



Office of
the Schools
Adjudicator

Determination

Case reference: ADA3973

Objector: Blackburn with Darwen Borough Council

Admission authority: Aldridge Education - a multi-academy trust for Darwen Aldridge Enterprise Studio

Date of decision: 8 September 2022

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements for September 2023 determined by Aldridge Education for the Darwen Aldridge Enterprise Studio, Darwen.

By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements within two months of the date of the determination unless an alternative timescale is specified by the adjudicator. In this case I determine that the arrangements must be revised within one month of the date of this determination.

The referral

1. Under section 88H(2) of the School Standards and Framework Act 1998 (the Act), an objection has been referred to the adjudicator by Blackburn with Darwen Borough Council (the Council), which is the local authority for the school's area, about the admission arrangements (the arrangements) for Darwen Aldridge Enterprise Studio (the school), a studio school for male and female pupils aged 13 to 19 for September 2023. The school is one of the schools within Aldridge Education (the Trust).
2. The Council and the Trust are parties to this objection.

Jurisdiction

3. The terms of the Academy agreement between the Trust and the Secretary of State for Education require that the admissions policy and arrangements for the school are in accordance with admissions law as it applies to maintained schools. These arrangements were determined by the Trust, which is the admission authority for the school, on that basis. The Council submitted an objection to these determined arrangements on 13 May 2022. I am satisfied the objection has been properly referred to me in accordance with section 88H of the Act and is within my jurisdiction.

Procedure

4. The documents I have considered in reaching my decision include:
- a. a copy of the minutes of the meeting of the Trust at which the arrangements were determined;
 - b. a copy of the determined arrangements;
 - c. the objector's form of objection dated 13 May 2022;
 - d. the Trust's Master Funding Agreement and the supplemental funding agreement for the school.
5. I met with representatives of each of the parties at the school on 13 July 2022.

Background

6. The school is a studio school (a type of free school, and an academy set up under the Academies Act 2010). Pupils join the school in Year 9. The school has a 6th Form. It is the only studio school in the Council's area and the only school which admits pupils to Year 9 as a normal year of entry.

7. The meeting on 13 July 2022 at the school was very helpful and I wish to thank the representatives of the parties for their help and co-operation. The parties agreed a way forward to resolve the difficulties raised in the objection. All present agreed that I would write my determination setting out the points on which I find the arrangements do not comply with the provisions of the Code. That determination is binding on the Trust who will proceed to make the necessary amendments.

8. The supplemental funding agreement for the school states "The Academy Trust must participate in the coordinated admission arrangements operated by the LA in whose area the Academy is situated unless it opts out of doing so in any admissions year by notifying the LA in writing no later than the date of determining its admissions policy for the Academy". In past years the Trust and the school have administered the arrangements. However, for the 2023 arrangements, notice was not given to the Council by the deadline specified. The Trust wish to continue to opt out of the Council's co-ordinated admissions process. The Council acknowledges that there are no other schools with a normal year of

entry in Year 9 and so coordination is not a necessary process. The Council is prepared to accept late notice that the Trust will opt out of the coordination process for admissions in 2023, provided the admission arrangements are made compliant with the Code and the law relating to admissions.

Consideration of Case

9. At the meeting on 13 July the parties and I followed in our discussion the points made in the objection. I will set out those points below together with my findings on each point. In order to be consistent with the rest of my determination, I have made minor changes, for example changing “DAES” the “the school” throughout. A copy of the determined admission arrangements for the school for 2023 is appended to this determination as Appendix A.

10. The initial paragraph numbers below refer to the corresponding paragraphs in the school’s admission arrangements. Paragraph references in bold type are to paragraphs in the Code.

11. “3.1 (i) Application process - **Para 2.1** of the Code requires use of a CAF for all applicants and **Para 2.3** requires all applications to be made the same way irrespective of the identity of the applicant’s home LA. This policy asks Blackburn with Darwen applicants to use DAES’ own application form and out of borough applicants to apply via their home LA.”

12. This point was not specifically discussed at the meeting. In my view the provisions for using a common application form (CAF) apply specifically to the coordination process. The school, in administering its own arrangements, cannot be expected to provide, for example, for “3 preferences in rank order”. The application form must be the same for both in borough and out borough applicants. The process whereby those forms are submitted, whether directly to the school or through a local authority is outside the scope of an Adjudicator.

