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| Title                              | <b>A4 Admissions Policy</b>   |
| Purpose                            | <b>To clarify the arrangements for admission of students to Oak Lodge School</b>                              |
| Relevant to                        | <b>Prospective Parents/Carers, Local Authority, Trustees, Local Governors, Key Stage Co-ordinators, SENCo</b> |
| Responsible Officer                | <b>Headteacher</b>  |
| Introduced                         | <b>9/2009</b>   |
| Modification History               | <b>7/2016, 1/2017</b>   |
| Related Policies                   | <b>SEN Policy, Equality Policy</b>  |
| Date Due for Review                | <b>1/2020</b>   |
| Relevant committee for review      | <b>Trust Board</b>  |
| Agreed at full meeting of Trust on | <b>8<sup>th</sup> February 2017</b>   |
| Filed as                           | <b>A4 Admissions Policy Vs3 0117</b>  |

## **ADMISSIONS POLICY**

### **PURPOSE**

This policy provides information about the school's admissions arrangements for prospective parents and guidance for staff and governors about admissions procedures, roles and responsibilities.

### **INTRODUCTION**

Oak Lodge School was formerly a London Borough of Barnet maintained special educational needs school. On 1<sup>st</sup> January 2017, the school converted to Academy status and became a Special Academy managed by the Barnet Special Education Trust. The school is currently funded to make provision for 167 children and young people between the ages of 11 and 19 years old with a wide range of special needs. Comprehensive information about the school can be found on its website [www.oaklodge.barnet.sch.uk](http://www.oaklodge.barnet.sch.uk), where a prospectus is also available to download. Hard copies of our prospectus are also available on request from the school office.

### **VISITS TO THE SCHOOL**

Oak Lodge welcomes the opportunity to meet prospective parents/carers. In most cases parents/carers will meet with the Headteacher or a member of the Senior Leadership Team. Parents/Carers will have the opportunity to talk about their child's special educational needs followed by a tour of the school where they can ask questions or raise concerns. Please contact the school office to arrange an appointment on 020 8444 6711.

### **ADMISSIONS TO THE SCHOOL**

Barnet Special Education Trust will have regard to its Supplemental Funding Agreement with the Secretary of State for Education in respect of all admissions to Oak Lodge School. (See Appendix).

Most students join Oak Lodge at 'secondary transfer' (Year 7). However, the school and Trust will always consider suitable admission requests for older students. Successful applications for admission will identify Oak Lodge as the most appropriate provision for the needs of the student; where they will find a peer group that supports their wellbeing, and where they will have the best chance of making academic and personal progress.

For a young person to be admitted to Oak Lodge, the school must be named by a local authority (LA) in their Education, Health & Care Plan (EHCP). The overwhelming majority of young people admitted are resident in the London Borough of Barnet, but we will also work in partnership with other local authorities and parents/carers to assess the suitability of potential applicants for a place.

The school and Trust must consent to being named on an EHCP, except where admitting the young person would be incompatible with the provision of efficient education for other students, and where no reasonable steps may be made to secure compatibility. The school and Trust will have regard to relevant guidance issued by the Secretary of State to maintained schools when making its determination.

In some circumstances the school may also admit a young person for the purposes of an assessment of their educational needs, in agreement with the LA, the Trust, the young person's parent(s) and any other professional whose advice is to be sought in accordance with regulations.

Under the 1996 Education Act and the Children and Families Act 2014, parents have the right to express a preference for a specific school.

All applications for a place at the school from Barnet residents must be made to Barnet Local Authority.

**Email:** [SENadmin@barnet.gov.uk](mailto:SENadmin@barnet.gov.uk)

**Telephone:** 0208 359 7007.

#### **Postal Contact**

SEN performance team  
North London Business Park (NLBP),  
Oakleigh Road South, London N11 1NP

Independent information and advice is available from Barnet SEND Information, Advice and Support Service (SENDIASS) on 0208 359 7637.

Residents of other local authorities should contact their own SEN department for details of placement arrangements.

