

Admission to Primary School – Legal requirements

School Admissions Code 2021

The purpose of the Code is to ensure that all school places for maintained schools and Academies (excluding maintained special schools and special academies) are allocated and offered in an open and fair way. The Code has the force of law, and where the words '**must**' or '**must not**' are used, these represent a mandatory requirement. Admission authorities and local authorities **must** also comply with the regulations and legislation set out in the Appendix to the Code.

In drawing up their admission arrangements, admission authorities **must** ensure that the practices and the criteria used to decide the allocation of school places are fair, clear, and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.

How Admissions Work

In summary, the process operates as follows:

All schools **must** have admission arrangements that clearly set out how children will be admitted, including the criteria that will be applied if there are more applications than places at the school. Admission arrangements are determined by admission authorities.

Admission authorities **must** set ('determine') admission arrangements annually. Where changes are proposed to admission arrangements, the admission authority **must** first publicly consult on those arrangements. If no changes are made to admission arrangements, they **must** be consulted on at least once every 7 years.

Consultation **must** be for a minimum of 6 weeks and **must** take place between **1 October** and **31 January** of the school year before those arrangements are to apply (the determination year).

*For example: for arrangements which are to apply for entry in September 2025, consultation **must** be completed by 31 January 2024.*

This consultation period allows parents, other schools, religious authorities, and the local community to raise any concerns about the proposed admission arrangements.

Once all arrangements have been determined, arrangements can be objected to and referred to the Schools Adjudicator. Objections to admission arrangements **must** be referred to the Adjudicator by **15 May** in the school year before those arrangements are to apply (the determination year).

*For example: for arrangements which are to apply for entry in September 2025, objections **must** be referred to the Adjudicator by 15 May 2024.*

Any decision of the Adjudicator **must** be acted on by the admission authority and admission arrangements amended accordingly. The local authority will collate and publish all the admission arrangements in the area in a single composite prospectus.

In the normal admissions round parents apply to the local authority in which they live for places at their preferred schools. Parents are able to express a preference for at least three schools. The application can include schools outside the local authority where the child lives.

A parent can apply for a place for their child at any state-funded school in any area. If a school is undersubscribed, any parent that applies **must** be offered a place. When oversubscribed, a school's admission authority **must** rank applications in order against its published oversubscription criteria and send that list back to the local authority.

All preferences are collated and parents then receive an offer from the local authority at the highest preference school at which a place is available. The offer is made on National Offer Day – this is **16 April** for primary schools (or the next working day where 16 April falls on a weekend or bank holiday), in the year in which the child will be admitted.

Parents, and in some circumstances children, have the right to appeal against an admission authority's decision to refuse admission. The admission authority must set out the reasons for the decision, that there is a right of appeal and the process for hearing such appeals. The admission authority **must** establish an independent appeals panel to hear the appeal. The panel will decide whether to uphold or dismiss the appeal. Where a panel upholds the appeal, the school is required to admit the child.

Further information is available on the Local Authority website:

<https://www.rotherham.gov.uk/schools-schooling/school-admission-appeals>.

Email schoolappeals@rotherham.gov.uk

Determining Admission Arrangements

Admission authorities are responsible for admissions and **must** act in accordance with the Code, the School Admission Appeals Code, other laws relating to admissions, and relevant human rights and equalities legislation.

Published Admission Number (PAN)

As part of determining their admission arrangements, all admission authorities **must** set an admission number for each 'relevant age group'. (Relevant age group is the first year of entry – Year 7 in a secondary school).

Own admission authorities are not required to consult on their PAN where they propose either to increase or keep the same PAN. For a community or voluntary controlled school, the local authority (as admission authority) **must** consult at least the governing body of the school where it proposes either to increase or keep the same PAN. All admission authorities **must** consult where they propose a decrease to the PAN.

Community and voluntary controlled schools have the right to object to the Schools Adjudicator if the PAN set for them is lower than they would wish. There is a strong presumption in favour of an increase to the PAN to which the Schools Adjudicator **must** have regard when considering any such objection.

Admission authorities **must** notify their local authority of their intention to increase the school's PAN and reference to the change should be made on the school's website. If, at any time following determination of the PAN, an admission authority decides that it is able to admit above its PAN, it **must** notify the local authority in good time to allow the local authority to deliver its co-ordination responsibilities effectively.

Admission authorities may also admit above their PAN through in-year admissions. The PAN only applies to the relevant age group. This means that admission authorities may not refuse

admission to other age groups on the grounds that they have already reached their PAN. They may, however, refuse admission where the admission of another child would prejudice the provision of efficient education or efficient use of resources.

Oversubscription criteria

The admission authority for the school **must** set out in their arrangements the criteria against which places will be allocated at the school when there are more applications than places and the order in which the criteria will be applied. All children whose Education, Health and Care Plan names the school **must** be admitted. If the school is not oversubscribed, all applicants **must** be offered a place (with the exception of designated grammar schools - see paragraph 2.8 of the Code).

All schools **must** have oversubscription criteria for each 'relevant age group' and the highest priority **must** be given, unless otherwise provided in the Code, to looked after children and all previously looked after children, including those children 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.

Previously looked after children are children who were looked after but ceased to be so because they were adopted (or became subject to a child arrangements order or special guardianship order). All references to previously looked after children in the Code mean such children who were adopted (or subject to child arrangements orders or special guardianship orders) immediately following having been looked after and those children 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. Oversubscription criteria **must** then be applied to all other applicants in the order set out in the arrangements.

Oversubscription criteria **must** be reasonable, clear, objective, procedurally fair, and comply with all relevant legislation, including equalities legislation. Admission authorities **must** ensure that their arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs, and that other policies around school uniform or school trips do not discourage parents from applying for a place for their child. Admission arrangements **must** include an effective, clear, and fair tie-breaker to decide between two applications that cannot otherwise be separated.

The Governing Body / Trust Board of an Academy is the Admissions Authority for their school. Places will be allocated using the admissions criteria given below and will be co-ordinated by the Local Authority. Places will be offered by Rotherham Local Authority on behalf of the Governing Body / Trustees.

The Local Authority Admission to Primary School 2025 booklet contains information on all Rotherham schools and is a guide for parents/carers to the admissions process.

Parents/carers are strongly advised to read the booklet and familiarise themselves with the process and the admission criteria given below prior to submitting their application. The Admission to Primary School 2025 booklet is available to view online:

[Apply for a school place – Rotherham Metropolitan Borough Council](#)

A hard copy of the booklet can be posted to parents/carers on request by telephoning the Local Authority Admissions Team on 01709 823777 or email:

admissions.enquiries@rotherham.gov.uk

Closing Date for Receipt of Applications

Parents/carers should submit their Primary school application by **15th January** which is the National closing date for applications to be considered as 'on time' applications.

For Example: For entry to Reception (Foundation Stage 2) in September 2024, applications should be submitted to the Local Authority by 15th January 2024 to be considered as an 'on time' application. School allocations are then notified to parents/carers on 16th April 2024 which is the National Offer Day.

How to Apply for a Primary School Place

Parents of children resident in Rotherham **must** apply via Rotherham Authority. However, for looked after child, the application must be submitted by the social worker via the Local Authority responsible for the child's care rather than the foster carer.

Rotherham Authority operates an online admissions service to enable parents to submit an application for their preferred school(s) via the Authority's website:

[Apply for a school place – Rotherham Metropolitan Borough Council](#)

Parents who are unable to apply online or would simply prefer to complete a paper application form can contact the Admissions Team to request a paper copy.

Telephone 01709 823777

Email: admissions.enquiries@rotherham.gov.uk