13. “The school’s own application form (Year 9):- **Para 1.9** – must not take into account any previous schools attended (form specifically asks for name of child’s current school). **Para 2.4** – Adm. Authorities must not ask for details of a child’s disabilities, special educational needs or medical conditions but the school’s application form on their website specifically asks about SEN and disabilities.”

14. It is agreed that these pieces of information cannot be sought on the application form. Only information that is directly relevant to the oversubscription criteria or essential to the administration of the admissions process may be sought. Some types of request for information are expressly forbidden by the Code. I uphold the objection on this point. Of course, such prohibited information, if relevant post admission, may be sought for those applicants who have been offered a place following due application of the admission arrangements.

15. “3.1 (v) the school say “offers to be made between Sept 22 and July 23”, not on national offer day as per **Paras 15(e) and Para 2.12. Para 2.9** prohibits refusing a child a place solely because their parent applied later than other applicants. If there is no closing date for applicants and places are allocated between Sept 22 and July 23, then if the school is oversubscribed at any point during the admissions round, some applicants will be refused solely by reason of the date on which they applied. **Para 1.9 (m)** prohibits schools interviewing children or parents, but the school’s admission arrangements state that offers will be made “following the meeting to discuss curriculum process”.”

16. I find that the current provisions, which do not include a closing date for applications or provide for offers to be made on national offer day are not compliant with the provisions of paragraph 2.9 the Code. This point in the objection is upheld. I also find that meetings with applicants prior to the application of the oversubscription criteria are not compliant with the paragraph 1.9 m) of the Code. This point in the objection is upheld. The school has agreed to make the necessary amendments. The school may choose to accept late applications, made after the closing date for secondary school applications of 31 October. It is then necessary to set out how late applications will be treated, for example that they will be accepted provided there is “good reason” for them being late and up to which date.

17. “3.1 (vi) (b) (c) and (d): it is difficult to see how these paragraphs can be fairly or consistently applied as required by the Code, when there is no closing date for admissions and para 3.1.v indicates that the school will make offers of places between “Sept 2022- July 2023”.”

18. This point will be covered when the admission arrangements are amended in accordance with the paragraphs above, to include a closing date and an offer day.

19. “3.1 (vi) (d) This paragraph correctly states that the waiting list will not be ranked by date of application (as is required by the Code) but this provision in 3.1.(iv)(d) is directly contradicted by the oversubscription criterion in section 4.vi. This provision should be kept and section 4.vi of the admission arrangements be amended”.

20. It was agreed by the parties that paragraph 4 vi as it stands is not compliant with paragraph 2.15 of the Code. This point in the objection is upheld. A possible solution is for the school to maintain a waiting list in accordance with the provisions of the Code, and to ask applicants on the waiting list to confirm whether they are only accept a palce in specified specialisms; or whether they will simply accept a place if offered regardless of the specialism. Where a place becomes available in a particular specialism it can then be offered to those who have stated they would accept a place for that specialism in accordance with the order of the oversubscription criteria. The waiting list rankings would remain the same, but those currently on the waiting list who have confirmed that they did not accept a place for that particular specialism would not be offered that specific place. They would still remain on the waiting list, and the place would be offered to the highest applicant on the waiting list willing to accept a place in the available specialism.

