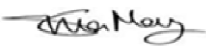




# THE KIBWORTH SCHOOL

## Admissions Policy

### 2021-2022

<b>Policy Type</b>	Admissions Policy
<b>Adopted by the Local Governing Body</b>	October 2019
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<b>Person Responsible</b>	Mrs Emma Merry
<b>Signed by:</b>	
<b>Headteacher</b>	
<b>Chair of governors</b>	<i>Kate Foster</i>

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## **1. Principles**

- 1.1 As an Academy, The Kibworth School is its own admitting authority.
- 1.2 The Kibworth School's admissions policy should:
- i. Offer clarity regarding legal requirements and statutory guidance.
  - ii. Maintain parental rights and ease the process of admission for parents and children.
- 1.3 Children's entitlements are as follows: entitlement to a place at The Kibworth School is dependent on the parent/carer applying at the appropriate time and subject to the priority criteria (over subscription list) in this policy

## **2. Legal Position & Other Requirements: Summary**

- 2.1 The Kibworth School is its own admissions authority. There is a minimum 6-week consultation period each year between 1 October and 31 January. Parents and local groups with an interest in the local area must be consulted. Consultation need only take place every seven years unless arrangements are not the same as in the previous consultation.
- 2.2 The Local Authority is required to coordinate admissions for all residents in its area. To this purpose, it must have an approved scheme for coordination.
- 2.3 The Kibworth School's Governing Body will consult once every seven years as a minimum, even if there is no change (before publication of admission arrangements) and may alter the school's admission number. The Kibworth School will have the full governing body consider individual admissions decisions, based on recommendations of the governors' 11-16 working party.
- The Local Authority has a duty to provide school places for all pupils resident in its area.
- 2.4 Parents have a right to express a preference for a school place, including where the child has a Statement of Special Educational Needs/Education and Health Care Plan. Parents must ensure suitable full-time education for their children by attendance at school or otherwise; they are not obliged to do this before the child has reached compulsory school age.
- 2.5 Compulsory school age is from the term immediately following a child's 5th birthday. The School Leaving Date for 16 year-olds is the last Friday in June in the school year in which the child becomes 16.
- 2.6 The Kibworth School has a capped Admission Number (AN) of 180 for each of its 5 year groups. If this number needs to be altered, in some cases statutory notices must be published to allow interested parties to make representations. (NB A cap at 180 will mean we will no longer offer places at Secondary Transfer, including Mid-Year Admissions for all year groups, where there are more applications than number of places available).
- 2.7 The Kibworth School cannot argue that a child should not be admitted unless the admission would prejudice the efficient use of resources or efficient education: this normally means that the Admission Number (AN) must have been reached.
- 2.8 The Local Authority must allocate spare places in The Kibworth School according to objective and published priority criteria. The Greenwich Judgement means that children from other Authorities must be treated in the same way as Leicestershire children. The Rotherham

Judgement disallows priority being given to parents who do not express a preference over those who do.

- 2.9 Parents whose preferences are refused have a right to appeal to an Independent Appeal Committee whose decision is binding, except for children with statements/Education and Health Care Plan (EHCP) whose parents can appeal to the Special Educational Needs Tribunal. Pupils admitted following appeal to The Kibworth School will have their admission confirmed by the Local Authority (this is because The Kibworth School has been directed, in effect, to admit the pupil in these circumstances).
- 2.10 There are differing premises requirements for children of different ages: these are laid out in the relevant regulations.
- 2.11 There are no required staffing ratios for junior and secondary age children in education law.
- 2.12 Department for Education guidance on admissions and appeals is contained in two Codes of Practice.

### **3. Secondary School Admissions**

- 3.1 Only the Local Authority can confirm secondary school places to pupils. For any admission or transfer the parent must complete the Local Authority's online Common Application Form (paper forms are available on request). The School Admissions Service will need to check for factors such as exclusions or Statements of Special Educational Needs/Education and Health Care Plans, and will endeavour to process applications promptly. No child should be admitted without an offer letter from the Local Authority where you live.
- 3.2 Schools receive lists of pupils expected to transfer in advance of admission. These lists are updated regularly in the Spring/Summer before admission.
- 3.3 All requests must be referred to the School Admissions Service.
- 3.4 Places will normally be allocated up to the capped Admission Number (AN) of 180, but for exceptions see section 7 on exceeding the AN. A cap at 180 will mean we will no longer offer places at Secondary Transfer, including Mid-Year Admissions for all year groups, where there are more applications than number of places available.

