

## **THE ADMISSION OF STUDENTS TO PENWORTHAM PRIORY ACADEMY (FROM SEPTEMBER 2018)**

### GENERAL

- 1) This annex may be amended in writing at any time by agreement between the Secretary of State and Penwortham Priory Academy.
- 2) Penwortham Priory Academy will act in accordance with, and will ensure that the Independent Appeal Panel is trained to act in accordance 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 Penwortham Priory Academy.
- 3) Notwithstanding the generality of paragraph 2, Penwortham Priory Academy will take part in the Lancashire Admissions Forum (South), hereafter referred to as the Admissions Forum which is set up by the Lancashire County Council local authority, hereafter referred to as 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 direct Penwortham Priory Academy to admit a named student to Penwortham Priory Academy, hereafter referred to as Penwortham Priory Academy, on application from a local authority. Before doing so the Secretary of State will consult Penwortham Priory Academy.
- 5) Penwortham Priory Academy shall ensure that parents will have the right of appeal to an Independent Appeal Panel if they are dissatisfied with an admission decision of Penwortham Priory Academy. The Independent Appeal Panel will be independent of Penwortham Priory Academy. 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 appeal panel is binding on all parties.
- 6) Penwortham Priory Academy shall prepare guidance for parents about how the appeals process will work and provide parents with a named contact who can answer any enquiries parents may have about the process. Penwortham Priory Academy may, if it chooses, enter into an agreement with the LA or any other organisation for it to recruit, train and appoint appeal panel members, and to arrange for the process to be independently administered and clerked.

### ANNUAL PROCEDURES FOR DETERMINING ADMISSION ARRANGEMENTS

#### Consultation

- 7) Penwortham Priory Academy shall consult the following parties on Penwortham Priory Academy's proposed admission arrangements every 7 years, unless there are policy changes:
- 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 set by the LA
  - 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 local authority areas

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, Academy Trust Determination of Admission Arrangements.

- 8) Penwortham Priory Academy will consider comments made by those consulted in accordance with paragraph 7, including any requests to amend the proposed admissions number, before determining the admissions arrangements for Penwortham Priory Academy.
- 9) Penwortham Priory Academy will determine Penwortham Priory Academy's admission arrangements by 16 April of the Determination Year and notify those consulted in accordance with paragraph 7 what has been determined within 14 days of that decision being made.

#### Representations about admission arrangements

- 10) Where Penwortham Priory Academy has determined Penwortham Priory Academy's admission arrangements and notified all those bodies that it has consulted in accordance with paragraph 9, if any of those bodies object to Penwortham Priory Academy's admission arrangements, including the proposed admissions 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 Admissions Arrangements

- 11) Where the admissions arrangements determined in a Determination Year in accordance with paragraph 9 are different to the admissions arrangements currently in existence for Penwortham Priory Academy, Penwortham Priory Academy shall by 30 June in the Determination Year apply to the Secretary to State for him to consent to such amended admissions arrangements.

#### Secretary of State's Power to Accept, Modify or Reject Admissions Arrangements

- 12) Where the Secretary of State has received any representations made in accordance with paragraph 10, the Secretary of State must consult Penwortham Priory Academy on such representations. Following such consultation, by 31 July in the Determination Year, the Secretary of State may direct that Penwortham Priory Academy amends the proposed

admissions arrangements for Penwortham Priory Academy. Penwortham Priory Academy shall comply with any such direction.

- 13) Where the Secretary of State has received an application made in accordance with paragraph 11 to consent to any amended admissions arrangements, the Secretary of State must by 31 July in the Determination Year either approve the amended admissions arrangements or direct that the amended admissions arrangements are not implemented or must be modified. Penwortham Priory Academy must comply with any such direction.

#### Publication of Admission Arrangements

- 14) Penwortham Priory Academy shall each Determination year publish Penwortham Priory Academy's agreed admission arrangements by:

- a) copies being sent to the persons consulted in paragraph 7;
- 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 Penwortham Priory Academy;
- 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 and other persons.

- 15) The published admissions arrangements will set out:

- a) the name and address of Penwortham Priory Academy and contact details;
- b) a summary of the admissions policy, including oversubscription criteria;
- c) numbers of places and applications for those places in the previous year; and
- d) arrangements for hearing appeals.