21. “3.2. iv – There is no indication at all of whether there is a closing date for applications for the Sixth form or when offers of places will be made. **Para 15** of the Code requires admission arrangements to clearly set out how children will be admitted. These arrangements lack clarity”.
22. I find that greater clarity in the 6th Form admission process is required, including a specified closing date, in order to ensure compliance with paragraph 15 of the Code. This point in the objection is upheld.
23. “The school’s admission form (Year 12) In addition to the prohibited information noted in relation to the Year 9 application form which is also requested on the school’s own application form for Year 12, the Year 12 form also asks for additional information about career and university ideas and predicted grades which is prohibited by **Para 1.9** of the code.”
24. I find that requests for information about career and university ideas are not compliant with paragraph 1.9 g) the Code, or with paragraphs 14 and 1.8 as it is not clear how this information might feed into a decision on admission. This point in the objection is upheld. As above such information may, if relevant, be sought after offers have been made.
25. Minimum academic entry requirements are permitted by the Code and predicted grades are therefore relevant to this. I find that requesting predicted grades is compliant with the Code.
26. “4.i. This criterion does not include Internationally Adopted Previously Looked After Children, and therefore breaches **Para 1.7** of the Code”.
27. The requirement to include such children in the first priority of the oversubscription criteria was introduced by the new Code published in September 2021. This point in the objection is upheld. The school have agreed to amend this section in order to ensure compliance.
28. “4.ii **Para 1.40** requires arrangements to specify which groups of staff this criterion will apply to. As drafted, this criterion does not properly or clearly specify which staff meet this criterion during this admissions round or how many places are actually available under this criterion (or what tie-breaker will be applied if there are more applicants than places available under this criterion). Breaches **Paras 14 and 1.40** of the code. If posts have already been assessed and designated as eligible under this criterion, the arrangements should specifically identify them. If they have not, then the arrangements have not been fully determined as required.”
29. The criterion reads:
- “Children of staff at the academy who occupy, or have been recruited to, a post where there is a demonstrable skill shortage. Aldridge Education schools must approve the Principal’s assessment process and designation of such posts to

confirm the staff members' eligibility under this criterion. Priority will be limited to one place for each form of entry in any year (i.e. 3 places in each 3-form year group)"

30. In my view the class of children covered by this criterion is clear and complies with the requirements of paragraph 1.40 of the Code. I do not find that it is necessary to identify which posts meet this criterion in the admission arrangements, and the situation may change between determination and the application of the admissions criteria. I find that it is not a breach of the Code for the Principal's assessment of whether a post qualifies under this criterion to be confirmed by the Trust, provided no other matters are taken into account. It would be clearer if the number of places available under this criterion was specified in a way that is more readily understood.

31. "4. iv – Criterion suggests decisions will be made re eligibility of individual members of staff at some point during the admissions process – but on the strict wording of this criterion there is no further decision to make. Either staff have been employed for 2 years or they have not. Importing a further determination requirement in this criterion brings in an additional, subjective element to eligibility decisions (post the determination of the admission arrangements). Breach of **Para 14 and 1.40** of the code."

32. The criterion reads:

"Children of staff in the school who have been employed at the academy for two or more years at the time the application is submitted. Aldridge Education must approve the Principal's decision to allocate places to staff under this criterion. Priority will be limited to one place for each form of entry in any year (i.e. 3 places in each 3-form year group)."

33. For this criterion I find that the requirement for the Trust to "approve" the principal's decision does not comply with the Code. If a member of staff had been employed at the school for two or more years then the criterion is met. The requirement for Trust approval suggests that there may be other, unstated criteria which are applied. That would be a breach of paragraphs 14 and 1.40 of the Code. This point in the objection is upheld.

34. "In relation to both 4.ii and 4.iv – the number of places available under each criterion is wholly unclear (is a PAN of 50 a one two or three form entry group?) and there is no tie-breaker if there are more applicants than places available under the specific criterion."

35. I accept that the wording suggests that the number of forms in each year group may vary. It would be clearer if the number of places available under this criterion was specified in a way that is more readily understood. As it stands this provision is not compliant with paragraph 1.8 of the Code. I uphold this point in the objection.

36. "4.vi – as noted under Section 3.1.vi (d) – this oversubscription criterion gives priority on date ("point") of application and states that a "chronological list" of applications over PAN will be kept. This breaches **Paras 2.9, 2.15 and 2.28** of the Code. It also refers to notifying individuals about positions in specialist options. That is not a lawful criterion for deciding which applicant to offer a place to: DAES is not a specialist school and applicants cannot be

prioritised on the basis of aptitude, ability, hobbies, activities or course preferences (as is correctly noted in Section 3.2.vii, in relation to Sixth form admissions)."

37. This point has been dealt with above.

38. "There is no tie-breaker in these admission arrangements (**Para 1.8** of the Code requires a tie-breaker) and the admission arrangements do not state what the closing date is for normal round applications or how late applications are treated (i.e. what happens is an application form is late due to exceptional circumstances?)"

39. I have dealt with the need for a closing date above. I find that the oversubscription criteria need a tie breaker in order to be compliant. This point in the objection is upheld.

