



## **THE ADMISSION OF STUDENTS TO FULWOOD ACADEMY FROM SEPTEMBER ( 2018/19 )**

### **GENERAL**

1. This annex may be amended in writing at any time by agreement between the Secretary of State and Fulwood Academy Trust.
2. Fulwood Academy 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 Fulwood Academy Trust.
3. Notwithstanding the generality of paragraph 2 of this Annex B, Fulwood Academy Trust will take part in the Lancashire Admissions Forum (South)<sup>1</sup>, hereafter referred to as the Admissions Forum which is set up by the Lancashire County Council local authority, hereafter referred to as the LA, and have regard to its advice; and will participate in the co-ordinated admission arrangements operated by the LA and the local in-year fair access protocol.
4. Notwithstanding any provision in this Agreement, the Secretary of State may direct Fulwood Academy Trust to admit a named student to the Fulwood Academy, hereafter referred to as Fulwood Academy, on application from a local authority. Before doing so the Secretary of State will consult Fulwood Academy Trust.
5. Fulwood Academy Trust shall ensure that parents will have the right of appeal to an Independent Appeal Panel if they are dissatisfied with an admission decision of Fulwood Academy Trust. The Independent Appeal Panel will be independent of Fulwood 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.
6. Fulwood Academy Trust shall prepare guidance for parents about how the appeals process will work and provide parents with a named contact who can answer any enquiries parents may have about the process. Fulwood Academy Trust may, if it chooses, enter into an agreement with the LA 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.

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

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<sup>1</sup> This covers the areas of Fulwood, South Ribble, West Lancashire and Chorley

### **Consultation**

7. Fulwood Academy Trust shall consult the following parties on Fulwood Academy's proposed admission arrangements by 1 March in Fulwood Academy Financial Year beginning two years before Fulwood Academy Financial Year which the admissions arrangements will be for e.g. March 2018 for admissions in September 2019, ("Determination Year"):

- a) The LA.
- b) The admission forum for the LA.
- c) Any other admission authorities for primary and secondary schools located within the relevant area for consultation set by the LA.
- 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.

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.

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

8. Fulwood Academy Trust will consider comments made by those consulted in accordance with paragraph 7, including any requests to amend the proposed admissions number, before determining the admissions arrangements for Fulwood Academy.

9. Fulwood Academy Trust will determine Fulwood Academy's admission arrangements by 15 April of the Determination Year and notify those consulted in accordance with paragraph 7 what has been determined within 14 days of that decision being made.

### **Representations about admission arrangements**

10. Where Fulwood Academy Trust has determined Fulwood Academy's admission arrangements and notified all those bodies that it has consulted in accordance with paragraph 9, if any of those bodies object to Fulwood Academy's admission arrangements, including the proposed admissions number, they can make representations to the Secretary of State. Any representations must be made by 30 June in the Determination Year.

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

11. Where the admissions arrangements determined in a Determination Year in accordance with paragraph 9 are different to the admissions arrangements currently in existence for Fulwood Academy, Fulwood Academy Trust shall by 30 June in the Determination Year apply to the Secretary of State for him to consent to such amended admissions arrangements.

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

12. Where the Secretary of State has received any representations made in accordance with paragraph 10, the Secretary of State must consult Fulwood Academy Trust on such representations. Following such consultation, by 31 July in the Determination Year the Secretary of State may direct that Fulwood Academy Trust amends the proposed admissions arrangements for Fulwood Academy. Fulwood Academy Trust shall comply with any such direction.

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

paragraph 11 to consent to any amended admissions arrangements, the Secretary of State must by 31 July in the Determination Year either approve the amended admissions arrangements or direct that the amended admissions arrangements are not implemented or must be modified. Fulwood Academy Trust must comply with any such direction.

#### **Publication of Admission Arrangements**

14. Fulwood Academy Trust shall each Determination Year publish the Fulwood Academy's agreed admission arrangements by:

- a) copies being sent to the persons consulted in paragraph 7;
- b) copies being sent to primary and secondary schools in the LA's area;
- c) copies being sent to the offices of the LA;
- d) copies being made available without charge on request from Fulwood Academy;
- e) copies being sent to public libraries in the area of the LA for the purposes of being made available at such libraries for reference by parents and other persons.

15. The published admissions arrangements will set out:

- a) the name and address of Fulwood Academy and contact details;
- b) a summary of the admissions policy, including 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.

