

## Statement of intent

St Dennis Primary Academy Nursery aims to provide a nursery experience for children that is affordable, high-quality and geared towards a smooth transition into Reception class.

The governing board 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.

## 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 (2012) 'School Admission Appeals Code'
- DfE (2018) 'Early education and childcare'
- DfE (2018) 'Early years entitlements: operational guide'

This policy operates in conjunction with the following school policies:

- Nursery Charging Policy
- Admissions Policy
- Data Protection Policy

## Application process

St Dennis Primary Academy is a primary school that includes a nursery as part of their provision, but the nursery has separate admissions procedures. Admissions to nursery provision will not in any way increase children's chances of admission to St Dennis Primary Academy, which has its own admissions policy.

Parents choosing to send their child to the nursery will have to register their interest via the school office. Once they have completed the registration, they will be added to the waiting list. The nursery will be in regular contact with those on the waiting list to keep them updated and to formally offer them a place if and when one is available.

Once a place is available, parents will receive a formal written offer which they will need to accept or decline in writing. After accepting the place, they will need to send in their child's birth certificate and proof of address.

Parents who secure a place will be offered a date to begin the transition programme to ensure they and their child have time to settle.

Parents who would like a part-time place will be asked to state a preference for morning, afternoon or full days, and/or for which days they wish to have the childcare; however, the nursery may need to take account of the balance between morning and afternoon places, so it cannot guarantee all parents' requests will be fulfilled.

More information on fees and charges is outlined in the Nursery Fees Policy.

## 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.

## Free childcare arrangements

The LA is required to secure free places offering 570 hours childcare a year, over no fewer than 38 weeks of the year, and up to 52 weeks of the year, for every eligible child in the LA from the relevant dates outlined below.

Children are eligible for free childcare from the relevant dates outlined below up until the beginning of the term following their fifth birthday.

With regards to the age criteria, children will be eligible as follows:

- Born between 1 January - 31 March: eligible from the start of term beginning on, or following, 1 April after the child's third birthday
- Born between 1 April - 31 August: eligible from the start of term beginning on, or following 1 September after the child's third birthday
- Born between 1 September - 31 December: eligible from the start of term beginning on or following 1 January after the child's third birthday

The nursery can accommodate a maximum of 28 nursery children.

The nursery offers 30 hours free childcare as an extension to the universal 15 hours free childcare. The nursery is able to accommodate 12 children eligible for 30 hours free childcare (subject to availability). Parents wanting to access the universal 15 hours free childcare for three- and four-year-olds do not need to apply for this through the digital childcare service.

For children who take up their place later in the year or have moved to the LA part-way through the year, the LA will secure a prorated number of free hours. The total number of hours will be adjusted to reflect the portion of the year remaining.

The LA will ensure that any three- or four-year-olds moving to England from another country can access their free place on the same basis as other children.

Parents wanting to access the 30 hours free childcare entitlement must apply to do so through the digital childcare service. Parents are able to access the 30 hours of free childcare for 38 weeks out of the year – i.e. during term time – or the equivalent number of hours across more weeks per year, e.g. 22 hours a week for 52 weeks. Parents will also be reminded of their possible eligibility for tax-free childcare through the digital childcare service to cover additional childcare costs, e.g. school holidays.

The sessions offered to nursery children are as follows:

- For children eligible for 30 hours free childcare – hours can be taken flexibly between the hours of 0800 and 1700 and for a maximum of 10 hours per day.
- All other children – a minimum of a 3-hour session, between the hours of 0800 and 1700.
- For hours over 15/30, please see the Nursery Charging Policy

## Eligibility for 30 hours free childcare

Parents of children aged three and four must meet one of the following criteria in order to be eligible for 30 hours free childcare:

- 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

Parents should check their own eligibility for the scheme using the government's Childcare Choices website or childcare calculator. If parents are eligible, they will be directed to the digital childcare service to apply.

Parents can only start claiming their 30 hours free childcare the term following the date they receive a decision from HMRC. For this reason, parents are urged to apply as soon as possible. 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.

Other information related to the 30 hours free childcare scheme can be found in the nursery's Nursery Fees Policy.

## **Eligibility for two-year-olds**

The LA is required to secure free places offering 570 hours a year, over no fewer than 38 weeks of the year, and up to 52 weeks of the year, for every eligible child in the LA from the relevant dates outlined at below.

A child is entitled to the free hours from the term after both of the following conditions are satisfied:

- The child has reached the age of two; and
- The parent meets the eligibility criteria outlined below

With regards to the age criteria, children will be eligible as follows:

- Born between 1 January - 31 March: eligible from the start of term beginning on, or following, 1 April after the child's second birthday
- Born between 1 April - 31 August: eligible from the start of term beginning on, or following 1 September after the child's second birthday
- Born between 1 September - 31 December: eligible from the start of term beginning on or following 1 January after the child's second birthday

The LA will ensure that a child has a place at the nursery no later than the beginning of the term following the child or parent meeting the eligibility criteria.