40. "5.v – In-year applications will also be affected by the unlawful oversubscription criterion since in-year applications for years that are full are placed on the waiting list in accordance with the oversubscription criteria."

41. This point will be dealt with when the arrangements are amended and compliant. This point in the objection is upheld.

42. "7.i – This should be amended to clarify that parents have a right of appeal re places in years 9-11, but parents and students each have a separate right of appeal re places in year 12-13 (sixth form)."

43. I agree that the 6th Form entry appeal rights of children as well as parents must be made clear. This point in the objection is upheld.

44. "8.ii. – Decisions on applications out of chronological age group cannot be made by one person alone (**Para 2.7** of the Code). They should be made by the admission authority/committee not the Principal – the principal gives advice/views to the Admissions Authority which must be considered but the authority must make the decision (**Para 2.19** of the Code)"

45. I find that this provision is not compliant with paragraphs 14 and 2.9 of the Code. It needs to be clear that the decision to accept an application to enter the school out of chronological age group is provisional on that applicant applying and being made an offer in accordance with the general provisions of the admission arrangements. This point in the objection is upheld.

46. "There are also a number of typographical/admin errors which are not strictly breaches of the Code, but could cause confusion or misunderstanding and we therefore suggest they should be corrected for clarity and ease of reading by parents, pupils and others. These errors include referring to this policy as applying to admissions for 2022-23 (as well as the normal round for Sept 2023 admissions), not providing the name and address of the school where indicated and referring to the School Admissions Code 2014. (We would also suggest that references to "statement of Educational Needs" should also be removed since all SEN statements must have been replaced by an EHCP now).

Also, given that DAES is the only school in Blackburn with Darwen with a normal year of admissions in Year 9, the reference in section 6.i to an applicant having been offered a “higher preference school” is irrelevant and likely to cause confusion.”

47. The school may wish to take into account these suggestions when amending the arrangements.

Determination

48. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements for September 2023 determined by Aldridge Education for the Darwen Aldridge Enterprise Studio, Darwen.

49. By virtue of section 88K(2) the adjudicator’s decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements within two months of the date of the determination unless an alternative timescale is specified by the adjudicator. In this case I determine that the arrangements must be revised within one month of the date of this determination.

Dated: 8 September 2022

Signed:

Schools Adjudicator: Tom Brooke



DARWEN ALDRIDGE
ENTERPRISE
STUDIO



ALDRIDGE
EDUCATION

Appendix A

Admissions Policy Atypical Point of Entry School

13 – 19 Studio

This policy sets out the admission arrangements for Darwen Aldridge Enterprise Studio in 2022/23. It applies to applications to start in Year 9 and Year 12 (sixth form) in September 2023 as well as 'Inyear' applications; it also includes details of the oversubscription criteria, waiting lists and the appeals process.

| | |
|------------------------------|----------|
| Policy Title: | Trust |
| Version: | 001 |
| Trust Board Approval: | |
| Date of Next Review: | May 2022 |

Contents

Policy and Consultation Process

Theresa Palmer & Alan Brooks

Model Admissions

1. Introduction
2. Statutory Guidance and Definitions
3. Application Process
 - 3.1 Normal Round - Secondary (Year 9) 3.2
 - Post-16 Provision (Sixth Form – Year 12)
4. Oversubscription Procedure and Criteria (All Applications)
5. 'In-Year' Application Process
6. Waiting Lists
7. Unsuccessful Applications and the Appeals Process
8. Applications Out-of-Chronological Age Group
9. Further Information and Contact Details

I. Introduction

- i. Thank you for your interest in applying for a place at [INSERT SCHOOL NAME & ADDRESS]. The aim of this policy is to provide clear guidance on the admission arrangements for a place at the academy including information on timescales, deadlines and contact details for queries.
- ii. It also provides guidance on how applications are administered, the criteria used to prioritise applications (where necessary), waiting lists and the appeals process.
- iii. **Darwen Aldridge Enterprise Studio is a non-selective secondary school with a sixth form. The academy has an agreed Published Admission Number¹ (PAN) for the following year groups; Studio Secondary (Year 9): [50] Sixth Form (Year 12 – external places): [20]**

PLEASE NOTE: In most years, the academy's sixth form will be able to offer more places to external applicants than the external PAN and candidates are advised to consult the information given on the academy's website and prospectus.

