

ANNEX B

THE ADMISSION OF PUPILS TO THE HAMMERSMITH ACADEMY

GENERAL

1. This annex may be amended in writing at any time by agreement between the Secretary of State and the Academy Trust.
2. The 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 Children, Schools and Families (“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 governing body of the Academy Trust.
3. Notwithstanding the generality of paragraph 2 of this Annex B, the Academy Trust will take part in the Admissions Forum set up by the LA and have regard to its advice; and will participate in the co-ordinated 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 Academy Trust to admit a named pupil to the Hammersmith Academy on application from a local authority. Before doing so the Secretary of State will consult the Academy Trust.
 - (b) direct the Academy Trust to admit a named pupil to the Hammersmith Academy if the 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.
5. The Academy Trust shall ensure that parents and ‘relevant children’ will have the right of appeal to an Independent Appeal Panel if they are dissatisfied with an admission decision of the Academy Trust. The Independent Appeal Panel will be independent of the Academy Trust. The arrangements for appeals will comply with the School Admission Appeals Code published by the Department for Children, Schools and Families as it applies to Foundation and Voluntary Aided schools. The determination of the appeal panel is binding on all parties.
6. The Academy Trust 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 Academy

Trust 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.

- 7 In paragraphs 5 and 6 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

8 Subject to paragraph 9, "relevant area for consultation" means the "Relevant Area" determined by the local authority for maintained schools in the area (in accordance with the meaning of "Relevant Area" within the School Admissions Code).

9. If the Academy does not consider this meaning to be appropriate, it must apply to the Secretary of State by 1 August for a determination, setting out the reasons for this view.

10. The Secretary of State will consider the Academy's application and will by 30 September either:

- a. determine the area for consultation; or
- b. determine that the meaning within paragraph 8 should apply.

11. The Secretary of State may consult the local authority before making such a determination

12. Within 14 days of the Secretary of State's determination, the Academy will notify the consultees listed in paragraph 14 of the determination.

13. In the event of a paragraph 10a determination, a map of the relevant area (or a list of post-codes) will be attached as an appendix to this annex B.

ANNUAL PROCEDURES FOR DETERMINING ADMISSION ARRANGEMENTS

Consultation

14. The Academy Trust shall consult the following parties on the Academy's proposed admission arrangements for a minimum of eight weeks between 1 November and 1 March in the 'Determination Year'¹:

- 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.
- f) 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 Academy;
- g) Community groups which the Academy considers relevant;
- h) Teaching unions if the consultation includes an increase in admission number.

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.

15. From 2011-12, and for subsequent years, consultation in line with paragraph 14 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 two years; and
- b) there have been no changes, or proposed changes, since the last consultation.

16. As soon as any changes are made to arrangements, or proposed, the consultation cycle in paragraph 14 must be followed for the next determination year.

¹ A 'determination year' is the Academy Financial Year beginning two years before the Academy Financial Year which the admissions arrangements will be for e.g. consultation to end in March 2009 and determination to be in April 2009 for admissions in September 2010

Academy Trust Determination of Admission Arrangements

17. The Academy Trust 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.

18. The Academy Trust will determine the Academy's admission arrangements by 15 April 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

19. Where the Academy Trust 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

20. 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 Academy Trust 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

21. Where the Secretary of State has received any representations made in accordance with paragraph 10, the Secretary of State must consult the Academy Trust on such representations. Following such consultation, by 31 July in the Determination Year the Secretary of State may direct that the Academy Trust amends the proposed admissions arrangements for the Academy. The Academy Trust shall comply with any such direction.

22. 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 Academy Trust must comply with any such direction.

Publication of Admission Arrangements

23. The Academy Trust shall each Determination Year publish the

Hammersmith Academy'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;
 - b) copies being sent to the offices of the LA;
 - c) copies being made available without charge on request from the Academy;
 - d) 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.
 - e) a copy being uploaded to the Academy's website (if it has one).
24. The published admissions arrangements will set out:
- a) the name and address of the Hammersmith Academy and contact details;
 - b) a summary of the admissions policy, including oversubscription criteria and any arrangements for post-16 admission;
 - 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 the Hammersmith Academy After Arrangements Have Been Published

25. Subject to paragraph 17, once the Academy's admission arrangements have been determined for a particular year and published, the Academy Trust 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 Academy Trust has consulted those who were consulted under paragraph 7 above on the proposed variation;
- b) following such consultation, the Academy Trust 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.

