



# **Admissions Policy**

## **2019 - 2020**

# **BRANNEL SCHOOL**

## **Introduction**

Brannel School is a mixed 11-16 comprehensive school serving the needs of its surrounding villages. The Directors of Newquay Education Trust are the admitting authority.

We are an inclusive school and welcome all applications. We are happy to arrange a tour of the school with a member of our senior team who will answer any questions parents/carers or children may have. To arrange a tour please contact our Headteacher's PA on 01726 822485.

## **Applying for a place**

This policy is written with full adherence to and in accordance with the School Admission Code (2014) and the School Admission Appeals Code (2012). The school participates fully in the Local Authority's Fair Access Protocol and the Local Authority's Co-ordinated Admissions Schemes for starting school and applying for places during the school year. Details of these schemes are on Cornwall Council's website ([www.cornwall.gov.uk/admissions](http://www.cornwall.gov.uk/admissions)) or on request from the Local Authority. All statutory obligations defined within this code apply, including the operation of an equal preference scheme.

Students will be admitted to Year 7 without reference to ability or aptitude using the procedures detailed in this document, which includes arrangements and criteria that will be applied in the event of oversubscription.

All applications for places in Year 7 or during the school year must be made directly to the applicant's home local authority on the appropriate application form. The application form and supporting information is available on the local authority's website or in paper form on request from that local authority. There is no extra information needed by Brannel School.

In-year admissions will be coordinated by Brannel School: parents and carers should contact Brannel School in the first instance.

## **Allocation of places**

Children with a Statement of Special Educational Needs or Education, Health and Care Plan that names Brannel School will be admitted regardless of number on roll in the year group.

Children in Care who are directed to the school by the Secretary of State will be admitted regardless of number on roll in the year group.

The published admission number (PAN) for Year 7 in September 2019 will be 150. Places will be allocated up to this number. In the event that more applications are received than places available, the over-subscription criteria listed later in this document will be used to decide on allocations.

## **Late Applications**

Late applications are those applications for Year 7 which are submitted after the closing date of the Local Authority's Co-ordinated Admissions Scheme and they will be dealt with in accordance with that scheme.

## **Waiting List**

If, after the offer of places has been made, the school is over-subscribed, all parents/carers whose applications have been unsuccessful will be asked whether they wish to be placed on a waiting list.

This waiting list will be administered by the school's Admissions Committee for the duration of one term in the year of admission. A child's position on this waiting list will be determined by the school's published over-subscription criteria. However, children who are the subject of a direction by the Local Authority or who are allocated to the school in accordance with the Fair Access Protocol, will take precedence over any child already on the waiting list. Waiting lists will be maintained for all over-subscribed year groups. No priority is given to the length of time that a child has been on the list.

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

Although most children will be admitted to Brannel School with their own age group, from time to time parents/carers seek places outside their normal age group. While it would not normally be appropriate for a child to be placed in a year group that is not concurrent with their chronological age, the school will consider these requests carefully and will make a decision based on the particular circumstances of each case.

The Admissions Code 2014 makes it clear that admission authorities must make decisions about placements outside the normal age group on **the basis of the circumstances of each case** and in the best interests of the child concerned.

This will include taking account of:

- the parents'/carers' view;
- the views of the headteacher;
- information about the child's academic, social and emotional development;
- where relevant, their medical history and the views of a medical professional;
- whether they have been previously educated out of their normal age group; and
- whether they may naturally have fallen into a lower age group if it were not for being born prematurely.

Parents/carers who are refused a place at a school for which they have applied have the right of appeal to an independent admission appeal panel. **However, they do not have a right of appeal if they have been offered a place and it is not in the year group they would like.**

### **Appeals**

In the event of a place being available in the appropriate year group, an offer of a place at Brannel School will be made. If no places are available, the child will be refused a place.

Parents/carers of children who are refused a place at the school will be notified of their right of appeal and will receive advice from the Local Authority regarding alternative schools. For admissions relating to 2019-2020 all appeals for Brannel School will be dealt with by the Local Authority on behalf of the Board of Directors.

Parents/carers wishing to appeal against a decision to refuse a place, following notification from the Local Authority, will be directed to apply to the school for an Appeal Form. Please see Appendix 1 and 2 for Appeal Form and Guidance Notes.

