CORNWALL COUNCIL
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Together for Families

Co-ordinated In-year Admissions Scheme

2024/25

About this Scheme

1. This Scheme is determined by Cornwall Council, the Local Authority for Cornwall, in accordance with the School Admissions Code 2021 and associated regulations.

2. This Scheme applies to all community and voluntary-controlled schools and other state-funded primary, junior and secondary schools in Cornwall that participate in the Scheme. It applies to reception to year 11 at those schools.

3. This Scheme will take effect from 1 September 2024 until 31 August 2025.

4. This Scheme will apply to applications for school places 'in-year' in Cornwall, meaning applications made outside the normal admissions round.

Arrangements for schools that do not participate in this Scheme

5. If a parent wants to apply for a school that does not participate in this Scheme (meaning they handle their own in-year admissions) they must apply direct to that school. The school will provide an application form and will write to the parent to confirm the outcome of the application. The school must process the application in accordance with the School Admissions Code 2021 and the local Terms of Reference. Non-participating schools must still participate in the locally agreed Fair Access Protocol and Co-ordinated Admissions Scheme for the normal round.

Making an application

Children with an Education, Health and Care Plan

6. Parents/carers of children with an Education, Health and Care Plan are not required to make an application through the general school admissions system. All requests for a change of school during the school year for children with an EHC Plan will be handled by the Statutory SEN Service. Any application for these children will be processed in accordance with the SEN Code of Practice and associated regulations and will not be dealt with under this Scheme.

Information about available places

7. Cornwall Council will provide information on the number of places available at schools in its area on request. Schools must inform Cornwall Council of any pupil movement, including where allocated places are taken up or not taken up, so that up to date data can be held and safeguarding procedures can be followed.

The application form and information

8. There will be a school place application form available to parents/carers as an online form in the 'Parent Portal' on Cornwall Council's website or as a paper copy on request from the School Admissions Team. The application form must be used by parents/carers resident in Cornwall or with evidence of a new address in Cornwall.

9. Information on in-year admissions will be available on the Cornwall Council website and in hard copy on request.

School preferences

10. The in-year application form will ask the parent/carer to name up to three school preferences.

11. The scheme will be based on an 'equal preference' system. This means that applications must be considered without reference to the ranked order of preference.

12. Where a child has been permanently excluded from two or more schools, the requirement to comply with parental preference is removed for a period of two years from the date on which the second exclusion took place.

13. There is no requirement to comply with parental preference for applications considered under the Fair Access Protocol.

Supplementary information forms

14. The admission authority may require the parent to provide additional information on a supplementary form. They can only ask for this where the additional information is needed for them to apply their oversubscription criteria to the application. The supplementary form must be returned direct to the school. The parent must also complete the in-year application form and name that school as one of their preferences in order for the application to be considered.

Multiple applications in one academic year

15. Parents/carers can only have one application per child processed for each year group at a school. A second application for the same year group at the same school would only be considered:
    - if the previous application was withdrawn before allocation or a place was offered and not taken up; or
    - where there has been a significant change in the circumstances of the parent or child; or
    - where the admission authority, or Cornwall Council acting on behalf of the

admission authority, has accepted the reasons and agreed to process a further application for the year group.

Applications from outside the United Kingdom

16. It is the responsibility of the parent/carer to check that their children have a right to study at a school. In the case of overseas nationals entering the United Kingdom parents/carers should check that they have the right of abode or the conditions of their visas otherwise permit them to access a state-funded school. More information can be found here: https://www.gov.uk/guidance/schools-admissions-applications-from-overseas-children

Designated areas

17. Cornwall Council has divided Cornwall into geographical areas. Each of these areas is served by a specific primary school, or in some cases, groups of schools. These areas are called 'designated areas'. Not all schools prioritise on the basis of designated area or use Cornwall Council's defined area. However, entitlement to home to school travel assistance will still be based on these areas. The designated school will not always be the one nearest to the home address. Maps are available for all designated areas online at: www.cornwall.gov.uk/admissions or by calling the School Admissions Team.

Home address

18. Each child can have one registered address only for the purposes of determining priority for admission and travel assistance entitlement.

