



# Bracken Lane Primary Academy Admissions Policy 2021-2022

## Consultation Period

2 December 2019 – 24 January 2020

Please forward any comments to: [office@brackenlanepimary-ac.org.uk](mailto:office@brackenlanepimary-ac.org.uk)

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<ul style="list-style-type: none"> <li>• <a href="http://www.nottinghamshire.gov.uk/learning/schools/admissions/appeal-a-decision">www.nottinghamshire.gov.uk/learning/schools/admissions/appeal-a-decision</a></li> <li>• <a href="http://www.nottinghamshire.gov.uk/learning/schools/admissions/changingschool">www.nottinghamshire.gov.uk/learning/schools/admissions/changingschool</a></li> <li>• <a href="http://www.gov.uk/schools-admissions/admissions-criteria">www.gov.uk/schools-admissions/admissions-criteria</a></li> </ul>		
<p><b>Links to:</b></p>		
<ul style="list-style-type: none"> <li>• The Equality Act 2010</li> <li>• DfE – School Admissions Code</li> <li>• s85(2) The School Standards and Framework Act 1998</li> <li>• Adoption Act 1976</li> </ul>		<ul style="list-style-type: none"> <li>• Adoption and Children’s Act 2002.</li> <li>• s.8 of the Children Act 1989</li> <li>• s.12 of the Children and Families Act 2014</li> <li>• 14A of the Children Act 1989 - ‘special guardianship order’</li> </ul>

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## **1. Executive Summary**

1.1 The School Admissions Code ('the Code') has been issued under Section 84 of the School Standards and Framework Act 1998 ('SSFA 1998'). The Code has been made following a consultation under Section 85(2) of the SSFA 1998 and after being laid before Parliament for forty days.

1.2 This Code came into force on 19 December 2014 and unless otherwise stated, applies with immediate effect. It applies to admission arrangements determined in 2.15 for admission in school year 2016/17 and any future years.

1.3 Application of the Code to Academies. Academies, by which we mean Academy Schools, (including those that are Free Schools), University Technical Colleges and Studio Schools, are state-funded, non-fee-paying independent schools set up under a Funding Agreement between the Secretary of State and the proprietor of an Academy (most commonly, and hereafter, referred to as an Academy Trusts).

1.4 Each Academy within Diverse Academies is required by its funding arrangement to comply with 'the code' and the law relating to admissions, although the Secretary of State has the power to vary this requirement where there is demonstrable need.

## **2. Policy Statement**

2.1 Admissions to Diverse Academies are controlled by the LA co-ordinated scheme in accordance with the School Admissions Code 2014 and Diverse Academies participates in Nottinghamshire County Council's Fair Access Protocol.

Full details of the relevant Local Authorities' policy on admissions and the application process are available by visiting the following website:

[www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk)

The Published Admission Number (PAN) will normally be admitted in the academic year beginning in September. This is the admission limit (AAL) set by the Authority after consultation with the Diverse Academies board.

## **3. Scope and Purpose**

The School Admissions Code. The purpose of the Code is to ensure that all school places for maintained schools (excluding maintained special schools) and Academies are allocated and offered in an open and fair way. The Code has the force of law, and where the words 'must' or 'must not' are used, these represent a mandatory requirement.

## **4. Roles and Responsibilities**

Diverse Academy has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. The Trust has delegated day-to-day responsibility for operating the policy and ensuring its maintenance and review to (locally) responsible persons in each academy and (Trust-wide) to the Executive Assistant Principal for Personal, Development, Behaviour and Attitudes (PDBA) at Diverse Academies

## **5. Published admission numbers**

All Diverse Academies are required to have a published admission number. This is the number of pupils each school can admit. This is found on each academy website in their own admissions annex, for this school the PAN is 30.

## **6. Primary Admission Arrangements**

6.1 Applications to the Reception Year will be determined by the published admission number (PAN). This is the number of children who can be admitted into the Reception Year and preferences are agreed until the PAN for first admission has been reached. Bracken Lane's PAN is 30.

6.2 The admission round opening date will be available to view on the Nottinghamshire County Council website: [www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk) The national closing date for applications is 15 January 2021.

6.3 Parents can request that the date their child is admitted to school is deferred until a later date in the academic year or until the term in which the child reaches compulsory school age. Parents can request that their child takes up a place part-time until the child reaches compulsory school age.

## **7. Applications**

All applications must be made on the Local Authority Admission Application form, which is available on the relevant Local Authority website. All applications must be made to the child's **home Local Authority**.

[www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk)

## **7.1 Late Applications**

Late applications received after the closing date will be considered in accordance with the Nottinghamshire County Council co-ordinated scheme.

## **7.3 Parents**

A Parent is:

- the mother of the child
- the father of the child where he was married to the mother either when the child was born or at a later date
- the father of the child if (since 1 December 2003) he was registered as the father on the birth certificate
- an adoptive parent
- any other person who has acquired 'parental responsibility' through the courts; evidence of this may be required
- authorisation may also be given for another person to speak on the parent's behalf. The person making the application must hold parental responsibility.

