



**DERBY MOOR  
ACADEMY**

**Policy Title: Determined Admissions Policy  
(for Academic Year 2022-23)**

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Ratified by the Governing Body: 14/12/2020 Update ratified 12<sup>th</sup> July 2021

Next review due: Summer Term 2021 (for Academic Year 2023-24)

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## Introduction

The school is a Trust School and therefore responsible for setting its own admission requirements and in common with state schools throughout the country, the school is part of a Coordinated Local Admission scheme; details are provided below.

In 2007, National Statutory changes to Admission Legislation were published. These changes mean that all school preferences expressed by parents must be given equal consideration.

Although there are minor variations in practice across the country, each Local Authority (LA) Area shares the following common features:

- A single application form covers application to all state secondary schools;
- Parents can express at least 3 school preferences;
- A child will receive only one offer of a school place.

## Policy and Numbers

Pupils will be admitted into Year 7 without reference to ability or aptitude. The published admission number for Year 7 - 10 for the year commencing 1 September 2022 will be 300. For Year 11 the admission number is 266.

## How to apply for a place in Year 7

The application process for admissions into Year 7 is coordinated by Derby City Council, which acts on behalf of the governing body to offer places at Derby Moor Academy.

The purpose of a coordinated scheme is to establish mechanisms for ensuring that, as far as possible, every parent/carer of a child who has applied for a school place in the normal Primary-Secondary transfer admission round receives an offer of one school place on the same day.

Parents/Carers have a legal right to be able to request a place at Derby Moor Academy. Derby City Council, the Admission Authority, must meet a parental request as long as it does not create overcrowding within the school.

Parents must complete the Common Application form that is sent directly to Primary Schools or can be obtained from the L.A. This form must be returned directly to the L.A. Admissions Team for processing by the stated closing date which is usually towards the end of October in the year previous to admission into Year 7.

Parents can also apply online at <http://www.derby.gov.uk/education-and-learning/schools-and-colleges/secondary-school-admissions/>

All parents are advised to read the Local Authority booklet for parents on secondary admissions.

Parents wishing to visit the school prior to submitting an application are welcome to do so, though it may not always be possible to organise this at short notice. Visits are not interviews and do not affect any decision regarding the availability of a place. Please contact the school to make arrangements.

## **How places are offered**

For admission into Year 7 at Derby Moor Academy from September 2019, the LA, on behalf of the Governing Body, will offer places to 300 children. This is the Published Admission Number (PAN) for that year group. In the event that more than 300 applications are received, the oversubscription criteria will be applied to determine priority for places.

## **The Ranking Stage**

When you complete the Common Application Form you will be asked to rank your preferred schools in the order of your preference (most local authorities ask for 3 preferences; some allow more).

Every admitting authority must consider each expressed preference equally, regardless of whether the school was placed first, second, third etc.

This means that for *every* school named on the form, the child is ranked against other children by applying the schools published school admissions priority criteria to each child's particular circumstances.

The priority is *not* influenced by the school preferences order expressed on the Common Application Form.

## **The Allocation Stage**

Allocation of school is made by the Local Authority up to the prescribed number of places available at each individual school. The places are allocated in the order that children appear on the eligible list.

If a child is on the eligible list for one or more schools, then the child is allocated to the school for which the parent expressed the highest preference.

If the child is not on the eligible list of a 'preferred' school, then the child will be placed by the Local Authority at the nearest appropriate school with a place available. The Local Authority will post notification of allocation on 1 March 2022, (those who applied by on-line application will receive the decision by email on the same date).

Offer letters will be issued by the LA on the National Offer Date (1 March or first working day after).

If parents/carers apply for a place after the closing date their application will not be looked at in the first round of allocations. If there are still spare places available, the L.A. Admissions Team will then consider all late applications and offer places.

To apply for a place after the start of term or in any other year group please contact the school for an application form.

## **Admissions criteria to be applied if places are over-subscribed**

Parents will be contacted immediately if a place becomes available for their child, but should be aware that their child's place on a waiting list may change if an application is subsequently received that meets a higher criterion than their own.

