



# Cherry Tree Primary School

## Nursery Admission Arrangements for Cherry Tree Primary School for 2019-20

### Provision

Hertfordshire County Council has a duty to provide access to 15 hours of free early education for all three and four year olds in Hertfordshire, who wish to take up their entitlement. From September 2017 an additional 15 hours of free education and care has been available to children whose parents qualify.

All children from the term after they are three are entitled to 15 hours of free early education for 38 weeks per year (term time only) until they start full-time school. Cherry Tree Primary School is able to offer a maximum of 32 places to children who are entitled to the first 15 hour provision. If you qualify for the additional 15 hours, you can apply to use this at our onsite Pre-School, Pickles Pre-school, or another provider offering the additional hours. Cherry Tree Primary school operates a single intake to the Nursery in September, enabling children to take up their nursery place in the September following their third birthday.

In partnership with local Nursery classes, Cherry Tree Primary will adhere to the following timeline when dealing with applications:

|  |   |
|--|---|
| Deadline to apply to your chosen school/s                      | Friday 1 <sup>st</sup> March 2019 at 9am  |
| Offer letters sent by schools to parents/carers                | Monday 11 <sup>th</sup> March 2019        |
| Deadline to accept place and return paperwork to chosen school | Friday 22 <sup>nd</sup> March 2019 at 9am |

Applications should be made direct to the Cherry Tree Primary School. A paper application is available from the School Office or please email for information.

### Criteria for Admissions to Cherry Tree Primary Nursery

Parents must apply direct to the Nursery school for a place and places will be allocated following the school's criteria.

Section 324 of the Education Act 1996 requires the governing bodies of all maintained schools to admit a child with a statement of special educational needs that names their school. Schools must also admit children with an EHC (Education, Health and Care) Plan that names the school.

If there are fewer applications than places available at a school all applicants will be admitted. If there are more applications than places available, the criteria outlined below will be used to prioritise applications.

- **Rule 1: Children looked after** by the local authority, including children who were previously looked after but were then adopted (or became subject to a child arrangements order or a special guardianship order).
- **Rule 2: Medical or Social** Children for whom it can be demonstrated that they have a particular medical or social need to go to the school\*. A panel of officers will determine whether the evidence provided is sufficiently compelling to meet the requirements for this rule. The evidence must relate specifically to the school applied for under Rule 2 and must clearly demonstrate why it is the only school that can meet the child's needs.
- **Rule 3: Sibling** Children who have a sibling on the roll of the school or linked school at the time of application\*. This applies to reception through to Year 5 in infant, junior and primary schools; and from reception through to Year 3 in first schools; and from Year 5 to Year 7 in middle schools.
- **Rule 4: Applicants who are children of a parent who is a permanent member of the school staff** A member of staff must either have been employed at the school for two or more years at the time at which the application for admission to the school is made; and/or have been recruited to fill a post for which there is a demonstrable skill shortage. In all cases, the member of staff must have parental responsibility (sole or shared) for the applicant.
- **Rule 5: Nearest School** Children for whom it is their nearest community or voluntary-controlled school or an own admitting school or academy 2
- **Rule 6: Distance** Children who live nearest to the school. This measure will be obtained using Google Maps, walking details will be used. The route with less miles will be used. Children not considered under rule 5 will be considered under rule 6.

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.

### **Oversubscription criteria to Cherry Tree Primary Nursery**

Should the Nursery be oversubscribed the following criteria for admissions will apply in the following order of priority:

- **Rule 1: EHC (Education, Health and Care)** Children with a statement of Special Educational Needs which names the schools will be allocated a place in accordance with Section 324 of the Education Act 1996. Also children with an EHC (Education, Health and Care) Plan that names the school.
- **Rule 2: Children looked after** by the local authority, including children who were previously looked after but were then adopted (or became subject to a child arrangements order or a special guardianship order).
- **Rule 3: Medical or Social** Children for whom it can be demonstrated that they have a particular medical or social need to go to the school\*.
- *A panel of officers will determine whether the evidence provided is sufficiently compelling to meet the requirements for this rule. The evidence must relate specifically to the school applied for under Rule 2 and must clearly demonstrate why it is the only school that can meet the child's needs.*

- **Rule 4: Sibling** Children who have a sibling on the roll of the school or linked school at the time of application\*. This applies to reception through to Year 5.
- **Rule 5: A child 'at risk'** (or the sibling of a child 'at risk') who is the subject of an inter-agency child protection plan.
- **Rule 6:** Applicants who are children of a parent who is a permanent member of the school staff
- *A member of staff must either have been employed at the school for two or more years at the time at which the application for admission to the school is made; and/or have been recruited to fill a post for which there is a demonstrable skill shortage. In all cases, the member of staff must have parental responsibility (sole or shared) for the applicant.*
- **Rule 7: Nearest School** Children for whom it is their nearest community or voluntary-controlled school or an own admitting school or academy
- **Rule 8: Distance** Children who live nearest to the school. This measure will be obtained using google maps, walking details will be used. The route with less miles will be used. Children not considered under rule 5 will be considered under rule 6.
- **Rule 9: Any other children**

### **Tie Break**

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.

