

Kirby Muxloe Primary School



School Admissions Policy

**Admissions Arrangements for the 2025-26
Academic Year**

Date Adopted by Trust Board: December 2023
Date for Review: December 2024

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1.Aims and Statutory Basis

This policy aims to:

- Clarify the school's admissions criteria
- Explain the school's applications process
- Set out how to appeal against a decision not to offer you child a school place

This policy is based on the following advice from the Department for Education (DfE):

- [School Admissions Code](#)
- [School Admission Appeals Code](#)

As an academy the school is required by its funding agreement to comply with these codes, and with the law relating to admissions as set out in the School Standards and Framework Act 1998. Kirby Muxloe Primary School is its own admissions authority.

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.

2.Admissions Criteria

2.1 Planned Admissions Number (PAN)

The school has an agreed Published Admission Number (PAN) of 60 children for entry in Reception. Places will first be allocated to children who have an Education, Health and Care (EHC) Plan that names the school as appropriate provision. This PAN will not be exceeded and if applications exceed this number the oversubscription criteria below will be applied.

2.2 Oversubscription Criteria

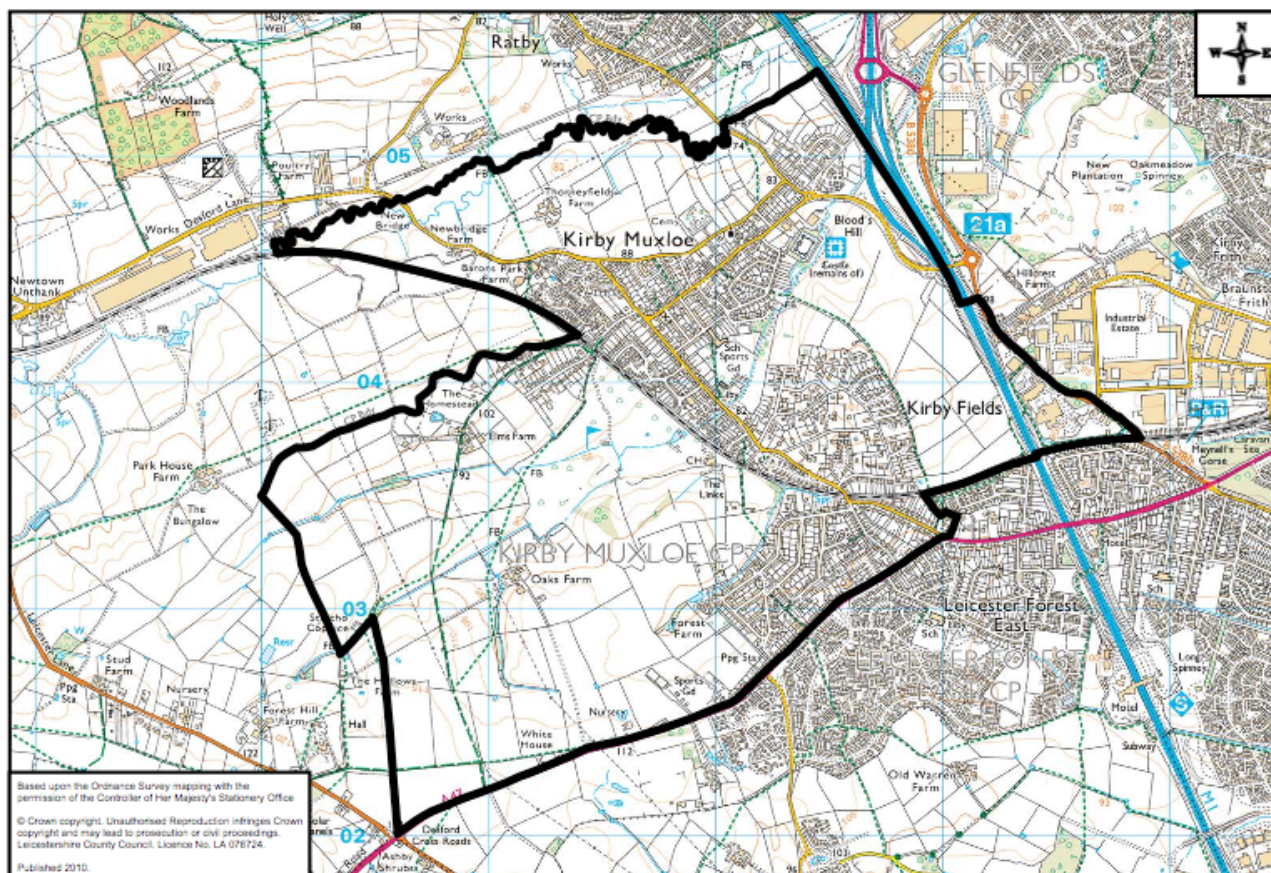
If there are too many requests, priority will be given to children, whose parents/carers applied on time, in the following order. **Late applications receive the lowest priority**