### **4. In-Year (mid-term) Transfers (all year groups)**

- 4.1 All mid-term transfer requests will be co-ordinated through the School Admissions Service for approval before admission takes place.
- 4.2 Before applying, parents are encouraged to arrange to visit the school, after which the parent should complete the Local Authority's online Common Application Form (paper forms are available on request).
- 4.3 The aim wherever possible is to always process mid-term applications within 10 working days (5 days if child is indicated as in care or previously in care). Delays may occur where further evidence or proof is required i.e. proof of house purchase, tenancy agreement, fair access information for complex or out of authority applications etc.

- 4.4 Where the mid-term application is made through the Local Authority the decision letter will either offer the place or refuse the place because the school is full. A refusal letter will also explain to the parent their right to appeal, and how they should do this.

## **5. Parental Preferences & Criteria used for Prioritising Admissions to Schools**

- 5.1 Application forms for school places allow parents to express up to three preferences for school places. Parents should rank their preferences, so that if more than one preference can be agreed, the one which the parent wants most is offered. However, the Local Authority considers all preferences to have equal value, e.g. one parent's first preference and another parent's second or third preference are to be considered equally against the admissions criteria. Requests for The Kibworth School are prioritised according to the admissions criteria below.

Late applications receive the lowest priority, ie they are only considered after all other applications that were received on time, unless there is a significant reason for lateness (see separate section on late requests).

## **6. Priority criteria for entry Autumn 2021 admissions and mid-term applications during 2021/2022 academic year**

- 6.1 If there are too many requests, priority will be given to children in the appropriate age-range, whose parents applied on time, in the following order (see note i) below):-

<b>1st</b>	Children who are in public care and those children who were previously looked after children. (See note ii).
<b>2nd</b>	Pupils who will have an older brother or sister attending the same school at the same time. (See note iii).
<b>3rd</b>	Children of members of staff (teaching and support staff) on a permanent contract
<b>4th</b>	Pupils who have a serious medical condition or exceptional social or domestic needs that make it essential that they attend the school requested. (Professional documentation confirming the situation must be submitted with the application). (See note iv).
<b>5th</b>	Pupils living nearest to the school measured in a straight-line distance (home to school front gate). (See note v)

### **Notes:**

- i) Combinations of the above criteria are used in priority order. Where the computerised system throws up an equality of distance for more than one child (who do not have the same home address), the final tiebreaker will be by drawing lots.
- ii) A 'looked after child' is a child who is (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions (see the definition I Section 22(1) of the Children Act 1989) at the time of making an application to a school. Previously looked after children are children who were looked after, but ceased to be so because they were adopted (or became subject to a residence order 19 or special guardianship order).

- iii) The term “brother or sister” includes half brother or sister or legally adopted child being regarded as the brother or sister.
- iv) If criterion 4 is used, professional supporting documentation from the Lead Professional must be supplied and must be submitted with the application. The following list are the areas that are considered exceptional:
  - a. Crown Servants (serving members of the armed forces).
  - b. Children subject to Child Protection Plans.
  - c. Hard to Place children – who fall under the Fair Access Protocol.
  - d. Parents suffering domestic violence (This is dependent on documentary evidence by a lead professional).

Each case will be assessed on its individual merits.

- v) The child’s place of residence is taken to be the parental home.

For Criterion v) above, measurement of distance is in a straight line from the centre point of the property to the school’s main designated front gate, using a computerised mapping system (Geocoding). Where there is equal distance then lots will be drawn supervised by an independent officer.

## **7. Exceeding the Admission Number (AN)**

- 7.1 **At the time of normal transfers and mid-term** if there are more requests than the capped admission number (AN) of 180, the Over Subscription List (OSL) will be applied up to the 180 cap. A cap at 180 will mean we will no longer offer places at Secondary Transfer, including Mid-Year Admissions for all year groups, where there are more applications than number of places available.

Once this cap has been reached, all other places will be refused.