Applicants can only appeal again for a place in the same school within the same academic year if the admission authority for that school has accepted a further application because there has been a material and significant change in the circumstances of the parent or carer, child or school (e.g. a change of address into the school's designated area), but has determined that the new application must also be refused.

## Oversubscription Criteria

In the event of there being more than 150 applications for places in Year 7 for the 2019/20 academic year or more applications than places for any year group during the school year, the following oversubscription criteria will be used to prioritise applications, after the admission of children whose Statement of Special Educational Needs or Education, **Health and Care Plan names the school:**

1. Children in care and children who were in care but ceased to be so because they were adopted (or became subject to a child arrangement order or special guardianship order) immediately after being in care (please see note 1).
2. Children who live within the designated area of the school, as defined by the Local Authority, or whose parents/carers can provide evidence that they will be living in the designated area of the school by the beginning of the autumn term of the 2019/2020 school year. If there are more designated area children wanting places than there are places available, criteria 4 to 6 below will be used to decide which of these children should have priority for admission. If there are still places available after all the designated area children have been allocated places, criteria 4 to 6 will be used to decide which of the remaining children should have priority for any spare places.
3. Children with an unequivocal professional recommendation from a doctor, school medical officer, educational psychologist or education welfare officer that non-placement at the school would not be in the best interest of the child. Such recommendations must be made in writing and must give full supporting reasons and will be reviewed by the LA. These reports must be received with the application form by the published date. These applications will be considered by the Admissions Committee (please see note 2)
4. Children with siblings who will still be attending the school at the time of their admission (please see note 3)
5. Children on the roll of a primary school (at the time of allocation) whose designated area is contained within or forms part of the designated area of the preferred secondary school. Feeder Schools for Brannel School are: Foxhole Learning Academy, Nanpean School, Roche Community Primary School, St Dennis Primary Academy, St Mewan CP School, St Stephen Churchtown Academy, Whitemoor Academy.
6. All other children.

### Proof of residence

The school, in the event of any discrepancy regarding the child's place of residence, may require proof of residence. Brannel School reserves the right to withdraw the offer of a place should it become apparent that such proof of residence is unsubstantiated. The parent/carer retains the right to appeal against this decision following the appeal procedure.

Cornwall Council has divided the county into geographical areas and entitlement to home school transport is based on these areas. Your designated school will not always be the one closest to your home address. Maps are available for all designated areas online at: [www.cornwall.gov.uk/admissions](http://www.cornwall.gov.uk/admissions) or by calling the School Admissions Team on 0300 1234 101. If you are planning to move into the designated area for Brannel School, your application for a place for your child will not be given the priority accorded to designated area pupils without firm evidence of your new address and moving date, such as a copy of a signed and dated tenancy agreement or confirmation that contracts have been exchanged.

Please note that when parents live separately, the address used should be the address that the child usually lives at and attends school from. If the child lives equally with both parents at different addresses, then it is the parents' responsibility to make this clear on the application form. If they cannot agree, then the Local Governing Board at Brannel School will use the address of the parent who is claiming the Child Benefit allowance. Parents may be asked to provide acceptable proof that this is the case. It is expected that parents will submit only one application for each child and that any disputes in relation to the child's home address are settled before applying.

The home address of a relative/carer other than a parent may be used if it can be demonstrated, through official documentation, that the child spends the school week with that relative/carer. However, this will only be acceptable with the explicit agreement of the School's Local Governing Board.

### **Tie-breakers**

In the event of two or more students having equal priority for a place at the School, then the distance from the home postcode to the main entrance to the School will be used as a tie-breaker, measured using the following website to measure accurately the distance between the two points: <https://www.freemaptools.com/distance-between-uk-postcodes.htm>

Should the tie breaker still leave children with an equal claim because the distances are exactly the same, then random allocation will be used to decide on priority. The school will use the Local Authority's Random Allocation Protocol which is available on request.

### **Multiple birth siblings**

Where applications are received on behalf of multiple birth siblings (twins, triplets etc.) or siblings whose dates of birth place them in the same chronological year group, every effort will be made to offer places at the school, which may mean admitting pupils above the Published Admission Number (PAN) where that is possible.

### **Distances**

Home to school distances used for tie-breaking will be measured by a straight-line measurement as determined by CAPITA One and supported by Cornwall Council's Geographical Information System (dataMap). Measurements will be between your home address using Ordnance Survey's AddressPoint dataset (usually the centre of the building of the property) and the main gate of the school (as determined by Cornwall Council).

