



HARVEY ROAD PRIMARY SCHOOL NURSERY ADMISSIONS CRITERIA 2022-23

The Governors of Harvey Road School have determined what criteria will be used for determining the nursery admissions.

Section 324 of the Education Act 1996 requires the governing bodies of all maintained schools to admit a child with a statement of special educational needs that names their school. Harvey Road School will therefore admit children with an EHC (Education, Health and Care) Plan that names the school.

Parents should apply directly to the nursery school they wish their child to attend. If there are fewer applications than places available at a school all applicants will be admitted. However, if there are not enough places available, places will be allocated in the following order of priority:

Rule 1: Children looked after and children who were previously looked after, including those who appear (to the admission authority) to have been in state care outside of England, and ceased to be in state care as a result of being adopted or became subject to a child arrangements order¹ or a special guardianship order². Places are allocated to children in public care according to Chapter 7, Section 2 of the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012. Highest priority will also be given to children who were previously looked after, including those looked after outside England, but ceased to be so because they were adopted, or became subject to a child arrangement order or a special guardianship order. See notes for definitions and further explanation.

Rule 2: Children for whom it can be demonstrated that they have a particular medical or social need to go to the school – see notes.

Rule 3: Children who have a sibling on the roll of the school at the time of application (Reception to year 5).

Rule 4: Children who live closest to the school.

If more children qualify under a particular rule than there are places available, a tiebreak will be used by applying the next rule to those children.

Tie-break

If more children qualify under criterion 4 than there are places available, priority will be given to those who live nearest to the nursery as measured in a straight line. Where there is a need for a tie-breaker where two different addresses measure the same distance from a school, in the case of a block of flats for example, the lower door number will be deemed nearest as logically this will be on the ground floor and therefore closer. If there are two identical addresses of separate applicants, the tie break will be random.

The nursery allocation process will be co-ordinated and administered by the school. Distances will be calculated using the 'Find my nearest school' website.

<https://www.hertfordshire.gov.uk/services/schools-and-education/school-admissions/research-a-school/measuring-home-to-school-distance.aspx>

Notes

- a) "**Parents**" shall mean and include any person or persons *in loco parentis* to the applicant.
- b) "**Sibling**" means a sister, brother, half brother or sister, adopted brother or sister, or the child of the parent/carer or partner, and in every case living in the same house Monday to Friday.
- c) "**Applicant**" is a child on whose behalf an application for admission is being made.
- d) "**Permanent home address**" shall mean such address as at the closing date of application to Harvey Road Primary School. If a child regularly lives at more than one address Monday to Friday, the address provided should be the address where the child spends the majority of his/her time. Both parents /carers must declare this individually with the application.
- e) A "**child looked after**" is a child who is:
- i) in the care of a local authority, or
 - ii) being provided with accommodation by a local authority in the exercise of their social services functions (section 22(1) of The Children Act 1989).

Children in the process of being placed for adoption are classified by law as children looked after providing there is a Placement Order and the application would be prioritised under Rule 1. Children who were not "looked after" immediately before being adopted or made the subject of a child arrangement order or special guardianship order, will not be prioritised under rule 1.

Children previously looked after abroad and subsequently adopted will be prioritised under Rule 1 if the child's previously looked status and adoption is confirmed by Hertfordshire's "Virtual School".

The child's previously looked status will be decided in accordance with the definition outlined in The Children & Social Work Act 2017:

- i. to have been in state care in a place outside England and Wales because he or she would not otherwise have been cared for adequately, and
- ii. to have ceased to be in that state care as a result of being adopted.

A child is in "state care" if he or she is in the care of, or accommodated by –

- i. a public authority,
- ii. a religious organisation, or
- iii. any other organisation the sole or main purpose of which is to benefit society.

f) If a vacancy arises and there are more applications than places after the start of the school year, the admissions criteria will be applied at the date the vacancy arises.

g) In the case of children with special educational needs or a disability, but no EHCP, the oversubscription criteria will be applied as fairly to them as to other applicants.

h) At Harvey Road School the governors, as the admitting authority, cannot exceed this class size. Therefore if there is only a place for one of twins (or multiple births), it will be allocated to the oldest child.

i) Applications to the Nursery and the Reception class are two separate procedures and attendance at Nursery does not guarantee admission to Reception class.

j) Medical or Social need

Rule 2 applications will only be considered at the time of the initial application, unless there has been a significant and exceptional change of circumstances within the family since the initial application was submitted. All schools in Hertfordshire have experience in dealing with children with diverse social and medical needs. However, in a few very exceptional cases, there are reasons why a child has to go to one specific school. Few applications under Rule 2 are agreed.

All applications are considered individually but a successful application should include the following:

- a) Specific recent professional evidence that justifies why only one school can meet a child's individual needs, and/or
- b) Professional evidence that outlines exceptional family circumstances making clear why only one school can meet the child's needs.
- c) If the requested school is not the nearest school to the child's home address clear reasons why the nearest school is not appropriate.
- d) For medical cases – a clear explanation of why the child's severity of illness or disability makes attendance at only a specific school essential.

Evidence should make clear why only one school is appropriate. A Rule 2 application will generally not be upheld in cases where more than one school could meet the child's need.

In exceptional cases relating to a disability, where more than one school in the county can meet the child's specific needs, a clear and compelling case can be made for the "nearest" school with the relevant facilities, environment or location. You must clearly explain why attendance at the "nearest" school with these facilities is essential.

Applications under Rule 2 can only be considered when supported by a recent letter from a professional involved with the child or family, for example a doctor, psychologist or police officer. The supporting evidence needs to demonstrate why only one named school can meet the social/medical needs of the child and must be received by the deadline in March 2022.

Applications for children who were not "looked after" immediately before being adopted or made the subject of a child arrangement order or special guardianship order may be made under this rule.

Additional Information

- a) Parents will need to ensure that they complete the online Harvey Road School application form by the published deadline.
- b) Parents should ensure that any supporting documentation has been sent to the Headteacher. The application list is closed on the published date. Should any information that is submitted be found to be incorrect, the governors will be entitled to remove the offer of a place at Harvey Road School, even if the child has already started.
- c) If fewer than 30 places are accepted the governors will offer the remaining place(s) to the next applicant(s) on the original list.
- d) When all places have been accepted from this original list a waiting list will be established to include all remaining, confirmed applicants and any late applicants (received after the closing date).

- e) It is the responsibility of all parents on the continuing interest list to keep the School advised of any change in circumstances.
- f) A child's name will remain on the continuing interest list for one year. In July, the child's name will be automatically removed.
- g) As there is no statutory requirement that your child attends a Nursery place, there will be no right of appeal.
- h) Should an offer be made to you, it will be necessary for you to reply by the specified date. We will endeavour to make contact with you before this date to remind you that a response is required using the contact details you supply within your application. However, should we not receive your notification of acceptance by this date the offer will be withdrawn.
- i) If you are not offered a place at the Nursery it means that other applicants have achieved a higher placing than you when the rules were applied.
- j) Children are offered a place in the nursery starting in the September of the academic year in which the child becomes 4.