When the school is oversubscribed, after the admission of pupils with Statements of Special Educational Needs where the school is named in the Statement, priority for admission will be given to those children who meet the criteria set out below, in order:

1. A 'looked after child' or a child who, appears (to the admission authority) to have been in state care outside of England or was previously looked after but immediately after being looked after became subject to an adoption, residence, or special guardianship order 67. 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).
2. Children who are both living<sup>1</sup> in the Normal Area<sup>2</sup> or Catchment Area served by the school and have siblings<sup>3</sup> (brothers or sisters) of compulsory school age still attending the school at the time of their admission.
3. Other children living<sup>1</sup> in the normal area at the time of admission.
4. Children who do not live<sup>1</sup> in the Normal Area<sup>2</sup> served by the school but who have siblings<sup>3</sup> (brothers or sisters) of compulsory school age attending the school at the time of their admission.
5. Other children whose parents have requested a place.
6. Children whose parents did not request a place by the Local Authority deadline for completion of the Common Application Form.

<sup>1</sup>The home address is defined as the address of the adult with parental responsibility with whom the child normally lives and which applies at the time of application. Applications based on future addresses can only be considered up to 6 teaching weeks before the child is expected to take up the place and upon confirmation of a minimum of six month tenancy agreement or exchange of contracts'.

<sup>2</sup>A map showing the catchment area or normal area and/or further information can be obtained from the school.

<sup>3</sup>A sibling is defined as another child of compulsory school age living in the same family home.

## **Operation of the Reserve List**

Derby City Council Children and Young Peoples' Directorate will establish a Waiting List for Derby Moor. This will be maintained up to the end of September in the next academic year, i.e. September 2022. The list will be in rank order and determined according to the Criteria identified above when the number of applications exceeds the places available in the intake year or Year 7 at Derby Moor Academy. Derby Moor Academy itself will not maintain a Waiting List.

As part of the coordinated scheme for secondary admissions, the LA Admissions Team holds the initial reserve list on behalf of the governing body until the end of the first week of the autumn term in the initial year of intake. After this time the Governing Body, as the admissions authority for the school, will maintain the list for a minimum of one term.

## **How to apply for places in Years 8, 9, 10 and 11**

All applications for a place at Derby Moor Academy must be made directly to the Derby City Council Admissions Section, using the Co-ordinated Admission Scheme.

Parents/carers will be required to complete the Common Application Form and Derby Moor will be informed of the application. The Council will manage the admissions process on behalf of Derby Moor Academy.

If the school is oversubscribed and the applicant refused a place then Parents/Carers can appeal to an Independent Appeal Panel against this decision. The Children and Young Peoples' Services will advise parents/carers how to make representation to the Panel.

Applications for places in these year groups at any time of the year: A Local Authority application form must be completed and returned to the Local Authority.

### **Mid-phase applications:**

Parents whose applications are not immediately successful will be held on the reserve list for that year group by the school for a period of one term following the term of application. All mid-phase applications should be coordinated with the LA Admissions Team. Applications will be ordered on the list according to the over-subscription criteria and when places become available, they will be offered accordingly. Parents should be aware that their place on the waiting list may vary if applications are subsequently received which meet a criterion higher on the list than their own.

Note: The Governing Body Admissions Committee and Trust Board reserve the right to verify information and, if misrepresentation is confirmed, refuse or cancel the place.

Governors have resolved, at their discretion, to exercise their right not to accept applications from children with known behaviour difficulties. This decision should be referred to the 'In Year Fair Access' panel.

*Please note that names held on the reserve list will not be carried over to the new school year. Parents wishing to remain on the list should contact the school.*

## **Admission to the Sixth Form**

The Planned Admissions Number for external candidates admitted to the 6<sup>th</sup> form of Derby Moor Academy each academic year varies depending on the number of Year 11 we think will remain at Derby Moor Academy.

Typically we take between ten and twenty external candidates. Entry requirements are as follows:

- a. The course required is available
- b. Space is available in the subject groups at the selected examination level.
- c. The candidate meets the course requirements of the particular course. Entry requirement details are given in the 6<sup>th</sup> Form Prospectus.

All candidates who meet all three criteria will be invited to a meeting to discuss their chosen course options.

In the event of over-subscription of candidates meeting the general and specific requirements for entry to particular courses, any surplus places after allocation of transferring internal students from Year 11 will be allocated to external students by using the oversubscription criteria on page 5 of this document.