- 7.2 Parents whose requests are refused have a right to appeal to an Independent Appeal Committee whose decisions can override school policy. (**NB:** In the case of parents whose children have Statements of Special Educational Needs/Education and Health Care Plan, the appeal is to the Special Educational Needs Tribunal.)

- 7.3 It may be that in exceptional circumstances The Kibworth School may request admitting pupils above the AN. These situations should be viewed as exceptional and not as precedents for subsequent years or for other schools.

Exceptional circumstances might be:

- (a) Children in public care;
  - (b) “Hard to Place” children whose cases fall within the Fair Access protocol. See section 3 Ensuring fairness and resolving issues of the School Admissions Code (See priority criteria 4).
- 7.4 If an exceptional request to exceed the AN is made, either to the Local Authority or to The Kibworth School, any decision to approve this must be made in conjunction with interested parties. Parents’ requests must still be referred to the School Admissions Service.

## 8. Co-ordinated Schemes

8.1 The Kibworth School will work alongside the Local Authority on Co-ordinated Schemes.

## 9. Miscellaneous

### Children who are in Care or were previously in Care and now adopted

- 9.1 Children in care of a Local Authority and those children who were previously looked after children, but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order) are considered under high priority by The Kibworth School.
- 9.2 In such circumstance, proof must be a letter from the last local authority that placed the child in care.
- 9.3 To be considered as *'in care or previously in care'*, The Kibworth School does not stipulate a minimum length of time the child is or has been in care.

### Parental Proof of Residence

In the event of criterion v) from the OSL being invoked, the child's full HOME ADDRESS determines whether you would be given PRIORITY admission for The Kibworth School.

- 9.4 When, after reasonable enquiry, The Kibworth School is unclear about a family address, the matter must be referred to the School Admissions Service at the Local Authority.
- 9.5 The School Admissions Service will need to seek evidence of residence from parents where the matter is unclear.
- 9.6 The Kibworth School will be vigilant regarding addresses given by parents before transfer to the next phase of education, particularly if there is a late or unexpected change of address close to transfer. Any queries will be referred to the School Admissions Service.

### Over-Subscription Lists (OSLs)

- 9.7 The Kibworth School maintains an over-subscription list (see priority criteria for more details). The list is maintained from completion of the decision-making process for secondary transfer cycle to the end of the Autumn Term only. This waiting list is ranked in accordance with our published oversubscription criteria and not by date of application. The Kibworth School does not hold over-subscription lists for mid-term transfers.

### Tiebreak

- 9.8 In instances where more than one child has an equal weighting in accordance with our priority criteria, the tiebreaker used is straight-line distance between where the home address meets a public highway to The Kibworth School's designated main front gate, with whoever is closer being offered the school place. Where there is equal distance then lots will be drawn supervised by an independent officer.

### Delayed/Accelerated Entry (i.e. Early Transfer or Admission of Children Staying on Outside the Normal Age-Range)

Definition of Delayed/Accelerated Entry: A written request to the Headteacher seeking for their child to remain a year below/above their chronological age group.

- 9.9 Early transfers or admission of children staying on outside the normal age-range are exceptional and must be approved by The Kibworth School. Parents may request delayed/accelerated entry. The request must be in writing to the Headteacher by 1 October\* and accompanied where possible with lead professional documentation supporting the request. *\*NB parents/carers are advised to continue to apply for the chronological age group (by 31 October) alongside the request for delayed/accelerated entry in case the request is refused.*
- 9.10 Professional advice (e.g. from an Educational Psychologist) on the suitability of the arrangement may be sought in some cases, but this would not override any admissions decision. If the child has a Statement of Special Educational Need/Education and Health Care Plan, the view of the Special Educational Needs Assessment Service (SENA) must be sought.
- 9.11 Children transferring younger than the normal age for transfer are subject to the same priority criteria as children in the normal transfer age-group, as long as:
- The Kibworth School agrees that early transfer is appropriate;
  - the child has been taught in classes with the academic year group which is one year older for at least three years.

### Children Who Move Further Away from the school after being admitted

- 9.12 A child who has started attending TKS whose place of residence changes and, as a consequence, s/he then lives further away than children who earlier in the process had a place refused is entitled to retain his/her place at The Kibworth School and should not be asked to leave or have their name deleted from the register.
- 9.13 If there are queries about transport in these situations, refer to the School Admissions Service.

