

**Determined In-Year Admissions
Scheme for Admissions to Schools in
Oxfordshire for children in year groups
Reception to Year 11
for the 2023/24 academic year**

1. Introduction

- 1.1 This Scheme is compliant with the following:
 - School Standards & Framework Act 1998
www.legislation.gov.uk/ukpga/1998/31/contents
 - Education Act 2002
www.legislation.gov.uk/ukpga/2002/32/contents
 - School Admissions Code 2021
www.gov.uk/government/publications/school-admissions-code--2
- 1.2 This Scheme will operate from 5 June 2023 until 30 June 2024.
- 1.3 A glossary of key terms used in the scheme is shown at Annex A.
- 1.4 The In-Year Admissions Scheme covers admissions for entry to all Community and Voluntary Controlled schools in Oxfordshire outside the normal admissions rounds for children transferring between phases of education (see the Coordinated Admissions Scheme for more details) for entry to year groups Reception through Year 11 (inclusive).
- 1.5 Paragraph 2.24 of the 2021 School Admissions Code requires Own Admissions Authority (OAA) schools to inform the Local Authority (LA) by 1 August 2023 whether they will participate in this scheme. The LA will treat all OAA schools currently in the Scheme as having opted-in to this scheme unless they opt-out by 1 August 2023.
- 1.6 A state funded mainstream OAA school in Oxfordshire may opt to withdraw from this In-Year Scheme. The school should inform the LA in writing by 1 August 2023 so that details can be published in the In-Year Admissions Scheme and online.
- 1.7 A state funded mainstream OAA school in Oxfordshire that has withdrawn from the In-Year Admissions Scheme must adhere to the requirements set out in Part 4 of this Scheme.
- 1.8 A list of state funded mainstream OAA schools in Oxfordshire that are not part of the In-Year Admissions Scheme will be published online by 1 August 2023.
<https://www.oxfordshire.gov.uk/residents/schools/apply-school-place/changing-or-moving-school/before-you-start>
- 1.9 Applications outside the normal round of admissions (see the Coordinated Admissions Scheme) will be referred to in the In-Year Admissions Scheme as “in-year applications”.
- 1.10 Admissions to Years 12 and 13 (Sixth Form) are not included in the In-Year Scheme. Parents need to apply direct to schools for Sixth Form places.
- 1.11 The LA will coordinate in-year admissions to all state funded mainstream schools in Oxfordshire that are part of the In-Year Scheme. Therefore, applications from both residents and non-residents of Oxfordshire for places in schools in Oxfordshire that are part of the In-Year Admissions Scheme must be made to the LA.
- 1.12 The LA will offer or refuse places at all state funded mainstream schools that are part

of the In-Year Scheme. Where the state funded mainstream school is an OOA school, the offer or refusal will be on behalf of the Admissions Authority for the school. Schools within the In-Year Admissions Scheme **must not** write direct to parents before the LA has sent a letter offering a place.

- 1.13 The Governing Bodies or Academy Committees and/or Directors of state funded mainstream OOA schools that are part of the In-Year Admissions Scheme remain responsible for setting admission rules, applying them and determining the offer of places. They cannot delegate the responsibility to the LA. The LA **will not** make admissions decisions on behalf of state funded mainstream OOA schools but can act as the agent for an OOA school if agreed between the OOA school and the LA.
- 1.14 Parents, resident in Oxfordshire, who want to apply for a state funded mainstream school that is not in Oxfordshire cannot apply using this Scheme and cannot apply through the LA. Parents are advised to contact the LA where the school is located, or the school direct, to find out about arrangements for applications and in-year admissions for that school or area.
- 1.15 The LA will publicise the In-Year Admissions Scheme. This will be done by:
 - publishing a composite prospectus online by 26 May 2023;
 - publicising the In-Year Admissions Scheme on the LA public website;
 - enabling parents to apply online or on paper.

2. The Application

- 2.1 The LA will enable parents to apply online. Online will be the principal means of application.
- 2.2 Applications will also be accepted using a paper form.
- 2.3 The 'School Admissions in-Year Transfer' form will be used for in-year applications to all state funded mainstream schools that are part of the In-Year Scheme.
- 2.4 The application form (whether online or paper) and/or the accompanying notes will:
 - state where and to whom the completed form should be sent/returned,
 - allow the parent to express preferences for (up to three) schools ranked in order of preference where the first preference is the school most wanted,
 - explain that, usually, the parent will receive a maximum of one school place offer per child in response to the application,
 - explain that, subject to the availability of places and the application of the oversubscription criteria, parental preference will be complied with (i.e., a place at the highest preference school will be offered unless it cannot because no places are available or there are too many other applicants with a higher criterion or living closer to the preferred school),
 - enable the parent to give reasons for their preference(s) for the school(s) listed,
 - enable parents who wish to, to state whether their child belongs to a faith, for example the Catholic Church or the Church of England, or have other reasons

of faith for requesting a school,

- enable parents to provide other reasons for their preference(s) where relevant (e.g. that they work at a school where priority is given to 'children of staff' within the oversubscription criteria).

