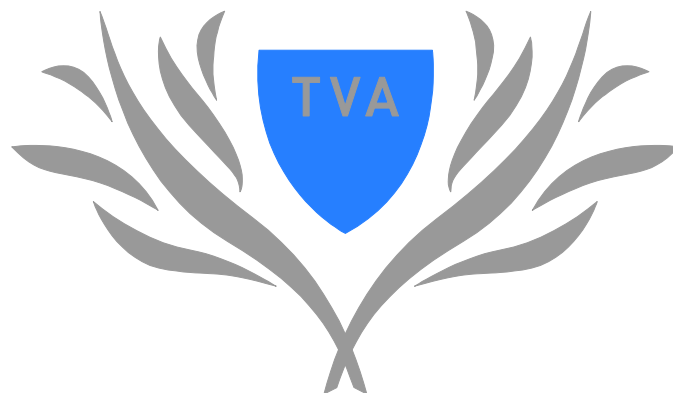


# TOP VALLEY ACADEMY



Top Valley Academy

## **Admissions Policy**

Approved by Governing Body 18 January 2016



## Top Valley Academy Admissions Policy

The Admission of Students to Top Valley Academy ("The Academy")  
*For the school year 2017-2018 Nottingham City LA will be co-ordinating the admission to secondary school arrangements with Nottinghamshire Local Education Authority with whom it shares a border. This Admissions Policy must be read in conjunction with the QUALIFYING CO-ORDINATED ADMISSIONS SCHEME PART 2 FOR SECONDARY SCHOOLS IN NOTTINGHAM CITY AREA 2017/18.*

1. This document sets out the admission arrangements for The Academy. Any changes to the arrangements set out in this document, must be approved in advance by the Academy Trust.
2. For the purposes of this Admissions Policy references in admission law and in the statutory Codes of Practice to admission authorities shall be deemed to be references to the Academy Trust of The Academy. The Academy will take part in the Admissions Forum set up by Nottingham City LA and have regard to its advice.

### I: ADMISSION ARRANGEMENTS

3. The admission arrangements for The Academy, for the year 2017/2018 are:
  - a) The Academy has an agreed admission number of 180 pupils at year 7. The Academy will accordingly admit 900 pupils in the relevant age group each year if sufficient applications are received;
  - b) 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 paragraphs 23 and 24 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.

#### Process of application

4. 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 Nottingham City Council:
  - a) By the 5th September 2016 - The Academy will publish in its prospectus, information about the arrangements for admission, including over subscription criteria, the following September (i.e. in September 2016 for admission in September 2017). This will include details of Open Evenings and other opportunities for prospective pupils and their parents to visit the Academy. It will notify the date by which applications must be received by the Local Authority. The Academy will also provide information to the LA for inclusion in the composite prospectus, as required;
  - b) September/October - The Academy will provide opportunities for parents and pupils to visit the Academy;
  - d) 31st October 2016 - closing date for application form;

- e) December - March - applications considered by the Local Authority and the other admission authorities in Nottingham City, in accordance with the Secondary Co-ordinated Admissions Scheme.
  - f) On the 1st March 2017 - offers of places notified in writing to parents and to Local Authority. Including offers on behalf of the trust school, academies and Nottinghamshire County Council Schools. Emails sent on 1st March 2017 to Nottingham City parents and carers who applied on line.
  - g) **Within 14 days parents / carers** are required to confirm acceptance of the place offered.
5. *The timescale for Nottingham City Co-ordinated Admissions for secondary admission is shown below – taken from their coordinated admission policy for 2017/18 (Annex 1).*

The LA will act as a clearing house for the allocation of places by the relevant admission authorities in response to SCAFs received. Except where acting in its separate capacity as an admission authority for community schools, the LA will not be making any decision with respect to the offer or refusal of a place in response to any application form.

