



**SPECIAL SCHOOL
NURSERY ADMISSIONS POLICY**

Lead Directorate and service:	Children, Family & Adult Services Strategy & Commissioning
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Contact Officer:	Paul Butler, Inclusion & Access Manager
Contact Number:	(01482) 392110
Approved By:	Cabinet

1. Background

- 1.1 Local authorities are required to ensure that all three and four year old children are able to access their statutory entitlement to free early years provision. This can be provided by local authorities through nursery schools or schools with nursery classes. For children with special educational needs, this can also be at a special school with nursery provision.
- 1.2 In East Riding of Yorkshire there are two community special schools with nursery provision for children with profound/ severe and complex developmental and learning needs, King’s Mill Special School and St Anne’s Special School.
- 1.3 Local authorities are required to publish the admission arrangements for free early years provision in community and voluntary controlled schools. This policy details the arrangements for admitting children to a nursery class in a community special school.

Provider Agreement	Agreement which all schools and providers are required to sign in order to receive early years funding issued by East Riding of Yorkshire Council.
Admission limit	The number of children that a school can admit to free early years provision is determined by the physical space that it has available and the staff to children ratio.
Looked after Children	A looked after child is a child who is in the care of the local authority or is provided with accommodation by that authority (Section 22 of the Children act 1989). Any application submitted for a child who is looked after by a local authority should be supported by the authority’s Children’s Services department.

2. Definitions for the Purposes of this Policy

Admission to Special School Nursery	Admission to a special school nursery is covered by the Education (Special Educational Needs) (Consolidation) (Amendment) Regulations 2006 which state that – “...no child shall be admitted to a maintained special school unless- (a) a statement is maintained for him: (b) he is admitted for the purposes of an assessment and his admission to the school is with the agreement of the authority, the head teacher of the school, the child’s parents and any person whose advice is sought...”	
Free Early Years Provision	All children are entitled to 15 hours free early years provision from the term after their third birthday until they reach statutory school age, and is available for 38 weeks per year. Children become entitled according to the following dates.	
	Child’s third birthday (inclusive dates)	Eligible for free early education from
	1 September – 31 December	Spring term
	1 January – 31 March	Summer term
	1 April – 31 August	Autumn term
Statutory School Age	Child’s fifth birthday (inclusive dates)	Child reaches statutory school age
	1 September – 31 December	1 January
	1 January – 31 March	1 April
	1 April – 31 August	1 September
King’s Mill Special School – Age Range	King’s Mill Special School is registered for pupils from two years of age. Although children are not entitled to free early education until they reach the term after their third birthday, children can be admitted to King’s Mill Special School Nursery from the term after their second birthday This provision is free and no charge is made.	
St Annes Special School – Age Range	St Anne’s Special School is registered for pupils from three years of age. Children can be admitted to St Anne’s Special School Nursery from the term after their third birthday This provision is free and no charge is made.	
Early Years Code of Practice	Code of Practice for Local Authorities on the delivery of free early years provision for three and four year olds issued by Department for Education.	
Special Educational Needs Code of Practice	Code of Practice covering special educational needs published by the Department for Education.	

3. Policy Statement

- 3.1 East Riding of Yorkshire Council wishes to ensure that all children with special educational needs are able to access their entitlement to free early years learning and childcare in an appropriate setting. For some children, with profound/ severe and complex developmental and learning needs, a placement at special school nursery may be the most appropriate. All applications for a place at a special school nursery must be considered in the light of the Early Years and Special Educational Needs Code of Practices, the Council's Special School Nursery Admissions Policy, Provider Agreement, and any other guidance issued by the council.

4. Admission Limit

- 4.1 The number of children that a special school can admit to nursery provision will be dependent on the physical space that it has available and the staff to children ratio. Each school will determine the maximum number of children that it can admit to any of its sessions and may admit up to this number. Changes to the admission limit can only be implemented with agreement from the local authority.

5. Allocations of Places

- 5.1 Applications for places at a special school nursery will be administered by the special school and will only be considered for children with statements of special educational needs naming the school, or where a period of assessment is likely to result in a statement of special educational needs.
- 5.2 In accordance with the Education Regulations 2006, the advice from an Educational Psychologist will be required and the allocation of an assessment placement will need the approval of the Principal Educational Psychologist. This is to advise whether the child has severity and complexity of developmental and learning needs which may mean that, following the assessment period, a statement of Special Educational Needs would be made, and it is probable that it will be appropriate to name a placement in a special school.

6. Criteria to be Used in the Event of Over-subscription

- 6.1 If there are more applications than there are places, then places will be offered in accordance with the following criteria until the nursery is full.

Criterion 1

- Children who have a statement of special educational needs and are looked after children in the care of the local authority.

Criterion 2

- Children who have a statement of special educational needs.

Criterion 3

- Children who do not have a statement of special educational needs, but have identified severe and complex special educational needs and where there is agreement to undertake a statutory assessment of special educational needs.

Criterion 4

- Children who do not have a statement of special educational needs, but have identified severe and complex special educational needs and a period of assessment is likely to result in a statutory assessment being requested and agreed.

Criterion 5

- If there are still more applications than places available, priority will be given to children in Criterion 4 who live nearest to the school..

7. Refusal of Admission and Appeals

- 7.1 If a child with a statement is refused admission, the parent may submit an appeal to the Special Educational Needs & Disability Tribunal.
- 7.2 If a child without a statement is refused admission, there is no right of appeal.

8. Waiting Lists

- 8.1 When the nursery is full, a waiting list will be established in the over-subscription priority order. Children will be entered on the waiting list in the above priority order. When places become available, children will be allocated from the waiting list. New applications will be added to the waiting list in accordance with the priority order.