- 2.5 Parents will be able to request a maximum of 4 preferences on their application (online or paper). These preferences can be for any state funded mainstream school in Oxfordshire that is part of the In-Year Scheme.
- 2.6 A model approach for how applications will be processed, inclusive of intended timescales, is set out at Annex B. A timetable for in-year admissions for 2023/24 will be published on the LA website.
- 2.7 Normally an application can be made no more than six school weeks before the intended start date.
- 2.8 However, applications for children to start at the beginning of a term or half term can be made from the beginning of the preceding term or half term.
- 2.9 Applications for the first half of the Autumn Term 2023 (September/October 2023) can be made from the second half of the Summer Term 2023 (June 2023).
- 2.10 Applications for the second half of the Autumn Term 2023 (November/December 2023) can be made from the beginning of the Autumn Term 2023 (September 2023).
- 2.11 Applications for the first half of the Spring Term 2024 (January/February 2024) can be made from the beginning of the second half of the Autumn Term 2023 (November 2023).
- 2.12 Applications for the second half of the Spring Term 2024 (February/March 2024) can be made from the beginning of the Spring Term 2024 (January 2024).
- 2.13 Applications for the first half of the Summer Term 2024 (April/May 2024) can be made from the beginning of the second half of the Spring Term 2024 (February 2024).
- 2.14 Applications for the second half of the Summer Term 2024 (June/July 2024) can be made from the beginning of the Summer Term 2024 (April 2024).
- 2.15 The LA will take all reasonable steps to ensure that parents are provided with information on the key features of the In-Year Admissions Scheme. This will include enabling parents to apply (online or by making a paper form available) and explaining the admissions process and the admission rules for all state funded mainstream schools in Oxfordshire. The principal means of providing this information will be online.
- 2.16 The Governing Body or Academy Committee or Directors of any state funded mainstream OAA school that is part of the Scheme may request parents who wish to list, or have listed, that school on the application to provide additional information to the school on a Supplementary Information Form (SIF). When this is requested, the details and procedural arrangements must be consistent with the requirements of the

2021 School Admissions Code, statute and case law and the Scheme. Information cannot be requested on the SIF that is specifically prohibited by the 2021 School Admissions Code. The SIF will be accessible online on the school's own website. Schools must also make arrangements to provide a paper version of the SIF to parents on request.

- 2.17 If parents complete an application and have listed a state funded mainstream OAA school on the form, but they have not completed any SIF for that school, the application will still be valid. However, if a parent does not complete a SIF this may affect the criterion under which their child is considered.
- 2.18 If a parent completes a SIF for a state funded mainstream OAA school but does not request a place at that school on the application, the SIF on its own cannot be considered as an application for a place and the child cannot be considered for a place at that school. The SIF is a device to collect additional information not covered by the LA application process to enable the Admissions Authority of the state funded mainstream OAA school to make an admissions decision based on its oversubscription criteria.
- 2.19 If a parent directly approaches a state funded mainstream school that is part of the Scheme requesting a place for a child, and the child is within the age range of the school, the parent will be asked to complete an application irrespective whether the school has a vacancy in the relevant year group. If the school receives a completed paper application, the school will pass the application to the LA for processing. If the school asks a parent to complete an application but does not receive the application, the school will notify the LA that a direct approach was made so that the LA is aware that an application is due.
- 2.20 If a parent applies for a place at a state funded mainstream OAA school that is not part of the Scheme, the LA will notify the parent that this preference/application cannot be processed and ask the parent to approach the relevant school direct. The LA will also notify the relevant school that an application was received and that the parent was asked to apply direct to the school so that the school is aware that an application is due.
- 2.21 The LA will destroy all paper-based application forms for this transfer no later than 31 August 2024.
- 2.22 The LA will destroy all electronic records of the details of the content of applications made for this transfer no later than 31 August 2030.
- 2.23 The applicant will have the right to request a copy of the electronic record of the content of the application before the destruction date given in 2.22 above.
- 2.24 The applicant will have the right to request the electronic record of the content of the application to be destroyed on any date after the date in 2.21 above but before the scheduled data destruction date in 2.22 above. If the electronic record of the content of the application is destroyed before the scheduled destruction date, the applicant will no longer be able to request a copy of the electronic record of the content of the application.

