



**By Brook Valley CE Primary School  
By Brook Valley Academy Trust  
Admissions Policy 2022- 2023**

## **Application for FS2 / Reception Class.**

### **Application Process**

Wiltshire Local Authority (i.e. Wiltshire Council) co-ordinate admissions to By Brook Valley CE Primary School. All completed application forms need to be sent to Wiltshire Local Authority. Application forms are available from Wiltshire Schools Admission Team, or by following the link below. If you do not have internet access, please contact us and we will provide you with a paper copy of the form. The form will give you the dates by which your application needs to be received by Wiltshire Local Authority. These dates are also outlined in this policy.

A parents guide to applying for a primary school place in Wiltshire 2022/23 will be available on the Wiltshire Council website. Please read this booklet before making your application.

You can apply for a school place online or by completing a [paper application form](#).

### **Starting School**

A school place will be made available for children from the September following their 4<sup>th</sup> birthday. Full-time education is available to all reception pupils.

Parents have the right to ask that their child attends part-time and this will be provided by arrangement with the school governors, (part-time provision has been determined as either five mornings or five afternoons a week).

By Brook Valley is responsible for informing parents of the induction arrangements for new entrants to the reception class. These involve a short period of part-time provision and a phased entry at the beginning of Term 1, which will normally be a fortnight. Individual children's cases should be discussed by the parent(s) with the school directly.

### **Shared Parental Responsibility**

Where two (or more) adults have parental responsibility for a child it is preferable that they should agree before submitting an application form which school(s) to name as their preference(s). In cases of dispute, or where two application forms are submitted, Wiltshire Local Authority will process the application received from the adult who has a residence

order. If no such order has been made, preference will be given to the parent with whom the child is living for the majority of the school week.

If both parents are in dispute as to whom the child lives with the majority of the school week, Wiltshire Local Authority will process the application received from the adult who is in receipt of the child benefit, if this is not available then the address used on the NHS card will be used.

In the event of a further dispute regarding the address used, parents may wish to take independent legal advice on whether they should seek a specific issue order from the court to decide on where the child is schooled. For in year transfer applications, until any such order is made, the placement will continue in the best interests of securing educational provision for the child with a minimum of disruption.

For year of entry, where possible, a place will be offered in accordance with the preferences to the parent who can provide evidence that they are in receipt of child benefit.

### **Application for School Places**

In September 2022, we will be able to offer 30 places to children starting school in the reception class.

The application round for entry into the Reception class 2022 opens on 1 September 2021. The deadline for applications to be received is midnight on 15 January 2022. The home address given for the child must be the address where the child is resident as of the deadline date. Applications received by the deadline date of 15 January 2022 will be considered as first round applications. All applications received after the deadline of 15 January 2022, including those directed incorrectly to schools and not forwarded to Wiltshire Local Authority before the deadline, will be treated as late applications and considered only after those applications received before the deadline have been determined.

### **Allocation of Places**

All children whose statement of special educational needs (SEN) or Education, Health and Care (EHC) plan names the school **must** be admitted. (A Statement of Special Educational Need is a statement made by the local authority under Section 324 of the Education Act 1996 specifying the special educational provision required for that child. An Education, Health and Care plan is a plan made by the local authority under Section 37 of the Children and Families Act 2014 specifying the special education provision required for that child). If we receive more applications than we have places available, then applications will be prioritised using the following criteria.

### **Oversubscribed Allocation Criteria**

#### **1. Looked After Children/Previously Looked After Children**

The definition of Looked After Children - a 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order. A looked after child is a child who is (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions (see the definition in section 22 (1) of the Children Act 1989).

## **2. Vulnerable Children**

- Children from families registered with the National Asylum Support Service; Children or families with a serious medical, physical or psychological condition where written evidence is provided at the time of application from a senior clinical medical officer, general practitioner or specialist showing that it would be detrimental to the child or family not to be admitted to the preferred school.
- Children with particular educational needs where written evidence is available from central SEN services to show that it would be detrimental to the child not to be admitted to the school.
- For the purpose of the above criteria the word 'families' is determined as living at the same address at the time of the application and also living at the same address on a permanent basis. Proof will be required and must be submitted by the deadline date.

## **3. Catchment Area Multiple Births**

Children who are twins (or other children of a multiple birth) applying for places at the same time and who are living at the same address which is within the catchment area of the school.

