

**Determined Admission
Arrangements and
Over-subscription Criteria for
Community and Voluntary Controlled Schools
for the 2023/24 academic year**

Legal Framework

These arrangements and over-subscription criteria meet all lawful requirements including those set out in the following Acts, Codes, policies and relevant case law:

- Adoption Act 1976
www.legislation.gov.uk/ukpga/1976/36/contents
- Children Act 1989
www.legislation.gov.uk/ukpga/1989/41/contents
- School Standards & Framework Act 1998
www.legislation.gov.uk/ukpga/1998/31/contents
- Adoption and Children Act 2002
www.legislation.gov.uk/ukpga/2002/38/contents
- Education Act 2002
www.legislation.gov.uk/ukpga/2002/32/contents
- Equality Act 2010
www.legislation.gov.uk/ukpga/2010/15/contents
- School Admissions Appeals Code 2012
www.gov.uk/government/publications/school-admissions-appeals-code
- Children and Families Act 2014
www.legislation.gov.uk/ukpga/2014/6/contents
- School Admissions Code 2021
www.gov.uk/government/publications/school-admissions-code--2
- Oxfordshire County Council's Co-ordinated Admissions Scheme
www.oxfordshire.gov.uk/admissionrules

Over-subscription Criteria for entry to the Reception year group in Community and Voluntary Controlled Schools in the 2023/24 academic year (normal phased transfer for starting primary or infant school for the first time) and for entry to year groups Reception to Year 6 during the 2023/24 academic year (in-year transfers)

In accordance with legal requirements, children who have an Education, Health & Care (EHC) Plan¹ in which the school is named in Section I must always be admitted.

The oversubscription criteria below will be followed in descending order of priority.

1. Children who are “looked after”² (LAC) by a Local Authority within the meaning of Section 22(1) of the Children Act 1989 at the time of their application, and all “previously looked after” children³ (PLAC), including those who appear to this Admissions Authority to have been in state care outside England (IAPLAC)⁴ and ceased to be in state care having been adopted. Evidence of the previously looked after status and/or the adoption will be requested.
2. Children who live in the designated (catchment) area and have a brother or sister on roll at the time of application who will still be attending at the time of entry.
3. Children who live in the designated (catchment) area.
4. Children who have a brother or sister on roll at the time of application who will still be attending at the time of entry but live outside the designated (catchment) area.
5. All other children who do not live in the designated (catchment) area and also do not have a brother or sister on roll at the time of application who will still be attending at the time of entry.

In categories 2 to 5 above, priority will be given to children who are eligible for Service Pupil Premium and then to children who live closest to the school by the straight-line distance as calculated by Oxfordshire County Council.

¹ An Education, Health and Care Plan is a plan made by the LA under Section 37 of the Children and Families Act 2014 specifying the special education provision, health and social care required for that child. **Therefore, this is not an oversubscription criterion.**

² A 'looked after child' is a child who is either (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.

³ Previously Looked After Children (PLAC) are children who are no longer looked after by a LA in England because they are subject to an adoption, special guardianship or child arrangements order.

⁴ The 2021 School Admissions Code regards a child as having been in state care outside England if they were in the care of or were accommodated by a public authority, a religious organisation, or any other provider of care whose sole or main purpose is to benefit society.

Over-subscription Criteria for entry to Year 7 in Community Schools in September 2023 (normal phased transfer from primary or junior to secondary school) and for entry to Years 7 to 11 in Community Schools during the 2023/24 academic year (in-year transfers)

In accordance with legal requirements, children who have an Education, Health & Care (EHC) Plan⁵ in which the school is named in Section I must always be admitted.

The oversubscription criteria below will be followed in descending order of priority.