3. Processing Applications and Offering Places

- 3.1 A model approach for how applications will be processed, inclusive of intended timescales, is set out at Annex B. A timetable for in-year admissions for 2023/24 will be published on the LA website.
- 3.2 The Admissions Authority of a state funded mainstream OAA school in Oxfordshire that is part of the In-Year Scheme may choose to ask the LA to act as its agent and process in-year applications on its behalf. However, the final responsibility for admissions decisions will remain with the Admissions Authority for any state funded mainstream OAA school. This responsibility cannot be delegated to the LA. Such an arrangement will be termed in this In-Year Admissions Scheme as “agency”.
- 3.3 The LA needs correct information about where places are available. Therefore, all state funded mainstream schools in Oxfordshire **must** regularly update the LA about the number of children on roll in each year group and/or the number of places available in each year group. Schools that have a data-sharing arrangement with the LA automatically provide this information on a weekly basis during term-time and do not need to make a different arrangement. Schools that have no data-sharing arrangement with the LA should provide this information at least once every 10 school days and **must** provide it after receiving a request within 2 days of receiving the demand for information.
- 3.4 If the LA does not receive the information in 3.3 above, the LA will contact the individual school in the first instance to try to resolve the issue. If a resolution cannot be reached, and the school is a Voluntary Aided school, non-compliance will be raised with the relevant Diocese. If a resolution cannot be reached, and the school is an academy or free school, non-compliance will be raised with the Multi-Academy Trust Board and/or the Education and Skills Funding Agency (ESFA). The LA will also report non-compliance that has not been resolved in its annual report to the Office of the Schools Adjudicator.
- 3.5 When reaching an admissions decision, Admissions Authorities **must** comply with Paragraphs 2.7, 2.15, 2.28 and 2.29 of the 2021 School Admissions Code 2021 which state that:
- the decision must be based solely on the determined admission arrangements,
 - the decision must not be made by one individual,
 - a clear record must be kept of the decision,
 - the waiting list must be ranked (and offers made) based on the published oversubscription criteria,
 - places must be offered to every child who has applied for one if places are available (unless admitting the child would prejudice the efficient provision of education or use of resources),
 - if insufficient places are available when dealing with multiple applications, places will be allocated on the basis of the oversubscription criteria only.
- 3.6 Where the LA does not have agency, relevant details of a preference for a state

funded mainstream OAA school that is part of the In-Year Admissions Scheme will be forwarded by the LA to the school concerned so that a decision can be made by the Admissions Authority. The Admissions Authority will then be responsible for determining whether a place can be offered and for notifying the LA of the outcome of the preference. At the time the application is sent by the LA to the school, the LA will not provide the school with any of the following information which is specifically prohibited by Paragraphs 1.9 and 2.4 of the 2021 School Admissions Code 201:

- details about whether the school is listed as first, second, third or fourth preference (prohibited by Paragraph 1.9),
- details about a parents' or child's disabilities, special educational needs (where the child does not have an Education, Health & Care Plan – EHCP) or medical conditions (prohibited by Paragraphs 1.9 and 2.4),
- details of the current/previous school, unless it is a feeder or partner school (prohibited by Paragraph 1.9),
- information provided by previous school about past behaviour, attendance, attitude, or achievement or that of any other child in the family (prohibited by Paragraph 1.9),
- the first language of the parents or the child (prohibited by Paragraph 2.4).

- 3.7 Where the LA does not have agency, schools will hold admissions meetings as necessary (see 3.5 above) to ensure that the timescales set within the Scheme can be met. In practice, all larger schools and some smaller schools that receive a high number of applications are likely to need to arrange meetings to make admissions decisions on a weekly basis. The Department for Education (DfE) advises that decisions of this kind can be taken by a minimum of two appointed representatives (Governors or Directors) and the meeting can be virtual.
- 3.8 When considering whether a place is available the decision will normally be made on the basis of whether the number on roll in the particular year group is less than the Published Admission Number for the particular school and/or the Published Admission Number for the school when that year group started at the school in the year of entry (if different).
- 3.9 If there are places available in the relevant year group and the number of applications is fewer than the number of available places, the Admissions Authority (which may be the LA or the LA acting as agent for a state funded mainstream OAA school) **must** comply with Paragraphs 2.8 and 2.28 of the 2021 School Admissions Code and offer a place to every child who has applied for one without condition or the use of any oversubscription criteria.
- 3.10 If there are places available in the relevant year group but the number of applications exceeds the number of available places, the Admissions Authority (which may be the LA or the LA acting as agent for a state funded mainstream OAA school) **must** decide to whom the place or places are to be offered by prioritising the applications according to the determined and published oversubscription criteria. The Admissions Authority **must not** offer a place to one child ahead of another, where both applications are being considered simultaneously, due to the fact that one application was received at an earlier date or time.

