



## Admission Arrangements 2021 – 2022

### Nechells Primary E-ACT Academy

*E-ACT (the “Academy Trust”) is the admissions authority for Nechells Primary E-ACT Academy. The Academy Trust will comply with the requirements of the Funding Agreement, the School Admissions Code and the Admission Appeals Code, and recognises that its ‘relevant area’ is Birmingham (name of LA) since this is the local authority area within which the Academy is located.*

Date of Approval: September 2020

Date of Review: September 2021

Unless there are legislative or regulatory changes in the interim, this policy will be reviewed annually as per the Admissions Code. Should no substantive changes be required at that point, the policy will move to the next review cycle.

*Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities must consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period.*

#### Academy context

The Nechells Primary E-ACT Academy is based in the city of Birmingham in the authority of Birmingham.

Our Published Admission Number (PAN) is 30 for Reception. The maximum PAN for each year group is 30 with a total PAN of 210.

#### How to apply for a place

Please Phone 0121 464 2102 – This is where you will find information & support about how to apply and obtain a place for your child at Nechells Primary E-ACT Academy.

Applications have to be submitted online via the following link:

<https://www.birmingham.gov.uk/schooladmissions>

#### The national closing date is (11:59pm) 15 January 2021

It is important that you apply on time as any applications received after the 15 January 2021 will be classed as late applications and will be processed after the national offer day of 16 April 2021 and late applicants are less likely to be offered a place at any of their preferred schools.

#### Admissions Criteria

Applications for children with an Education, Health and Care Plan (EHCP) or a Statement of Special Educational Need are made by the Local Authority SEN team (Pupil and School Support). The placement of such children is made after a process of consultation between

parents, the Academy and the Local Authority. Children with an EHCP (or a Statement of Special Educational Need) receive priority over others for admission to the school named on their Plan (or Statement).

### **Oversubscription Criteria**

If there are fewer applicants than there are places available for Reception entry in September 2021, everyone who applies will be offered a place.

Sometimes, however, there are more applications for our Academy than there are places available. This is described as oversubscription. If there are more applicants than there are places available after the admission of pupil with an Education, Health and Care Plan or statement of special educational needs naming the school, the following criteria will be followed, in order, to determine who will be offered a place:

1. Looked after or previously looked after children.
2. Children with a brother or a sister already at the academy who will still be in attendance in September 2021.
3. Children who live nearest the academy.

Within each of these categories, priority is given to those who live nearest the academy, calculated on the basis of a straight-line measurement between home and academy.

### **Tie-breaker**

In a very small number of cases where a school is oversubscribed, it may not be possible to decide between the applications of those pupils who are the final qualifiers for a place, when applying the published admission criteria. For example, this may occur when children in the same year group live at the same address, or if the distance between the home and school is exactly the same, for example, blocks of flats. If there is no other way of separating the application according to the admissions criteria and to admit both or all of the children would cause the Published Admission Number for the child's year group to be exceeded, the Local Authority will use a computerised system to randomly select the child to be offered the final place.

### **Twins, Triplets and other children of multiple births**

Places will be offered at the same school to twins, triplets and children from other multiple births, allowing infant classes to exceed the statutory limit where the 31st child is a twin or from multiple births, or of armed forces personnel. These children will remain an 'excepted pupil' for the time they are in an infant class or until the class numbers fall back 30 pupils.

### **Split residence**

The home address is the place where the child is permanently resident with his or her parents. When a child lives between two addresses, the address used for offering a school place will be where the child lives for most of the school week (Monday to Friday). Documentary evidence may be required. If care is split equally, parents can choose which address will be used.

## Deferred Entry for Reception

By law, parents must ensure that their children are receiving suitable full-time education at the beginning of the term after their 5th birthday. However, in Birmingham, children are admitted to Reception Class in the September at the start of the academic year in which they reach five years of age.

