

# **Policy on Admissions for September 2021**

## **GENERAL**

1. This Annex may be amended in writing at any time by agreement between the Secretary of State and The JCB Academy Trust.
2. The JCB Academy Trust 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 as they apply at any given time to academies and with equalities law and the law on admissions as they apply to academies. For this purpose, reference in these codes or law to “admission authorities” shall be deemed to be references to the Governing Body of The JCB Academy Trust.
3. Notwithstanding any provision in this Annex, the Secretary of State may:
  - (a) direct The JCB Academy Trust to admit a named student to The JCB Academy on application from a local authority (LA). Before doing so the Secretary of State will consult The JCB Academy Trust;
  - (b) direct The JCB Academy Trust to admit a named student to The JCB Academy if The JCB Academy Trust 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.
4. The JCB Academy Trust shall ensure that parents<sup>1</sup> and relevant children will have the right of appeal to an Independent Appeal Panel if they are dissatisfied with an admission decision of The JCB Academy Trust. The Independent Appeal Panel will be independent of The JCB Academy Trust. The arrangements for appeals will comply with the School Admission Appeals Code published by the Department for Education as it applies to academies. The determination of the Independent Appeal Panel is binding on all parties.
5. The JCB Academy Trust shall prepare guidance for parents and relevant children about how the appeals process will work and provide them with a named contact who can answer any enquiries they may have about the process. The JCB Academy Trust may, if it chooses, enter into an agreement with a 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.

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<sup>1</sup> Within this document, the term parent refers to those with parental responsibility for a learner

6. In paragraphs 4 and 5 above, relevant children means:
- (a) in the case of appeals for entry to a sixth form, the child, and;
  - (b) in any other case, children who are above compulsory school age, or will be above compulsory school age by the time they start to receive education at the school.

#### **Relevant area**

7. The relevant area for consultation is the area covered by a circle centred at The JCB Academy with a radius of 18 miles, i.e. the area within 18 miles of The JCB Academy.
8. A map of the relevant area is attached at Appendix A.

### **ANNUAL PROCEDURES FOR DETERMINING ADMISSION ARRANGEMENTS**

#### **Consultation**

9. The JCB Academy Trust shall consult the following parties on The JCB Academy's proposed admission arrangements for a minimum period of six weeks between 1 October and 31 January in the Determination Year<sup>2</sup>:
- (a) Staffordshire LA;
  - (b) any other admission authorities for primary and secondary schools located within the relevant area for consultation;
  - (c) any other governing body for primary and secondary schools located within the relevant area for consultation;
  - (d) affected admission authorities in neighbouring local authority areas;
  - (e) parents living in the relevant area for consultation whose children have attained the age of two but are not above compulsory school age and who are or will be eligible to apply to be admitted to The JCB Academy;
  - (f) community groups which The JCB Academy considers relevant;
  - (g) The JCB Academy's Staff Committee if the consultation includes an increase in the admission number.

Such consultation shall be in line with the requirements of the School Admissions Code and the School Admission Appeals Code and relevant admissions legislation.

10. From 2011-12, and for subsequent years consultation in line with paragraph 9 is not required in any year where the following conditions are met:
- (a) the admission arrangements were consulted upon in one or both of the previous seven years; and
  - (b) there have been no changes, or proposed changes, since the last consultation.

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<sup>2</sup> A Determination Year is The JCB Academy financial year beginning one year before The JCB Academy financial year which the admissions arrangements will be for, e.g. determination to be in February 2020 for admissions in September 2021

11. As soon as any changes are made to arrangements, or proposed, the consultation cycle in paragraph 9 must be followed for the next determination year.

### **The JCB Academy Trust determination of admission arrangements**

12. The JCB Academy Trust will consider comments made by those consulted in accordance with paragraph 9, including any requests to amend the proposed admission number, before determining the admission arrangements for The JCB Academy.
13. The JCB Academy Trust will determine The JCB Academy's admission arrangements annually by 28 February of the Determination Year and notify consultees listed in paragraph 9 and publish on The JCB Academy's website what has been determined before 15 March of the Determination Year.

