

THE ST. CHRISTOPHER SCHOOL

Academy Trust - Special School

Mountdale Gardens, Leigh-on-Sea, Essex SS9 4AW

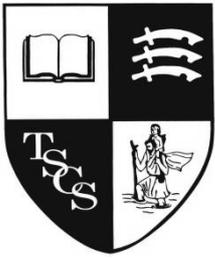
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THE ST. CHRISTOPHER SCHOOL ACADEMY TRUST – ADMISSION POLICY

First Written: April 2012

Revisions: November 2015

GENERAL

1. This policy may be amended in writing at any time by agreement between the Secretary of State and the Academy Trust.
2. Except where paragraph 3 applies, The St Christopher School Academy Trust may not admit a child to the school unless a statement of Special Educational Needs or an Education, Health and Care (EHC) Plan is maintained for that child and The St Christopher School - an Academy or The St Christopher School – (as a Maintained School) is named in the child's statement or EHC Plan.
3. The St Christopher School Academy Trust may admit a child without a statement or EHC Plan to The St Christopher School if:
 - (i) he is admitted for the purposes of an EHC needs assessment under section 34 of the Children and Families Act 2014 (the Act) and his admission to the Academy is with the agreement of the local authority, the Academy Trust, the child's parent and anyone else whose advice is required in accordance with regulations under section 36(11) of the Act.
 - (ii) he remains admitted following an assessment under section 36 of the Act; or
 - (iii) he is admitted following a change in his circumstances, with the agreement of the local authority, the Academy Trust and the child's parents.
4. If a child without a statement or EHC plan has been admitted to The St Christopher School for the purpose of an assessment, in accordance with paragraph 3(i), the Academy Trust may allow the child to remain at that Academy:
 - (i) until the expiry of ten school days after the local authority serve a notice under section 36 of the Act that they do not propose to prepare an EHC plan, or
 - (ii) until an EHC plan is issued.
5. Where the local authority intends to name The St Christopher School in a statement or EHC plan, and has served a copy of the draft EHC plan or amended statement on the Academy Trust, the Academy Trust must respond to the local authority's proposal within 15 calendar days.



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6. 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.

In deciding whether a child's inclusion would be incompatible with the efficient education of other children, the Academy Trust must have regard to the relevant guidance issued by the Secretary of State to maintained schools.

7. If the Academy Trust 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 Academy should be named in the pupil's statement or EHC plan. Such notice must set out all the facts and matters the Academy relies upon in support of its contention 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.
8. Where a local authority maintains a statement or EHC plan for a child which names The St Christopher School, the Academy Trust must admit that child to the Academy even if they consider that the Academy should not have been named in the child's statement or EHC plan.
9. Where the Academy Trust considers that the Academy should not have been named in a child's statement or EHC plan, they may ask the Secretary of State to determine that the local authority has acted unreasonably in naming the Academy and to make an order directing the authority to amend the child's statement or EHC plan 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.
10. Where the Secretary of State determines that a local authority has acted reasonably in naming The St Christopher School in a child's statement or EHC plan, the Academy Trust must continue to admit the child until the Academy ceases to be named in the statement or EHC plan.
11. Where the Academy Trust considers that there is a need to increase the planned capacity of the Academy, as stated at clause 21 of the Agreement, the Academy 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 Academy Trust.

THE FIRST-TIER TRIBUNAL (SPECIAL EDUCATIONAL NEEDS AND DISABILITY)

12. If a parent or guardian of a child in respect of whom a statement or EHC plan is maintained by a local authority appeals to the First-tier Tribunal (Special Educational Needs and Disability) either against the naming of the Academy in the child's statement or EHC plan or asking the Tribunal to name the Academy, the Academy Trust 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 Academy, 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 or EHC plan, the Academy Trust must admit the child to the Academy notwithstanding any provision of Annex B to this agreement.

REVIEW

This policy will be reviewed regularly by the full governing body.