



# Admissions Policy

## September 2021

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### EBN Trust

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**THE ADMISSION OF STUDENTS TO THE EBN ACADEMIES**

## **(“the alternative provision Academy” or “the Academy”)**

### **1) General**

1.1 The EBN alternative provision Academies were established to provide education for all students in Years 9, 10 and 11 who come under the Fair Access Protocol of the East Birmingham Network and are referred to the East Birmingham Network Sharing Panel/ Fair Access Panel<sup>1</sup>.

1.2 The Sharing Panel/Fair Access Panel will meet once every 6 weeks.

1.3 Referral forms<sup>2</sup> will be processed by the East Birmingham Network team in preparation for the panel meeting. All relevant documentation will be disseminated to all interested parties 48 hours in advance of each meeting for members of the panel to review each case.

1.4 At the panel meeting each case will be discussed in detail and a representative from the commissioner will represent each pupil case.

1.5 Discussions will take place with the parents of the pupils concerned before the Sharing Panel/Fair Access process in advance by the commissioner.

1.6 After each Sharing Panel meeting the relevant commissioners will be notified of the outcomes of the panel and an integration meeting arranged at the earliest possible opportunity.

1.7 For the avoidance of doubt, EBN Academy will provide education for:

- 1.7a) students who are showing a level of disengagement from mainstream provision which is placing them at risk of permanent exclusion;
- 1.7b) students who have been permanently excluded from mainstream provision;
- 1.7c) students who require short term provision as a form of intervention.

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<sup>1</sup> More information on the Fair Access Panel can be found here:

<http://www.birmingham.gov.uk/cs/Satellite?c=Page&childpagename=Schools%2FPageLayout&cid=1223327947154&pagename=BCC%2FCommon%2FWrapper%2FWrapper#fairaccess>

<sup>2</sup> Referral forms will require contact details, parental information, details on FSM, high needs assessment, reasons for referral of students to Sharing Panel/ Fair Access Panel, attendance at previous school, previous interventions utilised address issue, external agency involvement, previous areas of study and current levels and risk assessment.

1.8 EBN Academy will only provide for 6 day + exclusions in exceptional circumstances and in consultation with the home school. Where this is not possible the role will be facilitated by a pupil referral unit.

1.9 Where appropriate the aim of the alternative provision Academy is to facilitate the re-engagement of its students into mainstream education.

1.10 The EBN Academy will provide education for students in Years 9, 10 and 11.

## **2) Admission arrangements**

2.1 The Academy Trust may only admit a child of compulsory school age under the following circumstances:

2.1a) referred by a local authority where the local authority has a duty to that child under section 19 of the Education Act 1996.<sup>3</sup>

2.1b) referred by a maintained school or Academy where the maintained school or Academy has a duty under Section 100 of the Education and Inspections Act 2006.<sup>4</sup>

2.1c) referred by a maintained school under powers set out in section 29(A) of the Education Act 2002<sup>5</sup>.

2.1d) referred by an Academy which, under general powers in the Articles of the Academy Trust may send pupils off-site to an alternative provision Academy as part of early intervention measures to address behaviour. Academies have the power to do this within their general powers under the Articles of an Academy Trust to advance education. However, as with a maintained school there is an expectation in law that a pupil will be educated at the school where he is registered, so placements would generally be relatively short and subject to review<sup>6</sup>.

2.2 The alternative provision Academy cannot accept applications from parents.

2.3 A service level agreement (SLA) will be in place between the EBN Academy and commissioning school. This will identify the responsibilities of the different parties and provide a framework for working together to support the child.

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<sup>3</sup> Section 19 of the Education Act 1996, and regulations made under that section, requires a local authority to make arrangements (from the sixth day of exclusion where a pupil has been permanently excluded) for the provision of suitable, full time (unless there are medical reasons as to why this would not be appropriate) education at school or otherwise who, for a range of reasons, would otherwise be without such education

<sup>4</sup> Section 100 of the Education and Inspections Act 2006 requires maintained schools and Academies to arrange full-time education for pupils on a fixed period exclusion of more than five days from the sixth day of the exclusion

<sup>5</sup> Section 29A of the Education Act 2002 provides that governing bodies of maintained schools may direct a pupil off-site "for the purpose of receiving educational provision which is intended to improve the behaviour of the pupil,

<sup>6</sup> It is possible that some off-site directions may become longer term placements in cases where the referring school and local authority agree that the provision in an alternative provision Academy is meeting the pupil's needs, and that a mainstream school place cannot meet that pupil's needs. These pupils could fall within the terms of section 19 of the Education Act.