### **Representations about admission arrangements**

14. Where the JCB Academy Trust has determined The JCB Academy's admission arrangements and notified all consultees listed in paragraph 9, if any of those persons or bodies object to The JCB Academy's admission arrangements, including the proposed admission number, they can make representations to the Office of the Schools Adjudicator. Any representations must be made by 15 May in the Determination Year.

### **Publication of admission arrangements**

15. The JCB Academy Trust shall each Determination Year publish The JCB Academy's agreed admission arrangements by:
  - (a) copies being sent to the persons consulted in paragraph 9;
  - (b) copies being sent to primary and secondary schools in the relevant area for consultation;
  - (c) copies being sent to the offices of Staffordshire LA;
  - (d) copies being made available without charge on request from The JCB Academy;
  - (e) copies being sent to public libraries in the relevant area for the purposes of being made available at such libraries for reference by parents and other persons;
  - (f) a copy being uploaded to The JCB Academy's website.
16. The published admission arrangements will set out:
  - (a) the name and address of The JCB Academy and contact details;
  - (b) a summary of the Admissions Policy, including full oversubscription criteria and any arrangements for post-16 admission;
  - (c) numbers of places and applications for those places; and
  - (d) arrangements for hearing appeals.

## **PROCEDURE FOR ADMITTING STUDENTS TO THE JCB ACADEMY**

### **Admission number(s)**

17. The JCB Academy Trust has the following agreed admission number for The JCB Academy for the year 2021/20 and, subject to any changes approved or required by the Secretary of State, for subsequent years:
  - (a) 132 for students in Year 9;
  - (b) 66 for students in Year 10 (total year group size to remain at 198 including the 132 admitted in the previous year into Year 9);
  - (c) 50 for students in Year 12. The JCB Academy has capacity for 200 students in the sixth form. The total Year 12 group size will be 105, including students who transfer from The JCB Academy's Year 11. If fewer students transfer from Year 11, The JCB Academy will admit over the admission number up to the overall size of the Year 12 group if sufficient applications are received.
18. The JCB Academy Trust may set a higher admission number than The JCB Academy's agreed admission number for an applicable year group.

### **Process of application**

19. Applications for places at The JCB Academy will be as follows:
  - (a) Year 9
    - (i) Applicants residing in Staffordshire
      - Applications made up to and including 31 October will be made directly to Staffordshire LA as part of the co-ordinated admissions scheme.
      - Applications made between 1 November and 31 January will be made directly to The JCB Academy. Parents who have already submitted an application to Staffordshire LA will be asked to confirm their preference.
    - (ii) Applicants not residing in Staffordshire

Applications will be made directly to The JCB Academy.
  - (b) Year 10

Applications will be made directly to The JCB Academy.
  - (c) Year 12

Applications will be made directly to The JCB Academy.
20. The JCB Academy Trust will use the timetable set out in this policy for applications to The JCB Academy each year (exact dates within the months may vary from year to year). This will fit in with the timetable for the co-ordination of admission arrangements within Staffordshire LA as agreed by Staffordshire LA, local schools and academies.

Currently, this is:

- (a) The JCB Academy will provide information to the LAs for inclusion in information to parents, booklets and composite prospectus, to the required deadline for inclusion.
- (b) By 1 March 2020: The JCB Academy will publish on its website information about the arrangements for admission, including oversubscription criteria, for admission in September 2021. This will include details of open evenings and other opportunities for prospective students and their parents to visit the school.
- (c) October/November 2020: The JCB Academy will provide opportunities for parents to visit The JCB Academy.
- (d) 31 January 2021: Deadline for application forms to be completed and returned to The JCB Academy.
- (e) 5 February 2021: The JCB Academy provides Staffordshire LA information on applications.
- (f) 19 February 2021: CAT tests completed.
- (g) 22 February 2021: The JCB Academy sends list of students to be offered places to Staffordshire LA.
- (h) 1 March 2021: The JCB Academy makes offers to parents.

