

Admission Criteria for Local Authority Community Day Nurseries, Nursery Schools and Nursery Classes

Section 7 of the Childcare Act 2006 sets out the requirements for local authorities to provide free early years provision for all 3 and 4 year olds. Regulations under the Act set out the number of hours and type of provision which must be secured, and the ages of the children who must receive it. The current regulations require local authorities to ensure free provision is available from the start of the term following a child's third birthday, for no fewer than 38 weeks in any year; and for 15 hours in respect of each of those 38 weeks.

Criteria for the allocation of the Free Early Years Entitlement in LA nursery schools and classes

Maintained Nursery Schools should offer full-time places to children who are identified as meeting the criteria for a full-time place first, and then offer remaining places on a part-time basis according to the criteria below.

Maintained Primary Schools with a nursery class should offer their places to all children on a part-time basis first. If capacity exists after all children have been offered a place, those children identified as meeting the criteria for a full-time place should be offered the place on a full-time basis.

Where a nursery has more applications for free entitlement places than there are places available, the following criteria shall apply:

1. Children meeting the criteria for the allocation of a full-time place (see detail in section for full-time place allocation.)
2. Children (siblings) with an older brother or sister already at the school (or at a linked school on the same or nearby site) who will still be in attendance at the time the sibling enters the school (subject to age restrictions below). Siblings are considered to be those children who live at the same address and either:
 - I. have one or both natural parents in common;
 - II. are related by a parent's marriage;
 - III. are adopted or fostered by a common parent.
3. Children who live nearest to the school.

Within each of these categories, priority is given to those who live nearest to the school, by straight-line measurement to one fixed point in the school.

Age constraints

Admission to LA nursery schools and classes is in the term following the child's third birthday

Transfer to primary schools

Parents should not be led to believe that the offer of a nursery place is dependent upon a commitment that their child will enter the school's reception class. There can be no guarantee that a child in the nursery class of a primary school will be able to transfer to the reception class of the same school.

Religious or denominational allegiance

Religious or denominational allegiance should not affect the priority given to a child's access to a nursery place.

Home addresses

A pupil's home address is considered to be a residential property that is the child's only or main residence and is either;

- I. Owned by the child's parent(s), or the person with parental responsibility for the child;
- II. Leased to or rented by the child's parent(s), or the person with parental responsibility.

Evidence of ownership or rental agreement may be required, plus proof of permanent residence at the property concerned.

Where parents have shared responsibility for a child, and the child lives with both parents for part of the week then the main residence will be determined as the address where the child lives the majority of the week. Parents may be requested to supply documentary evidence to support the address used for the allocation.

If a school is allocated on the basis of an address that is subsequently found to be different from a child's normal and permanent home address, then that place is liable to be withdrawn.

Children not resident in the area of Birmingham City Council

Children not resident in the area of Birmingham City Council may be admitted to a Birmingham LA nursery school or class in line with the criteria above. Referrals for free places at community day nurseries and full-time places within nursery schools and classes, will only be accepted for children resident in Birmingham, or children living outside of Birmingham who are the responsibility of Birmingham Children, Young Peoples and Families Directorate.

Full-Time places admissions

Head Teachers are responsible for identifying which children meet the criteria in conjunction with other professionals. A proforma has been provided to enable Head Teachers to identify eligibility at the time of expression of interest.

Criteria for allocating full-time places

The priorities listed below provide strict guidance to early years practitioners on allocating free places at community day nurseries and full-time nursery places in nursery schools and classes and selected Private, Voluntary and Independent sector providers. These priorities have been developed in consultation with the local authority Birth-5 forum members and the Early Years Reference Group.

Full-time places in maintained primary schools with nursery classes should only be offered if there are unfilled places after all applicants have been allocated part-time places.

The criteria does not represent a strict priority order, however it is expected that children for whom the local authority has specific responsibilities will normally take precedence.

In instances where a child meets the criteria for a place but one is not available in the maintained sector selected Private, Voluntary and Independent Sector providers will be used. The focus of this criteria is on improving outcomes and life chances for the most disadvantaged and vulnerable children in Birmingham.

The criteria fall into 2 Priority areas.

1. Priority 1 (Children need to meet **one** of the following criteria to be offered a Full-time place):-

- Children with a Child Protection Plan or are subject to a section 47 Child Protection investigation. Or a section 17 Children in Need plan.
- Children in Local Authority Care.
- Children subject to CAF - Engaged in family support plans or Integrated support plans or the Early Support process.
- Children with diagnosed Disabilities who have a statement of Educational Need or engaged in that process and/or are in receipt of Disability benefit. Or children who have been referred to or by a Child Development Centre.

OR

2. Priority 2 (Children need to meet **two** of the following criteria to be offered a full-time place):-

- Children whose behaviour/development/health gives serious cause for concern – referral from any appropriate agency e.g. Health Visitor.
- Children from families who are homeless, living in poor housing or temporary accommodation – referral from any appropriate agency.
- Children referred by the Family Nurse Partnership or Health Visitor, from isolated 1st time parents or parents who are teenagers.
- Families who have 3 or more children under five.
- Children who speak no English or are in the very first stages of language development.
- Children whose parents/carers need support as a result of their physical disability, learning disability, mental health problem or illness.
- Parent/carer in prison.
- Children from asylum seeking, refugee families and travellers community.
- Children from families experiencing domestic violence, drug/alcohol abuse.
- Children whose home postcode is in the top 10% most deprived SOA according to IDACI or are entitled to a free school meal.

All other conditions remain the same as detailed within the section for allocating free entitlement places.