1. By **5 September 2016** the LA will distribute application packs via primary/junior schools to parents/carers resident in Nottingham city. Schools will hand these out to pupils by **9 September 2016**.
2. The closing date for applications is **31 October 2016**.
3. By **14 November 2016** the LA will send to other local authorities details of the applicants who have applied for schools in their area.
4. By **21 November 2016** the LA will send to the admission authority of each Nottingham city school details of the applicants who have applied for a place at their school. The LA will also provide details of all applicants who have applied for their schools by use of DfE common data sets and any supplementary information received.
5. In considering applications for admission to Nottingham city schools the order of ranking as stated on the SCAF **will not** be revealed.
6. For all preferences stated on any completed common application form received, the respective admission authorities will apply their published admission criteria.
7. By **16 December 2016** the LA will have received from other admission authorities in Nottingham city a list of children who can be offered a place and those who cannot. All applications should be ranked, not just those to whom places can be offered.
8. By **20 January 2017 (1<sup>st</sup> cycle)** the LA will compare the list of provisional offers for Nottingham city community secondary schools against the list of provisional offers from Nottinghamshire County Council and other admission authorities and:
  - a) determine which provisional offers will be made to Nottingham city residents taking account of the ranking of the preferences on the SCAF;
  - b) inform Nottinghamshire County Council, other local authorities and other admission authorities of those provisional offers which are to be accepted and of those which are not to be accepted.

9. Where it is the case that a child is eligible for more than one provisional offer of a secondary school place, the parents/carers will be offered the highest ranked of those provisional offers as indicated on the SCAF.
10. At the end of the first cycle of determining provisional offers, it will be possible to identify those schools which are undersubscribed or oversubscribed. For undersubscribed secondary schools, it will have been possible to have met all preferences.
11. By **3 February 2017** the LA will have received from other admission authorities of Nottingham city schools a list of children who can be offered a place and those who cannot following the 1<sup>st</sup> cycle, together with a waiting list.
12. In order to complete allocations to oversubscribed schools, a second cycle of the process will be undertaken.

This second cycle of allocations will deal with waiting lists for oversubscribed schools where vacancies have arisen as a result of point 7 on page 6. The waiting list will comprise of:

- a) applicants for whom it has not been possible to make any provisional offer;
  - b) all applicants with a provisional offer ranked lower than that of the oversubscribed school for which a preference has also been expressed.
13. By **20 February 2017** the LA will:
- a. update the list of provisional offers for oversubscribed schools;
    - a. notify Nottinghamshire County Council where the provisional offer is to be made to a resident of their area;
    - b. update the list of provisional offers for other admission authorities of Nottingham city schools;
    - c. receive information from Nottinghamshire County Council of any places which they can offer to a Nottingham city resident as a result of the second cycle under their co-ordinated scheme;
    - d. compare the updated list of provisional offers against the updated list of provisional offers from Nottinghamshire County Council;
    - e. make determinations on which provisional offers will be made to Nottingham city residents taking account of:
      - i. provisional offers from Nottinghamshire Council County; and
      - ii. the waiting list for places at schools;
    - f. amend the list of provisional offers for each oversubscribed school to take account of point b) above;
    - g. inform Nottinghamshire Council County and other admission authorities of which offers are to be confirmed for places in their schools which are to be accepted and of those which are not.

## Consideration of applications

6. 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.
7. Notwithstanding paragraph 6 above, The Academy may refuse admission to particular applicants in cases where fewer than the published admission number have applied. These are applicants who have been excluded from two or more other schools and the ability to refuse admissions runs for a period of two years from the last exclusion. Exclusions, which took place before the child concerned reached compulsory school age, do not count for this purpose.
  - a) In all the circumstances described in this paragraph, however, the Secretary of State may direct The Academy to admit such a pupil and that direction shall be binding on The Academy.
  - b) The Academy will admit unplaced children outside the normal admissions round in accordance with the requirements of the Fair Access Protocol as described in Sections 3.9, 3.10, 3.11, 3.12, 3.13, 3.14, and 3.15 of the School Admissions Code.
  - c) Requests for admission outside of chronological age can be made.

