

**Fearnhill School**  
**School Admission Arrangements for 2024/25**

The school will have a published admission number of 120.

Section 324 of the Education Act 1996 requires the governing bodies of all maintained schools to admit a child with an Education Health and Care Plan that names their school. The school will admit any child with an Education Health & Care Plan that names the school.

If there are fewer applications than places available, all applicants will be offered a place. If there are more applications than places available, the criteria outlined below will be used to allocate places.

**Rule 1** Children looked after (in public care) and children who were previously looked after, but ceased to be so because they were adopted (or became subject to a child arrangements order or a special guardianship order).

**Rule 2 Medical or Social:** Children for whom it can be demonstrated that they have a particular medical or social need to go to the school, which includes children previously looked after from abroad who were cared for by the state because he or she would not otherwise have been cared for adequately and subsequently adopted.

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.

Applications for children adopted but previously looked after abroad will be considered under this rule and accepted if the child's previously looked after status and adoption is confirmed. Hertfordshire's "Virtual School" will be asked to verify all such applications.

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

- a. Evidence that the child was previously cared for by the state abroad because he or she would not otherwise have been cared for adequately and has been subsequently adopted

*OR*

- b. Specific recent professional evidence that justifies why only one school can meet a child's individual needs, and/or
- c. Professional evidence that outlines exceptional family circumstances making clear why only one school can meet the child's needs.
- d. If the requested school is not the nearest school to the child's home address clear reasons why the nearest school is not appropriate.
- e. 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.

Applications for children previously "looked after" but not meeting the specific criteria outlined in Rule 1, may be made under this rule.

Further details on the Rule 2 process can be found in the [Rule 2 protocol](#)

**Rule 3 Sibling:** Children who have a sibling at the school at the time of application, unless the sibling is in the last year of the normal age-range of the school. *Note: the 'normal age range' for Fearnhill School is Years 7 to 13.*

**Rule 4** Children who live in the priority area for whom it is their nearest Hertfordshire maintained school or academy that is non-faith, co-educational and non-partially selective. *Note: Non-partially selective means that the school does not offer any places based on academic ability.*

**Rule 5** Children who live in the priority area who live nearest to the school.

**Rule 6** Children living outside the priority area on the basis of distance, with those living nearest to the school given priority.

These rules are applied in the order they are printed above. 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. 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 allocation.

Random allocation will be undertaken independently of the school by Hertfordshire County Council. Every child entered onto the county council's admissions database has an individual random number assigned, between 1 and 1 million, against each preference school. When there is a need for a final tie break this random number is used to allocate the place, with the lowest number given priority.

Fearnhill School will use the same definitions and measuring system as Hertfordshire County Council's as outlined in the "Definitions" section below.

## **Priority Area**

The co-educational priority areas in the admission rules are based on the following towns, parishes/unparished areas. These apply to Rules 4 and 5.

- Letchworth Garden City

The governing body/academy trust recognises that in 2013, the three unparished areas of Baldock, Hitchin and Letchworth were amalgamated into one single unparished area (North Hertfordshire, unparished area). To ensure our admission arrangements can be implemented accurately and as intended, the three unparished areas of Baldock, Hitchin and Letchworth will be considered separately to determine the parish and priority area for each applicant.

## **Continuing Interest**

After places have been offered, Hertfordshire County Council will maintain a continuing interest (waiting) list for all community and voluntary controlled schools. A child's position on a CI list will be determined by the admission criteria outlined above and a child's place on the list can change as other children join or leave it. The county council will contact parents/carers if a vacancy becomes available and it can be offered to a child. Continuing interest lists will be maintained for every year group until the summer term (date to be specified and confirmed to parents at the time of allocation). To retain a CI application after this time, parents must confirm they are still interested in a place by completing an In-Year application form.

## **In Year Admissions**

Hertfordshire County Council co-ordinate In-Year Admissions on behalf of the school. Information about how to apply and the online application forms can be found at [www.hertfordshire.gov.uk/inyear](http://www.hertfordshire.gov.uk/inyear). The oversubscription criteria outlined above is used to prioritise all In-Year applications. A paper application form can be requested from the Customer Service Centre on 0300 123 4043

## **Fair Access**

Community and voluntary controlled schools will admit children under the Fair Access Protocol before those on continuing interest, and over the Published Admission Number (PAN) if required.

## **Sixth Form Arrangements**

The school will admit up to 40 external students to its sixth form.

Minimum academic entry requirements are:

- i) 38 points – we no longer require a 4 at Maths or English GCSE as per the DfE's policy. Some subjects, including A Level Maths and Sciences require a 6 or 5 grade at GCSE.

If the school is oversubscribed, priority will first be given to:

1. Children Looked After, or previously looked after.

2. Children from abroad who were previously looked after and have been adopted.
3. Students living within 15 miles of the school, with priority given on distance from the school.

The current application form to join the Sixth Form is attached to this document as Appendix 1 and is updated annually.