Parents may, however, defer their child's admission to primary or infant school until later in the school year, but not beyond the beginning of the first academic term after the child's 8 Determined admissions arrangements for community and voluntary controlled schools 2021/2022 fifth birthday (the time when the child reaches compulsory school age) and not beyond the beginning of the final term of the school year of which the offer was made. Alternatively, a parent has the right for their child to be admitted on a part-time basis during the Reception Class year but not beyond the point that they reach compulsory school age. In both cases above a school place is held for the child until they take it up.

A child who reaches the age of five during the 2021/2022 summer term would reach compulsory school age in September 2022. However, it is not possible to accept a place in the Reception Class for September 2021 but defer the child's admission until the beginning of the 2022/2023 academic year, and if a child did not take up their place in a Reception Class in 2021/2022 a separate in-year application would need to be made for the child to enter the school in Year 1.

Parents of children who reach the age of five during the summer term of the 2021/2022 academic year who are considering deferring their child's admission to primary or infant school until the beginning of the 2022/2023 academic year should note that, as the overwhelming majority of children in Birmingham start school at the start of the academic year in which they reach the age of five, it is likely that some or all of the parents' preferred schools will not have vacancies in their child's year group if they apply for a place in Year 1 (these places having been allocated to children who started school the previous year).

For children born in the summer, parents/carers may believe it to be in their child's best interests to be admitted to Reception Class rather than Year 1, outside their child's normal age group. These requests will be considered by the admission authority of the school(s) and a decision made on the basis of the circumstances of each case and also in the best interests of the child concerned. **Parents do not have the right to insist that their child is admitted to a particular age group including reception.**

Where a parent wishes to request admission out of the normal age group for their child, they should still make an application for their child's normal age group at the usual time. At the same time, the parent should submit their request for their child to be admitted out of their normal age group to the relevant admission authority, (this is BCC for all community and voluntary controlled schools), together with supporting evidence.

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 into account 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 were not for being born prematurely. They must also take into account the views of the head teacher of the school concerned. When informing a parent of their decision on the year group the child should be admitted to, the admission authority must set out clearly the reasons for their decision. The admission authority must ensure that the parent receives the response to their request before primary national offer day.

If the request is agreed, the application for the normal age group may be withdrawn and the parent must make a new application for a place in Reception Class as part of the main admissions round the following year. If the request is refused, the parent must decide whether to accept the offer of a place for the normal age group, or to refuse it and make an in-year application for admission to Year 1 for the September following the child's fifth birthday.

One admission authority cannot be required to honour a decision made by another admission authority on admission out of the normal age group. Parents, therefore, should consider whether to request admission out of the normal year group at all their preference schools, rather than just their first preference schools.

Parents have the right to appeal against the refusal of a place at a school for which they have applied but cannot appeal if they are offered a place but not in their preferred age group.

### **Late Applications**

Late Applications and changes after the closing date Application forms must be received by 15 January 2021 (the LA) published key dates. Applications received after the closing date will be considered as late applications and will be processed after places have been allocated to applicants who applied on-time. However, in very exceptional circumstances applications received after the closing date may be considered as on time. Applicants who consider they have exceptional circumstances that prevented them applying between applications opening in September and published closing date should provide independent written evidence explaining why the application was late no later than 5pm, 10 working days after the closing date. Additionally, any changes to the application (e.g. order of school preference or change of preferences) received after the closing date will be treated in the same way as late applications.

### **Changes of Address after the closing date**

Changes of address will only be considered after applicants are resident at the new address and evidence to demonstrate this has been supplied. Applications will not be processed from an intended future address except in the case of Crown servants and UK service personnel. Evidence must be received by no later than 5pm, 10 working days after the

closing date for the new address to be used when processing the application and calculating home to Academy distances. Any change of address evidenced after no later than 5pm, 10 working days after the closing date will not be included until after national offer day.

