

# Education Department Policy

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Title	School Admissions to Non Fee Paying Primary schools
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## 1. Overview

This policy details the framework used by the Education Department (ED) to administer primary school places for children.

## Statutory Framework

The following Articles of the Education (Jersey) Law 1999 have relevance to the Minister's Admissions Policy for non-fee paying primary schools.

### ***'2 Compulsory school age***

- (1) For the purposes of this Law, a child is of compulsory school age throughout the period beginning on the first day of the school term in which the child's fifth birthday falls and ending on 30th June in the school year in which the child attains the age of 16 years, and the terms "below compulsory school age", "upper limit of compulsory school age" and "over compulsory school age" shall be construed accordingly.*
- (2) For the purposes of this Article, the following periods in any school year are school terms –
  - (a) the period beginning on 1st September and ending on 31st December;*
  - (b) the period beginning on 1st January and ending on 30th April; and*
  - (c) the period beginning on 1st May and ending on 31st August.**
- (3) The States may by Regulations amend paragraphs (1) and (2) for the purpose of altering the period of compulsory school age.'*

### ***'11 Duty of Minister with respect to child of compulsory school age***

*The Minister shall ensure that there is available to every child of compulsory school age full-time education appropriate to the child's age, ability and aptitude.'*

### ***'15 Parental right to choose school***

- (1) The parent of a child aged below or of compulsory school age shall have the right to express a preference as to the provided school at which the parent wishes education to be provided for his or her child in the exercise of the Minister's functions.*
- (2) Subject to paragraph (3), the Minister shall comply with any preference expressed pursuant to paragraph (1).*
- (3) The Minister shall not be required to comply with a preference if to do so would prejudice the provision of efficient education or the efficient use of resources.'*

### ***'29 Duty of Minister in relation to child with special educational needs***

- (2) The Minister shall ensure that there is available to every child who has special educational needs the special educational provision required by the child.'*

## 2. Scope

The scope of this policy is concerned with the allocation of Reception - Year 6 Primary School places at the 22 States non-fee paying primary schools.

This policy applies to children starting in Reception class and for all pupils new to the island in Reception – Year 6.

## 3. Responsibilities and distribution

ED (rather than schools) is responsible for allocating all school places at the 22 States non-fee paying primary schools.

The responsibility for school admissions sits within the Planning & Projects Team.

This policy must be kept in a central location and distributed to relevant staff.

## 4. Policy/Standards

### Admissions Criteria

The allocation of non-fee paying primary school places is undertaken by ED. This is based on a set criteria with priority given in the order detailed below, to pupils who:

1. have a special educational need and must access a specific school / LAC
2. have brothers or sisters in the school (reception - Y5)
3. are living in the primary school catchment area<sup>1</sup>
4. are living in the secondary school catchment area
5. have brothers or sisters in the school - Y6 (who will have left when the younger sibling starts)
6. have other requests supported by a good educational reason for attending a non-catchment school

### Class Sizes

The published maximum class size for a primary school form is 26 children.

When allocating above 26 places ED will also take into account the number of places available within neighbouring primary schools that are in the same secondary school catchment area. It would be unusual for ED to allocate over maximum numbers in a primary school if there is space in a neighbouring primary school linked with the same secondary school. ED will however make every effort to accommodate children within their catchment school<sup>2</sup>.

There may be occasions when due to capacity or for educational reasons it is necessary to allocate above the published maximum upon which ED will apply the criteria below:

**27<sup>th</sup> & 28<sup>th</sup> place** – will only be allocated if instructed by the Planning & Projects team.

**29<sup>th</sup> place** – will only be allocated if instructed by the Chief Education Officer or an appeals panel.

**30<sup>th</sup> place** – will only be allocated if instructed by the Education Minister or an appeals panel.

The decision to increase numbers above the class size maximum of 26 will consider the views of the head teacher in relation to class specific issues (e.g. SEN / AEN / EAL<sup>3</sup> considerations, space constraints).

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<sup>1</sup> The address used for catchment based Reception place allocations is the address that a child is living at on the application day deadline.

<sup>2</sup> If a school is oversubscribed by families living in the catchment area during the annual Reception allocation process, priority is applied on a case by case basis, taking into account factors including (but not limited to) driving distance from home to the closest school with [available](#) space.

<sup>3</sup> SEN (Special Educational Need), AEN (Additional Educational Needs), EAL (English as an Additional Language).

For schools with specialist provisions (First Tower, Rouge Bouillon, St Saviour, Rouge Bouillon, St Clements) the maximum number of children allocated places is **29**<sup>4</sup> per class. This number will only be exceeded if a child is allocated a place specifically to access the school's provision.

