



## SANDYMOOR ORMISTON ACADEMY ADMISSIONS POLICY

### Version History

Version	Status	Author	Date	Comments
1	Initial Draft	Cocentra	March '12	Initial Policy provided
2	Amended	AGH	11/12/13	Amended following Sub-committee
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4	Amended	RME	Jan 16	Amendment allowing pupils of staff to attend ahead of distance criteria.
5	Amended	EJS	March 18	Amendment to clarify sixth form admissions
6	Amended	SJO	Jan 2019	Correction of dates

**Review date: March 2020**

## Admissions Policy

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## **Admissions Policy**

### **1. Introduction**

1.1 This document sets out the admission arrangements for Sandymoor Ormiston Academy. Any changes to the arrangements set out in this document, must be approved in advance by the Academy Trust as the admission authority for the school.

1.2 For the purposes of this Admissions Policy references in admission law and in the statutory Codes of Practice to admission authorities shall be deemed to be references to the Academy Trust of Sandymoor Ormiston Academy.

1.3 Sandymoor Ormiston Academy will take part in the Admissions Forum set up by Halton Local Authority and have regard to its advice.

### **2. Admission Arrangements**

2.1 Sandymoor Ormiston Academy has a published admissions number of 120 pupils into year 7.

2.3 Sandymoor Ormiston Academy may set a higher admission number as its published admission number for any specific year. Before setting an admission number higher than its agreed admission number, Sandymoor Ormiston Academy will consult those listed at paragraphs 8.1 and 8.2 below. Pupils will not be admitted above the published admission number unless exceptional circumstances apply and such circumstances shall be reported to the Secretary of State.

### **3. Process of application**

3.1 Sandymoor Ormiston Academy will use the following timetable for applications each year (exact dates within the months may vary from year to year) which, whenever possible, will fit in with the common timetable agreed by the Halton Admissions Forum.

3.2 September – Sandymoor Ormiston Academy will publish in its prospectus information about the arrangements for admission, including over subscription criteria, the following September (i.e. in September 2020 for admission in September 2021).

3.2 This will include details of open evenings and other opportunities for prospective pupils and their parents to visit the school. It will notify the date by which applications must be received by the Local Authority.

3.3 Sandymoor Ormiston Academy will also provide information to the Local Authority for inclusion in the composite prospectus, as required.

3.4 September/October - The school will provide opportunities for parents and pupils to visit Sandymoor Ormiston Academy.

3.5 October - closing date for application form (via Halton Consolidated Admissions)

3.6 December - February - applications considered by the Local Authority and the other admission authorities in Halton.

3.7 1<sup>st</sup> March - offers of places notified in writing to parents and to the Local Authority.

3.8 This timetable reflects the practice in Halton Local Authority and is intended to secure a coordinated approach to admission for parents and pupils. Sandymoor Ormiston Academy will take part in the co-ordinated admissions scheme for Halton Local Authority.

#### **4. Consideration of applications**

4.1 Sandymoor Ormiston Academy will consider all applications for places. Where fewer than 120 applications are received for the year group the school will offer places to all those who have applied.

4.2 Notwithstanding point 4.1 above, Sandymoor Ormiston Academy may refuse admission to particular applicants in cases where fewer than the published admission numbers have applied. These are applicants who have been excluded from two or more other schools and the ability to refuse admissions runs for a period of two years from the last exclusion. Exclusions, which took place before the child concerned reached compulsory school age, do not count for this purpose.

4.3 Sandymoor Ormiston Academy may also refuse admission to pupils (other than in the normal year of entry) in the specific and limited circumstances described in paragraph 3.32 of the statutory Admissions Code of Practice which can be found at the address below.

<http://www.education.gov.uk/schools/adminandfinance/schooladmissions>

4.4 In all the circumstances described in this paragraph, however, the Secretary of State may direct Sandymoor Ormiston Academy to admit such a pupil and that direction shall be binding on Sandymoor Ormiston Academy.

## 5. Procedures where Sandymoor Ormiston Academy is oversubscribed

Where the number of applications for admission is greater than the published admissions number, applications will be considered against the criteria set out below.

5.1 All children whose statement of special educational needs specifically names the school will be admitted. Following that, children who are in the care or interim care of a local authority pursuant to sections 31 and 38 of the Children's Act 1989, or children who are accommodated by a local authority pursuant to section 20 of the Children's Act 1989, or children who have previously been in the care of a local authority but have since been adopted. From 1<sup>st</sup> July 2021, this will also include those children 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 looked after child is a child who is in the care of a local authority, or being provided with accommodation by a local authority in the exercise of their social services functions (definition used is in Section 22(1) of the Children Act 1989).*

5.2 Admission of pupils for whom it is essential to be admitted to a specific school because of special circumstances to do with significant medical needs. The request for admission based on medical need must be accompanied by a supporting report from either a medical doctor or other suitably qualified professional. The school will then make a decision based upon the evidence provided as to whether admission to Sandymoor is an essential requirement.