1. Children who are “looked after”⁶ (LAC) by a Local Authority within the meaning of Section 22(1) of the Children Act 1989 at the time of their application, and all “previously looked after” children⁷ (PLAC), including those who appear to this Admissions Authority to have been in state care outside England (IAPLAC)⁸ and ceased to be in state care having been adopted. Evidence of the previously looked after status and/or the adoption will be requested.
2. Children who attend one of the designated feeder schools in the partnership (listed separately) and live in the designated (catchment) area and have a brother or sister on roll at the time of application who will still be attending at the time of entry.
3. Children who live in the designated (catchment) area and have a brother or sister on roll at the time of application who will still be attending at the time of entry.
4. Children who attend one of the designated feeder schools in the partnership (listed separately) and live in the designated (catchment) area.
5. Children who live in the designated (catchment) area.
6. Children who attend one of the designated feeder schools in the partnership (listed separately) and have a brother or sister on roll at the time of application who will still be attending at the time of entry but live outside the designated (catchment) area.
7. Children who have a brother or sister on roll at the time of application who will still be attending at the time of entry but live outside the designated (catchment) area.
8. Children who attend one of the designated feeder schools in the partnership (listed separately).

⁵ An Education, Health and Care Plan is a plan made by the LA under Section 37 of the Children and Families Act 2014 specifying the special education provision, health and social care required for that child. **Therefore, this is not an oversubscription criterion.**

⁶ A 'looked after child' is a child who is either (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.

⁷ Previously Looked After Children (PLAC) are children who are no longer looked after by a LA in England because they are subject to an adoption, special guardianship or child arrangements order.

⁸ The 2021 School Admissions Code regards a child as having been in state care outside England if they were in the care of or were accommodated by a public authority, a religious organisation, or any other provider of care whose sole or main purpose is to benefit society.

9. All other children who do not live in the designated (catchment) area and also do not attend a designated feeder schools in the partnership (listed separately) and also do not have a brother or sister on roll at the time of application who will still be attending at the time of entry.

In categories 2 to 9 above, priority will be given to children who are eligible for Service Pupil Premium and then to children who live closest to the school by the straight-line distance as calculated by Oxfordshire County Council.

“Looked After” children

A 'looked after child' is a child who is either

- (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.

Previously “Looked After” children

The School Admissions Code 2012 introduced a requirement for all admission authorities to broaden the existing priority for 'looked after' children or children in care (defined in Section 22(1) of the Children Act 1989) to also include 'previously looked after' children. Children who were 'previously looked after' were defined for admissions purposes as those who, immediately after being in care, became subject to an adoption⁹, residence, or special guardianship order¹⁰.

A revised School Admissions Code came into force on 19 December 2014, and this states that 'previously looked after' children includes those who were adopted under the Adoption Act 1976 (see Section 12 - Adoption Orders) and not simply those children who were adopted under the Adoption and Children Act 2002 (see Section 46 - Adoption Orders). In addition, residence orders have now been replaced by child arrangements orders. Those who previously received a residence order are now deemed to have a child arrangement order¹¹.

If applying on behalf of a “previously looked after” child, who was previously in state care in England, the parent will need to provide the following evidence:

- an Adoption Order under Section 46 of the Adoption and Children Act 2002; or
- an Adoption Order under the Adoption Act 1976; or
- a Child Arrangements Order; or

⁹ An adoption order is an order under the Adoption Act 1976 (see Section 12 adoption orders) or an order under the Adoption and Children Act 2002 (see Section 46 adoption orders).

¹⁰ 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/s.

¹¹ A 'child arrangements order' is an order settling the arrangements to be made as to the person with whom the child is to live under Section 8 of the Children Act 1989 as amended by Section 14 of the Children and Families Act 2014.

- a Residence Order settling the arrangements to be made as to the person with whom the child is to live under Section 8 of the Children Act 1989; or
- a Special Guardianship Order appointing one or more individuals to be a child's special guardian(s), under section 14A of the Children Act 1989.

Children who appear to this Admission Authority to have been in state care outside England and ceased to be in state care after being adopted (“internationally adopted previously looked after children”) (IAPLAC)

A further revised School Admissions Code was agreed in July 2021 and this came into force on 1 September 2021. The new Code further broadens the existing priority for 'looked after' children and 'previously looked after' children to include those children who appear to an Admission Authority to have been in state care outside England (in the School Admissions Code 2021 they are referred to as “internationally adopted previously looked after children” (IAPLAC)) and ceased to be in state care as a result of being adopted. The Code regards a child as having been in state care outside England if they were in the care of, or were accommodated by, a public authority, a religious organisation, or any other provider of care whose sole or main purpose is to benefit society.

