

# Middlesbrough Agreed Co-ordinated In-Year Admissions Scheme

## Primary and Secondary Schools 2022/23

### Introduction

1. This scheme is made by Middlesbrough Local Authority under the (Co-ordination of In-Year Admission Arrangements) (England) Regulations 2008 and applies to all primary and secondary schools in the Middlesbrough area.
2. The in-year co-ordinated scheme is for the academic year 2022/23 and shall apply to every primary and secondary school in the Middlesbrough Local Authority area.
3. The scheme is determined in accordance with the provisions set out in part I and admissions will be processed in accordance with parts II and III.

### Interpretation

4. In this scheme –

“the LA” means Middlesbrough Council acting in their capacity as local authority;

“the LA area” means the area in respect of which the LA are the local authority;

“secondary education” has the same meaning as in section 2(2) of the Education Act 1996;

“secondary school” has the same meaning as in section 5(2) of the Education Act 1996;

“primary education” has the same meaning as in section 2(2) of the Education Act 1996;

“primary school” has the same meaning as in section 5(2) of the Education Act 1996;

“school” means a community, foundation, voluntary school or academy (but not a special school);

“admission authority” in relation to a community school means the LA and, in relation to a Foundation, Academy or Voluntary Aided (VA) school means the governing body of that school;

“the specified year” means the school year beginning at or about the beginning of September 2022;

“admission arrangements” means the arrangements for a particular school or schools which govern the procedures and decision making for the purposes of admitting pupils to the school;

“in-year admission” means any application for a place in a school in any year of education that is received after 1 September 2022

“nearest appropriate school” is defined as a school closest to the home address that has places available”.

## **PART I - THE SCHEME**

1. There will be a standard application form known as the In-Year Application for a School Place form (IYASP) supplied by the Local Authority for parents resident in Middlesbrough, who wish to express a preference(s) for a school in the Authority area or to a school(s) in another LA area.
2. The IYASP will be used for the purpose of admitting pupils into any year group of secondary education in the specified year other than at the normal year of entry into Y7.
3. The IYASP will be used for the purpose of admitting pupils into any year group of primary education in the specified year other than at the normal year of entry into reception class.
4. The normal year of entry for admission into reception class and Y7 will cease at the end of the August of that application year. Following this, all applications for entry into this year will be deemed as an in-year transfer and dealt with accordingly. i.e from 1<sup>st</sup> September onwards
5. The IYASP must be used as a means of expressing one or more preferences for the purposes of section 86 of the School Standards and Framework Act 1998, by parents wishing to express a preference for their child:
  - a. to be admitted to a school within the LA area (including Voluntary Aided, Foundation and Academies)
  - b. to be admitted to a school located in another LA’s area (including VA, Foundation and Academies).
6. The IYASP will invite the parent to express up to three preferences and give their reasons for each preference. The parent will receive no more than one offer of a school place and :
  - a. all preferences expressed will be considered on an equal weighting basis. Where a pupil is eligible for more than one place they will be offered the highest preference school for which they are eligible by the LA as the admissions authority, or on behalf of another admission authority i.e. another LA, VA, Foundation school or academy (i.e. if a pupil is eligible for a place at both their 1<sup>st</sup> and 3<sup>rd</sup> preference school they will be offered a place at their 1<sup>st</sup> preference school);
  - b. if a place cannot be offered at a preferred school, then the parent/carer will be advised of the nearest alternative school that has places available.
7. All preferences expressed on the IYASP are valid applications.
8. Parents moving into the area seeking a place in a school in Middlesbrough will be directed to the LA who in turn will send out an IYASP for completion with a required response within 5

school days to the LA. Parents can then be contacted again if no IYASP is returned and the Children Missing from Education Officer (CME) will be informed.

9. Parents wishing to transfer their child(ren) between schools within Middlesbrough will be directed to the LA, who in turn will send out an IYASP for completion with a required response within 5 school days back to the LA.
10. Where a school receives an IYASP in error, it should forward the form to the LA for processing.

