



**Theddlethorpe Academy**



**THEDDLETHORPE ACADEMY**

**ADMISSIONS POLICY**

**ARRANGEMENTS FOR THE ADMISSION OF PUPILS TO  
THEDDLETHORPE ACADEMY**

**2018-2019**

**February 2017**

# **(1) REQUIREMENTS FOR THE ADMISSION OF PUPILS TO THEDDLETHORPE ACADEMY**

## **General**

1 This annex may be amended in writing at any time by agreement between the Secretary of State and the Company.

2. Except as provided in paragraphs 2A to 2B below the Company will act in accordance with, and will ensure that an Independent Appeal Panel is trained to act in accordance with, all relevant provisions of the School Admissions Code, and the School Admission Appeals Code published by the Department for Education (“the Codes”) as they apply at any given time to maintained schools and with equalities law and the law on admissions as they apply to maintained schools. For this purpose, reference in the Codes or legislation to “admission authorities” shall be deemed to be references to the Directors of the Company.

2A The Company is permitted to determine admission arrangements (subject to consultation in accordance with the School Admissions Code) that give priority for admission (but not above looked after children and previously looked after children<sup>1</sup>) to other children attracting the pupil premium, including the service premium (‘the pupil premium admission criterion’). Where a Company exercises this freedom it will provide information in its admission arrangements of eligibility for the premiums.

2B For the purposes of applying the pupil premium admission criterion only, sections 1.9(f) and 2.4(a) of the School Admissions Code do not apply insofar as they prevent admission authorities from giving priority to children according to the financial or occupational status of parents or using supplementary forms that ask for:

- Any personal details about their financial status; or
- Whether parents are serving in the armed forces (of any nation), stationed in England, and exercising parental care and responsibility for the child in question.

3. Notwithstanding the generality of paragraph 2 of this Annex, the Company will participate in the co-ordinated admission arrangements operated by the Local Authority (LA) and the local Fair Access Protocol.

4. Notwithstanding any provision in this Annex, the Secretary of State may:

- (a) direct the Company to admit a named pupil to the Theddlethorpe Academy on application from an LA. This will include complying with a School Attendance Order<sup>2</sup>. Before doing so the Secretary of

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<sup>1</sup> As defined in the School Admissions Code.

<sup>2</sup> Local authorities are able to issue school attendance orders if a child is not attending school. These are legally binding upon parents. Such an order might, for instance, be appropriate where a child has a place at an Academy but his/her parents are refusing to send him/her to school. The order will require a parent to ensure his/her child attends a specified school.

State will consult the Company.

(b) direct the Company to admit a named pupil to the Theddlethorpe Academy if the Company has failed to act in accordance with this Annex or has otherwise failed to comply with applicable admissions and equalities legislation or the provisions of the Codes.

(c) direct the Company to amend its admission arrangements where they fail to comply with the School Admission Code or the Admission Appeals Code.

5. The Company shall ensure that parents and ‘relevant children<sup>3</sup>’ will have the right of appeal to an Independent Appeal Panel if they are dissatisfied with an admission decision of the Company. The Independent Appeal Panel will be independent of the Company. The arrangements for appeals will comply with the School Admission Appeals Code published by the Department for Education as it applies to Foundation and Voluntary Aided schools. The determination of the appeal panel is binding on all parties.

### **Relevant Area**

6. Subject to paragraph 7, the meaning of “Relevant Area” for the purposes of consultation requirements in relation to admission arrangements is that determined by the local authority for maintained schools in the area in accordance with the Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999.

7. If the Company does not consider the relevant area determined by the local authority for the maintained schools in the area to be appropriate, it must apply to the Secretary of State by 1 August for a determination of the appropriate relevant area for the Academy, setting out the reasons for this view. The Secretary of State will consider the Company and its LA in which the Academy is situated in reaching a decision

### **Requirement to admit pupils**

8. Pupils on roll in any predecessor maintained or independent school will transfer automatically to the Academy on opening. All children already offered a place at any predecessor school will be admitted.

9. The Academy will:

- a. Subject to its right of appeal to the Secretary of State in relation to a named pupil, admit all pupils with a statement of special educational needs naming the Academy;
- b. Determine admission oversubscription criteria for the Academy that give highest priority to looked after children and previously looked after children, in accordance with the relevant provisions of the School Admissions Code.

