

**ANNEX B**

**THE ADMISSION OF PUPILS TO  
The John Henry Newman Catholic College**

The admissions process is part of the Solihull local authority co-ordinated scheme.

The Admission Policy of the Governors of John Henry Newman Catholic Academy is as follows:

The ethos of this academy is Catholic. The academy was founded by the Catholic Church to provide education for children of Catholic families. The academy is conducted by its governing body as part of the Catholic Church in accordance with its Trust Deed and Memorandum and Articles of Association and seeks at all times to be a witness to Jesus Christ. We ask all parents applying for a place here to respect this ethos and its importance to the academy community. This does not affect the right of parents who are not of the faith of this academy to apply for and be considered for a place here.

**GENERAL**

1. This annex may be amended in writing at any time by agreement between the Secretary of State and the Academy Trust.
2. The Academy Trust 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 Children, Schools and Families ("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 Academy Trust.
3. Notwithstanding the generality of paragraph 2 of this Annex B, the Academy Trust 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 Academy Trust to admit a named pupil to the John Henry Newman Catholic College on application from a local authority. Before doing so the Secretary of State will consult the Academy Trust.

(b) direct the Academy Trust to admit a named pupil to the John Henry Newman Catholic College if the Academy Trust 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.

- 4A** John Henry Newman Catholic College is a faith Academy in the Archdiocese of Birmingham.
5. The Academy Trust shall ensure that parents and ‘relevant children’ will have the right of appeal to an Independent Appeal Panel if they are dissatisfied with an admission decision of the Academy Trust. The Independent Appeal Panel will be independent of the Academy Trust. The arrangements for appeals will comply with the School Admission Appeals Code published by the Department for Children, Schools and Families as it applies to Foundation and Voluntary Aided schools. The determination of the appeal panel is binding on all parties.
6. The Academy Trust shall prepare guidance for parents and relevant children 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. The Academy Trust may, if it chooses, enter into an agreement with a 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.
- 7 In paragraphs 5 and 6 above, ‘relevant children’ means:
- a) in the case of appeals for entry to a sixth form, the child, and;
  - b) in any other case, children who are above compulsory school age, or will be above compulsory school age by the time they start to receive education at the school.

### **Relevant Area**

- 8 Subject to paragraph 9, “relevant area for consultation” means the “Relevant Area” determined by the local authority for maintained schools in the area (in accordance with the meaning of “Relevant Area” within the School Admissions Code).
9. If the Academy 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.
10. The Secretary of State will consider the Academy’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.

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

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

### **Consultation**

14. The Academy Trust shall consult the following parties on the Academy'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 local authority areas.
  - f) Parents 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 Academy;
  - g) Community groups which the Academy considers relevant;
  - h) Teaching unions if the consultation includes an increase in admission number.
  - i) Archdiocese of Birmingham

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.

15. From 2011-12, and for subsequent years, consultation in line with paragraph 14 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.
16. 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 Academy Financial Year beginning two years before the Academy Financial Year which the admissions arrangements will be for e.g. consultation to end in March 2009 and determination to be in April 2009 for admissions in September 2010

### **Academy Trust Determination of Admission Arrangements**

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

### **Representations about admission arrangements**

19. Where the Academy Trust has determined the Academy's admission arrangements and notified all consultees listed in paragraph 14, if any of those persons or bodies object to the Academy'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**

20. Where the admission arrangements determined in a Determination Year in accordance with paragraph 18 are different from the admission arrangements currently in existence for the Academy, the Academy Trust shall by 30 June in the Determination Year apply to the Secretary of State for him to consent to such amended admission arrangements.

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

21. Where the Secretary of State has received any representations made in accordance with paragraph 19, the Secretary of State must consult the Academy Trust on such representations. Following such consultation, by 31 July in the Determination Year the Secretary of State may direct that the Academy Trust amends the proposed admission arrangements for the Academy. The Academy Trust shall comply with any such direction.
22. Where the Secretary of State has received an application made in accordance with paragraph 20 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 Academy Trust must comply with any such direction.

