

# **EARLY YEARS ADMISSIONS POLICY**

**SCHOOLS WITH NURSERY CLASSES  
& SCHOOLS WITH  
FOUNDATION UNITS**

### INTRODUCTION

This policy applies to maintained schools including Voluntary Aided and Voluntary Controlled schools and sets out the arrangements to be followed for admissions to schools with a nursery class and those with foundation units. It does not include the admission of pupils of a Reception class. Academies and Free schools should ensure that early years provision meets the requirements of the Early Years Foundation Stage and all relevant regulatory frameworks.

This policy covers the following:

- Entitlement to an early education place
- Admission dates
- Process for allocating early education places.
- The purpose of a school's designated capacity
- Funding for admissions; charging for additional services
- Compliance with the Statutory Framework for The Early Years Foundation Stage 2017 available at <https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>

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## **BACKGROUND INFORMATION**

Admission to full-time schooling is managed by the Admissions Policy for statutory aged pupils. That policy will either be set by the Local Authority for community/voluntary controlled schools, or the Governing Body for voluntary aided/foundation schools.

For nursery places, each school and their Governing Body are responsible for admissions (non-statutory schooling). However, each Local Authority maintained school is required to adhere to this Admissions Policy. This is to ensure maintained schools carry out their duty to admit pupils on a consistent and fair basis with other maintained schools, and to support the Local Authority to carry out its duty regarding the sufficiency and sustainability of all providers across all sectors.

Schools should ensure their admissions information is clear and accessible for parents to enable them to make an informed decision on where to take up their child's entitlement. Schools should ensure they are completely clear and transparent about which sessions can be taken as the early education entitlements and this should be consistent for all parents.

The above applies to provision for eligible 2, 3 and 4 year olds who are either;

- Young children that are registered as pupils, attending early years provision that is included in the school's age-range; or
- Young children that are not usually registered pupils of the school, attending early years provision that is delivered using governors' community powers, under section 27 of the Education Act 2002.

A Young Child becomes a registered pupil of the school when their name is placed on the school census (and not the early years census). If a school is operating early years provision under community powers, even if the child is within the school's published age-range, they do not become a pupil simply because they are receiving early education at the school. For example, it is not possible for a child to be a pupil in the morning and a non-pupil in the afternoon.

A school's early years provision should not be registered with Ofsted on the Early Years Register if it meets the criteria, set out in the Childcare Act 2006, for exemption from separate registration.

<http://www.ofsted.gov.uk/resources/factsheet-childcare-registering-school-based-provision>

Early Years provision, that is exempt from separate registration, will be inspected by Ofsted when they carry out a whole school inspection. The early years (whether for pupils or non-pupils) will be covered in the separate Early Years judgement.

Where provision is set up under Section 27 of the Education Act 2002 (community powers) then the governing body can use the ratios and qualification requirements set out for early years providers. This flexibility (to operate with a Level 3 leading provision) will only apply where the children are not registered pupils – so it will only apply to community provision. As the governor-run early years provision is part of the school, and will be inspected as part of the school, the head and governing body will ensure that the provision is adequately supervised and run, even if a school teacher is not working directly with the children.

Schools should ensure that their 'Educare' database record indicates that there is nursery provision at their school and if they need to lower their lower age-limit, to register children as pupils of the school, they should follow the School Organisation Guidance.

Statutory guidance relating to making organisation changes to maintained schools is available at <https://www.gov.uk/government/publications/school-organisation-maintained-schools>

## **ENTITLEMENT TO AN EARLY EDUCATION PLACE**

All children are entitled to an early education place the term following their 3<sup>rd</sup> birthday and the Local Authority's policy is that they transfer to full-time schooling during the academic year of their 5<sup>th</sup> birthday (see admission dates) although full time schooling is not compulsory until the term after a child is 5.

From September 2017, eligible 3 and 4 year olds are also able to access the extended entitlement to an additional 15 hours a week for working parents.

Eligible 2 year olds are entitled to an early education place the term following their 2nd birthday. <https://www.gov.uk/help-with-childcare-costs/free-childcare-and-education-for-2-to-4-year-olds>

Parents and carers may choose to access an early education place through a variety of Early Years providers of which schools with nursery classes are one option. The focus of this decision should be meeting the needs of the individual child. A full list of providers can be obtained from the Early Years & Childcare Sufficiency Team who can also advise on the 'Early education and childcare statutory guidance, 2018'.

