

# Protocol for the Admission of Children with Exceptional Medical, Social or Educational Justification

for admissions from September 2010

This applies to:

All Devon County Council maintained schools at primary and secondary phase except for Special Schools.

All parents seeking admission to school for a child in their care.

Policy updated:	June 2009
Review date:	December 2009 and then annually unless a need to review earlier is identified

Policy Unit  
Children and Young People's Services Directorate

## Description of Policy

This policy describes how parents can seek additional consideration of applications for school places where they feel there are exceptional personal circumstances.

## Glossary

For an explanation of terms used in this policy, please see the [Glossary](#).

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## General Information and Contacts

Date	June 2009
Review date	Annual
Approval	by Executive Members of Devon County Council
Key partners	Devon Association of Primary Headteachers Devon Association of Secondary Headteachers Devon Association of Governors Church of England Diocese of Exeter Roman Catholic Diocese of Plymouth Devon Choice Advisors Children and Young People's Services Policy Unit
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Useful links	<a href="#">Office of the Schools Adjudicator</a> <a href="#">Department for Children, Schools and Families</a> <a href="#">School Admissions Code of Practice</a>

# POLICY

## 1 Equality Statement

- 1.1 Devon County Council will only commit to policies and practices which will eradicate discrimination and promote equality for all, regardless of age, gender, disability, religion and belief, race and ethnicity and sexual orientation.
- 1.2 This policy will be subject to an Equality Impact and Needs Assessment. This assessment will be integral to all future policy and guidance reviews.

## 2 Safeguarding Statement

- 2.1 Devon County Council and its partners recognise that safeguarding is everybody's responsibility. Whether their interest is in all young people 'staying safe' in all aspects of our services, or whether they are working in specific areas of vulnerability, all staff will have appropriate training and induction so that they understand their roles and responsibilities and are confident in carrying them out. Schools, settings, children, young people and their parents or carers, or any member of the community should feel secure that they could raise any issues or concerns about the safety or welfare of children and know that they will be listened to and taken seriously. This will be achieved by maintaining an ethos of commitment to safeguarding and promoting the welfare of children and young people. This is supported by a clear child protection policy, appropriate induction and training, briefings on and discussion of relevant factors and refreshed learning in line with current legislation and guidelines.

## 3 Introduction

- 3.1 When parents apply for school places, they are invited to give reasons why they prefer a particular school. Sometimes, they may feel there are strong and compelling reasons for their preference.
- 3.2 In these cases, the parent can request that consideration should be given and a place provided at the school even where it may be full.
- 3.3 For Devon County Council (DCC) these requests are for the admission of children with Exceptional Medical or Social Justification.
- 3.4 This protocol describes how DCC decides whether the requests are sufficiently compelling, what happens next and how parents are informed of the decision.
- 3.5 It is expected that the exceptional nature of these requests will mean that a small number of cases will be sufficiently compelling in any year.

### 3.6 Exceptional Medical or Social Justification could be:

- a serious medical condition, supported by medical evidence;
- the death of a parent;
- significant caring responsibilities, endorsed by social care managers;
- where one or both parents or the child has a disability that may make travel to a school further away more difficult.

These examples are not meant to be exhaustive. The circumstances presented will be considered on their individual merits.

### 3.7 It is intended that this protocol will pre-empt some admission appeals where it is considered that exceptional need can be demonstrated.

## 4 Admissions in the Normal Round

### 4.1 The Normal Round of Admission is:

entry into the Reception class of a primary or infant school or

transfer from an infant school into a junior school or

transfer from a primary or junior school into a secondary school

### 4.2 DCC operates Coordinated Schemes of Admission to manage these processes. Parents are invited to express preferences for the school they would like their child to attend, together with reasons why these schools are preferred on a CAF.

### 4.3 For secondary places the CAF should be submitted to the Local Authority (LA), directly or via the child's primary school by 16 October 2009. Online applications must be submitted by 23 October 2009.

### 4.4 For primary schools the CAF should be submitted directly to the LA or via the school ranked highest by the parent by 15 January 2010. Online applications must be submitted by 22 January 2010.

### 4.5 For junior schools the CAF should be submitted directly to the LA or via the school ranked highest by the parent by 15 January 2010.

### 4.6 Parents can state on the CAF that they feel there are exceptional medical or social reasons and this protocol will then apply.

### 4.7 Alternatively, this protocol will apply where DCC officers may feel the reasons given by a parent for preferring a particular school on the application form should be considered as demonstrating exceptional medical or social justification.

