

Appendix 6 – Revised wording on the Council’s admission arrangements

1. Pupils with a Statement of Special Education Needs or Education, Health and Care Plan (EHC Plan). The explanation has been broadened from the current wording to make it clear that children with a Statement of Special Education Needs or EHC Plan are allocated places at academies and schools in Central Bedfordshire ahead of those without a statement and before the allocation of places in accordance with the admissions criteria applies. The current wording is: ‘Pupils who have a Statement of Special Educational Needs are required to be admitted to the school which is named on the statement, even if the school is full.’
2. The proposed revised wording is, ‘In accordance with the Education Act 1996, children with a Statement of SEN or Education, Health and Care Plan are required to be admitted to the academy/school named in the Statement or Plan and will be allocated a place ahead of those without a Statement of Special Education Needs or Education, Health and Care Plan in the allocation process. Thereafter the admissions criteria for each academy/school will apply to those children without a Statement of Special Education Needs or Education, Health and Care Plan. After allocations have been made, if an application is made late or is received as part of the in-year process, pupils who have a Statement of Special Educational Needs or Education, Health and Care Plan are required to be admitted to the school which is named on the statement or Plan, even if the school is full.
3. 2) Fair Access Protocol
The explanation has also been broadened to explain the protocol and how it is operated. The current wording is: ‘Pupils identified for admission through the Fair Access Protocol will also be admitted even if the school is full. The proposed wording is, ‘All Local Authorities must have a Fair Access Protocol which operates outside of the arrangements of co-ordinated admissions (i.e. those children being admitted to the point of entry at an academy/school) to ensure unplaced children, especially the most vulnerable, are offered a suitable school place. Pupils identified for admission through the Fair Access Protocol will be admitted even if the school is full.
4. 3) Definition of sibling
The Office of the Schools Adjudicator recently upheld an objection raised against Hertfordshire County Council’s admission arrangements for 2015 regarding the lack certainty in their sibling definition concerning foster siblings. The adjudicator ruled that the lack of certainty was a breach of the Admissions Code and that the Council must include foster relationships within the sibling definition as to do otherwise would be unreasonable as it would “disadvantage unfairly in terms of priority for places at a school, a birth child living in the same family home as an older foster brother or sister already on roll at the same school.” They concluded that not to include the foster siblings within the definition would be a breach of the Code on two counts; as the admission arrangements would not be fair (paragraph 14) or reasonable (paragraph 1.8).

5. The current definition of siblings in the admissions criteria does not make reference to fostered brothers or sisters. Although the current wording does include children of a parent/carer's partner this does not currently include fostered siblings. The definition has therefore been revised to include children who are fostered, where foster care has been arranged by a Local Authority. The proposed wording is: 'A sibling refers to a brother or sister, half brother or sister, step brother or sister, adopted brother or sister or fostered brother or sister where foster care has been arranged by a Local Authority or the child of the parent / carer's partner, and in every case, the child should be living at the same address. The sibling must be in the school at the time of application and be likely to remain in the school at the proposed date of admission.'