### **Publication of Admission Arrangements**

23. The Academy Trust shall each Determination Year publish the John Henry Newman Catholic College's agreed admission arrangements by:
- a) copies being sent to the persons consulted in paragraph 14;
  - b) copies being sent to primary and secondary schools in the LA's area;
  - b) copies being sent to the offices of the LA;
  - c) copies being made available without charge on request from the Academy;
  - d) 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.
  - e) a copy being uploaded to the Academy's website (if it has one).
24. The published admission arrangements will set out:
- a) the name and address of the John Henry Newman Catholic College and contact details;
  - b) a summary of the admission policy, including full oversubscription criteria and any arrangements for post-16 admission;
  - 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 John Henry Newman Catholic College After Arrangements Have Been Published**

25. Subject to paragraph 26, once the Academy's admission arrangements have been determined for a particular year and published, the Academy Trust 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 Academy Trust has consulted those who are required to be consulted under paragraph 14 above on the proposed variation;
  - b) following such consultation, the Academy Trust 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.
26. The Academy Trust shall following the prior written agreement or direction of the Secretary of State vary the Academy'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.
27. Any changes to the Academy's admission arrangements brought about through the variation processes in paragraphs 25 or 26 above must be published within the Academy's prospectus and on its website (if it has one) and be communicated within 7 days to those persons who must be consulted under paragraph 14.
28. The Academy Trust 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 the Academy to make representations to the Secretary of State that any aspect of the Academy's admission arrangements does not comply with the relevant provisions of admissions law or the Codes as they apply to maintained schools.
29. Where a representation is made in accordance with paragraph 28, the Secretary of State may, after consulting the Academy Trust, direct that the Academy Trust modify its arrangements for the admission of pupils to the Academy so that they comply with the relevant provisions of admissions law and the Codes as they apply to maintained schools. The Academy Trust must comply with any such direction.
30. Records of applications and admissions to the Academy shall be kept by the Academy Trust for a minimum period of ten years and shall be open for inspection by the Secretary of State.

## **PROCEDURE FOR ADMITTING PUPILS TO THE ACADEMY**

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

31. The Academy Trust has the following agreed admission number[s] for the Academy for the year 2011/20012 and, subject to any changes approved or required by the Secretary of State, for subsequent years:
- a) 240 for pupils in Year 7.
  - b) 15 for pupils in Post-16

32. In any specific year, the Academy Trust may set a higher admission number than the John Henry Newman Catholic College's agreed admission number for an applicable year group. Before setting an admission number higher than its agreed admission number, the Academy Trust will consult those listed at paragraph 14. Pupils 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.
33. If the Academy admits a total of 26 pupils 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 14.

### **Process of Application**

34. Arrangements for applications for places at the John Henry Newman Catholic College 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.
35. The Academy Trust will use the Solihull LA's timetable for applications to the John Henry Newman Catholic College 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 Solihull LA as agreed by the, Admissions Forum, Solihull LA, local schools and Academies
  - a) By September - The Academy Trust will publish in the John Henry Newman Catholic College's prospectus information about the arrangements for admission, including oversubscription criteria, for the following September (e.g. in September 2011 for admission in September 2012). This will include details of open evenings and other opportunities for prospective pupils and their parents to visit the school. The Academy Trust will also provide information in relation to the John Henry Newman Catholic College to the Solihull LA for inclusion in the composite prospectus, as required;
  - b) September/October - The Academy Trust will provide opportunities for parents to visit the John Henry Newman Catholic College;
  - c) October – Common Application Form to be completed and returned to the pupil's home LA to administer
  - d) Solihull LA sends John Henry Newman Catholic College applications to the Academy Trust;
  - e) Academy Trust sends list of pupils to be offered places at the John Henry Newman Catholic College to Solihull LA;

f) February - Solihull LA applies agreed scheme for own schools, informing other neighbouring LA's of offers to be made to their residents.

g) 1<sup>st</sup> March offers made to parents.

36. From 2011-12 there will be a national closing date for applications as follows:

a) 31 October for secondary applications; and

b) 15 January for Primary applications

The Academy will ensure its application processes enable parents to apply before these deadlines.

### **Consideration of Applications**

37. The Academy Trust will consider all applications for places at the John Henry Newman Catholic College. Where fewer than the published admission number(s) for the relevant year groups are received, the Academy Trust will offer places at the John Henry Newman Catholic College to all those who have applied.

### **Procedures where the John Henry Newman Catholic College is oversubscribed**

If the number of applications exceeds the admission number, the governors will give priority to applications in accordance with the criteria listed, provided that the governors are made aware of that application before decisions on admissions are made (see Note 1 below).

In all criteria, priority will be given to those who have a brother or sister (see Note 3 below) attending John Henry Newman Catholic Academy at the time of admission. If there is over-subscription within a criterion, the governing body will then give priority to children living closest to the academy determined by shortest distance (see Note 5 below)

1. Baptised Catholic children (see Note 2 below) who are in the care of a local authority (looked-after children) or provided with accommodation by them (e.g. children with foster parents) (Section 22 of the Children Act 1989)
2. Other Baptised Catholic children
3. Non-Catholic children who are in the care of a local authority (looked after children) or provided with accommodation by them (e.g. children with foster parents) (Section 22 of the Children Act 1989)
4. Other Non-Catholic children

**Note 1**

Children with a Statement of Special Educational Needs that names the academy must be admitted. This will reduce the number of places available to other applicants.

