

The School Admissions Code 2014

A new School Admissions Code came into force on 19 December 2014. There are some requirements that come into effect immediately and therefore admission authorities must vary their arrangements to give effect to the mandatory requirements of the Code.

The mandatory requirements are to:

- give priority to all previously looked after children (School Admissions Code 1.7)
- make clear the process for admission out of the normal age group (2.17).

Changes to Nottinghamshire County Council's admission arrangements for community and voluntary controlled schools will apply immediately for the following:

- admission applications received for 2014-2015 school year (<http://www.nottinghamshire.gov.uk/learning/schools/admissions/determinedadmission-arrangementsfor2014-2015/>)
- arrangements determined on 17 March 2014 for admission in September 2015 (<http://www.nottinghamshire.gov.uk/learning/schools/admissions/determinedadmissionarrangementsfor2015-2016/>)

Consultation for 2016-2017 is open until 31 January 2015. Admission arrangements will be amended to effect this change when determining the County Council's admission arrangements (<http://www.nottinghamshire.gov.uk/learning/schools/admissions/admissionsconsultation16-17/>)

Own admission authority schools within Nottinghamshire are responsible for varying their own admission arrangements.

Previously looked after children

The amendment extends priority for admission to all previously looked after children. All schools **must** have oversubscription criteria for each relevant age group and the highest priority **must** be given, unless otherwise provided in the Code, to looked after children and all previously looked after children.

The definitions of looked after and previously looked after children have therefore been amended as follows:

A looked after child 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 in accordance with 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 child arrangements order or special guardianship order). This includes children who were adopted under the Adoption Act 1976 and children who were adopted under section 46 of the Adoption and Children Act 2002.

Child arrangements orders are defined in section 8 of the Children Act 1989, as amended by section 12 of the Children and Families Act 2014. Child arrangements orders replace residence orders and any residence order in force prior to 22 April 2014 is deemed to be a child arrangements order. 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).

Admission of children outside the normal age group

Parents may seek a place for their child outside of the normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health. In addition, the parents of a summer born child may choose not to send that child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to reception rather than year 1. Children should only be educated out of the normal age group in very limited circumstances.

Nottinghamshire residents should submit a request in writing to Nottinghamshire County Council's school admissions team as early as possible. Designated officers will make decisions based on the circumstances of each case and in the best interests of the child concerned. This will include taking account of the parent'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 they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if it were not for being born prematurely. The views of the head teacher of the school concerned will also be taken into account. When informing a parent of the decision on the year group to which the child should be admitted, the parent will be notified of the reasons for the decision.

Where it is agreed that a child will be admitted out of the normal age group and, as a consequence of that decision, the child will be admitted to a relevant age group (i.e. the age group to which pupils are normally admitted to the school) the local authority and admission authority **must** process the application as part of the main admissions round on the basis of their determined admission arrangements only, including the application of oversubscription criteria where applicable. The parent has a statutory right to appeal against the refusal of a place at a school for which they have applied. This right does not apply if they are offered a place at the school but it is not in their preferred age group.

Transfer to junior and secondary school

Where a child has been educated out of the normal age group it is the parent's responsibility to again request admission out of the normal age group when they transfer to junior secondary school. It will be for the admission authority of the preferred school to decide whether to admit the child out of the normal age group. The admission authority must make a decision on the basis of the circumstances of each case and in the child's best interests, and will need to bear in mind the age group the child has been educated in up to that point.

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