## Procedures where the Academy is oversubscribed

8. Where the number of applications for admission is greater than the published admissions number, applications will be considered against the criteria set out below. Children who have an Education, Health and Care plan) which names Top Valley Academy will be admitted. This will reduce the number of places available.
  - a) 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. 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's 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 12 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).
  - b) Admission of pupils for whom it is essential to be admitted to a specific school because of special circumstances to do with significant medical needs. Applications in this criterion must be supporting documentation from a social worker, doctor, or other relevant professional must be provided with your application.
  - c) Admission of pupils whose siblings currently attend The Academy and who will continue to do so on the date of admission;

For the purpose of allocating places, sibling means:

- Full sibling living at the same address as the applicant
  - Step sibling living at the same address as the applicant
  - Half sibling living at the same address as the applicant
  - Long term foster sibling living at the same address as the applicant
- d) Admission of pupils on the basis of proximity to the Academy using straight line measurement:
- Distance from The Academy will be measured in a straight line in metres by a digital mapping system from The Academy's main gate to the front door of the home.
  - Random allocation will be used as a tie-break to decide who has highest priority for admission if the distance between a child's home and The Academy is equidistant in any individual case. This will be supervised by someone independent of the academy.
- e) Notwithstanding the provisions of paragraphs a – d above, the Secretary of State may direct The Academy to admit a named pupil to The Academy on application from the LA.

Waiting List – If there are no places available, parents/guardians must confirm in writing to The Academy if they wish to have their application placed on the waiting list. For applications made in the normal admission round (Year 7) the waiting list will be administered by the governors of the school in partnership with the local authority for the duration of the co-ordinated admissions scheme. Once the co-ordinated scheme is closed, the waiting list will remain open but will be administered by the governors of the school until the end of the autumn term. Parents/guardians can request in writing that their child remains on the waiting list after this date. The waiting list will be maintained in order of the oversubscription criteria and not in the order in which applications are received or added to the list. Where places become vacant they will be allocated to children on the waiting list in accordance with the oversubscription criteria. A waiting list will also be in operation for any other years where the academy receives more applications than places available. Names are normally removed from the list after six months unless parents/guardians submit a written request asking for their application to remain on the waiting list. All waiting lists will close at the end of each academic year and it will necessary for parents/guardians to reapply for the next academic year should they wish to do so.

#### **Mid-Year Admissions and September Admissions for Year Groups other than Year 7**

9. Parents wishing to make an application for a place for their child should submit their request in writing to Mr S Kelly, Headteacher, in the first instance.
10. The Academy will maintain a waiting list and allocate places as they become available using the previously set out criteria. There will be a right of appeal to the Appeals Panel for any unsuccessful applicant. Mid-year admissions will be administered by the Academy.

#### **Year 12 Admissions and Oversubscription criteria**

##### *Eligibility*

11. In the case of the sixth form being undersubscribed The Academy operates a sixth form for a total of 200 students. 100 places overall will be available in year 12 (the year 12 'capacity')
12. The admission number for year 12 is 20. This is the number of places which will be offered on an annual basis to eligible external applicants.
13. If fewer than 100 of The Academy's own year 11 pupils transfer into year 12, additional external pupils will be admitted until year 12 meets its capacity of 100.

14. Children who have an Education, Health and Care Plan which names Top Valley Academy will be admitted. This will reduce the number of places available.
15. Both internal and external pupils wishing to enter the sixth form will be expected to have met the minimum academic entry requirements for the sixth form.
16. In addition to the sixth form's minimum academic entry requirements pupils will need to satisfy minimum entrance requirements to the courses for which they are applying. If either internal or external applicants fail to meet the minimum course requirements they will be given the option of pursuing any alternative courses for which they do meet the minimum academic requirements.
17. These academic entry requirements form part of the admission arrangements and so will be consulted upon and published in the Academy's prospectus and in the LA composite admissions prospectus.
18. When there are more external applicants that satisfy any academic entry requirements, priority, will be given in the following order:
  - a) Eligible looked after children or previously looked after children (as described in paragraph 8a above)
  - b) Eligible children for whom a particular school is appropriate on genuine medical grounds. Such applications will be decided by The Academy or nominated panel. (Applications on medical grounds will only be considered under this criterion if they are supported by an attached written statement from a doctor. This must demonstrate that there is a very specific connection between the child's medical need and the school requested). Supporting documents e.g. from a doctor, social worker, or other relevant professionals will be required for any applicant whose admission is being considered under this criterion.
  - c) Eligible pupils whose siblings currently attend the school and who will continue to do so on the date of admission; the term "sibling" means a full, half, adopted or fostered brother or sister, or other child living permanently within the same household. The Academy reserves the right to ask for proof of relationship
  - d) Eligible pupils on the basis of proximity to the school using straight line measurement from the main entrance of the Academy to the main entrance to the child's home. Places are allocated on a geographical basis to children who live nearest to The Academy.

