

# ARRANGEMENTS FOR THE ADMISSION OF PUPILS TO COPLEY ACADEMY FOR THE ACADEMIC YEAR 2018-19

## DEFINITIONS

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| the Academy Trust | - | Great Academies Education Trust, referred to as ‘the Company’ in documentation with the Secretary of State |
| the Academy       | - | Copley Academy   |
| the LA            | - | Tameside Metropolitan Borough Council  |

## GENERAL

1. This document may be amended in writing at any time by agreement between the Secretary of State and the Academy Trust.
2. Except as provided in paragraphs 2(a) and (b) below the Academy Trust 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 Academy Trust.
  - (a) The Academy Trust 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 an Academy Trust exercises this freedom it will provide information in its admission arrangements of eligibility for the premiums.
  - (b) 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.

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

3. Notwithstanding the generality of paragraph 2 of this document, the Academy Trust 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 document, the Secretary of State may:
  - (a) direct the Academy Trust to admit a named pupil to the Copley Academy on application from a LA. This will include complying with a School Attendance Order<sup>2</sup>. Before doing so the Secretary of State will consult the Academy Trust;
  - (b) direct the Academy Trust to admit a named pupil to the Copley Academy if the Academy Trust has failed to act in accordance with this document or has otherwise failed to comply with applicable admissions and equalities legislation or the provisions of the Codes;
  - (c) direct the Academy Trust to amend its admission arrangements where they fail to comply with the School Admissions Code or the School Admission Appeals Code.
5. The Academy Trust 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 Academy Trust. The Independent Appeal Panel will be independent of the Academy Trust. 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 Academy Trust 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

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<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.

<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.

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 consult the Academy Trust and the 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 Trust 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.

### **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 Academy Trust will consult on the Academy's admission arrangements and determine them in line with the 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 Academy Trust 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 Academy Trust will make appropriate changes as quickly as possible.

### **ANNUAL PROCEDURES FOR DETERMINING ADMISSION ARRANGEMENTS**

#### **Consultation**

13. The Academy Trust shall consult the following parties on the Academy's proposed admission arrangements for a minimum of six weeks between 1<sup>st</sup> October and the 31<sup>st</sup> January in the 'Determination Year':
  - a) The LA.

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<sup>4</sup> 'Relevant age group' means 'normal point of admission to the school, for example, year R, Year7 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.

- b) The admission forum for the LA.
- c) Any other admission authorities for primary and secondary schools located within the relevant area for consultation.
- d) Any other governing body for primary and secondary schools (as far as not falling within paragraph c) located within the relevant area for consultation.
- e) Affected admission authorities in neighbouring local authority areas.
- f) Parents living in the relevant area for consultation whose children have attained the age of two but are not above compulsory school age and who are or will be eligible to apply to be admitted to the Academy;
- g) Community groups which the Academy considers relevant;
- h) Teaching unions if the consultation includes an increase in admission number.

Such consultation shall be in line with the requirements of the Codes and relevant admissions legislation, which at the date of this document is section 89 of the School Standards and Framework Act 1998 as amended, and Regulations under that section.

- 14. Consultation in line with paragraph 13 is not required in any year where the following conditions are met:
  - a) the admission arrangements were consulted upon in one or both of the previous two years; and
  - b) there have been no changes, or proposed changes, since the last consultation.
- 15. As soon as any changes are made to arrangements, or proposed, the consultation cycle in paragraph 13 must be followed for the next determination year.

#### **Academy Trust Determination of Admission Arrangements**

- 16. The Academy Trust will consider comments made by those consulted in accordance with paragraph 13, including any requests to amend the proposed admission number, before determining the admission arrangements for the Academy.
- 17. The Academy Trust will determine the Academy's admission arrangements annually by 28<sup>th</sup> February of the Determination Year and notify consultees listed in paragraph 13 what has been determined within 14 days of that decision being made.