#### Proposed Changes to Admission Arrangements by Penwortham Priory Academy after Arrangements Have Been Published

- 16) Subject to paragraph 17, once Penwortham Priory Academy's admission arrangements have been determined for a particular year and published, Penwortham Priory Academy will not make any change to such arrangements unless there is a major change of circumstances and the following procedures have been followed:

- a) Penwortham Priory Academy has consulted those who were consulted under paragraph 7 above on the proposed variation;
- b) Following such consultation, Penwortham Priory Academy has applied to the Secretary of State to approve the change setting out:
  - i) the proposed change;
  - ii) reasons for wishing to make such change;
  - iii) any comments or objections to the proposal from those consultant; and
- c) following such application, the Secretary of State has provided his consent to the proposed variation.

- 17) Penwortham Priory Academy shall, following the prior written agreement or direction of the Secretary of State, vary Penwortham Priory Academy's admissions 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.
- 18) Any changes to Penwortham Priory Academy's admission arrangements brought about through the variation processes in paragraphs 16 or 17 above must be published within Penwortham Priory Academy's prospectus and website and be communicated within 7 days to those persons who must be consulted under paragraph 7.
- 19) Penwortham Priory Academy must make arrangements for a parent of a child who has attained the age of two but is not above compulsory school age and who has been, is or will be eligible to apply to be admitted to Penwortham Priory Academy, to make representations to the Secretary of State that any aspect of Penwortham Priory Academy's admission arrangements does not comply with the relevant provisions of admissions law or the Codes as they apply to maintained schools.
- 20) Where a representation is made in accordance with paragraph 19, the Secretary of State may, after consulting Penwortham Priory Academy, direct that Penwortham Priory Academy modify its arrangements for the admission of students to Penwortham Priory Academy so that they comply with the relevant provisions of admissions law and the Codes as they apply to maintained schools. Penwortham Priory Academy must comply with any such direction.
- 21) Records of applications and admissions to Penwortham Priory Academy shall be kept by Penwortham Priory Academy for a minimum period of ten years and shall be open for inspection by the Secretary of State.

## PROCEDURE FOR ADMITTING STUDENTS TO PENWORTHAM PRIORY ACADEMY

### Admissions Number

- 22) Penwortham Priory Academy has agreed an admissions number of 180 students to Year 7 for Penwortham Priory Academy for the year 2018 and, subject to any changes approved or required by the Secretary of State, for subsequent years.
- 23) In any specific year, Penwortham Priory Academy may set a higher admission number than the Academy's agreed admission number for an applicable Year group. If this is the only proposed change to the admission arrangements, then formal consultation is not required. Students will not be admitted in any Year group above the published admissions number for that Year group unless exceptional circumstances apply and such circumstances shall be reported to the Secretary of State.

### Process of Application

- 24) Arrangements for applications for places at Penwortham Priory Academy 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 local authority.

25) Penwortham Priory Academy will use the following timetable for applications to Penwortham Priory Academy each year (exact dates within the months may vary from year to year) which, whenever possible, will fit in with the common timetable agreed by the Admissions Forum, Lancashire County Council LA, neighbouring local admissions authorities, other local Academies and local Admissions Forum.

- a) By September – Penwortham Priory Academy will publish in Penwortham Priory Academy’s prospectus information about the arrangements for admission, including oversubscription criteria, for the following September (eg in September 2017 for admission in September 2018). Penwortham Priory Academy will also provide information in relation to Penwortham Priory Academy to the Lancashire County Council LA for inclusion in the composite prospectus, as required;
- b) Throughout the year, Penwortham Priory Academy will provide opportunities for parents to visit Penwortham Priory Academy;
- c) 31 October – Common Application Form to be completed and returned to the Lancashire County Council LA to administer;
- d) LA sends Penwortham Priory Academy applications to Penwortham Priory Academy;
- e) February – Lancashire County Council LA applies agreed scheme for own schools, informing other LA’s of offers to be made to their residents;
- f) 1 March – offers made to parents.

#### Consideration of Applications

26) Penwortham Priory Academy will consider all applications for places at Penwortham Priory Academy. Where fewer than the published admission number(s) for the relevant Year groups are received, Penwortham Priory Academy will offer places at Penwortham Priory Academy to all those who have applied.

#### Procedures where Penwortham Priory Academy is oversubscribed

27) Where the number of applications for admission is greater than the published admission number, applications will be considered against the criteria set out below. After the admission of students with Educational, Health and Care (EHC) Plans or statements of Special Educational Needs, the criteria will be applied in the order in which they are set out below:

- a) Children in public care and adopted children who were previously in care
- b) Children for whom, in the opinion of professional experts, there are exceptionally strong medical, social or welfare reasons for admission associated with the child and/or family which are directly relevant to Penwortham Priory Academy. This may include some non-statemented students who have special educational needs
- c) Children who will have a sibling in attendance at Penwortham Priory Academy at the time of transfer. The term “sibling” includes stepchildren, half brothers and sisters and adopted and foster children who are living with the same family at the same address
- d) Other students with priority given to those that live nearest to Penwortham Priory Academy, in accordance with local Geographical Priority arrangements. The measurement will be taken in a straight line from the centre point of the residence to

the centre point of the Academy, using the Lancashire Local Authority's geographical information system (GIS).