The distance used to determine how close the child lives to The Academy will be the direct line measurement from the front door of the permanent home address to the main entrance to The Academy site. The child's permanent home address is where he or she normally lives and sleeps and goes to school from. Proof of residence – such as a council tax bill or utility bill - 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 may be withdrawn.

If there are more applicants than there are places remaining within a particular category and where there is no difference in distance from home to school for two or more children, children of

multiple birth (twins, triplets etc.) will be given priority. If this tie-break still does not differentiate between children for the last place available The Academy will admit slightly above its admission number to accommodate all children tied for the last available place.

19. Where there is space within year 13 (i.e. where there are fewer than 100 pupils in the year group) the Academy will admit additional pupils up to this number using the oversubscription criteria above.
20. There will be a right of appeal to an Independent Appeals Panel for unsuccessful applicants and those existing Academy pupils refused progression into the sixth form.
21. Both internal and external pupils wishing to enter the sixth form will be expected to have met the minimum academic entry requirements for the sixth form.

### **Arrangements for Appeals Panels**

22. Parents 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 and will be composed of three members who will include:
  - a) At least one lay member. Lay members are people without personal experience in the management or provision of education in any school (though it is permissible to use people who have experience as governors of other schools, or who have been involved in education in any other voluntary capacity); and
  - b) At least one person with experience in education who is acquainted with educational conditions in the area, or who is the parent of a registered pupil at a school.
23. The arrangements for appeals will be in line with the School Admission Appeals Code published by the Department for Education as it applies to Foundation and Voluntary Aided schools.
24. Parents will normally have 20 school days after notification of a place not being offered at The Academy to lodge an appeal. The notification will indicate the reasons for refusal of a place and of the right of appeal.
25. Parents wishing to appeal against an admission decision by The Academy should send a completed appeal form to the Clerk to the Appeal Panel at the address given on the appeal form. Other documents may be submitted in support of an appeal and should be lodged with the Clerk to the Appeal Panel not less than 7 days before the appeal hearing.
26. Parents will be given 14 days' notice of the appeal hearing, unless they agree to a shorter period of notice. At least 7 days before the hearing The Academy will provide the parent with a written statement detailing the reasons why it has not been possible to allow the child to attend The Academy. The Appeal panel will have the discretion to refuse to admit late evidence.
27. The Clerk to the Appeal Panel will, if possible, inform parents of the Appeal Panel's decision on the day of the hearing. In the case of the appeal hearings taking in excess of one day the Clerk to the Appeal Panel will contact parents with the decision on the final day of the hearings. The parents will also be informed of the outcome in writing within 14 days of the date of the hearing. In the case of unsuccessful appeals the Appeal Panel will give the parents their reasons for not upholding the appeal.



## II: ANNUAL PROCEDURES FOR DETERMINING ADMISSION ARRANGEMENTS

### Consultation

28. The Academy shall consult each year (by 31 January) on its proposed admission arrangements. The Academy will take part in the local admission forum for the Nottingham City area.
29. Any proposed change to the admission numbers will need to be sanctioned by the Secretary of State for Education.

### **Determination and publication of admission arrangements**

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

### **Publication of admission arrangements**

31. The published arrangements will set out:
  - a. The name and address of the school 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;
  - d. Arrangements for hearing appeals.

### **Representations about admission arrangements**

32. Where other admissions authorities in the relevant area make representations to the Academy about its admission arrangements, The Academy will consider such representations. Where The Academy and other admission authorities cannot reach agreement locally, any admission authority in Nottingham City may make representations to the Secretary of State. The Secretary of State 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.
33. Other admission authorities in the Nottingham area 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, an admission authority may ask to 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.
34. In addition to the provisions at paragraphs 32 and 33 above, 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.

### **Proposed changes to admission arrangements by The Academy after arrangements have been published**

35. Once the admission arrangements have been determined and published, The Academy will propose changes only if there is a major change of circumstances. In such cases, The Academy must consult those consulted under paragraph 32 and 33 above and must then apply to the Secretary of State setting out:
  - a. The proposed changes;
  - b. Reasons for wishing to make such changes;
  - c. Any comments or objections from those entitled to object.