If those with parental responsibility are unable to agree on the preferences received by Nottinghamshire County Council, it may be necessary for parents to obtain further legal advice. Nottinghamshire County Council will continue to process an application unless legal documentation is provided that states an application cannot be processed.

In cases where multiple applications are received for the same child, the admissions authority will establish where the child lives for the majority of the time. If agreement is not reached the address held by the child's current provision will be used.

## **8. Appeals**

If a child has been refused a place, the parents have the right to appeal against the decision. The deadline for lodging appeals allows appellants at least 20 school days from the date of notification that their application was unsuccessful to prepare and lodge their written appeal.

Advice on how to lodge an appeal will be included in the letter advising that a place has been refused and more details on the appeals process can be found on the County Council's website:

## 9. Special Circumstances

9.1 The following groups of students will be given special consideration in their application for a particular place.

a) Children whose particular medical needs, mobility support needs or social circumstances are supported by written evidence from a doctor, social worker or other relevant professional stating that the academy is the only school which could cater for the child's particular needs. The evidence must be presented at the time of application.

9.2 The Local Academy Board will consider each case on its merits and determine the allocation of any such place on the basis of the written evidence. Admission under 'special circumstances' will take precedence over all but the first numbered criteria;

*'Where a governing body does not wish to admit a child with challenging behaviour outside the normal admissions round, even though places are available, it must refer the case to the local authority for action under the Fair Access Protocol 66. This will normally only be appropriate where a school has a particularly high proportion of children with challenging behaviour or previously excluded children. The use of this provision will depend on local circumstances and must be described in the local authority's Fair Access Protocol. This provision will not apply to a looked after child, a previously looked after child or a child with a Education, Health and Care Plan (EHCP) or Education, Health and Care Plan naming the school in question, as these children must be admitted'.*

## 10. Oversubscription

10.1 When the Academy is oversubscribed, after the admission of children who have a statement of Special Educational Need or Education, Health and Care Plan (EHCP) where the school is named in the Statement, priority for admission will be given to those children who meet the criteria set out below, in priority order:

- a) Looked after children. Children who appear (to the admission authority of the school) to have been in state care outside of England and ceased to be in state care as a result of being adopted
- b) Children who live in the catchment area\* and who, at the time of admission, will have a sibling attending the academy.
- c) Children who live outside the catchment area and who, at the time of admission, will have a sibling attending the academy.
- d) Children of staff who have been employed at Bracken Lane Primary Academy for at least 2 years and/or are recruited to fill a demonstrable skill shortage
- e) Other children who live in the catchment area.

- f) Children who live outside the catchment area but who are attending Bracken Lane Primary Academy nursery class on the closing date for applications.
- g) Other children who live outside the catchment area.
- h) A map of each Diverse Academies academy catchment area is available on request through the academy's website [www.brackenlaneprimary-ac.org.uk](http://www.brackenlaneprimary-ac.org.uk) . Or alternatively please use the link below to determine the catchment area of an address. [www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk)

10.2 In the event of over-subscription within any criterion, preference will be given to children who live nearest to the school. Distance measurement - Within each of the criteria, priority will be given to children who live nearest to the school as the crow flies (by straight line). Distances are measured from the main administrative point at the school campus to an address point (using eastings and northings as defined by Ordnance Survey) to the child's home using the local authority's computerised distance measuring software. The software used is that of Nottinghamshire County Council

In the event of two applications that cannot be separated by distance, both applications will go to the local board of governors for consideration and decision made by drawing lots. Where a twin or child from a multiple birth is admitted to an academy under this policy then any further twin or child of the same multiple birth will be admitted, if the parents so wish, even though this may raise the number in the year group above the academy's PAN.

10.3 Three documents to confirm proof of address may be required in the form of:

1. Solicitor's letter confirming completion of a house move OR a signed tenancy agreement OR rent book
2. Utility bill, driving licence or evidence of council tax payment schedule.
3. Child benefit book, child tax credit record or doctor's record

## **11. In Year Admissions**

Diverse Academies participate in Nottinghamshire County Council's in-year scheme. Infant class size restrictions will also need to be considered. For full details, please refer to the respective Local Authority's website:

[www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk)

In-year applications for admission to any year group which is oversubscribed are considered by the Governors Admissions Panel and dealt with according to the oversubscription criteria contained within this policy.

## **12. Waiting lists**

As an own admission authority the academy will operate a waiting list where in any year it receives more applications for places than there are places available. It will operate until the end of the first term of the academic year of admission. Names will automatically be placed on the waiting list following an unsuccessful application unless we hear from parents to the contrary. Following the closure of the waiting list, repeat or new applications will be dealt with as and when received.

Children's position on the waiting list will be determined solely in accordance with the oversubscription criteria set out above. The waiting lists is re-ranked in accordance with the oversubscription criteria as new applications are received. Where places become vacant they will be allocated to children on the waiting list in accordance with the oversubscription criteria.

Priority will not be given to children based on the date the application was received or the date their name was added to the list. Looked after Children, previously looked after children and those allocated a place in accordance with a Fair Access Protocol will take precedence over those on the waiting list.