Responsibility for determining whether a child is eligible to be considered as an IAPLAC rests with the Admission Authority. Subject to ministerial approval, the Department for Education plans to publish non-statutory guidance on the admission of IAPLAC. This guidance will aim to assist and support admission authorities in assessing evidence provided by parents. If there is doubt about the acceptability of evidence provided by the parent, advice will be sought from the Head of Oxfordshire’s Virtual School. This Admissions Authority will take a pragmatic approach to the decision-making process where evidence is lacking.

Designated (Catchment) Areas

Designated areas can be viewed on the Oxfordshire public website. Living within a particular school’s designated area gives a high priority for admission but there is no guarantee that a place will always be made available. There is also no guarantee that free transport will be provided to the designated (catchment) area school if it is not the closest or nearest available school.

Brothers and sisters (siblings)

For admissions purposes, a brother or sister is defined as one of the following:

- A brother or sister (both parents the same) living at the same home address; or
- A half-brother or half-sister (one parent the same) living at the same home address; or
- A stepbrother or stepsister (sharing a parent who is married or in a civil partnership) living at the same home address; or
- An adopted child who, by reason of the adoption, now shares one or more parents with a child living at the same home address.

Time of Entry (siblings)

The admission rules give some priority to those with a brother or sister attending the relevant school at the applicant’s “time of entry”. This means that, in the normal admissions round, there will be **no sibling connection**, for admission purposes, for the following:

- applicants for entry to the Reception year group in an infant school if the only sibling already at the school is a brother or sister in Year 2; or
- applicants for entry to Reception year group in a primary school if the only sibling already at the school is a brother or sister in Year 6; or
- applicants for entry to Year 3 in a junior or primary school if the only sibling already at the school is a brother or sister in Year 6; or
- applicants for entry to Year 7 if the only sibling already at the school is a brother or sister in Year 13; or
- applicants for entry to Year 7 if the only sibling already at the school is a brother or sister in Year 11 and there is no expressed intention of staying on into Year 12; or
- applicants for entry to Year 7 if the only sibling already at the school is a brother or sister in Year 11 and the school does not have a Sixth Form.

Twins and Children from Multiple Births

Where the parent has made the same preferences of school and, through the normal operation of the admission arrangements, the last available place at a school has been allocated to one twin, or child from a multiple birth, the other twin, or the other children from the multiple birth, will be offered a place at that school. This means that, in these circumstances, the Published Admission Number would be exceeded.

Children eligible for Service Pupil Premium

Central Government defines that children who meet the following criteria are eligible for Service Pupil Premium (SPP):

- one of their parents is serving in the regular armed forces.
- they have been registered as a 'service child' on the January school census at any point since 2015.
- one of their parents died whilst serving in the armed forces and the pupil receives a pension under the Armed Forces Compensation Scheme or the War Pensions Scheme.
- a parent is on full commitment as part of the full-time reserve service.

Parents will need to provide evidence of eligibility.

Measuring distances from home to school (the straight-line distance calculated by Oxfordshire County Council)

For admissions purposes for all schools where the Local Authority (LA) is the Admissions Authority for the school, and any OAA schools that have adopted the LA's measuring system, the straight-line distance from home to school will be calculated as set out below.

The start point of the measurement is the "seed point" of the home address. The "seed point" is provided by Ordnance Survey from information compiled from Royal Mail and Councils via National Land and Property Gazetteer (NLPG). The seed point normally falls within the bounds of a property. The accuracy of seed points is to the nearest metre and uses the British Co-ordinate

System (Easting/Northing). It is possible to move the location of an individual seed point, but this is not necessary for most addresses. It is not possible to verify the individual location of every seed point prior to measuring due to the number of addresses in Oxfordshire and surrounding areas.

The end point of the straight line distance will be determined by the Admission Authority for each school. Where the LA is not the Admissions Authority, the relevant Admissions Authority will provide the determined end point to the LA.

The calculation of the distance will be made in metres using a Pythagoras calculation. This calculation will be converted into miles by dividing the distance by 1609.344 to achieve a distance in miles accurate to three decimal places.

