

THE ADMISSION OF PUPILS TO LANDAU FORTE ACADEMY QEMS

General

1. This annex may be amended in writing at any time by agreement between the Secretary of State and the Company.
2. The Company will act in accordance with, and will ensure that the Independent Appeal Panel 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 Company.
3. Notwithstanding the generality of paragraph 2 of this Annex B, the Company will take part in the Admissions Forum set up by the LA and have regard to its advice; and will participate in the coordinated admission arrangements operated by the LA and the local in-year fair access protocol.
4. Notwithstanding any provision in this Agreement, the Secretary of State may:
 - (a) direct the Company to admit a named pupil to Landau Forte Academy QEMS on application from a local authority. Before doing so the Secretary of State will consult the Company.
 - (b) direct the Company to admit a named pupil to Landau Forte Academy QEMS if the Company has failed to act in accordance with this Annex B or has otherwise failed to comply with applicable admissions and equalities legislation or the provisions of the Codes.
5. The Company shall ensure that parents will have the right of appeal to an Independent Appeal Panel if they are dissatisfied with an admission decision of the Company. The Independent Appeal Panel will be independent of the Company. The arrangements for appeals will comply 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.
6. The Company shall prepare guidance for parents about how the appeals process will work and provide parents with a named contact who can answer any enquiries parents may have about the process. The Company may, if it chooses, enter into an agreement with the LA or any other organisation for it to recruit, train and appoint appeal panel members, and to arrange for the process to be independently administered and clerked.

ANNUAL PROCEDURES FOR DETERMINING ADMISSION ARRANGEMENTS

Consultation

7. The Company shall consult the following parties on the Academy's proposed admission arrangements by 1 March in the Academy Financial Year beginning two years before the Academy Financial Year which the admissions arrangements will be for e.g. March 2019 for admissions in September 2020, ("Determination Year"):
 - a) The LA.
 - b) The admission forum for the LA.
 - c) Any other admission authorities for primary and secondary schools located within the relevant area for consultation set by the LA.
 - d) Any other governing body for primary and secondary schools (as far as not falling within paragraph c)) located within the relevant area for consultation.
 - e) Affected admission authorities in neighbouring local authority areas.

Such consultation shall be in line with the requirements of the Codes and relevant admissions legislation, which at the date of this agreement is section 89 of the School Standards and Framework Act 1998 as amended, and Regulations under that section.

Company Determination of Admission Arrangements

8. The Company will consider comments made by those consulted in accordance with paragraph 7, including any requests to amend the proposed admissions number, before determining the admissions arrangements for the Academy.
9. The Company will determine the Academy's admission arrangements by 1 March of the Determination Year and notify those consulted in accordance with paragraph 7 what has been determined within 14 days of that decision being made.

Representations about Admission Arrangements

10. Where the Company has determined the Academy's admission arrangements and notified all those bodies that it has consulted in accordance with paragraph 9, if any of those bodies object to the Academy's admission arrangements, including the proposed admissions number, they can make representations to the Secretary of State. Any representations must be made by 30 June in the Determination Year.

Secretary of State's Consent for Changes to Admissions Arrangements

11. Where the admissions arrangements determined in a Determination Year in accordance with paragraph 9 are different to the admissions arrangements currently in existence for the Academy, the Company shall by 30 June in the Determination Year apply to the Secretary of State for him to consent to such amended admissions arrangements.

Secretary of State's Power to Accept, Modify or Reject Admissions Arrangements

12. Where the Secretary of State has received any representations made in accordance with paragraph 10, the Secretary of State must consult the Company on such representations. Following such consultation, by 31 July in the Determination Year the Secretary of State may direct that the Company amends the proposed admissions arrangements for the Academy. The Company shall comply with any such direction.
13. Where the Secretary of State has received an application made in accordance with paragraph 11 to consent to any amended admissions arrangements, the Secretary of State must by 31 July in the Determination Year either approve the amended admissions arrangements or direct that the amended admissions arrangements are not implemented or must be modified. The Company must comply with any such direction.

