



Hartlepool Borough Council

Protocol for the Assessment of Address Data for School Admissions

1. INTRODUCTION

- 1.1 This protocol sets out the procedure by which we, Hartlepool School Admissions Team, will investigate potential addresses of convenience.
- 1.2 An address of convenience is considered to be one which is used by a parent/carer, solely or mainly in order to gain an advantage in accessing a school place for a child where the address used is not the child's main residence. The main residence is considered to be where the child resides for the majority of the week and where the child's primary carer normally resides.

2. PRINCIPLES OF THE PROTOCOL

- 2.1 Admission authorities and co-ordinating local authorities have a duty to ensure school places are offered fairly and accurately in line with determined admission arrangements.
- 2.2 Admission authorities have a legitimate interest in processing data that would prevent a school place being offered incorrectly.
- 2.3 When a school is oversubscribed priority within the relevant oversubscription criterion is normally given to applicants living closest to the school. In order to prioritise applicants fairly and accurately, the Co-ordinating Authority must be satisfied that applications have been made from the child's normal address to ensure distances are measured from this address.

3. CHILD'S HOME ADDRESS

- 3.1 The School Admissions Team must be satisfied that the address on the common application form is the permanent main residence address for admissions purposes and it is where the parent and the child are resident at the time of applying. It is the parent's responsibility to inform the School Admissions Team of any change to their circumstances which may affect their application.
- 3.2 The School Admissions Team will not accept an address on the application that the parent intends to move into in the future. This includes, but is not limited to, a property which they intend to rent or buy, or a property which is being renovated before the parent and the child will occupy it.
- 3.4 It is expected that the child's home address is a residential property that is their main residence, not an address at which the child may sometimes stay or sleep due to the family's domestic arrangements. The School Admissions Team will not accept the address of a relative, a friend or a childminder, a commercial address or a temporary address.
- 3.5 The School Admissions Team will not normally consider an address to be a child's main residence if the applicant owns or rents an alternative property that the child previously lived in. Where an applicant still owns or rents an address at which their child previously lived, they must explain and evidence the permanence of their house move. Renting out an owned property or putting it up for sale would not normally deem it unavailable to the family. The officer will consider the following non-exhaustive list of factors when making a decision on whether the previous address will be disregarded for admissions purposes:

- the preference school(s) named on the application, and whether they are oversubscribed;
- if the address used gains an advantage in the admissions process based on the distance of properties to the preferred school(s);
- the timing of the decision to move closer to the oversubscribed school, and length of time that the arrangement has been in place;
- the relative size of the respective properties, and their suitability to meet the family's needs;
- if rented out, proof that the previous address has been let on a commercial basis at a market rent, the duration of any break clauses, and any familial or personal connection to the tenant;
- any reasons and supporting documentation provided by the applicant to evidence the permanency of the move;
- information from third parties, such as the current school, relating to the circumstances of the case.

3.6 Temporary addresses include, but are not limited to, an AirBnB, guest house, hotel or serviced apartment, the address for a family member or friend where the family are staying because they have recently moved into the Hartlepool, or second properties determined to be temporary under paragraph 3.5 above. If the applicant is not able to provide a permanent address on their application, the officer will not apply any distance priority to the preferences until a permanent address is secured.

4. ADDRESS VERIFICATION PROCESS

4.1 The officer will verify the address used on the application using council records and systems, education settings and other resources available to the School Admissions Team. This is to confirm that the address which has been given on the application can reasonably be considered the child's main residence for admissions purposes.

4.2 If the officer is unable to verify the applicant's main residence address information, or they have moved to the address declared on the application within the last 12 months, the officer will require further information and an initial investigation letter will be sent to the applicant confirming this. This letter will:

- explain the reason why the address is under investigation;
- describe the Local Authority's definition of an address of convenience;
- set out why we have a duty to investigate addresses;
- provide an overview of the procedure followed in order to investigate addresses;
- request the applicant provides copies of documentation to verify the address (see section 4.3);
- seek any other information or evidence deemed relevant to the investigation.

4.3 The officer will require evidence selected from each of the following groups which demonstrates the child's particular circumstances:

Group A (evidence relating to the new property)

- for owners, a solicitor's letter showing the date that a house purchase was completed; if the applicant has moved back into a property they already own, they must provide proof of ownership, such as Land Registry;
- for tenants, full copy of the current Assured Shorthold Tenancy agreement that is signed by both the landlord and the applicant;
- a letter confirming placement at the address from social services, the UK Border Agency, the National Asylum Service, or the respective borough's housing department.

Group B (evidence relating to the previous property)

- a solicitor's letter confirming that a property sale has completed;
- a check-out report from a rented property, to show the date the applicant handed in the keys, or a letter or email from the landlord or letting agent of a rented property, showing the date the applicant moved out;
- if the applicant still owns the previous property but has let it to tenants, a full copy of the tenancy agreement signed by the applicant and the tenant. They must also send a letter from their mortgage company that confirms they know about the arrangement (if applicable).

