Ightham Primary School

Admissions Policy

Written: September 2026
To be revised: September 2027

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Statement of intent

At Ightham Primary School, we welcome all pupils, and places at the school are offered in an open, fair, clear and objective manner. We work to the principle that any parent accessing our admissions arrangements will be able to understand easily how places for that school will be allocated, and will not be alienated or discouraged from applying based on admissions criteria.

The table below sets out who the admission authority is and other responsible bodies in our school.

Type of school	Who is the admission authority?	Who deals with complaints about arrangements?	Who is responsible for arranging/providing for an appeal against refusal of a place at the school?
Academy	Academy trust	Schools Adjudicator	Academy trust

Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Equality Act 2010
- Human Rights Act 1998
- School Standards and Framework Act 1998
- DfE (2021) 'School Admissions Code'
- DfE (2023) 'School Admission Appeals Code'

This policy operates in conjunction with the following school policies:

- Equalities Objectives Statement
- Data Protection Policy
- Special Educational Needs and Disabilities (SEND) Policy
- SEN Information Report

Roles and responsibilities

The trust board is responsible for:

- Acting in accordance with the relevant legislation and guidance when carrying out the overall admission of pupils into the school.
- Overseeing, and determining annually, admissions arrangements that clearly set out how children will be admitted, including the criteria that will be applied if there are more applicants than places at the school.
- Ensuring that oversubscription criteria does not discriminate against any child.
- Ensuring that the practices and criteria used to decide the allocation of school places are fair, clear and objective.
- Publishing the admissions arrangements on the school website, including the oversubscription criteria.
- Publicly consulting on any proposed changes to the admissions arrangements.
- Clearly communicating any reasons for rejecting the admission of a pupil, as well as the parent's right to appeal and the appeal process.
- Implementing any advice or recommendations given by the Schools Adjudicator without undue delay.
- The Schools Adjudicator is responsible for:
- Acting in line with the relevant legislation and guidance pertaining to admissions.
- Receiving concerns and objections regarding the admission of pupils and making recommendations to the admission authority as a result of these concerns and objections.
- Approving variations to determined admissions arrangements where there has been a major change in circumstances or law.

The appeals clerk is responsible for:

- Having an in-depth knowledge of the relevant appeals codes and other relevant law.
- Providing an independent and impartial service for admission appeals.
- Making the necessary administrative arrangements for hearings.
- Notifying all parties of the order of proceedings in advance of an appeals hearing.
- Responding to queries from appellants in advance of an appeals hearing or identifying who will be appropriate to respond.
- Being an independent source of advice on procedure and admissions law.
- Keeping accurate records of proceedings and providing written notification of the appeals panel's decisions

The headteacher is responsible for:

- Liaising with the trust board where relevant regarding admitting pupils to the school.
- Working with the trust board when determining the school's capacity.
- Ensuring that the trust board has all the information it needs to set admissions arrangements and participate in LA coordination schemes.
- Making arrangements for pupils admitted through in-year admissions to start as soon as possible.

Determining a PAN

The number of places available will be determined by the capacity of the school; the PAN for new reception pupils is 30.

When formulating the school's admission arrangements, the trust board will not:

- Place any conditions on the consideration of any application other than those in the oversubscription criteria published in their admission arrangements.
- Take into account any previous schools attended unless it is a named feeder school.
- Give priority to children whose parents rank preferred schools in their application.
- Introduce any new selection by ability.
- Give priority to children based on any practical or financial support their parents give to the school or associated parties, including any affiliated religious organisation.
- Give priority to children according to the occupational, marital, financial or educational status of parents applying – apart from where these factors determine a child's pupil premium eligibility, and for children whose parents work at school.
- Take account of reports from previous schools about children's past behaviour, attendance, attitude or achievement, or that of any other children in the family.
- Discriminate against any protected characteristic.
- Give priority based on a child's or their parents' past or present hobbies or activities.
- Name fee-paying independent schools as feeder schools.
- Interview children or parents.
- Request financial contributions as part of the admissions process.
- Request photographs of children – apart from for proof of identity when sitting selection tests

Oversubscription criteria

The trust board will aim to ensure that oversubscription criteria is reasonable, clear, objective, procedurally fair, and compliant with all relevant legislation, including equalities legislation. This means that the oversubscription criteria will not unfairly disadvantage, whether directly or indirectly, any child based on a protected characteristic or economic disadvantage.

