



# **Admissions Policy 2022/23**

**For Year 5 Co-ordinated Scheme normal time of transfer at age 9 in  
September 2022**

**For In-Year Admissions for all Year Groups during the 2022/23  
academic year**

## **Re-Approved by Trustees: 17/10/2021**

The School Admissions Code 2021 require that statutory changes be made to all existing and new admissions policies. This policy has therefore been updated to reflect those statutory changes. As they are statutory changes no further consultation was required. The changes are marked in purple.

This Policy contains four sections:

- **Introduction**
- **Admissions process**
- **Oversubscription criteria and definitions**
- **Useful contact details**

**The Policy should be read in conjunction with** Worcestershire County Council's Information for Parents Book on Admissions and Transfers to Schools 2022-23 and is available to view online at:

[www.worcestershire.gov.uk/schooladmissions](http://www.worcestershire.gov.uk/schooladmissions)

A copy of the book is also available to view in Schools, Libraries and at your Local Worcestershire Hub.

The Information for Parents book contains full details on the application and allocation process, including the oversubscription admission criteria for each school. **You are advised to read the book prior to making an application.**

### **Section 1: Introduction**

Birchensale Middle School is a 9-13 academy (part of Bordesley Multi Academy Trust) serving an area of North East Worcestershire.

The Academy Trust is the admissions authority with powers to decide the arrangements for admitting students including the admissions criteria for all schools in the trust.

Pupils will be admitted at the age of 9+ without reference to ability or aptitude using the criteria below. The Published Admission Number for entry in Year 5 in September 2022 and subsequent years will be 150 unless changed in accordance with statutory procedures.

Admission to Birchensale Middle School is not dependent on any “voluntary” contribution.

## **Section 2: Admissions Process – Entry to the school at the normal time of transfer (Year 5)**

Applications for all school places must be made via the On-Line School Admissions facility [www.worcestershire.gov/schooladmissions](http://www.worcestershire.gov/schooladmissions), with the opportunity to nominate schools, in order of preference. Applications must be received by your home local authority (Worcestershire closing date is 15<sup>th</sup> January 2022).

The parents of pupil’s resident outside Worcestershire, but who wish to apply for a place at any Worcestershire school, must complete an application form provided by the “home” LA. **(The “home” LA is defined as the Local Authority relevant to the child’s home address).** The “home” LA will ensure that the application details are passed onto Worcestershire LA for consideration in the allocation of school places.

If you do not have access to the internet Application Forms are available from the school, Local Worcestershire Hub or by request on Tel no: 01905 822700.

### **When are decisions made?**

For pupil’s resident in Worcestershire, an offer of a place will be made on **16<sup>th</sup> April 2022**. The offer will be sent direct to parents, by the Pupil Admissions and Transfers Section, even if it is on behalf of the governing body of an Academy, Foundation or Voluntary Aided School, or a school in a neighboring LA.

Where it is not possible to offer a place at any of the preferences nominated on the application form, a place will be offered at the nearest school with available places.

The offer will include an acceptance/decline slip which must be returned by the date specified in the offer.

**For pupils not resident in Worcestershire, the offer or refusal of a place will be sent direct to parents by the home LA, even if it is for a school in Worcestershire.**

Parents/carers are strongly recommended to check all the information they have given on application forms. The Academy Trust at Birchensale will endeavour to query any information they believe may be missing or incorrect but cannot be held responsible for any places offered or refused according to ranking of applications based on incorrect or incomplete information provided by parents/carers.

### **Education Health and Care Plan**

Children for whom an Education Health and Care Plan has been agreed naming Birchensale Middle School on the EHCP. Where places required by EHCP students are known before the Trustees' Admissions Committee meets, the number of students with EHCPs naming this school will be deducted from the 150 places available to be offered. Such students are automatically offered places at the school and the Headteacher and Academy Trust will consider each application for a student with an EHCP individually. A response of concern may be raised prior to the naming of the school on an EHCP if they consider that provision will be inadequate for the child's needs or if there is evidence that to admit the applicant would have a detrimental impact on the learning of other students.