Group C (evidence relating to residency)

- a copy of an electricity bill showing current levels of energy usage at the new property, **PLUS** two further documents from the following list, showing the applicant's new address and dated before the request for further information was sent;
- a copy of the applicant's driving licence (a copy of an application to amend the licence is not sufficient);
- a GP letter showing the applicant has registered their child at a local surgery which includes the date of registration;
- confirmation of the applicant's home contents insurance or car insurance;
- official correspondence from the HM Revenue & Customs, or the Department for Work and Pensions relating to benefit entitlement, dated within the last three months;
- Vehicle Registration Document (V5C) showing the applicant's name and address.

Please note the officer reserves the right to ask for original documents where there is a question about the authenticity of a copy.

- 4.4 The applicant will be given 10 days to provide the information and documents requested, ensuring the applicant has time to collate and return the documents requested and also that the documents already exist and are not requested as a result of the investigation.
- 4.5 Mobile phone bills, credit card statements, bank statements, and inclusion on the electoral roll are not proof that a person lives at an address, and will not be accepted. **The officer will also not consider evidence which is dated later than the date it was requested by the School Admissions Team.**

- 4.6 If the applicant is not able to provide the information requested, they should contact the School Admissions Team to discuss their circumstances, and alternative documentation which may be provided.
- 4.7 If the officer does not receive sufficient evidence required to verify the home address or the evidence is not provided within the timeframe requested, the officer will not accept the address provided on the application for admission purposes. This will mean that they will not apply any priority based on home to school distance to the child's application until sufficient evidence is received for an assessment to take place.
- 4.8 The officer will request further information if there are any doubts about the information provided, or where information has been received that suggests a fraudulent or intentionally misleading application has been made.
- 4.9 It is the applicant's responsibility to provide evidence to support their application. The minimum requirement is the documents set out in paragraph 4.3. If additional information is requested, the applicant must determine what evidence to provide to support their application as each family's circumstances are different.
- 4.10 The officer may escalate the application to the Hartlepool Borough Council Fraud Investigation Team for further investigation if necessary, in line with their own investigation processes. Own admission authority schools have the right to undertake their own investigations where they feel it is appropriate.
- 4.11 Any decision by an officer not to accept an address as the main residence of a child for admission purposes will be determined on the balance of probabilities, and will be reviewed by a Senior School Admissions Officer before the decision is sent to the applicant. Applicants will be given the opportunity to make any final representations within 7 days in order to allow natural justice to take place. If no further substantial information is received, the decision will stand.
- 4.12 The School Admissions Team reserves the right to ask for proof of the applicant's address at any time during the application process, even after a school has been offered or accepted.

No response received

- 4.13 If an applicant has yet to receive the outcome of their application and no reply is received to the initial request for information, then a further letter will be sent to the applicant explaining that the application will now not be processed until a response is received. The application will not be withdrawn but will be considered as pending and no further action taken to process the application until such time as a response is received.
- 4.14 If an applicant has already been offered a school place, and no response is received to a request for information, then the applicant will be written to and given a further 7 days to respond to the request. The letter will explain that if no response is received the application will be withdrawn and any place offered rescinded. At this stage, where the applicants email address is known, the applicant will be emailed to notify them that correspondence has been sent to their home address. No alternative school place will be offered until a response has been received.

5. ADDRESS VISITS

- 5.1 Where suspicions lie as to the validity of an address, the School Admissions Team may make unannounced visits to the applicant's claimed address, or any other address suspected to be the child's main residence. The aim of these visits will be to verify that the address information provided in the application form is accurate.
- 5.2 All visits will be attended by two members of the School Admissions Team or their equivalent. No visit will be undertaken in a covert manner, but they will be unannounced in order to best assess the validity of an address.
- 5.3 If an address appears to be unoccupied at the time of a visit, a letter will be left confirming that an attempted visit took place. This letter will ask the occupant to contact the Admissions Service within 24 hours to confirm receipt of the letter and details of the occupant. It would be expected that an applicant living at the address stated on an application should reasonably be able to pick up correspondence left and respond within 24 hours. If contact takes longer than 24 hours, then the applicant must explain why and provide evidence why they did not respond within the specified time.

