



Wirral Academy Trust

# Admissions Policy 2019/20

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The  
**Birkenhead Park**  
School

Adopted by LGB: 16 November 2017  
Review Period: 1yr  
Review Date: November 2018  
Person responsible for policy: BPS Clerk



## **ADMISSIONS POLICY - THE BIRKENHEAD PARK SCHOOL**

### **GENERAL**

1. This Annex may be amended in writing at any time by agreement between the Secretary of State and The Birkenhead Park School.
2. The Birkenhead Park School will act in accordance with the Local Authority (LA) Independent Appeals Panel with all relevant provisions of the School Admissions Code and the School Admission Appeals Code published by the Department for Education ("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 Birkenhead Park School.
3. Notwithstanding the generality of paragraph 2 of this Annex, The Birkenhead Park School 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 Birkenhead Park School to admit a named student to the School on application from a LA. Before doing so the Secretary of State will consult The Birkenhead Park School.
  - (b) direct The Birkenhead Park School to admit a named student to the School if The Birkenhead Park School 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 LA shall ensure that parents/carers will have the right of appeal to the LA Independent Appeals Panel if they are dissatisfied with an admission decision of The Birkenhead Park School. The LA Independent Appeals Panel will be independent of The Birkenhead Park School. The arrangements for appeals will comply with the School Admission Appeals Code published by the Department for Education as it applies to Foundation and Voluntary Aided schools. The determination of the LA Independent Appeals Panel is binding on all parties.
6. The LA shall prepare guidance for parents/carers about how the appeals process will work and provide them with a named contact who can answer any enquiries they may have about the process.

### **RELEVANT AREA**

- 7 Subject to paragraph 13c, "relevant area for consultation" means the "Relevant Area" determined by the LA for maintained schools in the area (in accordance with the meaning of "Relevant Area" within the School Admissions Code).
8. If the School 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.

9. The Secretary of State will consider the School'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.
10. The Secretary of State may consult the LA before making such a determination
11. Within 14 days of the Secretary of State's determination, the School will notify the consultees listed in paragraph 14 of the determination.
12. In the event of a paragraph 9a determination, a map of the relevant area (or a list of post-codes) will be attached as an appendix to this Annex.

## **ANNUAL PROCEDURES FOR DETERMINING ADMISSION ARRANGEMENTS**

### **CONSULTATION**

13. The Birkenhead Park School shall consult the following parties on the School's proposed admission arrangements for a minimum of eight weeks between 1 November and 1 March in the 'determination year'<sup>1</sup>:
  - 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.
  - 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 LA areas.
  - f) Parents/carers 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 School;
  - g) Community groups which the School 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.

14. From 2011-12, and for subsequent years, consultation in line with paragraph 13 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.
15. 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.

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<sup>1</sup> A 'determination year' is the school year beginning two years before the school year which the admissions arrangements will be for e.g. consultation to end in March 2019 and determination to be in April 2019 for admissions in September 2020.

## **DETERMINATION OF ADMISSION ARRANGEMENTS**

16. The Birkenhead Park School will consider comments made by those consulted in accordance with paragraph 13, including any requests to amend the proposed admission number, before determining the admission arrangements for the School.
17. The Birkenhead Park School will determine the School's admission arrangements annually by 15 April of the determination year and notify consultees listed in paragraph 13 what has been determined within 14 days of that decision being made.

## **REPRESENTATIONS ABOUT ADMISSION ARRANGEMENTS**

18. Where The Birkenhead Park School has determined the School's admission arrangements and notified all consultees listed in paragraph 13, if any of those persons or bodies object to the School's admission arrangements, including the proposed admission 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 ADMISSION ARRANGEMENTS**

19. Where the admission arrangements determined in a determination year in accordance with paragraph 17 are different from the admission arrangements currently in existence for the School, The Birkenhead Park School shall by 30 June in the determination year apply to the Secretary of State to consent to such amended admission arrangements.

