



# ADMISSIONS POLICY

## OASIS ACADEMY JOHANNA

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## 1 Introduction

- 1.1 This document sets out the admission arrangements for Oasis Academy Johanna, 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 Johanna 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 of Practice and the School Admission Appeals Code of Practice) 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 London Borough of Lambeth Local Education Authority and references to “the Admissions Forum” to be to the London Borough of Lambeth Local Authority Admissions Forum. In particular, the Academy will take part in the Admissions Forum set up by the Local Authority and have regard to its advice; and will participate in the co-ordinated admission arrangements operated by the London Borough of Lambeth and the local in-year Fair Access Protocol.
- 2.3 Notwithstanding these arrangements, the Secretary of State may direct the Academy to admit a named student to the Academy on application from a Local Authority. 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 for the year 2019/2020 and, subject to any changes approved by the Secretary of State, for subsequent years are:

- 3.1 The Academy has agreed admission numbers for Nursery and Reception as follows:
  - a) The Academy has an agreed admission number of **15 hours free** nursery provision which takes place 9am - 12pm, Monday to Friday, term time only.
  - b) The Academy has an agreed admission number of **30** children in **Reception Class**.
- 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 11.1 below. Children will not be admitted above the Published Admission Number unless exceptional circumstances apply and such circumstances shall be reported to the Secretary of State.

- 3.3 If the Academy admits a total of 26 students in excess of its admission number in any 3 year period it will determine a higher admission number, after consulting those bodies listed at paragraph 11.1.

## Admissions Procedures

### 4. Application process

Applications for places at the Academy will be made in accordance with the LA's co-ordinated admission arrangements and will be made on the Common Application Form provided and administered by the LA.

### 5 Consideration of applications

- 5.1 The Academy will consider all applications for places. Where fewer than the published admission number(s) for the relevant year groups are received, the Academy will offer places to all those who have applied.
- 5.2 Late applications should be made in line with the LA's agreed arrangements in the co-ordinated scheme. The LA will publish pre-determined dates for late applications.

### 6 Procedures where the Academy is oversubscribed

#### 6.1 Nursery, Reception, and In-Year Applications

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 children with statements of Special Educational Needs where the Academy is named on the statement, the criteria will be applied in the order in which they are set out below:

#### Criterion 1 – Looked After Children

Priority will be given to looked after children and previously looked after children. Previously looked after children are children who were looked after, but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order) **immediately** following having been looked after.

A child in public care (looked after child) means a person under the age of 18 years who is provided by social services with accommodation by agreement with their parents/carers (Section 20 of the Children Act 1989) or who is the subject of a care order under Par IV of the Act. Children who are looked after under an agreed series of short-term placements (such as respite) are excluded. All applications under this criterion must be supported by a letter from the relevant Local Authority.

#### Criterion 2 - Siblings

Children with a brother or sister who already attends the Academy, and who will not have left the Academy at the time of admission. As a result siblings in the nursery or Year 6 of the Academy will not be regarded as a sibling under the criterion. A sibling is defined as a full/half/step brother or sister (who are living at the same address in all instances) or a child who is living as part of the family by

reason of a court order, or a child who has been placed with foster carers at that address as a result of being looked after by the Local Authority. However, children who are looked after under an agreed series of short-term placements (such as respite) will not be regarded as siblings under this criterion.

### **Criterion 3 – Children with Exception Medical or Social Needs**

Children with a professionally supported medical or social need, whose application identifies a particular school that is especially able to meet that need. The decision to prioritise children on these grounds will be determined via Lambeth's MEDSOC Panel, which is comprised of senior management. Documents from an appropriate professional (not including general information from a website, etc.) must support these applications. However, any supporting evidence does not automatically mean that applicants will gain priority as the decision to prioritise under this criterion will solely rest within the MEDSOC Panel.

### **Criterion 4 – Children of Staff at the Academy**

Applications for children of staff at the Academy: a member of staff for the purposes of this criterion must be employed by the Academy as a qualified teacher for a minimum of 0.6fte (16.5 hours teaching staff) and this employment must have been for at least 3 years at the time of submitting the application (i.e., their employment must have started no later than September 2012).

1. All such applications must be submitted to the MEDSOC Panel via an iCAF application submitted to the LA and must be accompanied with the relevant paperwork supporting an application on these grounds. The application must take sole responsibility to provide such paperwork. Without the provision of the relevant papers that identify all the above, priority will not be given on these grounds.
2. There will be a maximum priority limit of 2 children per year group.