1st	Children who are in public care and those children who were previously looked after children (see 6.1)
2nd	Pupils, who live in the catchment area, and who have an older brother or sister attending the School at the same time (see 6.2/6.3)
3rd	Pupils, who live in the catchment area, who have a serious medical condition or exceptional social or domestic needs that make it essential they attend the School (see 6.4)
4th	Pupils, who live in the catchment area, living nearest the school gate in straight line distance (home to school front gate) (see 6.5/6.6)
5th	Pupils, from outside the catchment area, who have an older brother or sister attending the School at the same time (see 6.2/6.3)
6th	Pupils, from outside the catchment area, who have a serious medical condition or exceptional social or domestic needs that make it essential they attend the School (see 6.4)
7th	Pupils, from outside the catchment area, living nearest to the school measured in straight line distance (home to school front gate) (see 6.5/6.6)

2.3 School Capacity

Kirby Muxloe Primary School's PAN (see 2.1 above) governs the number of pupils that can be admitted to the School and currently this is capped at 60. This means that once Kirby Muxloe Primary School has filled to 60 (in line with 2.2 above) all other applications will be refused, although parents/carers will have the right to appeal.

2.4 Catchment Area



3. Application Process

3.1 Applying for Places in the Normal Admissions Round (First Time Admissions)

The normal admissions round is the period during which parents/carers can apply for state-funded school places at the school's normal point of entry (Reception), using the [online form](#) provided by Leicestershire County Council. Up to three preferences may be made. Full information on applying for a primary school place can be found [here](#).

Parents/carers will receive an offer for a school place directly from their local authority on National Offer Day (16 April or the next working day). No child may be admitted without an offer from the Local Authority for the area in which you live; and this is regardless of whether the child lives in the catchment area or otherwise, and regardless of whether the child has attended a nursery or pre-school group at the school.

The date for admission is from the September immediately following a child's fourth birthday i.e. all children who have turned 4 before the end 31st August.

Kirby Muxloe Primary School has a single start for first time admission at 4+; however parents/carers must ensure full-time education for their child from compulsory school age, which is from 5+.

3.2 In Year (Mid-Term) Admissions (All Year Groups)

An in-year admission refers to an application for a school place made during the school year or an application for admission to the school made at the start of the school year for any year group other than the normal year of entry.

If the school's published admission number has been reached in a child's year group, we will not be able to offer a place at the school. Parents/carers can ask for their child's name to be added to the waiting lists (see below for more information).

Applications for in-year admissions should be made using the form on the [school website](#)

3.3 Infant Class Size Limits, Multiple Birth Children and Permitted Exceptions

In compliance with the relevant regulations, an infant child (i.e. up to and including Year 2) who moves into a school's area once initial allocation decisions have been made, will not necessarily be offered a place in the school if the relevant class will already contain 30 children, or if an alternative school with space available in the relevant year group within 2 miles of the home address is identified. If not, the child will be an excepted pupil in the catchment school, allowing the class to exceed 30 pupils (subject to proof of residence - see 6.6 below).

Each of the following is considered to be an exception to the infant class size limit:

- children of multiple births (provided that at least one space within the class size limit would be available)
- children in the care of a Local Authority (including those previously in care);
- children with an Education, Health & Care Plan (including those receiving part of their education by arrangement at another school or in an infant class part-time);
- where a recognised error was made during the implementation of the school admission arrangements;
- children admitted by an independent appeal panel;
- children of service personnel (e.g. children of members of the armed forces).

Permitted class size exceptions will remain exceptions for the duration of Key Stage 1 i.e. Years 1 and 2, when pupils are aged between 5 and 7 years.

3.4 Admission of Children Below Compulsory Age and Deferred Entry to School

Where children below compulsory school age are offered a place at the school, they will be entitled to attend the school full-time in the September following their fourth birthday. We believe that it is generally in children's best interest to do so and avoid missing key learning.

