

## OVERSUBSCRIPTION CRITERIA FOR ALL COMMUNITY AND VOLUNTARY CONTROLLED PRIMARY & SECONDARY SCHOOLS IN HEREFORDSHIRE

*Reviewed and consulted on December 2020*

The oversubscription criteria list (A) below applies to all schools where Herefordshire Council is the admissions authority except for Aylestone and Weobley Secondary Schools for whom list (B) below applies. This policy should be read in conjunction with the information for parent's booklet.

Places will be allocated as follows:

### (A)

Children with a Statement of Special Education Needs or an Educational, Health & Care Plan which names a particular school will be allocated places, after which places are allocated according to an agreed set of criteria, in strict order of priority.

Priority 1: Looked after children<sup>1</sup> and previously looked after children<sup>2</sup> in England who have since been adopted, or became subject to a child arrangements order<sup>3</sup> or special guardianship order.<sup>4</sup>

Priority 2: Looked after children and previously looked after children who were previously in state care outside of England who have since been adopted, or became subject to a child arrangements order or special guardianship order.

Priority 3 - Children living within the **defined catchment area\*** of the school;

Priority 4 - Sibling connection - Children who have an **older sibling\*\*** at the preferred school not only at the time of application but also when the younger child is due to start;

Priority 5 - Exceptional circumstances - Children with exceptional **medical, social or compassionate** grounds for admission and whose parents can show that entry to a particular school only is necessary for the wellbeing of their child. Parents are required to produce a medical certificate or other appropriate information preferably from an independent source. Applications on such grounds will not be considered by the Director of Children's Wellbeing's advisory panel unless this supporting information is attached to application forms received by 31st October 2020 (secondary schools) or 15<sup>th</sup> January 2021 (primary schools); \*\*\*\*

Priority 6 - Distance\*\*\* - Children who live **nearest** to the school by the shortest available walking route.

### General Notes

No priority is given to pupils living outside but attending a primary school within the catchment area of the relevant high school, i.e. the determining factor is the child's home address.

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<sup>1</sup> 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.

<sup>2</sup> This includes children who were adopted under the Adoption Act 1976 (see section 12 adoption orders) and children who were adopted under the Adoption and Children Act 2002 (see section 46 adoption orders).

<sup>3</sup> 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.

<sup>4</sup> See Section 14A of the Children Act 1989 which defines a 'special guardianship order' as an order appointing one or more individuals to be a child's special guardian (or special guardians).

Where, at any school, applications exceed the number of places, the priorities will be applied in the sequence indicated above, i.e. after children who either currently are or were in the 'looked after' system it will be catchment area children second, siblings third, \*\*\*\*exceptional circumstances fourth, then according to distance, each assessed as indicated above.

If the admission of the top three categories can be satisfied, but there are insufficient places for all out of area siblings, priorities will be decided first by reference to exceptional circumstances, then according to distance, with those living nearest to the school using the distance calculations outlined below \*\*\* taking priority

Following the allocation of the top two categories there may be an occasion when it is not possible to offer places for all children living in the catchment area. In this situation the places will be allocated in the sequence of the criteria listed above, i.e. first to children with siblings who would still be at the school in September 2022, next to pupils with exceptional circumstances, and finally according to distance from the school.

In case where distance is not the final deciding factor i.e. two applications are at exactly the same distance then the final tie breaker will be a lottery undertaken by an individual independent of the Children's Wellbeing directorate.

\* In order to determine the relevant catchment area, the home address of a child 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. If arrangements are such that a child resides at two addresses for equal amounts of time, then parents must decide which address to use for admissions purposes.

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 may not be able to process any application until agreement over the preferences is reached. Failure to ensure agreement prior to submission, may result in a delay in any application being processed and in some instances, where agreement cannot be reached we may not be able to proceed until a legal resolution has been sought and the courts determine which parent can make the final decision on schooling

Copies of catchment area maps, if required are available from the LA, or can be viewed in schools. To find the catchment school for a postcode please visit <https://www.herefordshire.gov.uk/schools-education/find-school>

\*\* A sibling connection refers to a brother or sister, half brother or sister, adopted brother or sister, step brother or sister, or a child of the parents/carer's partner, and in every case the child must be living in the same family unit at the same address.

\*\*\*Distance is measured by the shortest available walking route using a road and/or made up footpath using the nearest node on the transport network to the property point. The effect of this is to take you to the front door and not take into consideration other entrances (such as rear garden gates/ short cuts). This is particularly pertinent in a rural area like Herefordshire where rural properties can have multiple access points.

**Please see Information for parents' booklet for the relevant age group for details of requesting admission out of the normal age group and for information on waiting lists**

**(B) Applies to Aylestone and Weobley Secondary Schools only**

Children with a Statement of Special Education Needs or an Educational, Health & Care Plan which names a particular school will be allocated places, after which places are allocated according to an agreed set of criteria, in strict order of priority.

**Priority 1** - Looked after children and children who were looked after in England, but ceased to be due to being adopted or became subject to a child arrangement order or special guardianship order

**Priority 2** - Looked after children and children who were looked after outside of England, but ceased to be due to being adopted or became subject to a child arrangement order or special guardianship order

Priority 3 – Children who are on roll at a primary school that is **hard federated** (has a single governing body) **with the preferred secondary school**.

Priority 4 - Children living within the **defined catchment area\*** of the school;

Priority 5 - Sibling connection - Children who have an **older sibling\*\*** at the preferred school not only at the time of application but also when the younger child is due to start;

Priority 6 - Exceptional circumstances - Children with exceptional **medical, social or compassionate** grounds for admission and whose parents can show that entry to a particular school only is necessary for the wellbeing of their child. Parents are required to produce a medical certificate or other appropriate information preferably from an independent source. Applications on such grounds will not be considered by the Director of Children's Wellbeing's advisory panel unless this supporting information is attached to application forms received by 31st October 2020 (secondary schools) or 15<sup>th</sup> January 2021 (primary schools);

Priority 7 - Distance\*\*\* - Children who live **nearest** to the school by the shortest available walking route.

#### General Notes for Aylestone and Weobley Secondary Schools Only

Where, at any school, applications exceed the number of places, the priorities will be applied in the sequence indicated above, i.e. after children who either currently are or were in the 'looked after' system it will be children attending a hard federated primary school, then catchment area children, siblings, exceptional circumstances, then according to distance, each assessed as indicated above.

If the admission of the top four categories can be satisfied, but there are insufficient places for all out of area siblings, priorities will be decided first by reference to exceptional circumstances, then according to distance, with those living nearest to the school using the distance calculations outlined below \*\*\* taking priority

In case where distance is not the final deciding factor i.e. two applications are at exactly the same distance then the final tie breaker will be a lottery undertaken by an individual independent of the Children's Wellbeing directorate.

\* In order to determine the relevant catchment area, the home address of a child 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. If arrangements are such that a child resides at two addresses for equal amounts of time, then parents must decide which address to use for admissions purposes.

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