Liverpool City Council

Liverpool In-Year Admissions Arrangements

Children's Services - Admissions

September 2024



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1 Introduction

Local authorities and maintained schools and academies **must** adhere to the School Admissions Code 2021. The Code sets out mandatory requirements in relation to the duties and functions relating to admissions. Admission authorities, governing bodies of schools and academies and local authorities have a statutory duty to act in accordance with the Code.

A parent/guardian can apply for an in-year transfer to any mainstream school[1] and at any time. Local authorities are not required to co-ordinate in-year transfers for schools for which they are not the admitting authority. They may, however, coordinate in-year applications for any or all own admission authority schools in their area, with the agreement of the relevant admission authorities

All Liverpool schools and academies have agreed that Liverpool Local Authority co-ordinates new to country and new city in-year applications for all own admissions authority schools in the city. The LA also co-ordinates in-year admissions applications for children who are educated at home and wish to return to mainstream education and for all other children who are without a school place. The LA does not co-ordinate local school to school in-year transfers (moves between Liverpool schools) where a house move has not taken place.

By agreeing to be part of the Local Authority's in-year co-ordination arrangements, schools are helping to safeguard those children who are not registered at a school and are not receiving education. Children not on the roll of a school are at significant risk of underachieving, being victims of harm, exploitation or radicalisation or becoming NEET.

This policy and process document sets out how in-year transfers are managed by Liverpool's Pupil Admissions Team, the statutory duties that all admission authorities must comply with regarding processing of in-year transfer applications, and subsequent escalation procedures – including the use of the In-Year Fair Access Protocol.

These arrangements apply only to statutory school age children (up to 16 years old) and do not apply to non-mainstream schools or children with an Education, Health and Care Plan. For children with an EHCP, parents or guardians should contact their SEND Caseworker or their current school if they wish to change school placement.

[1] All subsequent references to schools include academies

2 The Law

2.1 Local Authority and Own Admitting Authority Responsibilities Pre Application Stage

1. Local authorities **must** publish information to explain how in-year applications can be made. This can be found at www.liverpool.gov.uk/admissions
2. Own admission authority schools **must** inform the local authority by 1st August of whether they intend to be part of the local authority's in-year co-ordination scheme for the coming academic year
3. Local authorities **must** provide a suitable application form (and a supplementary information form where necessary) for parents to complete when applying for a place for their child at a school for which they co-ordinate in-year admissions. This can be found at www.liverpool.gov.uk/admissions
4. Own admission authorities and governing bodies **must** set out on the school's website by 31st August how in-year applications will be dealt with for the coming academic year.
5. Local authorities **must**, on request, provide information to prospective parents about places available in all schools in their area
6. Admissions authorities for all schools **must** provide the LA with details of places available at their schools whenever this information is requested. Such details should be provided no later than two school days following receipt of a request from the local authority.

2.2 Applications

7. With the exception of designated grammar schools, all maintained schools and academies, including schools designated with a religious character, that have places available **must** offer a place to every child who has applied for one, without condition or use of any oversubscription criteria, unless admitting the child would prejudice the efficient provision of education or use of resources

8. Admissions authorities **must not** refuse to admit a child solely because:
    a. They have applied later than other applicants
    b. They are not of the faith of the school in the case of a school designated with a religious character
    c. They have followed a different curriculum at their previous school
    d. Information has not been received from their previous school

9. Where an admission authority is dealing with multiple in-year admissions and do not have sufficient places for every child who has applied for one, they **must** allocate places on the basis of the oversubscription criteria in their determined admission arrangements only

10. Parents **must not** be refused the opportunity to make an application or be told that they can only be placed on a waiting list rather than make a formal application.

11. Upon receipt of an in-year application, the admission authority, or the local authority if it is co-ordinating the admissions authority's in-year admissions, should aim to notify the parents of the outcome of their application in writing within **10 school days**, but they **must** be notified in writing within **15 school days**

12. Where an application is refused the admission authority **must** set out the reason for refusal and information about the right to appeal

13. Any admission authority managing its own in-year admissions **must** notify the local authority of **every application** and its outcome as soon as reasonably practicable, but should aim to be within **2 school days**

14. Where an applicant is offered a school place following an in-year application, and the offer is accepted, arrangements should be made for the child to start school as soon as possible, particularly where the child is out of school.

