

IMPACT EDUCATION MULTI ACADEMY TRUST

THE HALIFAX ACADEMY

ADMISSIONS POLICY 2022 - 2023

Approved by (Board of Trustees):		Date:
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Policy Intent

At The Halifax Academy, we welcome all pupils, and places at the Academy are offered in an open, fair, clear and objective manner. We work to the principle that any parent/carer accessing our admissions arrangements will be able to understand easily how places for the Academy will be allocated and will not be alienated or discouraged from applying based on admissions criteria.

The table below sets out who the admission authority is and other responsible bodies in our Academy.

Type of Academy	Who is the admission authority?	Who deals with complaints about arrangements?	Who is responsible for arranging/providing for an appeal against refusal of a place at the school?
Academy	Impact Education Multi-Academy Trust	Schools Adjudicator	Impact Education Multi-Academy Trust

This policy aims to:

- Explain how to apply for a place at the Academy
- Set out the Academy's arrangements for allocating places to the pupils who apply
- Explain how to appeal against a decision not to offer your child a place

The roles and responsibilities surrounding the management and implementation of this policy is included in appendix 1.

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1. Legal Framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Equality Act 2010
- Human Rights Act 1998
- School Standards and Framework Act 1998
- DfE (2021) 'School Admissions Code'
- DfE (2012) 'School Admission Appeals Code'

This policy operates in conjunction with the following individual Academy policies:

- Equal Opportunities Policy: Pupils
- Data Protection Policy
- Special Educational Needs and Disabilities (SEND) Policy
- SEN Information Report

2. Definitions

The **normal admissions round** is the period during which parents can apply for state-funded school places at the school's normal point of entry, using the common application form provided by their home local authority.

Looked after children are children who, at the time of making an application to a school, are:

- In the care of a local authority, or
- Being provided with accommodation by a local authority in exercise of its social services functions

Previously looked after children are children who were looked after, but ceased to be so because they:

- Were adopted under the Adoption Act 1976 or the Adoption and Children Act 2002, or
- Became subject to a child arrangements order, or
- Became subject to a special guardianship order
- This includes children who appear to have been in state care outside of England and have ceased to be in state care due to being adopted.

Special Educational Needs Provision

All academies will admit pupils with an Educational Health Care Plan (EHCP) where that is the wish of the parents and of the local authority administering the statement.

The Trust and its academies have high expectations for children and young people with special educational needs. The academies will ensure that parents, children and young people are involved in discussions and decisions about every aspect of SEND. The academies will work with health care and social care colleagues to ensure positive outcomes are achieved.

Children and young people with special needs will be offered full access to a broad, balanced and relevant curriculum. Where EHCP appropriate evidence-based interventions will be put in place with regular reviews of progress.

A child with a sibling on roll at the Academy at the time of application and admission and who lives at the same address.

A sibling is defined as a full or half brother or sister, a step brother or sister, an adoptive brother or sister, the children of parents living together in the family household. The sibling must still be on roll at the academy when the applicant is due to start at the academy. Please note that cousins or other relatives living in the same household will not count as siblings.

In the case of twins or other children from multiple births (or two or more siblings in one year group) and where there is only one place available, the application will be considered together as one application.

3. Determining a Published Admission Number (PAN)

The trust will determine PANs for each Academy within the trust that educates a relevant age group. The trust's PANs for each Academy are as follows:

Name of Academy	Year of entry	PAN
Castle Hall Academy	Year 7	180
Hill View Academy	Reception	30
Newsome Academy	Year 7	180
Old Bank Academy	Reception	25
The Halifax Academy	Reception & Year 7	60 (Rec) & 210 (Yr7)
Warley Road Academy	Reception	75

The trust will publish its PAN annually. The trust will notify the LA(s) of any increases to the agreed PANs, and will reference the changes on the Academy's website. The trust will consult on any proposal to decrease the Academy's PAN – consultation will not occur where it is proposed to increase or keep the same PAN.

If the trust decides that it can accept more pupils than laid out in its PAN, it will notify the LA in good time so that the LA can deliver its coordination responsibilities effectively.

In line with statutory requirements, the trust will not refuse admission to any age group, other than the relevant age groups, on the grounds that the number of children admitted has already reached the PAN; however, the trust may refuse admission on the grounds that the admission of another child would prejudice the provision of efficient education or efficient use of resources.