9. Take up of Entitlement

- 9.1 Parents are entitled to access up to 15 hours of free early learning and childcare for their child. They can access as few, or as many, hours as they wish, up to a maximum of 15. They do not have to access all 15 hours if they do not wish to do so.
- 9.2 Some children have to travel long distances to access a nursery class in a special school due to the limited number, and geographical location, of the schools. Many children are also dependent on local authority provided transport to access the nursery. Provision at a special school nursery will therefore be offered for one, two or three full days. Children attending for three days will be receiving more than their statutory entitlement but there will be no charge for this provision.
- 9.3 Where a child receives their full entitlement at a special school, they will not be eligible to receive any further free provision from another provider.

9.4 When considering applications, schools cannot refuse to offer a place on the basis that a parent does not wish to access their full entitlement. Once a place has been offered, a school cannot withdraw a place if a parent does not wish to access their full entitlement.

9.5 Schools will require parents to enter into an agreement which will specify when, and how, their child will access their early education.

10. Early Admission to a Nursery Class

10.1 In exceptional circumstances, a child may be admitted to a nursery early. Early admission must have approval from the local authority with support from the Principal Educational Psychologist.

11. Additional Provision

11.1 Where there is capacity, some schools may be able to offer additional hours in excess of three days. Where this is possible, these hours must be paid for by parents. It will be for each school to determine whether it is able to offer this provision, and the cost.

12. Attendance at More Than One Setting

12.1 Parents may choose to access their entitlement to their 15 hours of early learning and childcare at up to two settings. More than two settings will only be approved in very exceptional circumstances.

12.2 Where parents wish to access their entitlement at another setting as well as a special school nursery, this can be at a private, voluntary or independent setting, or at another maintained nursery. The 15 hours entitlement cannot be split between a special school nursery and a reception class.

12.3 When considering applications, schools cannot refuse to offer a place on the basis that a parent wishes to access their entitlement at more than one provider. Once a place has been offered, a school cannot withdraw a place if a parent does not wish to access their full entitlement at the school, but wishes to share it with another provider.

12.4 Where a child receives their 15 hours entitlement at more than one setting, each provider will receive funding on a pro-rata basis, with a school receiving the funding first. Any remaining entitlement will then be paid to the other provider.

13. Duration of Stay in Nursery

13.1 Children with statements of special educational needs may stay in the nursery until they;

- transfer to special school, or;
- transfer to an alternative education provider or;

- are assessed as not requiring statement of special educational needs, or;
- their statement is changed to name an alternative establishment, or;
- leave for any other reason.

13.2 Transfer from the special school nursery to the special school will take place in the September of the academic year in which the child reaches five years of age at which point the child will be entitled to attend full time. Parents may delay the move to full time attendance until the child reaches statutory school age.

13.3 The majority of children will be admitted to a special school nursery with a statement of special educational needs or the local authority has agreed to undertake a statutory assessment of special educational needs. Children without statements of special educational needs can only be admitted to a special school nursery in exceptional circumstances and for a defined period of assessment. Children admitted to the nursery without a statement of special educational needs will therefore be expected to undergo a statutory assessment. The special school will request a statutory assessment following a multi-agency review meeting within the first half term of placement. In exceptional circumstances (for example due to illness or difficulties with establishing regular attendance), it may be agreed at the first half term review that a further review meeting is required after another 6 weeks. After the second meeting a statutory assessment is requested by the special school. If the assessment is not commenced within a term, the place will be withdrawn.

13.4 If a parent unreasonably delays the statutory assessment, the place will be withdrawn.

13.5 If the outcome of the statutory assessment is that a statement of special educational needs is not issued, the place will be withdrawn.

13.6 If the outcome of the statutory assessment is that a statement of special educational needs is issued, but a place at a special school nursery is not appropriate, the place will be withdrawn. The child will still be eligible to receive their entitlement to early education and support from other appropriate agencies.

14. Admission to Special School

14.1 Attendance at a special school nursery does not guarantee admission to the special school for statutory education.

15. Withdrawal of Offers of Nursery Places

15.1 An offer of a place may be withdrawn if the child does not take up the place or fails to attend without good reason.

16. Corporate Requirements

Reducing Inequalities – better life chances and choices for all - All children with statements of special educational needs are able to access their entitlement to free early years provision and receive good quality education which prepares them for progression into full time statutory education.

17 Policy Development Including Consultation

This policy takes into account statutory changes introduced through the Codes of Practice and legislation.

17. Policy developed by

Paul Butler Inclusion & Access Manager

Consultees

Sarah Young Headteacher, King’s Mill School
Lesley Davies Headteacher, St Anne’s Community Special School
Gayle Clayden Specialist Senior Educational Psychologist- Early Years
Annette Benstead Education Officer – Special Needs
Bridget Bennett Early Years & Extended Services Manager
Steve Attwood Pupil Services Manager
Mike Furbank Head of Achievement & Inclusion
John Wilson Assistant Director (Children’s Services)
All schools in East Riding of Yorkshire

19 Links with other Policies

- 19.1 Code of Practice for Local Authorities on Delivery of Free Early Years Provision for 3 & 4 Year Olds –September 2010 (DCSF)
Free Early Years Provision Provider Agreement

20 Outcomes and impacts

20.1 Parents of children with statements of special educational needs will be able to access their statutory entitlement to free early years education for their children through a special school nursery where appropriate.

21 Policy Implementation

- 21.1 The policy will be implemented by special schools with nursery provision.

22 Financial Implications

- 22.1 Schools with free early years provision are funded through the Schools Budget and the Early Years Single Funding Formula. The service is demand led and places are funded on a participation basis.

23 Evaluation

- 23.1 The policy will be reviewed annually together with the arrangements for school and nursery admissions.