### Notification and acceptance of places

This is the timeline of notification and acceptance and the onus is on the person making the application to a notify Birmingham (the LA) to accept or decline the offer:

Stage of process	Date
Application period starts	1 October 2020
Closing date for applications	15 January 2021
National Offer Day	16 April 2021
Deadline for refusing the offer	30 April 2021
Deadline for submitting appeals	17 May 2021
Appeal hearings for appeals submitted on time should be heard by	19 July 2021
Round closes (applications need to be made using In-Year application directly to the school).	31 July 2021
Term starts	September 2021

### Waiting Lists

Waiting lists are not maintained on a 'first come - first served' basis. Waiting lists are kept in the priority order as explained in the oversubscription criteria. Places are offered from the waiting list throughout the year. When a place becomes available, it is offered to the first child on the list and if it is accepted all other children will move up the list. Children may also move down the waiting list if another family, with a higher priority under the oversubscription criteria, ask for their child's name to be added to the list. Applicants, who ask for their child's name to be placed on the waiting list for another school, after a school

place has been allocated, are indicating they prefer this school to the Academy. If at a later date a place is offered from the waiting list, this new offer will supersede any previous offer, which will then be withdrawn.

Lists will be maintained throughout the school year. A child's position on the waiting list does not depend upon the time they have been on the list but will be determined by how they meet the oversubscription criteria. This means that a child's position on the list can go down as well as up, depending upon the child's circumstances and those of other applicants.

At the start of the autumn term each year, School Admissions and Fair Access Service will pass schools their waiting lists to maintain following the end of the normal round of admissions. Waiting lists following the Reception class intake will be maintained until 31 January 2021.

### **In-year applications**

Applications received outside the normal admissions round will be considered in line with the oversubscription criteria. A place will be offered at the Academy provided there is a vacancy in the appropriate year group. The address used to process the application will be the address where the parent and child normally live and they must be living there at the time of application. Admission of one child to the Academy does not give a right of admission for brothers or sisters, if places are not available for all at the same time.

Applications can be made by applying to the Birmingham Admissions Team (LA) or directly to the Academy. Once the application is made, the Academy will allocate a place as per our oversubscription criteria when a place becomes available. Please note that you will need to accept the place within 14 days or you will lose the offer of a place and considered to have declined a place.

Please note that you may be asked for further proof if applying under medical/social needs etc. You will be placed on the waiting list and places will be allocated as they become available and prioritised according to our over subscription criteria.

### **Appeals Procedure**

Parents can choose to appeal against the decision of the Academy Trust not to offer their child a place at the school. Birmingham Local Authority administer any admissions appeals on behalf of the Academy Trust. To appeal against the decision not to offer their child a place, parents must complete the appeal forms that are available on the Birmingham Local Authority website

[https://www.birmingham.gov.uk/info/20119/school\\_admissions/207/appeal\\_against\\_a\\_decision\\_to\\_refuse\\_your\\_child\\_a\\_school\\_place](https://www.birmingham.gov.uk/info/20119/school_admissions/207/appeal_against_a_decision_to_refuse_your_child_a_school_place) or from the Birmingham Admissions Team (0121 303 1888 or [admissions@birmingham.gov.uk](mailto:admissions@birmingham.gov.uk)). To be considered in the first round of appeals, the notice of appeal must be received by the Council by their specified date. The appeal will be heard by an independent appeals panel constituted and operated in

accordance with the School Admissions Appeals Code. Parents will receive written notification of the date and time of their appeal hearing, which they can attend to explain their case. If they wish, parents may be accompanied by an adviser or friend. Following the appeal, the Clerk to the appeals panel will write to parents with the decision.

### **Fair Access Protocol**

The Academy complies with Birmingham Local Authorities Fair Access Protocol (FAP). The purpose of the FAP is to ensure that, outside the normal admissions round, unplaced children who fall into the specified categories are offered a place quickly, so that the amount of time any child, especially the most vulnerable, who remains out of education is kept to a minimum. The FAP will only be used once the in-year admissions process has been exhausted.

