



**BRINE LEAS SCHOOL**  
*An Academy*

**Admissions Policy for 2019-20**

## GENERAL

1. Brine Leas School is a popular and successful Academy which attracts students from a wide geographical area.
2. This admissions policy may be amended in writing at any time by agreement between the Secretary of State and the Academy Trust.
3. The Academy Trust will act in accordance with, and will ensure that an 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 legislation to “admission authorities” shall be deemed to be references to the governing body of the Academy Trust.
4. Notwithstanding the generality of paragraph 2 of this Annex, the Academy Trust will take part in any mandatory Admissions Forum set up by the local authority (“LA”) in which they are situated and have regard to its advice; and will participate in the co-ordinated admission arrangements operated by the LA and the local Fair Access Protocol.
5. Parents who are interested in seeking a place for their child(ren) at the School should contact the School’s Admissions Officer in the first instance. The Admissions Officer can provide a School prospectus also available on the school website [www.brineleas.co.uk](http://www.brineleas.co.uk) and explain the arrangements for parents and prospective pupils to visit the School, before making a decision as to whether or not to apply for a place.
6. Notwithstanding any provision in this Annex, the Secretary of State may:
  - a. direct the Academy Trust to admit a named pupil to the Academy on application from an LA. This will include complying with a School Attendance Order<sup>1</sup>. Before doing so the Secretary of State will consult the Academy Trust;
  - b. direct the Academy Trust to admit a named pupil to the Academy 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;
  - c. direct the Academy Trust to amend its admission arrangements where they fail to comply with the School Admissions Code or the Admission Appeals Code.
7. The school complies fully with the Equality Act 2010 and the School Admissions Code 2012 in relation to the arrangements for the admission of disabled pupils. Where the school is oversubscribed, all children are admitted in accordance with the published oversubscription criteria. Where a child is disabled the school will make reasonable adjustments and provide auxiliary aids or services where reasonable to ensure that no disabled child is placed at a substantial disadvantage compared to other pupils.

## CO-ORDINATED ADMISSION ARRANGEMENT FOR SECONDARY SCHOOL

8. The School complies with the relevant legislation, which requires all Local Authorities (LAs) to co-ordinate admissions arrangements in their areas, (see paragraph 4). Co-ordinated admission schemes provide a way for ensuring that every parent living in a Local Authority (LA) receives an offer of one, and only one, school place on the same day, with letters usually being posted out on 1 March.
9. Academies, such as Brine Leas School, act as their own admission authority, applying their own admission criteria. However, parents will have to complete only one application form and will receive their offer from the LA in whose area they live.

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<sup>1</sup> Local authorities are able to issue school attendance orders if a child is not attending school. These are legally binding upon parents. Such an order might, for instance, be appropriate where a child has a place at an Academy but his/her parents are refusing to send him/her to school. The order will require a parent to ensure his/her child attends a specified school.

10. Parents applying for secondary school places must apply on the Common Application Form (CAF) provided by their 'home' authority, i.e. the authority where they live. The exception to this would be if you are not resident in England whereupon applications for Brine Leas must be made to the Cheshire East School Admissions Service. The reason for this exception is that the statutory requirement for councils to coordinate applications for school places applies to all English local authorities only. For further information and advice contact the School Admission Service on 0300 1235012.

## **ADMISSION INFORMATION**

11. The Academy admission arrangements will include oversubscription criteria, and an admission number for each relevant age group<sup>2</sup>. The Academy will consult on its admission arrangements and determine them in line with the requirements within the School Admissions Code.

12. The Education Funding Agency (EFA) may consider objections on the Secretary of State's behalf. The Academy Trust should therefore make it clear, when determining the Academy's admission arrangements, that objections should be submitted to the EFA.

13. A determination of an objection by the EFA on behalf of the Secretary of State, or by the Secretary of State will be binding upon the Academy.

## **ADMISSION NUMBERS**

14. The published admission number for this school is 215 pupils per year in Years 7 – 11. Published admission numbers are established for each school in order to decide whether any age group within a school is full.

## **ADMISSION AND AGE GROUPS**

15. Applications for admission, and any appeals, are normally considered in relation to the availability of places in the child's chronological age group, other than in exceptional circumstances.

## **ADMISSIONS OF PUPILS RESIDING OUTSIDE THE BOUNDARIES OF CHESHIRE EAST**

16. Pupils residing outside the boundary of Cheshire East are offered places on the same basis as Cheshire pupils. However, applications on their behalf for a place at this School must be made using an application form from their home LA which will make the necessary arrangements with Cheshire East LA.

17. All preferences must be in writing and those meeting the criteria for this School will be met except where this would prejudice efficient education or the efficient use of resources, e.g. if the year group in question is full.