Where the number of applications exceeds the number of places available, places will be allocated in the following order of priority:

1. Children in public care (Looked After Children) and previously looked after children, including children who were previously in state care outside England and ceased to be in state care as a result of being adopted.
2. Children who have a brother or sister attending the school at the time of admission.
3. Children of staff employed at the school where:
    - the member of staff has been employed by the trust for two or more years at the time the application is made; or
    - the member of staff has been recruited to fill a vacant post for which there is a demonstrable skill shortage.
4. Children eligible for the Early Years Pupil Premium, Pupil Premium or Service Premium.
5. All other children.

Children whose Education, Health and Care Plan names the school will be admitted before the application of the oversubscription criteria. This will reduce the number of places available within the published admission number.

Tie-Break

Where applications within any criterion exceed the number of places available, priority will be given to children living nearest the school measured by straight-line distance from the child's permanent home address to the school's designated measuring point.

Distance will be measured in a straight line from the child's permanent home address to the school's designated measuring point using the Local Authority's Geographical Information System (GIS). For the purposes of distance measurement, the home address is the address at which the child normally resides and which has been notified to the Local Authority.

Where two or more applicants live an identical distance from the school and there are insufficient places available, the final place will be determined by random allocation supervised by an independent person who is not connected with the school.

Home address

The home address is the child's permanent place of residence, being the address at which the child normally resides with the person or persons who have parental responsibility. The admission authority may request evidence of residence.

Shared Parental Responsibility

Where a child lives with parents who have shared parental responsibility, the home address for the

purpose of the application will normally be the address at which the child resides for the majority of the school week.

Where the child spends an equal amount of time at each address, the admission authority may require parents to nominate a single address for the purpose of the application. Evidence of residence may be requested.

If parents are unable to agree which address should be used, the admission authority reserves the right to determine the address to be used based on the information available and in accordance with its duty to apply the admission arrangements fairly and consistently.

Siblings of pupils

For the purposes of this policy, a sibling is a brother or sister, half-brother or half-sister, adopted brother or sister, step-brother or step-sister or foster sibling living at the same address as the child for whom the application is being made who are currently enrolled at the school.

Children of Staff

Where oversubscribed, priority will be given to children for whom staff members have parental responsibility, where the staff member has been employed by the trust for two or more years at the time at which the application was made, and/or where the member of staff has been recruited to fill a vacant post where there is a demonstrable skill shortage.

Equal opportunities

The trust board will not establish admissions criteria that excludes individuals with a particular protected characteristic. The admissions criteria will not exclude a greater proportion of pupils with particular protected characteristics, unless the trust board can justify how this is a proportionate means of achieving a legitimate aim.

The admissions criteria will not discriminate against disabled applicants, unless the trust board can justify how this is a proportionate means of achieving a legitimate aim.

Admissions procedures

The school will offer open events and school visits to all potential applicants, irrespective of any protected characteristics. Where necessary, the school will make reasonable adjustments for disabled applicants or disabled parents.

The school may arrange visits for prospective pupils and parents to familiarise themselves with the school. Attendance at such visits will not form part of the admissions process and will not be taken into account when allocating places.

Consultation, determination and publication

Consultation

The trust board will consult on any proposed changes to the admissions arrangements. Consultation will last for a minimum of six weeks and will take place between 1 October and 31 January in the

determination year. The trust board will consult on admissions arrangements at least once every seven years, even if no changes have been made in that time.

