



Kingfisher & Riversides Schools

This Policy is statutory

Policy Name: Admissions Policy

Policy Date: June 2019

This policy has been agreed by Kingfisher & Riversides Business Committee. Arrangements to be determined annually. Any changes must be consulted on and where no changes are made, consultation is required at least every seven years.

Reviewed: June 2019
Ratified by Governors:
Next review due: June 2021
Responsible person: Jay Hart

Policy Overview

All pupils who attend Riversides School must have a Statement of Special Educational Need/EHC Plan and as such it is the responsibility of the Local Authority to place pupils at the school. The Riversides School is member of Advance Trust.

Admission to Riversides School will normally be as a result of an assessment process. (Statement of Special Educational Needs/EHCP) (although note that point 3 of Annex A below also applies). During this process parents/carers may indicate a preference for a placement at Riversides School. The Local Authority responsible for making the statement retains responsibility for deciding whether to name the Riversides School in the statement, based on the individual needs of the child and any representations made by parents. A Local Authority is required to consult with Riversides School before naming it in a child's statement. Once the Riversides School is named in a child's statement, the school is under a statutory duty to admit the child, unless admitting the child would be incompatible with the efficient education of other children and where no reasonable steps may be made to secure compatibility. Riversides School will notify the Local Authority in writing if they do not agree to be named in the statement within 15 days of the receipt of the proposed statement.

From April 2013 there is a commissioning arrangement between the Riversides School (provider) and local authorities (commissioners) who commission the required number of places at Riversides School. Funding arrangements will be made between the Riversides School and the commissioning LA in accordance with the High Needs Funding agreement.

Riversides School

Riversides School is an Academy and functions as a Social, Emotional and Mental Health Special School. All admissions must satisfy the criteria as follows:

- a) that the child being admitted has a significant barrier to learning due to Social, Emotional or Mental Health difficulties and:
- b) that these difficulties present the main barrier to learning and that there is significant multi-professional evidence to that effect and
- c) that the school can meet the requirements as set out in the statement

Where there are other associated conditions or difficulties then admission is reasonable; where those other conditions or difficulties represent the main barrier to learning then admission is not reasonable.

Teaching and learning strategies for pupils will be decided by the school, in consultation with parents and other professionals.

All pupils admitted to Riversides School will undergo a period of transition which will be determined by senior leaders and other professionals.

On admissions the child's parents will provide the following information:

- a) Contact details and emergency contacts
- b) Doctors details, medical information and any medication taken
- c) Ethnicity
- d) Eligibility for Free School Meals

They will also sign the following:

- a) The schools educational trip consent form
- b) The schools internet use form
- c) The schools photographic image consent form
- d) The schools Home School agreement
- e) The schools positive physical intervention form, and
- f) The schools Thrive consent form.

Numbers

As stated in Annex A the school will not agree to admission where:

admitting the child would be incompatible with the provision of efficient education for other children

This will apply in individual circumstances, following an assessment by the school of potential impact of admission and it will apply where our agreed and preferred maximum number of pupils in any one class is exceeded.

This may mean that children of certain age groups cannot be admitted, even when there are vacancies in other parts of the school. Currently (January 2017) our maximum admission number is 68, this will be reviewed for the beginning of each academic year.

Only in exceptional circumstances will we admit pupils over and above these numbers, as follows:

- a) Where an assessment is made that the nature of the child's condition and the circumstances in which the family find themselves, are so overwhelming that admission must take place (eg Safeguarding, victims of severe trauma).
- b) Where the school is directed by a Tribunal or by the Secretary of State.

Statement on Admissions

Riversides School will abide by the regulations as set out in Annex A below.

Annex A

Requirements for the Admission of Pupils to Riversides School

General

1. This Annex may be amended in writing at any time by agreement between the Secretary of State and the Riversides School.

2. Except where paragraph 3 applies, Riversides School may not admit a child to the school unless a

Statement of SEN is maintained for that child and the Riversides School is named in the child's Statement.

3. Riversides School may admit a child without a Statement if:

- i) He/she is admitted for the purposes of an assessment of his educational needs under Section 323 of the Education Act 1996 and his admission to the Academy is with the agreement of the local authority, the Riversides School, the child's parents/carers and any person whose advice is to be sought in accordance with Regulation 7 of the Education (Special Educational Needs) (England) (Consolidation) Regulations 2001; or
- ii) He/she remains admitted following an assessment under Section 323 of the Education Act 1996; or
- iii) He/she is admitted following a change in his circumstances, with the agreement of the Local Authority, the Riversides School and the child's parents/carers.

4. If a child without a Statement has been admitted to the Riversides School for the purpose of an assessment, in accordance with paragraph 3(i), the Riversides School may allow the child to remain at that school:

- i) Until the expiry of ten school days after the Local Authority serve a notice under Section 325 of the Education Act 1996 that they do not propose to make a Statement, or
- ii) Until a Statement is made.

5. Where the Local Authority intends to name the Riversides School in a Statement, and have served a copy of the proposed Statement (or amended Statement) on the Riversides School, the Riversides School must respond to the Local Authority's proposal within 15 days.