- 3.11 If there are no places available in the relevant year group, the Admissions Authority (which may be the LA or the LA acting as agent for a state funded mainstream OAA school) **must** prioritise the applications according to the determined and published over-subscription criteria but will be unable to offer a place to any of the applicants.
- 3.12 Where the LA does not have agency, the Admissions Authority for a state funded mainstream OAA school in Oxfordshire that is part of the Scheme **must** communicate the decision that has been made (see 3.9 to 3.11 above) to the LA so that the parent can be sent written notification in a timely manner.
- 3.13 Where the LA has provided information to a state funded mainstream OAA school as set out in 3.6 above and the LA has received no response from the school after 5 school days from sending the information, the LA will contact the school to request an update. If the school does not provide a satisfactory update or response, the LA will proceed on the basis that the school has decided a place will not be offered. The LA will inform the parent accordingly (see 3.22 below) together with information about how the child's name can be added to the Continued Interest List (see Section 5 below) and information about School Appeals (see Section 6 below).
- 3.14 Where the LA has agency, the LA will apply the admissions criteria determined and published for that school to determine which children should be offered a place as set out in 3.9 to 3.11 above. However, before the LA sends notification to the parent in writing, the LA, acting as agent, will inform the Admissions Authority of the decision that has been reached and the reasons for it so that the Admissions Authority can agree that the decision is correct and that the child or children identified should be offered a place.
- 3.15 The LA is responsible for establishing, in accordance with the provisions of the Scheme, whether a child is eligible for a place at more than one school, or is not eligible to be offered a place at any preferred school or any school in Oxfordshire. The LA then determines whether the child is to be granted or refused admission to a school.
- 3.16 Where the LA processes an in-year application and it is not possible for a place to be offered at any of the preferred schools requested by the parent on the application, and the child is resident in Oxfordshire and the child is at a school within a reasonable distance or the parent has advised of alternative arrangements that have been made or will be made to secure an education for the child that is suitable to his/her age, aptitude and ability (e.g. elective home education), the LA will not offer an alternative school place.
- 3.17 Where the LA processes an in-year application and it is not possible for a place to be offered at any of the preferred schools requested by the parent on the application, and the child is resident in Oxfordshire and the child has no school place (is out of school) or has a school place at a school that is not within a reasonable distance or the parent has indicated that no alternative arrangements have been made or will be made for the child to receive an education suitable to his/her age, aptitude and ability, the LA will determine the nearest school within a reasonable distance that has a place available. The LA will use its measuring policy (see Annex D) to determine the nearest school with a place not offered to

other children.

- 3.18 If the nearest school within a reasonable distance with a place available not offered to other children (see 3.17 above) is a Community or Voluntary Controlled school or is a school for which the LA has agency (see 3.2 above), the LA will liaise with that school (as set out in 3.14 above) and a place will be reserved.
- 3.19 If the nearest school within a reasonable distance with a place available not offered to other children (see 3.17 above) is a state funded mainstream OAA school that is part of the Scheme and for which the LA does not have agency, the LA will approach the school to request a place be reserved on behalf of the child as if an application for a place had been made. The Admissions Authority for the school will consider the application on the same basis as if the LA's notification were an application (or preference) made by the child's parent falling within Section 86 of the 1998 School Standards & Framework Act (see 3.6 above).
- 3.20 If none of a parent's preferences can be met, and the nearest school within a reasonable distance with an available place (see 3.17 above) is a state funded mainstream OAA school that is not part of the Scheme, the LA will advise the parent to make a direct application for a place at that school.
- 3.21 For all schools that are part of the Scheme, the LA will send formal written notification of the offer and/or refusal. Individual schools **must not** contact the parent in writing or by any other method until the LA has sent formal written notification. Where a place is offered at a Community or Voluntary Controlled school, this offer is made by the LA as Admissions Authority. Where a place is offered at a state funded mainstream OAA school, the offer is made by the LA on behalf of the Admissions Authority of the school.
- 3.22 The formal written notification should always include a school offer at one of the preferred schools for which the parent applied or an alternative nearest school within a reasonable distance that has a place available or reasons why no alternative school has been offered (e.g. where the child is already on roll at a school within a reasonable distance or the parent has advised of alternative arrangements that have been made or will be made to secure an education for the child that is suitable to his/her age, aptitude and ability). The formal written notification will also always include a date by when the child will be expected to start at the new school (if applicable) and information about whether the child is eligible for free home to school transport. Where a place is not offered at one or more preferred schools for which the parent applied, the formal written notification will also include information about Continued Interest Lists (see Section 5 below) and School Appeals (See Section 6 below).
- 3.23 On certain rare occasions, the LA may send formal written notification that a place cannot be offered at any of the preferred schools for which the parent applied without sending notification of an alternative school offer, and the child has no school place (is out of school) or has a school place at a school that is not within a reasonable distance, or the parent has indicated that no alternative arrangements have been made or will be made for the child to receive an education suitable to his/her age, aptitude and ability. This will happen where the LA has not yet been able to identify an alternative school within a reasonable distance, or the school that has been identified is a state funded mainstream OAA

