



Early Years Admissions Policy (including 15 and 30-hour provision)

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Policy Amendments:

Review Date	Detail

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Statement of intent

Sunnyside Academy aims to provide a high-quality nursery experience for children that will prepare them for a smooth transition into a Reception class.

Whilst the admission of children into Reception each year is managed by the Local Authority annually and any in-year transfers into Reception through to Year Six are managed between the Local Authority and Sunnyside Academy, the admission of Nursery pupils is managed by the school.

The Local Academy Committee is the admission authority and is responsible for setting the nursery's Nursery Admissions Policy. This policy is written to ensure fairness and equality for all those intending to begin their education at the nursery.

1. Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Childcare Act 2006
- Childcare Act 2016
- Data Protection Act 2018
- The UK General Data Protection Regulation (UK GDPR)
- DfE (2021) 'School Admissions Code'
- DfE (2022) 'School Admission Appeals Code'
- DfE (2018) 'Early education and childcare'
- DfE (2021) 'Early years entitlements: local authority funding of providers operational guide 2022 to 2023'

This policy operates in conjunction with school policies including the policies below:

- Admissions Policy
- Primary Transition Policy
- Data Protection Policy

2. Equal opportunities

The nursery will implement an effective policy that ensures equality of opportunities for all, provides a welcoming and caring environment that promotes and reflects cultural and social diversity, and is equally accessible to all.

Admissions to the nursery will be open, fair, inclusive and non-discriminatory.

3. Application process

Parents who wish their children to attend Sunnyside Academy's nursery are asked to complete a nursery application. The children's details then add to the admissions list. The application form clearly advises that the successful allocation of nursery place for a child is not indicative of success in the LA primary place admissions process. Acceptance of the application on to the Nursery waiting list is not a formal offer.

4. Allocation of nursery places

The admission list is assessed as an ongoing process. Whilst parental choices are one of the primary considerations, other priority criteria are applied where the demand for places exceeds the places available.

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In the interest of both equity and consistency, the school adopts the same admission criteria as the LA. Whilst this reduces the likelihood of a child in the nursery not being awarded a

primary place, the full risk cannot be mitigated. This is because the school only holds information on the children attending the Sunnyside nursery, and has no indicators of the additional children who have priority within the LA admission criteria that do not attend Sunnyside Primary's nursery, and therefore no guarantees can be given.

The current priority criteria are:

- i) Children who are a 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order 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. A looked after child 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 (see the definition in Section 22(1) of the Children Act 1989).
- ii) Pupils permanently resident in the Admission Zone, i.e. the address at which the child is registered for child benefit, who express a preference for that school (proof of address may be required).
- iii) Pupils who will have a brother and/or step brother and/or sister and/or step sister or the child of the parent/carer's partner living at the same address attending the school in the September of admission.
- iv) Pupils with exceptional social and / or medical reasons for attending the school, which in the latter circumstances are substantiated by the LA medical advisors. A letter from the child's GP or other relevant professional such as a social worker must be submitted with the application. Social reasons do not include domestic arrangements such as parents working commitments or childcare arrangements. Exceptional circumstances such as parents who have a disability, which may mean their child must attend a particular school, will be considered. (In this instance a letter from the parent's GP or other relevant professional such as a social worker must be submitted with the application). The supporting letter should detail why the school (s) applied for is / are the only one (s) that can accommodate the child.
- v) Pupils who reside closest to a particular school, measured in a straight line. The measure will be taken from the front door of the pupils' home to the main entrance of the school.

For further details of Middlesbrough Local Authority School Admissions Arrangements, please visit: <https://www.middlesbrough.gov.uk/sites/default/files/School-admissions-arrangements-2024-25.pdf>

Children's nursery places are funded from the beginning of the term after their 3rd Birthday, however whilst Sunnyside nursery continues to admit children as soon as they reach their 3rd birthday, the school reserves the right to admit at any time between the 3rd birthday and the beginning of the following term where the required staff to pupil ratios are not possible

The school will advise parents and carers on allocation of a place.

5. SEN and Base admissions

For further information on admissions for SEN bases and for children with EHCPs, please refer to the 'Sunnyside SEND Base Provision Admissions Procedure & Policy'.

6. 30 hours provision

Sunnyside Academy's Nursery is able to offer ten 30-hour places subject to capacity. The school reserves the right for the additional 30-hour places to be considered under the Head Teacher's discretion where there are extenuating circumstances.

The nursery's current capacity is 52 (26 per morning session and 26 per afternoon session). The first 30 places are prioritised for N2 children (Children who have their 4th birthday in that academic year). This is to ensure appropriate access in order for the best transaction in to the primary phase. This applies whether the N2 children have 15- or 30-hour provision. All other 30-hour provision applications will be based on the capacity to accommodate other children requiring a minimum of 15 hours at that time.