The trust board will consult with the following:

- Parents of children between the ages of two and 18
- Stakeholders
- Other admission authorities within the relevant area
- The LA
- Any LAs in which pupils have historically come from

Determination and publication of admissions arrangements

The trust board will publish a copy of the full proposed admission arrangements and the contact details of the individual responsible for admissions liaison on the school website (www.ightham.kent.sch.uk). A copy of the proposed admission arrangements will be made available upon request.

Admission arrangements will be determined by 28 February in the determination year on an annual basis, even when no changes to the arrangements have been made.

The trust board will notify all appropriate bodies of the finalised admissions arrangements when they have been determined. A copy of the finalised admission arrangements will be sent to the LA for entry by 15 March in the determination year. Finalised admission arrangements will also be published on the school website by 15 March in the determination year, and will continue to display them for the whole offer year.

Any objections to the admission arrangements will be directed to the Schools Adjudicator by 15 May in the determination year.

The trust board will provide the LA with all of the information it needs to compile the composite prospectus by 8 August in the determination year.

Variations

The trust board will not revise the admissions arrangements for a school year once they have been determined, unless this would be necessary to give effect to a mandatory requirement, a determination of the Schools Adjudicator, or any misprint in the admission arrangements.

The trust board may, in exceptional circumstances, propose variations where there have been major changes in circumstances that necessitate a change.

Any proposals to vary the admissions arrangements will be referred to the Secretary of State.

Applications and offers

Applications

Parents will be provided with a common application form (CAF) by the LA where they should express

their preferences in accordance with their home local authority's arrangements, along with a brief explanation, in rank order – the schools do not have to be located in the LA area where the parents live. Parents will provide LAs with the following information within the CAF:

- Their name and their child's name and date of birth
- Their and their child's address and proof of residence

The CAF will be submitted to the parents' LA. Parents are not guaranteed to have their preferences met.

The trust board will request supplementary information for the purpose of processing applications, where necessary; however, it will not request any of the following:

- Any personal details, including information on criminal convictions or financial status
- The first language of the parent or child
- Details about the parents' or child's disability, medical or SEND requirements
- Any parental agreement to follow the ethos of the school in a practical way
- For the child to complete any part of the form or for two parents to provide signatures

Once a place has been offered, the trust board may ask for the child's short birth certificate as proof of birth date.

The school will never give priority to applications solely on the basis that they have completed a supplementary form.

For previously LAC (PLAC) and LAC, the trust board will request a copy of the adoption order, child arrangements order or special guardianship order, and a letter from the LA confirming that the child was looked after immediately prior to the order being made.

The school may request evidence that demonstrates a child was in state care outside of England prior to being adopted.

Allocating places

The trust board will only allocate places on the basis of determined admissions arrangements. Any decisions to offer or refuse places will be decided by the trust board or an admissions committee established by the trust board. A clear record will be kept of all decisions made on applications, including in-year applications.

The trust board will not refuse admission for a child on the basis that:

- They have applied later than other applicants.
- They are not of the faith of the school.
- They followed a different curriculum at their previous school.
- Information has not been received from their previous school.
- They have missed entrance tests for selective places.

Pupils not of usual school age will not be given less of a priority where the school is oversubscribed.

In the event that parents of a child wish for their child to be admitted outside their normal age group, the school's headteacher will assist the trust board in deciding on which year group the child will enter. Once a decision has been reached, the child's parents will be informed in writing along with an explanation of how the decision was reached and any reasons why.

For children of UK service professionals and crown servants, the following procedure will be adhered to:

- A place will be allocated to the child in advance of the family arriving in the area named in the application form, where one is available.
- The application must be accompanied with an official letter confirming the relocation date.
- The address at which the child will live will be used when considering the application against the oversubscription criteria – a Unit or quartering address must be used where this is requested by the child's parent.
- The application will not be refused on the grounds of the child not currently living in the area or not currently having an intended address, nor will places be uniquely reserved.
- The arrangements for service children will be in line with the government's commitment to removing disadvantage for service children.