2. Statutory Guidance and Definitions

- i. All information in this policy meets the statutory requirements set out by the Department for Education (DfE) in the School Admissions Code 2014, ("the Code") and the School Admissions Appeals Code 2012, ("the Appeals Code").
- ii. Aldridge Education is a Multi-Academy Trust and is the admissions authority for all academies in the Aldridge Education Trust, including Darwen Aldridge Enterprise Studio, Aldridge Education, in accordance with its funding agreement, is responsible for the admissions policy of each academy and co-ordinates with the relevant Local Authority for the administration of admissions applications. For Darwen Aldridge Enterprise Studio the relevant Local Authority is Blackburn with Darwen Local Authority.
- iii. According to the Code, there are two different routes for applications - '**normal round**' and '**in-year**'; each route has a slightly different application process and timescales. Both application routes are detailed separately in this policy.

'Normal round' is relevant to all applications for a place in Year 9 or Year 12 starting at the beginning of the Autumn term in September.

'In-Year' is relevant to applications;

- a) for all year groups other than Year 9 or Year 12 starting at the beginning of the Autumn term in September.

¹ The maximum number of places available for admission in the year group

- b) or
for any year group after the start of the Autumn term.

- iv. **PLEASE NOTE:** This policy is not relevant to the process for naming the academy on a child's Education, Health and Care Plan (EHCP) or Statement of Special Educational Needs. There is a **separate process** for selecting or changing the school named on an EHCP or Statement of Educational Needs which is outside of the admissions process. Please contact the child's home Local Authority for further details.

3. Application Process

3.1 Normal Round – Secondary (Year 9)

- i. Applications for a place at the academy are administered through the application process. Parents resident in **Blackburn with Darwen** can apply online at <http://www.daestudio.biz/applynow> ; parents' resident in other areas must apply through their home local authority.
- ii. The academy publishes information about the arrangements for admission, including oversubscription criteria, in February for the following September (e.g. in February 2021 for admissions in September 2022).

v. **Secondary application timetable:**

The academy has an agreed PAN of 50 in Year 9

September 2022 to July 2023: The academy provides opportunities for prospective pupils and their parents/carers to visit the academy.

September 2022 – July 2023: The academy provides tours of the facilities to all applicants.

September 2022 – July 2023: The academy receives applications and conducts student meetings for September 2023 start. If more applications are received than places available they will be ranked according to the over-subscription criteria published in this policy, see section 4 below.

PLEASE NOTE: schools are not able to provide any information regarding specific applications during this process.

September 2022 – July 2023: Offers made to parents/carers by the Academy following the meeting to discuss curriculum process.

vi. **Allocation of places:**

- a) Where the academy is named on a child's EHCP or Statement of Special Educational Needs, that pupil will be admitted to the academy.
- b) The academy will consider all applications for places. Where fewer applications are received than places available, the academy will offer places to all those who have applied.

- c) If the number of applications for admission is greater than the PAN (places available), all applications will be considered, and places offered according to the oversubscription criteria in the order set out below (see section 4).
- d) Where an application has been unsuccessful due to a place not being available, applications will be put onto a waiting list which will be maintained until the end of the admission year. The waiting list will be ranked solely according to the oversubscription criteria detailed in this policy (not date of application) and updated each time an unsuccessful application is added. See section 6 below for more details on waiting lists.
- e) Where an application has been unsuccessful parents/carers have the right to appeal the decision to an Independent Appeal Panel. See section 7 below for detailed information on the appeals process.

3.2 Post-16 Provision (Sixth form – Year 12)

- i. The schools have a PAN as follows [20] for Year 12. This is the minimum number of external candidates the school guarantees to admit.
- ii. In most years, the schools will be able to offer more places to external applicants. Candidates are advised to consult the information given on the school's website and in any prospectus.
- iii. The minimum academic entrance requirement to be eligible for a place in the sixth form is:

- a) ENTRANCE REQUIREMENT = 5 GCSE's AT GRADE 4 +

The same requirements apply to both internal and external applicants.

iv. **Application process:**

- a) **For internal applicants:** Current students at the school in Year 11 do not need to complete an application form for a place in the Sixth Form as they can automatically progress to Year 12 if they obtain the minimum academic requirements detailed above.
- b) **For external applicants:** Applications should be made directly to the school through a form on the website, see link below.

