Hampshire County Council's Nursery Admission Policy September 2028

Introduction

The Local Authority is responsible for admissions to nursery classes in community and voluntary controlled schools and to community and voluntary controlled nursery schools.

This policy should be used to determine admissions to Hampshire County Council's nursery schools and units. Parents do not have a statutory right to appeal to an independent appeal panel in relation to nursery admissions so it is essential therefore, that all admissions decisions can be justified by reference to the following criteria, taking into account the particular circumstances of individual schools and units.

The early years entitlements available to all approved providers in Hampshire are:

- the 15-hour entitlement for the most disadvantaged 2-year-olds now known as Early Learning for 2-year-olds.
- the 15-hour entitlement for parents of 3- and 4-year-olds (the 'universal entitlement')
- the 30-hour entitlement for eligible working parents from 9 months to 4 years old

A two-year-old child who meets the Early Learning for 2-year-olds eligibility criteria and have been issued with an Eligibility Code will be able to start claiming at the beginning of the funding period as set out in table below.

All 3- or 4-year-old children will be able to start claiming from the beginning of the funding period as set out in the table below. Children of statutory school age the term after they reach their fifth birthday and early years funding will end on either 31 March, 31 August or 31 December according to the date of the child's fifth birthday. They may continue to claim funding up to the term before they are statutory school age.

Children who meet the working families' eligibility criteria, must both be age eligible as set out in the table below and have been issued by HMRC a valid Eligibility Code by 31 December to start 1 January or by 31 March to start 1 April or by 31 August to start 1 September.

A small number of low-income families may have an Early Learning for 2-year-olds eligibility code and are also eligible for an additional 15 hours working families entitlement.

A child born between	Eligibility From:
1 January and 31 March	1 April
1 April and 31 August	1 September
1 September and 31 December	1 January

For more information on eligibility criteria for all entitlements, please visit link below:

Early Years Education Funding | Health and social care | Hampshire County Council

Under Section 43 of the Children and Families Act 2014, when a school or other institution—such as a maintained nursery school, maintained school, academy, or other specified setting—is named in Section I of a child or young person's Education, Health and Care Plan (EHCP), that institution has a legal duty to admit the child. This duty is binding and overrides standard admissions procedures, ensuring that the named setting must accept the child or young person for whom the EHCP is maintained.

All entitlements will be offered to parents on a flexible basis and the nursery school or unit will advise parents of the patterns of attendance they can offer. Our offer will be ***[insert offer]*.**

Procedures for [*insert name of nursery*]

The [*insert name*] nursery can accommodate a maximum of [*insert admission number*] children. The patterns of attendance available are [*insert attendance options*].

You may apply for a place at any time by completing an application available upon request from this school. To assist with the planning of nursery places it is preferred that you complete an application form and submit it to this school when your child is 2 years old, or as soon as possible after that.

Where there are more applications than places, the admission criterion will be used to determine the priority for admission. The school will let parents know by letter of their application outcome, where possible at least half a term before the requested start date, ordinarily this will be by the end of October, February and May. If your child is offered a place, you must confirm your acceptance to the school within two weeks otherwise the school may have to refuse places for other children unnecessarily.

The final decision on when a child is admitted, the number of hours a child can attend and his or her pattern of attendance, rests with the headteacher.

Admission criteria

All applications will be considered in accordance with the following criteria, set out in priority order. Length of time on *any* waiting list will not be taken into account.

Categories B & C contain examples of both special educational and social need.

A Looked after children or children who were previously looked after but immediately after being looked after became subject to an adoption order, a child arrangements order, or special guardianship order.

Looked After Children are children who:

- Are in the care of a local authority, **or**
- Are provided with accommodation by a local authority as part of their social services duties.
  (This is defined in Section 22(1) of the Children Act 1989.)

Previously Looked After Children are those who were once looked after by a local authority but then:

- Were adopted[i] (under Section 46 of the Adoption and Children Act 2002 or Section 12 of the Adoption Act 1976), **or**
- Became the subject of a **Child Arrangements Order**[ii], **or**
- Became the subject of a **Special Guardianship Order**[iii].

Previously looked after children also includes 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 child is regarded as having been in state care outside of England if they were in the care of or were accommodated by a public authority, a religious organisation, or any other provider of care whose sole or main purpose is to benefit society.

