

September 2009

Co-ordination of In Year Transfers

A. Background

The current School Admissions Code sets out in section 3.4 the following:

“From the 2010-2011 academic year, local authorities must formulate schemes for co-ordinating applications made during the academic year and applications for admissions to age groups other than the normal year of entry (“in year applications”)

The Code then goes on in section 3.5 to state: “They (LA’s) must formulate schemes for the 2010-2011 academic year by 1st January 2010. Such schemes must comply with the requirements set out in paragraphs 3.6 to 3.18 below.”

These sections are provided in full in section C and set out the general duties and the expectations of an In Year Transfer process. Please note that amongst these expectations a common application form must be submitted and there are further details on the consideration and processing of this in section 3.15.

B. Rationale of the new requirements

The intent behind the new responsibility is to significantly improve the experience of parents and children transferring from one school to another, with two main aims:

- To improve fairness – stopping unlawful/covert selection by some schools
- To improve the application/offer process for parents and children

C. Co-ordination of admissions from 2011-2012 onwards

3.6 For admissions to schools in the academic year 2011-2012 onwards, local authorities must formulate schemes for co-ordinating all applications to maintained schools and Academies from parents in their area, whenever received, and for whichever age group, under one scheme.

3.7 The following paragraphs reflect the law as it applies to in-year applications for 2010 onwards, and to all applications for admission in 2011 onwards. While it is for each local authority to decide the scheme that best suits its residents and its schools, they must ensure that they:

- a) comply with law and regulations, including all the procedural requirements (for example, the scheme must require a common application form to be completed, allowing at least 3 preferences, the scheme must provide for information sharing with other local authorities, and it must ensure, so far as is reasonably practicable, that the local authority sends out not more than one offer to all parents seeking places at its schools); and
- b) do not disadvantage families resident in other local authorities who apply for schools in their area (which would be contrary to the rule established by the Greenwich Judgment⁵²).

- 3.8 Co-ordination schemes do not affect the rights and duties of the governing bodies of voluntary aided and foundation schools to set and apply their own admission arrangements and oversubscription criteria nor for Academies to agree their own arrangements with Secretary of State. Admission authorities do not have to determine the same or similar oversubscription criteria, but must ensure that their own admission arrangements are compatible with, and do not undermine, the co-ordination scheme for their area. A summary of how the co-ordination scheme works must be included in the local authority's composite prospectus.
- 3.9 Academies are required by their funding agreements to participate in co-ordination schemes and local authorities must consult them, as well as other admission authorities, when required, in order to agree the scheme. Local authorities must also invite City Technology Colleges to participate in the scheme.

Formulation and adoption of co-ordination schemes

- 3.11 All local authorities must have a scheme in place each year for co-ordinating admission arrangements for all maintained schools and Academies within their area. Local authorities must formulate schemes by 1 January in the determination year. If the local authority decides to continue to use the scheme from the previous year, this will fulfil the legal requirement to formulate a scheme. Local authorities must consult the Admission Forum every year, and admission authorities for schools affected by the scheme (including Academies) and other local authorities every three years as a minimum. If the Admission Forum advises that the scheme has changed substantially since the previous year, the local authority must consult school governing bodies and other local authorities on it, even if that is less than three years since the last consultation.
- 3.12 From the academic year 2010-11 onwards local authorities must coordinate all "in-year applications". In relation to academic year 2010-11 only, the arrangements for co-ordinating these applications must be formulated by 1 January 2010. They must then consult the bodies mentioned in paragraph 3.11.

Schemes imposed by the Secretary of State

- 3.13 If a local authority does not notify the Secretary of State by 15 April in the determination year that a scheme has been adopted for the following academic year, the Secretary of State may impose a scheme; or where an imposed scheme was in place for the previous year, he may notify the local authority that the scheme will continue for a further year.
- 3.14 Where the Secretary of State has imposed a scheme and not revoked it a local authority and its schools may decide to adopt the scheme in a subsequent year. In this case, the duty to formulate is met. If the local authority subsequently adopts a scheme agreed with other admission authorities, in accordance with the Co-ordination Regulations, they must notify the Secretary of State so that the imposed scheme can be revoked. Where a scheme from a previous year is being adopted, or has been imposed in relation to the previous year (and all admissions authorities have agreed to adopt it for a further year), confirmation must be sent to the Secretary of State by 15th April each year. It will not be necessary to send a copy of the scheme.

