



# Admissions Policy

## 2020-2021

This policy is updated and approved by the Governing Body every year

This version was approved March 2020

The next update will be Sept 2021

Approved: Mr P. Brown – Chair of Governors

Approved: Mr N. Pledger – Headteacher

*Signed copies held on school file*

# Admissions Policy

## Requirements for the Admission of students to Sir Thomas Fremantle School

### General:

**1.0** The Sir Thomas Fremantle Free School Trust (STFS) will comply with the requirements of the School Admissions Code.

### Admission Arrangements

The school opened in September 2013 with students in years 7 and 8.

**4.1** The published admission number for STFS for the year 2020/2021 will 125 in Year 7.

**4.1.1** Our deadline for normal applications for the academic year 2020/21 only is in line Bucks CC

**4.1.2** Applications received after this point were treated as late applications and dealt with on a first come first served basis until the school had reached the maximum published admission number for Years 7. Thereafter, the school maintained a waiting list for each year group.

**4.2.** In subsequent years, Sir Thomas Fremantle School will admit a maximum of one hundred (100) students in each year 7 intake.

**4.3** The published admission number for STFS in years 12 and 13 for the year 2019/20 is one hundred (100) students. First preference for 6<sup>th</sup> form places is given to its own Year 11 students. Thereafter, available places will then made available to external applicants. It will apply the same academic entry requirements as it does to students already on roll in the Academy. If a tie-break is necessary to determine who is admitted, it will apply the oversubscription criteria in section 7.

**4.4.** STFS 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, STFS will consult those listed at paragraphs 13.0 and 13.1 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

**5.1** STFS 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 the Buckinghamshire Admissions Forum.

**5.2** September – STFS will publish in its prospectus and on its website information about the arrangements for admission, including over subscription criteria.

**5.3** It will notify the date by which applications must be received by the Local Authority.

**5.4** STFS will also provide information to the Local Authority for inclusion in the composite prospectus, as required.

**5.5** September/October - The school will provide opportunities for parents and students to visit STFS.

**5.6** Closing date for application forms as advised by the Local Authority.

**5.7** December - February - applications considered by the Local Authority.

**5.8** February / March - offers of places (conditional offers in March 2013) notified in writing to parents through the Local Authority.

**5.9** This timetable reflects the current practice in Buckinghamshire Local Education Authority and is intended to secure a coordinated approach to admission for parents and students. STFS will take part in the co-ordinated admissions scheme for Buckinghamshire starting in September 2020.

### **Consideration of applications**

**6.1** STFS will consider all applications for places. Where fewer than 100 applications are received for the year group the school will offer places to all those who have applied.

**6.2** Notwithstanding point 6.1 above, STFS may refuse admission to particular applicants in cases where fewer than the published admission numbers 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.

### **Procedures where Sir Thomas Fremantle School is oversubscribed**

**7.0** 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 students with statements of Special Educational Needs where STFS is named on the statement, the following criteria will be applied in the order in which they are set out below:

- Children looked after and those who ceased to be children looked after because they were adopted, or because they became subject to a residence order or a special guardianship order<sup>1</sup>.

*(<sup>1</sup>A child looked after is a child in the care of a local authority or provided with accommodation by that authority in accordance with section 22 of the Children Act 1989. An adopted child is defined by section 46 of the Adoption and Children Act 2002. A residence order is defined by section 8 of the Children Act 1989. A special guardianship order is defined by section 14A of the Children Act 1989.)*

- Children whose siblings currently attend the school and who will continue to do so on the date of admission; (for this purpose, “sibling” means a whole, half or step-brother or step-sister resident at the same address, including adopted and fostered children). This will include children whose sibling is in the STFS sixth form.

- Children of members of staff employed (in any capacity) by Sir Thomas Fremantle School.
- Children living closest to STFS, based on straight-line distance from home<sup>2</sup> to school. The straight-line measurement used to prioritise applicants for admission to STFS (including paragraph 8.3 below) commences in all cases at the front door of the property determined by the National Land Planning Gazetteer and terminates at the front door of the school site. Where applicants have identical distance measurements, priority amongst them will be determined at random<sup>3</sup>.

*(<sup>2</sup> A child's home is considered to be the child's permanent residence. If custody of a child is shared, the address given should be that of the parent or carer with whom the child spends most of the school week. If custody is shared equally, the address of the General Practitioner at which the child is registered will be counted as the 'child's home'. The measurement is taken from the front door of the property to the front door of the school.)*

*(<sup>3</sup> The random determination of applications will be overseen by an independent panel which is independent of STFS. The process by which random selection is decided will be by allocating a different coloured ball to each applicant, placing each ball in an opaque bag and the first ball which is drawn from the bag will indicate the allocation of the places.)*

The school reserves the right to request evidence of the child's main residence.

