

Admissions Arrangements

1 The Admissions of Pupils

General

1. These arrangements may be amended in writing at any time by agreement between the Secretary of State and the Academy Trust.
2. The Hastings Academies Trust will act in accordance with, and will ensure that the 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 law to “admission authorities” shall be deemed to be references to the governing body of the Academies Trust.
3. Notwithstanding the generality of paragraph 2 the Academies Trust will take part in the Admissions Forum set up by East Sussex County Council and have regard to its advice; and will participate in the co-ordinated admission arrangements operated by the East Sussex County Council and the local in-year fair access protocol. The Local Authority is required to have an In Year Fair Access Protocol which is to ensure vulnerable children, as listed in Annex 3 of the Admissions Code (including those with challenging behaviour, those reintegrated following permanent exclusion and those with no school place) are quickly provided with education. The Academy will be an active party in the operation of the protocol.
4. Notwithstanding any provision in this Agreement, the Secretary of State may:
 - (a) Direct the Academies Trust to admit a named pupil to the Academy on application from a local authority. Before doing so the Secretary of State will consult the Academies Trust.
 - (b) Direct the Academies Trust to admit a named pupil to the Academy if the Academies 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.
5. The Academies Trust shall ensure that parents and relevant children will have the right of appeal to an Independent Appeal Panel if they are dissatisfied with an admission decision of the Academies Trust. The Independent Appeal Panel will be independent of the Hastings Academies 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.
6. The Academies Trust shall prepare guidance for parents and relevant children about how the appeals process will work and provide them with a named contact who can answer any enquiries they may have about the process. The Academies Trust may, if it chooses, enter into an agreement with ESCC or any other organisation for it to recruit, train and appoint appeal panel members, and to arrange for the process to be independently administered and clerked.
7. In paragraphs 5 and 6 above, ‘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 Academy.

Relevant Area

8. Subject to paragraph 9, “relevant area for consultation” means the “Relevant Area” determined by the local authority for maintained Academies in the area (in accordance with the meaning of “Relevant Area” within the School Admissions Code).

9. If the Academies Trust does not consider this meaning to be appropriate, it must apply to the Secretary of State by 1 August for a determination, setting out the reasons for this view.

10. The Secretary of State will consider the Academies Trust’s application and will by 30 September either:

- a) Determine the area for consultation; or
- b) Determine that the meaning within paragraph 8 should apply.

11. The Secretary of State may consult the local authority before making such a determination.

12. Within 14 days of the Secretary of State’s determination, the Academies Trust will notify the consultees listed in paragraph 14 of the determination.

13. In the event of a paragraph 10a determination, a map of the relevant area (or a list of post-codes) will be attached to this document.

2 Annual Procedures for Determining Admission Arrangements

Consultation

14. The Academies Trust shall consult the following parties on the Academy’s proposed admission arrangements for a minimum of eight weeks between 1 November and 1 March in the ‘Determination Year’¹:

- a) East Sussex County Council;

A ‘determination year’ is the Academy’s Financial Year beginning two years before the Academy Financial Year which the admissions arrangements will be for e.g. consultation to end in March 2009 and determination to be in April 2009 for admissions in September 2010;

- b) The admission forum for East Sussex;
- c) Any other admission authorities for Academies 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 Agreement is section 89 of the School Standards and Framework Act 1998 as amended, and Regulations under that section.

15. From 2011-12, and for subsequent years, consultation in line with paragraph 14 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.

16. As soon as any changes are made to arrangements, or proposed, the consultation cycle in paragraph 14 must be followed for the next determination year.

3 Academies Trust Determination of Admission Arrangements

17. The Academies Trust will consider comments made by those consulted in accordance with paragraph 14, including any requests to amend the proposed admission number, before determining the admission arrangements for the Academy.

18. The Academies Trust will determine the Academy's admission arrangements annually by 15 April of the Determination Year and notify consultees listed in paragraph 14 what has been determined within 14 days of that decision being made.

4 Representations about admission arrangements

19. Where the Academies Trust has determined the Academy's admission arrangements and notified all consultees listed in paragraph 14, if any of those persons or bodies objects 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 30 June in the Determination Year.