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

16. Subject to paragraph 17, once Fulwood Academy's admission arrangements have been determined for a particular year and published, Fulwood 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) Fulwood Academy Trust has consulted those who were consulted under paragraph 7 above on the proposed variation;
- b) following such consultation, Fulwood 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 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.

17. Fulwood Academy Trust shall following the prior written agreement or direction of the Secretary of State vary Fulwood Academy's admissions 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.

18. Any changes to Fulwood Academy's admission arrangements brought about through the variation processes in paragraphs 16 or 17 above must be published within Fulwood Academy's prospectus and website (if it has one) and be communicated within 7 days to those persons who must be consulted under paragraph 7.

19. Fulwood Academy Trust must make arrangements for a parent of a child who has attained the age of two but is not above compulsory school age and who has been, is or will be eligible to apply to be admitted to Fulwood Academy to make representations to the Secretary of State that any aspect of Fulwood Academy's admission arrangements does not comply with the relevant provisions of admissions law or the Codes as they apply to maintained schools.

20. Where a representation is made in accordance with paragraph 19, the Secretary of State may, after consulting Fulwood Academy Trust, direct that Fulwood Academy Trust modify its arrangements for the admission of students to Fulwood Academy so that they comply with the relevant provisions of admissions law and the Codes as they apply to maintained schools. Fulwood Academy Trust must comply with any such direction.

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

### **PROCEDURE FOR ADMITTING STUDENTS TO FULWOOD ACADEMY**

#### **Admissions Number**

22 a. Fulwood Academy Trust has agreed an admissions number of 200 students to Year 7 for Fulwood Academy for the year 2017/18 and, subject to any changes approved or required by the Secretary of State, for subsequent years.

22b Fulwood Academy has an agreed admission number of 100 students to year 12 minus those eligible students progressing from Fulwood Academy's own year 11. Fulwood Academy will accordingly provide for the admission or progression of 100 students to the sixth form if sufficient requests for progression or applications for entry are received. If the admission number (100) is met through internal transfers, no external applicants will be admitted.

23. In any specific year, Fulwood Academy Trust may set a higher admission number than the Academy's agreed admission number for an applicable year group. Before setting an admission number higher than its agreed admission number, Fulwood Academy Trust will consult those listed at paragraph 7. Students will not be admitted in any year group above the published admissions number for that year group unless exceptional circumstances apply and such circumstances shall be reported to the Secretary of State. In the event of a tied distance measurement between address points the local authority's system of a random draw will determine which address(es) receive the offer(s)

#### **Process of Application**

24. Arrangements for applications for places at Fulwood 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.

25. Fulwood Academy Trust will use the following timetable for applications to the Fulwood Academy 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 Admissions Forum, Lancashire County Council LA, neighbouring local admissions authorities, other local Academies and local Admissions Forum.

- a) By September - Fulwood Academy Trust will publish in the Fulwood Academy's prospectus information about the arrangements for admission, including oversubscription criteria, for the following September (e.g. in September 2017 for admission in September 2018). This will include details of open evenings and other opportunities for prospective students and their parents to visit the school. Fulwood Academy Trust will also provide information in relation to the Fulwood Academy to the Lancashire County Council LA for inclusion in the composite prospectus, as required;
- b) September/October - Fulwood Academy Trust will provide opportunities for parents to visit Fulwood Academy;
- c) October – Common Application Form to be completed and returned to the Lancashire County Council LA to administer;
- d) LA sends Fulwood Academy applications to Fulwood Academy Trust;(for 2017/18 the Academy has contracted with the L.A to manage the process on behalf of the Academy)
- e) Academy Trust sends the rankings of applicants who meet the admissions criteria and are to be offered places at the Academy to LA;
- f) February - Lancashire County Council LA applies agreed scheme for own schools, informing other LA's of offers to be made to their residents.
- g) 1<sup>st</sup> March offers made to parents.

h) "Where there are twins, triplets, etc wanting admission and there is only a single place left within the admission number, then the Governing Body will exercise as much flexibility as possible. If places for twins or all triplets, etc cannot be offered, the family will be advised accordingly. This may also apply to siblings who are in the same year group. If only a single place can be offered for twins/triplets, then the Local Authority's system for a random draw will decide which pupil receives an offer."

### **Consideration of Applications**

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

### **Procedures where the Fulwood Academy is oversubscribed**

27. 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 students with statements of Special Educational Needs where the Fulwood Academy is named on the statement, the criteria will be applied in the order in which they are set out below:

- a) Looked after children and previously looked after children.