The school must admit all children who have an EHC plan where the school is named. Children with SEND who do not have an EHC plan will be treated equally to all other applicants in the admissions process. This includes children who may need extra support or reasonable adjustments to be made. The details of the school's SEND provision can be found in our Special Educational Needs and Disabilities (SEND) Policy and SEN Information Report.

Multiple Births

Where the final available place is offered to a child from a multiple birth group (for example, twins, triplets or other multiple births), the admission authority will normally admit the other sibling(s) in the multiple birth group, even where this results in the Published Admission Number being exceeded, where permitted by the School Admissions Code and relevant legislation.

Where admission of additional siblings would conflict with statutory requirements, the admission authority will apply the relevant provisions of the School Admissions Code.

Offers

All offers will be made on National Offer Day, i.e. 16 April or the next working day where this date falls on a weekend or bank holiday.

Where the school is oversubscribed, the trust board will rank applications in accordance with the determined arrangements, and will ensure that only one offer will be made per child by the LA.

Withdrawing an offer

An offer will only be withdrawn if it has been made in error, a parent has not responded within 20 working days, or if the offer was made via a fraudulent or misleading application. Where an offer has not been responded to within the designated time frame, the trust board will give the parent a further opportunity to respond and will explain that the offer will be withdrawn if they do not. If any

application is found to be fraudulent after a child has started at the school in the first term of the new academic year, the school may withdraw the place. If the fraudulent application is found after this time, the pupil will not be removed.

Coordination scheme

The LA will publish a scheme to coordinate admissions arrangements for the normal admissions round and late applications by 1 January in the determination year. The LA will consult with the trust board in the event that the scheme is changed substantially from the previous year. The LA will also consult with the trust board and other admissions authorities in the area at least every seven years, even if no changes have been made in that period.

The trust board is under a legal obligation, as the school's trust board, to participate in coordination for the normal admissions round, and will provide the LA with all information it needs to coordinate admissions.

In-year admissions

The school will follow the same process for in-year admissions as for admissions at the start of the academic year.

The trust board will publish in-year arrangements on the school website by 31 August each year, detailing how applications will be dealt with between 1 September until the following 31 August. These arrangements will set out how parents can apply for a school place, including whether the trust board will handle applications or whether the LA will accept these applications on its behalf.

Where the school has places available in-year, it will offer a place to every child who has applied for one without condition or use of oversubscription criteria. Where applications exceed the number of available places, the oversubscription criteria set out in this policy will be applied.

The published in-year admissions arrangements will also provide a suitable application form for parents to complete, including a supplementary information form, where necessary, and set out when parents will be notified of the outcome of their application and details about the right to appeal.

The school will consider all such applications and if the year group applied for has space available, then a place will be offered. If a place is not available, then the child's parent can ask for their child's name to be added to the appropriate waiting list. As with admissions at the start of the academic year, parents whose applications are turned down are entitled to appeal through the process outlined below.

The trust board will notify all parents within 15 school days of receipt of an in-year application of the outcome of this application. The school will notify the LA of every application and its outcome within two school days or as soon as is reasonably practicable beyond this.

Where an offer is accepted, the school will make arrangements for the pupil to start as soon as possible.

LA in-year coordination scheme

The school will inform the LA by 1 August of whether it will participate in the LA's in-year co-ordination scheme and will send any relevant information for the LA to publish on its website.

Where the school is participating in the LA coordination scheme, the school will provide the LA with details of the number of places available no later than two school days following the request of such information from the LA. The school will also provide information to parents about how they can find details on the relevant scheme.

Normal Age Group

Parents may request admission outside their child's normal age group. The admission authority will make decisions on the basis of the circumstances of each case and in the best interests of the child, taking account of the views of the parents, information provided by relevant professionals and the view of the headteacher.

More details are contained within the Admission of Summer Born Children policy.

Waiting list

The waiting list will be maintained for the academic year following the year of entry. Children will remain on the waiting list in the order determined by the oversubscription criteria. Each time a child is added, the list will be re-ranked. No priority will be given according to the date an application was received or a child's name was added to the waiting list.