school that has not yet responded to the approach from the LA (see 3.19 and 3.20 above). This is to ensure that a parent will be able to request that their child is added to Continued Interest Lists (see Section 5 below) and/or lodge a School Appeal (see Section 6 below). In these cases, the County Secondary Fair Access Panel or the County Primary Fair Access Panel will be asked to identify a suitable school. The LA will then send a further formal written notification letter with a school offer as soon as possible after the first written notification was sent.

- 3.24 If the child lives in England but outside Oxfordshire, the LA will notify the current home local authority that a place has been offered at an Oxfordshire school (or an application was made for a place at Oxfordshire school(s) and no place was offered).
- 3.25 An offer of a school place will normally be available for no longer than six school weeks from the date on which the offer is made. The formal written notification will specify the date by when the child should start at the new school (see 3.20 above). The LA will not process subsequent repeat applications for the same child that are clearly intended to reserve a place for a longer period.
- 3.26 All Oxfordshire schools, whether or not they are part of the Scheme, **must** comply with the General Data Protection Regulations and the 2018 Data Protection Act. Schools should not provide information about a child to a new receiving school until they have received formal written notification that the child will join the new school (i.e., an offer of a place that has been accepted or the child has left the current/previous school and has been taken on roll at the new school).

4. Requirements on state funded mainstream OAA schools that are not part of the Scheme

- 4.1 There is a legal requirement for schools to notify the LA of any in-year application and its outcome. State funded mainstream OAA schools that are not part of the Scheme must comply with this legal requirement by notifying the LA of any in-year application and its outcome. This information needs to be sent to the link Admissions Officer at the LA.
- 4.2 State funded mainstream OAA schools that are not part of the Scheme **must** send a formal written notification to the parent of the outcome of the application. Where an offer is made, the school **must** specify a date by when the child should join the school. This start date **should** not be more than six school weeks after the date of the offer. If a place cannot be offered, the school **must** provide details of its Continued Interest (or Waiting) List policy, how a child's name can be added to the list and when the list will be discontinued. If a place cannot be offered, the school **must** inform the parent of their right to a school admissions appeal and how they can lodge such an appeal. If a place cannot be offered, and the child is resident in Oxfordshire and has no school place (is out of school) or has a school place at a school that is not within a reasonable distance or the parent has indicated that no alternative arrangements have been made or will be made for the child to receive an education suitable to his/her age, aptitude and ability, the school **must** provide a copy of the original application and the formal written notification without delay, so that the LA can determine the nearest school within

a reasonable distance with a place available not offered to other children (see 3.16 above).

- 4.3 If a parent has been offered a place for their child at a state funded mainstream OAA school that is not part of this Scheme and they believe their child is eligible for free travel assistance they need to complete an assessment request (see 'Disputing a decision' on the LA website) at:
<https://www.oxfordshire.gov.uk/residents/schools/travelling-school/eligibility-free-and-paid-travel-school/free-home-school-travel>
- 4.4 All Oxfordshire schools, whether or not they are part of the Scheme, **must** comply with the UK General Data Protection Regulations and the 2018 Data Protection Act. Schools should not provide information about a child to a new receiving school until they have received formal written notification that the child will join the new school (i.e. an offer of a place that has been accepted or the child has left the current/previous school and has been taken on roll at the new school).
- 4.5 All schools in Oxfordshire (including independent schools) **must** inform the LA if a child leaves and the school does not have confirmation of where the child has gone and is not contacted by a new receiving school for information about or records of the child.

5. Continued Interest (or Waiting) Lists

- 5.1 For Community and Voluntary Controlled schools in Oxfordshire and some state funded mainstream OAA schools in Oxfordshire, waiting lists will be known as Continued Interest Lists (CILs).
- 5.2 For some state funded mainstream OAA schools in Oxfordshire, Continued Interest Lists (CILs) will be known as Waiting Lists (WLs).
- 5.3 For schools and academies outside Oxfordshire, local arrangements and terminology will be used according to the coordinated scheme of the LA for that area and/or the admission arrangements and rules published by the school.
- 5.4 Parents will be provided with details of how to add their child's name to the Continued Interest (or Waiting) List for any state funded mainstream school in Oxfordshire where a place could not be offered that was listed as a higher preference on the application than the school offered. This system is known as the 'opt-in' system. A child will not automatically be added to the Continued Interest (or Waiting) List for an Oxfordshire school unless the parent requests this in writing or unless a state funded mainstream OAA school has determined and published a scheme that includes automatically adding a child's name to a Continued Interest (or Waiting) List.
- 5.5 The LA, acting on behalf of all state funded mainstream schools in Oxfordshire that are part of the Scheme, will maintain (jointly maintain in the case of OAA schools) the Continued Interest (or Waiting) Lists for any year groups where places cannot be offered. These lists will normally be maintained from 1 August 2023 until 30 June 2024. The only exceptions to this will be state funded

