



## **Admissions Policy 2021-2022**

**Implementation: February 2020**

## 1 Introduction

1.1 This document sets out the admission arrangements for Oasis Academy Immingham, throughout this document referred to as 'the Academy'. These arrangements are without prejudice to the provisions of Annex B in the Master Funding Agreement (relating to statemented students).

1.2 Any changes to the arrangements set out in this document, with the exception of setting a published admission number higher than the agreed admission number for a specific year, must be approved in advance by the Secretary of State.

1.3 Oasis Academy Immingham is a non-selective school open to students of all religious faiths or those of no faith.

## 2 School Admissions Code/School Admissions Appeal Code

2.1 The Academy will comply with all relevant provisions of the statutory codes of practice (the School Admissions Code and the School Admissions Appeal Code) as they apply at any given time to maintained schools and with the law on admissions as it applies to maintained schools.

2.2 Reference in the codes to admission authorities shall be deemed to be references to Oasis Community Learning. References to 'the LA' shall be deemed to be references to the North East Lincolnshire Local Authority. In particular, the Academy will participate in the coordinated admission arrangements operated by the LA.

2.3 Notwithstanding these arrangements, the Secretary of State may direct the Academy to admit a named student to the Academy on application from an LA. Before doing so the Secretary of State will consult the Academy.

## 3 Admission arrangements approved by the Secretary of State

The admission arrangements for the Academy and, subject to any changes approved by the Secretary of State, for subsequent years are:

3.1 The Academy has an agreed admission number of 180 students. The Academy will accordingly admit at least 180 students in the relevant age group each year if sufficient applications are received.

3.2 The Academy may set a higher admission number as its published admission number for any specific year. Before setting an admission number higher than its agreed admission number, the Academy will consult those listed at paragraph 12.2 below. Students will not be admitted above the published admission number unless exceptional circumstances apply and such circumstances shall be reported to the Secretary of State.

## Admissions procedures

### 4 Application process

Applications for places at the Academy will be made in accordance with the LA's coordinated admission arrangements and will be made online or on the application form provided by the LA.

4.2 The Academy will use the following timetable for applications 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 LA:

- The Academy will publish in its prospectus information about the arrangements for admission, including oversubscription criteria, for the following September. The Academy will also provide information to the LA for inclusion in the composite prospectus, as required
- June/July - The Academy will provide opportunities for parents/carers to visit the Academy
- October - CAF to be completed and returned to the LA to administer

- November/December - LA sends applications to Academy
- January - Academy sends list of students to be offered places to LA
- February - LA applies agreed scheme for own schools, informing other LAs of offers to be made to their residents
- 1<sup>st</sup> March offers made to parents/carers.

## 5 Consideration of applications

5.1 The Academy will consider all applications for places. Where fewer than 180 applications are received, the Academy will offer places to all those who have applied.

## 6 Procedures where the Academy is oversubscribed

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 an Education, Health and Care Plan (EHCP) where the Academy is recorded in the plan, we will use the following factors, in priority order, to decide which students will be given places.

### 1. Looked after children and previously Looked after children

The definition of a 'looked after child' is a person under the age of 18 who is provided with accommodation by a local authority, acting in its social services capacity, for a continuous period of more than 24 hours, by agreement with the parents or in accordance with section 22 of the Children's Act 1989. Previously looked after refers to those children who immediately after being looked after became subject to an adoption order, child arrangements order (under the provisions of the Children and Families Act 2014), or specialist guardianship order (under Section 14A of the Children Act 1989). Children looked after under an agreed series of short term placements (respite care) are excluded.

2. Living in the catchment area (The Local Authority's booklet 'Your New School

- a. A Guide for Parents' provides information on the catchment area).

3. Siblings of students who will be attending the Academy and living at the same address on the date when the applicant would be admitted. The term 'sibling' means a full, step, half, adopted or fostered brother or sister, but not cousins. The Academy reserves the right to ask for proof of relationship.