Children who have been out of education for four weeks or more where it can be demonstrated that there are no places available at any school within a reasonable distance of their home should be referred to FAP. This does not include circumstances where a suitable place has been offered to a child and this has not been accepted

2.3 Fair Access Protocols

15. Every LA **must** have a Fair Access Protocol to ensure that unplaced and vulnerable children, and those who are having difficulty in securing a school place in-year, are allocated a school place as quickly as possible

16. Once the Protocol has been agreed by the majority of schools in the area, all admissions authorities **must** participate in it – including making available a representative who is authorised to participate in discussions, make decisions on placing children via the Protocol, and admitting pupils when asked to do so in accordance with the Protocol, even when the school is full

17. No School – including those with places available – should be asked to take a disproportionate number of children

18. There is no duty for local authorities or admission authorities to comply with parental preference when allocating places through the Fair Access Protocol, but parents' views should be taken into account

Source: School Admissions Code 2021

3 Local school to school transfers

All Liverpool schools and academies manage their own local school to school in-year transfer requests – including those schools for which the LA is the admitting authority. A local school to school move is defined as a move from one Liverpool school to another Liverpool school which is not the result of a house move.

Parents or guardians applying for a school move to another Liverpool school or academy must contact their child's existing school to discuss their in-year application in detail. Any such transfer will not be co-ordinated by the local authority and would be managed by the schools concerned.

An In-Year Transfer form will be made available via the applicant's existing school.

Parents or guardians and schools **must** follow the procedure below:

a) Parent/guardian **must** arrange an appointment with the relevant admissions officer at their existing school in order to facilitate a potential in-year transfer.
b) The applicant's existing school **must** demonstrate on the In-Year Transfer Form that all options to enable the student to sustain their place at their existing school have been explored. Further background information, such as attendance, attainment and conduct log records may also be provided by the applicants existing school.
c) This information will be used by the potential receiving school when they determine applications.
d) If all of the required background information is not provided then the application is not considered valid and cannot be processed in accordance with agreed timescales.

Schools will confirm directly with parents/carers any pre-admission meetings and start dates once admission has been agreed.

Liverpool Local Authority will act as an information point for all schools and parents regarding general enquiries about the In-Year Transfer process.

4 In-year transfers – house moves

The Local Authority will process in-year transfer requests for Liverpool resident applicants who move house within the city and require a new school place at a Liverpool school. The Local Authority will only process an in-year transfer request where transport to their child's existing school is no longer practical (usually considered more than 3 miles walking distance).

Parents or guardians who have recently moved home, or are intending to move home, within the City **must** complete the local authority in-year transfer application form:

www.liverpool.gov.uk/admissions. Parents and guardians can select up to three preference schools.

Families moving to a new house outside of Liverpool should contact the local authority where they are moving to if they require a place at a school with the new area.

Liverpool residents applying for schools outside of Liverpool must contact the relevant LA to establish the correct in-year transfer procedure in that LA.

Neighbouring Local Authority residents who have not moved home and wish to transfer to a Liverpool Local Authority school **must** complete the local authority in-year transfer form: www.liverpool.gov.uk/admissions

5 Children without a current school

The Local Authority will process in-year transfer requests for all Liverpool residents who do not have a current registered school. This includes children who are new to the city or country, children who are educated at home and wishing to return to mainstream education and any other child missing from education.

Parents/guardians applying for an in-year transfer in these circumstances **must** complete the local authority in-year transfer application form: www.liverpool.gov.uk/admissions.

Parents/guardians can select up to three preference schools.

Liverpool residents applying for schools outside of Liverpool must contact the relevant LA to establish the correct in-year transfer procedure in that LA.

6 How the LA processes in-year applications

Parents/guardians must submit an in-year transfer application via the e-form available at www.liverpool.gov.uk/admissions. Parents/guardians can express a preference for up to 3 schools. Confirmation of the application and a reference number will be automatically sent to the email address that was provided on the application form. Confirmation emails will be sent from noreply@liverpool.gov.uk. Applicants are advised to check their junk or spam folders if they do not receive a confirmation email.

The Pupil Admissions Team will record each submitted application into the local authority's management information system within 24 hours of receipt (excluding weekends and bank holidays). Parents/guardians will be notified of the outcome of their application via email and within 15 school days of the application submission date.

Where a parent/guardian has expressed a preference for more than one school, preferences will be treated equally i.e. schools will not be told of the preference order. In the event that an offer can be made to more than one preference school, the Pupil Admissions Team will allocate a place at the highest preference school.

The Pupil Admissions Team will process all applications in order of the date they are submitted. If more applications to a school are received on the same day than places available, the school's admissions criteria will be applied to each application.