- 28) There will be a right of appeal to an Independent Appeals Panel for internal students refused transfer and external applicants refused admission. Parents have 20 days to compile and lodge hearings.

#### Operation of Waiting Lists

- 29) Subject to any provisions regarding waiting lists in the LA's co-ordinated admission scheme, Penwortham Priory Academy will operate a waiting list (for each Year group). Where in any Year Penwortham Priory Academy receives more applications for places than there are places available, a waiting list will operate until one term after the start of the school year. This will be maintained by Penwortham Priory Academy 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.

- 30) Children's position on the waiting list will be determined solely in accordance with the oversubscription criteria set out in paragraph 27, or for post-16, paragraph 28 above. Where places become vacant they will be allocated to children on the waiting list in accordance with the oversubscription criteria.

#### 31) Address of pupil

The address used on the school's admission form must be the current one at the time of application, ie the family's main residence. If the address changes subsequently, the parents should notify the school. Where the parents live at different addresses, and there is shared parenting, the address used will normally be the one where the child wakes up for the majority of Monday to Friday mornings. If there is any doubt about this, then the address of the Child Benefit recipient will be used. Parents may be asked to show evidence of the claim that is being made for the address, eg identity cards of various sorts showing the child's address as the one claimed. Where there is dispute about the correct address to use, the Governors reserve the right to make enquiries of any relevant third parties, eg the child's GP, Council Tax Office, Electoral Registration Officer, utilities provider. For children of UK Service personnel and other Crown Servants returning to the area proof of the posting is all that is required.

#### 32) Late applications for Admission

Where there are extenuating circumstances, accepted by Penwortham Priory Academy for an application being received after the last date for applications, and it is before Penwortham Priory Academy has established the list of pupils to be admitted, then it will be considered alongside all the others. Otherwise, applications which are received after the last date will be considered after all the others, and placed on the waiting list in order according to the criteria.

#### 33) Non-routine admissions

It sometimes happens that a child needs to change school other than at the "normal" time; such admissions are known as non-routine admissions.

34) 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, Penwortham Priory Academy will consider all such applications and if the Year group applied for has a place available, admit the child, subject to any exceptional provisions in Regulations or the School Admission Code. If more applications are received than there are places available, the oversubscription criteria in paragraph 27 shall apply. Parents whose application is turned down shall be entitled to appeal under the terms of the Right of Appeal criteria. Appeals for children moving into the area will not be considered until there is evidence of a permanent address, eg exchange of contracts or tenancy agreement with rent book. Applicants cannot re-apply for a place at a school within the same school year unless there has been relevant, significant and material change in the family circumstances.

#### Admission of children outside their normal age group

35) Parents may seek a place for their child outside of their normal age group, for example if the child is gifted and talented or has experienced problems such as ill health. Penwortham Priory Academy will make decisions on the basis of the circumstances of each case and in the best interests of the child concerned. This will include taking account of the parent's views; information about the child's academic, social and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if it were not for being born prematurely.

36) When informing a parent of the decision on the year group the child should be admitted to, Penwortham Priory Academy will set out clearly the reasons for this decision.

37) Where Penwortham Priory Academy agrees to a parent's request for their child to be admitted out of their normal age group and, as a consequence of that decision, the child will be admitted to a relevant age group (ie the age group to which pupils are normally admitted to the school) the LA and Penwortham Priory Academy will process the application as part of the main admissions round, unless the parental request is made too late for this to be possible, and on the basis of their determined admission arrangements only, including the application of oversubscription criteria where applicable. Penwortham Priory Academy will not give the application lower priority on the basis that the child is being admitted out of their normal age group. Parents have a statutory right of appeal against the refusal of a place at Penwortham Priory Academy, however this right does not apply if they are offered a place at Penwortham Priory Academy but it is not in their preferred age group.

#### Arrangements for Admitting Students to Other Year Groups, Including to Replace Any Students Who Have Left Penwortham Priory Academy

38) There will be a right of appeal to an Independent Appeal Panel for unsuccessful applicants. Parents have 20 days to compile and lodge hearings and are entitled to 10 days' notice of an appeal hearing.