



**HITCHIN BOYS' SCHOOL**  
An Academy Trust



**HITCHIN GIRLS' SCHOOL**

15 November 2021

Dear Consultee

### **Consultation on the admission arrangements for 2023/2024 for Hitchin Boys' School and Hitchin Girls' School.**

The Trust Boards of Hitchin Boys' and Hitchin Girls' Schools are consulting on a change to the admission arrangements for 2023/2024. Although each school is its own admissions authority, the proposed change is identical for both schools. The reason for the change and the proposed amendments have been discussed with Hertfordshire County Council who will continue to co-ordinate the Scheme for Admission to each of the Schools. The proposals are outlined below:

**1) To amend the criteria for Rules 5 and 6**

Your views are sought on a change to the way in which places are allocated to students who live in the priority area for the school. No change is proposed to the towns and parishes that comprise the priority area.

**2) To amend the definition and explanation for home address, where two applications are received for the same child**

### **Why are these changes being proposed?**

#### **1) Change to the oversubscription criteria**

An objection was made to the Office of the Schools Adjudicator by a member of the public about the admission arrangements for Hitchin Girls' School. The objection related to how priority is accorded in the allocation of places to girls living in the school's priority area. The Adjudicator found the existing arrangements to be unfair as their effect may be to deny some girls living in St. Ippolyts a place at a Secondary School in Hitchin. These students would face a significantly more difficult journey to another school whilst girls from much further afield obtain places at schools in Hitchin.

The Adjudicator instructed the school to amend its admission arrangements to ensure girls living in Hitchin obtain a place at a Hitchin Secondary school. This is a binding decision by virtue of section 88K(2) of the School Standards and Framework Act 1998.

Although the decision only related to girls living in St. Ippolyts, the Adjudicator noted that a similar outcome regarding distance and allocation of places may be possible in some other parishes in the priority area for the school. The Adjudicator also stated that there may be implications for Hitchin Boys' School as both schools have the same admission arrangements.

The Trustees of Hitchin Boys' and Hitchin Girls' Schools have considered the impact of the ruling, the likelihood of an objection being made if a change is not implemented to the arrangements for boys, and the inclusion of a change for other parishes which may be affected in a similar way to St. Ippolyts. The Adjudicator's decision and the requirement

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#### **Hitchin Girls' School**

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to change the oversubscription criteria has been discussed with the Admissions and Transport team at Hertfordshire County Council and a number of options have been considered.

The proposed change to Rule 5 and 6 shown below meets the requirement of the decision whilst ensuring the schools continue to serve the town of Hitchin and the parishes that make up the priority area for the schools.

### **Children who live in the priority area<sup>1</sup>**

***Rule 5 Boys/Girls\* for whom it is their nearest Hertfordshire maintained school or academy that is non-faith and non-partially selective and makes provision for children of the relevant gender***

***Rule 6 Boys/Girls\* for whom it is not their nearest Hertfordshire maintained school or academy that is non-faith and non-partially selective and makes provision for children of the relevant gender.***

*If the school is oversubscribed under this rule places will be offered on the basis of distance, with those living nearest the school prioritised.*

*The number of places allocated under rules 1 to 6 to children in the Parish of Letchworth will not exceed 20.*

*If all applications under Rule 6 have been satisfied and places remain available, they will be allocated to any outstanding applicants from the parish of Letchworth, before Rule 7.*

<sup>1</sup> *The priority area for Hitchin Boys' School/Hitchin Girls' School is based on the following towns / parishes / unparished areas:*

*Codicote, Graveley, Hexton, Hitchin, Holwell, Ickleford, King's Walden, Knebworth, Langley, Letchworth Garden City, Lilley, Offley, Pirton, Preston, St. Ippolyts, St. Pauls Walden, Weston, Wymondley*

*\* as applicable for Hitchin Boys' School or Hitchin Girls' School*

## **2) Definition of home address**

The School Admission Code, section 1.13, requires admission authorities to "make clear how the child's home address will be determined" and "should include provision for cases where parents have shared responsibility for a child following the breakdown of their relationship and the child lives for part of the week with each parent".

Recent legal advice and Local Government Ombudsman decisions have determined that whilst there is nothing to prevent a local authority from using Child Benefit or Tax Credits to assist in determining a child's main residence, they should be used with caution and not to determinatively decide a child's main residence.

If you have parental responsibility you are entitled to make decisions regarding your children's education unless restricted by a court order. Whilst individual circumstances are taken into account currently, both parents should be offered the opportunity to express their views and submit a joint application. If there is a disagreement which prevents a joint application from being made, parents must seek legal advice.

In cases of disputed applications (home address or school preferences), the ultimate decision as to where a child will go to school will remain with the Court; it is not a decision for the home local authority. It is therefore proposed that the county council's definition of permanent home address and the accompanying decision-making process is amended as follows:

### **Proposed home address**

*The address provided must be the child's current permanent address at the time of application:*

- *"At the time of application" means the closing date for applications*
- *"Permanent" means that the child has lived at that address for at least a year*

*Where a family has not lived at an address for a year, they must be able to demonstrate that they own the property or have a tenancy agreement for a minimum of 12 months and the child must be resident in the property at the time of application.*

*The application can only be processed using one address. If a child lives at more than one address (for example due to a separation) the address used will be the one where the child lives for the majority of the time. If a child lives at two addresses equally, parents/carers should make a single joint application naming one address.*

*If a child's permanent residence is disputed, parents/carers should provide court documentation to evidence the address that should be used for admission allocation purposes. If two applications are received, with different addresses, neither will be processed until the address issue is reconciled.*

*It is for a child's home LA to determine address. If two applications, with different addresses are received from the same LA, it will be for that LA to determine permanent address. If two applications are received from two different LAs, the above process will be used.*

*If two different applications are received for the same child from the same address, e.g., containing different preferences, parents/carers will be invited to submit a joint application or provide court documentation to evidence the preferences that should be used for the admission process. Until the preference issue is reconciled neither application will be processed.*

*For the transfer application rounds, if the initial differing applications (one or both) were received "on-time", an amended joint application will also be considered "on-time" if received before the "late deadline". If the amended joint application is received after the late date, it will be treated as "late". The late deadlines for the 2023/24 transfer application process are 2nd December 2022 for secondary and upper applications and 1st February 2023 for reception, junior and middle applications. If these dates change, amendments will be published on the HCC admissions web pages at the start of the 2023/24 application process in September 2022*

## **Have your say**

Details of the proposed admissions rules for 2023-2024 for Hitchin Boys' School are available [here](#) and for Hitchin Girls' School [here](#).

The consultation period runs from 15 November 2021 to 31 December 2021. Please send your comments regarding the proposals to the school by email or writing as follows:

### **Hitchin Boys' School**

[consultation@hitchinboys.co.uk](mailto:consultation@hitchinboys.co.uk)

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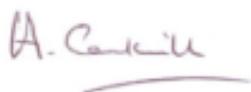
### **Hitchin Girls' School**

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**The deadline for response is 31 December 2021.**

Yours sincerely,



Dr. Helen Corkhill  
Chair of Trustees  
Hitchin Boys' School



Mr. Chris Hall  
Chair of Trustees  
Hitchin Girls' School