#### **Representations about admission arrangements**

- 18. Where the Academy Trust has determined the Academy's admission arrangements and notified all consultees listed in paragraph 13, if any of those persons or bodies object to the Academy's admission arrangements, including the proposed admission

number, they can make representations to the Secretary of State. Any representations must be made by 15<sup>th</sup> May in the Determination Year.

### **Secretary of State's Consent for Changes to Admission Arrangements**

19. Where the admission arrangements determined in a Determination Year in accordance with paragraph 17 are different from the admission arrangements currently in existence for the Academy, the Academy Trust shall by 15<sup>th</sup> May in the Determination Year apply to the Secretary of State for him to consent to such amended admission arrangements.

### **Secretary of State's Power to Accept, Modify or Reject Admission Arrangements**

20. Where the Secretary of State has received any representations made in accordance with paragraph 18, the Secretary of State must consult the Academy Trust on such representations. Following such consultation in the Determination Year the Secretary of State may direct that the Academy Trust amends the proposed admission arrangements for the Academy. The Academy Trust shall comply with any such direction.
21. Where the Secretary of State has received an application made in accordance with paragraph 19 seeking his consent to any amended admission arrangements, the Secretary of State must in the Determination Year either approve the amended admission arrangements or direct that the amended admission arrangements are not implemented or must be modified. The Academy Trust must comply with any such direction.

### **Publication of Admission Arrangements**

22. The Academy Trust shall each Determination Year publish Copley Academy's agreed admission arrangements by:
  - a) copies being sent to the offices of the LA;
  - b) copies being made available without charge on request from the Academy;
  - c) a copy being uploaded to the Academy's website (if it has one).
23. The published admission arrangements will set out:
  - a) the name and address of Copley Academy and contact details;
  - b) a summary of this admission policy, including full oversubscription criteria;
  - c) a statement of any religious affiliation if relevant;
  - d) numbers of places and applications for those places in the previous year; and

- e) arrangements for hearing appeals.

#### **Proposed Changes to Admission Arrangements by Copley Academy After Arrangements Have Been Published**

24. Subject to paragraph 25, once the Academy's admission arrangements have been determined for a particular year and published, the Academy Trust will not make any change to such arrangements unless there is a major change of circumstances and the following procedures have been followed:
  - a) the Academy Trust has consulted those who are required to be consulted under paragraph 13 above on the proposed variation;
  - b) following such consultation, the Academy Trust has applied to the Secretary of State to approve the change setting out:
    - i) the proposed change;
    - ii) reasons for wishing to make such a change;
    - iii) any comments or objections to the proposal from those consulted; and
  - c) following such application, the Secretary of State has provided his consent to the proposed variation.
25. The Academy Trust shall following the prior written agreement or direction of the Secretary of State vary the Academy's admission arrangements where such changes are necessary to ensure compliance with the relevant provisions of admissions law or the Codes as they apply to maintained schools. Such changes may be made at any time.
26. Any changes to the Academy's admission arrangements brought about through the variation processes in paragraphs 24 or 25 above must be published within the Academy's prospectus and on its website (if it has one) and be communicated within 7 days to those persons who must be consulted under paragraph 13.
27. The Academy Trust must make arrangements for a parent of a child who has attained the age of eleven but is not above the age of sixteen and who has been, is or will be eligible to apply to be admitted to the Academy to make representations to the Secretary of State that any aspect of the Academy's admission arrangements does not comply with the relevant provisions of admissions law or the Codes as they apply to maintained schools.
28. Where a representation is made in accordance with paragraph 27, the Secretary of State may, after consulting the Academy Trust, direct that the Academy Trust modify its arrangements for the admission of pupils to the Academy so that they comply

with the relevant provisions of admissions law and the Codes as they apply to maintained schools. The Academy Trust must comply with any such direction.

29. Records of applications and admissions to the Academy shall be kept by the Academy Trust for a minimum period of ten years and shall be open for inspection by the Secretary of State.