### **Applying for Places**

Birchensale Middle School welcomes applications from all parents or carers who wish their children to attend Birchensale. Students and their parents/carers who are considering applying are warmly invited to visit the school on our Open Evening for Year 5 students and their parents/carers in the October of the year prior to intended admission. The Trustees have a Published Admission Limit of 150 places for Year 5. The following procedure for applications is designed to ensure that the Trustees' Admissions Policy is applied as fairly and consistently as possible.

### **Procedure**

All applications submitted to the home Local Authority naming Birchensale Middle School in any position of preference will be forwarded to the school. The Academy Trust will rank all applications against the published Admissions Criteria according to the information given by parents/carers on application forms.

Applications will be sorted in descending order according to the Oversubscription Criteria below. With only 150 places available, this number will be reached at varying levels each year, depending on the number and nature of applications received.

The deadline for receipt of applications published by the Local Authority is 15<sup>th</sup> January 2022 and must be adhered to. Applications received after this date will be at a disadvantage in the event of oversubscription.

### **Late Applications**

Late applications received up to and including 28<sup>th</sup> February 2022 will be accepted and treated as being on time only in the following circumstances:

- Where a family have moved address in the catchment area of the school (See Part 1 appendix in Information for Parents booklet)
- Where it is agreed by the Academy Trust of Birchensale Middle School that, circumstances apply and the delay was reasonable, given the circumstances of the case.

## **Offers of Places**

The school is responsible for ranking all applications received by the deadline in order of priority as described below. They are required to report to the Trustees that this has been completed in accordance with this policy. The names of applicants to whom places could be offered will then be provided to the Local Authority who, according to the Co-ordinated Scheme, will make offers. The offer of a place will be a single offer to you of a place at the school for which your child ranks highest, where a place is available; if it is possible to make a potential offer at more than one school, then the final offer will be for the school identified as your higher preference. If you have named Birchensale as one of your preferences but have not been offered a place, you will be advised of your right to appeal within fourteen days of the date of the Local Authority posting the letter.

Parents/carers must complete and return the acceptance slip contained in the offer letter as soon as possible, indicating whether they are accepting the place (see below for circumstances where an offer may be withdrawn).

**Firm offers will be made by the home Local Authority on the published date. Offers will not be made by Birchensale Middle School and parents/carers should not contact the school directly if they have not received an offer letter.**

**The Trustees reserve their right to withdraw an offer of a place before the student is admitted to the school where it is found that:**

- **the offer of a place has been made on the basis of a fraudulent or intentionally misleading application which effectively denied a place to a student with a stronger claim, for example, the use of an inappropriate home address; or**
- **where a parent/carer has not responded in writing to the offer within 14 days of the offer being made.**

**It may be necessary for the school to carry out checks to confirm that information given in relation to children's home addresses is genuine. Parents/carers may be asked to produce documentary evidence of the address given. If you knowingly give false information in order to obtain a school place you could be guilty of an offence under the Perjury Act 1911.**

If you withdraw your application for any reason or wish to decline an offer of a place at Birchensale you must inform the Headteacher and Pupil Admissions and Transfers at your home Local Authority immediately in writing.

You must also notify any change of the student's home address immediately in writing to the Headteacher and to Pupil Admissions and Transfers at your home Local Authority.

## **Waiting Lists**

The parents/carers of students who are unsuccessful in gaining a place in the normal round of applications who wish to be placed on the waiting list must write to the Headteacher at Birchensale to request that the student's name is placed on a waiting list for a place, irrespective of whether they make an appeal against the decision not to offer them a place.

In previous years a small number of places have become available between April and September due to families moving home, etc. If a place becomes available, it will be allocated from the waiting list according to the Oversubscription Criteria listed below. This waiting list is maintained until 31<sup>st</sup> December 2022.

Please note that if you wish your child's name to remain on the waiting list for Year 5 after December 2022, you must write to the Headteacher at Birchensale Middle School at the **start of each new term** confirming that you wish your child's name to remain on the list. Parents/carers who have applied to be included on the waiting list will only be notified if a place becomes available which can be allocated to their child in line with the criteria published. Each waiting list is maintained strictly in order of the priorities in this Policy and not based on the date the application was added to the list. Therefore, applications received after the allocation of places may receive a higher ranking than those who may have been on the list for some time if they have a higher priority in the Oversubscription Criteria.