Main obligations imposed by the Co-ordination Regulations

3.15 The Co-ordination Regulations prescribe national closing dates for primary and secondary applications and, in the case of primary applications, prescribe the date by which the exchange of information described in sub-paragraphs b) and c) below must be completed. Local authorities must include these dates in their co-ordination schemes. Aside from this, the main requirements of the Co-ordination Regulations with regard to schemes are:

- a) A common application form must be completed, which allows parents to express at least 3 preferences in rank order of preference, which may be for schools within or outside their home local authority area, and to give reasons for their preferences. The common application form must allow parents to provide their name, their address (including documentary evidence in support), and the name, address and date of birth of the child.
- b) Local authorities and admission authorities in the area must exchange information on applications made and potential offers by the dates specified in the scheme.
- c) The home authority must pass information on applications to other local (“maintaining”) authorities about applications to schools in their area. The maintaining authority must determine the application in the normal way, and inform the home local authority if a place is available, by the dates specified in the scheme. The maintaining authority must not tell parents of the offer.
- d) Where a place is available for a child at more than one school, the home local authority must ensure, so far as is reasonably practicable, that the parent is offered a place at whichever of these schools is their highest preference.
- e) For applications made in the course of a normal admission round, offers of secondary places must be sent by the home authority on 1 March, and offers of primary places on a date specified by the local authority (or the next working day if either date is not a working day) in the year during which a child will be admitted to school.
- f) Offers of primary and secondary places must be sent by the home local authority. Schools must not contact parents about the outcome of their applications until after these offers have been received. Only the home local authority can make an official offer.
- g) Parents who cannot be offered one of their preferred schools must, if there are places available, be offered a place at another school.

3.16 Where admission authorities normally admit children to primary school at two or three points in the academic year, they should make all offers at the same time. Places allocated to children whose parents have deferred their entry until later in the same academic year cannot be offered to another child, unless the parent withdraws acceptance of the place.

Applications to schools with a different age of transfer

3.17 The Education (Middle Schools) (England) Regulations 2002 define ‘middle schools’ and whether they are classified as primary or secondary schools which depends on the age range of the pupils. For the purposes of co-ordination, middle schools with an entry age before 11 are to be treated in the same way as primary schools; upper schools (with an entry age after 11) are to be treated as secondary schools.

3.18 For middle deemed secondary schools (not applicable to Herefordshire), the home local authority must make an application form available to any parent in the area who wishes to apply to a school in a neighbouring area which operates a different age of transfer. The home local authority must accept applications in the same way as it would for its own normal admissions round. It must, if preferred schools are in another area, pass forms to neighbouring authorities, who must apply their co-ordinated scheme. The maintaining local authority must inform the home local authority if a place is to be offered in one of its schools. The home local authority must inform the parent of the outcome of the application.

D. Current practice in Herefordshire

For a number of years Herefordshire has been running a voluntary scheme where we centrally (within the Admissions & Transport teams) process in year transfer requests generated by parents for most of the community schools but not for any of the VA schools.

We estimate that we currently process about 70% of all in year transfer requests generated for all the maintained schools in Herefordshire. The new overarching responsibility will lead to the need to deal with 100% of all transfer requests.

E. Links to the In Year Fair Access Protocol

There is a direct interface between any In Year Transfer scheme and the proposed “In Year Fair Access” protocol currently being consulted on within Herefordshire. The “In Year Fair Access” is designed to handle, in a professional way, all In Year Transfers that are not straight forward. This will include children who have been permanently excluded, children attending PRU's integrating back into mainstream education, traveller children, children with SEN (but without statements), children who display behavioural difficulties, “serial” movers (children who have been transferred at least twice before without an address change reason) etc.

F. In Year Transfer summary of procedure

- Parent / Carer - visits requested school
- Parent / Carer - request form from the School Admissions Team – School Admissions Team issues In Year Application Form on the same day
- Parent and current school - complete application form
- Parent / Carer - returns application to School Admissions Team within 5 school days
- School Admissions Team assesses the application form.
- School Admissions Team informs parent / carer of the outcome within 10 school days from the date the parent / carer first requested the application, provided that the parent / carer returned the form within the 5 school days, if a straight forward application.