For addresses outside the British Coordinate System an internet mapping solution will be used to determine a start point using longitude and latitude via getlatlong.net/. A straight line distance will then be calculated to the end point at the school in statute miles using www.nhc.noaa.gov/gccalc.shtml

Random Allocation

If the distance “tie break” produces an identical result for two or more applicants and these applicants live at different addresses and are not children of a multiple birth (see above), the Local Authority will use random allocation to determine who will be offered a place.

Home address for families of service personnel with a confirmed posting, or crown servants returning from overseas

For families of service personnel with a confirmed posting, or crown servants returning from overseas, the Admission Authority will allocate a place in advance of the family arriving in the area (as long as one is available), provided the application is accompanied by an official letter that declares a relocation date. It will not refuse to process an application and will not refuse a place solely because the family does not yet have an intended address or does not yet live in the area.

In addition, the Admission Authority will use the address at which the child will live when applying oversubscription criteria, provided the parents provide some evidence of the intended address. If requested by a parent, the Admission Authority will use a Unit or quartering address as the child's home address when considering the application against the oversubscription criteria.

The Admissions Authority will not reserve blocks of places for children of service personnel, or crown servants returning from overseas.

The council will also, in both its role as an Admission Authority and in its wider educational responsibilities, ensure that arrangements in Oxfordshire support the Government's commitment to removing disadvantage for Service children.

Home address

The address on the application **should be the child's address at the time of application**. This is the address at which the child spends the majority of term-time school nights (Sunday night to Thursday night).

Normal phased transfer from primary or junior to Year 7 in a secondary school

The **time of application** is the entire time period from the point when applications can start to be

made in the September when a child starts Year 6 and the application process opens until National Offer Day on 1 March (or next working day) the following calendar year.

Normal phased transfer for starting primary or infant school for the first time in Reception

The **time of application** is the entire time period from the point when applications can start to be made in the November when the application process opens until 16 April (or next working day) the following calendar year.

Changes of Address

Sometimes an application is made based on an address at the time of application and the address then changes after the application has been submitted. It is important to tell the Admissions Authority (and/or Local Authority) about changes of address so that places can be offered fairly, and so notification can be sent by post to the correct home address.

If the application address is found to have subsequently changed after the application was submitted, and this information could have been provided when the application was first made or before places were offered, Oxfordshire County Council will consider the application to have been made on the basis of a fraudulent or intentionally misleading address (see below). This may result in the offer of a school place being withdrawn.

If an application is made on the basis of a new address or intention to move to an area, information about the new address will need to be provided in order for it to be taken into account.

Changes of Address for normal phased transfer from primary or junior to Year 7 in a secondary school

Changes of address which occur after the closing date for applications (31 October when the child is in Year 6) can be considered if proof of this change is provided no later than the date in November set down in Oxfordshire County Council's co-ordinated admissions scheme.

Changes of Address normal phased transfer for starting primary or infant school for the first time in Reception

Changes of address which occur after the closing date for applications (15 January in the allocation year) can be considered if proof of this change is provided no later than the date in February set down in Oxfordshire County Council's co-ordinated admissions scheme.

Changes of Address (all)

To confirm a new address, the Local Authority needs one of the following:

- A solicitor's letter advising contracts have been exchanged (**if the property is being purchased**); *or*
- A copy of a tenancy agreement (if the property is to be rented). **If this tenancy agreement comes to an end before the September when the child is due to start school, the Local Authority may not accept the address for admissions purposes**; *or*
- A copy of the Council Tax Bill **showing the same name(s) as on the school place application (CAF)**; *or*
- **A letter from a new employer** (e.g. University college) where accommodation is being provided by the employer and is tied to the new post/job giving details of this new address; *or*
- **Service Family Accommodation (New Quarter)** if this is a military posting with provided accommodation and the parent has requested that this address should be used for allocation purposes; *or*

- **Assignment Order** if this is a military posting but new quarter has not yet been notified and the parent has requested that the address of the military base be used for allocation purposes.