19. Families moving to or within Cornwall are asked to provide evidence of the new address. If a preferred school is full or there are more applications than places available, address evidence is needed to ensure that the child has the correct position on the waiting list, where one is held, or to assess their eligibility for a place. The only forms of evidence that can be accepted are listed here and must show the applicant's name:

Buying a new home, including a new build

- A solicitor's letter confirming exchange of contracts; and
- if a new build: evidence that the child will be living there before the expected school start date, for example a letter from a developer confirming a build completion date. *Documents evidencing the ownership or purchase of a plot of land will not be accepted.*

Renting a property

- A signed rental agreement, with the period of tenancy extending beyond the date of the expected school start date.

Returning to an owned property

- Evidence of ownership of the property, for example the current financial year's council tax bill or recent utility bills; and
- evidence that the property is available to move into, for example a signed rental agreement showing the date of the end of tenancy.

House exchange

- A copy of the new tenancy agreement, signed; and
- a letter from the housing authority confirming the date for the exchange.

Moving to live with a friend or family

- Written confirmation from the person the family are going to be residing with; or
- evidence to prove that the family is resident at that address, for example a driver's licence or a bank statement.

Temporary housing

- A supporting statement from a housing officer; or
- please contact us to discuss evidence.
- The temporary address must be the family's only address.

Service Families

- An official letter declaring a relocation date and evidence of a future home address, unit address or quartering address.

20. Exceptional circumstances in relation to the provision of a home address will be considered on a case-by-case basis. If there is shared residence of the child or a query is raised regarding the validity of an address, Cornwall Council will consider the home address to be with the parent with primary day to day care and control of the child. Residency of a child may also be clarified through a child arrangement order where it is shown who has care of the child. Evidence may be requested to show where the child lives.

21. It is expected that parents/carers will submit only one application for each child. Any disputes in relation to the child's home address should be settled before applying, the admission authority will not become involved in any parental disputes. If agreement cannot be obtained before an application is made then parents/carers may need to settle the matter through the courts. Where no agreement is reached or order obtained, the admission authority or Cornwall Council (where it is acting on behalf of the admission authority) will decide which address to use.

22. Applications for children of Service Families will be processed and places allocated based on the proposed address, with supporting evidence. If the family is not able to confirm a proposed address and a unit or quartering address is provided, an allocation

will be made based on the unit or quartering address.

Shared parental responsibility – duplicate and disputed applications

23. Any disagreements about the preferred school/s between those with parental responsibility should be resolved before only one application is submitted. The application form asks the applicant to confirm that they have the consent of all persons with parental responsibility. If there is reason to suspect that an agreement has not been reached or conflicting preferences are received from more than one person with parental responsibility or an application is disputed, the School Admissions Team will, as far as reasonably possible, contact all those with parental responsibility and request that they reach an agreement. Only one place can be allocated for a child. The School Admissions Team cannot become involved in parental disputes. Cornwall Council must have regard to the views of all persons with parental responsibility in the absence of a court order. If those with parental responsibility cannot reach an agreement they may need to seek mediation or apply to the court for an order.

Fraudulent applications

24. Parents/carers who make a false statement or omit any relevant and appropriate information in their application to gain advantage in obtaining a school place could be subject to investigation and may potentially face criminal proceedings. The information they supply in the application may be shared, as the law allows, for the purpose of preventing and detecting fraud. The offer of a school place may be withdrawn if the application is found to be fraudulent. Parents/carers must notify Cornwall Council immediately of any change in their circumstances – failure to do so or providing false or misleading information may lead to prosecution action being taken against them. As part of the process of ensuring that school places are allocated fairly, Cornwall Council undertakes address checks on a random sample of applications each year to ensure that information submitted by parents/carers is correct. If a parent is randomly selected they will receive a letter requesting evidence of their current address. Cornwall Council may also request evidence where it is alerted to potential false statements. In either of these circumstances, any concerns about the validity of the information provided may lead to investigation and applicants could face criminal proceedings in addition to the withdrawal of the offer of a school place.