### **Admission contact details**

Academy contact: Louise Hooper (Office Manager)

0121 464 2102

[Nechells.info@e-act.org.uk](mailto:Nechells.info@e-act.org.uk)

LA contact: Birmingham Local Authority Admissions Team

0121 303 1888

[admissions@birmingham.gov.uk](mailto:admissions@birmingham.gov.uk)

## **Appendix 1**

### **Definitions**

#### **Distance**

Distance measurements to schools Distances are calculated on the basis of a straight-line measurement between the applicant's home address and a point decided by the school (usually the front gates). 7 Determined admissions arrangements for community and voluntary controlled schools 2021/2022 The Local Authority uses a computerised system, which measures all distances in metres. Ordnance Survey supplies the co-ordinates that are used to plot an applicant's home address and the address of the school. The measuring point for each school is specified below in section 10.1.

#### **Home Address**

A pupil's home address is considered to be a residential property that is the child's only or main residence and is either;

- Owned by the child's parent(s), or the person with parental responsibility for the child;
- Leased to or rented by the child's parent(s), or the person with parental responsibility under lease or written rental agreement of not less than twelve months duration.

Evidence of ownership or rental agreement may be required, plus proof of permanent residence at the property concerned.

Parents who are unable to provide proof of permanent residence should contact a member of School Admissions and Fair Access Service to discuss providing other acceptable proof of address.

Where parents have shared responsibility for a child, and the child lives with both parents for part of the week then the main residence will be determined as the address where the child lives the majority of the week. Parents may be requested to supply documentary evidence to satisfy the authority that the child lives at the address put forward by the parents. If a school is offered on the basis of an address that is subsequently found to be different from a child's normal and permanent home address, then that place will be withdrawn.

#### **Children who are looked after or were previously looked after**

A looked after child is a child who is (a) in the care of a local authority, or (b) being provided with accommodation by a local authority in the exercise of their social services functions (see the definition in Section 22(1) of the Children Act 1989). This includes children who were adopted under the Adoption Act 1976 (see section 12 adoption orders) and children who were adopted under the Adoption and Children's Act 2002 (see section 46 adoption orders). Child arrangements orders are defined in s.8 of the Children Act 1989, as amended by s.12 of the Children and Families Act 2014. Child arrangements orders replace residence orders and any residence order in force prior to 22 April 2014 is deemed to be a child

arrangements order. Section 14A of the Children Act 1989 defines a 'special guardianship order' as an order appointing one or more individuals to be a child's special guardian (or special guardians).

### **Medical or social needs of the child**

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 into account 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 were not for being born prematurely. They must also take into account the views of the head teacher of the school concerned. When informing a parent of their decision on the year group the child should be admitted to, the admission authority must set out clearly the reasons for their decision. The admission authority must ensure that the parent receives the response to their request before primary national offer day.

### **Medical reasons relevant to parent(s)**

LA contact: [admissions@Birmingham.gov.uk](mailto:admissions@Birmingham.gov.uk)

Please check Birmingham Fair Access Protocol.

### **Sibling**

Where children live as brother and sister in the same household they are treated in the same way as siblings for admissions purposes. This includes a child's brother or sister, half brother or sister, adopted/foster brother or sister, step brother or sister living in the same family unit at the same address. It does not include cousins or other extended family members who live in the same household. In the case of twins, triplets and other multiple-birth children, if one child can be offered a place in the school, other multiple-birth children will be allocated a place in the school. Where twins are concerned and one twin has a Statement of Special Educational Needs or Education, Health and Care Plan that names the school the other twin will be treated as having a sibling link for that academic year.

### **Parent**

This means the parent who has parental responsibility as defined in the Children Act 1989, or the person in the household who is defined as a parent for the purposes of Section 576 of the Education Act 1996. This could include a person who is not a biological parent but who has responsibility for her or him (such as a child's guardians) but will not usually include other relatives such as grandparents, aunts, uncles etc unless they have all the rights, duties, powers and responsibilities and authority, which by law a parent of a child has in relation to the child and their property.