The Local Authority may also ask for proof from HM Revenue & Customs, Child Benefit Division or Tax Credits Division. **Such correspondence must pre-date the application.**

Multiple Addresses

Where children spend time with parents at more than one address then the address given on the form should be the one that they live at (i.e., sleep at) for the majority of term-time school nights (Sunday night to Thursday night).

If children spend time equally at different addresses, then the address which will be used for admissions purposes will be the one registered for child benefit. The Admissions Authority (and/or Local Authority) will request proof of the registered address, which must pre-date the application.

Fraudulent Applications

If a place has been obtained on the basis of a fraudulent or intentionally misleading application (for example, a false claim to residence in a designated/ catchment area) and this results in the denial of a place to a child with a stronger claim, the local authority may withdraw the offer of the place. This follows the guidance in paragraphs 2.13 and 2.14 of the School Admissions Code (1 September 2021) published by the Department for Education:

[2.13] An admission authority **must not** withdraw an offer unless it has been offered in error, a parent has not responded within a reasonable period of time, or it is established that the offer was obtained through a fraudulent or intentionally misleading application. Where the parent has not responded to the offer, the admission authority **must** give the parent a further opportunity to respond and explain that the offer may be withdrawn if they do not. Where an offer is withdrawn on the basis of misleading information, the application **must** be considered afresh, and a right of appeal offered if an offer is refused.

[2.14] A school **must not** withdraw a place once a child has started at the school, except where that place was fraudulently obtained. In deciding whether to withdraw the place, the length of time that the child has been at the school **must** be taken into account. For example, it might be considered appropriate to withdraw the place if the child has been at the school for less than one term.

Multiple Applications (Applicants unable to agree on the schools to be listed on the application)

If parents cannot agree on the schools to list on the application and submit separate applications, the Local Authority will write to all parties and request they reach agreement (using legal arbitration if necessary). The Local Authority will also request evidence of eligibility for Child Benefit. If agreement cannot be reached the Local Authority will process the application from the parent who receives or is eligible to receive Child Benefit.

If a parent is unhappy with this decision their recourse would be to seek an order from the Court.

“Shortest safe route” for home to school travel assessments

“Shortest safe route” for home to school travel assessments

This is measured from the same start point defined in the straight-line distance measuring rules. From the start point the route firstly connects to the nearest point of the digitised network.

The digitised network is constructed from a subset of the national road and path data supplied by Ordnance Survey. This data has been accurately digitised to measure along the centre of roads and takes corners at right angles. This is the same underlying information used by internet-based mapping solutions (e.g. Google Maps). However, the LA has a more accurate start point than internet-based mapping solutions and the network has been augmented by the LA to take into account other available public routes (e.g. alleyways, public footpaths, bridleways, etc). The augmented network used by the LA is accurate to at least 1 metre.

All roads and paths in Great Britain are accurately mapped in a consistent and logical network. The network does not include routes that are not defined as public; these include crossing parks with no paths where the park is not open and available all the time, “short-cuts” across patches of open land without paths, or footpaths across private land which are not defined as public routes.

The end point of the route is the nearest open gate of the school first arrived at from the direction of travel that is officially available for use by students for entry and exit to the school site at the start and end of the school day. The location of these gates has been set by the Admissions Authority. The LA consults with each individual school annually to ensure accurate placement of gates and their availability for use.

The shortest safe route is established using an algorithm within the bespoke software used by the LA. This software is called EYES (Early Years and Education System) which is supplied by Liquid Logic (<http://www.liquidlogic.co.uk/>).

EYES measures in miles accurate to three decimal places, which gives an accurate reading up to 1.609344 metres.

The shortest safe route is not necessarily a driving route because it may use, in whole or in part, a non-driveable route (e.g. footpaths). The shortest safe route is also not necessarily a walking route because, for example, where the measurement uses a road, the route is along the centre of the road not along the edge (pavement or equivalent) of the road. In calculating the shortest safe route, certain parts of the network of roads and/or paths have been specified as unsafe and the route will use an alternative which will be longer. This longer distance will be used to determine whether a child is eligible for free home to school travel assistance.

Other measuring systems may give a different measurement, but the Council cannot take a measurement from another measuring system into account because this would lead to inconsistency in the method used to measure the shortest safe route and determine a child’s eligibility for free home to school travel assistance.