4. Children who live the nearest distance from the Academy. The distance, which determines how close the child lives to the Academy, (if there is more than one route, the distance measured is the shortest available safe route for pedestrians), from the front door of the child's home address (including flats) (*is the direct line measurement from the front door of the permanent home address*) to the main entrance to the Academy site, using the Local Authority's computerised measuring system. The child's permanent address is where he or she normally lives and sleeps and from where they go to school. Proof of residence can be requested at any time throughout the admissions process. If false or misleading information is used to gain entry to the Academy, the offer of a place will be withdrawn and the application cancelled.

Please Note:

Should there be more applicants from criterion 2 or 3 than places available, then criterion 4 will be used to determine who will be allocated a place.

## 7 Operation of waiting lists

7.1 Subject to any provisions regarding waiting lists in the LA's co-ordinated admission scheme, the Academy will operate a waiting list.

Where in any year the Academy receives more applications for places than there are places available, a waiting list will operate for at least

one term after the admission date. This will be maintained by the Academy and it will be open to any parent/carer to ask for his or her child's name to be placed on the waiting list, following an unsuccessful application.

7.2 Children's position on the waiting list will be determined solely in accordance with the oversubscription criteria set out in paragraph 6.1.

7.3 Where places become vacant they will be allocated to children on the waiting list in accordance with the oversubscription criteria.

## **8 Arrangements for appeals panels**

8.1 Parents/carers will have the right of appeal to an Independent Appeal Panel if they are dissatisfied with an admission decision of the Academy. The Appeal Panel will be independent of the Academy. The arrangements for Appeals will be in line with the Code on School Admissions Appeals published by the Department for Education (DfE) as it applies to Foundation and Voluntary Aided schools. (Appendix 1)

8.2 The determination of the appeal panel will be made in accordance with the Code of Practice on School Admissions Appeals and is binding on all parties. The Academy should prepare guidance for parents/carers about how the appeals process will work and provide parents/carers with a named contact who can answer any enquiries parents/carers may have about the process.

### **8.3 Admissions of children outside their normal age group**

Parents/carers who wish to make such a request should still make an application for their child's normal age group at the usual time in line with the timescales set out in North East Lincolnshire Local Authority's Secondary School Admissions Coordinated Scheme i.e. for entry into Year 7. All requests will be considered taking into account the individual circumstances, relevant professional advice where appropriate, including discussion with the parent/carers preferred school / academy, decision of the relevant admission authority and the best interests of the child.

If, after full consideration of all relevant information, the parents/carers wish to proceed with the request to educate their child outside of their chronological year group, they would need to complete a form accepting parental responsibility for the decision and acknowledging that they would need to complete a further application, at the relevant time, for their preferred school / academy which may not be successful.

It should be noted that a decision to admit, and educate, a child outside of their chronological age year group may affect their education placement in secondary school and later into a further education placement.

## **9 Arrangements for admitting students to other year groups, including replacing any students who have left the Academy**

9.1 Parents may apply directly to the Academy who will then inform the LA that an admission request has been received.

9.2 A designated number of 180 students applies to Year Groups 8 to 11.

9.3 If more applications are received than there are places available, the oversubscription criteria shall apply. Parents/carers whose application is turned down are entitled to appeal.

### **10 Arrangements for admission of students as the Academy builds to its full capacity**

10.1 The Academy opened on 1<sup>st</sup> September 2007 with a published admission number relating solely to students in Year 7. The Academy will admit up to 180 students to Year 7 in subsequent years as the school builds up to full capacity.

## **11 Annual procedures for determining admission arrangements**

11.1 The Academy shall consult each year on its proposed admission arrangements if there are any changes to the current arrangements.

11.2 The Academy will consult by 31<sup>st</sup> January:

- Academy's home LA
- Primary and secondary schools in the area
- Parents/carers in the area
- Affected admission authorities in neighbouring LA areas
- Community groups
- Teaching unions (if admission numbers are rising)
- The sponsor for the Academy (Oasis Community Learning).

11.3 Following consultation, the Academy will consider comments made by those consulted. The Academy will then determine its admission arrangements by 28<sup>th</sup> February of the relevant year and notify those consulted what has been determined.

