's needs must be admitted. This will reduce the amount of places available to other applicants.

Children in Care means children who are looked after by a local authority in accordance with section 22 (1) of the Children Act 1989 and who is (a) in care of a Local Authority, or (b) being provided with accommodation by a Local Authority in the exercise of their social - 4 - services functions (see definition in Section 22 (1) of the Children Act 1989) at the time of making an application to a school. This includes children who were adopted under the Adoption Act 1976 (see section 12 adoption orders) and children who were adopted under Adoption and Children Act 2002 (see section 46 adoption orders).

Child arrangements orders are defined in s.8 of the Children Act 1989, as amended by s.12 of the Children and Families Act 2014. Child arrangements orders 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).

The 2021 School Admissions Code (the Code) requires 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 to be given equal first priority in admission arrangements. This advice refers to these children as internationally adopted previously looked after children – "IAPLAC".

It is the applicant's responsibility to provide any supportive information required in order for the application to be assessed against the published admissions criteria, the Academy will not seek to obtain this information on behalf of the applicant.

The Academy uses the Local Authority's Geographical Information System (GIS) to calculate home to school distances in miles. The measurement is calculated using Ordnance Survey (OS) data from an applicant's home address to the main front gate of the school. The coordinates of an applicant's home address is determined and provided by the Local Land and Property Gazetteer (LLPG) and OS Address Point data.

The requirement for the Academy to meet the Infant Class Size legislation may result in the refusal of catchment area or sibling applications where a class has already reached its limit of 30 pupils. However, as an exception, the Academy will give careful consideration to offering places above the Admission Number to applications from children whose twin or sibling from a multiple birth is admitted even when there are no other vacant places.

The home address is considered to be the child's along with their parent/carer's main and genuine principal place of residence at the time of the allocation of places i.e. where they are normally and regularly living. If a child is resident with friends or relatives (for reasons other than legal guardianship) the friend's or relative's address will not be considered for allocation purposes.

Where parents have shared responsibility for a child, and the child lives with both parents for part of the school week, parents will be required to provide documentary evidence to support the address they wish to be considered for allocation purposes.

It is expected that parents will agree on school places before an application is made, and it may be necessary to request evidence from you to confirm that this is the case. The Academy is not in a position to intervene in disputes between parents over school applications and will request that these are resolved privately.

If a child's home address changes during the admissions process it is the responsibility of the parent/carer to inform the Local Authority immediately. Where there is a proposed house move taking place during the admissions process the Local Authority, on behalf of the Academy, will only accept the revised address for purposes of allocation where parents/carers can provide documentary evidence of the move by 10 March 2023. It will be necessary for sufficient evidence of a permanent move to be provided by the applicant

by this date before it will be taken into account for allocation purposes at the national offer date.

If a place is offered on the basis of an address that is subsequently found to be different from the child's normal and permanent home address at the time of allocation of places then that place is likely to be withdrawn.

If there are a limited number of spaces available and we cannot distinguish between applicants using the criteria listed, such as in the case of children who live in the same block of flats, then the child or children who will be offered the available spaces will be randomly selected. This process will be independently verified.

Deferred Entry to Reception Class

Parents may request that their child be admitted to Reception Class on a part-time basis, or that their child be admitted to school later in the same academic year until the child reaches compulsory school age (i.e. beginning of the term after the child's fifth birthday). The effect is that the place will be held for the child in Reception and is not available to be offered to any other child within the same academic year in which it has been offered.

Before deciding whether to defer their child's entry to school, parents should visit the Academy to clarify how we cater for the youngest children in Reception and how the needs of these children are met as they move up through the Academy.

Admission Outside of the Normal Age Group

Parents may seek to apply for their child's admission to school outside of their normal age group, for example if the child is exceptionally gifted and talented or has experienced problems such as ill health. In addition, the parents of summer born children may choose not to send their child to school until the September following their fifth birthday and may request that they are admitted outside of their normal age group to Reception rather than Year 1.

These parents will need to make an application alongside children applying at the normal age which should explain why it is in the child's best interest to be admitted outside of their normal age which may include information such as professional evidence as to why this is the case and why an exception should be made in the case of the child. A decision as to whether this is an appropriate course of action will be made by the Governing Body who will take into account the circumstances of the case and views of the headteacher. Parents do not have the right to insist that their child is admitted to a particular year group.

Waiting lists

Unsuccessful applicants will be placed on a waiting list in accordance with the oversubscription criteria stated above and not based on the date their application was received. There will be a period of two weeks after the national offer date whereby available places will not be reallocated. If places become available after this date they will be offered according to the child at the top of the waiting list.

As infant class size regulations apply, the waiting list will operate until the cohort concerned leaves Year 2.

Inclusion on the Academy's waiting list does not mean that a place will eventually become available at the preferred school.

A child's position on a waiting list is not fixed and is subject to change during the year i.e. they can go up or down the list since each added child will require the list to be ranked again in line with the oversubscription criteria.

Children who are subject of a direction by a local authority to admit or who are allocated to a school in accordance with the Fair Access Protocol will take precedence over those on the waiting list.

Late Applications

Preferences received after the closing date will be considered alongside those applicants who applied on time wherever possible. Where it is not practicable because places have already been allocated, or are shortly to be allocated, then late preferences will be considered only after those that were made before this point.

A late application does not affect the right of appeal or the right to be placed on the Academy's waiting list.

Repeat Applications

Parents do not have the right to a second appeal in respect of the same school for the same academic year unless, in exceptional circumstances, the Academy has accepted a second application from the appellant because of a significant and material change in the circumstances of the parent, child or school but still refused admission.

"In-Year Transfer" Arrangements

Parents or carers seeking to transfer to the Academy may make an application using the appropriate application form. This application will be processed in line with the procedure outlined in the determined admission arrangements and parents and carers need to be aware that any date set for joining the Academy may be after the next term or half term holiday and those parents/carers are responsible for ensuring that their child continues to receive appropriate education in the interim.

Timetable of Dates

Closing Date: 15th January 2023

Applications sent to and received from other Local Authorities: 30th January 2023

Provisonal Offers shared between Local Authorities: 20th March 2023

Final offers exchanged with other Local Authorities: 30th March 2023

Parents Notified of Outcomes: 17th April 2023