- 4.8 CAFs which require consideration for Exceptional Medical or Social Justification will be brought to the attention of the DCC Admissions Manager by individual Admissions Officers.
- 4.9 Where DCC is the admitting authority for the school, The Director of Children and Young People's Services, or delegated officer, will review applications with the Admissions Manager, and identify those which are considered to demonstrate Exceptional Medical or Social Justification.
- 4.10 Where the school is its own admission authority and Exceptional Medical or Social Justification is a priority within its oversubscription criteria – for VA, Foundation or Trust schools – the request will be referred to the Admissions Committee of the school's Governing Body for consideration whether Exceptional Medical or Social Justification has been demonstrated.
- 4.11 Where the school lies within the area of another LA, the request will be referred to that Local Authority for consideration whether Exceptional Medical or Social Justification has been demonstrated. This may require a LA to refer to the Admissions Committee of the Governing Body of the school.
- 4.12 Where a parent feels the nature of the supporting evidence is of particular sensitivity, he or she may submit that evidence direct to a school where the school is its own admission authority. The school should advise the LA that evidence has been received but not its content.
- 4.13 If Exceptional Medical or Social Justification has been demonstrated, a place will be offered to the child at the school the parent has ranked highest on the CAF, or at the school for which the parent claims there is Exceptional Medical or Social Justification for attendance. The parent will be advised of this without unreasonable delay.
- 4.14 Where an officer of DCC has identified an application as requiring consideration under Exceptional Medical or Social Justification but it has not subsequently been considered as sufficiently compelling, the Admissions Manager will decide whether to approach the parent to discuss the application and whether further material should be considered.
- 4.15 Where an officer of DCC has identified an application as requiring consideration under Exceptional Medical or Social Justification but it has not subsequently been considered as sufficiently compelling, the Admissions Manager will decide whether to approach the parent to discuss the application and whether further material should be considered.
- 4.16 Where it has not been agreed that the justification is exceptional, and a place at the preferred school has therefore been refused, the parent will have the statutory right of appeal.
- 4.17 Where it has not been agreed that the justification is exceptional, and a

place at the preferred school has therefore been refused, the parent will have the statutory right of appeal.

## **5 Admissions out of the Normal Round**

- 5.1 This happens where a parent requests a place in a Year Group which has already begun, either later in the academic year for Reception, Year 7 or Year 3 (for junior schools) or in another Year Group.
- 5.2 Parents are asked to complete a Moving to or within Devon form or request a place in writing to DCC. Parents may also request school places direct to schools.
- 5.3 Where a school has vacancies, a place should be made available to the parent without consideration for Exceptional Medical or Social Justification.
- 5.4 Where a request has been turned down on the grounds that the school has reached its Planned Admission Number (PAN) in the Year Group which has been requested the request will be referred to the Admissions Team.
- 5.5 Requests for school places where the parent cites Exceptional Medical or Social Justification will be brought to the attention of the DCC Admissions Manager by individual Admissions Officers.
- 5.6 Alternatively, this protocol will apply where a DCC officer feels the reasons given by a parent for preferring a particular school should be considered as demonstrating Exceptional Medical or Social Justification.
- 5.7 Where DCC is the admitting authority for the school, The Director of Children and Young People's Services, or delegated officer, will review applications with the Admissions Manager, and identify those which are considered to demonstrate Exceptional Medical or Social Justification.
- 5.8 Where the school is its own admitting authority and Exceptional Medical or Social Justification is a priority within its oversubscription criteria – for VA, Foundation or Trust schools – the request will be referred to the Admissions Committee of the school's Governing Body for consideration whether Exceptional Medical or Social Justification has been demonstrated.
- 5.9 Where the school lies within the area of another LA, the request will be referred to that LA for consideration whether Exceptional Medical or Social Justification has been demonstrated. This may require a LA to refer to the Admissions Committee of the Governing Body of the school.
- 5.10 If Exceptional Medical or Social Justification has been demonstrated, a place will be offered to the child at the school.
- 5.11 Where it is not agreed that Exceptional Medical or Social Justification has been demonstrated, a place will be offered using the relevant In-Year admissions policy.

- 5.12 Where it has not been agreed that the justification is exceptional, and a place at the preferred school has therefore been refused, the parent will have the statutory right of appeal.

**Equality Impact Needs Assessment**

An Equality Impact Needs Assessment will be located here.

<b>Policy History</b>				
<b>Date</b>	<b>Summary of change</b>	<b>Contact</b>	<b>Implementation date</b>	<b>Review date</b>
11/2008	Policy formulated taking into account the requirements of the School Admissions Code of Practice.	Policy Unit	9/2010	12/2009
6/2009	Policy reviewed and formatted into a Directorate Policy shell	Policy Unit	9/2010	12/2009