If a child on the waiting list is offered a position at the school, the parents will be notified by letter and will have the option of accepting or rejecting the place within 28 days.

Admissions appeals

In circumstances where a school place is refused, parents, and in some circumstances children, will have the right to appeal against a trust's decision to refuse admission.

Where this is the case, the trust board will establish an independent appeals panel to hear the appeal. The appeal panel will perform its judicial function in a transparent, accessible, independent and impartial manner, and operate according to principles of natural justice.

The trust board and the appeal panel will ensure that it acts in accordance with this Code, the School Admissions (Appeal Arrangements) (England) Regulations 2012, the School Admissions Code, other law relating to admissions, and relevant human rights and equalities legislation, for example, the Equality Act 2010.

Timetable

The trust board will set a timetable for organising and hearing appeals that:

- Includes a deadline for lodging appeals which allows appellants at least **20 school days** from the date of notification that their application was unsuccessful to prepare and lodge their written

appeal.

- Ensures that appellants receive at least **10 school days'** notice of their appeal hearing.
- Includes reasonable deadlines for appellants to submit additional evidence, for admission authorities to submit their evidence, and for the clerk to send appeal papers to the panel and parties.
- Ensures that decision letters are sent within **5 school days** of the hearing wherever possible.

The trust board will publish an appeals timetable on their website by **28 February** each year.

The trust board will ensure that appeals lodged by the appropriate deadlines are heard within the following timescales:

- For applications made in the normal admissions round, appeals will be heard within **40 school days** of the deadline for lodging appeals
- For late applications, appeals will be heard within **40 school days** from the deadline for lodging appeals where possible, or within **30 school days** of the appeal being lodged.
- for applications for in-year admissions, appeals will be heard within **30 school days** of the appeal being lodged.

Notifying appellants of the right to appeal and the appeal hearing

When informing a parent of their unsuccessful admissions application, the trust board will send written notification of their decision. This will include:

- The reason why admission was refused.
- Information about the right to appeal.
- The deadline for lodging an appeal.
- Contact details for making an appeal.

Parents will be informed in the letter that, if they wish to appeal, they must make the appeal in writing. The trust board will not limit the grounds on which an appeal can be made.

The trust board will provide appellants with written notification of the date and all final arrangements of the appeal hearing no later than **10 school days** before the hearing. This notification will include the deadline for the submission of any further evidence that was not sent in the original appeal.

The trust board will comply with any reasonable request for information from parents to help them prepare their case for the appeals hearing.

The trust board will ask appellants whether they intend to call any witnesses or be represented at the hearing and inform them that they may waive their right to **10 school days'** notice of the hearing if they so wish.

Constitution of appeals panels

The trust board will appoint a clerk to the appeal panel who is independent of the school and the education functions of the trust. The clerk will have sufficient knowledge of the 'School Admission Appeals Code', the 'School Admissions Code', other law relating to admissions and other relevant law,

as well as being able to offer advice to enable the panel to undertake its judicial function.

The appeals panel will comprise of a chair and at least **two** other panel members.

The panel will also include at least one lay person **and** one or more people with experience in education.

The trust board will ensure that panel members and clerks will not take part in hearings until they have received appropriate training as outlined within the 'School Admissions Appeals Code'.

The trust board will ensure that panel members are independent from the school and will remain independent for the duration of their service.

The chair of the appeals panel is responsible for the conduct of the hearing, including introducing parties, explaining the roles of the clerk and the panel and how the hearing will be conducted, and ensuring that parties have sufficient opportunity to state their case and ask questions.

The trust board will indemnify the members of the appeals panel against any legal costs and expenses they incur in connection with any decision taken in good faith whist acting as a member of the appeals panel.

Members of the appeals panel will be eligible to receive travel and subsistence allowances where applicable, and will, where appropriate, be compensated for any loss of earnings or expenses.

Evidence

All evidence relating to the appeal hearing will be passed on to the clerk. This evidence will include details of:

- How the admission arrangements and the co-ordinated admissions scheme apply to the appellant's application.
- Reasons for the decision to refuse admission.
- How the admission would cause prejudice to the education provision of the school.