Requests for admission outside the normal age group

Parents are entitled to request a place for their child outside of their normal age group. They may request that their child is educated in a year group above or below their chronological age. Evidence relating to all aspects of the child's development would be considered in the decision making process. Parents should make a request for admission outside of the year group in writing to:

The Halifax Academy, Gibbet Street, Halifax, HX2 0BA

Decisions on requests for admission outside the normal age group will be made on the basis of the circumstances of each case and in the best interests of the child concerned. In accordance with the School Admissions Code, this will include taking account of:

- Parents' views
- Information about the child's academic, social and emotional development
- Where relevant, their medical history and the views of a medical professional
- Whether they have previously been educated out of their normal age group
- Whether they may naturally have fallen into a lower age group if it were not for being born prematurely
- The headteacher's views

Wherever possible, requests for admission outside a child's normal age group will be processed as part of the main admissions round. They will be considered on the basis of the admission arrangements laid out in this policy, including the oversubscription criteria listed in section 6. Applications will not be treated as a lower priority if parents have made a request for a child to be admitted outside the normal age group.

Parents will always be informed of the reasons for any decision on the year group a child should be admitted to. Parents do not have a right to appeal if they are offered a place at the Academy but it is not in their preferred age group.

4. Oversubscription Criteria

All pupils who have named the Academy in their EHC plan will be admitted.

If the Academy is not oversubscribed, all applicants will be offered a place.

The trust will aim to ensure that oversubscription criteria is reasonable, clear, objective, procedurally fair, and compliant with all relevant legislation, including equalities legislation. This means that the oversubscription criteria will not unfairly disadvantage, whether directly or indirectly, any child based on a protected characteristic or economic disadvantage.

In the event that there are more applicants than available places, the trust will apply the following oversubscription criteria, in order of priority given:

Primary Phase:

1. Children who are in public care, including those who ceased to be looked after because they were adopted or became subject to a child arrangement or special guardianship order within the regulations set out by the Admissions Code December 2014
2. Children who appear to have been in state care outside of England and ceased to be in state care as a result of being adopted
3. A child with a sibling (see definition in section 2) on roll at the Academy at the time of application and admission and who lives at the same address.
4. Pupils living in The Halifax Catchment area. This is defined at the following website: <http://www.calderdale.gov.uk/v2/sites/default/files/catchment.pdf>
5. Pupils of staff employed at the Academy (having a permanent contract of at least two years at the time of application).
6. Pupils will be admitted in the order of the proximity of the pupil's primary home address to the academy, measured by the 'straight line' method (direct distance), as defined by the Local Authority's Geographical Information System (GIS) from the main entrance to the Secondary Phase of The Halifax Academy.
 - If there is oversubscription within any category, the next criterion would be applied
 - Random allocation will be used as a tie-break in category '6' above to decide who has highest priority for admission if the distance between two children's homes and the academy is the same. This process will be independently verified.

Secondary Phase:

Pupils will be admitted without reference to academic ability or aptitude. Pupils on roll at The Halifax Academy in Year 6 will be offered a place at the secondary phase without the need to

apply. The number of children in Year 6 at the time of allocation will be deducted from the Secondary PAN of 210 accordingly.

The number of intended admissions for the year commencing September 2022 will be as detailed above. Where parental preferences exceed the number of places available, the following criteria will be applied in the order set out below to determine which children to admit:

1. Children who are in public care, including those who ceased to be looked after because they were adopted or became subject to a child arrangement or special guardianship order within the regulations set out by the Admissions Code December 2014
 2. Children who appear to have been in state care outside of England and ceased to be in state care as a result of being adopted
 3. Pupils on roll at Warley Road Academy
 4. A child with a sibling* on roll at the Academy at the time of application and admission and who lives at the same address.
 5. Pupils living in The Halifax Catchment area. This is defined at the following website:
<http://www.calderdale.gov.uk/v2/sites/default/files/catchment.pdf>
 6. Pupils of staff employed at the Academy (having a permanent contract of at least two years at the time of application).
 7. Pupils will be admitted in the order of the proximity of the pupil's primary home address to the academy, measured by the 'straight line' method (direct distance), as defined by the Local Authority's Geographical Information System (GIS) from the main entrance to the Secondary Phase of The Halifax Academy.
- If there is oversubscription within any category, the next criterion would be applied
 - Random allocation will be used as a tie-break in category '7' above to decide who has highest priority for admission if the distance between two children's homes and the academy is the same. This process will be independently verified (see attached procedure).