Where parents split their child's entitlement between providers, the Local Authority and providers will need to distinguish between the 15 hours universal entitlement and the additional 15 hours extended entitlement in order to accurately record take-up. Schools should use the Parental Declaration or admissions form to enable parents to indicate which of their child's entitlements, the universal entitlement and/or the extended entitlement, they are taking-up in the school and, where appropriate, pass this information onto the Local Authority. If a parent ceases to meet the eligibility criteria for the extended entitlement, the parent may, at that point, choose at which provider they continue to take-up their child's universal entitlement.

The Local Authority guarantees an early education place for all eligible 2, 3 and 4 year olds within Calderdale. <https://www.calderdale.gov.uk/v2/residents/education-and-learning/childcare/childcare-funding>

Schools should have regard to the 'Early education and childcare statutory guidance, 2018' <https://www.gov.uk/government/publications/early-education-and-childcare--2> and the 'Early Years entitlement: Operational Guidance; <https://www.gov.uk/government/publications/30-hours-free-childcare-la-and-early-years-provider-guide>

## **ADMISSION DATES**

The earliest a child can be admitted to access early years education and receive early education funding is the start of the funding period after their 2<sup>nd</sup> (if eligible) or 3<sup>rd</sup> birthday. (See below)

All children are required by law to start school at the beginning of the term after their 5<sup>th</sup> birthday.

The admission dates are:

<b>Period in which 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> birthday falls</b>	<b>Dates of birth</b>	<b>Point of admission</b>
<b>Spring</b>	<b>1<sup>st</sup> January – 31<sup>st</sup> March</b>	<b>Summer</b>
<b>Summer</b>	<b>1<sup>st</sup> April – 31<sup>st</sup> August</b>	<b>Autumn</b>
<b>Autumn</b>	<b>1<sup>st</sup> September – 31<sup>st</sup> December</b>	<b>Spring</b>

Children born in April must be admitted in the following September and not after Easter regardless of when Easter falls.

Schools who admit rising threes should check the pupil's eligibility to the entitlement to early education for 2 year olds. Rising threes are defined as children who are registered pupils at a school and have not reached the age of three, but will do so before the end of their first term at school. The Ofsted exemption for rising threes, set out in the Childcare (Exemptions from Registration) Order 2008, is for registration purposes only. A rising three who has not reached their third birthday must for ratio purposes be regarded as a two year old and therefore a 1:4 ratio must be maintained.

The School Admissions Code requires admission authorities to provide for the admission of all children in the September following their fourth birthday. They must make it clear in their admission arrangements that, where they have offered a child a place at a school:

- the child is entitled to a full-time place in the September following their fourth birthday
- the child's parents can defer the date their child is admitted to school until later in the school year, but not beyond the point at which they reach compulsory school age and not beyond the beginning of the final term of the school year for which the offer was made; and
- where the parents wish, the child may attend part-time until later in the school year, but not beyond the point at which they reach compulsory school age.

## **EARLY EDUCATION ADMISSIONS AND OVERSUBSCRIPTION CRITERIA**

Schools that are eligible to offer early education places are responsible for administering this entitlement. Parents must contact the school directly when applying for a nursery place. Each school should then allocate places in accordance with this policy. All parents should have the same rights to access a nursery place, regardless of whether they choose to pay for additional hours beyond their entitlement, optional activities or meals. Parents should also not have to reserve a place each term.

Schools must identify a date each term when admissions for the following term will be allocated. Parents should be notified in writing when a nursery place will be available. Parents should be requested to confirm that they accept the offer of a place. Following notification that a place is available, a child should be expected to take up the place within 2 weeks of the start of term. If a staggered intake is offered all children must be in school by the end of 2<sup>nd</sup> week of term. If the child has not taken up the place after 2 weeks and a satisfactory explanation has not been provided to the Headteacher then the offer of a place can be removed.