To qualify for 30 hours provision parents of children aged three and four must meet one of the following criteria:

- Each parent earns, or is expected to earn, a weekly minimum equivalent to 16 hours at National Minimum Wage or National Living Wage (unless in a 'start up' period – i.e. newly self-employed – in which case they do not need to meet the income criteria for 12 months)
- The parent is seeking the free childcare to enable them to work
- One or both parents are on maternity, paternity, shared parental or adoption leave, or are on statutory sick leave
- One parent meets the income criteria and the other is unable to work because they are disabled, have caring responsibilities or have been assessed as having limited capability to work
- If a non-European Economic Area national, the parent has recourse to public funds

Guidance and information can be found at <https://www.gov.uk/apply-30-hours-free-tax-free-childcare> or <https://www.childcarechoices.gov.uk/>

If eligible, parents must provide the nursery with their unique code to confirm they are eligible for the scheme, together with their National Insurance number and child's date of birth. As the free childcare cannot be claimed until the code has been verified, parents should provide the nursery with this information as soon as possible in order to avoid delay. Parents will be prompted every three months by HMRC to reconfirm that they remain eligible for free childcare.

The LA will audit the eligibility codes at six points during the year to identify any parents who have fallen out of free childcare eligibility. The LA will notify the nursery as soon as possible

where parents have fallen out of their eligibility. The nursery will then notify parents within **five** working days.

If parents cease to meet the eligibility criteria, they will receive a 'grace period' – i.e. they will continue to receive the 30 hours free childcare for a short period of time. If a parent falls into their grace period before their child has started a 30-hour place, they should not take up their 30-hour place. The grace period will not continue once a child has reached compulsory school age. Consideration to extend the grace period will be taken in exceptional circumstances, e.g. if a parent has been forced to leave their home and paid employment.

A parent who becomes ineligible during the first half of a funding block will have their free childcare funded until the end of that funding block (i.e. 31 March, 31 August, 31 December) or for as long as their child remains under the compulsory school age, whichever is shorter. A parent who becomes ineligible in the latter half of the funding block (i.e. up to the last day of the funding block) will be funded until the end of the following funding block or for as long as their child remains under the compulsory school age, whichever is shorter. If a parent becomes ineligible for the 30 hours free childcare, they will still be entitled to 15 hours of free care for their child.

7. Extension of 30 hours to children in foster care

Children in foster care are also eligible for the additional hours, provided that they meet all of the following criteria:

1. Accessing the extended hours is consistent with the child's care plan, placing the child at the centre of the process and decision-making;
2. That, in single parent foster families, the foster parent engages in paid work outside their role as a foster parent; and
3. In two parent foster families, both individuals engage in paid work outside their role as a foster parent

In accordance with criteria 3, if one individual is not a foster parent, then they must be in qualifying paid work and earn a minimum of the equivalent to 16 hours at National Minimum Wage or National Living Wage to be eligible. There is no requirement on the type of work or number of hours that a foster parent must work in order to access the 30 hours, and there is no minimum earnings limit – although they must be engaging in paid work. Children in foster care will continue to be eligible for the universal 15 hours regardless of the working status of their foster parents. There is no requirement to access the full 30 hours if this is not necessary.

To apply for the additional hours, foster parents must apply directly to the LA – there is no requirement to apply via the childcare service. When initiating an application, foster parents are required to inform the child's social worker. A designated individual, as determined by the LA, will counter-sign the foster parent's application to confirm eligibility. This may be, for example:

- The child's social worker; or
- A supervising social worker; or
- An independent reviewing officer appointed by the LA to protect the child's interests throughout the care planning process.

In some cases, the LA may deem it appropriate for the application not to have a second signature – this will be agreed between the LA and foster parent before the application is made. The signed form (by the parent only) will be sent directly to the contact within the LA who is responsible for issuing codes.

The LA has the flexibility to develop a policy and procedure for establishing the eligibility of children in foster care. Any process developed will be proportionate, flexible and aligned with existing process as far as possible, with the focus being ensuring consistency with a child's specific care plan.

All foster parents will have access to the LA's locally agreed policies and procedures for determining eligibility. In particular, foster parents will be provided with the following:

- The role of the designated person
- Who the designated person is and how to contact them
- What evidence the foster parents should be expected to provide
- How the foster parent should pass the form to the LA
- How/if the evidence will be stored once the form is completed and approved
- The timeframe by which the designated person will response to any application – this will be no later than four weeks from the receipt of the application

Where the LA determines that an application for the additional hours is not consistent with a child's care plan, they will not be eligible, regardless of whether parents satisfy the other criteria outlined at the start of this section.