<http://www.daestudio.biz/apply-now>

- c) Young people may make their own application to the sixth form; the application can be made by the parent/carer but does not have to be.
- v. Where more applications are received than there are places available the oversubscription criteria in this policy applies (see section 4).
- vi. Unsuccessful Applicants have the right to appeal the school's decision to an Independent Appeal Panel. See section 7 for further details on the appeals process.

- vii. **PLEASE NOTE:** While every attempt will be made to offer students a place on their course of preference this will not always be possible and cannot be guaranteed. Specific courses may have additional entrance requirements and others will have a higher rate of preference. Details of all the courses available and any additional course requirements are provided in the Sixth Form prospectus, available through the school website. <http://www.daestudio.biz/apply-now>

4. Oversubscription Procedure and Criteria (All applications)

If the number of applications received for any phase or year group is greater than the number of spaces available, places will be allocated according to the oversubscription criteria and order below.

- i. 'Looked After Children' and children who have previously been a 'Looked After Child' but immediately following this became subject to adoption, a child arrangements order or special guardianship order².
- ii. Children of staff at the academy who occupy, or have been recruited to, a post where there is a demonstrable skill shortage. Aldridge Education schools must approve the Principal's assessment process and designation of such posts to confirm the staff members' eligibility under this criterion. Priority will be limited to one place for each form of entry in any year (i.e. 3 places in each 3-form year group).
- iii. Children who, at the time of admission, have a sibling who attends the academy. For this purpose, "sibling" means a whole, half or step-sibling or an adopted child resident at the same address.
- iv. Children of staff in the school who have been employed at the academy for two or more years at the time the application is submitted. Aldridge Education must approve the Principal's decision

to allocate places to staff under this criterion. Priority will be limited to one place for each form of entry in any year (i.e. 3 places in each 3-form year group).
- v. Career ambition – Priority will be given to those children who prioritise specialism study that links direct to career sector ambition.
- vi. Point of application. The school will keep a chronological list of applications over PAN and notify parents when positions in the specialist options become available.
- vii. In the case of multiple births or siblings in the same year group, where there is only one place available in the academy, all will be considered together as one application

² 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 full definition in Section 22(1) of the Children Act 1989).

5. 'In-Year' Application Process

- i. The 'In-Year' application process is relevant to applications for places in any year group that does not have a PAN (e.g. Years 10 - 11), starting at the beginning of the academic year or for any year group starting at any other point throughout the academic year.
- ii. The Blackburn with Darwen Local Authority holds information on which schools in their area have spaces for each year group. Contact Blackburn with Darwen Local Authority via the link below for further information.

<https://www.blackburn.gov.uk/admissions>

- iii. In-year applications to Darwen Aldridge Enterprise Studio can be submitted at any time and are made via the school website for Year 9 <http://www.daestudio.biz/y9apply> and for Year 12 [http:// www.daestudio.biz/y12apply](http://www.daestudio.biz/y12apply)

The In-Year application form can be accessed through the link below.

<http://www.daestudio.biz/apply-now>

- iv. Darwen Aldridge Enterprise Studio will inform the Local Authority of any In-Year applications received, as well as the outcome, so that they can track vacancies across the area.
- v. If an in-year application is refused the child will be added to the waiting list for that year group. A child's position on the waiting list will be determined solely according to the oversubscription criteria in this policy. See section 4 for the oversubscription criteria and section 6 for more information on waiting lists.
- vi. If an In-Year application has been refused, the parent/carers has the right to appeal the decision to an Independent Appeals Panel. For detailed information about the appeals process see section 7 of this policy.
- vii. **Fair Access Protocol:** Local Authorities are required to have Fair Access Protocols to make sure that unplaced, vulnerable children are offered a place at a suitable school as quickly as possible. The school complies with Blackburn with Darwen Local Authority Fair Access Protocol. Admissions under Fair Access Protocol are discussed between the academy and Local Authority on a case-by-case basis. This may mean admitting children above the PAN.