mainstream OAA schools that are part of the Scheme that have formally determined that the Continued Interest (or Waiting) List will be discontinued at an earlier or later date.

- 5.6 State funded mainstream OAA schools that are not part of the Scheme will need to maintain their own Continued Interest (or Waiting List) according to the arrangements determined and published in their admissions arrangements and inform parents about this when they send formal written notification.
- 5.7 Once added, a child's name will remain on the relevant Continued Interest (or Waiting) List until one of the following circumstances occurs:
 - a place becomes available that is offered to the child; or
 - the parent request in writing that the Admission Authority maintaining the list should remove their child's name from the list; or
 - the list ceases to be maintained (see 5.5 or 5.6 above).
- 5.8 In the case of state funded mainstream OAA schools that are part of the In-Year Admissions Scheme, the relevant Admissions Authority will liaise with the LA to ensure that the data held by the LA is kept up to date.
- 5.9 The Continued Interest (or Waiting) List will be maintained in order of priority according to the published admission arrangements and rules of the relevant school. Children will not be organised on a list based on the date or time an application was made.
- 5.10 If a place becomes available at a state funded mainstream OAA school, that school will determine to whom the place should be offered from those listed on the Continued Interest (or Waiting) List. The expectation will be that the place will be offered to the child whose name appears at the top of the list.

6. School Appeals

- 6.1 For all state funded mainstream schools that are part of the In-Year Admissions Scheme, if a place could not be offered that was listed as a higher preference on the application, the LA will provide parents with details of how to lodge a school admissions appeal. This information will be sent with formal written notification of the outcome of an application.
- 6.2 Appeals for all Community and Voluntary Controlled schools in Oxfordshire are handled by the Committee Services department of Oxfordshire County Council and parents will receive information about the online appeals process available at www.oxfordshire.gov.uk/schoolappeals
- 6.3 Some state funded mainstream OAA schools in Oxfordshire that are part of the In-Year Admissions Scheme have purchased the school appeals service offered by the Committee Services department of Oxfordshire County Council and parents will receive information about the online appeals process available at www.oxfordshire.gov.uk/schoolappeals

- 6.4 Appeals for some state funded mainstream OAA schools in Oxfordshire that are part of the In-Year Admissions Scheme are arranged by a different organisation and parents will receive information about the how to lodge a school admissions appeal for that school.
- 6.5 State funded mainstream OAA schools in Oxfordshire that are not part of the Scheme **must** inform parents when the formal written response is sent about the right to a school admissions appeal if a place is not being offered at the school.
- 6.6 The Committee Services department publishes an online list of schools at www.oxfordshire.gov.uk/schoolappeals where appeals are not arranged by the department.

7. Queries about the operation of the Scheme

- 7.1 Queries about the operation of the Scheme should be directed to:

School Admissions
Oxfordshire County Council
County Hall
New Road
Oxford
OX1 1ND

Email: admissions.schools@oxfordshire.gov.uk

ANNEX A – GLOSSARY OF KEY TERMS

Academies

Academies are state funded independent schools that are directly funded by the Education & Skills Funding Agency (see below).

These schools are not controlled by Local Government. However, they **must** participate in the coordinated admissions process and they are subject to the School Admissions Code under the terms of their Funding Agreement with the Secretary of State for Education.

Admission arrangements and rules

The arrangements and rules for a school or schools that determine the procedures and decision-making for admitting pupils to the school(s).

Admission Authority

The body responsible for setting and applying admission rules for a school or schools. In the case of schools that are Community or Voluntary Controlled (see below), the responsible body is the Local Authority. However, for any other type of school (i.e. academies, free schools, foundation and trust schools, University Technical Colleges (UTCs), studio schools and voluntary aided schools), the responsible body is the individual school's governing body or academy committee or trust board.

Community Schools

A state funded school for which the LA is the Admissions Authority (see above).

Education & Skills Funding Agency (ESFA)

An executive agency sponsored by the Department for Education:

- accountable for £58 billion of funding for the education and training sector, providing assurance that public funds are properly spent;
- that regulates academies, further education and sixth-form colleges, and training providers, intervening where there is risk of failure or where there is evidence of mismanagement of public funds;
- delivering major projects and operating key services in the education and skills sector, such as school capital programmes.