### Excluded or Potentially Disruptive Pupils

- 9.14 The Kibworth School may refuse admission because the pupil may disrupt the education of other pupils, but will consider exceptions according to the School Admissions Code. In such circumstances the governors must refer the case to the Fair Access Protocol. See section 3 Ensuring fairness and resolving issues of the School Admissions Code
- 9.15 The Kibworth School may refuse admission when the school is the pupil's closest one and the parent has applied properly, or where there is a place available within the AN but will consider exceptions. The Kibworth School will not automatically accept pupils excluded from a previous school.
- 9.16 There is no obligation to comply with a parental preference for a child who has been permanently excluded from two or more schools for a period of two years following the latest exclusion. Parents of such children lose their right of appeal regarding admission. The Kibworth School will have the right of appeal against a direction to admit such a child.



It is possible that a child may receive a second permanent exclusion just before he or she is due to transfer school in the normal round. In these circumstances, The Kibworth School may admit the child, if the child's second permanent exclusion is issued after a transfer allocation has been notified to the parent, but before the actual transfer to the new school.

- 9.17 A permanently excluded pupil must not be removed from the The Kibworth School register until any exclusion appeal is complete or until the time limit for notification of appeal has passed.

#### Children with Special Educational Needs

- 9.18 All governing bodies are required by section 324 of the Education Act 1996 to admit to a school a child with a statement of special educational needs/Education and Health Care Plan that names that school. This is not an oversubscription criterion and schools must admit Statemented/EHCP children whether they have places or not. The Kibworth School will therefore not refuse admission for a child with special educational needs.
- 9.19 Pupils with special educational needs but no Statement/Education and Health Care Plan are dealt with through normal admissions policy, and The Kibworth School cannot refuse to admit a pupil because he/she does not have a Statement/EHCP or is being assessed for a Statement.

#### Children from Overseas

- 9.20 The wording of the School Admissions Code applies.

#### Late Requests, Appeals, Further Appeals and Errors

- 9.21 Late requests for school places, e.g. those received after a closing date, will be considered on their merits, but generally will have the lowest priority of all requests, even when TKS is the nearest school. This means that it is probable that a late request will not be allowed if The Kibworth School has reached its cap of 180 in the given year group(s) and/or is oversubscribed and there is no clear and significant reason (supported with documentary evidence) that it was beyond the parent's control for not applying at the appropriate time e.g. parent ill for some time or family returning from abroad.
- 9.22 Appellants do not have the right to a second appeal in respect of The Kibworth School for the same academic year unless it can be demonstrated that there has been a significant exceptional or material change in circumstances of the parent, child or school. Examples being:
- It has been agreed that there were procedural faults in the original appeal
  - New significant evidence has come to light
  - Medical reasons (apart from medical attention for distress or anxiety as a result of unsuccessful appeals)
  - Significant change to the school has come to light
- (This is not a finite list; each case will be considered on its merits by the lead admissions or appeals officer)*
- 9.23 Where The Kibworth School has made an error in any aspect of processing a school application, and it has been established that had the error not occurred it would have resulted

in the applicant legitimately securing a school place, The Kibworth School must honour the applicant a school place, even if the school is full.

- 9.24 Where it has been determined the error was made by the applicant, The Kibworth School will not be held responsible, i.e. an incorrect date of birth, failure to mention sibling(s), failure to provide supporting evidence etc.

#### Arrivals into the area and Late Applications

- 9.25 Requests for all students, including those that move their place of residence resulting in TKS being the closest school, will be refused a place if the capped AN of 180 has been reached and/or the school is oversubscribed.

However, if there are available places, where the application is submitted and agreed within 90 days of the house move, the maximum period the priority will be afforded to take up the offer and start at the school is by half a school term from the point the application was received.

Applications will be regarded as late if the application is made after 90 days of the family's house move.

- 9.26 Late applications (whether mid-term or within the normal round) will receive the lowest priority unless the parent can provide clear and convincing documentary reasons by the closing date for the normal round of applications or within 90 days of moving into the catchment.

