

# Admission of children of crown servants

This explanatory note is to help local authorities and school admission authorities understand the duties and responsibilities imposed on them by the statutory School Admissions Code, about the admission of children of Crown servants. It also aims to advise Crown servant families applying for a school place in England, following their return from overseas.

## Main points

- The School Admissions Code requires that for families of Crown servants<sup>1</sup> returning from overseas, admission authorities must allocate a school place in advance of the family arriving in the area, provided the application is accompanied by an official letter<sup>2</sup> declaring a relocation date.
- Where vacancies exist at the school, we would expect places to be allocated to the family in advance of their move, even if they do not yet have a confirmed address.
- Where a school is oversubscribed, the admission authority needs to be satisfied that places are allocated lawfully, in accordance with the oversubscription criteria. Admission authorities may expect to have some level of certainty about a family's intended new address, so that they can make sure they allocate a place lawfully.
- Admission authorities are expected to be flexible in what they would accept as confirmation of address, whilst ensuring statutory duties are met.
- Admission authorities must not refuse a child a place simply because the family does not currently live in the area.

## Role of the admission authority

Paragraph 2.21 of the School Admissions Code requires that for families of Crown servants returning from overseas, admission authorities must allocate a school place in advance of their move, provided the application is accompanied by an official letter declaring a relocation date.

Admission authorities must not refuse to process an application and must not refuse a place solely because the family do not yet have an intended address, or do not yet live in the area.

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<sup>1</sup> Officers employed by departments of the United Kingdom Government, such as FCDO, UKVi, DIT

<sup>2</sup> Official Government letter issued by a Government department e.g. FCDO, UKVi, DIT.

Admission authorities must use the address at which the child will live when applying their oversubscription criteria.

If vacancies exist at local schools, we would expect them to be allocated to the family in advance of their move, even if they do not yet have a confirmed address. The admission authority cannot simply refuse to accept their application. If schools are oversubscribed, the admission authority needs to be satisfied that places are allocated lawfully (in accordance with their oversubscription criteria) and may expect to have some level of certainty about a family's intended new address, to ensure a place is allocated lawfully.

It is for the admission authority concerned to decide what to accept as confirmation of a new address. This could be proof of exchange of contracts or a letting agreement. Admission authorities are expected to be flexible in what they would accept as confirmation of address, whilst ensuring statutory duties are met.

Further advice to admission authorities and local authorities on processing applications from families returning to England from overseas can be found [here](#).

## Information for parents

### Applying for a school place at the normal point of entry

In England, the application process for a child who requires a school place in Reception<sup>3</sup> or Year 7<sup>4</sup> would normally begin up to a year before the start of the school year in which the child would take up the school place, as part of the normal admissions round. The national closing date for secondary applications is 31 October and for primary applications 15 January. Information on schools in the area and their admissions arrangements can be accessed via the local authority website.

Parents apply directly to their local authority and can express a preference for at least three schools. Where a school has sufficient places for every child that applies it must admit all applicants. If, however, the school is oversubscribed, places must be ranked in order against its published oversubscription criteria.

For applications in the normal admissions round, parents will receive a single offer of a place at the highest preference school that is able to offer them a

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<sup>3</sup> Normal point of entry to infant / primary school. Some schools may also have Year 3 as a point of entry, where children are required to move from the infant to the junior school.

<sup>4</sup> Normal point of entry to secondary school. Some schools may also have Year 8 or Year 9 as a normal point of entry.

place, on National Offer Day. National Offer Day is on or about 1 March for secondary schools and on or about 16 April for primary schools, in the year in which the child will be admitted.

## **Applying for a school place at any other time**

Applications other than at the normal point of entry are known as in-year applications. This includes applications made from September onwards for admission in a normal year of entry or for admission in other year groups that are not a normal year of entry.

Local authorities are not required to coordinate in-year applications, and parents can apply directly to the admission authority of the school<sup>5</sup>. Local authorities can however provide information about the places still available in all schools within its area and how in-year applications can be made. Information on the latter can also be found on the local authority's website.

## **Right of appeal**

Where a child has been refused a place at a preferred school, parents will have the right of appeal to an independent appeal panel. Advice for parents and guardians on school admission appeals can be found [here](#).

## **Confirmation of relocation address**

It is important that parents are able to provide admission authorities with some certainty as to their relocation address, in order to ensure that places are allocated fairly and in accordance with each school's oversubscription criteria. Where a parent is unable to provide confirmation of a relocation address, they are advised to provide an indication of the area, narrowed down as far as possible, to which the family intend to return. Parents should keep admission authorities informed of any changes to their planned address during the application process and should note that without being able to provide any confirmation of a relocation address, an admission authority may not be able to process their application.

## **Guidance for Crown Servants with a child with SEND**

Children and young people with Special Educational Needs and/or Disabilities (SEND) who have a Crown servant parent can face unique difficulties, based on their parent's deployment. The vast majority of children with SEN have always been taught in mainstream schools. Mainstream schools need to put

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<sup>5</sup> The admission authority for a community or voluntary controlled school is the local authority. For a foundation or voluntary aided school, it is the governing body and for academies and free schools, it is the academy trust.

the right support in place to ensure children with SEN have their needs met as this is where most children with SEN will be educated. Schools (*and further education colleges, sixth form colleges and 16-19 academies*) are required to identify and address the SEN of the pupils they support and to use their 'best endeavours' to make sure that a child or young person who has SEN gets the support they need.

### **What is an Education, Health and Care plan?**

An Education, Health and Care (EHC) plan is a statutory document which describes a child or young person's special educational needs, the support they need, and the outcomes they would like to achieve. This is produced through a statutory EHC needs assessment process.

Further information on EHC plans can be found [here](#), including details on how to request an EHC plan [here](#).

Where parents think their child needs an EHC plan, they should act early and discuss their child's needs with the local authority in the area in which they hope to return. Parents may also wish to seek advice from their local independent [Information, Advice and Support Services](#) as soon as possible.

### **Fair Access Protocols**

Fair Access Protocols (FAPs) exist to ensure that vulnerable children, and those who are having difficulty securing a school place in-year in England, are allocated a place as quickly as possible.

When returning to England from overseas with a child with SEN who does not require an EHC plan, and parents have difficulty in securing a school place via the usual in-year admission procedures, the child could be eligible to be placed via the local FAP.

FAPs can be used to place children with SEN (but without an EHC plan), disabilities or medical conditions. More information on FAPs can be found [here](#).