## **4. Catchment Area Siblings** (step, half and foster /adopted brothers or sisters are also included in this category)

A child is considered under this criterion if:

- A sibling is on roll of By Brook Valley School as at the deadline (providing that the sibling is not in their final year at the school); and
- The child lives within the catchment area of the school at the same address as their sibling.

## **5. Other children from the Catchment area**

A child is considered in this category if they live within the catchment area of the school but who do not qualify under one of the above criteria

## **6. Children of staff at the school**

A child is considered to fall under this criterion

- where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made, and/or
- the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.

If applicants wish to be considered under this criterion, then a letter from the Headteacher confirming the above applies to the applicant must be provided at the time of application.

## **7. Out of Catchment Area twins /other multiple births**

Children who are twins (or other children of a multiple birth) applying for places at the same time and who are living at the same address which is outside the catchment area of the school.

## **8. Out of Catchment Area Siblings** (step, half and foster /adopted brothers or sisters are also included in this category)

A child is considered under this criterion if:

- A sibling is on roll of By Brook Valley School as at the deadline (providing that the sibling is not in their final year at the school); and
- The child lives outside the catchment area of the school at the same address as their sibling

## **9. Other children from out of the Catchment area**

A child is considered in this category if they live outside the catchment area of the school but who do not qualify under one of the above criteria

## **10. Other Children**

Children to whom none of the above criteria apply.

## **Tie Break**

If the school is oversubscribed within any category above, the straight-line distance from the child's home address to the school will be used as the determining factor. Distances will be measured according to the Ordnance Survey eastings and northings for the child's home address and the school. Those living closer to the school will be given priority.

If two or more children with the same priority for admission live an indistinguishable distance from the preferred school, but cannot all be admitted, then the available places will be decided by means of casting lots (random application).

The random allocation will be conducted independently by Wiltshire Local Authority

There is no guarantee that a younger sibling will obtain a future place at By Brook Valley School.

By Brook Valley C of E Primary School catchment area map is on page 11 of this policy.

## **Appeals**

If you are not successful in being offered a place at By Brook Valley School, then you have the right to appeal. Wiltshire Local Authority manage all appeals for our school. The process you need to follow and the Appeals Form is available by following the link below

[Appeal Form and Guidance Notes](#)

If you do not have internet access, please contact the school office and we will be happy to print this information for you.

If you do decide to appeal, then we strongly advise that you also:

- Accept the school place that you have been offered so that your child definitely has a school place in a local school. This can always be declined later if you are successful at appeal for a place at By Brook Valley.
- Contact By Brook Valley school office to inform us of your decision and to request a place on our waiting list.

## **Waiting Lists**

Waiting lists will be maintained for all intake year groups in school. Parents need to contact the school if they wish their child to be placed on our waiting list. All applicants have the right of appeal against any refusal of a place. The existence of a waiting list does not remove this right from any unsuccessful applicant.

The position on a list will be determined by applying the published oversubscription criteria and not by date order of receipt. This will mean a position will change if a later application is received from someone with higher priority according to the oversubscription criteria.

Waiting lists for all year groups will close on 25 July 2022.

A fresh application can be made for a place for the next academic year group but this will not be considered before 6 June 2022.

Places that become available will not be offered to pupils who are not on the waiting list.

If your child is offered a place from a waiting list, then you must accept or decline the place within 10 working days of the date of offer. If the place is not accepted then a further letter will be sent informing the applicant that should they neither accept nor decline the place within 5 working days, the place will be withdrawn. A further letter will be sent informing the applicant the place has been withdrawn.

### Notes:

Names will only be removed from the lists if a written request is received or if the offer of a place that becomes available is declined.

Registration of interest on a school's pre-admission list will not be considered as an application for a school place.

Except for service families, children will not be considered to be living within the catchment area for a school until Wiltshire Local Authority receives an exchange of contracts or a signed tenancy agreement.

Except for service families, children will not be considered to be a sibling unless their brother or sister is attending the school and is expected to still be in attendance at the chosen start date.

## **Early, Deferred or Delayed Admission**

### **1. Early Admission**

Admissions earlier than the term following the child's 4<sup>th</sup> birthday may be agreed in exceptional circumstances, such as medical or social factors that have an adverse effect on the child. The request must have the approval of Wiltshire Local Authority's professional adviser and there must be no suitable alternative pre-school provision available. Early admission will be agreed for a maximum of one traditional term before the next available normal entry date.