#### Acceptance or Refusal of Offers; Withdrawal of Places or of Offers of Places

- 9.27 In the normal admissions round (i.e. when offers for secondary transfers are made on national offer date of 1st March), it will be assumed by the School Admissions Service that the offer is accepted unless it is refused. Once the academic year begins the school place should be taken up within 20 school days. For mid-term applications (outside the normal round) the offer must be taken up within 20 school days from the offer date. If not, the School Admissions Service will afford the parent a reasonable time (the regulations state 2 weeks) plus additional 7 days for a reminder, to accept the offered place. If no acceptance is received the offered place may be withdrawn. In addition, The Kibworth School reserves the right to withdraw a school place, or an offer of a place where the place has been obtained by false or misleading information, for example an incorrect address or date of birth. The Kibworth School will be vigilant about such matters.

- 9.28 If criterion 5 of the OSL has been invoked to offer a place, this offer may also be withdrawn if it was based on an address and the parent's address changes before the child is admitted. For example, if child A was offered a place ahead of a child B because they lived nearer and Child A's family moves before admission takes place, the offer of the place may be withdrawn. The place may then be offered to the next child on the OSL if the capped AN of 180 has not been reached

#### Home-School Agreements

- 9.29 The School Standards & Framework Act [www.legislation.gov.uk](http://www.legislation.gov.uk) does not allow signing a home-school agreement to be a condition for admission.

### Deleting a Child's Name from the Register

- 9.30 The Education Pupil Registration Regulations describe the circumstances in which a child's name can be deleted from a school's register. In normal circumstances it is not reasonable to delete a child's name from the school's register until it is confirmed that he/she is receiving education elsewhere. In unclear cases, please seek advice from School Admissions and Pupil Services.

### Changes of Address

#### 9.31 Principles:

- (a) Where The Kibworth School is over-subscribed and a family move to a place of residence that makes TKS the nearest school after a published closing date for submission of applications, the School Admissions Service should seek to clarify parents' claims of change of address.
- (b) Generally, only one address is recognised for each family, and only one family for each address.
- (c) Places, or offers of places, may be withdrawn if they were based on incorrect information from the parents or their representatives.
- (d) Each case is considered on its facts.

- 9.32 A cap at 180 will mean we will no longer offer places at Secondary Transfer, including Mid-Year Admissions in all year groups, where there are more applications than number of places available. If an exception to the AN is being considered, what is generally not accepted when allocating places in over-subscribed schools includes:

- (a) Purchase of a second property by a family, while the first property is retained.
- (b) Rented accommodation, while a previous property is retained.
- (c) Offers or exchange of contracts on intended purchases or sales of properties.
- (d) Informal accommodation arrangements with friends or relatives.

### Exceptional circumstances:

- 9.33 The School Admissions Service will always give serious consideration to any exceptional situations, such as where a family has been forced by circumstance to move into temporary accommodation, having lost their previous residence, or where there is a long-term separation between the parents and the child spends time in the week at two separate parents' addresses.

### Verification of address:

#### 9.34

- a) Parents'/Carers' written confirmation and declarations will be sought regarding important information. Parents/Carers will be asked to verify in writing that they are residing at the address claimed and that it is their main residence. Places will be withdrawn if such declarations are subsequently found to be incorrect or not honoured and the school is oversubscribed.

- b) Documentary evidence such as Council Tax payment or Child Benefit letter information will be sought.
- c) Claims of new residence will be judged on circumstances and the documents provided; completion of both sale and purchase, where relevant, are normally necessary before a place is allocated.
- d) Officers may be authorised to visit addresses to clarify whether families are living at the addresses claimed. Such visits will be undertaken in a reasonable fashion, by officers carrying appropriate identification.

#### Significant Change of Circumstance

- 9.35 The Kibworth School considers fresh information in support of a parental preference for a school place, even if it is received at a late stage in the admissions process. In normal circumstances, there will be no difficulty in meeting the parent's preference if all the school places have not been allocated with the given year group(s).
- 9.36 Where The Kibworth School's places have all been allocated, the School Admissions Service will be unable to offer a place, but may give higher priority to the parent's request if a place subsequently becomes available, according to the family's circumstances, in accordance with the priority criteria.
- 9.37 Verification, e.g. from professional persons or bodies, may be sought from the parent to confirm a change of circumstances. In such circumstance it remains the parent's duty to gather and provide the evidence.

#### "Relevant Areas" for Consultation Purposes

- 9.38 The Kibworth School will consult within "relevant areas" on admissions arrangements, i.e.:
- a) local schools, colleges and the local community in Leicestershire and relevant neighbouring authorities
  - b) see priority criteria re oversubscription.