We have to admit any student who is the subject of a direction by the Local Authority or allocated to us according to the local Fair Access Protocol and any such students take precedence over those on the waiting list.

#### **Admission of Children outside of their normal age group**

Parents can request that their child be admitted outside of their normal age group, effectively in the year group below or above their chronological age group. The Admissions Officer of the school will, taking into account the views of the Head Teacher will then make a decision based on the circumstances of each case and in the best interest of the child.

#### **In-Year Admissions for all Year Groups**

In-year admissions are co-ordinated on behalf of all schools by School Admissions, on behalf of the Local Authority. The co-ordinated scheme can be viewed using the following link:

[https://www.worcestershire.gov.uk/downloads/download/1330/co-ordinated\\_schemes\\_for\\_all\\_worcestershire\\_schools](https://www.worcestershire.gov.uk/downloads/download/1330/co-ordinated_schemes_for_all_worcestershire_schools)

Birchensale Middle School, as its own Admissions Authority will reach our own decisions on whether or not we can offer or refuse a place.

**However, the School Standards and Framework Act 1998 removes the duty to comply with parental preference where agreeing to the preference would prejudice the provision of efficient education or the efficient use of resources.**

If a place is not available in the relevant year group, and the parent wishes to be placed on the waiting list, the parent must write to the headteacher, as above to request this, the application will then be placed on the school's waiting list for admission into the relevant year group. This is organised according to the criteria for over-subscription below.

When a place becomes available for the student at the top of the waiting list:

- the school will satisfy itself that parents/carers have worked with the student's existing school

- the school will speak to the student's previous school
- the school will satisfy itself that it has reviewed any specific needs the student requires before offering a place at the school.

If no place is immediately available, parents(s)/carer(s) are entitled to appeal following the procedure outlined on page 6.

Paragraph 3.12 of the Admissions Code states that where the Academy Trust does not wish to admit a student with challenging behaviour outside the normal admissions round, it must refer the case to the local authority for action under the Fair Access Protocol, which Birchensale Middle School follows.

**Waiting lists for Academy, Foundation and Voluntary Aided Schools, are maintained by the individual schools and parents will need to contact the school directly, in order to be included.**

Birchensale Middle School intends to hold waiting lists for any oversubscribed year group after 1<sup>st</sup> September. Each term the waiting lists for each year group are re-compiled. Parents/carers must write to the Headteacher at Birchensale Middle School at the start of each new term confirming that they wish their child's name to remain on the list. If a place should become available, applications currently on the waiting list will be ranked according to our Oversubscription Criteria as described below and an offer will be made to the child who ranks highest at that time.

### **Appeals**

The parents/carers of children who are unsuccessful in gaining a place at Birchensale Middle School may appeal to an Independent Appeals Panel. Parents/carers wishing to do this should contact in writing the Clerk to the Governing Body of Birchensale Middle School **within twenty school days of receipt of notification.**

The Independent Appeal Panel's procedures are in accordance with the Schools Standards and Framework Act 1998, as amended by the Education Act 2002 and the Schools Appeals Code of Practice. Parents/carers may attend the hearing of their appeal and make their case to the panel. Whether an appeal is successful is likely to depend on the merits of the case.

### **Section 3: Oversubscription criteria**

The purpose of the published oversubscription criteria is to give everyone a fair opportunity to apply for a place at the school. The Trustees' Admissions Committee takes considerable time and the utmost care to ensure that the system is applied fairly.

Where there are more applications than places students will be offered places in the following order of priority (for definitions of the words in bold, see the section below on Definitions):

1. Children Looked after and previously Children Looked after, including those who appear to have been in state care outside of England and ceased to be in state care as a result of being adopted.
2. Young people who have a sibling currently attending Birchensale Middle School. In order to qualify for a place on the grounds of a sibling attending the school, the sibling must be attending the school at the time of application.
3. Children of any staff employed by the school for at least two years (at the time of application) or recruited to meet a skills shortage.
4. Young people who attend Bordesley MAT schools at the time of application.
5. Young people who attend our other main contributory schools, i.e. Batchley First School, St Stephen's First School, St Luke's First School and Tardebigge First School.
6. Other young people who live in the Birchensale Middle School Catchment Area. A copy of the Catchment map is available from the LA, in Appendix A or can be seen in school.
7. Other young people.

