

# **ADMISSION RULES AND ARRANGEMENTS**

## **RECEPTION TO YEAR 6**



*New Marston  
Primary School*

### **New Marston Primary School 2023-24**



## **Introduction**

New Marston Primary School is an academy. [River Learning Trust \(RLT\)](#) is responsible for admissions decisions. The Trust has delegated this responsibility to the Local Governing Board (LGB). The Trust and LGB will work closely with Oxfordshire County Council and will use the Council as their agent for the processing of applications for places.

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

## **Admission Number**

The admission number for entry to Reception year group each academic year will be 30.

## **Coordination of admissions for the normal admissions round (Entry to Reception year group each September)**

The academy is part of the coordinated admission process for Oxfordshire for children starting school for the first time in the Reception year group each year.

Children can start school for the first time in the Reception year group in the academic year after their 4<sup>th</sup> birthday and must start school in the term after their 5<sup>th</sup> birthday. Applications must be made by 15 January of the academic year in which their 4<sup>th</sup> birthday falls. Applications made after this date will be considered to have been made late. Applications can be made online by using the link on Oxfordshire County Council's website [www.oxfordshire.gov.uk/primaryadmissions](http://www.oxfordshire.gov.uk/primaryadmissions) or on paper.

Online applicants will receive an email on 16 April of the academic year in which the application was made (or next working day). If the first preference was offered and the Council determines that the child will not be eligible for free home to school travel assistance, this will be the only notification sent. For other online applications (those not offered their first preference school or those where the Council determines the child will be eligible for free home to school travel assistance) and those who applied on paper by 15 January, notification will be sent by second-class post on 16 April of the academic year in which the application was made (or next working day).

Applications received after 15 January but by the closing date for late applications published in Oxfordshire County Council's co-ordinated admissions scheme will be treated as late applications. Notifications for late applications will be sent by second-class post on the date published in Oxfordshire County Council's co-ordinated admissions scheme (mid-June of the application year). Notifications will not be sent by email.

Late applications or changes of preference received after the late closing date for applications published in Oxfordshire County Council's co-ordinated admissions scheme will not be processed until after the response date for late applications (late-June of the application year).

[The full scheme is published on Oxfordshire County Council's public website.](#)

## **In-Year Admissions (Reception year group to Year 6)**

The academy is part of the coordinated in-year admissions process for Oxfordshire.

Applications for entry to other year groups at the academy (Reception year group to Year 6) to start during the academic year, can be made at any time. Applications for entry to other year groups each September can be made no earlier than the first day of the second-half of the Summer Term (June each year). Because of the volume of in-year applications received during June, July and August each year, a phased approach will be used to process these applications. The dates of these phases are available in the co-ordinated in-year admissions scheme [available online](#).

Applications can be made via Oxfordshire County Council's website:  
[www.oxfordshire.gov.uk/schooltransfer](http://www.oxfordshire.gov.uk/schooltransfer)

5pm on each Thursday during term-time will be treated as a "closing date" for applications for that week.

Applications received by each "closing date" will be considered during the following 15 school days. In most cases the Admissions Authority would aim to respond to applications by the Thursday, 15 school days after the "closing date".

The last date for which an application can be accepted for immediate entry during each academic year will be the last Thursday in June of that academic year.

It is possible to apply in advance of an intended start date. However, in-year applications can be made no more than six weeks before the requested entry date if this is not the beginning of a school term or half-term or from the beginning of the half-term prior to the requested start date (at the earliest).

Usually, places will be offered if there are places available in the year group (the number of children in the year group is less than the published Admission Number for the academy). Where the Admission Number has changed since that particular year group joined the academy, the previous Admission Number may be used. Sometimes, it will not be possible to offer places even though there are less children in the year group than the Admission Number because the academy has had to organise in a way that means the admission of a further pupil would cause prejudice to the efficient education of the children already there.

If a place is available in the appropriate year group and there are less applications for places than places available, all applicants will be offered a place regardless of home address and distance from home to school.

If there are no places available in the appropriate year group, no applicants will be offered a place.

If a place is available in the appropriate year group but there are more applications for places than places available, the over-subscription criteria (below) will be applied and the child(ren) with the highest priority under the rules will be offered place(s).

When a place is offered, a child is expected to start as soon as possible, unless the place has been offered during the previous term for a start at the beginning of the following term. In this latter case, the child is expected to start no later than the beginning of the term requested.

[The full scheme is published on Oxfordshire County Council's public website.](#)

### **Over-subscription Criteria**

In accordance with legal requirements, children who have an Education, Health & Care (EHC) Plan 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” (LAC) by a Local Authority (LA) within the meaning of Section 22(1) of the Children Act 1989 at the time of their application, and all “previously looked after” children (pLAC) [see explanation below] including those who appear to this Admissions Authority to have been in state care outside England (IApLAC) and ceased to be in state care having been adopted [see explanation below]. 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.

### **“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 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 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 adoption, residence, or special guardianship order.

A revised School Admissions Code came into force on 19 December 2014 and this states that 'previously looked after' children include 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 order.