Barnet Special Education Trust will consider requests for admission to Oak Lodge School having regard to the Special Educational Needs and Disability Code of Practice: 0-25 years, 2015, under part 3 of the Children and Families Act 2014 where the child or young person is in possession of, or being assessed for an Education, Health and Care Plan.

Section 9.78 of the 2015 code states that the child's parent or the young person has the right to request a particular school, college or other institution of specified types, including Oak Lodge School to be named in their EHC plan.

Section 9.79 states that the local authority:

"**must** comply with that preference and name the school or college in the EHC plan unless:

- it would be unsuitable for the age, ability, aptitude or SEN of the child or young person, or
- the attendance of the child or young person there would be incompatible with the efficient education of others, or the efficient use of resources

Efficient education means providing for each child or young person a suitable, appropriate education in terms of their age, ability, aptitude and any special educational needs they may have. Where a local authority is considering the appropriateness of an individual institution, 'others' is intended to mean the children and young people with whom the child or young person with an EHC plan will directly come into contact on a regular day-to-day basis."

The local authority **must** consult the governing body or head teacher and consider their comments very carefully before deciding whether to name a school in the child or young person's EHC plan by sending us a copy of the draft plan.

The local authority **must** also seek the agreement of a school where the plan sets out any provision to be delivered on its premises which is secured through a direct payment. Where this includes a direct payment for SEN provision, it **must** include formal written notice of the proposal specifying:

- the name of the child or young person in respect of whom direct payments are to be made
- the qualifying goods and services which are to be secured by direct payments
- the proposed amount of direct payments
- any conditions on how the direct payments may be spent
- the dates for payments into a bank account approved by the local authority, and
- any conditions of receipt that recipients **must** agree to before any direct payment can be made

Section 9.83 of the code places a duty on a school to respond within 15 days.

The school **must** admit a child or young person where it is named on their EHC plan.

## **CONSULTATION AND ASSESSMENT**

Trustees delegate the admission consultation and assessment process to the Headteacher of Oak Lodge School.

Upon receipt by the school of consultation paperwork, the relevant Key Stage Coordinator or SENCo (Assistant Head Teacher) will be requested to review submitted papers and where possible, to see the prospective student in their current educational setting. If this is not possible the prospective student may be invited into school with a parent(s) or carer(s).

Following assessment, a formal response to the consultation will be submitted by the school to the relevant local authority.

If the outcome of the consultation determines that the needs of the student can be successfully met at Oak Lodge School, the Headteacher will make arrangements to ensure the relevant LA is informed and advised of the earliest date the student may be admitted to the school.

If it is felt that Oak Lodge School cannot meet the needs of the student without additional resources, the Headteacher will advise the relevant LA, detailing any reasonable steps that may be taken.

If it is felt that Oak Lodge School cannot meet the needs of the student as it is unsuitable for their age, ability or aptitude or special educational needs; or if their attendance at the school would be incompatible with the provision of efficient education for the students with whom he/she would be educated, or the efficient use of resources, and there are no reasonable steps the school or local authority could take to admit the student, a detailed response will be provided to the referring LA explaining the reasons for such a decision.

All consultation responses will be approved and signed by the Headteacher before submission to the relevant LA for further consideration.

## **APPEALS**

If a LA decides **not** to name Oak Lodge School on an Educational, Health and Care Plan against a parent's wishes, they may appeal to the SEND Tribunal. Parents should contact their LA SEND department for further details about how to make an appeal. The Headteacher, SENCo or Key Stage Coordinator may be called upon by the relevant LA to act as a witness at the tribunal hearing.

Alternatively, if the relevant LA decides to name Oak Lodge School and parents are not in agreement, they also have the right to appeal. As above, school staff may be asked to act as witnesses on behalf of the relevant LA.

Where Barnet Special Education Trust considers that Oak Lodge School should not have been named in a child or young person's EHCP, they may ask the Secretary of State to determine that the LA has acted unreasonably in naming the school and to

make an order directing that LA to amend the child or young person's EHCP by removing Oak Lodge School's name from the document.

