



L.E.A.D. Academy Trust

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# Admissions Policy 2023/24



## Admission Policy 2023/24

The published admission numbers for the L.E.A.D. Academy Trust's academies are:

### Derbyshire Schools

80 pupils for Cloudside Academy

This policy should be read alongside the School Admissions Code (Statutory guidance for admission authorities, governing bodies, local authorities, school adjudicators and admission appeals panels) December 2014. References to the 'Code' are to this document:

[School admissions code 2021 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/322622/school-admissions-code-2014.pdf)

All applications for places are made through the local authority Derbyshire County Council. All applications from Derbyshire residents for admission to any mainstream school must be made on the common application form.

<https://www.derbyshire.gov.uk/education/schools/school-places/admissions/coordinated-scheme/coordinated-admissions-scheme.aspx>

Applications can be made here <https://www.derbyshire.gov.uk/education/schools/school-places/apply-for-a-school-place.aspx> or by email to [admissions@derbyshire.gov.uk](mailto:admissions@derbyshire.gov.uk)

The Academy Trust has responsibility for deciding on admissions, although the Local Authority will co-ordinate all admissions in its area and will communicate all admission decisions to parents.

Places will be allocated in accordance with the academy's admission arrangements.

If the year group total is below the published admission number for that year group, the academy must offer a place to everyone who applies. Paragraph 3.8 of the Code confirms that, subject to certain exceptions, if a child has been permanently excluded from 2 or more schools/academies, the admissions authority are not required to take into account parental preference for 2 years from the last date of exclusion.

If the published admission number total is met, a child will only be offered a place if there are very exceptional circumstances.

### **Applications - Normal Year of Entry via normal admissions round**

#### Applications for Year 3 Junior School - Year in 2023/24

For entrance to the academy in September 2023 the closing date of the coordinated admission scheme is 15<sup>th</sup> January 2023. Applications received by this date will be considered as part of the normal admissions process, will not be considered late and will be treated as 'first cycle allocations'.

Subject to 'Late Applications for the Normal Year of Entry' (see below), applications received after 15<sup>th</sup> January 2023 will be considered late.

Places will be allocated in accordance with the academy's admission arrangements. The academy will not refuse to admit a child in the normal year admissions round on the basis of poor behaviour from elsewhere subject to paragraph 3.8 of the Code.

If there is oversubscription within any year group the academy will maintain a waiting list. Details will be provided on request. Inclusion on the academy's waiting list does not mean that a place will eventually become available.

Offers of places will be made on the national offer date of 17th April 2023.

1. If a child can be offered a place at more than one school, then a place will be offered at the highest ranked school possible.
2. Where a school has advised that a place is available they will be informed if the place is the one to be offered to the parent or not.
3. Parents will receive a single offer of a school place.
4. All offers of places at Derbyshire schools will be treated as accepted unless the parent contacts us or the school to decline the offer. This should be done within 10 school days.

Where no place can be offered to a Derbyshire child, and the child has no current school place, the admission and transport team will ensure that a place is secured either through the appeals process, by the parent expressing further preferences, or placement through the Fair Access Protocol where appropriate. This to be done in liaison with the education welfare service.

### **Late Applications for the Normal Year of Entry**

Late applications received after the closing date will only be considered alongside other applications if the reason for the delay is considered exceptional (such as if a parent has been ill for some time, or if a family is returning from abroad) and documentary evidence is provided.

Any other applications will be considered as late and will not be dealt with until after places have been allocated to those who met the closing date.

Other local authorities might have different policies when dealing with late applications. We would advise that you contact your home local authority to find out what their policies are.

### **Applications Outside the Normal Year of Entry ("In-Year applications")**

In-year admissions relate to applications by parents to move their child to another school other than at the normal point of entry, for example: following a change of address. These are also known as 'casual' or 'admissions outside of the round'.

The revised version of the 'Schools Admissions Code' which came into force in December 2014 removed the requirement for local authorities to co-ordinate in-year admissions for the offer year 2013 to 2014 and all subsequent years. The code does however still require:

- Local authorities provide on request information to parents about the availability of places in schools within its area, and provide a suitable form for parents to complete when applying for a school place at any school (2.21).
- Own admission authority schools to, on receipt of an in-year application, notify the local authority of both the application, and its outcome, to allow the local authority to keep up to date figures on the availability of places in the area. The admission authority must also inform parents of their right to appeal against the refusal of a place (2.32).