## **SECRETARY OF STATE'S POWER TO ACCEPT, MODIFY OR REJECT ADMISSION ARRANGEMENTS**

20. Where the Secretary of State has received any representations made in accordance with paragraph 18, the Secretary of State must consult The Birkenhead Park School on such representations. Following such consultation, by 31 July in the determination year the Secretary of State may direct that The Birkenhead Park School amends the proposed admission arrangements for the School. The Birkenhead Park School shall comply with any such direction.
21. Where the Secretary of State has received an application made in accordance with paragraph 19 seeking his consent to any amended admission arrangements, the Secretary of State must by 31 July in the determination year either approve the amended admission arrangements or direct that the amended admission arrangements are not implemented or must be modified. The Birkenhead Park School must comply with any such direction.

## **PUBLICATION OF ADMISSION ARRANGEMENTS**

22. The Birkenhead Park School shall, each determination year, publish the School's agreed admission arrangements by:
  - a) copies being sent to the persons consulted in paragraph 13;
  - b) copies being sent to Primary and Secondary schools in the LA's area;
  - c) copies being sent to the offices of the LA;
  - d) copies being made available without charge on request from the School;
  - e) 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/carers and other persons.

- f) a copy being uploaded to the School's website.
23. The published admission arrangements will set out:
- a) the name and address of The Birkenhead Park School and contact details;
  - b) a summary of the admission policy, including full oversubscription criteria and any arrangements for post-16 admissions;
  - 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 BIRKENHEAD PARK SCHOOL AFTER ARRANGEMENTS HAVE BEEN PUBLISHED**

24. Subject to paragraph 25, once the School's admission arrangements have been determined for a particular year and published, The Birkenhead Park School 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 Birkenhead Park School has consulted those who are required to be consulted under paragraph 13 above on the proposed variation;
  - b) following such consultation, The Birkenhead Park School has applied to the Secretary of State to approve the change setting out:
    - i) the proposed change;
    - ii) reasons for wishing to make such a 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.
25. The Birkenhead Park School shall, following the prior written agreement or direction of the Secretary of State, vary the School's admission 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.
26. Any changes to the School's admission arrangements brought about through the variation processes in paragraphs 24 or 25 above must be published within the School's prospectus and on its website and be communicated within 7 days to those persons who must be consulted under paragraph 13.
27. The Birkenhead Park School must make arrangements for a parent of a child who has attained the age of eleven but is not above compulsory school age and who has been, is or will be eligible to apply to be admitted to the School to make representations to the Secretary of State that any aspect of the School's admission arrangements does not comply with the relevant provisions of admissions law or the Codes as they apply to maintained schools.
28. Where a representation is made in accordance with paragraph 27, the Secretary of State may, after consulting The Birkenhead Park School, direct that The Birkenhead Park School modify its arrangements for the admission of students to the School so that they comply with the relevant provisions of admissions law and the Codes as they

apply to maintained schools. The Birkenhead Park School must comply with any such direction.

29. Records of applications and admissions to the school shall be kept by The Birkenhead Park School for a minimum period of ten years and shall be open for inspection by the Secretary of State.

## **PROCEDURE FOR ADMITTING STUDENTS TO THE SCHOOL**

### **ADMISSION NUMBER(S)**

30. The Birkenhead Park School has the following agreed admission numbers for the school for the year 2019/2020 and, subject to any changes approved or required by the Secretary of State, for subsequent years:
  - a) 150 for students in Year 7
31. In any specific year, The Birkenhead Park School may set a higher admission number than the school's agreed admission number for an applicable year group. Before setting an admission number higher than its agreed admission number, The Birkenhead Park School will consult those listed at paragraph 13. Students will not be admitted in any year group above the published admission number for that year group unless exceptional circumstances apply and such circumstances shall be reported to the Secretary of State.
32. If the school admits a total of 26 students 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 13.

### **PROCESS OF APPLICATION**

33. Arrangements for applications for places at The Birkenhead Park School 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 LA.
34. The Birkenhead Park School will use Wirral LA's timetable for applications to The Birkenhead Park School each year (exact dates within the months may vary from year to year). This will fit in with the timetable for the co-ordination of admission arrangements within Wirral LA Co-ordinated Scheme.
35. From 2011-12 there will be a national closing date of 31 October for Secondary school applications.