5 Secretary of State's Consent for Changes to Admission Arrangements

20. Where the admission arrangements determined in a Determination Year in accordance with paragraph 18 are different from the admission arrangements currently in existence for the Academy, the Academies Trust shall by 30 June in the Determination Year apply to the Secretary of State for him to consent to such amended admission arrangements.

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

21. Where the Secretary of State has received any representations made in accordance with paragraph 19, the Secretary of State must consult the Academies Trust on such representations. Following such consultation, by 31 July in the Determination Year, the Secretary of State may direct that the Academies Trust amends the proposed admission arrangements for the Academy. The Academies Trust shall comply with any such direction.

22. Where the Secretary of State has received an application made in accordance with

paragraph 20 seeking his consent to any amended admission arrangements, the Secretary of State must, by 31 July 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 Academies Trust must comply with any such direction.

7 Publication of Admission Arrangements

23. The Academies Trust shall each Determination Year publish the Academy's agreed admission arrangements by:

- a) Copies being sent to the persons consulted in paragraph 14;
- b) Copies being sent to primary and secondary schools in East Sussex County Council's area;
- c) Copies being sent to the offices of East Sussex County Council;
- d) Copies being made available without charge on request from the Academy;
- e) Copies being sent to public libraries in the area of East Sussex for the purposes of being made available at such libraries for reference by parents and other persons;
- f) A copy being uploaded to the Academy's website (if it has one).

24. The published admission arrangements will set out;

- a) The name and address of the Academy and contact details;
- b) A summary of the admission policy, including full oversubscription criteria and any arrangements for post-16 admission;
- 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.

7.1 Proposed Changes to Admission Arrangements by the Academy after Arrangements Have Been Published

25. Subject to paragraph 26, once the Academy's admission arrangements have been determined for a particular year and published, the Academies 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 Academies Trust has consulted those who are required to be consulted under paragraph 14 above on the proposed variation;
- b) Following such consultation, the Academies Trust has applied to the Secretary of State to approve the change setting out:
 - The proposed change;
 - Reasons for wishing to make such a change;
 - 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.

26. The Academies 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 Academies. Such changes may be made at any time.

27. Any changes to the Academy's admission arrangements brought about through the variation processes in paragraphs 25 or 26 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 14.

28. The Academies Trust must make arrangements for a parent of a child who has attained the age of two but is not above compulsory Academy age 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 Academies.

29. Where a representation is made in accordance with paragraph 28, the Secretary of State may, after consulting the Hastings Academies Trust, direct that the Academies 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 Academies. The Academies Trust must comply with any such direction.

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

a) The Academy will have a specialist resourced facility for up to 20 pupils in the age range 11-16 whose special educational needs relate to speech, language and communication difficulties and whose statement of special education needs names the Academy. These pupils will be admitted in addition to the admission number set out in paragraph 31 below.

The specialist resource facility will be operated through a Service Level Agreement between the local authority and the Academies Trust which will detail the operational features of the specialist SEN facilities, the admissions arrangements and the funding agreement between the two parties. The Agreement will be in place by the end of March 2011 and will cover a 3 year period. It will be subject to review on an annual basis.

7.2 Procedure for Admitting Pupils to the Academy

Admission Number(s)

31. The Academies Trust has the following agreed admission number for the Academy for the year 2011/2012 and, subject to any changes approved or required by the Secretary of State, for subsequent years:

a) 180 for pupils in Year 7

32. In any specific year, the Academies Trust may set a higher admission number than the 180 Academy's agreed admission number for an applicable year group. Before setting an admission number higher than its agreed admission number, the Academies Trust will consult those listed at paragraph 14. 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.

33. If the Academy admits a total of 26 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 14.

Process of Application

34. Arrangements for applications for places at the Academy will be made in accordance with the local authorities' co-ordinated admission arrangements and will be made on the Common Application Form provided and administered by the relevant local authority.

35. The Academies Trust will use East Sussex County Councils timetable for applications to the 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 ESCC as agreed by the Admissions Forum, East Sussex County Council, local schools and Academies.