Within each criterion, priority will be given to those who live nearest to Birchensale Middle School by the shortest straight-line distance. The measurement will be taken using the Geocode Points for each property and the Geocode point for the school. The Academy Trust will utilise the Local Authority software package called ArcView GIS to determine distance. Ordnance Survey supplies the co-ordinates that are used to plot an address within this system. **In the event of equi-distance applicants, any place will be allocated by random selection (lottery). Someone totally independent of the Governing Body will supervise this process.**

The school may be required to exceed its published admission number by up to two places in each year group to admit students:

- Who have been or are at high risk of being permanently excluded from school
- Who are Relevant Looked After children
- Schools can be required to admit pupils recognised by the local authority as being 'hard to place' within the 'Fair Access Protocol.'

Where there are too many applications from within the first category, applications will be given priority if they meet the conditions of the second category. If any places then still remain, applications will be given priority according to the third category, and so on.

### ***Definitions***

#### **Children Looked After and previously Looked After**

'Looked after' means all those currently in the care of a Local Authority or accommodated by a Local Authority under the terms of the Children Act 1989 and children who were previously

in the care of or accommodated by a Local Authority but immediately after being looked after, became subject to an adoption, a child arrangements order or special guardianship order and includes those children who appear to have been in state care outside of England and ceased to be in state care as a result of being adopted. By children previously in state care outside of England, we mean children who have been looked after outside of England by a public authority, a religious organisation or another provider of care whose sole purpose is to benefit society. The care may have been provided in orphanages or other settings. Independent supporting evidence will be required to be provided with the application.

### **Catchment Area**

Our catchment area is defined on the map which may be viewed at the school on request, or from Pupil Admissions and Transfers at Worcestershire County Council. Proof of residence may be required. The offer of a place may be withdrawn if acceptable proof of residence is not provided when requested.

If you wish to check whether your address falls within the catchment area for Birchensale, you may also visit [www.worcestershire.gov.uk](http://www.worcestershire.gov.uk) and use the on-line postcode catchment area checker.

### **Parent[s]/Carer[s]**

“Parent” is defined in law (The Education Act 1996) as either:

- a) any person who has ‘parental responsibility’ (defined in the Children Act 1989) for the child or young person; or
- b) any person who has care of the child or young person.

If you are in any doubt, please contact the school for advice.

### **Sibling**

By sibling we mean a brother or sister, half brother or sister, adopted brother or sister, step brother or sister, or the child of the parent’s/carer’s partner where the child for whom the school place is sought is living in the same family unit at the same address as that sibling. It is helpful if parents make it clear on the application form where the sibling has a different family name. Where there is more than one sibling at the school, only the youngest should be listed on the application form.

### **Home**

By normal home address, we mean the child’s home address. This must be where the parent or legal carer of the child lives with the child unless it is proved that the child is resident elsewhere with someone else who has legal care and control of the child. The address should be a residential property that is owned, leased or rented by the child’s parent/s or person with legal care and control of the child.

To avoid doubt, where a child lives with parents with shared responsibility, each for part of a week or month, the address where the child lives will be determined having regard to a joint declaration from the parents stating the exact pattern of residence. If the residence is not split equally, then the relevant address used will be that at which we are satisfied that the



child spends the majority of the school week. Where there is an equal split or there is any doubt about residence, we will make the judgment about which address to use for the purpose of determining whether or not to offer a place. We will take into account, for example, the following:

- any legal documentation confirming residence
- the pattern of the residence
- the period of time over which the current arrangement has been in place
- confirmation from any previous school of the contact details and home address supplied to it by the parents
- where the child is registered with his/her GP
- any other evidence the parents may supply to verify the position.