### **Continuing Interest**

After places have been offered, Cherry Tree Primary will maintain a continuing interest (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.

### **In Year Admissions**

As an academy we co-ordinate all of our own in-year admissions. If you would like to apply for a place at Cherry Tree Primary School please contact the school on 01923 245490. Details of which years currently have places can be found on the admissions page of our website. If we do not currently have a place please contact the school and we can advise you on the status of our current waiting lists.

### **Explanatory notes and definitions 2019-20**

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 order<sup>1</sup> or a special guardianship order<sup>2</sup>)**

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 function (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.<sup>3</sup>

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.

<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> 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.

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

- a. Specific recent professional evidence that justifies why only one school can meet a child's individual needs, and/or
- b. Professional evidence that outlines exceptional family circumstances making clear why only one school can meet the child's needs.
- c. If the requested school is not the nearest school to the child's home address clear reasons why the nearest school is not appropriate.
- d. 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. 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 Rule 1, may be made under this rule.

Further details on the Rule 2 process can be found in the "Rule 2 protocol" available at: <https://beta.hertfordshire.gov.uk/media-library/documents/schools-and-education/admissions/admissions-rule-2- process-document.pdf>

### **Definition of sibling**

For applications to schools using Hertfordshire County Council's admission criteria, 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 after<sup>1</sup> and in every case living permanently<sup>2</sup> 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.

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.

<sup>1</sup> 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.

<sup>2</sup> 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.

### **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**

Hertfordshire County Council will 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.

### **Definition of "nearest school"**

For coeducational community schools, the "nearest school" definition for rule 5 is "the 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.*

### **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 Primary and Secondary 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).

Evidence submitted after the date for late applications (5 December 2016 for secondary transfer and 6 February 2017 for the Under 11s process) 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.

### **Age of Admission and Deferral of Places**

Hertfordshire County Council's policy is that children born on and between 1 September 2014 and 31 August 2015\* would normally commence primary school in Reception in the academic year beginning in September 2019. All Hertfordshire infant, first and primary schools provide for the full-time admission of all children offered a place in the Reception year group from the September following their fourth birthday. If a parent

wants a full-time place for their child from September (at the school at which a place has been offered) then they are entitled to that full-time place.

Parents can defer the date their child is admitted to school until later in the same academic year or until the term in which the child reaches compulsory school age. Summer born children are only able to "defer" entry to Reception class until the beginning of the final term of the school year for which the offer was made. Where parents wish, children can attend part-time until they reach compulsory school age. Any parents wishing to take up a part-time place or deferred entry should contact the individual school(s) to discuss their child's requirements.

\*Summer born children (1st April - 31st August) - Entry to Reception

Legally, a child does not have to start school until the start of the term following their fifth birthday. Following guidance issued by the Department for Education on 8 September 2015 the county council has amended its policy for summer born children. Children born between 1 April 2015 and 31 August 2015 are categorised as "summer born" and if parents/carers do not believe that their summer born child is ready to join Reception in 2019 they may delay their application until 2020. These applications will be processed in exactly the same way as all other reception applications received at that time; there is no guarantee that a place will be offered at a child's preferred school.

If parents wish to delay their application for a Reception place they are advised to discuss their child's needs /development with their current early years or nursery provider. If parents wish their child to remain in their existing nursery school or class for a further year (rather than moving into the Reception year group) they must let their current school know before the end of the Spring term in 2019 (before the Easter break).

### **Children Out of Year Group (except applications for reception from summer born)**

Hertfordshire County Council'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. 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".

For community and voluntary controlled schools, the county council as the relevant admission authority, through a panel process, will decide whether the application will be accepted on the basis of the information submitted. 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.

The governing body of schools responsible for their own admissions (academies, voluntary aided and foundation schools) are ultimately responsible for making this decision for applications made to their school.

## **Hertfordshire County Council's oversubscription criteria for maintained nursery schools and classes for the school year 2019/20**

Children with a Statement of Special Educational which names the school will be allocated a place in accordance with section 324 of the Education Act 1996. Schools must also admit children with an EHC (Education, Health and Care) Plan that names the school.

Parents may state their preference as to which nursery class, school or centre they would like their child to attend in the years leading up to the child's fifth birthday. If there are fewer applications than places available at a school all applicants will be admitted. If there are not enough places available, places will be allocated in the following order of priority.

### **Oversubscription Criteria**

- a) 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 order or a special guardianship order)\*.
- b) A child 'at risk' (or the sibling of a child 'at risk') who is the subject of an inter-agency child protection plan.
- c) Other applicants where the following criteria are considered to determine priorities:
  - 1) Children for whom it can be demonstrated that they have a particular medical or social need to go to the school.
  - 2) Children who have a sibling at the school or linked school at the time of application, unless the sibling is in the last year of the normal age-range of the school\*. Note: the 'normal age range' is the designated range for which the school provides.
  - 3) Any other children.

If more children qualify under a particular rule than there are places available, a tiebreak will be used by applying the next rule to those children.

### **Tie break**

If more children qualify under criterion 2 than there are places available, priority will be given to those who live nearest to the nursery as measured in a straight line. Where there is a need for a tie break where two different addresses measure 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.