**References:**

Children and Families Act, 2014

Special educational needs and disability code of practice: 0-25 years, 2015

## **Appendix**

### **Supplemental Funding Agreement Extract:**

#### **Admissions**

2.H Except as set out in clauses 2.J – 2.Q below, the Children and Families Act 2014 imposes duties directly on Academies in respect of pupils with special educational needs, including the admission of pupils with EHC plans. If an Academy Trust considers that a LA should not have named the Academy in an EHC plan, it may ask the Secretary of State to determine whether the LA has acted unreasonably, and to make an order directing the LA to reconsider. The Secretary of State’s determination will be final, subject to any right of appeal which a parent of the child may have to the First Tier Tribunal (Special Educational Needs and Disability) or the Upper Tribunal Administrative Appeals Chamber.

2.I Except where clauses 2.D and 2.T apply, the Academy Trust may not admit a child to the school unless a statement of SEN or EHC plan naming the Academy or the predecessor school, is maintained for that child.

2.J The Academy Trust may admit a child to the Academy if:

- a) the child is admitted for the purposes of an assessment of the child’s educational needs under section 323 of the Education Act 1996 , and the child’s admission to the Academy is with the agreement of the LA, the Academy trust, the child’s parent and any person whose advice is to be sought in accordance with regulation 7 of the Education (Special Educational Needs) (England) (Consolidation) Regulations 2001
- b) the child remains admitted following an assessment under section 323 of the Education Act 1996; or
- c) the child is admitted following a change in the child’s circumstances, with the agreement of the LA, the Academy Trust and the child’s parents.

2.K Subject to clause 2.J(a), the Academy Trust may allow the child to remain at the Academy:

- a) until the expiry of ten school days after the LA has served a notice under section 325 of the Education Act 1996 that they do not propose to make a statement; or
- b) until a statement is made.

2.L Where the LA intends to name the Academy in a statement of SEN, and has served a copy of the proposed statement of SEN (amended statement of SEN) upon the Academy Trust, the Academy Trust must respond, in writing, to the LA's proposal within 15 days of receipt of the notice.

2.M The Academy Trust 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. The Academy Trust must have regard to relevant guidance issued by the Secretary of State to maintained schools when making its determination.

2.N If the Academy Trust determines that admitting the child would be incompatible with the provision of efficient education, it must notify the LA that it does not agree that the Academy should be named in the pupil's statement of SEN. This notice must set out all the facts and matters the Academy Trust relies upon in support of its consideration that:

- a) admitting the child would be incompatible with efficiently educating other children; and
- b) the Academy Trust cannot take reasonable steps to secure this compatibility.

2.O The Academy Trust must admit a child to the Academy, where an LA maintains a statement of SEN for a child under section 324 of the Education Act 1996 which names the Academy (or predecessor school), even if they consider the Academy should not have been named in the child's statement of SEN.

2.P Where the Academy Trust considers that the Academy should not have



been named in a child's statement of SEN, they may ask the Secretary of State to determine that the LA has acted unreasonably in naming the Academy and to make an order directing the LA to amend the child's statement of SEN by removing the name of the Academy. Where the Secretary of State makes an order to this effect, the Academy Trust 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 Academy by the child's continued admission.

2.Q Where the Secretary of State determines that an LA has acted reasonably in naming the Academy in a child's statement of SEN, the Academy Trust must continue to admit the child until the Academy ceases to be named in the statement of SEN.

2.R Clauses 2.J – 2.Q only apply in so far as the relevant provisions of the Children and Families Act 2014 relating to SEN and disability do not apply to Academies and Free Schools.

2.S Not used.

2.T Not used.

2.U Not used.

2.V Not used.

2.W Pupils on roll in a Predecessor School which was a maintained, a non-maintained special or independent school will transfer automatically to the Academy on opening. All children already offered a place at that Predecessor School must be admitted to the Academy.