Each school should have a written agreement with all parents that take up an early education place, similar to the Local Authority's model Parental Declaration, which all parents must complete and sign. The Local Authority may request copies of these for audit purposes. Schools may choose to have a further separate agreement for those parents who also choose to pay for additional hours beyond their entitlement or optional activities.

Schools must record evidence to verify a child's date of birth and identity. Examples are: a birth certificate or passport. Parents should also be asked to provide valid proof that the address given for the child is the address at which they are ordinarily resident. Parents should be asked to sign the application form stating all the information provided is correct and that they are aware all information given is audited regularly

The home address for each child is the permanent address of the parents/carers and their child. That is taken to be the address of the parent/carer who receives child benefit for the child, and is assumed to be the address where the child spends the majority of the time, even if he or she lives at a different address for some days of the week.

Schools are also requested to record details of a parents/carer's surname, date of birth of birth and National Insurance or NASS (National Asylum Support Service) number, in order for the Local Authority to be able to check for a child's eligibility for Early Years Pupil Premium (EYPP). More information is available at

<https://www.calderdale.gov.uk/v2/residents/education-and-learning/childcare/childcare-funding/education-three-and-four-year-olds>

National Insurance or NASS numbers should be input on the Early Years Portal and should be securely maintained or destroyed in line General Data Protection Regulations. A model form and letter are available online at

<https://www.gov.uk/government/publications/early-years-pupil-premium-model-document-and-letter-for-parents>

If a child is refused a nursery place then the parent/carer may appeal to a committee of Governors. Governors should adhere to the Statutory Framework for the Early Years Foundation Stage 2017 (and subsequent revisions) and they cannot admit children over their designated capacity. Therefore, the only grounds for upholding an appeal should be where a parent demonstrates that an error has been made by the school when processing an application that may have resulted in a place being offered to another child.

Where a school receives more applications than places available then children should be admitted in the following order:

- 1 Children under statutory assessment of their Education, Health and Care Needs or with an Education, Health and Care Plan (which names the school);
- 2 Children in Public Care (Children who are Looked After), including those who have been adopted or who are subject to a residence order, a special guardianship order; or a child arrangements order.
- 3 Children who have a sibling attending the school at the time of admission (Siblings are defined as children with brothers or sisters (including half/step-brothers or sisters) permanently resident in the same household, in attendance at the same school or a school on the same site, on the date of admission);
- 4 Other children.

If there is over subscription in any category, then children should be admitted in the order of proximity of the pupil's permanent home to school. Distance should be calculated using a straight line measurement from the pupil's home to the closest **designated** school gate. Distances should be calculated using the Local Authority's GIS (Geographical Information System). No other method of measuring distance will be considered. Each property has a co-ordinate taken from Ordnance Survey ADDRESS-POINT data. This is the point from which distance measurements will be made.

Schools must advise parents that it is their responsibility to inform them immediately of any change of circumstances that may affect their application (for example, a change of address.)

Schools must make clear to parents their closing date for applications for nursery places and how late applications will be dealt with.

A parent must not be expected to purchase additional services, for example wrap around care, in order to gain a place at the school nursery.

Where required, the Local Authority will provide support to a school in applying the admissions criteria.

## **NURSERY PROVISION**

A school's nursery capacity must be agreed by the Local Authority and meet the welfare requirements of the Statutory Framework for the Early Years Foundation Stage 2017 (and subsequent revisions). The capacity is based on available space, facilities, staff ratios and staff qualifications.

Schools may consider Reception Class capacity and priority for those children seeking to access their universal entitlement to early education when allocating places. Whilst under no obligation to offer the extended entitlement, schools are strongly encouraged to consider the needs of their local community and current available provision when deciding on the nursery provision.

Schools must ensure that their admissions information is clear and accessible for parents to enable them to make an informed decision on where to access their entitlement. Schools should ensure that they are completely clear and transparent about which hours / sessions can be taken as early education and this should be consistent for all parents taking up free hours.

Where it is reasonably practicable, children should be able to take up their entitlements in continuous blocks and avoid artificial breaks throughout the day, for example over lunch periods.