Steps taken for each application:

- Within 24 hours of the submission of an application (excluding weekends and bank holidays), the LA will check if there are places available in the appropriate year group at schools that have been requested – **schools must respond within 2 school days following receipt of request (School Admissions Code 2021)**
- If there are vacancies in school, the LA will email both the parent/guardian and the school to confirm the allocation within **15 school days** of the application submission date
- Schools must contact the applicant directly in order to make arrangements for the child to be admitted – schools must contact parents without delay
- Schools must notify the Pupil Admissions Team of the date the child will be admitted to school within **5 school days** of receiving the allocation email
- Schools should admit the child at the earliest opportunity and no later than **10 school days** after receiving the allocation email from the LA.
- If there are no vacancies in school the LA will write to the applicant, refusing a place and advising them of the process for submitting an appeal within **15 school days** of the application submission date
- Where the LA is unable to make an offer at any preference school and the applicant is unregistered, the local authority will make an offer of place at the nearest school with vacancies available within **15 school days** of the application submission date. This is done in order to safeguard a child who would otherwise be unregistered at school
- If there are no vacancies at any school within 3 miles (walking distance) from the applicant's home address, the Pupil Admissions Team will make a referral to the Fair Access Panel within 20 school days from application submission date in order for a school place to be secured

In exceptional circumstances, schools may refuse to admit a child despite having places available. This is permitted only where the school believes the child may display challenging behaviour (paragraph 3.10 of the School Admissions Code 2021) and if the school already has a particularly high proportion of children with challenging behaviour or previously permanently excluded pupils on roll compared to other local schools. Admission authorities **must not** refuse to admit a child thought to be potentially disruptive, or likely to exhibit challenging behaviour, on the grounds that the child is first to be assessed for special educational needs. In this instance the School

Admissions Manager for LCC will make sure that any refusal to admit is reasonable and lawful before referring a child to IYFAP to be allocated a school.

Liverpool's IYFAP can be found at www.liverpool.gov.uk/admissions.

7 Right of appeal

Where an allocation at a higher preference school cannot be made, applicants will be offered the right of appeal. When an admission authority informs a parent/guardian of a decision to refuse their child a place at a school for which they have applied, it **must** include the reason why admission was refused; information about the right to appeal; the deadline for lodging an appeal and the contact details for making an appeal. Parents **must** set out their grounds for appeal in writing.

8 Waiting lists

Waiting lists across Liverpool local authority are co-ordinated between schools and the local authority in order to factor in both new to city applicants, which the local authority solely coordinate, and local transfer applicants on roll at other schools within the city which schools solely coordinate between each other.

Priority **must not** be given to children based on the date their application was received, or their name was added to the waiting list. Looked after children or previously looked after children allocated a place at the school in accordance with a Fair Access Protocol **must** take precedence over those on a waiting list.

9 Appendix- important information for schools only

Schools must not admit any unregistered child directly. All new to city/country applicants must be directed to the Local Authority Pupil Admissions Team and/or www.liverpool.gov.uk/admissions if they wish to make an in-year transfer application.

Schools Checklist – deadlines and timescales

Action	Deadline
Contact: Admissions@liverpool.gov.uk with details of in-year transfer contact for the coming academic year	1st August
Inform the LA whether the school intends to be part of the LA's in-year coordination scheme for the coming academic year	1st August
Publish information on school website to explain how in-year applications can be made for the coming academic year	31st August

Action	Schools Days
Provide the LA with details of the number of places available at school	**2 school days** from request
Notify LA of admission date for allocated child	**5 school days** from allocation date
Admission date for allocated child	**10 school days** from allocation date

Where a preference school has places available, the LA will automatically allocate a place to the applicant. The Pupil Admissions Team will notify both the school and parent/guardian of the allocation. It is the school's responsibility to then contact the applicant directly to arrange for the child's admission without delay or condition.

Where a school or academy does not comply with a request to provide details of their vacancies when asked for, all affected applications will be referred to the Fair Access Panel. In accordance with Liverpool's IYFAP, the Panel will allocate the applicants to the school or academy that did not comply with the statutory duty – regardless of availability of places. In these cases the admission decision will be recorded but will not be recorded as an allocated place.

Schools must inform the Pupil Admissions Team if a child has been allocated to their establishment and subsequently fails to start at or engage with the school within 10 schools days of being notified of the allocation. The school should then follow the usual Children Missing Education (CME) process to establish where the child is being educated.

Schools with vacancies **must** offer a place to every child who has applied for one, without condition or the use of oversubscription criteria *(paragraph 2.28 Schools Admissions Code 2021)*. A school that has places available can refuse to admit a child only when they believe the child may display challenging behaviour and admitting them would prejudice the provision of efficient education or the efficient use of resources *(paragraph 3.10 Schools Admissions Code)* . In this instance the school must evidence that it has a particularly high proportion of children with challenging behaviour or previously permanently excluded pupils on roll compared to other local schools.

Where a school refuses to admit an in-year transfer or IYFAP allocation, the Local Authority will use its powers to direct the governing body of a maintained school for which they are not the admission authority to admit a child - even when the school is full. Where an academy refuses to admit a child, the LA will ask the Secretary of State to intervene.