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<sup>3</sup> ‘relevant children’ means:

- a) in the case of appeals for entry to a sixth form, the child, and;
- b) in any other case, children who are above compulsory school age, or will be above compulsory school age by the time they start to receive education at the school.

**Oversubscription criteria, admission number, consultation, determination and objections.**

10. The Academy admission arrangements will include oversubscription criteria, and an admission number for each relevant age group<sup>4</sup>. The Company will consult on the Academy's admission arrangements and determine them in line with requirements within the School Admissions Code.

11. The Office of the School's Adjudicator (OSA) will consider objections to the Academy's admission arrangements<sup>5</sup>. The Company should therefore make it clear, when determining the Academy's admission arrangements, that objections should be submitted to the OSA.

12. A determination of an objection by the OSA will be binding upon the Academy and the Company will make appropriate changes as quickly as possible.

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<sup>4</sup> 'Relevant age group' means 'normal point of admission to the school, for example, year R, Year 7 and Year 12.

<sup>5</sup> The OSA has no jurisdiction to consider objections against the agreed variation from the Codes set out in paragraphs 2A and 2B.

## **(2) ARRANGEMENTS FOR THE ADMISSIONS OF PUPILS TO THEDDLETHORPE ACADEMY**

The published admission number (PAN) for 2018-2019 is: FS2 – 15.

As a constituent academy within the Multi-Academy Trust, Theddlethorpe insists on the highest standards of behaviour and diligence. Governors expect full compliance with the dress code.

The Governors welcome applications from parents who fully subscribe to our ethos and are prepared to support us in our drive for ever improving standards.

Theddlethorpe, as a non-selective and inclusive Academy, welcomes children regardless of their aptitude or ability. The Board of the Multi Academy Trust is the Admissions Authority with the Local Governing Body responsible for the administration of the admission arrangements. The Board remains responsible for any appeals.

If the number of applications for places at the Academy is greater than the admission number set for that year group, applications will be considered against the criteria set out below. After the admission of children with statements of special educational needs/Education Health Care Plan (EHCP), where the Academy is named in part IV of the statement/recorded in the Plan, we will use the following factors, in priority order, to decide which students will be given places:

1. Looked after children (children in public care), or previously looked after children.
2. Pupils with brothers or sisters who are already at the Academy
3. Children of staff employed by Theddlethorpe Academy.
4. Proximity to the Academy

Criterion 4 may be used as a tie-breaker.

## **Definitions of terms used in the admission arrangements**

**Notes: Children who have a statement of special education needs where the Academy is named in Part IV of the statement/recorded in the Education Health Care Plan (EHCP)**

These children will have undergone a statutory assessment of their special educational needs. Where a school is named in the statement/recorded in the EHCP, the Academy must admit the child.

### **1 Looked after children**

The definition of a 'looked after child' is a person under the age of 18 who is provided with accommodation by a local authority, acting in its social services capacity, for a continuous period of more than 24 hours, by agreement with the parents or in accordance with Section 22 of the Children's Act 1989. Previously Looked After refers to those children who immediately after being looked after became subject to an adoption order, child arrangements order (under the provisions of the Children and Families Act 2014), or specialist guardianship order (under Section 14A of the Children Act 1989). Children looked after under a series of short term placements (respite care) are excluded.

### **2 Rules for Siblings**

Included in this factor are biological siblings, stepbrothers and sisters and half-brothers and sisters living at the same address and who will be attending the Academy at the expected time of admission.

#### **Twins and other siblings from a multiple birth**

In these cases all the children will be considered together as one application. If one or more can be admitted within the published admission number the school will be allowed to go above its admission number as necessary to admit all the children.

### **3 Rules for Residence**

By home we mean the address where the child lives for the majority of term time with a parent as defined in section 576 of the Education Act 1996 who has parental responsibility for the child as defined in the Children Act 1989.

Where a child lives normally during the school week with more than one parent at different addresses, the home address for the purposes of school admissions will be the one where the child spends the majority of term time. If a parent can show that their child spends an equal amount of time at both addresses during term time, they can choose which address to use on the application. If the parents cannot agree on the address to be used we will use the address where child benefit is paid.