Free Schools

Schools funded by the ESFA, independent of local authority (LA) control, self-governing, registered as a charity (or part of a charity). They have a Funding Agreement with the Secretary of State for Education that stipulates that they **must** participate in the coordinated admissions arrangements and conform to the requirements of the School Admissions Code. The Governors or Directors of a Free School set admissions rules and make admissions decisions.

Funding Agreement

A legal document between the Secretary of State for Education (via the ESFA) and a provider.

Infant schools

A school for children aged 5 to 7 (Years Reception to Year 2) or 3 to 7 (if the school has attached nursery provision).

Junior schools

A school for children aged 7 to 11 (Years 3 to 6).

The LA

In this document "LA" refers to Oxfordshire County Council.

Measuring policy

See Annex D for details.

Own admission authority (OAA) schools

This term is used to describe any school which is not Community or Voluntary Controlled (i.e. academies, free schools, foundation and trust schools, University Technical Colleges (UTCs), studio schools and voluntary aided schools). The Local Authority is not the Admission Authority for these schools.

Parent

Section 576 of the Education Act 1996 defines 'parent' as:

- all natural parents, whether they are married or not;
- any person who, although not a natural parent, has parental responsibility for a child or young person;
- any person who, although not a natural parent, has care of a child or young person (having care of a child or young person means that a person with whom the child lives and who looks after the child, irrespective of what their relationship is with the child, is considered to be a parent in education law).

Having parental responsibility means assuming all the rights, duties, powers, responsibilities and authority that a parent of a child has by law. People other than a child's natural parents can acquire parental responsibility through:

- being granted a residence order;
- being appointed a guardian;
- being named in an emergency protection order (although parental responsibility in such a case is limited to taking reasonable steps to safeguard or promote the child's welfare);
- adopting a child (in the case of stepparents) in agreement with the child's mother (and other parent if that person also has parental responsibility for the child) or as the result of a court order.

Where a child's parents are not married to each other, the child's father can gain parental responsibility by:

- registering the child's birth jointly with the mother;
- through a 'parental responsibility agreement' between him and the child's mother;
- as the result of a court order.

In addition, a Local Authority can acquire parental responsibility if it is named in the care order for a child.

Primary schools

A school for children aged 5 to 11 (Years Reception to Year 6) or 3 to 11 (if the school has attached nursery provision).

Published Admission Number (PAN)

This is the number of places the school will offer to start in the relevant year group (Reception year group, Year 3, Year 7 or Year 10) in the allocation year subject to receiving enough applications for places. A school cannot refuse to admit a child if the PAN has not been reached. A school can choose to (or be required to) admit children above the PAN.

The Scheme

The In-Year Admissions Scheme for Admissions to Schools in Oxfordshire for children in year groups Reception to Year 11 for the 2022/23 academic year.

School Admissions in-Year Transfer' form

The application form supplied by the LA on paper or electronically which needs to be used by all parents making an in-year application for a transfer to a state funded mainstream school that is part of the Scheme.

Schools

In this document "school" refers to any state funded mainstream establishment (see below) for children aged 4 to 18. Special schools are not mainstream schools and are not covered by this scheme. A child can usually only attend a special school if he/she has an Education, Health & Care Plan (EHCP).

Secondary schools

A school for children aged 11 to 16 (Years 7 to 11) or 11 to 18 (where the school has an attached Sixth Form).

State funded mainstream school

Any school that is funded by Central Government (whether via the Local Authority or via the ESFA). This is all Academies, Community schools, Foundation schools, Free schools, Studio Schools, Trust schools, University Technical Colleges (UTCs), Voluntary Aided schools and Voluntary Controlled schools. Independent (fee-paying) schools are not state funded mainstream schools. This scheme does not cover independent schools. Parents will not be able to apply for a place at an independent school using this scheme.

Studio schools

A school for children aged 14 to 18 (Year 10 to 13) that is designed to give students practical skills in workplace environments as well as traditional academic and vocational courses of study. Studio schools are funded by the ESFA. Studio Schools usually run on a business model where students wear business attire and the school day operates business hours.

Trust Schools

A school funded by the ESFA, independent of local authority (LA) control, self-governing, registered as a charity (or part of a charity) and run by a Trust. They have a Funding Agreement with the Secretary of State for Education that stipulates that they must participate in the coordinated admissions arrangements and conform to the requirements of the School Admissions Code. The Governors or Directors of a Trust School set admissions rules and make admissions decisions.