## **Appeals**

Parents have the right of appeal under the School Standards and Framework Act 1998 against the refusal of a place at any of the schools for which they have applied. Parents wishing to appeal must contact the admission authority for the school(s) to find out the procedure and the date by which any appeal must be received by them. Except where their child has been permanently excluded from two or more schools and at least one of the exclusions took place after 1 September 1997. In the case of such a child, the parents' right of appeal is suspended for a period of two years following the second or subsequent exclusion.

Parents whose child has a Statement of Special Educational Needs may appeal to an independent appeal tribunal against a named school under the 1996 Education Act. This is a different appeal tribunal and parents are advised to contact the Special Needs Section on 020 8820 7512 about this.

The Department for Children, Schools and Families published a guide for parents on school admissions and appeals. The guide outlines the school admissions and appeals processes: what parents can expect from the admissions system, how to object to unlawful arrangements, and how to find further information and support. Copies of the guide can be downloaded or ordered from TeacherNet.

The parent of any child who is refused a place at the school has a right of appeal to an independent Appeals Panel. The panel consists of three people who are independent of the school's Governing Body and the Local Authority. The panel will consider the circumstances of the case put before them. Both the Governing Body and the parents must abide by the decision it makes.

## **Guidance notes for parents/guardians**

### **Why has my application for a place been refused?**

The School Admissions Code exempts Local Authorities from the duty to comply with parental preference when doing so would 'prejudice the provision of efficient education or the efficient use of resources'. These form the grounds on which your application has been refused.

All schools must have an admission number for each age group. The admission number is set by the local authority with regard to the capacity of the school. This number forms part of the admission arrangements for a school; once it has been published in the information for parents' handbook the admission authority for that school cannot admit above that number.

The admission number for schools is subject to annual consultation. If you are refused a place in a school, it will be because the admission number for the year group to which you are applying has been reached and no further places can be allocated by the admission authority.

### **Appeals against admission decisions**

If your child has been refused a place at a Derby Moor Academy you have the right to appeal to an independent Appeal Panel. This is your opportunity to explain your reasons for wanting to send your child to the school and the independent Appeals Panel will decide if those reasons are strong enough to overturn the decision of the Admission Authority for the school.

### **How do I appeal?**

You should complete the Appeal Against an Admissions Decision form and return it to the address shown by 31 March 2022 (for applications for Year 7 commencing September 2022) at the very latest. A copy of this form can be found at the end of this pack.

## **When will my appeal be heard?**

Appeals for entry into Year 7 at the normal point of entry:

The hearing should take place by 26 May 2022. Any appeals which are received after the closing date of 31 March 2022 will be heard, where possible within 40 school days from the deadline for lodging appeals (31 March 2022) or within 30 school days from the date the appeal was lodged.

## **Appeals outside the normal admissions round (In-year appeals):**

All in-year appeals will be heard within 30 school days of the appeal being lodged.

The admission authority for the school must write to you at least 10 school days before the hearing to confirm the date. Organisations such as the Advisory Centre for Education (ACE) can give you advice on preparing your case [www.ace-ed.org.uk](http://www.ace-ed.org.uk)

## **What sort of information should I provide?**

On the form, you should give all the reasons why you think that your child should be given a place at the school. For example, if you want medical factors to be taken into account you need to provide a letter from your doctor or other medical professional with your appeal form. It is up to you to provide any evidence from professionals (such as doctors or social workers) that you think is relevant.

## **What happens next?**

You will receive a letter from the Clerk to the Appeal Panel acknowledging that your appeal form has been received. The Clerk to the Appeal Panel will then let you know where and when your appeal will be heard, giving you at least 10 school days' notice. About a week before the appeal hearing you will receive a copy of the papers that will be considered at the hearing, which will consist of your appeal form, a written statement from the Admission Authority explaining why your child was not offered a place at the school and details of the procedure that will be followed at the hearing.

## **Who will hear my appeal?**

The Appeal Panel consists of 3 (or sometimes 5) people who are independent of both the school and the Admission Authority and are not involved in decisions about school admissions in Derby. The Panel members do, however, have knowledge of education provision or of educational conditions in the area. There will also be a clerk at the meeting whose job is to advise the Panel on procedures and to take notes of the hearing. It is only the members of the Appeal Panel who decide the outcome of your appeal, based on the information provided to them.