Admission of children outside their normal age group

25. Parents/carers may request a place for their child outside their normal age group, for example if the child is gifted and talented or has experienced problems such as ill-health. Those seeking placement outside the normal age group during the school year should contact the school's admission authority which must make the decision on this. The School Admissions Team can advise on which body is a school's admission authority. Guidance on the process can be found at www.cornwall.gov.uk/admissions

or on request from the School Admissions Team.

26. Parents/carers who are refused a place at a school for which they have applied have the right to 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/carers are dissatisfied with the outcome of the request for an out of year group placement they have the right to complain against the decision through the Council's complaints procedure for decisions made by Cornwall Council in its role as an admission authority or under the school's complaints procedure where the school's academy trust or governing board is the admission authority.

Fair Access Protocol

27. All local authorities are required to have a Fair Access Protocol which applies to all schools in the area. This document sets out how Cornwall Council and schools will ensure that, during the school year, any children left without a school place can be offered a place at a suitable school as soon as possible. However, there is no requirement to comply with parental preference under the Fair Access Protocol. To find out more about admissions during the school year and the Protocol go to www.cornwall.gov.uk/fairaccess or contact the School Admissions Team.

28. In-year application forms that are determined at any point during the processing of the form to fall under Level 2 of Cornwall Council's Fair Access Protocol (www.cornwall.gov.uk/fairaccess) will be dealt with outside this Scheme, in accordance with the Fair Access Protocol.

The allocation process

29. Cornwall Council reserves the right to require documentary evidence before accepting that information given in an application is genuine (see also 'Home address' and 'Fraudulent applications').

30. Applications for Children in Care and children who were previously in care but immediately after being in care became subject to an Adoption, Child Arrangement, or Special Guardianship Order, including those who appear (to the admission authority) to have been in state care outside England and ceased to be in care as a result of being adopted, will be prioritised.

31. Applications for all other vulnerable children, as defined on a case-by-case basis by Cornwall Council and where vulnerability can be identified, will be processed as a priority. However, priority for a place will still be determined with regard to the published admission arrangements and based on the date the application was received.

32. The provisions for children of UK Service Personnel and other Crown Servants are explained in the separate Protocol for these children, available at www.cornwall.gov.uk/admissions or on request from the School Admissions Team.

Processing timescales

Deadline

33. The 'deadline' for applications will be midnight each day, to include applications received via the online form, in hard copy or electronically by the School Admissions Team.

Application window

34. Applications can be submitted at any time during the year and will be processed **no more than eight school weeks** in advance of a school place being required. Applications submitted before this time will not be processed and the parent will be advised that a new application will need to be submitted no more than eight school weeks ahead of the place being required.

35. In the case of **UK Service Personnel and other Crown Servants**, applications will be processed **up to twelve school weeks in advance** of a school place being required if the application is accompanied by an official Government letter declaring a relocation date and intended address.

Process start date

36. There will be a 'process start date' which will be the working day following the date that the application is received by the School Admissions Team, if this is within eight (or twelve in the case of Service Families) school weeks of the place being required.

37. Where an application form is incomplete and the missing information is necessary for Cornwall Council to carry out the admissions process, such as evidence of a new address, the applicant will be asked to provide the information and the process start date will reset as the date that all necessary information has been received by Cornwall Council.

Application outcomes

38. The School Admissions Code 2021 requires admission authorities to confirm the outcome of an in-year application within 15 school days, or 20 school days for applications handled under the Fair Access Protocol. Where Cornwall Council is acting on behalf of the admission authority the School Admissions Team will support the

admission authority in complying with this duty. The School Admissions Team will therefore rely on prompt responses from schools to requests for places so that the outcome can be communicated to parents/carers within the required timescale.

Allocation of places

39. Applications will be dealt with in order of the Process Start Date, with the exception of applications falling under paragraphs 30 and 31.

40. As each application reaches the allocating stage and when it is then assigned to an allocating officer in the School Admissions Team the officer will contact the preferred school or schools to ask if a place can be allocated, unless the School Admissions Team has been delegated the responsibility for allocating places by the school.

41. If a place can be offered at a school, any lower preference schools not already contacted will not be approached for a place.