## 12 Publication of admission arrangements

12.1 The Academy will publish its admission arrangements each year once these have been determined, by:

- Details of admission arrangements are published on the Academy and NEL websites
- Copies being made available without charge on request from the Academy

12.2 The published arrangements will set out:

- The name and address of the Academy and contact details
- A summary of the admissions policy, including oversubscription criteria
- A statement of any religious affiliation
- Arrangements for hearing appeals.

## 13 Representations about admission arrangements

13.1 Where any of those bodies that were consulted, or that should have been consulted, make representations to the Academy about its admission arrangements, the Academy will consider such representations before determining the admission arrangements.

13.2 Where the Academy has determined its admission arrangements and notified all those bodies whom it has consulted, and any of those bodies object to the Academy's admission arrangements they can make representations to the school's adjudicator. The school's adjudicator will consider the representation and in so doing will consult the Academy. Where he judges it appropriate, the Secretary of State may direct the Academy to amend its admission arrangements.

13.3 Those consulted have the right to ask the Academy to increase its proposed published admissions number for any year. Where such a request is made, but agreement cannot be reached locally, they may ask the Secretary of State to direct the Academy to increase its proposed published admissions number. The Secretary of State will consult the Academy and will then determine the published admission number.

13.4 The Secretary of State may direct changes to the Academy's proposed admission arrangements and, in addition to the provisions above, the Secretary of State may direct changes to the proposed published admissions number.

## 14 Proposed changes to admission arrangements by the Academy after arrangements have been published

14.1 Once the admission arrangements have been determined for a particular year and published, the Academy will propose changes only if there is a major change of circumstances.

14.2 In such cases, the Academy must notify those consulted under paragraph 11.2 above of the proposed variation and must then apply to the Secretary of State setting out:

- The proposed changes
- Reasons for wishing to make such changes
- Any comments or objections from those entitled to object

## **15 Need to secure Secretary of State's approval for changes to admission arrangements**

15.1 The Secretary of State will consider applications from the Academy to change its admission arrangements only when the Academy has notified and consulted on the proposed changes as outlined in 12.2.

15.2 Where the Academy has consulted on proposed changes the Academy must secure the agreement of the Secretary of State before any such changes can be implemented. The Academy must seek the Secretary of State's approval in writing, setting out the reasons for the proposed changes and passing to him any comments or objections from other admission authorities/other persons.

15.3 The Secretary of State can approve, modify or reject proposals from the Academy to change its admission arrangements.

## **16 Admission records**

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

Appendix 1 Admission appeals procedure

Oasis Community Learning Admission Appeals Information

## **Admission Authority**

1 Oasis Community Learning is the Admission Authority for its Academies. Therefore, Oasis Community Learning is required to make arrangements for the hearing of appeals against decisions not to offer a place to a child at the Academy.

## **Admission Appeals**

2 Parents/carers have a right to appeal in the event that their application for a place in an Academy is unsuccessful. Appeals should be lodged with the Clerk to the Appeal Panel within 20 days of the date of the letter notifying that the application was unsuccessful. Appeals inside the normal admission round are normally held in April or May, whilst appeals for admission outside the normal admission round ('in year appeals') will be held within 30 school days of the appeal being lodged.

## **Late Appeals**

3 Where an appeal is submitted after more than 20 days of notification of the decision, the appeal may be held at a later date. In year appeals (i.e. those outside the normal admissions round) will always be held within 30 school days of being lodged.

## **Appeal Panel**

4 Admission appeals are heard by an independent Appeal Panel of three members, established by the LA. At least one member of the Panel is a lay member; that is, someone without personal experience in the management of any school or the provision of education in any

school. At least one member has experience in education; that is, someone who is acquainted with educational conditions in the area or who is a parent/carer of a registered student at a school. One member acts as Chair of the Panel.

5 No-one may be a member of the Appeal Panel if they were party to the decision not to admit the child about whom the appeal is concerned, or took part in any discussions about how the decision was reached.

6 Parents/carers should not attempt to discuss matters relating to their appeal with any member of the Appeal Panel prior to the meeting.