#### How and when to apply changes to a school's Admission Number (AN)

- 9.39 If The Kibworth School's AN is increased, this should be applied immediately to every year group in the school, unless this would have a detrimental effect on teaching and learning, e.g. limits to the number and size of rooms available or large numbers in classes.

If The Kibworth School's AN is decreased, this should be applied only to the entry year group, unless numbers in other year groups need to be restricted, for instance if there is overcrowding in other year groups.

#### Children with split residence

- 9.40 Where a child lives for part of the week with one parent and for part of the week with the other parent, the address recognised by the local authority is the one where the child lives for the majority of the school week. Where it is claimed that the weekly residence arrangement varies, both addresses will be valid, and in some cases the child may be eligible to be offered a place at more than 1 school. These definitions depend on the written declaration of both parents, and if the claimed residence arrangement is found to be false, the child's place at TKS may be withdrawn even if the child has started attending.

## Children of UK Services personnel and other Crown servants

9.41

- Such children must be allocated a place in advance, dependent on an official government letter declaring a relocation date and intended address, if the applicant would meet the criteria on relocation.
- A Unit postal address must be accepted, or if appropriate a “quartering area” address in the absence of a new home postal address.

### **Normal Transfer Applications to secondary school for the start of Year 7**

The Kibworth School as required will participate fully with the LA’s Co-ordinating Transfer Scheme. This means parents must apply through the LA online system or using the LA’s common application form. The application forms must be completed and submitted or returned by the national closing date (31st October).

### **Late Applications**

Any applications received after the closing date and will be accepted but considered only after those received by the closing date. You are therefore encouraged to ensure that your application is submitted on time. All supplementary information i.e. medical consultant letters to proof of change of address, remains the parent’s responsibility to supply.

### **Oversubscription Criteria**

The oversubscription criteria above will be applied in accordance with the admissions policy. If The Kibworth School has more applications than places available, Governors will draw up a ranked list based on the criteria in the over subscription list (OSL) and inform the local authority accordingly. Children who have an Education and Health Care Plan (EHCP) that names The Kibworth School will be admitted even if the school is full.

### **Oversubscription List (OSL) i.e. ‘Waiting’ List**

For parents whose children have been refused a place, they will automatically be added to The Kibworth School’s OSL (waiting) list. The OSL for admission will remain open until the end of the Autumn Term in the admission year. The OSL is ranked using the oversubscription criteria listed above. The OSL may change, this means that a child’s OSL position during the year could go ‘up’ or ‘down’. The OSL makes no distinction between on time or late applications.

### **Appeals**

If your child has been refused a place at The Kibworth School, you retain the statutory right to appeal. The Kibworth School has engaged the services of the LA to conduct all our appeals. Therefore, you can appeal using the LA’s ‘Notice of Appeal’ available through the following link [www.leics.gov.uk/schooladmissions](http://www.leics.gov.uk/schooladmissions). The LA will arrange the appeal on behalf of the governors to be heard by an independent panel, whose decision is binding on all parties.

### **Applications during the School Year/mid-year applications outside the normal round**

The Kibworth School has engaged the services of the LA to co-ordinate mid-term applications. This is because the LA’s online systems operate 24/7, and throughout school holidays (online application link [www.leics.gov.uk/schooladmissions](http://www.leics.gov.uk/schooladmissions)) If The Kibworth School has a space, the LA will offer the place. If there are more applications than places, all applications will be ranked in accordance with the OSL and the highest ranking application(s) will be awarded the place(s).

**Fraudulent Information**

If the allocation of a place has been made on the basis of fraudulent or intentionally misleading information, the governors reserve the right to withdraw the place.

**Fair Access Protocol**

The Kibworth School will participate in full with the LA's *Fair Access Protocol* in order to make sure that the most vulnerable children are offered a place at a suitable school as quickly as possible. In exceptional circumstances, this may include admitting children above the school's published capped admission number of 180.

**Objections**

Objections to any aspect of the determined admissions arrangements may be made to the Office of the Schools Adjudicator ([www.education.gov.uk/schoolsadjudicator](http://www.education.gov.uk/schoolsadjudicator)) within the specified timescale of the 30th June.