B Children from low-income families or in receipt of disability living allowance. Eligibility for these entitlements are used to determine if children meet this part of the admissions criteria:

- Early Learning for 2-year-olds
- Early Years Pupil Premium (EYPP)
- Disability Access Fund (DAF)

C Children or families with an exceptional medical and/or social need. Children will be considered under this criterion if they are:

- **Eligible for NHS Continuing Health Care (CHC) due to complex and enduring medical needs that require a bespoke package of care; or**
- **Subject to a Child Protection (CP) plan, where early education is identified as a protective or stabilising factor.**

Each application must include supporting evidence. For medical needs, from an independent professional confirming the child's eligibility for CHC and the necessity of attending this specific nursery. For social needs, evidence may be provided by a social worker, health visitor, or other relevant professional confirming the child's status and explaining why attendance at this nursery is essential to meet their needs.

All decisions under this criterion will be supported by a recommendation from the Preschool Advisory Group (PAG), ensuring that placements are made in the best interests of the child and in line with local authority guidance.

D Children who at the time of application have a sibling on the roll of the nursery who will still be on roll at the time of admission.

'Sibling' refers to brother or sister, half-brother or half-sister, adoptive brother or adoptive sister, foster brother or foster sister, stepbrother or stepsister living as one family unit at the same address. It will also be applied to situations where a full, half or adopted brother or sister are living at separate addresses. Criteria include children who at the time of application have a sibling for whom the offer of a place at the preferred school has been accepted, even if the sibling is not yet attending.

E Children of staff who have, (1) been employed at the school for two or more years at the time at which the application for admission to the school is made, or (2) have been recruited to fill a vacant post for which there is a demonstrable skill shortage.

'Staff' includes all those on the payroll of the school who (specific to clause (1)) have been an employee continuously for two years at the time of application. 'Children of staff' refers to situations where the staff member is the natural parent, the legal guardian, or a resident step-parent. With reference to clause 2, a post for which there is a 'demonstrable skill shortage' is a post which the school has had difficulty filling. For priority to be given on this basis, the school's senior leadership team must provide written confirmation to the admission authority that they agree that this definition applies to the staff member, confirming that the role was not filled at the first attempt, due to a lack of suitable or qualified candidates being available. The school's senior leadership team must on request, be able to confirm to the member of staff if their role meets this definition.

F Other children.

Tiebreaker

If the nursery is oversubscribed from **within** any of the above categories (A – F), children due to start school in the next academic year will be given priority. Then preference will be given to children who live closest to the school, with straight-line distance used to prioritise applications.

Distance Measurement

Distances will be measured from the Ordnance Survey home address point to the school address point using Hampshire County Council's Geographic Information Systems (GIS). Where two or more applicants are equidistant, random allocation will be used to allocate the place. An explanation of the random allocation procedure is available on the County website. Hampshire schools' admission arrangements | Education and learning | Hampshire County Council

Other information

Applying for a place in Year R (FS2)

Admission to a reception class will be in accordance with the County Council's Admissions Policy for community and controlled infant and primary schools. **Admission to a nursery unit/school does not constitute any right of entry to the nearest local school, and places will be allocated according to that school's admissions policy**. Parents have the right not to send their children to school until the beginning of the term following their fifth birthday. Only in exceptional circumstances can children remain in the nursery beyond the normal admission date for reception classes (i.e. the September of the school year concerned). For those parents who have chosen for their child to decelerate their child's admission to school for a whole year or defer their child's start at school until later in the academic year, there is no guarantee that there will still be a place available in the nursery school for them. Please discuss such plans with us as soon as possible. **Schools and those with parental responsibility for a child:** (Guidance from the Department for Education)

The definition of a *parent* in the Education Acts includes:

- all natural parents whether they are married or not;
- any person who, although not a natural parent, has *parental responsibility* for a child or young person; and
- any person who, although not a natural parent, *has care* of a child or young person.

Having *parental responsibility* means assuming all the rights, duties, powers, responsibilities and authority that a parent of a child has by law. It is defined by the Children Act 1989. It gives parents the legal right to make decisions and choices, such as where the child will live or go to school etc. If the parents were married to each other at the time of a child's birth, or if they have been married to each other at any time since the child's conception, they each have parental responsibility.

Having *care* of a child or young person means that a person who the child lives with, irrespective of what their relationship is with the child, is considered to be a parent in education law.

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[i] **Adoption Order**: A legal order that transfers parental responsibility to adoptive parents.
(Section 46 of the Adoption and Children Act 2002 or Section 12 of the Adoption Act 1976.)

[ii] **Child Arrangements Order**: Determines who a child lives with, spends time with, or has contact with.
(Defined in Section 8 of the Children Act 1989, as amended by the Children and Families Act 2014.)

[iii] **Special Guardianship Order**: Appoints one or more individuals to be a child's **special guardian**, giving them parental responsibility.
(Defined in Section 14A of the Children Act 1989.)