### **2. Deferred admission until later in the academic year**

Parents do not have to ensure their child receives full time education until the start of the term following their fifth birthday. However, parents have the right to start their child in school in the September of the academic year following their fourth birthday. In such circumstances, parents also have the option to start their child on a part-time basis or defer their child's entry until later in that academic year.

If a parent decides to defer their child's entry to the school that they have been offered until later in the academic year, that place will be held for the child and will not be offered to another child. However, please note that entry cannot be deferred beyond the point at which their child reaches compulsory school age (for the avoidance of doubt the law states that a child reaches compulsory school age on the prescribed day following his or her fifth birthday or on his or her fifth birthday if it falls on a prescribed day). The prescribed days are 31 December, 31 March and 31 August). For children born between 1 April and 31 August, parents cannot defer entry beyond the beginning of the April term of the school year for which the offer was made.

Please note also that children who attend part-time until later in the school year cannot do so beyond the point at which they reach compulsory school age.

If the parent decides that they no longer wish to take up their child's place, they should inform the school and Wiltshire Local Authority that the place is no longer required. The place will then be withdrawn and reallocated to the child who is top of the waiting list at that time. The parent must then submit a fresh application for a place in year one for the following academic year. The application can be submitted from April 2022 but will not be considered until June 2022.

Parents wishing to defer entry need to apply by the closing date 15 January 2022. Any request to defer or attend part-time should be made to the school as soon as an offer is received.

### **Admission of Children Outside their Normal Age Group**

*All applications will be dealt with in accordance with the School Admissions Code 2.17,*

*2.17a, 2.17b, which came into force on 19 December 2014*

*Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health. In addition, the*

*parents of a summer born child (born from 1 April to 31 August) may choose not to send that child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to reception rather than year 1.*

The decisions on requests for applications outside the child's normal age group are made by the Governing Body (By Brook Valley's admission authority). The decision to admit outside of their normal age group is made on the basis of the circumstances of each case.

All parents who wish to apply for delayed entry into reception for any Wiltshire school, must first submit a formal application to Wiltshire Local Authority. Following this, the parent should contact the governing body of By Brook Valley School, in writing, outlining their request, along with any supporting documentation.

All requests should be made in the September following the child's 3<sup>rd</sup> birthday, in order to give sufficient time for the case to be considered by the admissions authority prior to the deadline for applications of 15 January.

The governing body will look at the following factors when an application is made for admission outside the normal age group:

- the parent's views
- information about the child's academic, social and emotional development;
- where relevant, their medical history and the views of a medical professional;
- whether they have previously been educated out of their normal age group;
- whether they may naturally have fallen into a lower age group if it were not for being born prematurely
- the views of the Headteacher of the school

The Governing Body will make decisions on the basis of the circumstances of each case and in the best interests of the child concerned.

If the parental request for delayed admission into reception is agreed, a separate application for a place in the next cohort would have to be made in the September following the child's 4<sup>th</sup> birthday. This application would be considered along with all the other applicants for admission in that year at the preferred school. There would be no guarantee that a place would be able to be offered in By Brook Valley School. If By Brook Valley is over-subscribed and you are not offered a place, Wiltshire Local Authority will make an alternative offer.

However please note that delayed admission into reception in the alternative school may not be possible.

If the parental request for delayed admission into reception is refused, the formal application which has already been submitted will be processed, unless Wiltshire Local Authority receives a request from the parent to withdraw the application. If no request to withdraw the application is received, then after the offer of a school place had been made the parent can then inform Wiltshire Local Authority and the school that they want to defer entry as outlined above.

When informing a parent of their decision on the year group the child should be admitted to, the admission authority must set out clearly the reasons for their decision. Parents have a



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

## **Right of Appeal**

Parents who are refused a place at a school for which they have applied have the right of appeal to an independent Admission Appeal panel. They do not have a right of appeal if they have been offered a place and it is not in the year group they would like. However, if parents are dissatisfied with the outcome of the request for delayed entry into reception they have the right to complain against the decision through the school's complaints procedure.

**Applications to Transfer to By Brook Valley from another Primary School** If your child already attends another Wiltshire primary school then you need to apply for a place at By Brook Valley CE Primary School through Wiltshire Local Authority using the Application Form for an in-year Primary School Transfer, available through following the link below.