Tie break

In the case of 2 or more applications that cannot be separated by the oversubscription criteria outlined above, the Academy will use the distance between the Academy and a child's home as a tie breaker to decide between applicants. Priority will be given to children who live closest to the Academy. Distance will be measured in a straight line from the child's home address to the Academy's front gates on Richard Thorpe Avenue. A child's home address will be considered to be where he/she is resident for the majority of nights in a normal Academy week.

Where the distance between 2 children's homes and the Academy is the same, random allocation will be used to decide between them. This process will be independently verified.

Equality, Inclusivity and Diversity

The trust will not establish admissions criteria that excludes individuals with a particular protected characteristic. The admissions criteria will not exclude a greater proportion of pupils with particular protected characteristics, unless the trust can justify how this is a proportionate means of achieving a legitimate aim.

The admissions criteria will not discriminate against disabled applicants, unless the trust can justify how this is a proportionate means of achieving a legitimate aim.

Admissions procedures

The Academy will offer open events and Academy visits to all potential applicants, irrespective of any protected characteristics. Where necessary, the Academy will make reasonable adjustments for disabled applicants or disabled parents.

The Academy may assess its ability to cater to the applicant's needs by:

- Inviting the applicant to attend the Academy for half a day.
- Visiting the applicant's home.
- Visiting the applicant's current education provision.

5. Consultation, determination and publication

Consultation

The trust will consult on any proposed changes to the admissions arrangements. Consultation will last for a minimum of six weeks and will take place between 1 October and 31 January in the determination year. The trust will consult on admissions arrangements at least once every seven years, even if no changes have been made in that time.

The trust will consult with the following:

- Parents of children between the ages of two and 18

- Stakeholders
- Other admission authorities within the relevant area
- The LA
- Any LAs in which pupils have historically come from

Determination and publication of admissions arrangements

The trust will publish a copy of the full proposed admission arrangements and the contact details of the individual responsible for admissions liaison on the Academy website. A copy of the proposed admission arrangements will be made available upon request.

Admission arrangements will be determined by 28 February in the determination year on an annual basis, even when no changes to the arrangements have been made.

The trust will notify all appropriate bodies of the finalised admissions arrangements when they have been determined. A copy of the finalised admission arrangements will be sent to the LA for entry by 15 March in the determination year. Finalised admission arrangements will also be published on the Academy website by 15 March in the determination year and will continue to display them for the whole offer year.

Any objections to the admission arrangements will be directed to the Schools Adjudicator by 15 May in the determination year.

The trust will provide the LA with all of the information it needs to compile the composite prospectus by 8 August in the determination year.

Variations

The trust will not revise the admissions arrangements for a school year once they have been determined, unless this would be necessary to give effect to a mandatory requirement, a determination of the Schools Adjudicator, or any misprint in the admission arrangements.

The trust may, in exceptional circumstances, propose variations where there have been major changes in circumstances that necessitate a change.

Any proposals to vary the admissions arrangements will be referred to the Secretary of State.

6. Allocation of places

Admission Number: 60 pupils for entry in Reception / 210 pupils for entry in Year 7

The trust will only allocate places on the basis of determined admissions arrangements. Any decisions to offer or refuse places will be decided by the trust or an admissions committee established by the trust. A clear record will be kept of all decisions made on applications, including in-year applications.

The trust will not refuse admission for a child on the basis that:

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- They have applied later than other applicants.
- They followed a different curriculum at their previous school.
- Information has not been received from their previous school.

Pupils not of usual school age will not be given less of a priority where the Academy is oversubscribed.

In the event that parents of a child wish for their child to be admitted outside their normal age group, the Academy's headteacher will assist the trust in deciding on which year group the child will enter. Once a decision has been reached, the child's parents will be informed in writing along with an explanation of how the decision was reached and any reasons why.

For children of UK service professionals and crown servants, the following procedure will be adhered to:

- A place will be allocated to the child in advance of the family arriving in the area named in the application form, where one is available.
- The application must be accompanied with an official letter confirming the relocation date.
- The address at which the child will live will be used when considering the application against the oversubscription criteria – a Unit or quartering address must be used where this is requested by the child's parent.
- The application will not be refused on the grounds of the child not currently living in the area or not currently having an intended address, nor will places be uniquely reserved.
- The arrangements for service children will be in line with the government's commitment to removing disadvantage for service children.