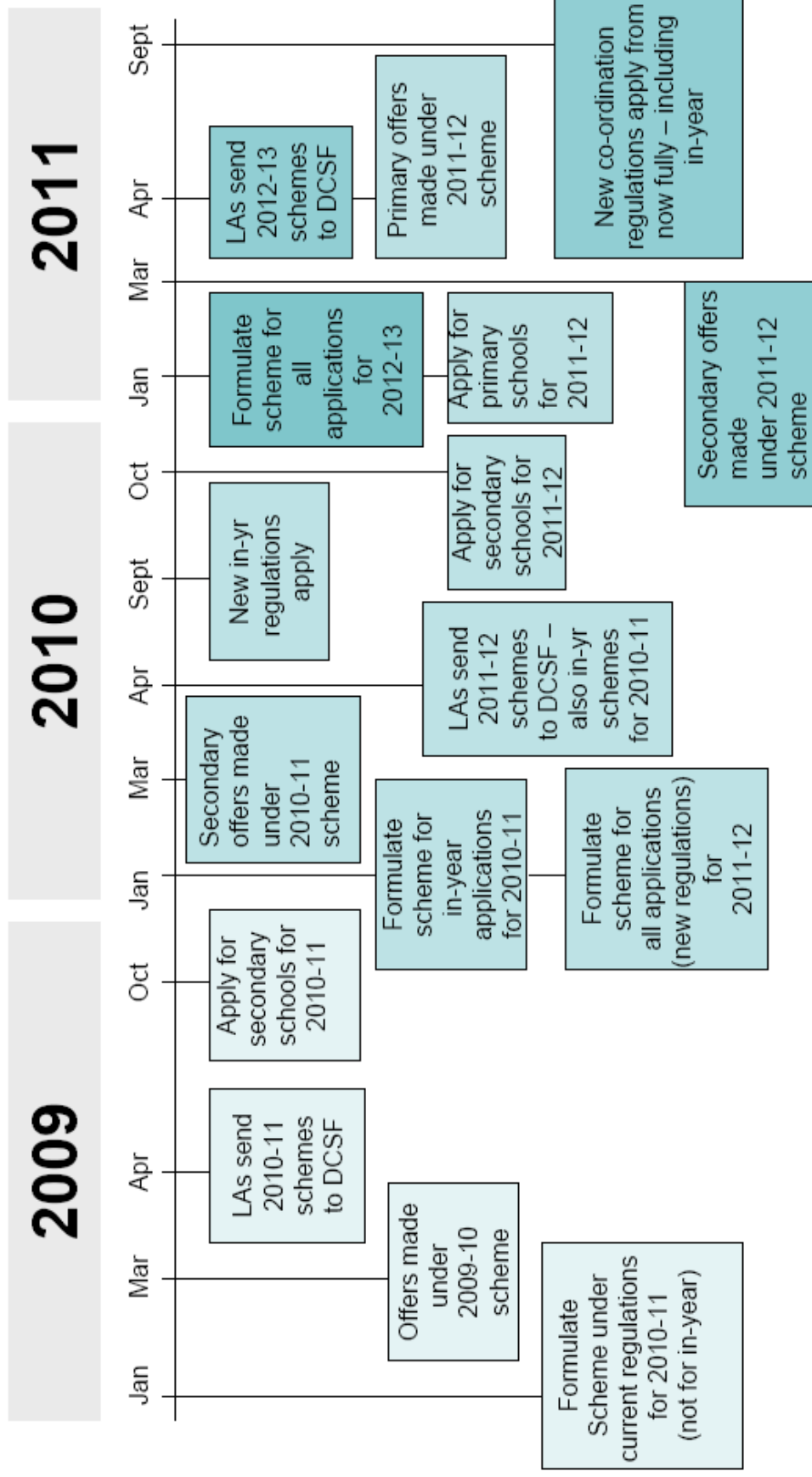
The In Year Transfer scheme will impact upon all maintained schools within Herefordshire and subsequently upon any parent (from within and outside Herefordshire) seeking an in year

transfer into these schools. All applications will be dealt with in a consistent and fair manner. There follows a Coordination Timeline to illustrate the overall expectations under the Schools Admissions Code, and a flow diagram indicating the way in which applications will be dealt with. Also attached is the draft In Year Transfer form.

