



## Rye Academy Trust

### Admissions Policy for Rye College

#### 1. Purpose of Policy

The purpose of this statutory policy is to ensure that Rye College follows a clear and consistent set of protocols to welcome new students each academic year, and has a robust framework to follow when/if the published admissions number is reached and the College becomes over-subscribed.

No child will be unfairly disadvantaged, either directly or indirectly, from a particular social or racial group, nor will a child with a disability or Special Educational Needs (SEN) with regards to this admissions policy.

The policy also sets out the protocols required for admission appeals.

#### 2. Application Process Year 7

The Rye Academy Trust is its own admissions authority and sets a PAN of students (Published Admission Number) for Year 7 at Rye College. The Trust will consult on any proposed changes to the PAN following the consultation procedures prescribed by East Sussex Local Authority.

Applications, either on-line or in writing, should be returned to East Sussex Local Authority in accordance with their terms and timings. East Sussex Local Authority will forward to Rye College details of applicants so that we can offer places as appropriate.

Applications from children currently based overseas will be treated in accordance with European Union law or Home Office rules for non-European Economic Area nationals.

If Rye College is not over-subscribed, all applicants will be offered a place.

Parents/carers will be notified of their child's school place by East Sussex Local Authority.

Rye College will not withdraw an offer of a place unless:

- It was made in error;
- A parent/carer has not responded within a reasonable time; or
- The offer was obtained through a fraudulent or intentionally misleading application.

Should more children than we have published admissions numbers (PAN) places for apply to Rye College to start in September, the following, ranked criteria applies:

- Any child who is 'looked after' or 'previously looked after' **will** be given a place;
- Where a student has an education healthcare plan, (whereby Rye College is the only school that will meet their requirements) and this is satisfactorily evidenced by documentation from their plan, GP or social worker, they **will** be admitted;
- Where an applicant is a child of a member of the UK Armed forces;
- Where a child has a sibling (siblings include birth siblings; step siblings; foster siblings; adopted siblings; and other children living at the same address) on roll at Rye College at the time of application;
- Distance from home to Rye College.

We will hold a waiting list of places in Year 7. Places on the waiting list will be ranked in line with our over-subscription details above.

### **3. In-year Admissions**

In-year applications should be made directly to Rye College who will notify East Sussex Local Authority of both the receipt of application and its outcome.

Where the governing body does not wish to admit a child with challenging behaviour outside the normal admissions round (for example due to an already high number of such children on the school roll), even though places are available, it will refer the case to East Sussex Local Authority for action under the Fair Access Protocol. Children who are looked after, or who have an education healthcare plan must be admitted.

### **4. Fair Access Protocol**

The Fair Access Protocol is an agreement between schools and East Sussex Local Authority, which ensures that hard to place learners are given fair consideration for school placement.

Although East Sussex Local Authority can request, but cannot direct, Rye College to take a student, the Local Authority and the Academy will usually come to an amicable agreement on the allocation of Fair Access placements. Schools will be expected to admit a child under the Fair Access Protocol within ten school days from the date of allocation.

East Sussex's Local Authority's criteria groupings under the Fair Access Protocol are detailed in Appendix 1.

### **5. Appeals**

The Schools Adjudicator may investigate the admission arrangements of any school that the Adjudicator considers does not or may not comply with the mandatory requirements of the Codes or the law. Objections to the admission arrangements of Academies can be made to the Schools Adjudicator whose decisions are binding and enforceable, without undue delay.

In compliance with legislation, there is a right of appeal against admissions decisions, which will be heard by an independent appeals panel, and whose decision will be legally binding on the College.

If a parent/carer wishes to appeal a decision to refuse their child a place at a Rye Academy Trust school, they should follow the procedure set out in Appendix 2.

### **6. Policy Status and Review**

Approved by RAT Board: 2015

Next review: July 2016 or sooner if required

Responsible: RAT Board

## Fair Access Protocol

The four categories below will be the threshold for any child allocated through the normal in-year admissions process to be referred back to East Sussex Local Authority for action under the Fair Access Protocol.