Home to School Travel Assistance

Some children qualify for free travel assistance from home to school.

Oxfordshire County Council does not accept responsibility for the provision or cost of free travel assistance to the designated area school if it is not the closest or nearest available school.

Where a child is eligible for free travel assistance, but spends time with different parents at different addresses, Oxfordshire County Council will only accept responsibility for the provision and/or cost

of free travel from the registered home address.
The home to school transport policy is available online
<https://www.oxfordshire.gov.uk/schooltransport>

Admission to an older or younger age group

Parents of gifted and talented children, or those who have experienced problems or missed part of a year, for example due to ill health, can seek places outside their normal age group. Any decision will be made on the basis of the circumstances of each case. This will include:

- considering the parent's views.
- any information about the child's academic, social, and emotional development.
- whether they have previously been educated out of their normal age group.
- the views of the head teacher of the school(s) concerned.

When informing a parent of the decision on the year group to which their child should be admitted, the Local Authority will give clear reasons for the decision. Where it has been agreed that a parent's request for their child to be admitted out of their normal age group and, as a consequence of that decision, the child will be admitted to a relevant age group (i.e. the age group to which pupils are normally admitted to the school) the application will be:

- processed as part of the main admissions round, unless the parental request is made too late for this to be possible; and
- considered against the determined admission arrangements only, including the application of oversubscription criteria where applicable.

The Local Authority will not give a lower priority on the basis that the child is not of the correct age.

Parents' statutory right to appeal against the refusal of a place at a school for which they have applied will not apply if they are offered a place at the school, but it is not in their preferred age group.

Fair Access Protocol

The Fair Access Protocol is part of the admission arrangements for all community and voluntary controlled schools in Oxfordshire and all own admission authority mainstream schools in Oxfordshire schools.

The Protocol is published on the County Council's public website:
<http://www.oxfordshire.gov.uk/admissionrules>

Continued Interest Lists (CILs)

Parents will be able to place their child's name on the Continued Interest List for a community or voluntary controlled school where a place could not be offered and a lower preference was offered instead.

CIL duration for normal phased transfer from primary or junior to Year 7 in a secondary school
For those applying through the normal admissions round for entry to Year 7 in a secondary school, the CIL will be maintained from shortly following initial allocation in the March preceding the start

of the academic year in September until the end of June of their Year 7 year.

CIL duration for normal phased transfer for starting primary or infant school for the first time in Reception

For those applying through the normal admissions round for entry to the Reception year group, the CIL will be maintained from shortly following initial allocation in the April preceding the start of the academic year in September until the end of June of their Reception year.

CIL duration for other age ranges

In the case of those applying in year, the CIL will be maintained until the end of June of that academic year. It will be possible to place a name on the list from 1 August, the beginning of the academic year, and the list will be discontinued at the end of June each year. Children will not be automatically moved to a new CIL for the following academic year. A re-application will be necessary each year.

More information about CILs is published on the County Council's public website.

<http://www.oxfordshire.gov.uk/continuedinterest>

In-Year Admissions (Reception to Year 11)

All community and voluntary controlled schools are part of the coordinated in year admissions process for Oxfordshire.

The In-Year Admission Scheme is published on Oxfordshire County Council's public website.

<http://www.oxfordshire.gov.uk/admissionrules>

Community and Voluntary Controlled Schools converting to Academy Status

When a school converts to academy status the school retains the existing admission arrangements. However, any new academy can consult on amending these at the next available opportunity.

Paragraph 1.45 of the 2021 School Admissions Code states that Admission Authorities must consult on their admission arrangements at least every 7 years, even if there have been no changes to the arrangements in that period.

Therefore, unless a former Community or Voluntary Controlled school converting to Academy status in 2023/24 and subsequent years specifically consults upon and adopts different admission arrangements, the arrangements set out in this document will continue to apply.

Admission Appeals

There is a statutory right to an admission appeal should a child be refused a place at a school. All community and voluntary controlled schools will take part in the independent admission appeals service set up by Oxfordshire County Council:

www.oxfordshire.gov.uk/schoolappeals