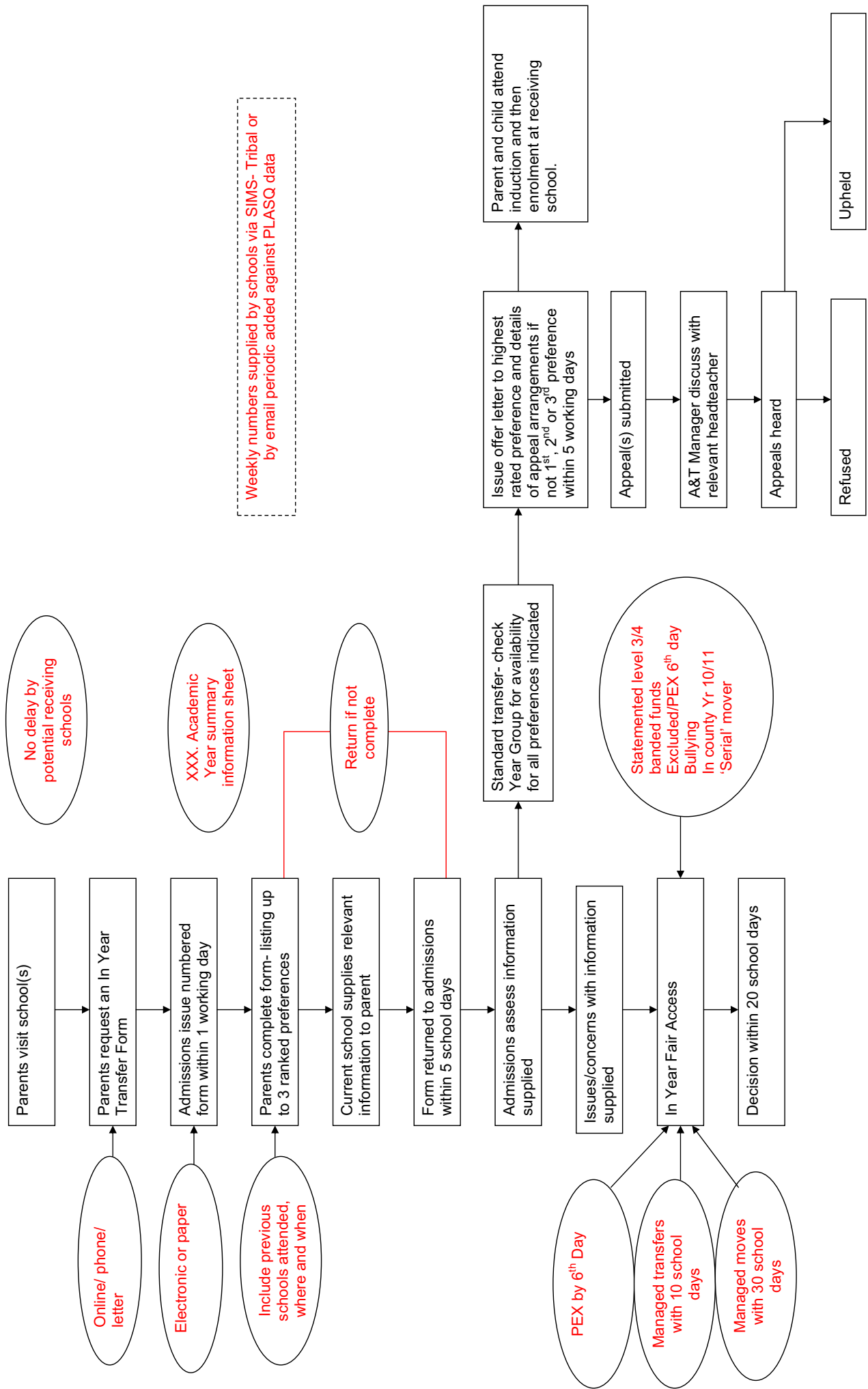
If it is not a straight forward application, the School Admissions Team will forward details to the In Year Fair Access Panel to consider and make a decision within 20 school days, and inform the parent / carer of the outcome.

As noted at the start of this paper, the underlying intention of the new requirements in the national School Admissions Code is that fairness and the experience of parents and children are improved by the requirement for all maintained schools to be covered by this procedure.