2.4 The Academy Trust shall have admission arrangements agreed with the Department in accordance with Annex B of the funding agreement.

2.5 Commissioners will be updated on the progress of each student via Central Learning Manager (CLM), which will show daily attendance and any significant issues. Further updates will be given at a termly meeting and through a termly report.

2.6 A request for a place for a student with an EHC plan will be considered provided that it is deemed the EBN Academy will meet the needs of the individual student alongside all other students and that subsequently the Academy is a named provision in the student's EHC Plan. Where a student with an EHC Plan is admitted to the Academy the commissioning school will ensure that additional funding allocated as a result of the EHC plan is appropriately shared with the EBN Academy to support the child.

### **3) Procedure for admitting students at the alternative provision Academy**

#### **Admission Number(s)**

3.1 EBN Academy has the following agreed full time equivalent admissions numbers for the alternative provision Academy for the years 2018-22

Year group	2019	2020	2021	2022
Yr 9	10	10	10	20
Yr 10	30	30	20	20
Yr 11	30	30	40	30
AP	20	20	20	5

3.2 EBN Academy 2 has the following agreed full time equivalent admissions numbers for the alternative provision Academy for the years 2018-22

Year group	2019	2020	2021	2022
Yr 9	10	10	20	20
Yr 10	20	20	20	20
Yr 11	40	40	30	30
AP	20	20	20	8

3.3 Students will only be admitted in any year group above the published admission number for that year group where there are exceptional circumstances or where there

is demand above that number and the Academy has not reached its total PAN..

## Process of Referral

- 3.4 Applications for a referral must be made on the East Birmingham Network Sharing Panel referral form provided and administered by the East Birmingham Network Sharing Panel. The referral forms must be sent by secure email to: [sgohil@ebnfs.org](mailto:sgohil@ebnfs.org) (EBN1 Referrals) [ssandhu@ebnfs2.org](mailto:ssandhu@ebnfs2.org) (EBN2 referrals)
- 3.5 Referrals may be made at any time throughout the year.
- 3.6 Where an Academy is not full places may be commissioned by schools from outside of the East Birmingham Network. These referrals will be expected to follow the same referral process.
- 3.7 Subject to its right of appeal to the Secretary of State in relation to a named pupil, the Academy Trust will admit all pupils with a statement of special educational needs naming the alternative provision Academy.
- 3.8 Referrals, which must be supported by evidence, will be accepted for students requiring alternative provision as defined in paragraph 7 from schools or local authorities and the Academy Trust for EBN will participate in the Fair Access Protocol.
- 3.9 Where the number of appropriate referrals exceeds the number of places available, places will first be offered to Looked after Children or Previously Looked After Children (children who were looked after but ceased to be so because they were adopted or became subject to a residence order or special guardianship order).
- 3.10 Following that, pupils will be placed at the Academy according to individual pupil needs and places available at each Academy.
- 3.11 The admission of a student should not adversely affect the education and behaviour of the students already on roll at the Academy. Consideration will be given by the East Birmingham Network Sharing Panel to the type of difficulties and behaviours exhibited by the student and the likely effects upon the efficient education of pupils and the health and safety of pupils at the Academy.

## **4 Appeals**

- 4.1 Commissioners have the right of appeal against the refusal of a place at the Academy. Commissioners wishing to appeal must follow the procedure contained within the Academy's complaints procedure which is available on the East Birmingham Network Academy website or by request.
- 4.2 The Commissioner of any child who is refused a place at the Academy has a right of appeal to an Independent Appeals Panel. The panel consists of three people who are independent of the Academy Body and the Local Authority. The panel will consider the circumstances of the case put before them. Both the Academy and the

Commissioner must abide by the decision it makes.