26. The Academy Trust 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.

27. 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 (if it has one) and be communicated within 7 days to those persons who must be consulted under paragraph 7.

28. The Academy Trust must make arrangements for a parent of a child who has attained the age of 11 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.

29. Where a representation is made in accordance with paragraph 19, the Secretary of State may, after consulting the Academy Trust, direct that the Academy Trust 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 Academy Trust must comply with any such direction.

30. Records of applications and admissions to the Academy shall be kept by the Academy Trust for a minimum period of ten years and shall be open for inspection by the Secretary of State.

PROCEDURE FOR ADMITTING PUPILS TO THE ACADEMY

Admissions Number

31. The Academy Trust has the following agreed admissions number for the Academy for the year 2011/2012 and, subject to any changes approved or required by the Secretary of State, for subsequent years:

- a) 120 pupils in Year 7.
- b) 120 pupils in Year 12

From 2016/17 and subsequent years the Academy's own year 11 cohort will be seeking transfer to the sixth form. As the sixth form will have a maximum capacity for 120 pupils in the year 12 cohort it is unlikely that the Academy will be able to admit 120 external applicants from that date. The Academy will therefore review its Year 12 admission number in the light of available capacity following the process set out in accordance with paragraphs 14-18 above, determining the proposed arrangements by 15 April 2015.

32. In any specific year, the Academy Trust may set a higher admission number than the Hammersmith Academy's agreed admission number for an

applicable year group. Before setting an admission number higher than its agreed admission number, the Academy Trust 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.

33. If the Academy admits a total of 26 pupils in excess of its admission number in any 3 year period it will determine a higher admission number, after consulting those bodies listed at paragraph 14.

Process of Application

34. Arrangements for applications for places in Year 7 at the Hammersmith Academy 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 and on the Academy Supplementary Information Form.

35. The Academy Trust will use the following timetable for applications to the Hammersmith Academy 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 Hammersmith & Fulham Admissions Forum, local authorities admissions, local Academies and local Admissions Forum.

- a) September – the Academy will publish in its prospectus information about the arrangements for admissions, including oversubscription criteria, for the following September. This will include details of open evenings and other opportunities for prospective pupils and their parents to visit the school. The academy will also provide information to the Local Authority for inclusion in the composite prospectus, as required;
- b) September/October - the Academy will provide opportunities for parents/ guardians to visit the Academy;
- c) October – Common Application Form and Academy Supplementary Information Form to be completed and returned, by the agreed common date, to the Local Authority and Academy respectively;
- d) Local authority and Academy agree Academy application lists;
- e) November/December - Academy administers NFER non-verbal reasoning tests to all applicants (see paragraph 38 below);
- f) January – Academy sends lists of pupils to be offered places to Local Authority;
- g) February – Local Authority applies agreed scheme for its own schools and informs other Local Authorities of offers to be made to their residents;

h) 1st March – offers made to parents.

36. From 2011-12 there will be a national closing date for applications as follows:

1. 31 October for secondary applications; and
2. 15 January for Primary applications
3. The Academy will ensure its application processes enable parents to apply before these deadlines.

Consideration of Applications

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

38. To ensure a wide and representative spread of ability in its intake, the Academy will operate a system of fair banding for its year 7 intake as agreed in its Funding Agreement with the Secretary of State, as follows:

- a) Each applicant to the Academy will be required to take a non-verbal reasoning test which will place applicants in a rank order. The test will take approximately one hour and will be held in November or December at a time and venue to be determined each year.
- b) Each applicant will be placed in one of five bands based on their performance in the test. As far as possible, each band will contain an equal number of applicants. Places will be allocated by applying the oversubscription criteria so that, as far as possible, an equal number of pupils is admitted from each band. In order to ensure an equal chance for all applicants, bands will be determined by reference to the ability profile of applicants to the school.
- c) There will be at least two dates for banding tests which will be set out in the Academy prospectus and the Local Authority's composite prospectus. Arrangements will be made to ensure that all pupils applying to the Academy take the banding tests. All looked after children and relevant statemented children will be admitted, but will be required to take the banding test to ensure the intake is comprehensive.

Procedures where the Academy is oversubscribed

Year 7 admission criteria

39. 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 statements of Special Educational Needs where the Academy is named on the statement, the

criteria will be applied in the order in which they are set out below:

- a) children in public care;

- b) Admission of pupils living in the Academy Admissions Priority Area on the basis of straight-line distance from the main entrance of the Academy to the main entrance of the child's home, in accordance with the banding criteria described in paragraph 38 above (the Admissions Priority Area being defined as in Annex 1, i.e. the area enclosed to the North by the A 4020 Uxbridge Road South Side; to the South by the A4 Great West Road North Side; to the East by the West Brompton - Olympia - Willesden railway line, and to the West by Larden Road, Emlyn Road, Prebend Gardens and British Grove West sides).