## **Can I bring someone with me to the appeal hearing?**

You can bring a friend or adviser with you to the hearing and they can speak on your behalf if you wish. You can also bring an interpreter or signer with you if you need one or you can ask for one to be provided for you. If you wish to bring a Choice Adviser, a locally elected politician, an education social worker, special educational needs adviser or learning mentor with you to the hearing you can do so but you will need to arrange this yourself. If you are going to bring someone with you to the hearing you should let the Clerk to the Panel know in advance.

## **Before the hearing**

You need to confirm that you can attend the hearing on the date set. If you cannot attend on the date of the appeal hearing and it cannot be rescheduled (for example, because it is a multiple appeal involving lots of other parents), the appeal will go ahead in your absence. Your appeal will be decided on the written information you submit. *It is important that you include as much relevant information as you can in order that the panel can make as informed a decision as possible.*

You should also provide any written evidence that is asked for in the letter. Members of the school you are appealing for are not allowed to support your appeal, for example by writing a letter for you to take to the hearing.

Letters from your child's current school will not be taken into consideration by the appeal panel, nor will school reports. Derby Moor Academy Trust is a non-selective authority therefore such information is not necessary.

You can request information from the admission authority to help you prepare your case. Contact a member of the School Admissions Team or the Choice Adviser (see contact details later in the document)

### **What happens at the hearing?**

The hearing will be as informal as possible but will follow a set procedure.

#### **Step One:**

The admission authority's representative explains to the appeal panel the reasons for turning down your application.

The panel decides whether the admission authority applied their published arrangements correctly, and whether there was good reason for turning down your application. In short this means that the Panel have to decide whether the admission arrangements for the school were properly applied and, if so, whether giving your child a place would prejudice the provision of efficient education or the efficient use of the resources at the school, that is to say whether the school will experience difficulties if it admits another child. If the Panel finds that there would be no prejudice then it must uphold your appeal and your child will be admitted to the school. If the Panel finds that there is prejudice then it must go on to the second stage.

#### **Step Two:**

If the panel decides there was good reason for turning down your application, you will still have the chance to state why you are appealing against the decision. You will be able to:

- explain why you believe that the school would be the best place for your child;
- tell the panel about any special circumstances that might justify your child being awarded a place;
- submit additional evidence or documentation that might be relevant to your appeal, such as a medical note from a doctor to support an application on the basis of exceptional social or medical need;

This is the balancing stage, where the Panel reaches its decision by weighing the difficulties the school would experience if it took another child against the strength of your case. If the Panel decides that your case outweighs the difficulties of the school, your appeal will be upheld and your child will be admitted to the school. Otherwise, your appeal will be unsuccessful.

#### **Step Three:**

If the panel decides that your case is the stronger, it will uphold your appeal and your child will be awarded a place at the school. If it finds that the admission authority's case is stronger, it will uphold the decision not to offer your child a place.

### **When will I be informed of the Panel's decision?**

The panel will let you and the admission authority know their decision by post within seven days of the appeal hearing. If your appeal is successful your child will be offered a place at the school.

### **Is the Panel's decision final?**

The Panel's decision is binding on the school and the Admission Authority. This means that, if your appeal is successful, the school must admit your child. If your appeal is not successful your child's name may remain on the waiting list at the school if you wish.

There is no further right of appeal. However, if you feel that the appeal panel has not been properly set up or has not followed procedures correctly you can complain to the Local Government Ombudsman. You should note that the Ombudsman cannot overturn the Panel's decision as this can only be done by the courts.

### **Is there anything I can do if my appeal fails?**

You can't appeal twice for a place at the same school in the same school year unless the admission authority agrees that your first appeal wasn't conducted correctly or they accept that there has been a change in your circumstances.

You can apply for a place the following school year, and if your application is refused, you have the right to appeal again.

### **Can I complain about the appeals process?**

If you are unhappy about the way the appeal process was carried out you can complain to your Local Government Ombudsman. While they can recommend a new appeal, the Ombudsman can't review or overturn the appeal panel's decision.