The Academy must admit all children who have an EHC plan where the Academy is named. Children with SEND who do not have an EHC plan will be treated equally to all other applicants in the admissions process. This includes children who may need extra support or reasonable adjustments to be made. The details of the Academy's SEND provision can be found in our Special Educational Needs and Disabilities (SEND) Policy and SEN Information Report.

Offers

Primary schools only All offers will be made on National Offer Day, i.e. 16 April or the next working day where this date falls on a weekend or bank holiday.

Secondary schools only All offers will be made on National Offer Day, i.e. 1 March or the next working day where this date falls on a weekend or bank holiday.

Where the Academy is oversubscribed, the trust will rank applications in accordance with the determined arrangements, and will ensure that only one offer will be made per child by the LA.

Withdrawing an offer

An offer will only be withdrawn if it has been made in error, a parent has not responded within 20 working days, or if the offer was made via a fraudulent or misleading application. Where an offer has not been

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responded to within the designated time frame, the trust will give the parent a further opportunity to respond and will explain that the offer will be withdrawn if they do not. If any application is found to be fraudulent after a child has started at the Academy in the first term of the new academic year, the Academy may withdraw the place. If the fraudulent application is found after this time, the pupil will not be removed.

7. Coordination scheme

The LA will publish a scheme to coordinate admissions arrangements for the normal admissions round and late applications by 1 January in the determination year. The LA will consult with the trust in the event that the scheme is changed substantially from the previous year. The LA will also consult with the trust and other admissions authorities in the area at least every seven years, even if no changes have been made in that period.

The trust is under a legal obligation, as the Academy's trust, to participate in coordination for the normal admissions round, and will provide the LA with all information it needs to coordinate admissions.

Fair Access Protocol

We participate in the Calderdale Fair Access Protocol. This helps ensure that all children, including those who are unplaced and vulnerable, or having difficulty in securing a school place in-year, get access to a school place as quickly as possible.

8. In-year admissions

LA in-year coordination scheme

The Academy will inform the LA by 1 August of whether it will participate in the LA's in-year co-ordination scheme and will send any relevant information for the LA to publish on its website.

Where the Academy is participating in the LA coordination scheme, the Academy will provide the LA with details of the number of places available no later than two school days following the request of such information from the LA. The Academy will also provide information to parents about how they can find details on the relevant scheme.

Applications for in-year admissions should be sent to the following address:

Calderdale MBC - School Admissions

cyps.admissions@calderdale.gov.uk

Calderdale Metropolitan Borough Council, Town Hall, Halifax
HX1 1UJ

9. Waiting lists

Calderdale schools only

Children who have not been offered a place will be put on a waiting list. New applicants who wish to join the Academy must complete a CMBC in-year application form. Priority on the list will be determined strictly in accordance with the admissions criteria and not in the order in which applications are received or added to the list.

10. Admissions appeals

When informing a parent of their unsuccessful admissions application, a letter will be sent which includes the reason why admission was refused; information about the right to appeal; the deadline for lodging an appeal and the contact details for making an appeal. Parents will be informed in the letter that, if they wish to appeal, they must make the appeal in writing. Grounds for appeal are not limited.

Constitution of appeals panels

The trust will establish an independent appeal panel to hear appeals. The appeals panel will act in accordance with all relevant legislation and guidance. The judicial function of the appeals panel will be transparent, accessible, independent and impartial, and will operate in accordance with the principles of natural justice.

A clerk will be appointed to the appeals panel who is independent of the Academy and the education functions of the LA.

The appeals panel will comprise a chair and at least two other panel members. The panel will also include at least one lay person and a person who has experience in education. The chair of the appeals panel is responsible for the conduct of the hearing, including introducing parties, explaining individual roles and how the hearing will be conducted, and ensuring that parties have sufficient opportunity to state their case and ask questions.

Panel members will be independent from the Academy and will remain independent for the duration of their service. The clerk is responsible for assigning members of the appeals panel; however, they will not assign the following disqualified persons:

- A member of the LA in whose area the Academy is located
- A member or former member of the trust of the Academy
- An employee of the LA or the trust of the Academy, other than a teacher or TA
- Any person who has, or at any time has had, any connection with the trust, Academy or LA who may not act impartially
- Any person who has not attended training required by the trust arranging the appeals panel

There will be three members of the panel available at all times during the appeals process. If any member has to temporarily withdraw, the hearing will be postponed until the panel member returns. If the panel member is unable to return, they will be replaced, and the appeals will be reheard.

