

Blue Coat CE Primary School Admission Authority: Protocol for Consideration of Admitting Pupils over Pupil Admission Number (PAN)

0. **First for all places**, consider whether the additional child to be admitted:

(i) meets criteria under the Fair Access Protocol (see Appendix)

“YES” → check with GCC Admissions team for legal implications (likely to offer additional child a place)

“NO” → continue to 0 (ii)

(ii) is applying for a place in which there has previously been an Admission Appeal within the same academic year

“YES” → Refuse place and notify parent(s)/carer(s) of their right to appeal

“NO” → continue to 1

1. Will admission of this additional pupil breach the statutory infant class size limit of 30 pupils?

“YES” → Refuse place and notify parent(s)/carer(s) of their right to appeal

“NO” → Continue to 2

2. Now and next year*, will the Milepost PAN of 90 be exceeded?*

*Based strictly on pupil numbers available at the time of consideration i.e. theoretical projections **not** to be considered

**Mileposts refer to Milepost 1 (Years 1 & 2 combined), Milepost 2 (Year 3 & 4 combined) and Milepost 3 (Years 5 & 6 combined)

“YES” **if** additional pupil is considered for a Milepost 1 class place → Refuse place and notify parent(s)/carer(s) of their right to appeal

“YES” **if** additional pupil is considered for a Milepost 2 or 3 class place → Continue to 3

“NO” → Continue to 3

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3. Based on the pattern and context of the **most recent 3 years** of *incoming* admission numbers in year groups adjacent, is the Milepost PAN (90) **likely** to be exceeded?

“YES” **if** additional pupil is considered for a Milepost 1 class place → Refuse place and notify parent(s)/carer(s) of their right to appeal

“YES” **if** additional pupil is considered for a Milepost 2 or 3 class place → Continue to 4

“NO” → Continue to 4

4. Is (i) the proportion and (ii) the severity of current need in the pupil’s year group **and** that of adjacent year groups likely to have a detrimental impact on the ability of the school to meet pupils’ needs?*

*Requires consultation with current class teachers and SENDCo

“YES” → Refuse place and notify parent(s)/carer(s) of their right to appeal

“NO” → Continue to 5

5. (i) Is there physical capacity within classrooms to operate safely and effectively with the inclusion of the additional child?*

(ii) Would the admission of the additional pupil incur significant financial costs that the school is currently unable to foot and/or sustain?*

*Requires consultation with Headteacher

“YES” to either → Refuse place and notify parent(s)/carer(s) of their right to appeal

“NO” → Accept pupil and notify parent(s)/carer(s) of decision

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Appendix 1:

Section 2.15 of the School Admissions Code 2014 states that 'infant classes (those where the majority of children will reach the age of 5, 6 or 7 during the school year) must not contain more than 30 pupils with a single school teacher, as defined in Section 4 of the SSFA 1998. Additional children may be admitted under limited exceptional circumstances. These children will remain an 'excepted pupil' for the time they are in an infant class or until the class numbers fall back to the current infant class size limit. The excepted children are:

- a) Children admitted outside the normal admissions round with statements of special educational needs or an Education, Health and Care Plan specifying a school;
- b) Looked after children and previously looked after children admitted outside the normal admissions round;
- c) Children admitted, after initial allocation of places, because of a procedural error made by the admission authority or local authority in the original application process;
- d) Children admitted after an independent appeals panel upholds an appeal;
- e) Children who move into the area outside the normal admissions round for whom there is no other available school within reasonable distance;
- f) Children of UK service personnel admitted outside the normal admissions round;
- g) Children whose twin or sibling from a multiple birth is admitted otherwise than as an excepted pupil;
- h) Children with special educational needs or an Education, Health and Care Plan who are normally taught in a special educational needs unit attached to the school, or registered at a special school, who attend some infant classes within the mainstream school

Therefore, the County Council will support Community and Voluntary Controlled schools in admitting children over their PAN where all of the following circumstances apply:

1. The admission of the additional pupil/s would not cause the school to breach Infant Class Size Regulations¹ unless the pupil can be considered as an exception as defined in 2.15 of the School Admissions Code, 2014
2. The school has the physical capacity within current class sizes/structure and overall net capacity to accommodate the additional pupil/s¹;
3. The school would not require any additional resources to meet pupil need¹;

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4. The admission of the additional pupil/s would not require any specific funding, nor have an adverse financial impact on the school¹;
5. There have been no appeals for the year group in question made for a child in similar circumstances for the academic year in question unless a case is

considered by the Access to Education Team of the County Council under fair access arrangements due to the child's vulnerability);

6. Any additional pupil/s living within the local area (i.e. within statutory walking distance²) of the school and alternative schools in the area are either also unable to accommodate them within their PAN or would necessitate an unreasonably long journey (in excess of the statutory walking distance²);

7. The school either has the capacity to admit additional pupils to the same year group within the next two academic years if their circumstances are considered similar to a pupil admitted over PAN, or the school is able to provide sufficient evidence to show that their capacity, resources or finances have changed so that it is not possible to admit any additional pupil/s in the future (to defend legal challenge)

¹and would continue to meet this criteria even if all other year groups in the school were at their PAN (i.e. a school cannot exceed its PAN in one year group on the basis that another year group is undersubscribed).

² the statutory walking distance is 2 miles for children aged under 8 years old and 3 miles for children aged 8 and over. Distances are measured using the shortest available pedestrian route along which a child can walk in reasonable safety.

The same criteria will also be used to consider the in-year admittance of a child from a service family above a school's PAN, with the exception of criterion 1 and 5 - as the School Admissions Code 2014 provides additional flexibility for service families (not including Crown Servants) within these categories.