### **Procedure**

Applications will fall into 3 categories:

- direct to the admissions and transport team
- approaches directly to schools where the local authority is co-ordinating in-year admission for these schools
- applications where the school is co-ordinating its own in-year admissions

### **Fair Access Protocols, Allocation, Acceptance of places and Appeals**

Local Authorities are required to have **Fair Access Protocols** in order to make sure that unplaced children who live in the home local authority, especially the most vulnerable, are offered a place at a suitable school/academy as quickly as possible.

The **Fair Access Protocol** applies to admissions outside the normal admissions round.

### **Admission out of the normal age group**

Parents/carers may request admission for their child outside their normal age group. In general, it is considered that children should be educated in their normal age group, with the curriculum differentiated as appropriate, and they should only be educated out of their normal age group in very limited circumstances (e.g. if the child is gifted and talented or has experienced problems such as ill health). Decisions will be made on the basis of the circumstances of each case and in the best interests of the child concerned and will take into account the parent's views, information about the child's academic, social and emotional development; where relevant their medical history and the views of the medical profession and whether they have previously been educated outside of their normal age group. You can contact the academy or your home Local Authority for advice on how to request admission for your child outside their normal age group.

### **Oversubscription Criteria**

Oversubscription occurs when the academy receives more applications than places. The Academy will apply the following criteria in these circumstances.

**Pupils who have a Statement of Special Educational Need (SEN) or Education, Health and Care Plan (EHC), where the relevant academy is named in the child's statement or plan, will be admitted. This will reduce the number of places available for other pupils.**

In the event of oversubscription within any of the criteria listed below, preference will be given to applicants who live closest to the academy, as measured in a straight line (by a computerised geographical information system) from a point on the academy site to a point at the pupil's home, i.e. as the crow flies, both identified by the Local Land and Property Gazetteer. Where two or more pupils are equal in all respects and it is therefore not possible to differentiate between them, a method of random allocation by drawing lots will be used to allocate places (supervised by someone independent of the Academy Trust).

1. Places will first be allocated to a 'looked after child' or a child who was previously looked after but immediately after being looked after became subject to an adoption, child arrangements, or special guardianship order<sup>1</sup>.
2. Places will then be allocated to pupils who, at the closing date for applications, are resident within the relevant catchment area, whose parents have requested a place at the relevant academy and who, at the time of admission, will have a brother or sister<sup>2</sup> attending the academy.
3. Places will then be allocated to other pupils who, at the closing date for applications, are resident within the catchment area and whose parents have requested a place at the academy.
4. Places will then be allocated to pupils who are resident outside the relevant catchment area, whose parents have requested a place at the academy and who, at the time of admission, will have a brother or sister attending the relevant academy.
5. Places will then be allocated to other pupils who are resident outside the catchment area of the relevant academy, whose parents have requested a place at the academy.

**The above criteria (2-5) may be overridden and priority given to an applicant who can establish any of the following:**

- pupils with special educational needs that can only be met at the named academy (e.g. where the academy has specialist provision)\*;

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<sup>1</sup> 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 in accordance with section 22(1) of the Children Act 1989 at the time of making an application to a school. An adoption order is an order under the Adoption Act 1976 (see section 12 adoption orders) and children who were adopted under the Adoption and Children Act 2002 (see section 46 adoption orders). A 'child arrangements order' is an order settling the arrangements to be made as to the person with whom the child is to live under section 8 of the Children Act 1989 as amended by section 14 of the Children and Families Act 2014. 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).

<sup>2</sup> See later for the definition of 'brother' and 'sister'

- children of travellers, gypsies and Roma;
- pupils with exceptional medical, mobility, or social grounds that can only be met at the named academy\*.

\*Applications in these categories must be supported by a statement in writing from a doctor, social worker or other relevant professional. This is necessary because you will be asking the academy to assess your child as having a stronger case than other children. Each case will be considered on its merits by the Academy Trust.