### Group 1 Children who present with challenging behaviour

- Permanently excluded children, including those attending Pupil Referral Unit's who need to be reintegrated back into mainstream school;
- Children supported by the Youth Offending Team, or returning from the criminal justice system;
- Children who are out of any education provision and have been so for two months or more and those children who have moved into the county with an established history of exclusion (either permanent or five or more fixed term exclusions within the previous 12 months) and/or disaffection from school;
- Children withdrawn from school following five or more fixed term exclusions (within the previous 12 months) and unable to find another school place. (For schools that take internal sanctions, the qualifying criterion will be removal from class for a total period of five school days in five or more episodes).

### Group 2 Vulnerable children at risk of being out of school

- Children of refugees and asylum seekers;
- Gypsies, Roma or Traveller children;
- Homeless children;
- Children who have been educated at home for at least the previous term (based on a three-term year) and need to be readmitted to a school;
- Children with unsupportive family backgrounds for whom a place has not been sought;
- Children known to the Youth Offending Team, the police or other agencies;
- Children without a school place and with a history of serious attendance problems (i.e. with less than 60% attendance over the previous 12 months);
- Children who are carers.

### Group 3 Other vulnerable children

- Children who are looked after and previously looked after children but ceased to be so because they were adopted (or became subject to a residence order or special guardianship order);
- Children with special educational needs, disabilities or medical conditions (but without an Education Healthcare Plan).

### Group 4 Other children

- Children who have moved into the area for whom there is no school place because all schools within a reasonable distance are full;
- Children of UK services personnel and other Crown Servants.

As children within group 1 can prove especially challenging for schools, all allocations in this group will be made via this Protocol. Children in all the other groups will be allocated to schools in the 'normal' way unless it is evident that issues arising from their circumstances make admission problematic. However, schools will be credited retrospectively for the admission of children who are in all other categories above.

## Appeals Procedure

### Grounds

If a parent/carer wishes to appeal a decision to refuse their child a place at a Rye Academy Trust school, they must do so in writing, setting out their grounds for appeal and, where relevant, supplying supporting evidence. They can only appeal for a school named on their application, and cannot appeal for a place at a school for which they did not state a preference.

If East Sussex Local Authority, or a parent object on the grounds that a Rye Academy Trust school has unlawfully breached the Schools Admission Code, such appeals will be referred to the Schools Adjudicator.

The following objections cannot be brought:

- Objections that seek to remove selective arrangements at an Academy;
- Objections about our own decision to increase or keep the same PAN;
- Objections in respect of an agreed variation from legislation in relation to admission arrangements for an Academy;
- Objections to arrangements which raise the same or substantially the same matters as the Adjudicator has decided on for a Rye Academy Trust school in the last two years; and
- Anonymous objections.

### Deadlines

The deadline for appeals is 30<sup>th</sup> June in the determination year (or at least 20 school days from the date of notification), by which time all evidence to support the case must have been provided to the Rye Academy Trust Admissions Officer (failure to do so may mean that late evidence is inadmissible).

### The panel

Appeals will be heard by an independent panel further details of which will be provided in writing at the time the appeal is submitted. The panel performs a judicial function and will be transparent, accessible, impartial and operate in accordance with the Schools Admissions Appeal Code published by the Department of Education.

### Complaints

Appellants do not have the right to a second appeal at the same school in the same academic year unless there has been: a significant and material change; exceptional circumstances; or, there were significant faults with the first appeal. If a second hearing does take place, the panel must comprise of different people.

Appellants have the right to complain against an Academy's decision by writing to the Secretary of State, who can only overturn a decision if the panel was incorrectly constituted or if Rye Academy Trust had acted unreasonably in respect of the appeal.

Further information on how to make an objection can be obtained from the Office of the Schools Adjudicator: [www.schoolsadjudicator.gov.uk](http://www.schoolsadjudicator.gov.uk)