## **Sixth Form Admissions Appeals**

Appeals will be heard by the governing body as the relevant admissions authority. Submissions to the chair of the governing body may be made by emailing [jacqui.simmonds10@fearnhill.herts.sch.uk](mailto:jacqui.simmonds10@fearnhill.herts.sch.uk)

## **Appeals**

At Transfer parents wishing to appeal who applied through Hertfordshire's online system should log in to their online application and click on the link "register an appeal". Out of county residents and paper applicants should call the Customer Service Centre on 0300 123 4043 to request their registration details and log into [www.hertfordshire.gov.uk/schoolappeals](http://www.hertfordshire.gov.uk/schoolappeals) and click on the link "log into the appeals system".

For an In-Year application the county council will write to you with the outcome of your application and if you have been unsuccessful, will include registration details to enable you to login and appeal online at [www.hertfordshire.gov.uk/schoolappeals](http://www.hertfordshire.gov.uk/schoolappeals)

## **Definitions and Explanatory notes**

The following definitions apply to terms used in the admissions criteria:

### **Children in public care (children looked after)**

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. These children will be prioritised under rule 1. Highest priority will also be given to children who were looked after, but ceased to be so because they were adopted, or became subject to a Child Arrangements Order or a special guardianship order.

A "child looked after" 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 (section 22(1) of The Children Act 1989)

All children adopted from care who are of compulsory school age are eligible for admission under rule 1.\*

Child Arrangements Order - under the provisions of the Children and Families Act 2014, which amended section 8 of the Children Act 1989, residence orders have now been replaced by Child Arrangements Orders which settle the arrangements to be made as to the person with whom the child is to live.

Special guardianship order – under 14A of The Children Act 1989, an order appointing one or more individuals to be a child's special guardian or guardians.

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. Applications made for these children, with suitable supporting professional evidence, can be considered under rule 2.

\* This definition has been amended in accordance with paragraph 1.7 (footnote 17) of the School Admissions Code that came into force on 19 December 2014.

### **Definition of sibling**

A sibling is defined as: the sister, brother, half brother or sister, adopted brother or sister, child of the parent/carer or partner or a child looked after or previously looked after\* and in every case living permanently\*\* in a placement within the home as part of the family household from Monday to Friday at the time of this application.

A sibling must be on the roll of the named school at the time the younger child starts. If a place is obtained for an older child using fraudulent information, there will be no sibling connection available to subsequent children from that family.

\*Children previously looked after are those children adopted or with a special guardianship order or child arrangements order. This definition was amended following a determination by the OSA in August 2014.

\*\*A sibling link will not be recognised for children living temporarily in the same house, for example a child who usually lives with one parent but has temporarily moved or a looked after child in a respite placement or very short term or bridging foster placement.

### **Multiple births**

The school will admit over the published admission number when a single twin/multiple birth child is allocated the last place at a school.

### **Home address**

The address provided must be the child’s current permanent address at the time of application

- “At the time of application” means the closing date for applications
- “Permanent” means that the child has lived at that address for at least a year

Where a family has not lived at an address for a year, they **must** be able to demonstrate that they own the property or have a tenancy agreement for a minimum of 12\* months **and** the child must be resident in the property at the time of application.

The application can only be processed using one address. If a child lives at more than one address (for example due to a separation) the address used will be the one where the child lives for the majority of the time. If a child lives at two addresses equally, parents/carers should make a single joint application naming one address.

If a child's permanent residence is disputed, parents/carers should provide court documentation to evidence the address that should be used for admission allocation purposes. If two applications are received, with different addresses and/or different preferences, neither will be processed until the address issue is reconciled.

It is for a child's home Local Authority to determine address. If two applications, with different addresses are received from the same Local Authority, it will be for that Local Authority to determine permanent address. If two applications are received from two different Local Authorities, the above process will be used

If two different applications are received for the same child from the same address, e.g., containing different preferences, parents/carers will be invited to submit a joint application or provide court documentation to evidence the preferences that should be used for the admission process. Until the preference issue is reconciled neither application will be processed.

For the transfer application rounds, if the initial differing applications (one or both) were received "on-time", an amended joint application will also be considered "on-time" if received before the "late deadline". If the amended joint application is received after the late date, it will be treated as "late". The late deadlines for the 2024/25 transfer application process are 2<sup>nd</sup> December 2023 for secondary and upper applications and 1<sup>st</sup> February for reception, junior and middle applications. If these dates change, amendments will be published on the admissions web pages at the start of the 2024/25 application process in September 2023.

\* If, because of the nature of the agreement, it is not possible to provide a 12-month tenancy agreement, alternative proof of address will be requested and verified as necessary with the Shared Anti-Fraud Service.

“Permanent” means that the child has lived at that address for at least a year and/or the family own the property or have a tenancy agreement for a minimum of 12 months. The application can only be processed using one address. If a child lives at more than one address (for example due to a separation) the address used will be the one which the child lives at for the majority of the time. If a child lives at two addresses equally, the address of the parent/carer that claims Child Benefit/Child Tax Credit will be considered as the child’s main residence. If a family is not in receipt of Child Benefit/Tax Credit alternative documentation will be requested. If a child’s residence is in dispute, parents/carers should provide court documentation to evidence the address that should be used for admission allocation purposes.