Publication of Admission Arrangements

14. The Company shall each Determination Year publish Landau Forte Academy QEMS's agreed admission arrangements by:
 - a) Copies being sent to the persons consulted in paragraph 7;
 - b) Copies being sent to primary and secondary schools in the LA's area;
 - c) Copies being sent to the offices of the LA;
 - d) Copies being made available without charge on request from the Academy;
 - e) Copies being sent to public libraries in the area of the LA for the purposes of being made available at such libraries for reference by parents and other persons
15. The published admissions arrangements will set out:
 - a) The name and address of Landau Forte Academy QEMS and contact details;
 - b) A summary of the admissions policy, including oversubscription criteria;
 - c) A statement of any religious affiliation, if relevant;
 - d) Numbers of places and applications for those places in the previous year; and
 - e) Arrangements for hearing appeals

Proposed Changes to Admission Arrangements by Landau Forte Academy QEMS After Arrangements Have Been Published

16. Subject to paragraph 17, once the Academy's admission arrangements have been determined for a particular year and published, the Company will not make any change to such arrangements unless there is a major change of circumstances and the following procedures have been followed:
 - a) The Company has consulted those who were consulted under paragraph 7 above on the proposed variation;
 - b) Following such consultation, the Company has applied to the Secretary of State to approve the change setting out:
 - i) The proposed change;
 - ii) Reasons for wishing to make such change;
 - iii) Any comments or objections to the proposal from those consulted; and
 - c) Following such application, the Secretary of State has provided his consent to the proposed variation.
17. The Company shall following the prior written agreement or direction of the Secretary of State vary the Academy's admissions arrangements where such changes are necessary to ensure compliance with the relevant provisions of admissions law or the Codes as they apply to maintained schools. Such changes may be made at any time.
18. Any changes to the Academy's admission arrangements brought about through the variation processes in paragraphs 16 or 17 above must be published within the Academy's prospectus and website and be communicated within 7 days to those persons who must be consulted under paragraph 7.
19. The Company must make arrangements for a parent of a child who has attained the age of two but is not above compulsory school age and who has been, is or will be eligible to apply to be admitted to the Academy to make representations to the Secretary of State that any aspect of the Academy's admission arrangements does not comply with the relevant provisions of admissions law or the Codes as they apply to maintained schools.
20. Where a representation is made in accordance with paragraph 19, the Secretary of State may, after consulting the Company, direct that the Company modify its arrangements for the admission of pupils to the Academy so that they comply with the relevant provisions of admissions law and the Codes as they apply to maintained schools. The Company must comply with any such direction.
21. Records of applications and admissions to the Academy shall be kept by the Company for a minimum period of 10 years and shall be open for inspection by the Secretary of State.

PROCEDURE FOR ADMITTING PUPILS TO THE ACADEMY

Admission Numbers 2019-20

22. The Company has the following agreed admission numbers for the Academy for the year 2019 and, subject to any changes approved or required by the Secretary of State, for subsequent years:
- a. 168 places for pupils in Year 7
 - b. Landau Forte Academy QEMS has capacity for 840 pupils
23. In any specific year, the Company may set a higher admission number than Landau Forte Academy QEMS's agreed admission number for an applicable year group. Before setting an admission number higher than its agreed admission number, the Company will consult those listed at paragraph 7. Pupils will not be admitted in any year group above the published admissions number for that year group unless exceptional circumstances apply and such circumstances shall be reported to the Secretary of State.

Process of Application

24. Arrangements for applications for places at Landau Forte Academy QEMS will be made in accordance with the LA's co-ordinated admission arrangements and will be made on the Common Application Form provided and administered by the relevant local authority.
25. The Company will use the following timetable for applications to Landau Forte Academy QEMS 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 Staffordshire County Council Admissions Forum, Staffordshire LA, local authorities admissions, local Academies and local Admissions Forum.
- a) By September – the Company will publish in Landau Forte Academy QEMS's prospectus information about the arrangements for admission, including oversubscription criteria, for the following September (e.g. in September 2019 for admission in September 2020). This will include details of open evenings and other opportunities for prospective pupils and their parents to visit the school. The Company will also provide information in relation to Landau Forte Academy QEMS to the Staffordshire County Council for inclusion in the composite prospectus, as required;
 - b) September/October – the Company will provide opportunities for parents to visit Landau Forte Academy QEMS;
 - c) October/November – Common Application Form to be completed and returned to the Staffordshire LA to administer;
 - d) Staffordshire LA sends Landau Forte Academy QEMS's applications to the Company;
 - e) Company sends ranked list of pupils against its admissions policy to Staffordshire LA;
 - f) February – Staffordshire LA applies agreed scheme for own schools, informing other LA's of offers to be made to their residents;

g) 1st March - offers made to parents.

