



## **THE ADMISSION OF STUDENTS TO HAMBLETON PRIMARY ACADEMY FROM SEPTEMBER (2021)**

### **GENERAL**

1. This annex may be amended in writing at any time by agreement between the Secretary of State and Hambleton Primary Academy.
2. Hambleton Primary Academy 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 Hambleton Primary Academy.
3. Notwithstanding the generality of paragraph 2 of this Annex B, Hambleton Primary Academy will take part in the Lancashire Admissions Forum (North), 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 Hambleton Primary Academy to admit a named pupil to the Hambleton Primary Academy, on application from a local authority. Before doing so the Secretary of State will consult Hambleton Primary Academy.
5. Hambleton Primary Academy shall ensure that parents will have the right of appeal to an Independent Appeal Panel if they are dissatisfied with an admission decision of Hambleton Primary Academy. The Independent Appeal Panel will be independent of Hambleton Primary Academy. 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. Hambleton Primary Academy 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. Hambleton Primary Academy 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**

#### **Consultation**

7. Hambleton Primary Academy shall consult the following parties on Hambleton Primary Academy’s proposed admission arrangements every 7 years, unless there are policy changes.
  - 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. Hambleton Primary Academy 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 Hambleton Primary Academy.

9. Hambleton Primary Academy will determine Hambleton Primary Academy's admission arrangements by 16 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 Hambleton Primary Academy has determined Hambleton Primary 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 Hambleton Primary 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 Hambleton Primary Academy, Hambleton Primary Academy 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 Hambleton Primary Academy on such representations. Following such consultation, by 31 July in the Determination Year the Secretary of State may direct that Hambleton Primary Academy amends the proposed admissions arrangements for Hambleton Primary Academy. Hambleton Primary Academy 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. Hambleton Primary Academy must comply with any such direction.

### **Publication of Admission Arrangements**

14. Hambleton Primary Academy shall each Determination Year publish the Hambleton Primary 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 Hambleton Primary 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 Hambleton Primary Academy and contact details;

- b) a summary of the admissions policy, including oversubscription criteria;
- c) numbers of places and applications for those places in the previous year; and
- d) arrangements for hearing appeals.

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

16. Subject to paragraph 17, once Hambleton Primary Academy's admission arrangements have been determined for a particular year and published, Hambleton Primary Academy will not make any change to such arrangements unless there is a major change of circumstances and the following procedures have been followed:

- a) Hambleton Primary Academy has consulted those who were consulted under paragraph 7 above on the proposed variation;
- b) following such consultation, Hambleton Primary Academy 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. Hambleton Primary Academy shall following the prior written agreement or direction of the Secretary of State vary Hambleton Primary 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 Hambleton Primary Academy's admission arrangements brought about through the variation processes in paragraphs 16 or 17 above must be published within Hambleton Primary 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. Hambleton Primary Academy 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 Hambleton Primary Academy to make representations to the Secretary of State that any aspect of Hambleton Primary 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 Hambleton Primary Academy, direct that Hambleton Primary Academy modify its arrangements for the admission of students to Hambleton Primary Academy so that they comply with the relevant provisions of admissions law and the Codes as they apply to maintained schools. Hambleton Primary Academy must comply with any such direction.

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

### **PROCEDURE FOR ADMITTING STUDENTS TO HAMBLETON PRIMARY ACADEMY**

#### **Admissions Number**

22. Hambleton Primary Academy has agreed an admissions number of 30 pupils to Reception for Hambleton Primary Academy for the year 2021 and, subject to any changes approved or required by the Secretary of State, for subsequent years. Infant classes will be allowed to exceed the statutory limit of 30 where the 31st child is a twin or from multiple births, or of armed forces personnel (outside the normal admission round.) Agreed exceptions to the Infant Class Size limit will be permitted for the whole of Key Stage 1.

23. In any specific year, Hambleton Primary Academy 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, Hambleton Primary Academy will consult those listed at paragraph 7. Pupils 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.