## **ALLOCATING PLACES**

18. In considering applications for places at Brine Leas where the number of preferences received exceeds the number of places available (i.e. the published admission number) preferences will be considered in accordance with our published oversubscription criteria.

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<sup>2</sup> 'Relevant age group' means 'normal point of admission to the school', for example, Year 7 and Year 12.

## OVERSUBSCRIPTION WITHIN A CRITERIA

### Oversubscription Criteria

- i. **'Cared for children or previously cared for children'** A 'cared for child' is a child who is or has been in the care of a local authority or provided with accommodation by that authority (as defined in section 22 of the Children Act 1989).
- ii. **Siblings** – pupils with brothers or sisters, step-brothers or step-sisters, half-brothers and half-sisters living together as part of one household, already attending the preferred school, and expected to continue at the school in the following school year. (*Sibling link will apply to those joining the Sixth Form if the application has been received by 1<sup>st</sup> December*) *In the event of a tie break Criteria (iii) will be applied.*
- iii. **Children resident** within the designated catchment zone of: Audlem, Bridgemere, Nantwich Primary Academy (part), Sound and District, Pear Tree, Stapeley, Weaver and Wrenbury. (Our Catchment map can be viewed at [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk)). \* *In the event of a tie break, random allocation will be used to decide which of the children within that priority should be offered the available places.*
- iv. **Children of Staff** provided that they have been employed for a minimum of two years and/or are recruited to fill a vacant post for which there is a demonstrable skills shortage.  
\* *In the event of a tie break, random allocation will be used to decide which of the children within that priority should be offered the available place.*
- v. **Children not resident** within a school's local catchment area but attending a school designated as a partner/feeder school for admissions purposes as out-of-area pupils. Partner/feeder schools are: Audlem St James CE, Bridgemere CE, Nantwich Primary Academy, Pear Tree, Sound & District, Stapeley Broad Lane CE, Weaver and Wrenbury *In the event of a tie break Criteria (vi.) will be applied.*
- vi. **Children living nearest to the school** measured using an Ordnance Survey address-point system which measures straight line distances in miles to the place of residence.

\* *Random allocation will be administered by someone independent of the school*

19. Oversubscription within a criteria is detailed above in this policy.

### CHILDREN WITH STATEMENTS OF SPECIAL EDUCATIONAL NEEDS OR EDUCATION HEALTH CARE PLANS

20. The Academy will:

- a. subject to its right of appeal to the Secretary of State in relation to a named pupil, admit all pupils with a statement of special educational needs naming the Academy; (see Annex A).
- b. give highest priority to looked after children or previously looked after children in accordance with the relevant provisions of the School Admissions Code. (as defined in section 22 of the Children's act 1989)

21. **Proof of address and residency may be required, and Governors retain the right to withdraw any place offered on the basis of a fraudulent or intentionally misleading application.**

22. If a child lives at more than one address (e.g. spends part of each week at different addresses) full details of the arrangements must be included on the application form (or in the form of an accompanying note) to enable the Governors to decide which address (or, exceptionally, addresses) to use for admission purposes.

23. In relation to children of multiple births, exceptionally it may be necessary to offer places over the published admission number. This is to ensure that, as far as possible, siblings (i.e. twins, triplets or children from other multiple births) can attend Brine Leas.

### **ADMISSION APPEALS**

24. 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 Education as it applies to Foundation and Voluntary Aided schools. The determination of the appeal panel is binding on all parties.

25. Appeals must be submitted in writing, but parents have the right to present their case to the Panel in person. The Panel will allow you to be accompanied by a friend or to be represented, although government advice is that legal representation should not normally be necessary. We will make the necessary administrative arrangements for hearing appeals. The decisions of Schools Appeal Panels are binding on the Academy Governing Body.

### **LATE APPLICATIONS**

26. Late applications for places will be considered after all applications received on time (unless there are very exceptional reasons for a late application which must be explained at the time of application).

### **REPEAT APPLICATIONS**

27. Repeat applications will not be considered within the same school year, unless the parents' or the Academy's circumstances have changed significantly since the original application was made.

### **'IN YEAR' APPLICATIONS**

28. In Year applications are those made during the school year into the relevant Year group. To apply you will need to complete an 'In Year Transfer' form available from the local authority or on the Cheshire East website, the local authority will notify the school of the application, and the school will inform the parents of the outcome of the application by letter/email. All applications will be considered in accordance with the Academy's published oversubscription criteria, subject to available places. The Academy aims to process applications within 10 school days. A letter will be sent to your home address stating if your application has been accepted or declined due to the over subscription of places. You will be required to accept or decline the place offered in writing within 10 school days. The Academy reserves the right to withdraw places not accepted within the specified timescale.

### **WAITING LISTS**

29. Waiting lists will not be held for In Year Admissions except for the admission into Year 7 (September Intake) and these will be held until the end of the Autumn Term, in accordance with legal requirements.