**Note 2**

In all categories, for a child to be considered as a Catholic, evidence of Catholic Baptism or Reception into the Church will be required. For a definition of Baptised Catholic see the Appendix. Those who face difficulties in producing written evidence of baptism should contact their Parish Priest. Failure to produce this evidence may affect the criterion the child's name is placed in.

**Note 3**

The definition of a brother or sister is a child:

- A brother or sister sharing the same parents;
- Half-brother or half-sister, where two children share one common parent;
- Step-brother or step-sister, where two children are related by a parent's marriage;
- Adopted or fostered children.

**Note 4**

Distances are calculated on the basis of a straight-line measurement between the applicant's home address and the academy. The local authority uses a computerised system, which measures all distances in miles. Ordnance Survey supply the co-ordinates that are used to plot the academy and an applicant's home address within this system.

In a very small number of cases it may not be able to decide between the applicants of those pupils who are qualifiers for a place, when applying the published admission criteria. For example, this may occur when children in the same year group live at the same address, or where there are twins, or if the distance between the home and school is exactly the same, for example, blocks of flats. If there is no other way of separating the application according to the admissions criteria and to admit both or all of the children would cause the legal limit to be exceeded, the local authority will use a computerised system to randomly select the child to be offered the final place.

The home address of a pupil is considered to be the permanent residence of a child. The address must be the child's only or main residence for the majority of the school week. Documentary evidence may be required.

Where care is split equally between mother and father, parents must name which address is to be used for the purpose of allocating a school place

**Post 16 admission criteria****Year 12 Admissions Policy*****Admission requirements are:***

4 GCSE A-C for 'A' levels

4 GCSE D-G for BTEC First

#### 4 GCSE A-C for BTEC National

There is no charge or cost related to the admission of a child to this academy.

Parents who wish to appeal against the decision of the Governors to refuse their child a place in the academy may apply in writing to Chair of Governors. Appeals will be heard by an independent panel.

40. There will be a right of appeal to an Independent Appeals Panel for internal pupils refused transfer and external applicants refused admission.

#### **Operation of Waiting Lists**

Waiting lists for admission will remain open until the end of the autumn term and will then be discarded. Parents may apply for their child's name to be reinstated. The waiting list will be kept in admission criteria order.

41. Subject to any provisions regarding waiting lists in the LA's co-ordinated admission scheme, the Academy will operate a waiting list for each year group. Where in any year the John Henry Newman Catholic College receives more applications for places than there are places available, a waiting list will operate until at least the end of the first term (normally late December) but can be until the final term of the school year. This will be maintained by the Academy Trust 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.
42. Children's position on the waiting list will be determined solely in accordance with the oversubscription criteria set out in paragraph 38, above. Where places become vacant they will be allocated to children on the waiting list in accordance with the oversubscription criteria.

#### **Arrangements for Admitting Pupils to Other Year Groups, Including To Replace any Pupils who have Left the John Henry Newman Catholic College**

43. From 2011-2012 local authorities 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 Academies' right to determine which applicants have priority for admission. An application should be made to the local authority where the child is resident who will need to consult with the governors.
44. 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 Academy Trust 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 38 shall apply. Parents whose application is turned down shall be entitled to appeal.

### **Arrangements for Admission of pupils as the John Henry Newman Catholic College Builds to its Full Capacity**

45. The John Henry Newman Catholic College will open on 4 January 2011 with a Published Admission Number relating solely to pupils in Year 7 and, where relevant, Year 12. Pupils in subsequent Years will have been transferred automatically from the predecessor school, ABCD School, which will close on 31 December 2011. All children being offered a place for September 2011 in the predecessor school Archbishop Grimshaw School, will be admitted to the Academy
46. Admission to Year groups without a Published Admission Number will be based upon the size of teaching groups already existing in the John Henry Newman Catholic College and the efficient use of resources.
47. There will be a right of appeal to an Independent Appeal Panel for unsuccessful applicants.

### **Repeat Applications**

Unless there are significant and material changes in the circumstances of a parent's application for their child or the academy, the governors will not consider a repeat application in the same academic year.

### **Late Applications**

Applications received after the closing date will only be considered alongside those received by the closing date under the following circumstances:

- The family were unable to complete an application form before the closing date because they moved into the area after the issue of application forms OR
- The family were unable to comply with the admissions timetable because of exceptional circumstances which prevented the application arriving on time – the circumstances must be given in writing and attached to the Application Form.

Applications received after the notification date (after places are offered) will be added to the academy's waiting list in admission criteria order.

### **In Year Fair Access Protocol**

The governing body has adopted the Solihull Council's Fair Access Protocol.