

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

for admissions from September 2011

This applies to:

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

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

Policy updated:	September 2011
Review date:	November 2010 for 2012-13 and then annually unless a need to review earlier is identified

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.

Linked Policies

The In-Year Co-ordinated Scheme, The Primary Co-ordinated Scheme, The Secondary Co-ordinated Scheme.

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Appendix 1 - Equality Impact Needs Assessment is located at http://www.devon.gov.uk/index/learningschools/schools/admissions/admissionarrangements/admissions-determined2011.htm		

General Information and Contacts

Date	September 2011
Review date	Annual
Approval	by Cabinet Members of Devon County Council
Key partners	Learning and Development Partnership Education Welfare Service 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 School Admissions Team
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Useful links	Department for Education Office of the Schools Adjudicator School Admissions Code

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. Settings, schools, 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.
- 2.2 Devon County Council acts as a Corporate Parent for Children in Care. This means that the local authority has a legal and moral duty to provide the kind of support that any good parents would provide their own children. This policy has been written to comply with this principle.

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 Educational, 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 Educational, 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.

PROCEDURE

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), online, directly or via the child's primary or junior school by 31 October 2010.

4.4 For primary schools the CAF should be submitted to the LA online, directly or via the school ranked highest by the parent by 15 January 2011.

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 2011.

4.6 Parents can state on the CAF that they feel there are exceptional educational, 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 justification.

4.8 CAFs which require consideration for exceptional 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 justification.

4.10 Where the school is its own admission authority and Exceptional Educational, Medical, or Social Justification is a priority within its oversubscription criteria the request will be referred to the Admissions Committee of the school's Governing Body for consideration whether exceptional 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 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 the content.
- 4.13 If exceptional 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 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 for exceptional 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 for exceptional 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.

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 an In-Year Admissions CAF. All requests for school places must be made on an application form to the LA, whether or not the school itself requests that a Supplementary Information Form is completed.
- 5.3 Where a school has vacancies, a place should be made available to the parent without consideration for exceptional justification.
- 5.4 Where a request has been turned down on the grounds that the school has reached its Planned Admission Number (PAN) or other agreed limit in the Year Group, the request will be considered by the School Admissions

Team.

- 5.5 Requests for school places where the parent cites exceptional 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 justification.
- 5.7 Where DCC is the admission 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 justification.
- 5.8 Where the school is its own admission authority and Exceptional Educational, Medical, or Social Justification is a priority within its oversubscription criteria, the request will be referred to the Admissions Committee of the school's Governing Body for consideration whether exceptional 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 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 justification has been demonstrated, a place will be offered to the child at the school.
- 5.11 Where it is not agreed that the justification is exceptional, a place will be offered using the In-Year Co-ordinated Admissions Scheme.
- 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.

EMPLOYEE GUIDANCE

6 Guidance for Employees

- 6.1 The Policy is operated by officers of the Schools Admissions Team in co-operation with management and staff in schools. The governing bodies and staff in all schools are requested to support the efficient operation of the Policy by encouraging parents to apply on time and to discuss whether the child is subject to circumstances which may justify admission on exceptional grounds. Schools may assist by referring families to the School Admissions Team or to the Devon Choice Advice Service where support may be beneficial.
- 6.2 No advice should be given by school staff or management which a parent may interpret as an indication that a place will or will not be made available at a school. Neither shall a parent be advised regarding the school which has been allocated before the offer of school places are sent to parents by the LA.
- 6.3 School staff and management should discuss with the School Admissions Team any request from a parent to support in writing an admissions appeal for a school place.
- 6.4 Any queries regarding the operation of the Scheme should be referred to the School Admissions Team for advice and support.

Policy History

Date	Summary of change	Contact	Implementation date	Review date
11/2008	Policy formulated taking into account the requirements of the School Admissions Code of Practice.	Policy Unit	9/2010	11/2009
11/2009	Policy reviewed and formatted into a Directorate Policy shell	Policy Unit	9/2010	11/2009
3/2010	Policy amended by the insertion of section 2.2 (corporate parenting), sections 6.1-6.4 (employee guidance) and Appendix 1 (EINA).	Policy Unit		
4/2010	Policy determined by Cabinet Members for 2011/12	Policy Unit	9/2011	11/2010
10/2010	Policy amended to reflect change of title for the Department for Education	Policy Unit	9/2011	11/2010
9/2011	Policy amended with name of the Strategic Director EINA relocated onto Admission Arrangements website	Strategic Support and Policy officer	9/2011	2012 policy already in place

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