6. Waiting Lists

- i. Any child refused a place at the academy will automatically be put on a waiting list (unless a higher preference school has been offered.) A waiting list will be maintained until the end of the academic year after which it will be cleared.

- ii. The waiting list is maintained in the order of the oversubscription criteria only (not application date). This means that names can move down the list if, e.g. someone moves into the area and is higher placed under the oversubscription criteria.
- iii. Parents/carers have the right to request their child is removed from the waiting list at any time. Once removed, the child cannot be reinstated on the waiting list without submitting a new application.
- iv. If a place becomes available it will be allocated to the first child on the waiting list, in accordance with the oversubscription criteria. If that offer is declined the place will be offered to the next child on the waiting list.

7. Unsuccessful Applications and the Appeals Process

- i. All applicants who have applied for a Secondary or Sixth Form place at the academy and been refused have a right to appeal that decision to an Independent Appeal Panel.
- ii. Applicants will be informed in writing of the academy's decision to refuse their application. This letter will include;
 - a) The reason a place was refused (e.g. no available places)
 - b) Information about the waiting list
 - c) Information about the right to appeal
 - d) The deadline for submitting an appeal
 - e) Contact details for making an appeal
- iii. Full details on the appeals process, timetable and an appeals booklet for parents is available on the academy website, see link below. <http://www.daestudio.biz/policies>
- iv. The deadline for submitting an appeal will be at least **20 school days³ from the date of notification that an application was unsuccessful**. Appeals received after this date are subject to different timeframes and exact deadlines will be provided in the letter from the school. This deadline applies to 'normal round' and 'in-year' applications.
- v. Appeals are submitted to Aldridge Education via an online⁴ form which is available through the academy website or from the academy. See section 9 for contact details.
- vi. The decision of the Independent Appeal Panel is binding on all parties.

8.Applications Out-of-Chronological Age Group

³ School days do not include weekends, national holidays or school holidays

⁴ Hard copies are available on request from the school. These should be returned to the academy for the attention of the Admissions Officer.

- i. Parents/carers may choose to seek a place for their child outside of their chronological age group for a variety of reasons (e.g. the child is summer born, is considered gifted and talented or has experienced problems such as ill health).
- ii. The decision to admit a child out-of-year group is uncommon and will always be made on the basis of the unique circumstances for each specific case and what is best for that individual child. The decision will be made by the Principal of the academy and will take into account parents'/carers' views, expert advice from relevant social, educational and medical professionals, whether the child has previously been educated out of their normal age group, any evidence that the child may naturally have fallen into a lower age group if it were not for being born prematurely and the long-term impact of the decision on the child.
- iii. Applications for a child to be admitted to a year group outside of their chronological age group should be made through the same process set out in this policy for both 'normal round' and 'inyear' applications. However, in addition to the standard application form **further documentation should be provided to support the request for a place out of chronological year group.** This applies regardless of whether it is for a higher or lower year group.
- iv. The Principal may request additional information after the submission of an application for an out-of-year group place, if necessary.
- v. Each application will be considered on the individual circumstances of each case. Applicants will be notified in writing of the decision, including the reasons for it.
- vi. Unsuccessful applicants have the right to appeal if they are refused a place at the academy. However, this right does not apply if they are offered a place at the academy but it is not in their preferred age group.

9. Further Information and Contact Details

- i For queries regarding this policy, admissions arrangements for the academy and the waiting lists and appeals process, please contact:
- ii **Mrs Crystal Ragnall, Darwen Aldridge Enterprise Studio, 19 Police Street, Darwen, BB3 1AF. Crystal.ragnall@daestudio.biz Tel: 01254 819 567**
- iii Further information and links to all relevant forms for admissions and appeals are available on the academy website via the link below. <http://www.daestudio.biz/apply-now> <https://www.blackburn.gov.uk/admissions>
- iv Further information on Blackburn with Darwen Local Authority Fair Access Protocol – <https://www.blackburn.gov.uk/schools-and-education/school-admissions/coordinated-schooladmissions-arrangements/year-co>
- v Further information for applications to the Sixth Form - <http://www.daestudio.biz/apply-now>

- i. The Department for Education website on school admissions – [click here](#) vi. The Department for Education School Admissions Code 2014 - [click here](#) vii. The Department for Education School Admissions Appeals Code 2012 - [click here](#)