## **13. Withdrawal of Offered Places**

13.1 An offer of a place at the respective academy may be withdrawn if the parent has not responded by the deadline for acceptance as outlined in the original offer. A reminder letter will be sent to anyone who has not responded by this date. If the academy has still not received confirmation that the place is required by the extended deadline outlined in the reminder letter, it will be assumed that a place is not required and the offer will be withdrawn.

13.2 The offer of a place will also be withdrawn if it has been obtained through a fraudulent or intentionally misleading application.

## **14. Admission of students outside the normal age group**

14.1 Parents may seek a place for their child outside of the normal age group, for example, if the child has experienced problems such as ill health. Children should only be educated out of the



normal age group in very limited circumstances. The admissions authority makes the decision on these requests in line with paragraph 2.17A of the Code.

14.2 Nottinghamshire residents should submit a request in writing to the respective academy via the relevant Local Authority's school admissions team as early as possible. Residents living outside of Nottinghamshire should make request through their own Local Authority. The decisions will be based on the circumstances of each case and in the best interests of the child concerned. This will include taking account of the parent's views; information about the child's academic, social and emotional development; where relevant, the child's medical history and the views of a medical professional and whether they have previously been educated out of their normal age group. When informing a parent of the decision on the year group to which the child should be admitted, the parent will be notified of the reasons for the decision.

14.3 Where it is agreed that a child will be admitted out of the normal age group and, as a consequence of that decision, the child will be admitted to a relevant age group (i.e. the age group to which students are normally admitted to the academy) the local authority and admission authority must process the application as part of the main admissions round on the basis of their determined admission arrangements only, including the application of oversubscription criteria where applicable. The parent has a statutory right to appeal against the refusal of a place at a school for which they have applied. This right does not apply if they are offered a place in the academy but it is not their preferred age group.

In addition, the parents of a summer-born child may choose not to send that child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to Reception rather than Year 1. If you are a Nottinghamshire resident, you should submit a request in writing to Nottinghamshire County Council's school admissions team stating whether you wish your child to be admitted into the reception year or year 1 the following academic year.

## **15. Transfer to junior and secondary education**

Where a child has been educated out of the normal age group it is the parent's responsibility to again request admission out of the normal age group when they transfer to junior secondary school. It will be for the admission authority of the preferred school to decide whether to admit the child out of the normal age group. The admission authority must make a decision on the basis of the circumstances of each case and in the child's best interests, and will need to bear in mind the age group the child has been educated in up to that point.

## **16. Siblings**

For school admissions Diverse Academies will consider the following as a sibling:

- a. A brother or sister who share the same parents
- b. A half-brother or half-sister or legally adopted child living at the same address as the child
- c. A child looked after by a local authority placed in a foster family with other school age children
- d. Stepchildren or children who are not related but live as a family unit, where both parents live at the same address as the child.

'At the time of admission' for the above purpose means on roll at the academy at the time of admission.

## **17. Home Address**

The child's place of residence is taken to be the parental home, other than in the case of children fostered by a local authority, where either the parental address or that of a foster parent(s) may be used. If a child's parents live at separate addresses, the address where the child permanently spends at least three 'school' nights (that is, Sunday, Monday, Tuesday, Wednesday or Thursday) will be taken to be the place of residence.

Addresses of other relatives or friends will not be considered as the place of residence, even if the child stays there for all or part of the week. Evidence that the child's place of residence is permanent may also be sought and this should prove that the child lived at the address at the time of the application. Informal arrangements between parents will not be taken into consideration.

For families of service personnel with a confirmed posting to the area or crown servants returning from overseas to live in the area, we will accept a Unit postal address or quartering area address for a service child provided the application is accompanied by an official letter that declares a relocation date.

## **18. Looked after and previously looked after children**

The School Admissions Code 2021 states that all admission authorities must give highest priority to this group of children and provides the following definition:

A 'looked after child' is a child who is (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions (see the definition in Section 22(1) of the Children Act 1989) at the time of making an application to a school.

Previously looked after children are children who were looked after, but ceased to be so because they were adopted (or became subject to a child arrangements order or special guardianship

order). Further references to previously looked after children means such children who were adopted (or subject to child arrangements orders or special guardianship orders) immediately following having been looked after and 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 child is regarded as having been in state care outside of England if they were in the care of or were accommodated by a public authority, a religious organisation, or any other provider of care whose sole or main purpose is to benefit society.
- Children who were adopted under the Adoption Act 1976 and children who were adopted under section 46 of the Adoption and Children Act 2002.
- Child arrangements orders are defined in section 8 of the Children Act 1989, as amended by section 12 of the Children and Families Act 2014. Child arrangements orders replace residence orders and any residence order in force prior to 22 April 2014 is deemed to be a child arrangements order. Section 14A of the Children Act 1989 defines a 'special guardianship order' as an order appointing one or more individuals to be a child's special guardian (or special guardians).

## **19. Review of the policy**

This policy is reviewed annually by both Trusts (DAT and NCEAT). Both will monitor respective applications and outcomes of this policy to ensure it is working effectively. If any changes are to be made, these will be consulted upon with the EAP, PDBW at DIVERSE ACADEMIES; changes will be determined and if required, updated and published in accordance with statutory guidance.

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