Appropriate training will be given, funded by the trust, to all panel members and clerks before they take part in a panel hearing. As a minimum, this training will include:

- The law relating to admissions.
- The panel's duties under the Human Rights Act 1998 and the Equality Act 2010.
- Procedural fairness and natural justice.
- The roles of specific panel members, e.g. the chair.

Members of the appeals panel will receive travel and subsistence allowances where applicable, and will be compensated for any loss of earnings or expenses.

The appeals panel must not have a vested interest in the outcome of the hearing.

The trust will indemnify the members of the appeals panel against any legal costs and expenses they incur in connection with any decision taken in good faith whilst acting as a member of the appeals panel.

Appeals hearings

The trust will publish an appeals timetable on their website by 28 February each year. The timetable will comply with section three of the 'School Admission Appeals Code'. Appeals will be lodged and heard for the normal admissions round within 40 school days of the deadline for lodging appeals.

For late applications, appeals will be heard between 30-40 school days of the appeal being lodged. For in year admissions, appeals will be heard within 30 days of the appeal being lodged.

Reaching a decision

When reaching a decision, the trust will have due regard to section three of the 'School Admission Appeals Code'.

Appeals decisions will either be upheld or dismissed – there will be no conditional decisions made, in line with section 94(6) of the School Standards and Framework Act 1998. The final decision will be decided by a simple majority. If votes are split equally, the chair will make the casting vote.

The final decision and accompanying reasons will be communicated in writing to the appellant, trust and the LA. The decision letter will be signed by the clerk or chair of the appeals panel and sent no later than five school days after the decision has been made.

If a child has been refused admissions due to any SEND, this will be considered by the First-tier Tribunal (SEND) and not the appeals panel.

Complaints

Appellants do not have the right to more than one appeal in respect of the Academy for the same academic year unless, in exceptional circumstances, the trust has accepted a second application from the

appellant due to a material change in the circumstances of the parent, child or Academy but still refused admission. Appellants can apply for a place at the Academy for a different academic year.

If appellants have an issue with the appeal process, they can complain to the Secretary of State.

11. Monitoring arrangements

This policy will be reviewed and approved by the trust board every year.

Whenever changes to admission arrangements are proposed (except where the change is an increase to the agreed admission number), the trust board will publicly consult on these changes. If nothing changes, it will publicly consult on the admission arrangements at least once every 7 years.

Appendix 1 - Roles & Responsibilities

The trust is responsible for:

- Acting in accordance with the relevant legislation and guidance when carrying out the overall admission of pupils into the Academy.
- Overseeing, and determining annually, admissions arrangements that clearly set out how children will be admitted, including the criteria that will be applied if there are more applicants than places at the Academy.
- Ensuring that oversubscription criteria does not discriminate against any child.
- Ensuring that the practices and criteria used to decide the allocation of Academy places are fair, clear and objective.
- Publishing the admissions arrangements on the Academy website, including the oversubscription criteria.
- Publicly consulting on any proposed changes to the admissions arrangements.
- Clearly communicating any reasons for rejecting the admission of a pupil, as well as the parent's right to appeal and the appeal process.
- Implementing any advice or recommendations given by the Schools Adjudicator without undue delay.

The Schools Adjudicator is responsible for:

- Acting in line with the relevant legislation and guidance pertaining to admissions.
- Receiving concerns and objections regarding the admission of pupils and making recommendations to the admission authority as a result of these concerns and objections.
- Approving variations to determined admissions arrangements where there has been a major change in circumstances or law.

The appeals clerk is responsible for:

- Having an in-depth knowledge of the relevant appeals codes and other relevant law.
- Providing an independent and impartial service for admission appeals.
- Making the necessary administrative arrangements for hearings.
- Notifying all parties of the order of proceedings in advance of an appeals hearing.
- Responding to queries from appellants in advance of an appeals hearing or identifying who will be appropriate to respond.
- Being an independent source of advice on procedure and admissions law.
- Keeping accurate records of proceedings and providing written notification of the appeals panel's decisions

The headteacher is responsible for:

- Liaising with the trust where relevant regarding admitting pupils to the Academy.
- Working with the trust when determining the Academy's capacity.

- Ensuring that the trust has all the information it needs to set admissions arrangements and participate in LA coordination schemes.
- Making arrangements for pupils admitted through in-year admissions to start as soon as possible.