

# Admission Arrangements for Nursery Classes, Nursery Schools and Foundation Stage Units

for admissions from September 2011

This applies to:

All Devon County Council maintained nursery schools and Foundation Stage Units.  
All parents and carers seeking admission 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 request places for admission to nursery classes, nursery schools and foundation stage units.

## Linked Policies

Primary Co-ordinated Admissions Scheme

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## General Information and Contacts

Date	September 2011
Review date	Annual
Approval	by Cabinet Members of Devon County Council
Key partners	Devon Early Years 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 Devon Choice Advisors School Admissions Team Children and Young People's Services Policy Unit
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Other contacts	Andrew Brent, Strategic Support and Policy Officer 01392 381214 <a href="mailto:andrew.brent@devon.gov.uk">andrew.brent@devon.gov.uk</a>  Clerk to the Independent Devon Schools Appeals Panel 01392 382486  Children's Education Advisory Service – Ministry of Defence 01980 618244 <a href="mailto:enquiries@ceas.detsa.co.uk">enquiries@ceas.detsa.co.uk</a>
Useful links	<a href="#">Department for Education</a> <a href="#">Office of the Schools Adjudicator</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.
- 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 Devon County Council funds the Early Years entitlement in schools so that children can access provision from the term after their third birthday up until the term after their fifth birthday. A child should be offered up to 15 hours a week of provision for 38 weeks of the year – this is known as the Early Years Entitlement.
- 3.2 Where admission authorities receive more applications than they have places to offer, they require a means by which to decide which applicants should be offered places. This is done by applying set Oversubscription Criteria. For admissions to Nursery Classes and Foundation Stage Units in 2011, Devon LA proposes to use the following oversubscription criteria

which will be applied by the school's Nursery Admission Panel.

## Interpretation

- 4 **Nursery Class** – Nursery classes admit children between the ages of 3 and 5 years and offer care and learning within a statutory framework called the Early Years Foundation Stage. Children can attend for the early years entitlement (see below). They are staff by a qualified teacher and a qualified nursery assistant on a 1:13 adult to child ratio. Nursery classes are part of primary or infants schools.
- Nursery School** – There are two nursery schools in Devon that are part of Children's Centres. As well as offering the Early Years Foundation Stage there are many other services available for families. Nursery schools have their own governing body and management structure.
- Foundation Stage Unit** – This is an integrated provision where a nursery class and a foundation (reception) class combine to offer a seamless early years provision where staff and children work together.
- Early Years Entitlement** - Devon County Council funds the early years entitlement in schools so that children can access provision from the term after their third birthday up until the term after their fifth birthday. A child should be offered up to 15 hours a week of provision for 38 weeks of the year – this is known as the Early Years Entitlement.

## PROCEDURE

### 5 Policy Guidance for Nursery and Foundation Stage Unit Admissions

- 5.1 Schools must have regard to the Code of Practice on the Provision of Free Early Education Places for 3 and 4 year olds at, available at:  
[www.surestart.gov.uk/improvingquality/guidance/freenurseryeducation](http://www.surestart.gov.uk/improvingquality/guidance/freenurseryeducation)

### 6 Increase in Entitlement

- 6.1 From September 2010, the entitlement increased from 12.5 hours to 15 hours a week. There is an expectation that provision will flexibly meet the needs of the parents that use the provision. 25% of the most disadvantaged 3 and 4 year olds in Devon were able to access 15 hours of provision a week from September 2009.
- 6.2 There should be a balance of three and four year old children attending the provision at any one time. Priority for places must not be given to children based on age.
- 6.3 If the full entitlement of hours is not available in the school nursery, parents will be told that the remaining hours can be accessed at another Early Years provider. Schools should signpost parents to Devon Information on Services for Children ([DISC](#)) for information on other Early Years providers.

### 7 Provision at more than One Setting

- 7.1 Parents can choose to spread the entitlement between Early Years providers. For example, if a parent prefers 5 hours in a school nursery and a full day and a morning in a private day nursery, the school should wherever practicable aim to accommodate these needs. However it must be appreciated that, occasionally, families may not be allocated the times that they request. Priority for allocating flexible places can be given to parents who are working or in training. The schools admissions policy should state how places will be allocated.
- 7.2 Schools must check that parents are not asking for more hours than they are entitled to if they are also attending another provider.