The school will ensure its application processes enable parents/carers to apply before these deadlines.

### **CONSIDERATION OF APPLICATIONS**

36. The Birkenhead Park School will consider all applications for places at The Birkenhead Park School. Where fewer than the published admission number(s) for the relevant year groups are received, The Birkenhead Park School will offer places at The Birkenhead Park School to all those who have applied.

## PROCEDURES WHERE THE BIRKENHEAD PARK SCHOOL IS OVERSUBSCRIBED

### ADMISSION TO YEAR 7

37. Where the number of applications for admission is greater than the published admission number, applications will be considered against the criteria set out below.

- a) **Looked After Children** (as defined by section 22 of The Children Act 1989) and **previously Looked After Children**.

A Looked After Child is a child who is either in the care of a LA or being provided with accommodation by a LA in the exercise of their social services functions (under section 22(1) of The Children Act 1989).

A previous Looked After Child is one who immediately moved on from that status after becoming subject to an adoption, residence-child arrangements or special guardianship order.

- b) **Children with statements of Special Educational Needs/EHCP**

- c) **Children who have a valid medical or social reason for a specific placement.** Details must be given on the preference form and this may be checked by a relevant officers. A letter in support from a senior health care or social care professional will be required as evidence when the preference form is submitted with a statement on why the school is the only educational placement appropriate for the child's needs.

- d) **Siblings** - Children who have a brother or sister (including half-brothers or sisters or step brothers or step sisters living in the same household) on roll at the time of their entry to The Birkenhead Park School and of statutory school age.

"sibling" is defined as a full or half brother or sister; a step brother or sister; an adoptive brother or sister, the children of parents/carers living together in the same family household.

- e) **Distance** - Priority will be given to those children who live nearest to the school. A computer mapping system based on Ordnance Survey maps will be used to measure the distance from the child's home\* to the school-gatenearest pedestrian school gate using the shortest road route, unless it is possible to use a footpath which is considered as a safe walking route.

\* A child's home is deemed as the permanent address which (s)he lives with a person of parental responsibility as the main carer (as defined by the Children's Act 1989). Where a child spends time with more than one parent the place of residence of the parent/carers who receives Child Benefit will be deemed to be the child's home.

In the event of a tie in any of the above categories, the Clerk to The Birkenhead Park School Local Governing Body, supervised by an independent scrutineer, will draw names out of a hat.

### OPERATION OF WAITING LISTS

38. Subject to any provisions regarding waiting lists in the LA's co-ordinated admission scheme, the school will operate a waiting list for each year group. Where in any year The Birkenhead Park School receives more applications for places than there are places available, a waiting list will operate until the end of the autumn term. This will be maintained by The Birkenhead Park School and it will be open to any parent to ask

for his or her child's name to be placed on the waiting list, following an unsuccessful application.

39. Children's position on the waiting list will be determined solely in accordance with the oversubscription criteria set out in paragraph 37 above. Where places become vacant they will be allocated to children on the waiting list in accordance with the oversubscription criteria.

#### **ARRANGEMENTS FOR ADMITTING STUDENTS TO OTHER YEAR GROUPS, INCLUDING TO REPLACE ANY STUDENTS WHO HAVE LEFT THE BIRKENHEAD PARK SCHOOL**

40. From 2011-2012 LA 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 the school's right to determine which applicants have priority for admission.
41. 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 Birkenhead Park School 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 37 shall apply. Parents/carers whose application is turned down shall be entitled to appeal.

#### **ARRANGEMENTS FOR ADMISSION OF STUDENTS AS THE BIRKENHEAD PARK SCHOOL BUILDS TO ITS FULL CAPACITY**

42. The Birkenhead Park School has a Published Admission Number relating solely to students in Year 7. Admission to Year groups without a Published Admission Number will be based upon the size of teaching groups already existing in The Birkenhead Park School and the efficient use of resources.
43. There will be a right of appeal to the LA Independent Appeals Panel for unsuccessful applicants.