### **Consideration of applications**

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

### **Admission arrangements for Year 9/10 provision**

22. All applicants must sit the CAT test<sup>3</sup>. All on time applicants will sit the test by the end of February half term. The test has no pass or fail and will be used to ensure The JCB Academy admits learners from the full spectrum of ability. If the number of applications to The JCB Academy in a particular year exceeds the number of places available then the results of this test (CAT score<sup>4</sup>) will be used for the purpose of assisting the academy in placing applicants into one of four bands<sup>5</sup>. The boundaries of each band reflect the national range of abilities and are as follows:

| <u>Band</u> | <u>CAT score</u> |
|-------------|------------------|
| A           | Above 110        |
| B           | 100-110          |
| C           | 90-99            |
| D           | Below 90         |

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<sup>3</sup> The Cognitive Abilities Test 3 produced by GL Assessments comprising a verbal, non-verbal and quantitative aspect.

<sup>4</sup> The mean result attained by an individual on the CAT test.

<sup>5</sup> The ability group into which an applicant is placed on the basis of their CAT score.

23. Children with an Education Health Care Plan (EHCP), looked after children<sup>6</sup> and previously looked after children (those who were looked after, but ceased to be so because they were adopted<sup>7</sup> or became subject to a residence order<sup>8</sup> or special guardianship order<sup>9</sup>) will not be required to take the test and will be allocated to the appropriate band based on a recommendation from their current school.
24. The planned admission number for entry at Year 9 is 132 students. The planned admission number for entry at Year 10 is 66 students (who will join the 132 students admitted to Year 9 the previous year). The JCB Academy's approach to over-subscription criteria and its admissions policy at Year 9/10 are aimed at achieving a broad and balanced intake from within the region covered by the academy, within the context of the School Admission Code and the School Admission Appeals Code and admissions law.
25. Where the number of applications for admission is greater than the published admission number, and after the admission of applicants with EHCPs that name The JCB Academy (who will be included in the band in which they fall), places in Year 9/10 will be allocated to applicants in the order set out overleaf:
  - (a) Applicants who are looked after children and previously looked after children. These applicants will be included in the band in which they fall.
  - (b) Applicants who live within the 18 mile radius catchment area. The oversubscription criteria will use random allocation of places as a tie-break and use CAT bands as the allocative method to ensure ability spread. This means that applicants with siblings at The JCB Academy do not have priority over applicants within the bands. Random allocation means that The JCB Academy will fairly select applicants from within each band.

To ensure an ability spread across those residing within the 18 mile radius as measured in a straight line from the applicant's home address to the front gates of The JCB Academy as calculated by JCB's Geographical Information System<sup>10</sup>, in the percentages set out below (for the Year 10

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<sup>6</sup> Looked after children are (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) at the time of making an application to a school.

<sup>7</sup> Under the terms of the Adoption and Children Act 2002. See Section 46 (adoption orders).

<sup>8</sup> Under the terms of the Children Act 1989. See Section 8 which defines a 'residence order' as an order settling the arrangements to be made as to the person with whom the child is to live.

<sup>9</sup> See Section 14A of the Children Act 1989 which defines a 'special guardianship order' as an order appointing one or more individuals to be a child's special guardian (or special guardians).

<sup>10</sup> The JCB Academy uses a Geographical Information System (GIS) to calculate home to school distances in miles. The measurement is calculated using Ordnance Survey (OS) data from an applicant's home address to the main front gate of the school. The coordinates of an applicant's home address are determined using the Local Land and Property Gazetteer (LLPG) and OS Address Point data.

The home address is considered to be the child's along with their parent's main and genuine principal place of residence at the time of the allocation of places, i.e. where they are normally and regularly living. If a child is resident with friends or relatives (for reasons other than legal guardianship) the friend's or relative's address will not be considered for allocation purposes.

Where parents have shared responsibility for a child, and the child lives with both parents for part of the school week, parents will be required to provide documentary evidence to support the address they wish to be considered for allocation purposes.

If there are a limited number of spaces available and it is not possible to distinguish between applicants using the criteria listed, such as in the case of children who live in the same block of flats or are the result of a multiple birth, then the child or children who will be offered the available spaces will be randomly selected by drawing lots.

process this will include those already allocated a place in Year 9 - these students will be discounted from the allocated places before applying the random allocation):

- Band A - 25% of the remaining places by random allocation
- Band B - 25% of the remaining places by random allocation
- Band C - 25% of the remaining places by random allocation
- Band D - 25% of the remaining places by random allocation

The number of places allocated to each band is based initially on the national ability profile. This is to ensure that students are admitted fairly from across all four bands.