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

36. The Secretary of State will consider applications from The Academy to change its admission arrangements only when The Academy has consulted on the proposed changes as outlined at 32 and 33 above.
37. Where the Academy has consulted on proposed changes and there have been no objections from other admissions authorities The Academy must still 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.
38. The Secretary of State can approve, modify or reject proposals from The Academy to change its admission arrangements.
39. 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 F - Admissions Arrangements (2) – Annex (SFA)

### REQUIREMENTS FOR THE ADMISSION OF PUPILS TO THE TOP VALLEY ACADEMY

#### GENERAL

1. This annex may be amended in writing at any time by agreement between the Secretary of State and the Company
2. The Company will act in accordance with, and will ensure that an 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 Directors of the Company.
3. Notwithstanding the generality of paragraph 2 of this Annex 1, the Company will take part in any mandatory Admissions Forum set up by the local authority (“LA”) in which they are situated and have regard to its advice; and will participate in the co-ordinated admission arrangements operated by the LA and the local Fair Access Protocol.
4. Notwithstanding any provision in this Agreement, the Secretary of State may:
  - (a) direct the Company to admit a named pupil to the Top Valley Academy on application from an LA. This will include complying with a School Attendance Order<sup>1</sup>. Before doing so the Secretary of State will consult the Company.
  - (b) direct the Company to admit a named pupil to the Top Valley Academy if the Company has failed to act in accordance with this Annex or has otherwise failed to comply with applicable admissions and equalities legislation or the provisions of the Codes
  - (c) direct the Company to amend its admission arrangements where they fail to comply with the School Admission Code or the Admission Appeals Code.
5. The Company shall ensure that parents and ‘relevant children<sup>2</sup>’ will have the right of appeal to an Independent Appeal Panel if they are dissatisfied with an admission decision of the Company. The Independent Appeal Panel will be independent of the Company. 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

*1 Local authorities are able to issue school attendance orders if a child is not attending school. These are legally binding upon parents. Such an order might, for instance, be appropriate where a child has a place at an Academy but his/her parents are refusing to send him/her to school. The order will require a parent to ensure his/her child attends a specified school. <sup>2</sup> ‘relevant children’ means:*

## Relevant Area

6. Subject to paragraph 7, the meaning of “Relevant Area” for the purposes of consultation requirements in relation to admission arrangements is that determined by the local authority for maintained schools in the area in accordance with the Education (Relevant Areas for Consultation on Admission Arrangements) Regulations 1999.
7. If the Academy does not consider the relevant area determined by the local authority for the maintained schools in the area to be appropriate, it must apply to the Secretary of State by 1 August for a determination of the appropriate relevant area for the Academy, setting out the reasons for this view. The Secretary of State will consider the Academy and its LA in which the Academy is situated in reaching a decision

## Requirement to admit pupils

8. Pupils on roll in any predecessor maintained or independent school will transfer automatically to the Academy on opening. All children already offered a place at any predecessor school will be admitted.
9. The Academy will:
  - a. Subject to its right of appeal to the Secretary of State in relation to a named pupil, admit all pupils with an education, health and care plan naming the Academy;
  - b. Adopt admission oversubscription criteria that give highest priority to look after children, in accordance with the relevant provisions of the School Admissions Code.

*A ‘looked after child’ or a child who was previously looked after but immediately after being looked after became subject to an adoption, residence or special guardianship order<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 (see the definition in section 22(1) of the Children Act 1989)*

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’s 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).

**Oversubscription criteria, admission number, consultation, determination and objections.**

10. The Academy admission arrangements will include oversubscription criteria, and an admission number for each relevant age group. The Academy will consult on its admission arrangements and determine them in line with requirements within the School Admissions Code.
11. The Education Funding Agency (EFA) may consider objections on the Secretary of State's behalf. The Company should therefore make it clear, when determining the Academy's admission arrangements, that objections should be submitted to the EFA.
12. A determination of an objection by the EFA on behalf of the Secretary of State, or by the Secretary of State will be binding upon the Academy.

'Relevant Children' means:

- a) *in the case of appeals for entry to a sixth form, the child, and;*
- b) *in any other case, children who are above compulsory school age, or will be above compulsory school age by the time they start to receive education at the school.*

<sup>3</sup>'Relevant age group' means:

- e) *The normal point of admission to the school; for example, year R, Year 7 and Year 12.*