

# Academy Admission Policy – Oldham hub

September 2021

## 1. Statutory Framework

1.1 The Harmony Trust is the admission authority for the following academies:-

- Greenhill Primary Academy
- Richmond Primary Academy
- Westwood Primary Academy
- Alt Primary Academy
- Northmoor Primary Academy

1.2 The statutory requirements of the school admission legislation and related regulations are published in the School Admission Code 2014. The code details the mandatory requirements and refers to the statutory requirements (i.e. those imposed by primary or secondary legislation) with which all admission authorities must comply.

1.3 The acts relevant to school admissions and appeals are:-

- a) Equality Act 2010
- b) Human Rights Act 1998
- c) School Standards and Framework Act 1998
- d) Education Act 1996

1.4 The Regulations relevant to school admissions and appeals are:-

- a) The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2014
- b) The School Admissions (Infant Class Sizes) (England) Regulations 2014
- c) The School Admissions (Appeals) (England) Regulations 2014
- d) The School Information (England) Regulations 2008

## 2. Infant Class Size Legislation

2.1 Infant classes (reception, Year 1 and Year 2) must not contain more than 30 pupils with a single qualified teacher (as defined in Section 4 of the SSFA 1998). Additional children may be admitted under limited exceptional circumstances. These children will remain a 'permitted exception' for the time they are in an infant class or until the class numbers fall back to the current infant class size limit.

2.2 Subsequent guidance has made it clear that local authorities / admissions authorities are expected to ensure that older children who have experienced the benefit of restricted class numbers should continue to benefit from a similar limit on the size of junior classes.

### **3. Duty To Comply With Parental Requests**

3.1 Section 86 of the School Standards & Framework Act 1998 states the following:

“Subsection 1) A local education authority shall make arrangements for enabling the parent of a child in the area of the authority;

to express a preference as to the school at which he wishes education to be provided for his child in the exercise of the authority’s functions; and to give reasons for his preference.

subsection 2) Subject to subsection (3), a local education authority and the governing body of a maintained school shall comply with any preference expressed in accordance with arrangements made under subsection (1).

subsection 3) The duty imposed by subsection (2) does not apply if compliance with the preference would prejudice the provision of efficient education or the efficient use of resources.”

### **4. Planned Admission Numbers**

4.1 The PAN is set for each ‘relevant age group’ and is the maximum number of pupils that can be admitted to the academy.

4.2 The planned admission numbers for all Harmony Trust academies covered by this policy are listed at appendix A.

### **5. Application Procedures**

5.1 Oldham residents will apply for a reception school place by using the on-line Oldham Council facility. The application period will run from 01 September 2020 to 15 January 2021.

5.2 Applications received after the appropriate closing date will be regarded as late unless, in Oldham Council’s judgment, there are significant and exceptional reasons for the lateness. Proof of special circumstances will be required.

5.3 Late applications are not considered until all on-time applicants have been allocated places.

5.4 A child’s name will be automatically placed on the waiting list for any school where they have been refused a place in the allocation round. The waiting list will only be maintained by the Local Authority for the Autumn Term (until 31 December 2021).

5.5 Oldham residents, who wish to apply for a place in the first year at school after the first school day in September 2021, or to any other age group at any time, will apply for an in year transfer (this application is done online).

## **6. Oversubscription criteria**

6.1 The duty to comply with parental preferences requires that all applicants will be offered a place providing there are enough places in the academy for everyone who applies

6.2 If the number of applications exceeds the admission number it will be necessary to determine which pupils can be offered a place by applying the following oversubscription criteria in priority order.

6.3 All schools are required by section 324 of the Education Act 1996 to admit to the school a child with an Education, Health and Care (EHC) Plan that names the school. This is not an oversubscription criterion and all children with EHC Plans naming a school will be admitted before other children are offered a place.

6.4 For all other applications the following criteria will be applied to prioritise children for admission:-

### Criterion 1.

Looked after children or children who have previously been looked after will be given the highest priority for admission.

### Criterion 2

Those children who are considered to have exceptional medical needs or exceptional welfare considerations which are directly relevant to the academy concerned. Parents must submit evidence to support their application under this criterion (see note (a) below).

### Criterion 3

Those children who will have a sibling (see note (b) below) attending the academy when the younger child is admitted.

### Criterion 4

Geographical proximity to the academy, with those families living next nearest to the academy having higher priority. Distance is measured in a straight line between the home postcode (see note (c) below) and the academy postcode, measured electronically by GIS software within the admission database using Post Office data and Ordnance Survey data completed on our behalf by Oldham Council.

### Notes;

(a) Exceptional medical reasons must be supported at the time of application by a letter from a GP, hospital consultant or other medical professional. Providing evidence does not automatically mean that a place will be allocated under this criterion.

Exceptional welfare considerations must be supported at the time of application by a letter from a supporting agency (social worker, family support worker) indicating how the circumstances relate to the academy preference. Providing evidence does not automatically mean that a place will be allocated under this criterion.