If a parent has more than one home, we will take as the home address the address where the parent and child normally live for the majority of the school term time.

We have the right to investigate whether you live at the address you say you do and we may change any offer if incorrect information has been given.

## **5 Children of staff at the Academy**

Either (a) where a member of staff has been employed by Theddlethorpe Academy for two or more years at the time the application for admission is made.

Or (b) where a member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.

## **6 Distance**

Straight line distance as calculated electronically to three figures after the decimal point (eg 1.543 miles) by Lincolnshire County Council school admissions team from the Post Office Address Point of the home to the Post Office Address Point of the school. Those living closer to the Academy receiving priority.

By home we mean the address where the child lives for the majority of term time with a parent as defined in section 576 of the Education Act 1996 who has parental responsibility for the child as defined in the Children Act 1989.

Where a child lives normally during the school week with more than one parent at different addresses, the home address for the purposes of school admissions will be the one where the child spends the majority of term time. If a parent can show that their child spends an equal amount of time at both addresses during school term time, they can choose which address to use on the application. If the parents cannot agree on address we will use the address where child benefit is paid.

If a parent has more than one home, we will take as the home address where the parent and child normally live for the majority of the school term time.

If two or more children are tied for the last place a lottery will be drawn by an independent person, not employed by the school or working in Children's Service Directorate at the local authority.

## **Children of UK Service Personnel (UK Armed Forces)**

In order to meet the government's military covenant aimed at helping service personnel, and Crown Servants returning from abroad we have adopted the following arrangements. For late co-ordinated applications and midyear applications supported by the appropriate military documentation we will aim to remove any disadvantage to UK service personnel (UK Armed Forces). The school's Governors will consider whether:

- An application from that address would normally succeed in an oversubscribed year
- There is any child on the reserve list with higher priority under the oversubscription criteria
- The prejudice from admitting an extra child would be excessive

The Governors have discretion to admit above the admission number in these circumstances if they wish, but are not obliged to do so.

## **Appeals against a decision not to admit a child to the Academy**

Parents have a legal right to appeal against a decision not to admit a child to the Academy. The Academy will be happy to provide information about this on request.

### **Appeals Timetable**

- Appellants have 20 school days from the date of notification that their application was unsuccessful to prepare and lodge their written appeal;
- Appellants receive at least 10 school days' notice of their appeal hearing;
- Appeal decision letters are sent within five school days of the hearing wherever possible.

### **Admission of children outside their normal age group**

In reference to paragraph 2.17 of the School Admissions Code, if a parent requests their child to be admitted outside of their normal age group, the admissions authority will decide on the basis of the circumstances provided.

Parents wishing to make this request should contact the Multi Academy Trust on the procedure to follow.

It is important for parents to note that they will have the opportunity and responsibility to provide whatever evidence they wish to support their request.

Decisions will be made on the basis of the circumstances of each case and in the best interests of the child concerned.

This may include taking account of:

- The parent's views;
- Any available information about the child's academic, social and emotional development;
- Where relevant, their medical history and the views of a medical professional;
- Whether they have previously been educated out of their normal age group;
- Any evidence that the child may naturally have fallen into a lower age group if it were not for being born prematurely
- The views of the Principal.

### **Waiting Lists**

The Academy will operate a waiting list for at least the first term of the academic year of admission. Children's position on a waiting list will be determined solely in accordance with the published oversubscription criteria.

Where places become vacant they will be allocated to children on the waiting list in the order determined by the oversubscription criteria, irrespective of the time they have been on the waiting list. The waiting list will be reordered in accordance with the oversubscription criteria every time there is a new applicant or someone leaves the waiting list.



## **Fair Access Protocol**

The Government has stated that all Local Authorities must have a Fair Access agreement that allows unplaced children, especially the most vulnerable, are to be offered a place at a suitable school as quickly as possible.

## **Fraudulent or Misleading Applications**

As an admission authority for the Academy, the Trust has the right to investigate any concerns it has about an application and to withdraw the offer of a place if it is found there is evidence that parents have made a fraudulent claim or provided misleading information such as a false address.

The Trust reserves the right to check any information provided so that it can apply the oversubscription criteria accurately and fairly.