5.3 Children of members of staff of Sandymoor Ormiston Academy who meet either of the following criteria:

- a) where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made, and/or
- b) the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage

5.4 Admission of pupils whose siblings currently attend Sandymoor Ormiston Academy and who will continue to do so on the date of admission;

For the purpose of allocating places, sibling means;

- Full sibling living at the same address as the applicant
- Step sibling living at the same address as the applicant
- Half sibling living at the same address as the applicant
- Long term foster sibling living at the same address as the applicant

In the event of a tie between two or more young people when applying criteria, or because none of the specific criteria apply to them, a process of random allocation will be followed. This will be in the form of a manual process which is overseen by an independent person.

Children with a Statement of Special Educational Needs are allocated school places under different regulations and will override all other categories or priority.

Notwithstanding the provisions of points 5.1 to 5.7 above, the Secretary of State may direct Sandymoor Ormiston Academy to admit a named student on application from a local authority.

Waiting list – If there are no places available, parents/guardians must confirm in writing to Sandymoor Ormiston Academy if they wish to have their application placed on the waiting list. The waiting list will be maintained in order of the oversubscription criteria and not in the order in which applications are received or added to the list. Names are normally removed from the list after six months unless parents/guardians submit a written request asking for their application to remain on the waiting list.

## **6. Mid-Year Admissions**

6.1 Parents wishing to make a mid-year application for a place for their child should submit the appropriate form to the local authority. This can be found at;

<http://www3.halton.gov.uk/educationandlearning/schoolsandcolleges/166971/>

6.2 Sandymoor Ormiston Academy will maintain a waiting list and allocate places as they become available using the criteria set out in point 5. There will be a right of appeal to the Appeals Panel for any unsuccessful applicant.

## **7. Arrangements for Appeals Panels**

7.1 Parents will have the right of appeal to an Independent Appeal Panel if they are dissatisfied with an admission decision of Sandymoor Ormiston Academy as described in ***The School Admission Appeals Code***.

7.2 The Appeal Panel will be independent of Sandymoor Ormiston Academy and will be composed of three members who will include the following;

7.2 At least one lay member. Lay members are people without personal experience in the management or provision of education in any school (though it is permissible to use people who have experience as governors of other schools, or who have been involved in education in any other voluntary capacity)

7.3 At least one person with experience in education who is acquainted with educational conditions in the area, or who is the parent of a registered pupil at a school.

7.4 The arrangements for appeals will be in line with the Code of Practice on School Admission Appeals published by the Department for Education as it applies to Academies.

7.5 Parents will normally have 20 days after notification of a place not being offered at Sandymoor Ormiston Academy to lodge an appeal. The notification will indicate the reasons for refusal of a place and of the right of appeal.

7.6 Parents wishing to appeal against an admission decision by Sandymoor Ormiston Academy should send a completed appeal form to the Clerk to the Appeal Panel at the address given on the appeal form. Other documents may be submitted in support of an appeal and should be lodged with the Clerk to the Appeal Panel not less than 7 days before the appeal hearing.

7.7 Parents will be given 14 days notice of the appeal hearing, unless they agree to a shorter period of notice. At least 7 days before the hearing Sandymoor Ormiston Academy will provide the parent with a written statement detailing the reasons why it has not been possible to allow the child to attend Sandymoor Ormiston Academy.

7.8 The Appeal panel will have the discretion to refuse to admit late evidence.

7.9 The Clerk to the Appeal Panel will, if possible, inform parents of the Appeal Panel's decision on the day of the hearing. In the case of the appeal hearings taking in excess of one day the Clerk to the Appeal Panel will contact parents with the decision on the final day of the hearings. The parents will also be informed of the outcome in writing within 14 days of the date of the hearing. In the case of unsuccessful appeals the Appeal Panel will give the parents their reasons for not upholding the appeal.

## **8. Annual Procedures for determining Admissions Arrangements**

### **8.1 Consultation**

Sandymoor Ormiston Academy will consult each year on its proposed admission arrangements. Sandymoor Ormiston Academy will take part in the local Admission Forum for the Halton area.

## **9. Determination and publication of admission arrangements**

9.1 Following consultation, Sandymoor Ormiston Academy will consider comments made by those consulted. The school will then determine its admission arrangements by 15th April of the relevant year and notify those consulted what has been determined.

## **10. Publication of admission arrangements**

10.1 The published arrangements will set out;

- The name and address of the school and contact details
- A summary of the admissions policy, including oversubscription criteria □  
Numbers of places and applications for those places in the previous year □  
Arrangements for hearing appeals.

## **11. Representations about admission arrangements**

11.1 Where other admissions authorities in the relevant area make representations to Sandymoor Ormiston Academy about its admission arrangements, the school will consider such representations.

11.2 Where Sandymoor Ormiston Academy and other admission authorities cannot reach agreement locally, any admission authority in Halton may make representations to the Secretary of State. The Secretary of State will consider the representation and in so doing will consult Sandymoor Ormiston Academy. Where he judges it appropriate, the Secretary of State may direct Sandymoor Ormiston Academy to amend its admission arrangements.