The clerk will send all the papers required for the hearing to both parties and the members of the panel seven days before the hearing.

Attendance and representation

It is the trust board's responsibility to make arrangements for appeal hearings. Appeal hearings can be held in person, remotely by video conference or a mixture of the two (a hybrid hearing).

Appeal hearings held entirely by telephone will only be permitted where video conferencing cannot be used relating to connectivity or accessibility and if the appellant and presenting officer both agree.

Regardless of the forum chosen, appeal panels will allow appellants the opportunity to make oral representations.

The trust board will provide a presenting officer to attend the hearing and present the trust's case to

the panel, ensuring that this person is a member of staff who is well acquainted with the school.

The presenting officer will be responsible for relaying to the attendees the decision not to admit the child, and answer questions where necessary, either in person or remotely

Appellants may attend in person or be represented by another individual. Where appellants cannot attend, a decision will be made based on the written evidence.

Appeals hearings

Where appeal hearings are held in person, the trust board will take all reasonable steps to ensure the venue is appropriate, accessible to appellants, and has a suitable area for appellants and presenting officers to wait separately from the panel before and between appeals.

Appeal hearings that are held remotely will be held in such a way that means the appeal is capable of being heard fairly and transparently. Attending parties will be able to present their cases fully and the trust board will be satisfied that each participant has access to facilities that allow them to engage in the hearing at all times.

Where a hybrid hearing is to take place, the arrangements above will be complied with as appropriate.

Hearings, whether conducted in-person or remotely, will be held in private.

The order of appeal hearings will be as below:

- Case for the trust board.
- Questioning by the appellant(s) and panel.
- Case for the appellant(s).
- Questioning by the trust board and panel.
- Summing up by the trust board.
- Summing up by the appellant(s).

Reaching a decision

When reaching a decision, the trust board will follow the specific two stage process outlined in section three of the 'School Admission Appeals Code'.

In cases where the trust board has refused to admit a child on the grounds that admitting an additional child would breach the infant class size limit and there are no measures that can be taken to avoid this without prejudicing the provision of efficient education or efficient use of resources, the two-stage process outlined in Section four of the 'School Admission Appeals Code' will be followed.

Decisions will be decided by a simple majority of votes cast. If votes are split equally, the chair will make the casting vote. The panel will either uphold or dismiss an appeal and will not uphold an appeal subject to any specified conditions.

To communicate the decision made, the panel will send a letter to the appellant, signed by the clerk or chair of the appeals panel, no later than **five school days** after the decision has been made.

The decision letter will contain clear reasons for the panel's decision and a summary of the relevant factors raised by the parties and considered during the hearing. In the case of applications outside the normal admissions round, the trust board will ensure that the pupil is admitted to the school without unnecessary delay.

Appeals by the parent of a child with an EHC plan against the choice of school named in the EHC plan will be considered by the First-tier Tribunal (SEND) and not the appeals panel.

In cases where there are multiple appeals, the trust board will ensure that, where possible, all appeals are heard by the same appeals panel with the same members, and that no decisions are made until all the appeals have been heard.

In all hearings the clerk to the panel will ensure that an accurate record is taken of the points raised at the hearing, including the proceedings, attendance, voting and reasons for decisions. These notes will be kept securely by the trust for a minimum of two years and are, in most cases, exempt from disclosure under the Freedom of Information Act 2000 and the Data Protection Act 2018.

Further appeals and complaints

Appellants will not have the right to more than one appeal in respect of the same school for the same academic year unless, in exceptional circumstances, the LA has accepted a second application from the appellant due to a material change in the circumstances of the parent, child or school but still refused admission. Appellants can apply for a place at the school for a different academic year.

The trust board will inform parents about their right to complain about maladministration on the part of an appeal panel and the arrangements to follow.

If appellants have an issue with the appeal process, they can complain to the Secretary of State.