Consideration of Applications

26. The Company will consider all applications for places at Landau Forte Academy QEMS. Where fewer than the published admission number(s) for the relevant year groups are received, the Company will offer places at Landau Forte Academy QEMS to all those who have applied.

PROCEDURES WHERE LANDAU FORTE ACADEMY QEMS IS OVERSUBSCRIBED

Admissions to Year 7

27. 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 pupils with a statement of Special Educational Needs or an Education, Health and Care Plan where Landau Forte Academy QEMS is named, the criteria will be applied in the order in which they are set out below:

- a) Children in Care and previously Looked After Children, in accordance with Paragraph 1.7 of the Admissions Code and in accordance with Section 22(1) of the Children Act 1989.
- b) Children who live within the old Queen Elizabeth Mercian School catchment area.
- c) Pupils who have an elder sibling in attendance at the preferred school and who will still be attending the school at the proposed admission date; (for admission purposes, a brother or sister is a child who lives at the same address and either: have one or both natural parents in common; are related by a parent's marriage; are adopted or fostered by a common parent or are unrelated children who live at the same address, whose parents live as partners).
- d) Other pupils arranged in order of priority according to how near their home addresses are to the main gate of the school, determined by a straight-line measurement as calculated by the Children and Lifelong Learning Directorate's Geographical Information System.

Where it is not possible to accommodate all pupils applying for places within a particular category then the Directorate will allocate the available places in accordance with the remaining criteria. If, for instance, all the catchment area children cannot be accommodated at a school, children who are catchment area children and satisfy category (c) will receive offers of a place.

Operation of Waiting Lists

28. Subject to any provisions regarding waiting lists in the LA's co-ordinated admission scheme, the Academy will operate a waiting list (for each year group). Where in any year Landau Forte Academy QEMS receives more applications for places than there are places available, a waiting list will operate until the end of the autumn term. This will be maintained by the Company 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. **(Note: The**

Admissions Code only allows waiting lists to begin to offer places once local co-ordination ends or once all children applying – before 1 March – for a place through the area’s co-ordinated scheme have been offered a place, whichever is latest. Some schemes continue until October and so the waiting list could not offer any places until October. This issue will require checking with the local authority or reference to the local scheme (which is published once agreed)). The Admissions Code does stipulate that waiting lists for normal age of entry need to operate until at least the end of the autumn term in future.

29. Children’s position on the waiting list will be determined solely in accordance with the oversubscription criteria set out in paragraph 27. Where places become vacant they will be allocated to children on the waiting list in accordance with the oversubscription criteria.

Arrangements for Admitting Pupils to Other Year Groups, including to Replace any Pupils Who Have Left Landau Forte Academy QEMS

30. 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, the Company will consider all such applications and if the year group applied for has a place available, admit the child unless one of the permitted reliefs apply. If more applications are received than there are places available, the oversubscription criteria in paragraph 27 shall apply. Parents whose application is turned down shall be entitled to appeal.
31. Admission to Year groups without a Published Admission Number will be based upon the size of teaching groups already existing in Landau Forte Academy QEMS, the capacity of the new 11-16 Academy building and the efficient use of resources. All mid-year applications will be administered by Staffordshire County Council, in line with the Council’s mid-year coordinated admission scheme and Fair Access Protocol.
32. There will be a right of appeal to an Independent Appeal Panel for unsuccessful applicants.

Admission Outside of the Normal Age Group

Parents may seek to apply for their child’s admission to school outside of their normal age group, for example if the child is exceptionally gifted and talented or has experienced problems such as ill health.

These parents will need to make an application alongside children applying at the normal age which should explain why it is in the child’s best interest to be admitted outside of their normal age which may include information such as professional evidence as to why this is the case and why an exception should be made in the case of the child. A decision as to whether this is an appropriate course of action will be made by the Governing Body who will take into account the circumstances of the case and views of the Headteacher. Parents do not have the right to insist that their child is admitted to a particular year group.