### **APPEALS PANELS**

30. Appeals Panels have either three or five members. There are strict rules regarding who may and may not be a member of an Admission Appeals Panel to ensure that the Panel is independent and impartial and has no connection to the School or Local Authority. A Clerk to the Panel also attends the hearing, to ensure that the appeal is heard properly and to provide legal advice to the Panel.

## APPEAL HEARINGS

31. Appeals Panel hearings are informal and are held locally, so far as possible. The representative from the Academy will explain why it was not possible to meet a request for a place. Parents can ask questions if they wish. The Panel may also ask questions. Parents will then have an opportunity to present their case and will be required to answer any questions about their case from the Panel and the Academy representative.
32. No other parents will be present during this time. Parents do not have to attend although many choose to do so. Appeals can be considered on the basis of the written information parents have provided. The Panel will allow parents to be accompanied by a friend or to be represented. If parents are unable to attend the Appeal then it is important that parents send in the fullest possible information about their reasons for wanting a place at the Academy.

## POWER OF APPEAL PANELS

33. Panels can uphold all appeals and instruct the Academy to allocate a place for a child. They can uphold some of the appeals and reject others and they can also reject all the appeals.
34. Once all the appeals have been heard Panels must first decide whether further admissions to Brine Leas Academy 'will prejudice efficient education or the efficient use of resources'. Prejudice cannot normally be proved until the year group your child would enter is full. This means that the year group has not only reached its admission limit but cannot accept any more pupils in that year group without prejudicing the provision of efficient education at the School or the efficient use of resources. The Academy will provide a statement giving their reasons why it considers that to accept further pupils would cause prejudice to the Academy.
35. If the Panel considers that the Academy can admit all the pupils whose parents have appealed without causing prejudice your appeal will automatically be upheld. The Panel may decide that places can be allocated to some of the appellants before the point is reached when further admissions will cause prejudice. The Panel will decide how many more places can be offered. Any such places will be allocated by the Panel.
36. If the Academy's case that further admissions will cause prejudice is accepted by the Panel (either as presented or after some further places have been allocated) the Panel will then proceed to the second stage.
37. This requires panel members to balance the parents' arguments in support of their child's admission against the extent of prejudice to efficient education and the efficient use of resources which would be caused by the admission of further pupils. If the Panel believes that your child's circumstances outweigh the extent of the prejudice to the Academy your appeal will be upheld, otherwise your appeal will be rejected.

## TIMESCALES

38. Appeals for Secondary Transfer into Year 7 are normally held between April and July each year, if the form is returned within the published timescales. Other Appeals are normally heard within 30 School days (excluding school holidays) from the date the completed appeal form is received by the School's Admissions Officer. You will be given the date and time of the appeal hearing two weeks in advance of the hearing and the Academy's statement of its case will be sent to you one week in advance. You will normally be notified of the Panel's decision in writing no later than 7 working days of the hearings being completed. **DECISIONS OF APPEALS PANELS ARE FINAL AND BINDING ON BOTH BRINE LEAS SCHOOL AND PARENTS.** The only further rights open to you if your appeal is not upheld is to complain to the local government ombudsman if you consider there has been maladministration in the way your appeal was handled or to seek judicial review of the decision through the courts.

## MAKING YOUR APPEAL

39. You must make your appeal in writing to the Academy using an official appeal form (supplied by the school). You must state the grounds on which your appeal is based. You should consider when preparing your appeal whether to include copies of any supporting documentation.
40. All supporting documentation must be provided at least 7 days before the appeal. If you submit additional information during the appeal, the presenting officer may seek an adjournment from the Panel. In certain instances this may require the hearing continuing on another day.
41. The Academy will acknowledge receipt of your form as soon as possible and will make the necessary arrangements. A copy of your appeal documentation will also be provided to the presenting officer, who, together with the School, will prepare a written response to your appeal, which will be sent to you no later than 7 days before the hearing.

## OTHER SOURCES OF HELP

42. Parents can seek advice from the Advisory Centre for Education (ACE) in London which is a voluntary body providing a helpline advice service to parents on education matters. The ACE Adviceline - 0300 0115 142 they also have a web site [www.ace-ed.org.uk](http://www.ace-ed.org.uk)
43. General information regarding appeals can be obtained from the Cheshire Admissions & Transfer Team, who will also assist if your appeal is unsuccessful. Their helpline number is 0300 123 5012
44. The Department for Education (DfE) has a web site that provides a range of information for parents. [www.gov.uk/education](http://www.gov.uk/education)

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## **APPENDIX 1 (Known as Annex B in BLS Academy Funding Agreement)**