We may ask for evidence of the normal home address in the form of a recent bill. This could be, for example, the most recent Council Tax bill, utility bill no more than three months old, a current TV licence, buildings and contents insurance, mortgage statement or rent book which shows the address concerned. Parents who are unable to provide this evidence should contact the school to discuss what evidence might be acceptable. If it becomes clear or if there is any doubt that the parents and child are not living at the address given on the application form, the school may seek further evidence. The school works closely with the LA to ensure that places are not obtained at the school on the basis of false addresses, and, in cases of doubt, will take steps to verify the information provided. If a place at the school is offered, and it later becomes clear that the offer was made on fraudulent or misleading information (e.g. a false claim to living in the catchment area), and the school has denied a place to a child with a stronger claim, the school will withdraw the offer of a place. The offer can also be withdrawn even after the child has started at the school.

We regard a child's home address to be where he or she sleeps for the majority of the school week (Monday to Friday). We may ask to see official documentation, such as a child benefit book or medical card if there are reasons why a child does not live at his or her parent's address. For example, if he or she is resident with a grandparent, this needs to be made clear on the application form. If such arrangements are not declared or a relative's address is used on the application, we may consider that a false declaration has been made, and withdraw the offer of a place. Childcare arrangements are not sufficient reason for listing another address.

If parents move house after the application has been made, but before any offer of a place has been made, the home LA must be informed.

If parents are moving, we will ask for evidence of the move, when considering any application for a place under the co-ordinated scheme.

We would not accept an address where the one given is that of a second home with the main home being elsewhere. If there are two or more homes, we will check which is the main home, and may refuse to base an allocation of a place on an address which might be considered only temporary. Nor would we accept an address where the child was resident other than with a parent or carer unless this was part of a fostering or formal care

arrangement. We would not normally accept an address where only part of a family had moved, unless connected with a divorce or permanent separation arrangement, in which case we would require proof.

We are required to use a future address as the home address of the child even if the family are not yet physically living there when the application is for the child of service personnel with a confirmed posting or the child of crown servants returning from overseas.

### **Challenging Behaviour**

For the purpose of this document Children with challenging behaviour are defined as any of the following:

- Those who have engaged in serious criminal behaviour resulting in a conviction or a police caution within the two years preceding the request for a school place;
- Children, admitted to the school who have received a permanent exclusion within the last two years;
- Children whose behaviour has resulted in a number of fixed term exclusions within the previous 12 months (or other evidenced in-house alternative intervention in line with the [Graduated Response](#)) from which it is clear that the child is at serious risk of permanent exclusion.
- In order for a child to be classed as challenging in Worcestershire there must be evidence that the advice of a range of professionals has been sought, in order to support the child. The advice from professionals must have been put in place and despite this, challenging behaviour has continued

## Section 4: Useful contact details

### **Birchensale Middle School**

Tel: 01527 68430

Web: [www.birchensale.worcs.sch.uk](http://www.birchensale.worcs.sch.uk)

Email: [office@birchensale.worcs.sch.uk](mailto:office@birchensale.worcs.sch.uk)

Headteacher: Mr M Brazier

### **Worcestershire Pupil Admissions and Transfers**

Tel: 01905 822700

Web: <http://www.worcestershire.gov.uk/cms/education-and-learning/enjoy-and-achieve/school-information/school-admissions.aspx>

### **Postcode catchment area on-line check**

Web: <http://www.worcestershire.gov.uk/schoolsearch>

**SENDIASS** (providing impartial information, advice and support on matters relating to children and young people with special educational needs and/or disabilities)

Tel: 01905 768153

Web: [www.SENDworcestershireshire.co.uk](http://www.SENDworcestershireshire.co.uk)

**ACE (Advisory Centre for Education):** a national charity that provides independent advice for parents and carers of children aged 5-16 in state-funded education

Tel: 0808 800 5793

Web: [www.ace-ed.org.uk](http://www.ace-ed.org.uk)

### **Transport Assistance**

Free transport to school may be provided by the Local Authority in certain circumstances. Full details are available from your Local Authority. The contact details for Worcestershire are:

Tel: 01905 766524

Web: [www.worcestershire.gov.uk/schooltransport](http://www.worcestershire.gov.uk/schooltransport)

Appendix A