11.3 Other admission authorities in the Halton area have the right to ask Sandymoor Ormiston Academy to increase its proposed published admissions number for any year.

11.4 Where such a request is made, but agreement cannot be reached locally, an admission authority may ask to the Secretary of State to direct Sandymoor Ormiston Academy to increase its proposed published admissions number. The Secretary of State will consult Sandymoor Ormiston Academy and will then determine the published admission number.

11.5 In addition to the provisions at the points above, the Secretary of State may direct changes to Sandymoor Ormiston Academy's proposed admission arrangements and, in addition to the provisions above, the Secretary of State may direct changes to the proposed published admissions number.

## **12. Proposed changes to admission arrangements by Sandymoor Ormiston Academy after arrangements have been published.**

Once the admission arrangements have been determined and published, Sandymoor Ormiston Academy will propose changes only if there is a major change of

circumstances. Planned increases in PAN as the school grows to capacity are deemed to already be agreed.

In such cases, the school must consult those consulted under point 8 above and must then apply to the Secretary of State setting out;

- The proposed changes
- Reasons for wishing to make such changes
- Any comments or objections from those entitled to object.

### **13. Monitoring and Review**

13.1 The Governing Body and Principal will review this policy statement annually and update, modify or amend it as it considers necessary to ensure it remains relevant and in accordance with legislation.

13.2 The Principal will ensure that admissions procedures are reviewed annually or sooner, especially after a change in legislation.

13.3 The Governing Body and Principal will implement all admissions procedures required by law.

## **Appendix 1**

### **Admission Appeals - Relevant Legislation**

1. This appendix signposts the law relevant to admission appeals. It does not provide guidance on interpreting the law - that is for the courts.

#### **Equality Act 2010**

2. This Act consolidates the law prohibiting discrimination, harassment and victimisation and expands the list of protected characteristics. All schools must have due regard to their obligations under the Act. Their policies and practices, including admissions arrangements and decisions, must meet the requirements of the Act, and failure to do so may be relevant to the matters an appeal panel has to decide.

3. An admission authority or appeal panel must not discriminate on the grounds of disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation against a person in the arrangements it makes for an appeal.

4. An admission authority or appeal panel must not harass an appellant, or a child who is the subject of an appeal, in relation to their disability, race or sex.

5. An admission authority or appeal panel must not victimise a person in relation to a protected act done or believed to have been done by that person (e.g. bringing proceedings under the Equality Act 2010) in the arrangements it makes for an appeal.

6. Schools designated by the Secretary of State as having a religious character (faith schools) are exempt from some aspects of the prohibition of discrimination on the grounds of religion or belief. This means they can make a decision about whether or not to admit a child as a pupil on the basis of religion or belief. Single sex schools are lawfully permitted to discriminate on the grounds of sex in their admission arrangements.

7. Admission authorities and appeal panels must have regard to the Equality and Human Rights Commission's Code of Practice for Schools when it comes into effect. In the interim, non-statutory guidance is available on the Equality and Human Rights Commission's website.

8. Admission authorities are also subject to the Public Sector Equality Duty. Therefore they must have due regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity, and foster good relations in relation to disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

9. Further guidance on the Public Sector Equality Duty is available on the website of the Government Equalities Office and from the Equality and Human Rights Commission. Human Rights Act 1998

10. The Human Rights Act 1998 confers a right of access to education. This right does not extend to securing a place at a particular school. However, admission authorities and appeal panels need to consider parents' reasons for expressing a preference when they make admission decisions and when making decisions on appeals. These reasons might include, for example, the parents' rights to ensure that their child's education conforms to their own religious or philosophical convictions (as far as is compatible with the provision of efficient instruction and the avoidance of unreasonable public expenditure).

### **School Standards and Framework Act 1998**

11. Chapter 1 of Part 3 of the School Standards and Framework Act 1998 contains the key provisions regarding schools admissions and admission appeals.

12. Section 86 of the SSFA 1998 provides that the admission authority for a maintained school (with the exception of those that select wholly by ability) must comply with any preference expressed by a parent except where to do so would prejudice the provision of efficient education or the efficient use of resources.

13. Section 94 requires admission authorities to make arrangements for parents (and in some circumstances children) to appeal against a decision to refuse admission to the school. Two or more admission authorities in the same local authority area may make joint arrangements.

14. Where a child has been permanently excluded from two or more schools (and the most recent exclusion occurred within the past two years), Section 95 provides that arrangements do not have to be made for the parent (or, in the case of sixth form education, the child) to appeal against a decision to refuse admission.

15. Under Section 95 local authorities must make arrangements for a community or Voluntary controlled school in their area to appeal against a decision by the authority to admit a twice-excluded child (as above) to the school.

16. The School Admissions (Appeal Arrangements) (England) Regulations 2012 contain requirements relating to the constitution of appeal panels and the payment of allowances to appeal panel members. These requirements are also included within section 1 of the Code of Practice