### **Criterion 5 - Distance**

Priority will be given on the basis of distance between the child's home and the Academy, measured by a straight-line. This measurement will be done using a computerized mapping system.

This measurement will be from a point from the child's home as identified by the software to a central point in the Academy's grounds as profiled in the software. The child's home address will be the child's permanent place of residency and must not be a business address, or the address of a relative or carer, unless they have legal custody of the child. Applications must only be made from a single address.

If parents are separated and share custody of the child, the address given should be that of the parent with whom the child spends most of the school week, which will normally be the address where Child Benefit is payable. If the parent making the application lives at a different address to the child, a letter of explanation should be attached. It is not acceptable for a family to use a temporarily rented address to secure a place of their preference. In disputed cases, Lambeth School

Admissions will make a judgement based on the evidence available to them.

Applications or offers under this criteria will only be valid once proof of address has been given and confirmed.

As a tiebreaker for all criteria, priority will be given to children living closest to the preferred Academy (measured by a straight-line) in accordance with the measuring information in Criterion 5. However, in the case where children have exactly the same distance between their home and the Academy, Lambeth LA will randomly allocate places as a tiebreaker.

Children who attend a Lambeth Community nursery school class **will not** automatically transfer to the main school. Parents **must** apply separately for the primary school through Lambeth LA.

## 6.2 Fair Access Protocol

The Academy participates in the LA's Fair Access Protocol to allocate places to vulnerable and other children in accordance with Appendix A of the School Admission Code 2012. Admitting students under the protocol may require the Academy to admit above the planned admission number for the relevant year group.

## 6.3 Other General Admission Elements to these Arrangements

### Applications relating to twins, triplets or other multiple births

Where a parent applies for entry into the same year group for more than one child and it is not possible to offer a place to all of them, the names of the children who were unsuccessful will be added to the waiting list in accordance with the published admissions criteria, as per other children. Where the determining factor is based on distance, and these children have the same home to school distance, Lambeth LA will randomly allocate places to determine the rank order.

Where there is one school place available and there is more than one sibling who is eligible for a place under the published admissions criteria, Lambeth LA will randomly allocate the place in order to determine who gets the offer. The parent can then determine whether to accept or reject the offer.

### Deferred entry to primary school

Lambeth LA will provide for the admission of all its residents in the September following their fourth birthday. These arrangements make clear that where the child has been offered a place at the school, that:

1. the child will initially be offered a full-time place in the September following their fourth birthday;
2. the child's parents can defer the date their child is admitted to the school until later in the school year but not beyond the point at which they reach compulsory school age and not beyond the beginning of the final term of the school year for which it was made;

3. where the parents wish, children may attend part-time until later in the school year but not beyond the point at which they reach compulsory school age.

### Admission of children outside their normal age group

In line with the School Admissions Code, parents may seek a place for their child outside of their normal age group. We are aware that some parents of summer-born children may not want to send their child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to reception rather than Year 1. Lambeth LA will manage such request via the following process:

- Parents applying for an out-of-year group place in a Lambeth community primary school must submit supporting document (as per Criterion 3 – Children with exceptional medical/social needs) with their application. The MEDSOC Panel will then decide (along with the relevant head teacher for the school concerned) whether such an out-of-year group place will be offered at the named school. This will allow this LA to comply with section 2.17 of the Code, where it states that: *“Admission authorities must make decisions on the basis of the circumstances of each case and in the best interests of the child concerned. This will include taking account of the parent’s 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; and whether they may naturally have fallen into a lower age group if it were not for being born prematurely. They must also take into account the views of the head teacher of the school concerned.”*
- This application **must** be received in the correct year in the relevant admissions round.
- If the request has been agreed/accepted, the application will be withdrawn. The parent must then submit an application for the admissions round that has been agreed (i.e. 2019/20), which must be received before the deadline of 15 January to be processed as an on time application. The child’s application will then be processed with all other applicants in the agreed round in accordance with the school’s admissions criteria.
- If the request is not granted, and no offer is made for the child to attend the school in any other year group, then the family will be given the right of appeal. However, if another year group has been offered in the school, then the right of appeal will not be offered.

## 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 until the end of the academic year in which the application was made and it will be open to any parent to ask for his or her child’s name to be placed on the waiting list, following an unsuccessful application.
- 7.2 Children’s position on the waiting list will be determined solely in accordance with the oversubscription criteria set out in Section 6.

