

----- Original Message -----

From: amytaylor@warwickshire.gov.uk

Sent: Tuesday, December 11, 2012 10:19 AM

Subject: Re: 11+ Eastern Area

Thank you for your email.

It is not enough that you own a property; the address used to allocate school places must be the child's home address. Warwickshire Local Authority's definition of 'home address' states, '*where the child normally resides/sleeps when they attend school*'. This means that the child must live at the address and sleep there during the school week. You cannot therefore use the address of a property which you own but the child does not reside in on your application. If you are living in the property as a family then the bills would be in your name. If the tenancy for current occupants ran out in July 2013, then we would expect you to provide evidence that the family/child has moved into the property by the end of August. However, you would still need to provide proof by the 4th February deadline that you actually own the property, or that the sale is due for completion before the end of August, and then we would request further evidence once the sale is complete, etc.

To clarify, if you already own the property and will rent it out for 6 months from January, then we would require a copy of the 30 day eviction notice you give to your tenants when that is sent to them in May/June. We may then ask for further evidence to show that the family are living in the property during July/August, when the bills will no longer be in the tenants name, but the home owners. **If evidence cannot be provided because the family are not residing in the property by the beginning of September, then consideration will be given by the Local Authority and the school where a place has been offered based on the evidence provided previously of the new address, and the place may be withdrawn. This would only happen though if a place would not have originally been offered based on the child's old address (or the one from which they never moved).**

We do appreciate that it can be a difficult situation with arranging a move, whilst also making sure that your child can attend their current school to finish Year 6. However, as stated above, this is what we would request and we would work with the family to ensure that they are providing the correct paperwork at the correct time. The withdrawal of a place is not common practice and we would want to try and avoid that situation where possible. In past years, it was Warwickshire's policy that a place could be withdrawn up until the end of August of the relevant transfer year. However, a new Admissions Code was published by the Government in February of this year and, after seeking legal clarification, it has been determined that a place can be withdrawn at any time, if it has been obtained fraudulently or through using intentionally misleading information. There is further guidance to take into account, such as how long the child has been at the school, etc. **As stated previously though, the withdrawal of a place is not a step we really want to get to, for the sake of the child if nothing else, and we would try and work with the family so that this does not become a solution.**

As long as your evidence shows that you will be residing in the property 'after the start of the Autumn term' (September 2013) then that would satisfy us as a Local Authority. There is no further limitation on how long you have to live at the address once the child has started at the school.

Kind regards,

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