The LA will ensure that two-year-olds who have met the eligibility criteria continue to receive a place once it has been secured, up until the child becomes eligible for the universal entitlement. For two-year-old children who take up their place later in the year or have moved to the LA part-way through the year, the LA will secure a prorated number of free hours. The total number of hours will be adjusted to reflect the portion of the year remaining.

## **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 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.

## Application timetable

A child is deemed to be of nursery-age from the beginning of the term following their third birthday, or second birthday, where eligible. Parents may register their interest in a place at the nursery at any time during the year following their child’s first birthday.

Formal applications for nursery places must be made as follows:

- For places in the Spring term – 1 December
- For places in the Summer term – 1 March
- For places in the Autumn term – 1 August

Application forms can be obtained from the main office.

Acceptance and non-acceptance letters are sent out on the following dates:

- For places in the Spring term – 1 February
- For places in the Summer term – 1 April
- For places in the Autumn term – 1 September

Where places are remaining, later admissions are possible, up to the agreed admissions limit.

Places offered are available to the child from the date the place is offered, until 31 August following their fourth birthday.

The LA will consider securing additional free hours for parents who have applied or re-confirmed by the deadline, but receive their valid 30 hours eligibility code after the beginning of the term, up to the dates set out below:

- Application/re-confirmation by 31 August – code start date between 1 - 14 September
- Application/re-confirmation by 31 December – code start date between 1 - 14 January
- Application/re-confirmation by 31 March – code start date between 1 - 14 April

The LA is not required to secure additional free hours where the parent has applied after 31 August, 31 December or 31 March, or for any codes issued after the dates outlined above.

## Additional costs

The nursery is able to charge additional costs as part of a free entitlement place – this includes, but is not limited to, the following:

- Meals and snacks
- Nappies
- Sun cream
- School trips
- Specialist tuition

Where charges are made in line with the above, parents are expected to pay for these; however, payments are voluntary. Where parents are not willing to provide costs for the above, they will be permitted to provide their own supplies to the nursery. The nursery may also consider waiving or reducing the costs of meals or snacks, particularly for disadvantaged parents.

## 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 to determine an appropriate place, in accordance with the LA's Fair Access Protocol.

The governing board 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 governing board 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.

## 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 four weeks
- A child is in receipt of more than their entitlement of nursery education
- A family registering their child at two maintained settings

## Delayed starts and withdrawn places

Following receipt of a registration form, 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.

If parents decide to withdraw their child from the nursery after being offered a place, they must give the nursery at least four weeks' notice. Parents may be charged for this period, or it may come out of their nursery entitlement.

Notice of a delayed start or withdrawal must be in writing.

## Non-attendance

Parents must inform the nursery as soon as possible if their child is unable to attend for the whole or part of a day when they are due to attend. The nursery will require a minimum of two weeks' notice, or parents may be subject to paying the full cost of the care, regardless of whether or not their child attends nursery that day.

Parents must give a minimum of four weeks' notice if they wish to reduce the level of provision their child receives. This requirement applies both before and after provision begins.

## 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.

## Admission to Reception

Children reach compulsory school age as follows:

- Children turning five years old between 1 January and 31 March are of compulsory school age at the beginning of the term after 1 April
- Children turning five years old between 1 April and 31 August are of compulsory school age from the beginning of the term after 1 September
- Children turning five years old between 1 September and 31 December are of compulsory school age from the beginning of the term after 1 January

Parents have the choice of how and when their child starts Reception class until they reach the compulsory age.

If parents wish for their child to remain in a nursery or early years setting until they reach compulsory school age, and access 15 hours of free early learning rather than taking up a place in Reception, they must:

- Discuss their choice with the school.
- Complete a Reception application form by 1 January, to ensure their child has an offer of a place in Reception from the following September in case they cannot be re-admitted.
- Complete a nursery re-admission application form and return it to the setting by 1 January.

## Transition arrangements

Parents are invited to visit the school prior to the transition, and further visits are arranged according to the child's needs.

During the Summer term, Reception teachers from the primary schools to which the children will transfer come in to meet with the children. During the visit, the child's key worker provides the teacher with information about the child's progress across all the areas of learning and will spend time talking to the teacher about the child's social, health and emotional needs.

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. Separate transition meetings are held for children with EHC plans, involving all agencies, including visits to new settings with staff.

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

## **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.

**Person responsible for policy:** Mrs Cathy Brokenshire and Mrs Tanya Edmunds

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