### 8 Flexible Provision

- 8.1 Where practicable, the Early Years entitlement should be offered at times that meet the needs of the parent. Most Nurseries and Foundation Stage Units in Devon offer morning OR afternoon sessions, some parents/carers may prefer two full days and one morning OR afternoon. The Governing

Body should consider offering flexible admissions arrangements that meet the needs of parents. This can be achieved by offering the entitlement at anytime during the nursery opening hours, including lunchtimes.

## 9 The Application Process

9.1 Parents should be notified of the fact that there is a place available for their child at least half a term in advance of the time the child is due to start. If a child is not in attendance on headcount date the setting will not receive funding for that child and the parent may therefore not be able to access their entitlement during the times they require in their chosen setting. The Admissions Panel should ensure that parents wishing to use a PVI setting in addition to the school nursery are aware of headcount dates before applying for a place.

9.2 Children are entitled to funded Early Years provision from the term after their third birthday until the term after their fifth birthday. Some parents may wish to keep their child in the Nursery until they reach statutory school age. This means they will be [Deferring or Delaying Entry to Primary and Infant School Reception Classes](#). The table below shows when children become eligible to access the Early Years entitlement.

9.3	<b>Children who are 3 years old between</b>	<b>Funding starts in this term</b>
	1 January & 31 March	Summer (after Easter Holidays)
	1 April & 31 August	Autumn (after Summer Holidays)
	1 September & 31 December	Spring (after Christmas Holidays)

9.4 A place in a Nursery Class, Nursery school or Foundation Stage Unit has no bearing on an application for admission to the majority of schools in Devon. Where attendance at a Nursery Class, Nursery school or Foundation Stage Unit does form a part of the over-subscription criteria for a specific school, there is no guarantee of a place at the school.

9.5 Early Years provision is not statutory and parents can choose to access less than the entitled number of hours if they choose.

## 10 Induction

10.1 Children can attend the Nursery or Foundation Stage Unit as rising three year olds for induction time. It is essential that these children have been allocated places and given a start date from when they will be funded to attend for the entitlement. Priority must be given to a child with eligibility for funding. If a child eligible for funding wishes to attend, the child attending for induction time will be required to leave to enable the funded child to attend. PVI settings will charge a parent if a child is not eligible for funding. From September 2010 schools a parent could be charged for this service.

## 11 Single Offer Point to Reception Classes

- 11.1 The School Admissions Code of Practice was revised on 10 February 2010 to require the admission authority for all schools to make provision to admit children to the Reception class from the September following the child's fourth birthday.

Sections 2.65 and 2.69 provide for the following options for parents:

- Full-time admission to Reception at a primary or infant school, OR
  - Part-time admission to Reception at a primary or infant school, OR
  - Part-time attendance at an Early Years setting.
- 11.2 Parents opting for other than full-time admission to Reception will have the place offered held open until the start of the term following the child's fifth birthday. It is a parental right to defer admission until this point, the statutory starting date for full-time education. The place offered will not be offered to another child.
- 11.3 A parent cannot opt for part-time attendance in a Reception class and at an Early Years setting unless he or she pays for the Early years placement.
- 11.4 Where a parent opts for full-time attendance at an Early Years setting, he or she must pay for hours in excess of the 15 hours free entitlement.
- 11.5 Where a child attends a Reception class as a Rising 5, free education transport will be made available where there would be an entitlement for a child of statutory school age. Parents should be aware that transport will not be made available during the school day – for instance, where the child attends for mornings only part time, there will be no transport at the end of the morning session.
- 11.6 There is no entitlement to transport to an Early Years setting.
- 11.7 Where a child attends a Reception class as a Rising 5, free school meals will be provided where there would be an entitlement for a child of statutory school age. Parents should be aware that free school meals will not be made available where the child is not attending for that entire school day – for instance, where the child attends for mornings only part time, there will be no free school meal at the end of the morning session.
- 11.8 There is no entitlement to free school meals at an Early Years setting.