## **PROCEDURE FOR ADMITTING PUPILS TO THE ACADEMY**

### **Admission Number**

30. The Academy Trust has made changes to the agreed admission number for Copley Academy for the year 2015/16 and, subject to any changes approved or required by the Secretary of State, for subsequent years:
  - a) Copley Academy has reduced its admission numbers from 180 pupils to 150 pupils per year up to Year 11. Copley Academy will accordingly admit 150 pupils in the relevant age group each year if sufficient applications are received.
31. In any specific year, the Academy Trust may set a higher admission number than Copley Academy's agreed admission number for an applicable year group. Before setting an admission number higher than its agreed admission number, the Academy Trust will consult those listed at paragraph 13. Pupils will not be admitted in any year group above the published admission number for that year group unless exceptional circumstances apply and such circumstances shall be reported to the Secretary of State.
32. If the Academy admits a total of 10 pupils in excess of its admission number in any 3 year period it will determine a higher admission number, after consulting those bodies listed at paragraph 13.

### **Process of Application**

33. Arrangements for applications for places at Copley Academy will be made in accordance with the LA's co-ordinated admission arrangements and will be made on the Common Application Form provided and administered by the relevant local authority.
34. The Academy Trust will use the LA's timetable for applications to Copley Academy each year (exact dates within the months may vary from year to year). This will fit in with the timetable for the co-ordination of admission arrangements within the LA as agreed by the, Admissions Forum.

- a) By September - The Academy Trust will publish in Copley Academy's prospectus information about the arrangements for admission, including oversubscription criteria, for the following September (e.g. in September 2016 for admission in September 2017). The Academy Trust will also provide information in relation to Copley Academy to the LA for inclusion in the composite prospectus, as required;
- b) On going: provide opportunities for parents to visit Copley Academy as required;
- c) February - LA applies agreed scheme for own schools, informing other neighbouring LA's of offers to be made to their residents.
- d) Spring Term: Academy Trust considers special circumstances
- e) March: LA offers made to parents.

The Academy will ensure that parents are made aware of processes to enable parents to apply before LA deadlines.

### **Consideration of Applications**

- 35. The Academy Trust will consider all applications for places at Copley Academy. Where fewer than the published admission number(s) (PAN) for the relevant year groups are received, the Academy Trust will offer places at Copley Academy to all those who have applied.

### **In-year Admissions**

- 36. In years subsequent to the setting of the PAN in which there has been a reduction in the number of pupils in the relevant year group, together with a corresponding decline in the academy's resources, the Academy Trust may set a maximum number of pupils for that relevant year group which reflects the academy's resources at that time (the academy's 'Operational Capacity'). Any in – year applications for admission to the academy in such subsequent years will be considered against any Operational Capacity, as may be set by the Academy Trust.

### **Procedures where Copley Academy is oversubscribed**

- 37. Where the number of applications for admission is greater than the published admission number, applications will be considered against the criteria set out below. After the admission of pupils with statements of Special Educational Needs where Copley Academy is named on the statement, the criteria will be applied in the order in which they are set out below:
  - a) Criterion 1: Looked after children (as defined by Section 22 of the Children Act 1989) and children who have previously been looked after but immediately



after being looked after became subject to an adoption, residence, or special guardianship order.

Priority will be given to a child who is in the care of a local authority or provided with accommodation by that authority.

b) Criterion 2: Medical/Social

Written evidence must be provided by a suitably qualified professional – e.g. a GP or consultant for medical needs, or a social worker for social needs – the information must confirm the exceptional medical or social need and demonstrate how the Academy is the only school that can meet the defined needs of the child. A panel from the Academy Trust will make a decision as to whether to admit a child under this criterion, using the evidence provided. Parents/carers are responsible for providing all information in support of an application by the closing date. All information provided will be treated in the strictest confidence.

c) Criterion 3: Siblings

Whether siblings attend the school and will still be attending the school at the time of admissions. For admission purposes, a sibling is a child who resides at the same address as the child for whom a place is being requested, and is one of the following:-

- brother/sister
- half-brother/sister (i.e. share one common parent)
- stepbrother/sister (i.e. related by a parent's marriage)
- any other child for whom it can be demonstrated that s/he is residing permanently at the same address (e.g. under the terms of a residence order).