## **The Powers of the Appeal Panel**

7 The Appeal Panel's decision is binding on the Admission Authority. If the Panel upholds the appeal presented by the parents/carers, the child must be admitted to the Academy.

8 An Appeal Panel decision can only be overturned by the Courts, where the parents/carers or Admission Authority are successful in applying for Judicial Review of that decision.

9 The Appeal Panel cannot hear complaints or objections on the wider aspects of admission policies and practice. The Appeal Panel cannot change the Academy's admission criteria. The Academy's admission criteria are in section 6 of this policy.

## **Action prior to the Appeal Panel meeting**

10 Parents/carers have the right to attend the Appeal Panel meeting and to present their appeal orally to the Panel. However, in addition, parents/carers may provide their appeal in writing with any supporting evidence to the Clerk of the Appeal Panel prior to the meeting.

Written material received seven days before the date of the appeal meeting will be sent to the Appeal Panel members prior to the meeting so that they can study the material in advance.

11 The Academy may also present its representations and evidence to the Clerk at least seven days before the date of the appeal meeting so that they may be read in advance by the Appeal Panel members.

12 Any materials presented by the Academy will be sent in advance to the parents/carers and any materials presented by the parents/carers will be sent in advance to the Academy. The basic principle followed is that all information presented to the Clerk as part of the appeals process is available to all parties to the appeal.

## **Notice of the Appeal Panel meeting**

13 Parents/carers will receive written notice at least 10 days before the date their appeal will be heard unless the parent/carer agrees to a shorter notice period.

## **Representation**

14 Parents/carers are encouraged to attend the Appeal Panel meeting in person and to make oral representations; that is, to clarify or supplement their written appeal. The parent/carer may be accompanied by a friend, adviser or be represented. Parents/carers may also bring an interpreter. In all circumstances where the parents/carers intend to bring along someone else, parents/carers should give advance notice to the Clerk preferably at least 3 working days prior to the meeting of the name of the other person attending and the capacity in which they are attending.

## **The Appeal Panel meeting**

15 The Appeal Panel hearing is in two parts. First, the Academy's Presenting Officer presents the case that to admit any more students would prejudice the provision of efficient education or use of resources. This part of the hearing may involve a number of parents/carers

together. The parents/carers are given the opportunity to question the Presenting Officer. Second, the parents/carers are given the opportunity to present to the Appeal Panel individually (without other parents/carers present). The Chair of the Appeal

Panel ensures that the stages of the second part of the meeting take the following order:

- a. The parents/carers present their case to the Panel.
- b. The Presenting Officer is given the opportunity to question the parents/carers.
- c. The Presenting Officer sums up the Admission Authority's case.
- d. The parents/carers sum up their case.

16 The Appeal Panel members may ask questions at any time if they require clarification of what is being said or if they need information in order to reach a decision.

17 The written decision of the Appeal Panel will normally be sent to the parents/carers by the Clerk within seven days of the meeting.

## **Non-attendance at the Appeal Panel hearing**

18 The Appeals Administrator will inform the parent/carer of the date and time of the Appeal Panel hearing both by letter.

19 If through unforeseeable circumstances, the parents/carers are unable to attend the hearing on the day, they must telephone the Appeals Administrator immediately and give the reason for the non-attendance. The parents/carers will be asked if they want the appeal to go ahead in their absence. If they wish to seek another appointment, the matter will be referred to the Chairman of the Appeal Panel who will decide, based on the parents'/carers' reason for non-attendance, whether to hear the appeal in the absence of the parents/carers or defer consideration to a subsequent hearing.

20 Where parents/carers fail to attend and do not provide a valid reason the Appeal Panel will consider the appeal in the absence of the parents/carers.

## **Further information**

21 Any queries about the appeals process should be made to the Appeals Administrator:

Legal Services, Resources Directorate, Municipal Offices, Town Hall Square, Grimsby, North East Lincolnshire, DN31 1HU.

Tel: (01472) 324149

All correspondence should be addressed to: Clerk to the Appeal Panel