Distances used to determine nearest school with room (i.e. where it is not possible to offer a place at a preferred school) and for establishing transport entitlements will be measured by the nearest available route as determined by the CSA's Geographical Information System (datamap).

### **Notes and definitions**

#### **Note 1: Children in care and children who were previously in care**

A 'child in care' is also referred to as a 'looked after child' and is a child who is:

- (a) in the care of the 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).

A 'child arrangement order' is an order settling the arrangements to be made as to the person with whom the child is to live under Section 8 of the Children Act 1989. Section 14A of the Children Act 1989 defines a 'special guardianship order' as an order appointing one or more individuals to be a child's special guardian (or special guardians).

**Note 2:** The Admissions Committee, comprising the Headteacher, Head of Admissions and a member of the Local Governor Board, will consider applications. The committee will decide whether the applicant should be given priority under this category.

**Note 3:** For the purposes of admission arrangements a sibling is defined as a full, half, step, adopted or long-term fostered child living at the same address. In the case of siblings living at a different address, the siblings must be blood relatives. We do not include 'cousins' within our definition of siblings.

**Policy agreed by NET Quality Assurance Committee: February 2018**

**School review date: Autumn Term 2018**



# ADMISSION APPEAL

## Grounds for Appeal Form



**Return this Notice of Appeal form to:**

Admissions/Appeals Officer  
Brannel School  
Rectory Road  
St Stephen  
St Austell  
Cornwall PL25 5SY

**Or email:** enquiries@brannel.com

<p><b>Name and relationship to the child of person making Appeal:</b></p>   <p><b>Name of Child:</b></p> <p><b>Date of Birth:</b></p> <p><b>Preferred School:</b></p>	<p><b>Address:</b></p>   <p><b>Day time Tel No:</b></p> <p><b>Mobile Tel No:</b></p> <p><b>Do you wish to attend Hearing?</b></p>
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Grounds for Appeal (Please continue on separate sheet, if necessary)

Signed ..... Date .....

*The information you provide on this form is collected by Cornwall Council as data controller in accordance with the data protection principles contained within the Data Protection Act 1998. The purpose for collecting the data is to process your appeal to the Admission Appeals Panel. Any personal data collected will not be shared with any third parties without your permission. If you have any concerns regarding the processing of your data then please contact the Clerk to the School Admission Appeals Panel.*

**SCHOOL ADMISSION APPEAL PANEL**

**NOTES FOR GUIDANCE**

**SCHOOL STANDARDS AND FRAMEWORK ACT 1998 (S.84)**

School Admission Appeal Panels have been set up to enable parents/carers who have been refused a place (or places) for their child at their preferred school(s) to appeal against the decision. As you have been refused a place at a "School" school (Brannel School), this decision has been made by the school's local governing board.

If you are not satisfied with the CSA's or the local governing board's decision, the Appeal Panel provides an independent, impartial and informal forum for both parents/carers and the admission authority/local governing board to present their respective cases. The decision of the Appeal Panel is binding on the CSA and the local governing board.

**If you wish to make an appeal please read the following notes carefully, especially note 6 where immediate action is required.**

1. The Panel is drawn from persons with experience of education and lay members. Usually the Panel will comprise three persons. All Panel members have received appropriate training.
2. Hearings are usually held at County Hall, Truro. Hearings are heard in private and will be as informal as possible.
3. Although we do recommend that parents attend the hearing if at all possible, the appeal may, if you wish, be determined by the Panel on the basis of your written representations without you having to attend (see para 17). The CSA or local governing board will still have the right to make its case in person.
4. You will be responsible for your own expenses in making an appeal (i.e. your travelling costs to the appeal venue).
5. The Clerk of the Cornwall School Admission Appeal Panel is The Head of Legal and Democratic Services, Cornwall Council, County Hall, Treyew Road, Truro, TR1 3AY.
6. You will have received the 'Notice of Appeal' form. Please complete the form **clearly** and return it to the Admission Officer at Brannel School who will then forward it to the Clerk to the Appeal Panel. You should only complete and sign the form if you have parental responsibility for the child. If you are acting on behalf of a child's parent(s) or carer(s), they must provide a signed letter giving you authorisation to act on their behalf.