Parents/carers may request to defer their child's entry to the allocated school until later in the school year but not beyond the point at which the child reaches compulsory school age, and not beyond the beginning of the final term of the school year for which the offer was made when the place will cease to be available for the child. Please discuss this with the school directly once a place has been offered.

Where parents/carers wish, children may attend part-time until later in the school year but not beyond the point at which they reach compulsory school age. Please discuss this with the school directly once you have received an offer of a school place.

3.5 Admission of Children Outside of Their Normal Age Group (Summer Born)

Parents/carers of a summer born child, which is to say one born between 1st April and 31st August inclusive may choose not to send their child to school until the September following their fifth birthday.

If parents/carers wish to delay their summer born child's school start until the September following their fifth birthday, there are 2 options:

- 1) Parents/carers can make an in-year application for a place for the September following their child's 5th birthday. The child would normally start school in Year 1 (their correct chronological age group) as other children in the child's age group already attending school will be moving from Reception to Year 1 at this point. It is important to remember that some schools are likely to be full and they may be unable to offer a place;
- 2) If parents/carers do not want their child to miss their Reception year, they may request that children are admitted out of their normal age group i.e. into Reception instead of Year 1. Please note, this is a 'request' and parents/carers do not have the right to insist that their child is admitted to a particular age group. The school's admission authority is responsible for making the decision about which year group a child should be admitted to. The process for this is outlined below:

Process for Application for a Place Outside of a Child's Normal Age Group

To request an entry to reception following their child's fifth birthday, parents/carers are required to make an application for their child's admission to their normal age group at the usual time in accordance with this Policy (but making the local authority aware of your request) and at the same time submit a written request to the School for admission out of the normal age group (see details below).

Parent/carers should, if possible, make their request for admission out of the normal age group before the closing date for application for their normal year of entry. This is to enable sufficient time for requests to be processed prior to National Offer Day (16 April or the next working day). Requests will however still be considered after this date.

Parents/carers wanting to request that they be able to apply for a Reception place at KMPS for the September following their child's 5th birthday, should write to the school in the first instance. In their request, parents/carers should provide some information about their child to explain why they think that their child should be educated out of their normal age group. It is important for parents/carers to provide any additional evidence to support their request as this information will help the admission authority to make their decision e.g. parents/carers may be able to provide a report from the child's Early Years setting or evidence from a health or social care professional.

The request will then be considered by KMPS' admission committee, who will then make a decision on the basis of the circumstances of each case and in the best interests of the child concerned. The School Admissions Code requires admission authorities to consider a number of factors:

- the parent's/carer's views
- information about the child's academic, social and emotional development
- where relevant, the child's medical history and the views of a medical professional
- whether the child may naturally have fallen into a lower age group if it were not for being born prematurely
- the Head teacher's/ EYFS leader's views

Outcomes and Next Steps

When informing a parent of the decision on which year group the child should be admitted to, the decision will be clearly set out and reason(s) will be given.

Request Approved

If the request to be admitted outside normal age group is approved by the admission authority of the school, parents/carers will need to forward this approval to School Admissions at Leicestershire County Council so an application can be accepted in the normal admission round for the September following the child's 5th birthday. Parent(s)/carer(s) will then need to make an application for a place in Reception for the normal round of admissions in the following academic year.

Please note - this does not mean a child has been, or will be, offered a place in the Reception year at their chosen school. If, in the following normal admissions round, the school is oversubscribed, all applications (including delayed applications) for the school will be ranked in accordance with the school's oversubscription admission criteria, unless the parental request is made too late for this to be possible. However, an application will not be given a lower priority on the basis that the child is being admitted out of their normal age group.

As the Admission Authority, Kirby Muxloe Primary School cannot be required to honour a decision made by another admissions authority.

Request is rejected:

If the request to be admitted outside normal age group is rejected by the admission authority of the school, parents/carers have to decide whether to accept a reception place in the normal year of entry or delay their child's start until the September after their 5th birthday and apply for a Year 1 place.

If parents/carers are unhappy with the admission authority's decision to refuse their child a place out of their normal age group, complaints should be made directly to the admission authority.

Please be aware that the parents/carers' statutory right to appeal against a refusal of a place at a school for which they have applied does not apply if they are offered a place at the school but it is not their preferred age group.

3.6 Admission of Children Outside of Their Normal Age Group (Other)

Parents/carers may seek a place for their child outside their normal age group for reasons other than them being summer born. They must put their request in writing to the school.

