

EARLY YEARS ADMISSIONS POLICY

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

INTRODUCTION

All children are entitled to a free early education place the term following their 3rd birthday and Local Authority policy is that they transfer to full-time schooling during the academic year of their 5th birthday (see part-time and full-time admission dates) although full time schooling is not compulsory until the term after a child is 5. From September 2013, eligible 2 year olds have been entitled to a free early education place the term following their 2nd birthday. <https://www.gov.uk/help-with-childcare-costs/free-childcare-and-education-for-2-to-4-year-olds>

This policy sets out the arrangements to be followed for admissions to schools with a nursery class and those with foundation units.

CONTENTS

BACKGROUND INFORMATION	4
ENTITLEMENT TO AN EARLY EDUCATION PLACE	6
ADMISSION DATES	7
EARLY EDUCATION ADMISSIONS OVER-SUBSCRIPTION CRITERIA	9
NURSERY CAPACITY	10
FUNDING FOR EARLY EDUCATION PLACES	11
CHARGING FOR ADDITIONAL SERVICES	11
SCHOOL CENSUS	12
STATUTORY FRAMEWORK (EYFS)	13
SEND CODE OF PRACTICE	14

BACKGROUND INFORMATION

Parents and carers may choose to access a free early education place through a variety of Early Years providers of which schools with nursery classes are one option. The focus of this decision should be meeting the needs of the individual child. A full list of providers can be obtained from the Early Years & Childcare Sufficiency Team who can also advise on the 'Early education and childcare statutory guidance, 2017'. For nursery places, each school and their Governing Body are responsible for admissions (non-statutory schooling). However, each maintained school is required to adhere to this Admissions Policy. This is to ensure maintained schools carry out their duty to admit children on a consistent and fair basis with other maintained schools, and to support the Local Authority to carry out its duty regarding the sufficiency and sustainability of all providers across all sectors.

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

Since September 2015, most schools have been exempt from separate registration of governor-run early years provision.

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

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

Governor-led early years provision automatically meets the requirement to be directly run by the school (under the auspices of the governing body) and linked to the school's activities. The other requirement is for at least one child attending the school's early years provision to be a registered pupil of the school.

There is no separate exemption for each age group, so in most cases where there are Reception pupils, they will meet this criteria. There is no requirement for the reception pupils to be in the same room as other early years provision.

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

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

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

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

Where provision is set up under Section 27 of the Education Act (community powers) then the governing body can use the ratios and qualification requirements set out for early years providers. In this case they can use either 1:8 or 1:13 ratio staffed appropriately, but must deliver the learning and development part of the EYFS at all times. This flexibility (to operate with a Level 3 leading provision) will only apply where the children are not registered pupils – so it will only apply to community provision. Schools will be able to choose which staffing model is most appropriate to their situation. Once a child is a registered pupil, then that is their status. For example, it is not possible for a child to be a pupil in the morning and a non-pupil in the afternoon. As the governor-run early years provision is part of the school, and will be inspected as part of the school, the head and governing body will ensure that the provision is adequately supervised and run, even if a school teacher is not working directly with the children.

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

This policy covers the following:

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

ENTITLEMENT TO AN EARLY EDUCATION PLACE

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

Schools should have regard to the 'Early education and childcare statutory guidance, 2017' <https://www.gov.uk/government/publications/early-education-and-childcare--2> and the 'Early Years entitlement: Operational Guidance; <https://www.gov.uk/government/publications/30-hours-free-childcare-la-and-early-years-provider-guide>

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

<https://www.calderdale.gov.uk/v2/residents/education-and-learning/schools/admissions>

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

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

ADMISSION DATES

The earliest a child can be admitted to free early years education is the term after their 2nd (if eligible) or 3rd birthday. (See below)

Any child admitted prior to the term following their 2nd or 3rd birthday will not receive early education funding. All children are required by law to start school at the beginning of the term after their 5th birthday.

The part-time admission dates are:

Term in which 2nd, 3rd and 4th birthday falls	Dates of birth	Term of Part-time admission
Spring	1st January – 31st March	Summer
Summer	1st April – 31st August	Autumn
Autumn	1st September – 31st December	Spring

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

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

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

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

Schools that are eligible to offer early education places on a part-time basis are responsible for administering this entitlement. Parents must contact the school directly when applying for an early education place. Each school should then allocate places in accordance with this policy.

Each school should have their own application form for early education places, which all parents must complete and sign. The Local Authority may request copies of these for audit purposes,

Schools must identify a date each term when admissions for the following term will be allocated. Parents should be notified in writing when an early education place will be available. Parents should be requested to confirm that they accept the offer of a place. Following notification that a place is available, a child should be expected to take up the place within 2 weeks of the start of term. If a staggered intake is offered all children must be in school by the end of 2nd week of term. If the child has not taken up the place after 2 weeks and a satisfactory explanation has not been provided to the Headteacher then the offer of a place can be removed. No funding will be provided until a place is taken up.

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

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

Schools are also requested to record details of a parents/carer's surname, date of birth of birth and National Insurance or NASS (National Asylum Support Service) number, in order for the Local Authority to be able to check for a child's eligibility for Early Years Pupil Premium (EYPP). A model form and letter are available online at <https://www.gov.uk/government/publications/early-years-pupil-premium-model-document-and-letter-for-parents>

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

EARLY EDUCATION ADMISSIONS OVERSUBSCRIPTION CRITERIA

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

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

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

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

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

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

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

NURSERY CAPACITY

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

<https://www.gov.uk/government/publications/school-organisation-maintained-schools>

For example, most schools' nursery numbers are based on multiples of 13 in line with the staffing ratios. Therefore, if a school has a nursery number of 26 FTE (full-time equivalent) then a school can admit a maximum of 52 children. Examples of flexible delivery of the early education entitlement are included in the 'Early Years entitlement: Operational Guidance'

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

FUNDING FOR EARLY EDUCATION PLACES

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

CHARGING FOR ADDITIONAL SERVICES

Government funding is intended to deliver 15 or 30 hours a week of free, high quality, flexible childcare. It is not intended to cover the costs of meals, other consumables, additional hours or optional activities. Schools can charge for meals and snacks, consumables and optional activities as part of the free entitlement delivery, as long as parents are not required to pay as a condition of taking up their child's free entitlement place. Where parents choose to purchase additional hours of provision or optional activities, this is a private matter between the school and the parent.

Schools offering wraparound care integrated with a nursery class may utilise unallocated nursery places to offer additional provision beyond the free early years entitlement. Schools should inform parents of the arrangements for allocating additional sessions. Where parents are charged for the provision of wraparound childcare beyond the free entitlement, schools must have a charging policy and inform parents of any charges before they are incurred.

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

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

<https://www.gov.uk/government/publications/30-hours-free-childcare-1a-and-early-years-provider-guide>

SCHOOL CENSUS AND EARLY YEARS CENSUS

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

Maintained nursery schools, maintained schools, academies and free schools complete the school census.

Schools with on-site early years free provision make their return via either the school census or the early years census, as appropriate for the individual children attending the setting:

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

STATUTORY FRAMEWORK FOR THE EARLY YEARS FOUNDATION STAGE

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

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

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

CHILDREN WITH SPECIAL EDUCATIONAL NEEDS/DISABILITY (SEND)

The Children and Families Bill 2014 introduced the SEND Reforms. Schools are required to have regard to the current SEND Code of Practice

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf and the Equality Act 2010

<http://www.legislation.gov.uk/ukpga/2010/15/contents>