## **In-year admissions**

**7.1** You can apply for a place for your child at any time outside the normal admissions round. As is the case in the normal admissions round, all children whose statement of SEN or EHC plan names the school will be admitted.

Likewise, if there are spaces available in the year group you are applying for, your child will always be offered a place.

If there are no spaces available at the time of your application, your child's name will be added to a waiting list for the relevant year group. When a space becomes available it will be filled by one of the pupils on the waiting list in accordance with the oversubscription criteria listed in section of this policy. Priority will not be given to children on the basis that they have been on the waiting list the longest.

Applications for in-year admissions should be sent to the school directly.

## **Post 16 admission criteria**

**8.0** Sir Thomas Fremantle School will publish specific criteria in relation to minimum academic entrance requirements for admission to the post-16 provision based upon GCSE (or equivalent) grades. Both internal and external students wishing to enter the sixth form will be expected to have met the minimum academic entry requirements for the sixth form. Sir Thomas Fremantle's current year 11 students, who met the minimum entrance requirements for the range of courses available based upon GCSE grades, do not have an automatic right to progress from year 11 to Year 12.

**8.1** The published admission number for STFS in years 12 and 13 for the year 2019/20 is one hundred (100) students. First preference for 6<sup>th</sup> form places is given to its own Year 11 students. Thereafter, available places will then be made available to external applicants. It will apply the same academic entry requirements as it does to students already on roll in the Academy. If a tie-break is necessary to determine who is admitted, it will apply the oversubscription criteria in section 7.

**8.2** The process of application will be the same as detailed in paragraphs 5.1 -5.9.

**8.3** When the sixth form is undersubscribed, all applicants meeting the minimum academic entry requirements will be admitted.

**8.4** When there are more external applicants that satisfy any academic entry requirements than the number of post-16 places available and after the admission of students with statements of Special Educational Needs where Sir Thomas Fremantle School is named on the statement, the following criteria will be applied in the order in which they are set out below:

- Children looked after and those who ceased to be children looked after because they were adopted, or because they became subject to a residence order or a special guardianship order<sup>1</sup>.

*(<sup>1</sup>A child looked after is a child in the care of a local authority or provided with accommodation by that authority in accordance with section 22 of the Children Act 1989. An adopted child is defined by section 46 of the Adoption and Children Act 2002. A residence order is defined by section 8 of the Children Act 1989. A special guardianship order is defined by section 14A of the Children Act 1989.)*

- Children whose siblings currently attend the school and who will continue to do so on the date of admission; (for this purpose, “sibling” means a whole, half or step-brother or step-sister resident at the same address, including adopted and fostered children).
- Children of members of staff employed by Sir Thomas Fremantle School.
- Children living closest to STFS, based on straight-line distance from home<sup>2</sup> to school. The straight-line measurement used to prioritise applicants for admission to STFS (including paragraph 8.3 below) commences in all cases at the front door of the property determined by the National Land Planning Gazetteer and terminates at the front door of the school site. Where applicants have identical distance measurements, priority amongst them will be determined at random<sup>3</sup>.

*(<sup>2</sup> A child’s home is considered to be the child’s permanent residence. If custody of a child is shared, the address given should be that of the parent or carer with whom the child spends most of the school week. If custody is shared equally, the address of the General Practitioner at which the child is registered will be counted as the ‘child’s home’. The measurement is taken from the front door of the property to the front door of the school.)*

*(<sup>3</sup> The random determination of applications will be overseen by an independent panel which is independent of STFS. The process by which random selection is decided will be by allocating a*

*different coloured ball to each applicant, placing each ball in an opaque bag and the first ball which is drawn from the bag will indicate the allocation of the places.)*

**8.5** There will be a right of appeal for internal students refused transfer and external applicants refused admission.

### **Operation of waiting lists**

**9.0** Subject to any provisions regarding waiting lists in the LA's co-ordinated admission scheme, STFS will operate a waiting list for each year group. Where in any year STFS receives more applications for places than there are places available, a waiting list will operate until the end of the final term of the school year. This will be maintained by STFS 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.

**9.1** Children's position on the waiting list will be determined solely in accordance with the oversubscription criteria set out in paragraph 7.0, or for post-16, paragraph 8.0 – 8.4 above. Where places become vacant they will be allocated to children on the waiting list in accordance with the oversubscription criteria.