6. JOINT CARE ARRANGEMENTS

- 6.1 If the child lives between two properties, the School Admissions Team will use one address to determine the outcome of an application: the child's main residence.
- 6.2 Separated parents do not have the right to choose which address should be used on their child's application. There is an expectation that parents are consistent in the address being used to apply for school places. This is to ensure that separated parents do not gain an advantage for admission to a preferred school based on distance by using different addresses on applications for their child.
- 6.3 In the absence of a formalised legal care arrangement, parents must provide a joint declaration stating the pattern of residency with each parent. The declaration, including the addresses of both parents, must be submitted at the time of making the original application.
- 6.4 The officer will usually determine the main residence to be the address where a parent who holds parental responsibility lives permanently, along with the child. In cases of shared care (both parents hold parental responsibility, and care is split or shared), the officer will determine the main residence to be that of the parent where it is evidenced that they undertake the majority of care during the school week.
- 6.5 In cases where it is evidenced that shared care is exactly equal, the officer will consider all available evidence that the applicant provides to support their application. The officer will also consider information such as the main address held by the current school, school census data, and the address previously used to apply for school places for the child or any siblings under the same care arrangements.
- 6.6 Once the main residence has been determined, it will be subject to the same address verification checks as all other applications.

- 6.7 Applicants must only submit one application for their child, even if separated parents live in different boroughs. It is not appropriate for the School Admissions Team to become involved in private disputes between separated parents or carers. If parents cannot agree who should make the application, or which schools should be named as preferences on the form, the School Admissions Team will require a specific issue order from the family court setting out who is responsible for applying to schools. The team will not proceed with any applications subject to a dispute until agreement can be reached. This may affect the child's chance of being allocated a place at a preferred school.
- 6.8 If a parent makes an application without the consent of all those with parental responsibility, the School Admissions Team will consider this as an intentionally misleading application. The application, and any offer which has been made, will be withdrawn. The parent will be required to apply again with evidence that all parties agree to the application.

7. ADDRESS OF CONVENIENCE

- 7.1 Where an address of convenience has been confirmed we may take a variety of steps, depending on the current status of the application as well as the type of application made. These are set out below.

No place allocated

- 7.2 If an applicant has not yet been offered a school place then the application will be withdrawn and the applicant requested to make a new application from the correct address.
- 7.3 If the applicant is making an application during the normal admission round; i.e. entry the following September in Reception, or Year 7, and the child's suspected main address falls outside Hartlepool, the applicant will be directed back to their home authority.

Place allocated but child yet to start

- 7.4 If the applicant would have been offered a school place from the child's main residence address, as determined by us, then the offer will remain and no further action will be taken. If a place would not have been offered from the child's main residence then both the application and the place offered will be withdrawn. The applicant will then be requested to make a new application from the child's correct address.
- 7.5 If the applicant is making an application during the normal admission round; i.e. entry the following September in Reception or Year 7, and the child's suspected main address falls outside Hartlepool, the applicant will be directed back to their home authority.
- 7.6 If an offer is withdrawn and the child's main residence, as determined by the School Admissions Team, falls within Hartlepool then an alternative offer will be made at the nearest school with an available place, if the child is without a school place.

Place allocated and child has started

- 7.7 If a place was gained based on the use of an address of convenience and the child has commenced at the school but attended for less than one academic term, we reserve the right to withdraw the place offered. If the place is withdrawn and the child is determined by the School Admissions Team to live in Hartlepool, an alternative school place will be offered at the nearest school with an available place to the child's main residence.
- 7.8 If a place is withdrawn a child will be expected to leave the school no later than the end of the current half term, assuming an alternative school place has been offered. If no alternative school place has been offered then a child will not be expected to leave a school.
- 7.9 If a place is withdrawn and an alternative place offered then a child will be expected to leave the school which was withdrawn whether the place is accepted or not. If the alternative school is not accepted it will be the parent/carer's duty to ensure their child receives full time education once they leave the withdrawn school. In this case, details of the child concerned will be forwarded to the Inclusion Team who ensure children of compulsory school age are receiving full time education.
- 7.10 If the child is attending a school in Year 6, Year 10 or Year 11, or has been in attendance at a school for more than one term, based on the traditional 3 term school year, then the place will not be withdrawn.
- 7.11 In all cases where it has been deemed that a school place has been gained based on an address of convenience and the child continues to attend the school in question, the admission authority reserves the right to deny sibling priority to any subsequent children applying for the school.
- 7.12 We reserve the right to share information relating to addresses of convenience with other agencies and council departments, where necessary, to assist in the detection of fraud.

Address to use on future applications

- 7.13 Any subsequent application should be made from the child's main residence determined as part of the investigation, which will be set out in the letter sent following an investigation.
- 7.14 If a family continues to reside at an alternative property not considered by the School Admissions Team to be the child's main residence, e.g. a rental property, the family will be expected to apply from the main residence, providing details of the alternative correspondence address as part of the application.

8. RIGHT OF APPEAL

- 8.1 Applicants do not have the right to appeal against the Local Authority's decision that an address of convenience has been used. They will, however, have their statutory right of appeal if, following an application, a place is not allocated at a preferred school.

8.2 If an applicant is unhappy with the process followed by us when making this decision then they can make an official complaint by contacting:

Complaints
Hartlepool Borough Council
Civic Centre
Victoria Road
Hartlepool
TS24 8AY