### **Processing of In-Year Preference Forms**

11. IYASPs will be issued by the Local Authority to all parents requesting a school place.
12. Completed IYASPs are to be returned to the LA.
13. On receipt of the IYASP the LA will ascertain the availability of places if a stated preference is for a school maintained by another admission authority, either in Middlesbrough or in another LA area.

### **Determining offers in response to the IYASP**

14. The relevant admissions criterion will be applied if there are more applicants than available places.
15. The LA will act as a clearing house for the allocation of places by the relevant admission authorities in response to the IYASPs. The LA will only make any decision with respect to the offer or refusal of a place in response to any preference expressed on the IYASP where it is acting in its separate capacity as an admission authority or an applicant is not eligible for a place at any school that the parent has expressed a preference for.
16. Where a pupil is eligible for a place at more than one school, then a place will be provisionally offered at the highest preference school for which they are eligible.
17. Where the pupil is not allocated a place at any of the preferred schools, the pupil will be advised of the nearest appropriate school / schools with a vacancy, or consideration will be given to whether the application fits one of the criteria in the Fair Access Protocol and if so the pupil may be admitted under the protocol.
18. The offer/refusal letter will be issued by the home LA on behalf of another admission authority. The letter will give the following information:
  - a. the name of the school at which a place is provisionally being offered or where places are available whether it be an offer by the LA or on behalf of another admission authority; OR
  - b. the reasons why the pupil is not being offered a place at each of the other schools nominated on the IYASP;
  - c. information about their statutory right of appeal against the decision to refuse places at the other nominated schools;
  - d. details of the school and LA (and those nominated Academies, Foundation and VA schools) where they were not offered a place, so that they can lodge an appeal.

19. Parents will have seven working days to respond to the offer letter to accept the school place offered. The LA may then look to withdraw the offer.
20. The procedure of waiting lists for community schools is discouraged as it is the Local Authority only that must offer the school place.
21. Where a VA/Academy/Foundation school holds a waiting list the Local Authority will liaise with the school regarding ranking on the list.
22. Waiting lists where held must be ranked in order of a school's oversubscription criteria

## **PART II – IN-YEAR TRANSFERS**

1. If a pupil moves into the area or has moved house and this necessitates a school transfer, their parent/carer should immediately contact the School Admissions Team to enquire about available school places. An IYASP will be made available to the parent and should be returned within five school days. Wherever possible a copy of the pupil's latest school report should be enclosed with the form. Parents can then be contacted again if no IYASP is returned and CME Officer will be informed.
2. If a pupil already attends a school in Middlesbrough and wishes to transfer to another, they should in the first instance discuss the transfer with the current school that the pupil attends as it is not always in the child's best interest to change schools. If they still wish the transfer to proceed, they should then contact the School Admissions Team to request an IYASP. The parent/carer must then forward the IYASP to the School Admissions Team within five school days.
3. In both of the above circumstances for requesting a school transfer, the parent must get the Head Teacher (or approved signatory) of the child's current school to complete the relevant part of the transfer application to consent to the transfer and declare that there are no known grounds for refusal.
4. Parents must sign the transfer application. In the cases of parents who are separated, the parent requesting the school transfer must consult all persons with parental responsibility and sign the declaration confirming that they have consulted and that all persons are in agreement to the transfer request. If parents with parental responsibility cannot agree on the transfer request, then this is a matter for the parents to decide, the child will have to remain at the current school until parents resolve the issue. If they cannot resolve it themselves they will need to obtain separate legal advice.
5. The school must confirm to the Local Authority if it is to offer a place. If the transfer is appropriate, a start date will be agreed.
6. Should the school that the pupil wishes to transfer to have reached or exceeded its admission limit, then the parent/carers have the right to appeal against the decision to refuse a place at the school. The LA will inform the parent/carers of their right to appeal.
7. Should the preferred school refuse to accept the pupil and the Authority considers that there is no valid reason for refusal, the parent will be offered the right to appeal against the refusal of a place even if the school is not full.

Please note that it is the parent / legal guardian's responsibility to ensure that the pupil attends their current school until a new place has been agreed.