### **Process of Application**

24. Arrangements for applications for places at Hambleton Primary 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. Hambleton Primary Academy will use the following timetable for applications to the Hambleton Primary 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 - Hambleton Primary Academy will publish in the Hambleton Primary Academy's prospectus information about the arrangements for admission, including oversubscription criteria, for the following September (e.g. in September 2020 for admission in September 2021). Hambleton Primary Academy will also provide information in relation to the Hambleton Primary Academy to the Lancashire County Council LA for inclusion in the composite prospectus, as required;
- b) Throughout the year, Hambleton Primary Academy will provide opportunities for parents to visit Hambleton Primary Academy;
- c) 15<sup>th</sup> January – Common Application Form to be completed and returned to the Lancashire County Council LA to administer;
- d) LA sends Hambleton Primary applications to Hambleton Primary Academy; (for 2021/2022 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) On 16<sup>th</sup> April offers are made to parents.

### **Consideration of Applications**

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

### **Procedures where the Hambleton Primary 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 Hambleton Primary 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. 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) 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 Hambleton Primary Academy. This may include some students who have special educational needs but are not subject to an Education and Health Care Plan.
- c) Children who will have a sibling in attendance at Hambleton Primary Academy at the time of transfer.

- a. 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) The children of staff who have been employed by Hambleton Primary Academy Trust for two or more years, or who meet a skills shortage.
- e) Other pupils with priority given to those that live nearest to Hambleton Primary 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).

#### Tie Break

Where there is oversubscription within any of the determined criteria, then priority for places will be decided in a straight line distance measure, (home to academy,) using the local authority’s measuring system. The nearest to the academy will have priority for admission.

28. There will be a right of appeal to an Independent Appeals Panel for external applicants refused admission. Parents have 20 school days to compile and lodge hearings.

### **29. Operation of waiting lists**

30. Subject to any provisions regarding waiting lists in the LA’s co-ordinated admission scheme, Hambleton Primary Academy will operate a waiting list [for each year group]. Where in any year, Hambleton Primary 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. Where there are more applications than available places for the reception intake a waiting list will be retained until 31 December of the school year. This will be prioritised in accordance with the determined admission arrangements and not based upon the date on which requests for admission were received. The waiting list will be maintained by Hambleton Primary Academy 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. 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.

### **32. Late applications for admission**

Where there are extenuating circumstances, accepted by the Hambleton Primary Academy for an application being received after the last date for applications, and it is before the Hambleton Primary Academy 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.

### **33. 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.

34. 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, Hambleton Primary Academy 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, shall apply. Parents whose application is turned down shall be entitled to appeal under the terms of the Right of Appeal criteria.

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 Hambleton Primary Academy**

35. There will be a right of appeal to an Independent Appeal Panel for unsuccessful applicants. Parents have 20 school days to compile and lodge hearings and are entitled to 10 days notice of an appeal hearing.

### **Arrangements for Part-Time Provision and Deferred Admission**

36. For admission to the 2021-22 school year, Hambleton Primary Academy provides for the admission of all children in the September following their fourth birthday.

- a) these arrangements do not apply to those being admitted for nursery provision including nursery provision delivered in a co-located children's centre;
- b) parents of children who are admitted for nursery provision **must** apply for a place at the school if they want their child to transfer to the reception class;
- c) attendance at the nursery or co-located children's centre does not guarantee admission to the school;

37. Where reception places have been offered parents may request that their child's admission is deferred within the reception year until the start of term after a 5<sup>th</sup> birthday (starting in January or April of the child's reception year). They may also request a period of part time provision.

Parents may request placement outside of the child's normal age group. Parents of summer born children – dates of birth 1 April to 31 August – do not have to send their child to school until the September after a 5<sup>th</sup> birthday. The normal expectation would be that they apply for Year 1 places. If for a summer born child a reception start is requested this will be considered initially by the head teacher (with review by governors if the application is not agreed and parents request reconsideration.)