- c) If any of the 5 bands remains unfilled from within the Admissions Priority Area, places will be offered to other applicants in any band on the basis of proximity to the school using straight line measurement from the main entrance of the Academy to the main entrance of the child's home.

Post 16 admission criteria

40. The planned total number of post-16 places, across years 12 and 13, is 180.

41. The Academy will admit its first Year 12 students in 2011. The post 16 admission criteria below apply to the admission of students from outside the Academy up to 2016, i.e. the point where the Academy's own Year 11 students will be eligible to enter the sixth form.

42. The Academy will admit any statemented pupil whose statement names the academy and for whom the academy has agreed to be named in the statement.

To be **eligible** to enter the sixth form both the Academy's own year 11 pupils and external applicants will be expected to have met the minimum academic entry requirements for the sixth form. These entry requirements will be based upon GCSE grades or other measures of prior attainment.

These academic entry requirements form part of the admission arrangements and so will be consulted upon and published in the academy's prospectus, on its website, and in the LA composite admissions prospectus.

43. In addition to the sixth form's minimum academic entry requirements pupils will be required to satisfy minimum entrance requirements for the courses which they wish to follow from those available. If either internal or external applicants fail to meet the minimum course requirements they will be given the option of pursuing any alternative courses for which they do meet the minimum academic requirements and which has any vacant places. In all cases pupils already on the Academy's roll will be given priority for their chosen subjects, if they have met the minimum course requirements.

44. When the sixth form is undersubscribed all applicants meeting the minimum academic entry requirements will be admitted if a course is available that they wish to follow.

When there are more external applicants that satisfy any academic entry requirements, priority will be given in the following order:

- a) Eligible children in public care;
- b) Admission of eligible pupils (as described in paragraph 42 above) living in the Academy Admissions Priority Area on the basis of straight-line distance from the Academy main entrance to the main entrance of the child's home (the Admissions Priority Area being defined as in Annex 1, i.e. the area enclosed to the North by the A 4020 Uxbridge Road South Side; to the South by the A4 Great West Road North Side; to the East by the West Brompton - Olympia - Willesden railway line, and to the West by Larden Road, Emlyn Road, Prebend Gardens and British Grove West sides).
- c) Admission of other eligible pupils, on the basis of straight-line distance from the Academy main entrance to the main entrance of the child's home.

Pupils applying after the closing date for applications to the sixth form falling under paragraphs 44(b) and 44(c) above will only be offered places if any remain after on-time applicants have been admitted.

There will be a right of appeal to an Independent Appeals Panel for unsuccessful applicants and those existing Academy pupils refused progression into the sixth form.

Operation of waiting lists

45. Subject to any provisions regarding waiting lists in the LA's co-ordinated admission scheme, the Academy will operate a waiting list. Where in any year the Academy receives more applications for places than there are places available, a waiting list will operate until the end of the first term of the Academic Year. This will be maintained by the Academy Trust and it will be open to any parent or guardian to ask for his or her child's name to be placed on the waiting list, following an unsuccessful application.

46. Children's position on the waiting list will be determined solely in accordance with the oversubscription criteria set out in paragraph 39, [or for post-16 paragraphs 42 to 44] above. 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 the Academy

47. From 2011-2012 local authorities will co-ordinate admissions for in-year applications and for applications for year groups other than the normal point(s) of entry. This will not affect Academies' right to determine which applicants have priority for admission.

48. 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 Academy Trust 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 39 shall apply. Parents whose application is turned down shall be entitled to appeal.

Arrangements for the Admission of Pupils as the Hammersmith Academy builds to its full capacity

49. The Academy will open in September 2011 with a Published Admission Number relating solely to pupils in Year 7 and Year 12. As the Academy builds to full capacity in 2015 there will be an additional year group open to pupils each year as follows:

2012 Years 7, 8, 12, 13

2013 Years 7, 8, 9, 12, 13

2014 Years 7, 8, 9, 10, 12, 13

2015 all year groups open

50. Admission to open year groups without a Published Admission Number will be based upon the size of teaching groups already existing in the Academy and the efficient use of resources.

51. There will be a right of appeal to an independent appeals panel for unsuccessful applicants.