- 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 of Practice on School Admission Appeals published by the Department for Education as it applies to Foundation and Voluntary Aided schools. (Appendix 1)
- 8.2 As **Nursery** provision is non-statutory, there is no right of appeal to an independent appeal panel, although the Academy will consider any complaints.
- 8.3 The determination of the appeal panel will be made in accordance with the Code of Practice on School Admission 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.

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

- 9.1 Subject to any provisions in the LA's co-ordinated admission arrangements relating to applications submitted for years other than the normal year of entry, the Academy must consider all such applications and, if the year group applied for has a place available, admit the child. As from September 2010 all in-year applications must be directed to the Local Authority under new coordinated in-year admission arrangements.
- 9.2 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.
- 9.3 The Academy will comply with the revised Schools Admission Code (19th December 2014) in relation to parental requests for children to be admitted out of their normal age group. The revised Admission Code states:

Parents may request that their child is exceptionally admitted outside their normal age group. The Academy will decide whether or not the individual child's circumstances make this appropriate on educational grounds.

All requests to educate a child outside their normal year group must include written explanation of why this is necessary and where applicable, evidence of the child's circumstances from a relevant professional detailing the child's educational need which makes education outside the normal age group necessary.

Decisions are made on the basis of the circumstances of each case and in the best interest of the child. This includes taking account of the following:

- Parents' views;
- information relating to the child's academic, social and emotional development, where relevant;
- medical history and the views of a medical professional;
- any previous history of being educated outside of their normal age group;

- if child may naturally have fallen into a lower age group if it were not for being born prematurely;
- views of the Principal of the school(s) concerned.

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

10.1 The Academy shall consult each year on its proposed admission arrangements.

10.2 The Academy will consult:

- the LA;
- the admission forum for the LA;
- any other admission authorities for primary and secondary schools located within the relevant area for consultation set by the LA;
- any other governing body for primary and secondary schools (as far as not falling within the above) located within the relevant area for consultation;
- affected admission authorities in neighbouring local authority areas;
- parents/carers living in the relevant area for consultation whose children have attained the age of two but are not above compulsory school age and who are or will be eligible to apply to be admitted to the Academy;
- community groups which the Academy considers relevant;
- teaching unions if the consultation includes an increase in admission number.

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

## **11 Publication of admission arrangements**

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

- sent to the offices of the LA for distribution to primary and secondary schools as appropriate;
- sent to the offices of the LA and consultees in 10.2. above;
- made available without charge on request from the Academy;
- sent to public libraries in the area of the LA for the purposes of being made available at such libraries for reference by parents/carers and other persons.

11.2 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;
- numbers of places and applications for those places in the previous year;
- arrangements for hearing appeals.

## **12 Representations about admission arrangements**

12.1 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.

12.2 Where the Academy has determined its admission arrangements and notified all those bodies with whom it has consulted and any of those bodies object to the Academy's admission arrangements they can 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.

12.3 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.

12.4 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.

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

13.1 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.

13.2 In such cases, the Academy must notify those consulted under paragraph 10.2 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.

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

14.1 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 10.2

14.2 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.

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

### **15 Admission records**

15.1 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

#### 1. Admission Authority

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.

#### 2. Admission Appeals

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 school 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.

#### 3. Late Appeals

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.

#### 4. Appeal Panel

Admission appeals are heard by an independent Appeal Panel of three members, established by the Academy. 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.

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.

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

#### 5. The Powers of the Appeal Panel

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.

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.

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 14 of this policy.

## **6. Action prior to the Appeal Panel Meeting**

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 to 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.

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.

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.

## **7. Notice of the Appeal Panel Meeting**

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

## **8. Representation**

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.

## **9. The Appeal Panel Meeting**

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.

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.

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

## **10. Non-attendance at the Appeal Panel Hearing**

If the parents/carers provide the Appeals Administrator with their telephone number, the Appeals Administrator will inform the parent/carer of the date and time of the Appeal Panel hearing both by letter and by telephone.

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.

Where parents/carers fail to attend on two occasions, the Appeal Panel will consider the appeal in the absence of the parents/carers.

## **11. Further Information**

Any queries about the appeals process should be made to the Appeals Administrator. All correspondence should be addressed to: Clerk to the Appeal Panel.