University Technical Colleges (UTCs)

A school/college for children aged 14 to 18 (Years 10 to 13) which specialises in technical studies and is sponsored by a university. It offers full-time courses which combine practical and academic studies. UTCs are funded by the ESFA.

Voluntary Aided schools

State funded schools in England and Wales in which a Foundation or Trust (usually a religious organisation), contributes to building costs and has a substantial influence in the running of the school. Such schools have more autonomy than Voluntary Controlled schools. In most cases the Foundation or the Trust owns the buildings. The governing body of these schools is responsible for setting admissions rules and making admissions decisions.

Voluntary Controlled schools

A state funded school for which the LA is the Admissions Authority (see above).

ANNEX B – MODEL PROCESS

State funded mainstream schools in Oxfordshire that are part of the In-Year Admissions Scheme

Event	Action by	Remarks
Application submitted / received	LA	Parents can apply at any time. Applications should only be submitted for a child to start within the following six school weeks or immediately after the following term or half-term break.
Processing	LA	Applications are processed in weekly batches. Details are added to the database within 48 hours to be part of weekly batch (all applications received by 5pm each Monday during term-time).
Liaising	LA / Admissions Authority	Preferences for Community or Voluntary Controlled schools or for schools for which the LA has agency will be collated and the school will be notified by Wednesday of each week during term-time that applications have been received and the school will be requested to confirm availability of places. If one or more preferences is for a state funded mainstream OAA school that is part of the Scheme where the LA does not have agency, relevant details of all preferences in the batch (including any children already added to the Continued Interest List) will be sent to the school by Wednesday of each school week during term-time.
Decision making	Admissions Authority	Decisions should be made within a maximum of 5 school days from the Wednesday in term-time after the application is received. For state funded mainstream OAA schools for which the LA does not have agency, the school <u>must</u> notify the LA of their decision by no later than the end of the fifth school day after receiving details of the application.

Event	Action by	Remarks
Decision making (extension)	Admissions Authority	<p>If a school fails to notify the decision by the end of the fifth school day after receiving details of the application, the LA will contact the school for an explanation and has discretion to allow an extension of two further school days.</p> <p>If the school believes the application should be refused because of challenging behaviour it can refer the application to the County Secondary Fair Access Panel or the County Primary Fair Access Panel, depending on the age of the child.</p> <p>If the LA receives no decision from the school (with or without extension) and the child is not receiving an education, the LA will refer the child for a placement decision the County Secondary Fair Access Panel or the County Primary Fair Access Panel.</p>
Determination	LA	This should be completed no more than two working days after the completion of decision making for all preferred schools.
Notification	LA	Formal written notification <u>must</u> be sent on the day of determination or on the next working day.
Start date	Parent and School	The child should be taken on roll no later than the date given in the formal written notification, within 10 school days of the offer(for offers for immediate transfer) or at the start of the following term or half-term, whichever is the earlier.

Model process for state funded mainstream schools in Oxfordshire that are not part of the In-Year Scheme

Event	Action by	Remarks
Application received	School / Admissions Authority	Add details to the 'batch' waiting to be processed. Notify the LA of details of the application that has been received.
Decision making & Determination	Admissions Authority	Determine the application within a maximum of seven school days from the Wednesday in term-time after the application was received. Notify the LA of the decision / determination by the end of the eighth day.
Decision making & Determination (extension)	Admissions Authority	If the school believes the application to be a 'complex case', it can refer the application via the Council's In-Year Fair Access (IYFA) arrangements. If the school does not wish to offer a place and the child is not receiving an education, the Admissions Authority <u>must</u> refer the application to the LA for a placement decision via the County IYFA arrangements.
Notification	School / Admissions Authority	Formal written notification <u>must</u> be sent on the day of determination or on the next school day. The LA is sent a copy of the formal written notification or otherwise formally notified about the outcome.
Free travel assistance eligibility assessment	LA	An assessment <u>must</u> be made within two working days of the LA receiving formal notification from the school / Admissions Authority. If the child is eligible for free home to school travel assistance, the LA <u>must</u> send a formal written notification to parent on the day the assessment is completed or the next working day.
Start date	Parent and School	The child should start as soon as possible and no later than the date in the formal written notification. A reasonable expectation would be 10 school days for offers for immediate transfer, or at the start of the following term or half-term for future offers.

ANNEX C – STATE FUNDED MAINSTREAM OAA SCHOOLS THAT ARE NOT PART OF THE SCHEME

A list of schools that have opted not to be part of the Scheme by 1 August 2023 will be available online at:

<https://www.oxfordshire.gov.uk/residents/schools/apply-school-place/changing-or-moving-school/before-you-start>

These schools process their own in-year applications. An in-year application must be made direct to these schools using the form provided by the individual school.

ANNEX D – 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

“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 (see above). 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.