Where the outer boundaries of the 18 mile radius bisect a property<sup>11</sup>, that property will be considered to be inside the priority zone.

- (c) Applicants residing outside the 18 mile radius. Priority will be given to those living nearest to The JCB Academy as measured in a straight line from the applicant's home address to the front gates of The JCB Academy using the computerised measuring system.
26. If there are the same number or fewer applicants from any band than places available, then all applicants will be offered a place. Any unfilled band places will be offered to those applicants in other bands using random allocation.
  27. If there are more applicants from a band than places available, then the maximum number of remaining places will be allocated through random allocation of those places.
  28. Applications from sets of twins or other children from multiple births will be treated as individual applicants; this may result in one child being allocated a place under random allocation and another not.
  29. If it is not possible to distinguish between applicants on the basis of distance (because they are children who are as a result of multiple birth or live in the same block of flats), then the child or children who will be offered the available place(s) will be randomly selected.
  30. Unsuccessful applicants will have a right of appeal to an independent admission appeals panel.
  31. The JCB Academy will ensure that someone independent of the school supervises the random allocation processes.

#### **Late applications - Years 9 and 10**

32. Applications received after the common application date but before 1 February 2021 will all be treated in an identical manner.
  - (a) Applications received after 31 January 2021 will only be considered alongside those applicants who have applied before this date if places have not been allocated and there are exceptional reasons for the late application, i.e. a major change of circumstance. A late application will not affect the right of appeal or the right to be placed on the waiting list.

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<sup>11</sup> The term 'property' for the purposes of the admissions document is defined as the child's principal place of residence

- (b) Such applicants must sit the CAT test as outlined in paragraph 22.

### **Admission outside of the normal age group**

33. Parents may seek to apply for their child's admission to The JCB Academy 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 Principal. Parents do not have the right to insist that their child is admitted to a particular year group.

### **Post 16 admission criteria**

34. The JCB Academy Trust will publish specific criteria in relation to minimum academic entrance requirements for admission or transfer to The JCB Academy sixth form. 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.

These academic entry requirements will be the subject of consultation with those listed in paragraph 9 and published on The JCB Academy's website and signposted from Staffordshire LA's website to enable parents to view the determined arrangements.

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

When there are more external applicants that satisfy the academic entry requirements than the number of post-16 places available and after the admission of students with SEN statements where The JCB Academy is named on the statement, the criteria will be applied in the order in which they are set out below:

1. Looked after children and previously looked after children.
2. Children in catchment.

35. The JCB Academy expects to receive applications for entry in September each year by the first Monday of the preceding February (e.g. 1 February 2021 for entry in September 2021). Applications received after this deadline will be considered if space is still available or if space subsequently becomes available at a later stage in the admissions and enrolment process.
36. There will be a right of appeal to an Independent Appeal Panel for internal students refused transfer and external applicants refused admission.

### **Operation of waiting lists**

37. Where in any year The JCB Academy receives more applications for places than there are places available, waiting lists for each band will operate until the end of the first term of the school year. These will be maintained by The JCB Academy and it will be open to any parent to ask for his or her child's name to be placed on the waiting list for the relevant band following an unsuccessful application.

38. An applicant's position on the waiting list will be determined solely in accordance with the oversubscription criteria set out in paragraph 25 or for post-16 places paragraph 34, above. Where a place becomes vacant it will be allocated to an applicant on the waiting list for the relevant band in accordance with the oversubscription criteria.

#### **In Year Admission Arrangements**

39. Parents seeking to transfer their child to The JCB Academy may make an application using the appropriate application form which is available from The JCB Academy. This application will be processed in line with the procedure outlined in the determined admission arrangements.
40. Parents need to be aware that any date set for joining The JCB Academy may be after the next term or half-term holiday and they are responsible for ensuring their child continues to receive appropriate education in the interim.
41. If a place is not available, parents will be informed of the decision to refuse admission, the reason(s) for that refusal and of their right of appeal to an Independent Appeals Panel. A copy of the application form and refusal letter will be sent to the relevant LA.