### [Application Form for an in-year Primary School transfer](#)

If you live in another county (e.g. Hampshire), then you need to apply for a place at By Brook Valley CE Primary School by using a form supplied by that local authority (i.e. Hampshire Local Authority). Once you have returned the form to them, they will forward it to Wiltshire Local Authority.

If you are moving from another country, then you can apply for a place at By Brook Valley through Wiltshire Local Authority using the link above.

Applications received after 25 July 2022 for the year of entry and any applications received for other year groups are classed as transfer applications.

Other than in exceptional circumstances and in agreement with the two schools involved, a transfer will, if the applicant is not moving address, only be considered as being for the start of the next term.

All applications will be considered together with any applications already on a school's waiting list.

Applications received one term in advance of the term in which admission is being sought (i.e. from June 2022) are considered together and are ranked using the oversubscription criteria listed in this policy.

Applications received requesting more immediate admission are considered in the order that the School Admissions Team receives them. If more than one additional application for a particular school is received on the same date places are allocated to children in order of the oversubscription criteria as listed in this policy.

In all cases parent(s)/guardian(s) will be invited to state up to a maximum of three preferences. An offer will be made at the school listed as highest preference possible which has an available place.



If your child is offered a place at By Brook Valley CE Primary School, then you must accept or decline the place within 10 working days of the date of offer. If the place is not accepted, then a further letter will be sent informing the applicant that should they neither accept nor decline the place within five working days the place will be withdrawn. A further letter will be sent informing the applicant the place has been withdrawn.

If your child is offered a place at By Brook Valley CE Primary School and you accept the place, you must take the place up within 28 working days of the required admissions date stated on the original application form. Should the place not be taken up within the 28 working days Wiltshire Local Authority will then write to the parents informing them that the place has been withdrawn.

### **Proof of address**

Wiltshire Local Authority and By Brook Valley School reserve the right to ask parents for proof of their address. If the parents' current address is different to that held on Wiltshire Local Authority's computerised system Wiltshire Local Authority may ask parents to provide proof of the new address if one is indicated. Acceptable proof of address includes:

- A copy of your Council Tax Bill.
- A solicitor's letter stating contracts have been exchanged and specifying a completion date.
- A signed and dated tenancy agreement plus proof of residency (e.g. copy of a recent utility bill).

If parents fail to provide proof of a new address, Wiltshire Local Authority will use the old address for admission purposes. If parents notify Wiltshire Local Authority that they will be moving house, even if they provide the relevant proof of that address, they must move into that property by no later than the end of the first term following the notification. Wiltshire Local Authority reserves the right to check that parents are living at the address indicated within that timescale. If parents are not living there, the application will be investigated and the allocated place may be withdrawn.

### **Fair Access Protocol**

All Wiltshire Schools will act in accordance with the Fair Access Protocol which has been adopted to give access to educational provisions for hard to place children.

If the governing body of any school refuses admission to a child with challenging behaviour where there are places available (outside the normal intake round) the case must be referred to the Local Authority for consideration under the In-Year Fair Access Protocol.

This protocol does not apply to a Child in Care (Looked after Child, a Previously Looked After Child) or a child with an Education Health Care Plan, as these children must be admitted.

Further information on the In Year Fair Access Protocol including further criteria for referral, and a copy of the protocol, can be viewed at [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

## **Appeals Procedure**

Parents have a right of appeal to an independent panel against any decision made by or on behalf of Wiltshire Local Authority as to the school which education is to be provided for their child.

Information about the appeal procedure will be provided where a place at one or more of the preferred schools has been refused. Parents should contact the Customer Services Team (01225 713010) to obtain an appeals form which should be returned to the Democratic and Members Service team (D&M) at County Hall, Trowbridge. The clerk to the appeals panel will be provided by the D&M Service team.

If a place has been awarded by the independent appeals panel the place must be taken up within 28 days of the required date of admission stated on the original application form.

Should the place not be taken up within 28 days Wiltshire Local Authority will then write to the parents informing them that the place has been withdrawn.

## **Further Appeals**

Parents who have appealed unsuccessfully can reapply for a place at the same school in a later academic year, and have a right of appeal if unsuccessful.

Where there have been material changes in circumstances in the same academic year and a repeat application is considered and again refused, the parents will have the right to a fresh appeal.