42. If more than one application for the same year group is received by the deadline and there are more applications than places available, the admission authority or Cornwall Council acting on behalf of the admission authority will apply the school's oversubscription criteria.

43. Where a place cannot be allocated at a preferred school, Cornwall Council will identify the nearest suitable school in Cornwall that may be able to offer a place – the 'nearest school with room'.

    The outcome of the application in relation to the preferred schools will, as far as possible, be notified within the timescales in section 38. The applicant will be offered the right of appeal for the preferred schools when the Admissions Team begins the process of identifying the nearest school with room.

    Cornwall Council may request a place at the nearest school with room, unless, for example:

    - the child is home educated and previously attended the nearest school with room or the parent previously declined a place at that school; or
    - the child is home educated and all schools listed as a preference have been refused; or
    - the child is already on roll at a school within a reasonable distance of the address from which the application is made; or
    - the child is already on roll at a school and the family is not moving house; or
    - the parent/carer has confirmed that they do not wish for a place to be requested at the nearest school with room.

The process for offering a place at the nearest school with room will be carried out as soon as possible. If Cornwall Council does not request a place at the nearest school with room the right of appeal for the preferred school/s will be offered. The child will be added to the waiting list for the preferred school/s (if one is held) and the parent can opt to submit an application for an alternative school(s), which could include the previous school or nearest school with room.

44. Distances used to identify the nearest suitable school with a space available are measured as the shortest available route as determined by Cornwall Council's Geographic Information System. This is considered to be the walking route of up to two miles for primary school children up to the end of Year 3 and three miles from Year 4 onwards. For schools outside these distances, driving route will be used.

45. If the child remains unplaced after the normal admissions process has been followed the application may be considered under the Fair Access Protocol Level 1 (www.cornwall.gov.uk/fairaccess).

46. In certain circumstances it may be necessary to offer alternative provision in accordance with the Fair Access Protocol. Parents/carers will be given information about this process as necessary.

Notification of application outcome

47. Parents/carers will be sent a link to a letter in a secure area (or otherwise by email or post) by Cornwall Council notifying them of the outcome of their application.

48. If Cornwall Council can offer a school place, as or on behalf of the admission authority, then the letter will name the allocated school.

49. If Cornwall Council, as or on behalf of the admission authority, has had to refuse a place then the letter will include details about why the application has been refused and how the parent can submit an appeal and details about the waiting list, if one is held.

Accepting places

50. The letter to parents/carers offering a school place will ask them to confirm in writing if the place is no longer required or if they do not wish to accept the offered place.

51. The parent/carer must contact the allocated school within two school weeks of the date of the outcome letter otherwise the offer of a place may be withdrawn. The start date should be agreed between the school and the parent. Places will generally not be held for more than six weeks from the originally agreed start date unless in exceptional

circumstances, to be decided by the admission authority.

52. Where a family does not contact the school to arrange a start date within two weeks of the date of the outcome letter or the child fails to arrive on the agreed start date, the school will attempt to make contact with the parent. Where the school cannot make contact with the parent the school will alert Cornwall Council and may need to follow the Children Missing Education procedure if no information about the child's whereabouts can be established. If contact cannot be made with the family within a reasonable timescale the offer of a place will be withdrawn and Children Missing Education Procedures will continue.

Appeals

53. When a parent is refused a place at a school for which they have applied, they will have the right to appeal to an independent panel.

54. Appeals for in-year admissions must be heard within 30 school days of the appeal being lodged.

55. Parents/carers can only appeal again for a place in the same school within the same academic year if the admission authority for that school has accepted a further application because there has been a significant and material change in the circumstances of the parent or carer, child or school (as determined by the admission authority) but has determined that the new application must also be refused.

56. If a parent decides to appeal and they do this within two school weeks of the date of the outcome letter then the place offered will be kept open for their child until the outcome of their appeal is known. If a parent decides to appeal more than two school weeks after the date of the outcome letter then the place offered will not be kept open. This means that if their appeal is unsuccessful then they would need to reapply for a school place. They would not be able to reapply for a school that has already refused a place.