(b) Siblings – A sibling is defined as a brother or sister, step-brother or step-sister and half-brother or half-sister. A sibling must be living at the same address and not be a cousin or other relative. This criterion will apply to children who already have a sibling currently in attendance at the preferred academy and also to children who have a sibling applying for a place at the preferred academy that can be offered a place but are not currently on roll.

(c) Tie breaker - Should it be necessary to distinguish between applicants with equal priority within any of the above criteria, children will be prioritised in proximity order, with those living nearest the school being admitted first. The distance is measured as a straight line from the child's home address to the academy property measured between the two central data points of the home postcode and academy post code. Measurements are calculated using Geographical information System mapping software based on Ordnance Survey and Postcode data completed on the Trust's behalf by Oldham Council.

## **7. Permanent Address**

- 7.1 The only address that can be consider is the address of the adult with whom the child is permanently resident. Where a child stays with another parent for part of the week, further enquiries may be made in order to determine where the child is permanently resident.
- 7.2 If a childminder, grandparents or another member of the family cares for the child on a daily basis at another address, we cannot consider this address for the purpose of its admission process.
- 7.3 Oldham Council will undertake any necessary investigations and an allocated place may be withdrawn if a false address is given or one where the child is not actually living when s/he is not at school.

## **8 Applications from overseas children**

- 8.1 It is the responsibility of parents to check that their children have a right, under their visa entry conditions, to study at a UK school.
- 8.2 Overseas nationals entering the UK who wish to apply for a state-funded school need to check that they have a right of abode or the conditions of their visas otherwise permit them to access a state-funded school.
- 8.3 Until 31 December 2020, all European Economic Area ('EEA') and Swiss national children will continue to have the right, under UK immigration law, to enter the country to access a school. Any EEA or Swiss national arriving in the

- 8.4 UK by 31 December 2020 is eligible to apply to the EU Settlement Scheme, and continue to be able to study in schools in England as they do now if their application is successful.
- 8.5 Foreign nationals cannot use the 6 month visitor visa or a 6 month short-term study visa to enter the UK to enrol as a pupil at a school. Find out what these visas can be used for on the visitor visa and short term study visa pages.

Find out more about visas and immigration and the EU Settlement Scheme for EEA and Swiss citizens, by utilising the links below

<https://www.gov.uk/browse/visas-immigration>  
<https://www.gov.uk/settled-status-eu-citizens-families>

Irish citizens' right to live in the UK will not change. Irish citizens do not need to apply for the EU Settlement Scheme, but their family members who are not Irish or UK citizens will need to apply.

- 8.6 Oldham Council or the Harmony Trust have a right to contact the Home Office if they have concerns about a particular child's immigration status. If the Home Office finds that the child's visa does not entitle him or her to enter the country to attend a state-funded school, it will be up to the Home Office to take any further action it considers appropriate. A local authority, admission authority or school must not deny a child a place or remove him or her from the school roll on the basis of the Home Office's findings.

## **9. Intention To Move House**

- 9.1 An intention to change address cannot be considered until such a move has actually taken place and proof is available to substantiate the change of address. Proof of change of address for primary allocation will be accepted up until 7 February 2021.

## **10. Twins or Triplets**

- 10.1 In cases where twins, triplets, or other multiple birth siblings are split when allocations take place, they will be allocated a place over the Published Admission Number and will remain excepted pupils for the time they are in an infant class or until the class numbers fall back to the current infant class size limit.

## **11. Flats and equal distances**

- 11.1 In the event of two or more children living equal distant from the school, e.g. blocks of flats, the place will be decided by drawing lots, the first name drawn will be offered the place.

## **12. Unsuccessful Applications**

- 12.1 On completion of the allocation of places on 16 April 2021 there may be applications where none of the parent's preferences have resulted in the offer of

an academy / school place. If it has not been possible to comply with any of the parent's preferences Oldham Council will identify all the schools with vacant places and allow parents to submit a further preference.

12.2 Oldham Council has a responsibility to ensure that there is a school place available for all children resident within the borough. Should parents fail to secure a school place for their child the council will offer a place at a school that has vacant places. If more than one school is identified the LA will determine the school to be offered by selecting the school closest to home.

### **13. Appeals**

13.1 All parents have the right to appeal against the refusal of a school place by submitting an appeal to the Independent Appeal Panel. If parents wish to appeal they can do so by completing a School Admission Appeal Form and returning it to Oldham Council, Constitutional Services. A decision by an Admission Appeal Panel is binding on the council, the Trust and parents. Details of this process will be sent out with the offer of a school place e-mail.

## Appendix A

| <b>School</b>             | <b>PAN<br/>SEPT 2021</b> |
|---------------------------|--------------------------|
| <b>PRIMARY</b>            |                          |
| Alt Primary Academy       | <b>45</b>                |
| Greenhill Primary Academy | <b>60</b>                |
| Northmoor Primary Academy | <b>90</b>                |
| Richmond Primary Academy  | <b>60</b>                |
| Westwood Primary Academy  | <b>30</b>                |