### Withdrawing an Offer

An offer of a place may be withdrawn in the following circumstances:

- it was made in error;
- it was made on the basis of a fraudulent or intentionally misleading application (e.g. a false claim to residence in the catchment area);
- a place offered at the relevant academy is not accepted within 14 days originally specified or after a repetition of the offer allowing a further 7 days for acceptance and specifying that the offer may be withdrawn if it is not accepted within that period.

The academy can withdraw their place from a child who has started if the place was fraudulently obtained. In deciding whether to do so, the academy will consider how long the child has attended the academy.

### Waiting List

The local authority Derbyshire County Council will establish a waiting list for all Derbyshire schools where the number of applications for those schools has exceeded the places available.

Names of children will automatically be placed on the waiting list for a school where it has not been possible to offer a place and they have given this preference a higher priority than the school at which they have been offered a place.

A vacancy arises only when the number of offers to a particular school falls below the published admission number (PAN), or in cases where admission authorities have admitted above their PAN, below the maximum number of places offered for the year group (this excludes places secured through the appeals process).

Waiting lists will be established on the offer day and be maintained up to the end December. Voluntary aided, foundation and academy schools may maintain waiting lists beyond this date for intake years and for other school years if they wish.

Priority on the waiting list is determined according to the admission authority's published oversubscription criteria.

Children allocated to a school in accordance with the Fair Access Protocol must take precedence over other children on the waiting list.

### Appeals

Any parent whose child is refused a school place will be informed in the decision letter sent by us or the admission authority of their right to an independent appeal against the decision.

### **Definitions of terms used in these arrangements:**

#### **Resident in the Catchment Area**

A child will be considered 'resident in the Catchment Area' if the child's permanent place of residence which is deemed to be the residential property at which the child normally and habitually resides with the person or persons having parental responsibility for the child at the time of completion of the application form is within the Catchment Area designated for the academy. If a child's parents live at separate addresses the child's permanent place of residence will be whichever of the two addresses the child permanently spends at least 3 school nights i.e. Sunday, Monday, Tuesday, Wednesday or Thursday each week. Addresses of other relatives or friends will not be considered as the place of residence even when the child stays there for all or part of the week. Proof of permanent residence (minimum 12 months tenancy agreement from the date of application in the case of rented accommodation) and other evidence from the court regarding parental responsibilities in these matters may be required. Where a child is resident at two addresses for an equal amount of time, the child's permanent place of residence will be the address shown on the child benefit letter.

#### **Brothers or Sisters – sibling connection**

**1. For admission purposes the Academy Trust considers the following as siblings:**

- a brother or sister who share the same parents;
- a half-brother or half-sister, where two children share one common parent;
- a step brother or step sister, where two children are related by a parent's marriage;
- adopted or fostered children living in the same household under the terms of a Child Arrangements Order.

**2. The Academy Trust does not consider these as siblings:**

- cousins or other family relationships not included in 1 above;
- siblings who at 1 September 2020 will not be registered pupils at the relevant academy.

Where applications are received in respect of twins, triplets or children of other multiple births, the relevant academy will endeavour to offer places in the same school, admitting above the planned admission number where necessary. In these cases, the parent/carer will be asked which child(ren) should take up the place(s). The parent/carer will still have a right of appeal against a refusal of a place.

## Parent

Section 576 of the Education Act 1996 defines 'parent' to include; all natural parents, whether they are married or not; and any person who, although not a natural parent, has parental responsibility for a child or young person; and any person who, although not a natural parent, has care of a child or a young person. Having parental responsibility means assuming all the rights, duties, powers, responsibilities and authority that a parent of a child has by law. People other than a child's natural parent can acquire parental responsibility.

## Catchment Area

The normal area of a school is the geographic area which it serves and the school area you fall into is based on your permanent home address.

Most Derbyshire schools serve a discrete area but in some cases you might live in the area for more than one school.

If this is the case you will see more than one school in the results given to you by the normal area school finder system. The results will show you all the schools which come under the normal area for your address.

While you can express a preference for the school you wish your child to attend, in law there is no automatic right to a place in any particular school.