Waiting Lists

57. Where a child has been refused a place at a nominated school in Cornwall, the child will be automatically added to the waiting list for the school, if one is held. Not all schools hold waiting lists, although all schools must hold a list for at least the first term of the year of entry.

58. Children cannot be added to a school's waiting list without first having applied for and been refused a place at that school.

59. Waiting lists are based on the school's oversubscription criteria and children's places on a waiting list are subject to change according to additional information received about applications or children being added to the list. No priority is given to the length of time that a child has been on the list. Children in Care and those that were previously in care, children with an Education, Health and Care Plan or who are allocated to a school in accordance with the Fair Access Protocol will be given priority over children on the waiting list. This is in accordance with the School Admissions Code 2021.

60. A child that is at the top of the waiting list will not necessarily be eligible for a place when a child leaves that year group. If the school is already over its Admission Number then a place will only become available when the year group falls below this number. In addition, pupils admitted after a successful appeal or under the Fair Access Protocol will have priority for a place.

61. Waiting lists held or managed by Cornwall Council will cease at the end of the academic year. Parents will need to reapply if they still wish to be considered for a place at the school.

Withdrawing the offer of a place

62. Cornwall Council, or Cornwall Council on behalf of the admission authority, is able to withdraw the offer of a place where:

- the parent has given fraudulent or intentionally misleading information; or
- the parent/carer has not made contact with the school within two weeks of the date of the outcome letter and no other arrangement has been agreed with the school and no appeal has been submitted; or
- the parent has not accepted the place offered because of a pending appeal, but that appeal was submitted more than two weeks after the date of the outcome letter; or
- an offer was made in error; or
- a higher preference offer can be made.

Summary of the in-year process

1 September 2024: In-year Co-ordinated Scheme commences.

Between 1 September 2024 and 31 August 2025:

- Application received by School Admissions Team. Process start date commences on the next school day but only if the requested start date is within 8 school weeks (12 weeks for Service Families).
- Applications deemed to fall under Level 2 of the Fair Access Protocol will be referred for action under that Protocol. As far as possible, these will be dealt with within 20 school days of a decision to process under the Fair Access Protocol.
- As far as possible, within 15 school days of receipt of an application by Cornwall's Admissions Team, Cornwall Council will notify the parent of the outcome of their application, including information about appeals and waiting lists, where appropriate.
- Within 2 school weeks of the date of the outcome letter the parent/carer must have contacted the school to arrange a start date.

Definitions

'school' means a community, foundation, voluntary-controlled ('VC'), voluntary-aided ('VA'), or trust school which is maintained by Cornwall Council or an academy, free school, studio school or university technical college (but not a special school);

'admission authority' in relation to a community or VC school means Cornwall Council and in relation to an academy or free school, the academy trust and in relation to a foundation, VA or trust school, means the governing body of that school;

'admission arrangements' means the arrangements for a particular school which govern the procedures and decision-making for the purposes of admitting pupils to that school;

'in-year application' means any application for a place in any year group at a school, outside the 'normal admissions round';

'normal admissions round' is the application process relating to admissions to the points of entry to schools in September i.e. to reception in an infant or primary school, year 3 in a junior school, year 7 in a secondary school and year 10 in a KS4 school, known as the 'normal point of entry' and applied for within national deadlines;

'PAN' means the Published Admission Number for the year of entry at a school (i.e. admissions relating to the normal admissions round);

'admission number (AN)' means the number of pupils that it has been agreed can be admitted to a year group other than at the normal point of entry. This may or may not be the same as the PAN as it has followed the year group from the normal point of entry;

'Children in Care and children who were previously in care': A 'child in care' is also referred to as a 'looked after child' and 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). A 'child arrangement order' is an 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. Section 14A of the Children Act 1989 defines a 'special guardianship order' as an order appointing one or more individuals to be a child's special guardian (or special guardians). A child is regarded as having been in state care outside of 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 (see Section 23ZZA(8) of the Children Act 1989 [inserted by Section 4 of the Children and Social Work Act 2017]).

Prepared by:

School Admissions Team

Together for Families

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