If there is a change in your circumstances you may be able to apply to appeal again, if the admission authority considers the change relevant to your application.

Appeal panels are independent bodies, so the Secretary of State for Children, Schools and Families cannot review or overturn the decisions of individual panels. They can only consider complaints about whether the appeal panel was correctly set up by the admission authority.

### **Returning your completed form**

Please complete the Appeal form in full, sign it (keep the guidance notes to remind you of what the Appeal will involve) and send the completed Appeal form to the address shown by 29 March 2022 at the very latest.

## **Definitions of Terms Used in this Booklet**

The following are definitions of terms and phrases used in the admission process. Individual schools, which are admitting authorities, can choose to adopt different definitions. If they do so they must make clear to parents how they have defined these terms.

### **Academies**

Academies are all-ability, state- funded schools. They have sponsors from a wide range of backgrounds. Sponsors appoint the majority of governors to the governing body, which agrees the academies admission arrangements with DFE.

### **Admission authority**

The body which sets a school's admission arrangements. This is either the local authority in the case of maintained or voluntary controlled schools or the governing body for all other schools.

### **Admission arrangements**

The overall procedure, practices and oversubscription criteria used in deciding allocation of school places.

### **Appeal panel**

An independent panel who hears appeals against admissions decisions.

### **Catchment area**

A defined geographical area which is used to decide which applications may be given priority to attend a particular school.

### **Children in care (looked after children)**

Children who are in the care of local authorities.

### **Community schools**

Community schools are schools run by the authority (maintained schools or voluntary controlled schools) which decides on the admission arrangements.

### **Distance from home to school**

Distance will be measured by the shortest walking route from the front door of the child's permanent home address (including flats and apartments) to the main entrance of the school, using the Local Authority's computerised measuring system, with those living closer to the school being given preference.

### **Exceptional medical need**

The term 'Exceptional Medical Need' means that the family's health and welfare would be best served if their child attended the school. Parents / guardians need to provide to provide medical evidence in the form of a letter or report from a doctor to support their case. They have to establish that the school is the best / only school to serve their family's needs. They also need to state why other schools could not provide the appropriate support for their family's needs.

The documentary evidence should be submitted with the preference form by the closing date.

### **Exceptional social need**

The term 'Exceptional Social Need' means that the family's health and welfare would be best served if their child attended the school. Parents / guardians need to provide evidence in the form of a letter or report from a social worker or other professional in the area of children's welfare to support their case. They would have to establish that the school was the best / only school to service their family's needs. They also need to state why other schools could not provide the appropriate support for their family's needs. The documentary evidence should be submitted with the preference form by the closing date.

### **Governing bodies**

Every school has a governing body, which often includes parents. Governing bodies promote high standards of educational achievement. They have three key roles: setting strategic direction, ensuring accountability and monitoring and evaluation.

### **Home address**

It is not possible for parents to obtain a place in an oversubscribed school by sending their child to live with a friend or relative who live closer to the school. When determining admissions the child's permanent home address is used. This is defined as the permanent home address of the parent or legal guardian. If parents or legal guardians live at different addresses and both have parental responsibility the address on the family allowance book will be used to determine the child's permanent address. Where required parents/legal guardians will also be required to provide proof in the form of a recent council tax bill, a utility bill, a tenancy agreement or exchange of contracts on a new home to prove that they live at the address.

### **Parent / family member**

A parent is any person who has parental responsibility or care of the child.

### **Sibling**

The term sibling includes: brothers and sisters, foster brothers or sisters, half brothers or sisters and step brothers or sisters living at the same address and as a family unit.



**Appeal against Admission Decision**

To be completed by the parent or carer

Child's first name(s): ..... Family name: .....

Child's date of birth: ..... **Name(s) of parent(s) or carer(s):**

Contact address: ..... Title: ..... Name: .....

..... Contact telephone: .....

..... Title: ..... Name: .....

..... Postcode: ..... Contact telephone: .....

..... Email address: .....

School currently or previously attended: .....

Name of any siblings (brothers and sisters) who currently attend Secondary School:

Name	Date of Birth	Secondary School

**Statement by parent(s) or carer(s)**

Please include any social or medical reasons that you feel are relevant to your case for gaining a place at this particular school. If you have social or medical reasons, these should be supported with appropriate documentation from a qualified person (doctor, social worker and so on).