## EMPLOYEE GUIDANCE

### 12 Guidance for Employees

- 12.1 The Policy is operated by officers of Devon Early Years in co-operation with management and staff in Early Years settings. 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 provision which best meets the child's circumstances. Schools may assist by referring families to Devon Early Years where support may be beneficial.
- 12.2 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.
- 12.3 Any queries regarding the operation of the Scheme should be referred to Devon Early Years for advice and support.

Policy History				
Date	Summary of change	Contact	Implementation date	Review date
2005	Policy introduced	Schools Access Services	9/2006	
4/2009	Policy formulated taking into account the requirements of the School Admissions Code of Practice.	Early Years	9/2010	12/2009
6/2009	Policy reviewed and formatted into a Directorate Policy shell	Policy Unit	9/2010	12/2009
6/2009	In-Year variation sought to clarify wording within the oversubscription criteria at note (e) to Appendix 2 with regard to multiple birth siblings.	Policy Unit	9/2010	12/2009
3/2010	Policy amended by the insertion of section 2.2 (corporate parenting), section 11 (Single Offer point to Reception classes) and section 12 (employee guidance)	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 At 11.1 an option for full-time attendance at an Early Years setting was removed following advice from the DfE. At 11.4 the wording was changed from: <i>Where a parent opts for full-time attendance at an Early Years setting, this will normally be for 25 hours per week where this is available locally.</i> At 12.1 the following was deleted from the final sentence: <i>or to the Devon Choice Advice Service</i>	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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Determined

### Nursery Classes, Nursery Schools and Foundation Stage Units Oversubscription Criteria

Where admission authorities receive more applications than they have places to offer, they require a means by which to decide which applicants should be offered places. This is done by applying set Oversubscription Criteria:

A child who has a Statement of Special Educational Needs where the school is named on the Statement will be admitted to that school.

- 1 Children in Care
- 2 Children living in the school or nursery unit's designated area with a sibling who will be attending the school or nursery unit at the time of admission
- 3 Other children living in the school or nursery unit's designated area
- 4 Children living outside the school or nursery unit's designated area, but with a sibling who will be attending the school or nursery unit at the time of admission
- 5 Other children living outside the school or nursery unit's designated area

(a) If it is necessary to distinguish between children in a particular category, priority will be determined on the basis of distance between home and school as a direct line from the entrance of the property (residential dwelling) to the school (yellow establishment marker) as plotted on GIS. The shorter the distance, the higher the priority. Where necessary, measurements will be to the closest metre.

(b) If the tie-breaker at (a) is not sufficient to distinguish between applicants in a particular category, there will be a random ballot as set out in the Code of Practice sections 2.33 – 2.35. This will be undertaken by the Early Years Manager in the presence of a County Councillor by the operation of an electronic random number generator.

(c) Priority may be given to the admission of a child for whom an exceptional medical or social justification is demonstrated. Such decisions will be made using the [Protocol for admission to children with Exceptional Medical or Social Justification](#).

(d) Priority may be given to a child who is to be admitted to a designated special educational needs support centre at the school in question.

(e) Where applications are received from families with multiple birth siblings (twins, triplets, etc.) every effort will be made to allocate places at the same school, including offering place(s) above the Planned Admission Number (PAN) wherever possible. This recognises the

exceptional nature of the emotional bonds between multiple birth siblings and the Local Authority's commitment to meeting the preference of children for their designated school. Where that is not possible, parents will be invited to decide which of the children should be allocated the available place(s) or seek places at an alternative school with sufficient vacancies to accommodate both or all of the multiple birth siblings.

(f) Where applications are made at the same time for two children not falling within multiple birth siblings, (sometimes referred to as contemporaneous admissions) the application will not be considered under the 'sibling' criteria.

(g) Waiting lists are kept by the school or nursery unit where there are more applications than places available. They are held in order of oversubscription criteria.

(h) The admission arrangements may be modified to meet the particular requirements of a Trust Deed.

(i) Where a request for a place is refused, there is no entitlement to an appeal before the Independent Devon Schools Appeals Panel.