If applying on behalf of a “previously looked after” child 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
- 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 \(Catchment\) areas can be viewed on the Council's 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 home to school travel assistance 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 step-brother or step-sister (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 academy 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 Reception year group if they have a brother or sister in Year 6 who will have left by the time the younger child is due to start.

## **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
- pupils with a parent who is on full commitment as part of the full time reserve service are classed as service children

Parents will need to provide evidence of eligibility.

### **Measuring distances from home to school (The straight line distance calculated by Oxfordshire County Council)**

Information about how measurements will be made to calculate home to school distances using a straight line distance using the Council's Geographic Information System is [available online](#).

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/or Local Land & Property Gazetteers (LLPG). The seed point normally falls within the bounds of a property. The accuracy of seed points is to the nearest ten centimetres 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 is to be the front door of the main Reception.

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/](http://getlatlong.net/). A straight line distance will then be calculated to the end point at the academy in statute miles using [www.nhc.noaa.gov/gccalc.shtml](http://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 Admission Authority will use random allocation to determine who will be offered a place.

## Home address – Starting Primary School (Reception year group)

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).

The **time of application** is the entire time period from the point when applications can start to be made in the November of the year in which the child has his/her 4<sup>th</sup> birthday until National Offer Day on 16 April (or next working day) the following calendar year.

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, the Admissions Authority (or Local Authority) will consider the application to have been made on the basis of a fraudulent or intentionally misleading address. 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 (see 'Changes of Address' below).

Oxfordshire County Council will act as the agent for the academy to establish the home address.

## Home address – In-Year applications

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).

If an in-year 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 (see 'Changes of Address' below).

Oxfordshire County Council will act as the agent for the academy to establish the home address.

### Changes of Address

Changes of address which occur after the closing date for applications (15 January each year) can be taken into account if proof of this change is provided no later than the date set down in Oxfordshire County Council's co-ordinated admissions scheme. To confirm a new address, the Admissions Authority (and/or 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 could start his/her Reception year, the Admissions Authority (and/or 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; *or*
- **Assignment Order** if this is a military posting but new quarter has not yet been notified – the address of the military base will be used for allocation purposes.

The Admissions Authority (and/or 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.**

Oxfordshire County Council will act as the agent for the academy to establish the home address.

### 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.

Oxfordshire County Council will act as the agent for the academy to establish the address which will be used.

### 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 Admission Authority for the academy may withdraw the offer of the place. This follows the guidance in paragraphs 2.12 and 2.13 of the School Admissions Code (December 2014) published by the Department for Education:

[2.12] 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.

[2.13] 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.

Oxfordshire County Council will act as the agent for the academy to establish whether a fraudulent application has been made and whether to withdraw a school place offer.

## **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 Admissions Authority (and/or Local Authority) will only consider the application made by the parent who receives Child Benefit for that child.

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 assistance 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 road data supplied by Ordnance Survey called the Integrated Transport Network (ITN). The ITN 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 Council has a more accurate start point than internet-based mapping solutions and the ITN has been augmented by the LA to take into account other available public routes (e.g. alleyways, public footpaths, bridleways, etc). The augmented ITN used by the Council is accurate to at least 1 metre.

All 548,000 kilometres of roads 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 by Ordnance Survey as public routes.

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

The shortest safe route is established using an algorithm within the bespoke software used by the Council. This software is called RouteFinder and is produced by Higher Mapping Solutions ([www.highermappingsolutions.com](http://www.highermappingsolutions.com)). This programme integrates with the Council’s database (ONE) which is supplied by Capita Children’s Services ([www.capita-cs.co.uk](http://www.capita-cs.co.uk)).

RouteFinder measures in kilometres and the measurement is converted into 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.

The 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 and is over the statutory walking distance or where the route is assessed to be unsafe for a child to walk accompanied by a responsible adult as appropriate.

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.](#)

## **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:

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

When informing a parent of the decision about the year group to which their child should be admitted, the Admission Authority will give clear reasons for the decision. Where it has been agreed that a parent's request for the 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 Admission Authority (and/or 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.

## **In-Year Fair Access Arrangements**

The In-Year Fair Access Protocol is part of the admission arrangements for the academy as it is for all state-funded mainstream schools in Oxfordshire.

[The Protocol is published on the County Council's public website.](#)

## Continued Interest Lists (CILs)

Oxfordshire County Council will act as the agent for the academy for Continued Interest Lists (the name for waiting lists in Oxfordshire).

For those applying through the normal admissions round for Reception the CIL will be maintained from the date published in the Council's co-ordinated admissions during the operation of the scheme preceding the start of the academic year in September until the end of June of the children's Reception year.

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 on 30 June each year.

[Information about how CILs will operate is published on the Council's public website.](#)

## Admission Appeals

There is a statutory right to an admission appeal should a child be refused a place at the academy. The Trust uses the appeals service provided by the Council. Any appeal will be heard by an independent Appeal Panel and information about the process is [available online](#).

## Determined

Paragraph 1.46 of the 2014 School Admissions Code requires Admission Authorities to determine Admission Arrangements by 28 February each year regardless whether a consultation has taken place.

[Objections to these arrangements and rules can be made to the Office of the Schools Adjudicator by 15 May in the determination year.](#)

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