### **Arrangements for admitting students to other year groups, including replacing any students who have left Sir Thomas Fremantle School**

**10.0** From 2013/14 local authorities will co-ordinate admissions for in-year applications and for applications for year groups other than the normal point(s) of entry. This will not affect STFS's right to determine which applicants have priority for admission.

**10.1** 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, STFS will consider all such applications and if the year group applied for has a place available, admit the child. If more applications are received than there are places available, the oversubscription criteria in paragraph 7.0, or for post-16 places, paragraphs 8.0 – 8.4, shall apply. Parents whose application is turned down shall be entitled to appeal.

### **Arrangements for admissions appeals**

**11.0** Parents and relevant children will have the right of appeal to an Independent Appeal Panel (IAP) if they are dissatisfied with an admission decision of Sir Thomas Fremantle School (STFS) as described in ***The School Admission Appeals Code February 2012. Appeals are co-ordinated through the Local Authority and unsuccessful applicants will be advised of the process for appeal by the LA.***

**11.1** The IAP will be independent of STFS and will be composed of three members who will include the following;

**11.2** 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).

**11.3** 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.

**11.4** 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. The determination of the appeal panel is binding on all parties.

**11.5** Parents have 20 days from the date of refusal of allocation to return the appeal form. The notification of refusal will indicate the reasons for refusal of a place and of the right of appeal.

**11.6** Parents wishing to appeal against an admission decision by STFS should return the completed appeal form to The Appeals Team at Buckinghamshire County Council. The address is on the appeal form. Other documents may be submitted in support of an appeal and should be lodged with the Appeals Team not less than 8 days before the appeal hearing.

**11.7** Parents will be given at least 10 days notice of the appeal hearing, unless they agree to a shorter period of notice. Approximately 6 working days before the hearing STFS will provide the parent with a written statement detailing the reasons why it has not been possible to allow the child to attend the school.

**11.8** The IAP will have the discretion to refuse to admit late evidence.

**11.9** The Clerk to the IAP will, write to all parties no later than five school days of the hearing or five school days after the last appeal if there are multi appeals for the school. Decisions by the IAP are not given over the telephone or by email but are sent out by first class post. In the case of unsuccessful appeals the IAP will give the parents their reasons for not upholding the appeal.

## **Additional Admission Information**

### **General:**

**12.0** STFS will act in accordance with, and will ensure that the IAP 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 governing body of STFS.

**12.1** This annex may be amended in writing at any time by agreement between the Secretary of State and the Sir Thomas Fremantle School Free School Trust.

**12.2** STFS 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 coordinated admission arrangements operated by the LA and the local Fair Access Protocol.

**12.3** Notwithstanding any provision in this annex the Secretary of State may:

**12.4** Direct STFS to admit a named student on application from the LA. This will include complying with a School Attendance Order\*. Before doing so the Secretary of State will consult with STFS.

(\*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 a Free School 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.)

**12.5** Direct STFS to admit a named student if STFS 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.

**12.6** Direct STFS to amend its admission arrangements where they fail to comply with the Schools Admissions Code or the Admission Appeals Code.

### **Annual procedures for determining admissions arrangements**

#### **13.0 Consultation**

STFS will consult each year (by 1st March) on its proposed admission arrangements. From 2013/14 STFS will take part in the local Admission Forum for the Winslow area.

**13.1** Any proposed change to the overall admission numbers will need to be sanctioned by the Secretary of State for Education.

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

**14.0** Following consultation, STFS will consider comments made by those consulted. The school will then determine its admission arrangements by 15<sup>th</sup> April of the relevant year and notify those consulted what has been determined.

### **Publication of admission arrangements**

**15.0** The published arrangements will set out;

- The name and address of the school and contact details
- A summary of the admissions policy, including oversubscription criteria
- Numbers of places and applications for those places in the previous year
- Arrangements for hearing appeals.

### **Representations about admission arrangements**



**16.0** Where other admissions authorities in the relevant area make representations to Sir Thomas Fremantle School about its admission arrangements, the school will consider such representations.

**16.1** Where STFS and other admission authorities cannot reach agreement locally, any admission authority in Buckinghamshire may make representations to the Secretary of State. The Secretary of State will consider the representation and in so doing will consult STFS. Where they judge it appropriate, the Secretary of State may direct STFS to amend its admission arrangements.

**16.2** Other admission authorities in the Winslow area have the right to ask STFS to increase its proposed published admissions number for any year.