## 5. Further information and related documents

Appendix 1 - Timing / Key Process Steps

**Applications Procedures** - All applications for places must be made by using the forms available from the gov.je website or on request from the Education department.

[School admissions \(gov.je website\)](#)

[List of provided school \(Jersey Law website\)](#)

[Education \(Jersey\) Law 1999 \(Jersey Law website\)](#)

### CHANGE HISTORY

Version	Date Issued	Issued by	Reason for change
1.0	2003	Head of Projects & Planning	Committee Policy (Appendix 1)
2.0	Oct 2013	Project Manager	Review of school admission policies, procedures and processes. Criteria amendments. New generic form.
2.1	11 Feb 2015	Project Manager	Footnote added to allocation 'living in catchment allocation criteria within section 4.
2.2	6 May 2015	Project Manager	Clarification added to section 4 about class sizes for schools with provisions (max 29 children unless 30 <sup>th</sup> child is in the provision).
2.3	30 July 2015	Project Manager	Appendix 2 removed. Names redacted.
2.4	27 July 2016	Project Manager	Reformatted and ESC replaced with Education Department

### APPROVAL

Presented to:	Date Approved	Approved by:	Presented by:
Senior Management Team	October 2013		Project Manager
Ministerial Team	October 2013		Project Manager
Policy Approval Group	6 May 2015	Policy Approval Group	Project Manager

## Appendix 1 - Timing / Key Process Steps

<sup>4</sup> 29 Duty of Minister in relation to child with special educational needs - (2) *The Minister shall ensure that there is available to every child who has special educational needs the special educational provision required by the child.*

Reception places must be allocated before nursery places so that the school of any siblings can be factored into nursery allocations.

The key process steps are as follows:

### **Starting Primary School in Reception Year**

- Parents are required to register their child with their catchment school before the autumn half term of the school year within which they are four (school nursery age).
- In the middle of the autumn term primary schools will be asked to supply details of all children that have registered with them to the Education Department.
- Pupils going to private school will be removed from the master list and the number of children within each catchment area will be determined to calculate the number of forms of entry required within each school.
- Once the number of children and places is known, offer letters are sent to parents by schools during early February.
- Parents are asked to reply directly to schools, by an agreed date in the spring term, indicating if they wish to accept the place, request an alternative place or are seeking a place in the fee paying or private sector.
- Schools return all out-of-catchment requests to Education.
- Parents that are not granted out of catchment placements may appeal the decision. All appeals will normally be held by the end of the spring term.
- Appeals will not be held for requests submitted after the summer half term (unless there are exceptional circumstances).

### **Admissions when a child is of Primary school age (known as 'In Year')**

When a family moves home address from one catchment area to another (or arrives in the Island from overseas), parents must complete and return a pupil transfer request form to Education. In Year admissions procedures will then be applied.

The department allocate places as soon as they are able. The maximum delay is within five days of all documents being received<sup>5</sup>.

Schools are expected to contact parents within two school days of receiving admission documents from the department<sup>6</sup>.

For children transferring between States' schools records will be transferred between schools as soon as practical (and within a maximum of fifteen days of the child starting).

When a Record of Need (or equivalent) indicates an alternative school would be beneficial for a child, then a place should be offered even if this exceeds the maximum for that year group. In general, where a Record of Need indicates that a particular school would be of benefit to a child, the Record of Need will have been prepared before entry to Secondary school.

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<sup>5</sup> If pupil information is not accurate or a child has additional learning needs there may be instances when the delay is more than five days.

<sup>6</sup> If admission documents are sent to schools during holidays schools must contact parents before term starts.

Transfers from the fee-paying sector to the non-fee paying sector at the start of Key Stage 3 (Y7) will follow the normal procedure for transfer from primary to secondary school. Transfer at other times will follow the procedures for IN YEAR Admissions.

Wherever possible, in the interests of the schools involved and the student, transfers should take effect from the beginning of a term or half-term to minimise disruption. (It is recognised this will not be possible where a student arrives in the Island during term time, when they should be admitted to school as soon as possible).

Reception and Y7 places are allocated in the February of the school year before the child is due to start (the following September). All other places are allocated a maximum of a term in advance. Requests for school places in advance of a term, or if a parent leaves Jersey but retains an address and requests that a place is held open until they return, are reviewed on an individual basis and referred to the Chief Education Officer.

In order to meet the legal obligations, the Chief Education Officer may direct a head teacher to admit a student, even if by doing so the number in the year group exceeds the planned intake for that group.