The sibling connection only applies where families have a sibling attending the school at the time of the application as well as at the time of admission.

d) Criterion 4: Partner Primary Schools

Children attending named partner\* primary schools (please see list below) at the time of application. Preference will be given to students living nearest to the school.

Arlies  
Buckton Vale  
Gorse Hall  
Millbrook  
Silver Springs  
St Paul's C of E Stalybridge

St Peter's RC  
St Raphael's RC  
Stalyhill Junior  
Wild Bank

\*Also known as "feeder" schools.

e) Criterion 5: Distance

How close the child lives to the school requested, with those living closest to the school getting the highest priority.

Distance will be measured as a straight line from the child's home address, using the address point assigned by the National Land and Property Gazetteer, to the main gate to the school property. Measurements will be made using the local authority's school admissions data mapping software, which uses a Geographical Information System based on Ordnance Survey.

The home address of a pupil is considered to be the permanent residence of a child in a residential property when the place is offered. Documentary evidence relating to house moves taking place between National Offer Day and the start of the academic year in September, will be considered. The address must be the child's only or main residence and is either:

- owned by the child's parent(s) or guardian(s)
- Leased to or rented by the child's parent(s), carer(s) or guardian(s) under lease or written rental agreement.

Where parents have shared responsibility for a child and the child lives with both parents for part of the week then the main residence will be determined as the address where the child lives for a majority of the school week. If the child equally shares living with both parents, the parents must inform the local authority which address should be used for admission purposes and which parent will make the application. Parents may be requested to supply documentary evidence to support the address used for the application.

38. There will be a right of appeal to an Independent Appeals Panel for internal pupils refused transfer and external applicants refused admission (see paragraphs 42 to 43).

### **Operation of waiting lists**

39. Subject to any provisions regarding waiting lists in the LA's co-ordinated admission scheme, the Academy will operate a waiting list for each year group. Where in any year Copley Academy receives more applications for places than there are places

available, a waiting list will operate until 31 December. This will be maintained by the Academy Trust and it will be open to any parent to ask for his or her child's name to be placed on the waiting list, following an unsuccessful application.

40. Children's position on the waiting list will be determined solely in accordance with the oversubscription criteria set out in paragraph 36. Where places become vacant they will be allocated to children on the waiting list in accordance with the oversubscription criteria.

#### **Arrangements for Admitting Pupils to Other Year Groups (Including replacing any pupils who have Left Copley Academy)**

41. From 2011-2012 local authorities co-ordinate admissions for in-year applications and for applications for year groups other than the normal point(s) of entry. This will not affect Academies' right to determine which applicants have priority for admission.
42. Subject to any provisions in the LA's co-ordinated admission arrangements relating to applications submitted for years other than the normal year of entry, the Academy Trust will consider all such applications and if the year group applied for has a place available, admit the child unless one of the permitted reliefs apply. If more applications are received than there are places available, the oversubscription criteria in paragraph 37 shall apply. Parents whose application is turned down shall be entitled to appeal (see paragraphs 42 to 43).

#### **Appeals procedure**

43. Parents who want to appeal against the Academy Trust's decision not to offer their child a place at the Academy must appeal directly to the Academy, not through the LA Admissions Team. Appeals should be addressed in writing to the Admissions Officer at the Academy within 20 school days of receiving the decision letter from the LA Admissions Team. The envelope should be clearly marked "Admission Appeal".
44. For appeals in the normal admissions round<sup>6</sup>, the appeal will be heard by an independent appeal panel within 40 school days of the appeal being lodged. Parents will receive written notification of the date and time of their appeal hearing, which they can attend to explain their case. If they wish, parents may be accompanied by an adviser or friend. Following the appeal, the Clerk to the appeal panel will write to parents with the decision.

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<sup>6</sup> Under the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 an application is made in the 'normal admissions round' if it is not a 'late application' or an 'in-year application'