Where an application is approved, details will be entered onto the eligibility checking system where a record will be created for the child. Once the code is generated, this will be sent to parents via email and the child's social worker will be informed that the code has been issued. Once foster parents have received the code, the process is the same as that outlined in the [Eligibility for 30 hours free childcare](#) section of this policy.

Foster parents will be required to re-confirm their eligibility every three months and will be prompted in advance of the deadline. The LA is free to determine the exact evidence required from foster parents to re-confirm eligibility, which will be made clear to parents during the initial application. At a minimum, the LA will be satisfied that:

- The placement is still ongoing;
- Accessing the additional hours is still consistent with the child's care plan; and
- The foster parents are still engaging in paid work outside their role as a foster parent.

If a foster parent is unhappy about the decision made by the LA, they should follow the LA's complaints process and contact the child's social worker.

8. Oversubscription

Children who have an EHC plan that names the nursery are admitted before the oversubscription criteria is applied. Children with an EHC plan that does not name the nursery will be referred to the nursery's admissions manager and SENCO to determine an appropriate place, in accordance with the LA's Fair Access Protocol.

The Local Academy Committee may increase the priority of an application where evidence is provided at the time of application of an exceptional social, medical or pastoral need of the child, which can be appropriately met by the nursery.

The oversubscription criteria, set out in priority order, are as follows:

1. LAC or children who were previously looked after but have subsequently been adopted or become subject to a residence or special guardianship order
2. Children with a social or medical need who have been referred by a social worker, health professional, educational psychologist, outreach worker or education welfare officer
3. Children who will have a sibling attending the nursery or the main school at the time of admission
4. Children of staff who have:
 - Been employed at the nursery or school for two or more years at time the application for admission is made
 - Been recruited to fill a vacant post for which there is a skill shortage
5. Children living within the catchment area for the nursery
6. All other children

The Local Academy Committee may also give priority in their oversubscription criteria to children eligible for the early years pupil premium, the pupil premium, or the service premium. The nursery must be named in the admission arrangements, and its selection will be transparent and made on reasonable grounds.

Where there is a tiebreak scenario within the criteria, priority will be given firstly to a child who lives closest to the nursery based on a straight-line measurement, then by date of birth, with the older child given priority.

9. Withdrawing offers

Once a written offer has been made, there are limited circumstances in which an offer can be withdrawn – these are as follows:

- Offers made in error
- Offers made on the basis of fraudulent applications
- Offers made on the basis of intentionally misleading applications
- Parents not responding to an offer within six weeks
- A child is in receipt of more than their entitlement of nursery education
- A family registering their child at two maintained settings

10. Delayed starts and withdrawn places

Following the offer of a nursery, the start date can only be delayed once, and only be delayed by one month, before the child's reserved place will be open to others and the child's name added back onto the waiting list.

11. Refusal of admission

A child is only refused admission if one of the following criteria are met:

- The nursery has reached its admissions limit
- The child is not of the appropriate age

As nursery education is not compulsory, parents do not have a statutory right to appeal against the admission authority's refusal to award a place to their child.

Parents may appeal to the SEND tribunal against the provision named by the authority in the EHC plan.

12. Admission to Reception

Sunnyside Academy's admission policy for Reception can be found in the school's Admission Policy that can be found [here](#). In-year transfers are managed by the local authority and information can be found on at Middlesbrough.gov.uk

13. Transition arrangements

Parents and carers are invited to visit the school prior to the transition, to meet the teacher and discuss the transition. The new Reception children are invited to stay for a school lunch. Further visits may be arranged according to the child's needs.

For those children who attend Sunnyside Nursery, a transition meeting will take place between the Nursery teacher and the Reception teacher to discuss each child. Due to the close working relationships in Early Years at Sunnyside, the Reception staff spend time getting to know the new children. This enables a smooth transition with familiar staff.

For children new to the school, previous settings will share information regarding each child and their developments. Parents/carers and children have the opportunity to meet the staff and the other children in the cohort during their visit for lunch.

Details of children with SEND or particular educational requirements are shared, including their development throughout the year, support given and needed, and details of any other agencies involved. The SENDCO will liaise closely with relevant professionals, parents and carers.

Further information relating to the transition between nursery and Reception can be found in the school's Primary Transition Policy.

14. Data protection

The nursery will act in compliance with the Data Protection Policy when processing personal data.

When processing and publishing information, the nursery will ensure it meets its responsibilities under the Data Protection Act 2018 and UK GDPR. Where personal information is processed, the nursery will ensure it is kept up-to-date and the LA will ensure that the rights of data subjects are reserved at all times.

15. Monitoring and review

This policy is reviewed annually by the Local Academy Committee and headteacher.

The scheduled review date for this policy is September 2024

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