The Admission Authority of the school will consider the request and make a decision on the basis of the circumstances of each case and in the best interests of the child concerned. This will include taking account of:

- the parent's/carers' views
- information about the child's academic, social and emotional development
- where relevant, the child's medical history and the views of a medical professional
- whether the child has previously been educated out of their normal age group
- whether the child may naturally have fallen into a lower age group if it were not for being born prematurely
- The Head teacher/ Other relevant senior leader's views

The Admission Authority of the school **MUST** set out clearly for parents the reasons for their decision about the year group a child should be admitted to.

Parents/carers do not have a right to appeal if they are offered a place at the school but it is not in their preferred age group.

3.7 Withdrawing an Offer or Place and Potential Fraudulent Activity

The Local Authority School Admissions Service, in accordance with its co-ordinating scheme on behalf of Kirby Muxloe Primary School for first time admissions and/or Kirby Muxloe Primary School for In Year/ Mid Term admissions, will withdraw an offer if:

- The offer was made in error
- A parent/carer has not taken up the offer of the place and has not responded within 20 days to a request to confirm if the place is still wanted (this will state that the offer will be withdrawn if not confirmed within this time)
- It is established that the offer was obtained through a fraudulent or intentionally misleading application
- Kirby Muxloe Primary School will not withdraw a place once a child has started at the school, except where the place was fraudulently obtained.

Kirby Muxloe Primary School reserves the right to seek evidence of residence from any parents and will always do so in cases where for whatever reason residence is uncertain.

Kirby Muxloe Primary School will be vigilant regarding addresses given by parents before transfer to the next phase of education, particularly if there is a late or unexpected change of address close to transfer.

3.8 Waiting Lists

Following an unsuccessful application, parents/carers can request that their child's name be placed on the waiting list.

Waiting lists are held for all year groups by the school.

Waiting lists will be cleared at the end of each school year. If parents/carers would like their child's name to remain on the waiting list for the remainder of the academic year, they should inform the school in writing, by the start of each academic year (i.e.: September) to renew their interest.

When a place becomes available it will be allocated to the child at the top of the waiting list. The waiting list will be re-ranked each time a new child is added to the waiting list in accordance with the oversubscription admission criteria which can be found in section 2.2 of this policy. Priority will not be given to children on the basis that they have been on the waiting list the longest.

3.9 Tiebreak

In instances where more than one child has an equal weighting in accordance with our oversubscription criteria (in 2.2. above), the decision which child is to be offered a place goes to a tiebreak. Where appropriate, this will see lots drawn, supervised by an independent officer in the Children and Families Department, supervised by an officer of the Council from another department that is independent of the Council's School Admissions Service. Alternatively, and especially for in year admissions (see 3.2 above) this process will be undertaken by a trustee who is not on the school's admissions committee and is not connected with either child's parents/carers.

4. Appeals

If a parent/carer's application for a place at the school is unsuccessful, they will be informed why admission was refused and have the right of appeal against the decision not to offer their child a place at the school.

The applicable statutory infant class size provisions are extremely stringent and only allow panels hearing an infant class size appeal to uphold the appeal where the following applies:

- the child would have been offered a place if the School's admissions arrangements had been properly implemented *i.e. the place was not offered because of an error or maladministration*; or
- if it is established by the panel that the School's admissions arrangements did not consider, when dealing with the application:
 - the School Admissions Code; and
 - Part 3 of the School Standards and Framework Act 1998;
- the decision was not one that a reasonable Admissions Authority would have made in the circumstances of the case.

Where an appeal is being heard for a year group that is full and is not a class size appeal but if successful would cause 'future class size prejudice or breach', because future year groups are organised into classes of 30 pupils to one teacher. The appeal will NOT run citing class size legislation as a key principal argument for refusing the application. Leicestershire County Council and KMPS will instead take the view that the panel is requested to take future prejudice into account when decision-making.

Appellants don't have the right to a second appeal in respect of the same school for the same academic year unless, it can be demonstrated that there has been a significant, exceptional or material change in the circumstances of the parent, child or school.

Examples being:

- change of address;
- it has been agreed that there were procedural faults in the original appeal;
- new significant evidence has come to light;
- medical reasons (apart from medical attention for distress or anxiety as a result of unsuccessful appeals);
- a significant change to the School has come to light.

(Please note that this is not a finite list).

Late appeals will be disallowed unless the appellant can provide clear and convincing reasons why the preference was not expressed at the normal time or why the notice of appeal was not submitted by the stipulated deadline.