Co-ordination Timeline



In Year Transfers Flow Chart of Process



In Year Transfer (IYT) Application Form

Admission to a school within Herefordshire other than at normal age for admission

Please read the attached 'Important notes to be read before filling out the In Year Transfer Application Form notes' before completing the below application form

| 1 Pupil details | | |
|---|--|-----------------------|
| Surname | Forename | Middle name(s) |
| Date of birth | Gender (please tick) Male Female | |
| Current address | | |
| Post code | | |
| New address (if moving) | | |
| Post code | | Date due to move |
| Telephone number | | Mobile number |
| 2 Please state school(s) that child has attended in the last year, starting with current school | | |
| Name of school | Date started | Date left |
| | | |
| | | |
| | | |
| 3 School | | |
| School (please state in order of preference) | | Date wishing to start |
| 1 | | |
| 2 | | |
| 3 | | |
| Please indicate your reason for your request for a transfer to another school (please tick/ fill relevant section) | | |
| <input type="checkbox"/> | Moved/moving into Herefordshire from another county/country, please state what county/country | |
| | | |
| <input type="checkbox"/> | Moved/moving within Herefordshire | |
| | | |
| <input type="checkbox"/> | Other (please state reason and attach any supporting information relevant to requesting this transfer, if applicable) | |

| | | |
|---|-------------------------|----|
| | | |
| 4 Additional information | | |
| Do you have any medical, social or compassionate reasons to support your request? If yes, please attaché supporting information from a third party. | Yes | No |
| Does your child have a Statement of Special Educational Needs or Banded Funding? | Yes | No |
| Has your child ever been excluded from school? If yes, was it a fixed or permanent exclusions | Yes | No |
| | F | P |
| Is your child looked after by Herefordshire Council or any other Local Authority? If yes, please state which authority. | Yes | No |
| | | |
| 5 This section is to be completed by the school and signed by the Headteacher that the child is currently attending <u>only</u>. If this is not completed by the school the application will not be submitted to the requesting school | | |
| Are you aware of this transfer request? | Yes | No |
| Has the parent discussed their reasons for transfer with you? | | |
| Does the child have any school action / + | | |
| Do you support this application? | | |
| If no, please state reason why | | |
| Signed | Printed (capitals only) | |
| Name | Date | |

| | | |
|---|-------------------------|---------|
| 6 This section is to be completed by the parent/ carer | | |
| Title Mr/ Mrs/ Miss/ Ms/ other | Name | Surname |
| Relationship to pupil e.g. Mother, Farther, Step-Parent, Social Worker, Foster Parent, or other relative (please state) | | |
| Do you have parental responsibility for this child | Yes | No |
| Declaration I declare that the information on this form is correct I have read the conditions stated on the Important Notes (page enclosed with this form). I understand that a place maybe lawfully withdrawn if it is proved to have been offered on the basis of fraudulent or misleading application. | | |
| Signed | Printed (capitals only) | |
| Name | Date | |

| | | |
|-------------------------------|---------------|----|
| Office use only | | |
| Application number | | |
| Date sent to parent / carer | | |
| Date received back | | |
| Passed to In Year Fair Access | Yes | No |
| | Date (if yes) | |

Application should be returned to:
Pupil Admissions Office
Children & Young People's Directorate
Herefordshire Council
Blackfriars
PO Box 185
Blackfriars Street
Hereford
HR4 9ZR

Important notes to be read before filling out the In Year Transfer (IYT) Application Form

Transferring

Parents wishing to transfer their child to the same age group in another local school must discuss the transfer with the Headteacher of the pupil's present school in the first instance.

Please note that interviews are not part of the admissions process, however for Church place applications to a voluntary aided school, additional information may be requested to establish the denominational qualification. In no circumstances should interviews be held, though it is sensible for parents to visit the school before deciding whether or not to apply, taking into consideration how will you get your child to school.

Transport

For whom is transport provided for?

Please go to www.herefordshire.gov.uk (transport) here you will find information on who is entitled to transport. If you have not got access to the internet please contact the transport section on 01432 26093 who will help you further.

Procedure required from the parent when completing the In Year Transfer Application Form

If you decide to make a formal request for transfer, please complete the In Year Transfer Application Form over leaf making sure that the Headteacher completes section 5, before returning to:

School Admissions Team
Children & Young People's Directorate
Herefordshire Council
Blackfriars
PO Box 185
Blackfriars Street
Hereford
HR4 9ZR.

All straight forward applications will be dealt with, within 10 schools days, from when you first requested the application form, provided that all sections are completed and you return the form within 5 schools day. You will be informed in writing of the outcome.

Please remember that you are required to ask your child's current school (Headteacher) to complete section 5, this should be completed within 2 days by the Headteacher, as you need to return the application back to the admissions team within 5 schools days from when you first requested the form. If this section is not completed when returned to the Admissions Office we will not be able to proceed with the application. It will be returned to yourselves for this section to be completed.