**16.3** Where such a request is made, but agreement cannot be reached locally, an admission authority may ask to the Secretary of State to direct STFS to increase its proposed published admissions number. The Secretary of State will consult STFS and will then determine the published admission number.

**16.4** In addition to the provisions at the points above, the Secretary of State may direct changes to STFS'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 Sir Thomas Fremantle School after arrangements have been published.**

**17.0** Once the admission arrangements have been determined and published, STFS will propose changes only if there is a major change of circumstances.

**17.1** In such cases, the school must consult those consulted under point 13.0/13.1 above 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.

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

**18.0** The Secretary of State will consider applications from STFS to change its admission arrangements only when STFS has consulted on the proposed changes as outlined at point 13.0/13.1 above.

**18.1** Where STFS has consulted on proposed changes and there have been no objections from other admissions authorities, STFS must still secure the agreement of the Secretary of State before any such changes can be implemented.

**18.2** STFS 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.

**18.3** The Secretary of State can approve, modify or reject proposals from STFS to change its admission arrangements.

**18.4** Records of applications and admissions shall be kept by STFS for a minimum period of ten years and shall be open for inspection by the Secretary of State.

### **Monitoring and Review**

**19.0** The Governing Body and Principal will review this policy statement annually and update, modify or amend it as it considers necessary to ensure it remains relevant and in accordance with legislation.

**19.1** The headteacher will ensure that admissions procedures are reviewed annually or sooner, especially after a change in legislation.

**19.2** The Governing Body and Principal will implement all admissions procedures required by law.

## Appendix

### Admission Appeals - Relevant Legislation

**A.** This appendix signposts the law relevant to admission appeals. It does not provide guidance on interpreting the law - that is for the courts.

### Equality Act 2010

**B.** This Act consolidates the law prohibiting discrimination, harassment and victimisation and expands the list of protected characteristics. All schools must have due regard to their obligations under the Act. Their policies and practices, including admissions arrangements and decisions, must meet the requirements of the Act, and failure to do so may be relevant to the matters an appeal panel has to decide.

**C.** An admission authority or appeal panel must not discriminate on the grounds of disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation against a person in the arrangements it makes for an appeal.

**D.** An admission authority or appeal panel must not harass an appellant, or a child who is the subject of an appeal, in relation to their disability, race or sex.

**E.** An admission authority or appeal panel must not victimise a person in relation to a protected act done or believed to have been done by that person (e.g. bringing proceedings under the Equality Act 2010) in the arrangements it makes for an appeal.

**F.** Admission authorities and appeal panels must have regard to the Equality and Human Rights Commission's Code of Practice for Schools.

**G.** Admission authorities are also subject to the Public Sector Equality Duty. Therefore they must have due regard to the need to eliminate discrimination, harassment and victimisation, advance equality of opportunity, and foster good relations in relation to disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

**H.** Further guidance on the Public Sector Equality Duty is available on the website of the Government Equalities Office and from the Equality and Human Rights Commission. Human Rights Act 1998

**I.** The Human Rights Act 1998 confers a right of access to education. This right does not extend to securing a place at a particular school. However, admission authorities and appeal panels need to consider parents' reasons for expressing a preference when they make admission decisions and when making decisions on appeals. These reasons might include, for example, the parents' rights to ensure that their child's education conforms to their own religious or philosophical convictions (as far as is compatible with the provision of efficient instruction and the avoidance of unreasonable public expenditure).

## **School Standards and Framework Act 1998**

**J.** Chapter 1 of Part 3 of the School Standards and Framework Act 1998 contains the key provisions regarding schools admissions and admission appeals.

**K.** Section 86 of the SSFA 1998 provides that the admission authority for a maintained school (with the exception of those that select wholly by ability) must comply with any preference expressed by a parent except where to do so would prejudice the provision of efficient education or the efficient use of resources.

**L.** Section 94 requires admission authorities to make arrangements for parents (and in some circumstances children) to appeal against a decision to refuse admission to the school. Two or more admission authorities in the same local authority area may make joint arrangements.

**M.** Where a child has been permanently excluded from two or more schools (and the most recent exclusion occurred within the past two years), Section 95 provides that arrangements do not have to be made for the parent (or, in the case of sixth form education, the child) to appeal against a decision to refuse admission.

**N.** Under Section 95 local authorities must make arrangements for a community or voluntary controlled school in their area to appeal against a decision by the authority to admit a twice excluded child (as above) to the school.

**O.** The School Admissions (Appeal Arrangements) (England) Regulations 2012 contain requirements relating to the constitution of appeal panels and the payment of allowances to appeal panel members. These requirements are also included within section 1 of the Code of Practice.