There is no obligation to comply with a parental preference for a child who has been permanently excluded from two or more schools, for a period of two years following the latest exclusion. Parents of such children lose their right of appeal regarding admission but may refer to the Secretary of State regarding directions to admit children.

For more information and to submit an appeal parents/carers should visit:

- **First Time/In Year/ Mid Term Admissions** (children without an EHCP) - Kirby Muxloe Primary School will give details about how to appeal
- **Children who have an EHCP** (Education, Health and Care Plan) - Contact the Special Educational Needs Tribunal

5. Policy Review and Consultation

This policy will be reviewed and approved by the Academy Trust Board annually.

Consultation:

When changes are proposed to the school's admission arrangements, the academy trust must consult on their admission arrangements (including any supplementary information form) that will apply for admission applications the following school year. Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities must consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period.

Determination:

All admission authorities must determine (i.e. formally agree) admission arrangements every year, even if they have not changed from previous years and a consultation has not been required. Admission authorities must determine admission arrangements by 28 February in the determination year.

6. Definitions & Miscellaneous

6.1 'looked after child'

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) at the time of making an application to a school. Previously looked after children are children who were looked after, but ceased to be so because they were adopted (or became subject to a residence order 19 or a special guardianship order). They may also include children who appear (to the admissions authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted.

These children are considered under high priority in Leicestershire. They may also be children who appear (to the admissions authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted.

In such circumstance confirmation must be sought from the last Local Authority that placed the child in care. To be considered as 'in care or previously in care', Kirby Muxloe Primary School does not stipulate a minimum length of time the child is or has been in care.

6.2 'child's place of residence'

This is taken to be the parental home. Living in the catchment area does not guarantee you a place at your catchment school.

6.3 'brother or sister'

Includes half brother/sister/ legally adopted child being regarded as the brother or sister or other children living permanently at the same residence.

6.4 'exceptional social or domestic needs'

If criterion 3 or 6 is used, professional supporting documentation from the Lead Professional must be supplied and must be submitted with the application. The following list are the areas that are considered exceptional:

- a. Crown Servants
- b. Children in the care of a LA
- c. Children subject to Child Protection Plans

- d. Hard to Place children - who fall under the Fair Access Protocol
- e. Parents suffering domestic violence
- f. A child for whom transfer to the catchment area school would involve attending a different school until he/she is the right age for transfer (this is dependent on the child having attended the present school for at least a year).

6.5 'home to school front gate'

For criterion 4 or 7 above, measurement of distance is in a straight line from the centre point of the property to the school's main designated front gate, using a computerised mapping system (Routefinder).

6.6 'home address'

The child's home address is defined as the address at which the child normally resides with their parent/carer on the closing date for applications (15 January).

When we refer to a child's home address, we mean the permanent residence of the child. This address should be the child's only or main residence which is;

- owned by the child's parent(s)/carer(s) or
- leased to or rented by the child's parent(s)/carer(s) under a lease or written rental agreement of not less than six months' duration.

When parents live separately and the child spends time with each parent, the home address will be treated as the place where the child sleeps for most of the school week (i.e. Sunday night - Thursday night inclusive).

If the child spends equal amounts of time at two addresses, the parent(s)/carer(s) must agree which address they wish to be the child's main address.

Documentary evidence of ownership or rental agreement may be required together with proof of actual permanent residence at the property concerned.

The following are generally not accepted when allocating places in over-subscribed schools:

- purchase of a second property by a family, while the first property is retained;
- rented accommodation, while a previous property is retained;
- pending but non-completed purchases or sales of properties;
- informal accommodation arrangements including those with friends or relatives.

Local Authority Officers may be authorised to visit addresses to clarify whether families are living at the addresses claimed. Such visits will be undertaken in a reasonable fashion, by officers carrying appropriate identification. The School also reserves the right to conduct its own non-intrusive enquiries to verify address information.

6.7 Co-ordinated Schemes

In accordance with the School Admissions Codes, Kirby Muxloe Primary School will participate in two statutory co-ordinated processes as well as the non-statutory process:

- starting school for the first time (statutory);
- transferring to secondary school (statutory).
- mid-term (in-year) transfers (non-statutory).

6.8 Children from Overseas (including those of UK Services Personnel and Other Crown Servants)

In respect of children from overseas the School follows Government Guidelines. Parents of children from overseas are advised to consult the applicable section of the GOV.UK [website](https://www.gov.uk).