Examples of flexible delivery of the early education entitlement are included in the 'Early Years entitlement: Operational Guidance'

<https://www.gov.uk/government/publications/30-hours-free-childcare-la-and-early-years-provider-guide>

## **FUNDING FOR EARLY EDUCATION PLACES**

Funding for children to access their entitlements to early education (prior to reaching statutory school age) is based on the factors and criteria set out in the Calderdale Early Years Single Funding Formula. This is reviewed on an annual basis prior to the April of each year.

## **CHARGING FOR ADDITIONAL SERVICES**

Government funding is intended to deliver 15 or 30 hours a week of high quality, flexible early education. It is not intended to cover the costs of meals, other consumables, additional hours or optional activities. Schools can charge for meals and snacks, consumables and optional activities as part of a child's entitlement, as long as parents are not required to pay as a condition of taking up their child's place. Schools may utilise unallocated nursery places to offer additional provision beyond the early education entitlement. Where parents choose to purchase additional hours of provision or optional activities, this is a private matter between the school and the parent, but schools must have a charging policy and inform parents of any charges before they are incurred. Schools must inform parents of the arrangements for purchasing additional sessions and also ensure they have clear invoicing structure in place for parents.

Where a child is a registered pupil of the school, the School shall at all times comply with the requirements of the Education Act 1996 regarding the provision of Free School Meals.

More information on charging is available in the 'Early Years entitlement: Operational Guidance'

<https://www.gov.uk/government/publications/30-hours-free-childcare-la-and-early-years-provider-guide>

## **INFORMATION FOR PARENTS**

It should be made clear to parents that admission to a nursery class does not guarantee an automatic place in Reception in the same school. A child's attendance at a Local Authority nursery is not taken into consideration in the allocation of places in the reception year. Parents of children in nursery classes must complete an online application via the Calderdale Citizens' Portal in order to request a full-time place in school. More information on the admissions process is available at <https://calderdale.gov.uk/v2/residents/education-and-learning/schools/admissions>.

Schools must ask parents to sign a statement to say they understand that admission to a nursery class does not guarantee an automatic place in school. These forms must be made available for audit by the Local Authority.

Parents must be also made aware that an offer of a donation of money or in kind to procure a school place is illegal and to ask a school to consider this is to ask them to become involved in fraudulent activity.

Schools must provide parents/carers with clear written information about any fees or charges for optional additional services and obtain signed permission – where appropriate from parents (for example for outings.)

## **SCHOOL CENSUS AND EARLY YEARS CENSUS**

Regulations made under section 99 of the Childcare Act 2006 (The Childcare (Provision of Information About Young Children) (England) Regulations) require all providers delivering early education to children aged under five to provide data on children in their care to the Secretary of State and/or their local authority, when requested to do so.

Maintained schools, academies and free schools with on-site early years provision submit their data via either the school census or the early years census, as appropriate for the individual children attending the setting:

- registered pupils of the school (2, 3 and 4-year-olds depending on the statutory age range of the school) are recorded via the school census (and not the early years census)
- children (aged 2, 3 and 4) attending a separate Ofsted registered PVI provider on a school site, are recorded via the early years census (and not the school census) and this should be completed by the provider not the school.
- children attending s27 (governor run) provision should be either:
  - recorded via the school census where they are registered pupils of the school (can include 2-year-olds if the school's statutory age range covers 2-year-olds); or
  - recorded via the early years census where they are not registered pupils of the school.

## **STATUTORY FRAMEWORK FOR THE EARLY YEARS FOUNDATION STAGE**

Under the requirements of the Childcare Act (2006) each school and their Governing Body must adhere to the Statutory Framework for the Early Years Foundation Stage 2017 (and subsequent revisions).

The Statutory Framework sets the standards for welfare, safeguarding, learning, development and care for children from birth to five.

<https://www.gov.uk/government/publications/early-years-foundation-stage-framework--2>

## **CHILDREN WITH SPECIAL EDUCATIONAL NEEDS/DISABILITY (SEND)**

The Children and Families Bill 2014 introduced the SEND Reforms. Schools are required to have regard to the current SEND Code of Practice when allocating places in their nursery.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/398815/SEND\\_Code\\_of\\_Practice\\_January\\_2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf) and the Equality Act 2010  
<http://www.legislation.gov.uk/ukpga/2010/15/contents>