### **Fraudulent applications**

The school, in liaison with Hertfordshire County Council, will do as much as possible to prevent applications being made from fraudulent addresses. Address evidence is frequently requested, monitored and checked and school places will be withdrawn when false information is deliberately provided.

Action will be taken in the following circumstances:

- When a child’s application address does not match the address of that child at their current school;
- When a child lives at a different address to the applicant
- When the applicant does not have parental responsibility
- When a family move shortly after the closing date of applications when one or more of the following applies:
  - o The family has moved to a property from which their application was less likely to be successful
  - o The family has returned to an existing property
  - o The family lived in rented accommodation for a short period of time (anything less than a year) over the application period
  - o Council tax information shows a different residence at the time of application
- When a child starts at the allocated school and their address is different from the address used at the time of application

### **Home to school distance measurement for purposes of admissions**

A ‘straight line’ distance measurement is used for all home to school distance measurements for admission allocation purposes. Distances are measured using a computerised mapping system to two decimal places. The measurement is taken from the AddressBase Premium address point of your child’s house to the address point of the school. AddressBase Premium data is a nationally recognised method of identifying the location of schools and individual residences.

### **Definition of “nearest school” for secondary/upper admissions**

The “nearest school” definition for rule 4 is “the nearest Hertfordshire maintained school or academy that is non-faith, co-educational, and non-partially selective (note – non-partially selective means that the school does not offer any places based on academic ability”).

### **Applications from children\* from overseas**

All children of compulsory school age (5 to 16 years) in England have a right of access to education. However, where a child is in England for a short period only, for example less than half a term, it may be reasonable to refuse admission to a school.

\*Children who hold full British Citizen passports (not British Dependent Territories or British Overseas passports), or have a UK passport describing them as a British citizen or British subject with the right of abode or are European Economic Area nationals normally have unrestricted entry to the UK.\*

An application for a school place will only be accepted for such children currently overseas if, for In Year applications, proof is provided that the child will be resident in Hertfordshire within two weeks. In Year allocations are made on the assumption that the child will accept the school place and be on roll within that timescale.

For the Secondary application process applications will not normally be accepted from, nor places allocated to, an overseas address. The exception to this (for both In Year and transfer processes) is for children of UK service personnel and crown servants (and from military families who are residents of countries with a Memorandum of Understanding with the UK). In these cases HCC will allocate a place in advance of the family arriving in the area provided the application is accompanied by an official letter that declares a relocation date and a HCC Unit postal address or quartering area address, for consideration of the application against oversubscription criteria. If the family already has an established alternative private address, that address will be used for admission purposes.

The school, in liaison with HCC, will also consider accepting applications from children\* (as defined above) whose family can evidence intent to return to and/or permanently reside in Hertfordshire prior to the start of the new academic year. These applications, if accepted, will be processed from the overseas address until sufficient evidence is received to show the child is permanently resident in Hertfordshire. Evidence must be submitted at the time of application.

Evidence submitted after the date for late applications cannot be taken into account before National Allocation Day. Decisions on these applications will be made by a panel of county council officers and communicated with parents within 6 weeks of the closing date for applications.

If an applicant owns a property in Hertfordshire but is not living in it, perhaps because they are working abroad at the time of application, the Hertfordshire address will **not** be accepted for the purposes of admission until the child is resident at that address. Other children, than those mentioned above, from overseas do not generally have automatic right of entry to the UK. An application for a school place will not therefore be accepted until they are permanently resident in Hertfordshire. Proof of residency such as an endorsed passport or entry visa will be required with the application, in addition to proof of Hertfordshire address, for example a council tax bill or 12 month rental agreement.

### **Children Out of Year Group**

The school's policy is for children to be educated within their correct chronological year group, with the curriculum differentiated as necessary to meet the needs of individual children. This is in line with DfE guidance\* which states that "in general, children should be educated in their normal age group".

If parents/carers believe their child(ren) should be educated in a different year group they should, at the time of application, submit supporting evidence from relevant professionals working with the child and family stating why the child must be placed outside their normal



age appropriate cohort. DfE guidance makes clear that “it is reasonable for admission authorities to expect parents to provide them with information in support of their request – since without it they are unlikely to be able to make a decision on the basis of the circumstances of the case”.

The school’s governing body, as the relevant admission authority, will decide whether the application will be accepted on the basis of the information submitted. The governor’s decision will be based upon the circumstances of each case including the view of parents, the headteacher, the child’s social, academic and emotional development and whether the child has been previously educated out of year group. There is no guarantee that an application will be accepted on this basis. If the application is not accepted this does not constitute a refusal of a place and there is no right to an independent statutory appeal. Similarly there is no right of appeal for a place in a specific year group at a school. The internal management and organisation of a school, including the placement of pupils in classes, is a matter for the Headteacher and senior leadership of the school.

\*Advice on the admission of summer born children” December 2014

## **Appendix 1: Application forms to join the Sixth Form- internal and external**

This form is updated annually. Please check the school's website for the latest version.

**Application form for external candidates:**

**Student signature:**

**Name of parent/carer:**

**Signature of parent/carer:**

**Date:**