- a) By September - The Academies Trust will publish in the Academy's prospectus information about the arrangements for admission, including oversubscription criteria, for the following September. This will include details of open evenings and other opportunities for prospective pupils and their parents to visit the school. The Academies Trust will also provide information in relation to the Academy to East Sussex County Council for inclusion in the composite prospectus, as required;
- b) September/October - The Academies Trust will provide opportunities for parents to visit the Academy;
- c) October – Common Application Form to be completed and returned to the pupil's home LA to administer;
- d) East Sussex County Council sends Academy applications to the Academies Trust;
- e) The Academies Trust sends a complete ranked list of applicants to be offered places at the Academy to East Sussex County Council;
- f) February – East Sussex County Council applies agreed scheme for own schools, informing other LA's of offers to be made to their residents;
- g) 1st March offers made to parents.

36. From 2011-12 there will be a national closing date of 31 October for applications and the Academies Trust will ensure its application processes enable parents to apply before this deadline.

Consideration of Applications

37. The Academies Trust will consider all applications for places at the Academy. Where fewer than the published admission number(s) for the relevant year groups are received, the Academies Trust will offer places at the Academy to all those who have applied. Procedures where the Academy is oversubscribed.

Admissions to YR7

38. 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 the Academy is named on the statement, the criteria will be applied in the order in which they are set out below:

- Looked after Children (children in public care who are due to transfer to year 7);
- Children with an exceptional medical or social need where there is evidence which leads the Governing Body to conclude that attendance at any other school would be inappropriate. The evidence submitted, such as a letter from a doctor or social worker, must clearly demonstrate that the needs of the child can only be met by attending the Academy;
- Children who are due to transfer and have a sibling (the term "sibling" means a full, step, half, adopted or foster brother or sister at the school at the time of admission);
- Children who are due to transfer and are living within the Hastings and St Leonard's boundary at the opening date of the admissions round (as per the community area described in the admission booklet);
- Children living within the pre-defined community area;

- Children living outside the pre-defined area.

Tie breaker- Oversubscription

If there are more children who qualify under an oversubscription criterion than places available, place allocation will be determined by prioritising applications within that criterion, on the basis of the shortest distance from home to school using surfaced, passable routes.

If following the application of admission rules and distance, two applicants cannot be separated for a final place at a school, the Academies Trust will use random allocation to determine the priority for the remaining place.

Operation of waiting lists

39. Subject to any provisions regarding waiting lists in East Sussex County Councils co-ordinated admission scheme, the Academy will operate a waiting list for each year group. Where in any year the Academy receives more applications for places than there are places available, a waiting list will operate for two terms within the six term academic year. This will be maintained by the Academies 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 38 above. Where places become vacant, the Academy will inform East Sussex County Council of the ranking of that child on the waiting list. Places will be allocated to children on the waiting list in accordance with the oversubscription criteria.

Arrangements for Admitting Pupils to Other Year Groups, Including to replace any pupils who have Left the Academy

41. From 2011-2012 local authorities will 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 the Academies Trust's right to determine which applicants have priority for admission.

42. Subject to any provisions in the East Sussex County Council LA's coordinated admission arrangements relating to applications submitted for years other than the normal year of entry, the Academies Trust will inform East Sussex County Council of the ranking of that child on the waiting list. The Academies 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 38 shall apply. Parents whose application is turned down shall be entitled to appeal.

Arrangements for Admission of pupils as the Academy Builds to its Full Capacity

43. The Academy will open on 1 September 2011 with a Published Admission Number relating solely to pupils in Year 7. Pupils in subsequent Years will have been transferred automatically from the predecessor school, which will close on 31 August 2011.

44. Admission to Year groups without a Published Admission Number will be based upon the size of teaching groups already existing in the Academy and the efficient use of resources.

45. There will be a right of appeal to an Independent Appeal Panel for unsuccessful applicants.

Specialist SEN Facilities Admissions: (This will be governed by a Service Level Agreement)

46. The Academy will admit to its roll up to 20 students nominated by the LA, whose special educational needs relate to speech, language and communication difficulties and whose statement of special educational needs names the Academy. Any of these students admitted to Year 7 will be in addition to the published admission number for Year 7 and those admitted to Years 8 to 11 will not count towards the number of students in the relevant year for admissions to that year.