I wish to appeal against the decision not to offer my child a place at ..... School because .....

.....

.....

.....

.....

.....

.....

Please continue overleaf if required. **Please turn over**

Received by Admissions

Received by GSU



## EQUALITY IMPACT ASSESSMENT POLICY CHECKLIST

Equality Impact Assessment of DMA Policy						
<b>Title of Policy</b>	Determined Admissions Policy					
<b>PART 1</b>	Positive Impact – reducing inequalities					
<p><b>Statutory duty/equality legislation: Equality Impact Assessment undertaken or is satisfied.</b></p> <p><i>D = Disability, GA = Gender reassignment, P = Pregnancy &amp; Maternity, R = Race, R/B = Religion or Belief, S = Sex, SO = Sexual Orientation, A = Age, M/CP = Marriage and Civil Partnerships</i></p>	<p><b>How is the policy likely to have a <u>significant positive impact</u> on equality by reducing inequalities that already exist?</b></p> <p>All potential students will have the opportunity to apply to Derby Moor Academy without discrimination. All potential students who apply will be subject to the criteria as discussed within the policy so eliminating any possibility of potential students not being admitted on unfair grounds.</p> <p><b>Could the policy have a <u>significant negative impact</u> on equality in relation to each of the following groups or characteristics?</b></p> <p>It is critical that all potential students are not discriminated against in relation to admission to the school. The school must follow the criteria set in admitting students to the school. Parents have a right of appeal if their place is refused and above this a right to contact the Admissions Ombudsman should they feel that an appeal has not been heard in a non-discriminatory way.</p>					
<p><b>Characteristics</b></p> <p>Indicate areas of likely impact</p> <p style="text-align: center;">☐</p>	<b>Promote equal opportunities</b>	<b>Get rid of discrimination</b>	<b>Get rid of harassment</b>	<b>Promote good community relations</b>	<b>Promote positive attitudes</b>	<b>Promote/ protect human rights</b>
<b>D</b>	Y	Y		Y	Y	Y
<b>GA</b>	Y	Y		Y	Y	Y
<b>P</b>	Y	Y		Y	Y	Y
<b>R</b>	Y	Y		Y	Y	Y
<b>R/B</b>	Y	Y		Y	Y	Y
<b>S</b>	Y	Y		Y	Y	Y
<b>SO</b>	Y	Y		Y	Y	Y
<b>A</b>						
<b>M/CP</b>						
<b>Equality Impact Assessment of DMA Policy</b>	<b>Records</b>					
<b>Name of person responsible for policy</b>	Catherine Bhundia					
<b>Date of EIA of Policy</b>	09/07/20					

*A = Age, M/CP = Marriage and Civil Partnerships –applies in respect of employment framework policies*

Equality Impact Assessment of DMA Policy	Evidence
<b>PART 2</b>	
<p><b>Statutory duty/equality legislation: Equality Impact Assessment undertaken or is satisfied.</b></p> <p><i>D = Disability, GA = Gender reassignment, P = Pregnancy &amp; Maternity, R = Race, R/B = Religion or Belief, S = Sex, SO = Sexual Orientation, A = Age, M/CP = Marriage and Civil Partnerships</i></p>	<p><b>What is the evidence for your answers above? (list any quantitative and qualitative</b></p> <p>The policy is followed to ensure equality of admission to the school. This is overseen by the Local Authority who control the application process and also the waiting list.</p> <p>Any parent who is unsuccessful at gaining a place at Derby Moor Academy for their child is able to appeal to an independent appeals panel in order to attain a school place.</p>

Equality Impact Assessment of DMA Policy	Conclusion
<b>PART 3</b>	
<b>Summary of findings</b>	Current findings would suggest that procedures are robust and no individual/s or discriminated against.

Equality Impact Assessment of DMA Policy	Next steps		
<b>PART 4</b>			
<b>Category</b>	<b>Actions</b>	<b>Target Date</b>	<b>Person responsible</b>
<b>Next Steps – Action Plan</b>			
<b>Practical changes required to reduce adverse impact</b>			
<b>Monitoring and evaluation and Review (publish revised policy)</b>	Review policy annually	Summer Term Annually	CBH