6. The Riversides School must consent to being named, except where admitting the child would be

incompatible with the provision of efficient education for other children; and where no reasonable steps may be made to secure compatibility. In deciding whether a child's inclusion would be incompatible with the efficient education of other children, the Riversides School must have regard to the relevant guidance issued by the Secretary of State to maintained schools.

7. If the Riversides School determines that admitting the child would be incompatible with the provision of efficient education, it must, within 15 days of receipt of the Local Authority's notice, notify the Local

Authority in writing that it does not agree that the School should be named in the pupil's statement.

Such notice must set out all the facts and matters the School relies upon in support of its contention

that:

a) admitting the child would be incompatible with efficiently educating other children

and

b) the Riversides School cannot take reasonable steps to secure this compatibility.

8. Where a Local Authority maintains a Statement for a child under Section 324 of the Education Act 1996 and the name of the Riversides School is specified in that Statement the Riversides School must admit that child even if they consider that the school should not have been named in the child's Statement.

9. Where the Riversides School considers that they should not have been named in a child's

Statement, they may ask the Secretary of State to determine that the Local Authority has acted

unreasonably in naming the school and to make an order directing the authority to amend the child's Statement by removing the name of the school. Where the Secretary of State makes an order to this effect, the Riversides School will cease to be under an obligation to admit the child from the date of the Secretary of State's Order, or from such date as the Secretary of State specifies. In specifying a date, the Secretary of State must take into account both the welfare of the child in question and the degree of difficulty caused to the school by the child's continued admission.

10. Where the Secretary of State determines that a Local Authority has acted reasonably in naming Riversides School in a child's Statement, the Riversides School must continue to admit the child until the school ceases to be named in the Statement.

11. Where the Riversides School considers that there is a need to increase the planned capacity of the school, as stated at Clause 21 of the Agreement, the school must seek approval of the Secretary of State and the requirements of this Agreement may be amended accordingly by agreement between the Secretary of State and the Riversides School.

The First-Tier Tribunal (Special Educational Needs and Disability)

12. If a parent or guardian of a child in respect of whom a Statement is maintained by a Local Authority appeals to the First-tier Tribunal (special Educational Needs and Disability) either against the naming of the school in the child's Statement or asking the Tribunal to name the school, the Riversides School agrees to be bound by the decision of the Tribunal on any such appeal even if the decision is different to that of the Secretary of State under paragraph 9 or 10 above.

13. Where the school, the Secretary of State or the First-tier Tribunal (Special Educational Needs and Disability) have determined that it should be named in a child's Statement, the Riversides School musts admit the child to the school notwithstanding any provision of Annex A to this agreement.

Annex B

Serious incidents of misbehaviour leading to a fixed period or permanent exclusion

1. Subject to the exceptions in paragraph 5, the Riversides School shall act and shall ensure that the Headteacher and the governing body act in accordance with the law on exclusions as if the Academy were a maintained school. For this purpose, reference in the law on exclusions to the Headteacher and governing body shall respectively be deemed to be the Headteacher and governing body of the Riversides School.
2. Without limiting the generality of paragraph 1, the Riversides School shall ensure that the Local authority in which the school is located and, where the pupil concerned resides in the area of a different Local Authority, the Local Authority in which the pupil is ordinarily resident is informed of an exclusion decision in the same circumstances and within the same timescale as the Headteacher of a maintained school is required to inform the Local Authority (or Local Authorities) of an exclusion.
3. Subject to the exception in Paragraph 5, the Riversides School shall ensure that the Headteacher and the Governing Body of the school have regard to the Secretary of state's guidance on exclusions when excluding, or reviewing the exclusion of a pupil and in relation to any appeals or review process as if the Academy were a maintained school.¹
4. The Riversides School shall make arrangements for enabling appeals against, or review of any decision of the Governing body to permanently exclude a pupil in accordance with the functions assigned to the Local Authority in relation to a maintained school. The Riversides School shall ensure that appeal/review panels are impartial, and are constituted in accordance with the Secretary of State's guidance. The Riversides School shall comply with any decision of an appeals panel, or direction of a review panel.²
5. The exception to the duties imposed under paragraphs 1 and 3 is:
 - The Governing Body of the Riversides School is not expected to seek the advice of a Local Authority officer when considering exclusion, although a Local Authority officer may attend any meeting to consider an exclusion (including an appeal hearing or review) at the request of a parent.

¹ References in this annex to the Secretary of State's guidance are to "Improving Behaviour and Attendance; Guidance on Exclusion from Schools and Pupil Referral Units", which is published on the DfE website at: <http://www.teachernet.gov.uk/wholeschool/behaviour/exclusion/guidance/>. The guidance may be subject to amendment, and the Academy is required to have regard to the guidance as it stands at any given time.

² A parent may seek a judicial review of a decision of an appeal/review panel relating to their child. A parent of a child excluded from an Academy may not complain to the

Commissioner for Local Administration (the Local Government Ombudsman) about maladministration. This is because the Commissioner's remit is limited to considering the conduct of appeal panels constituted by Local Authorities.