- b) children for whom, in the opinion of professional experts, there are exceptionally strong medical, social or welfare reasons for admission associated with the child and/or family which are directly relevant to Fulwood Academy. This may include some non-statemented students who have special educational needs.
- c) children who will have a sibling in attendance at Fulwood Academy at the time of transfer.

The term “sibling” includes stepchildren, half brothers and sisters and adopted and foster children who are living with the same family at the same address.

- d) Other students with priority given to those that live nearest to Fulwood Academy. The measurement will be taken in a straight line from the centre point of the residence to the centre point of the Academy, using the Lancashire Local Authority’s geographical information system (GIS).

### **Post 16 admission criteria**

28. Fulwood Academy Trust will publish specific criteria in relation to minimum academic entrance requirements for admission to the post-16 provision. These criteria are the same for internal and external transfers. Where the number of applications exceeds the number of post-16 places available and after the admission of students with statements of Special Educational Needs where Fulwood Academy is named on the statement, the criteria will be applied in the order in which they are set out below:

- a) Children in public care; this includes any “looked after child” and any child who was previously looked after but immediately after being looked after became subject to an adoption, residence or special guardianship order.
- b) Compelling medical or other exceptional reasons for attending the school. (see notes at para 27b)
- c) admission of students whose siblings currently attend Fulwood Academy and who will continue to do so on the date of admission. (see notes at para 27c)
- d) Other students (see notes at para 27d)

29. There will be a right of appeal to an Independent Appeals Panel for internal students refused transfer and external applicants refused admission.

### **Operation of waiting lists**

30. Subject to any provisions regarding waiting lists in the LA’s co-ordinated admission scheme, Fulwood Academy will operate a waiting list [for each year group]. Where in any year the Fulwood Academy receives more applications for places than there are places available, a waiting list will operate until one term after the start of the school year. This will be maintained by Fulwood 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.

31. Children’s position on the waiting list will be determined solely in accordance with the oversubscription criteria set out in paragraph 27, or for post-16 paragraph 28 above. Where places become vacant they will be allocated to children on the waiting list in accordance with the oversubscription criteria.

### **32. Address of pupil**

The address used on the school's admission form must be the current one at the time of application, ie the family's main residence. If the address changes subsequently, the parents should notify the school. **Where the parents live at different addresses, and there is shared parenting, the address used will normally be the one where the child wakes up for the majority of Monday to Friday mornings.** If there is any doubt about this, then the address of the Child Benefit recipient will be used. Parents may be asked to show evidence of the claim that is being made for the address, e.g. identity cards of various sorts showing the child's address as the one claimed. Where there is dispute about the correct address to use, the governors reserve the right to make enquiries of any relevant third parties, e.g. the child's GP, Council Tax Office, Electoral Registration Officer, utilities provider. For children of UK Service personnel and other Crown Servants returning to the area proof of the posting is all that is required.

### **33. Late applications for admission**

Where there are extenuating circumstances, accepted by the Fulwood Academy Trust for an application being received after the last date for applications, and it is before the Fulwood Academy Trust has established the list of pupils to be admitted, then it will be considered alongside all the others.

Otherwise, applications which are received after the last date will be considered after all the others, and placed on the waiting list in order according to the criteria.

### **34. Non-routine admissions**

It sometimes happens that a child needs to change school other than at the "normal" time; such admissions are known as non-routine admissions. In order to obtain a school place in mid year, it is necessary to fill in the Local Authority's Common Application Form, stating three preferences. The form must be returned to the Area Pupil Access Team. The Local Authority will consider the three preferences equally, in liaison with other admissions authorities. **The offer of a place can only be made by the Local Authority.**

If parents wish to visit the school before stating their preferences, they should contact Fulwood Academy.

Appeals for children moving into the area will not be considered until there is evidence of a permanent address, e.g. exchange of contracts or tenancy agreement with rent book. Applicants cannot re-apply for a place at a school within the same school year unless there has been relevant, significant and material change in the family circumstances.

### **Arrangements for Admitting Students to Other Year Groups, Including To Replace any Students Who have Left Fulwood Academy**

35. 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, Fulwood Academy Trust will consider all such applications and if the year group applied for has a place available, admit the child, subject to any exceptional provisions in Regulations or the School Admission Code. If more applications are received than there are places available, the oversubscription criteria in paragraph 27 or for post-16 places, paragraph 28, shall apply. Parents whose application is turned down shall be entitled to appeal.

**Arrangements for Admission of students as Fulwood Academy Builds to its Full Capacity**

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

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

*This policy will be reviewed annually (Sept 2018)*