7. If you are appealing for a place at more than one school a separate form must be completed for each and you should clearly indicate your first preference school.
8. The Clerk will send you a photocopy of the form by way of acknowledgement of receipt of your completed appeal.
9. At least ten school days in advance of the hearing you will be notified in writing of the time, date and venue of your appeal. It is important that you read the information carefully and complete and return a copy to the Clerk. If you fail to attend, the appeal will be determined on the information available. Of necessity, the time advised will be an arrival time and there may be a delay in starting individual hearings.
10. At least seven working days before the hearing you will be sent details of the case which the CSA or the local governing board representative will be presenting at the hearing, together with the names of the Panel members and clerk(s).
11. At the hearing the CSA or local governing board representative will explain the reasons for making the decision to refuse your child a place at your preferred school and you will be able to put forward your reasons for disagreeing. Each party will be able to question the other party. Although adequate time will be given to both parties, the hearing is not intended as a forum for lengthy arguments. All written material should be submitted to the Clerk 3 working days before the hearing; only in exceptional circumstances will the Panel allow additional written material to be presented at the hearing. The Panel could decide to adjourn a hearing if extra time is needed for all the parties to consider additional written information.
12. If there is more than one appeal relating to the same school and year group the Panel may decide to hear appeals jointly. Please be assured though, that you will still be able to present your own case in private.
13. You may be accompanied or represented by a friend, adviser, interpreter or signer who may speak on your behalf at the hearing. If you think you will need the services of a translator or signer, please let the Clerk know as soon as possible so that the necessary arrangements can be made. Such services would be free of charge. Your friend or adviser could be a Choice Adviser, a locally elected politician, or an appropriate employee of the Local Authority, provided that this would not lead to a conflict of interest. Your friend or adviser cannot be an employee of the school you are appealing for or a member of the admission authority concerned.
14. Legal representation should not be necessary, but you are free to have such representation if you wish. It should be noted that appeal hearings are not intended to be a platform for a debate on the law. The Clerk should be informed in advance if you will be represented by a solicitor.
15. It is possible that a school representative will accompany the presenting officer from the CSA at the hearing in order to answer questions about the school.

The school representative will not be able to comment on any individual child or case. It is not normally necessary for any other witnesses to attend appeal hearings, although this would be at the discretion of the Panel. It is up to you to decide whether your child should attend the hearing, but it is not necessary for your child to do so.

16. **It is stressed that the proceedings are as informal as possible and take the form of a structured discussion.**

17. If you have opted for written representations you will receive the written case of the Admission Authority or Local Governing Board seven days before the appeal hearing. You have the opportunity to submit any further written comments which the Panel will take into consideration when determining the appeal. The CSA or local governing board will still have the right to make its case in person at the hearing.
18. The Panel, in making its decision, will take into account:
  - (a) any preference expressed by you in respect of your child and the reasons for this preference; and
  - (b) the arrangements for the admission of pupils published by the CSA or local governing body.
19. Subject to certain limited exceptions, no infant class may contain more than 30 pupils. (Infant classes are those in which the majority of pupils will reach the age of 5, 6 or 7 during the school year.) Where the admission of your child has been refused because to agree admission would mean an infant class size exceeding 30, you may appeal against this decision but the grounds on which your appeal can be dealt with are limited. Your appeal will only be successful if you can show that:
  - (a) the decision to refuse a place was not one which a reasonable CSA or local governing board would make in the circumstances of the case; or
  - (b) your child would have been offered a place if the admission arrangements had been properly implemented; and/or
  - (c) your child would have been offered a place if the arrangements had not been contrary to mandatory provision in the School Admissions Code and the School Standards and Framework Act 1988.
20. Appeal Panels cannot hear complaints or objections on wider aspects of local admission policies and practice, such as the admission arrangements used by the CSA or local governing board. However, the Panel must refer immediately to the Schools Adjudicator any unlawful admission arrangements they identify during the course of their deliberations.
21. Normally the Panel's written decision on the appeal will be sent to you within five working days of the hearing. The decision is binding on all parties. The Local Government Ombudsman can investigate complaints of maladministration concerning appeals for Local Authority maintained schools. The Secretary of State will investigate complaints of maladministration concerning appeals for School schools.
22. If you require any further information, or wish to talk to someone about the Appeal Panel procedure, please telephone 0300 1234 101 where a member of staff will be able to assist.

**Policy agreed by NET Quality Assurance Committee: February 2018**

**Net review date: Autumn Term 2018**