### **ARRANGEMENTS FOR PUPILS WITH SPECIAL EDUCATIONAL NEEDS ('SEN') AND DISABILITIES AT BRINE LEAS SCHOOL**

#### **Duties in relation to pupils with SEN**

1. The Governing Body of the Academy Trust must comply with all of the duties imposed upon the governing bodies of maintained schools in:
  - Part 4 of the Education Act 1996 as amended from time to time<sup>3</sup>;
  - The Education (Special Educational Needs) (Information) Regulations 1999 as amended from time to time;
  - The Education (Special Educational Needs Co-ordinators) (England) (Amendment) Regulations 2008 as amended from time to time<sup>4</sup>.
2. Notwithstanding any provision in this Agreement, the Secretary of State may (whether following a complaint made to him or otherwise) direct the Academy Trust to comply with an obligation described in this Annex where the Academy Trust has failed to comply with any such obligation.
3. Where a child who has SEN is being educated in the Academy, those concerned with making special educational provision for the child must secure that the child engages in the activities of the school together with children who do not have SEN, so far as is reasonably practicable and is compatible with:
  - (a) the child receiving the special educational provision which his learning difficulty calls for,
  - (b) the provision of efficient education for the children with whom he will be educated, and
  - (c) the efficient use of resources.
4. In addition to complying with the duties imposed upon the governing bodies of maintained schools set out in The Education (Special Educational Needs) (Information) Regulations 1999 (as amended from time to time), the Academy Trust must ensure that the Academy's website includes details of the arrangements for the admission of disabled pupils; the steps taken to prevent disabled pupils from being treated less favourably than other pupils; and the facilities provided to assist access to the Academy by disabled pupils (disabled pupils meaning pupils who are disabled for the purposes of the Equality Act 2010<sup>5</sup>).

#### **Admissions**

5. The Academy Trust must ensure that pupils with SEN are admitted on an equal basis with others in accordance with its admissions policy.
6. Where a Local Authority (LA) proposes to name the Academy in a statement of SEN made in accordance with section 324 of the Education Act 1996, it must give the Academy Trust written notice that it so proposes. Within 15 days of receipt of the LA's notice that it proposes to name the Academy in a statement, 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 LA's notice, notify the LA in writing that it does not agree that the Academy should be named in the pupil's statement. 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.

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<sup>3</sup> Currently these duties are in sections 313 (Duty to have regard to the Special Educational Needs Code of Practice 2001); 317 (Duties in relation to pupils with special educational needs or EHC plan), 317A (Duty to advise parents that special educational provision is being made); and 324(5)(b) (Duty to admit the child where a school is named in the statement).

<sup>4</sup> These Regulations are amended by The Education (Special Educational Needs Co-ordinators) (England) (Amendment) Regulations 2009 (SI 2009 No 1387).

<sup>5</sup> For the meaning of 'disabled', see section 6 of the Equality Act 2010.

8. After service by the Academy Trust on the LA of any notice (further to paragraph 7 above) stating that it does not agree with the LA's proposal that the Academy be named, the Academy Trust must seek to establish from the LA, as soon as is reasonably practicable, whether or not the LA agrees with the Academy Trust. If the LA notifies the Academy that it does not agree with the Academy Trust's response, and names the Academy in the child's statement, the Academy Trust must admit the child to the school on the date specified in the statement or on the date specified by the LA.
9. Where the Academy Trust considers that the Academy should not have been named in a child's statement, they may ask the Secretary of State to determine that the LA has acted unreasonably in naming the Academy and to make an order directing the LA to reconsider.
10. The Secretary of State's determination shall, subject only to any right of appeal which any parent or guardian of the child may have to the First-tier Tribunal (Special Educational Needs and Disability), be final.
11. If a parent or guardian of a child in respect of whom a statement is maintained by the local authority appeals to the First-tier Tribunal (Special Educational Needs and Disability) either against the naming of the Academy in the child's SEN statement or asking the Tribunal to name the Academy, then the decision of the Tribunal on any such appeal shall be binding and shall, if different from that of the Secretary of State under paragraph 9 above, be substituted for the Secretary of State's decision.

Where the Academy, the Secretary of State or the First-tier Tribunal (Special Educational Needs and Disability) have determined that it should be named, the Academy Trust shall admit the child to the Academy notwithstanding any provision of Annex A to this agreement.

## **Brine Leas School** **An Academy**

### **ADDITIONAL INFORMATION FOR FULL-TIME STUDENTS TO BL6**

This policy refers to 16-19 year old students seeking admission to full-time AS/A level and Level 3 BTEC courses. The total number of students who can be admitted in light of accommodation, availability of teaching and other resources, capacity of individual subjects available will be determined annually.

The minimum number of external places (published admission number) for September 2017 admission is 25.

In the event that the number of external applicants exceeds the number of places available and further admissions cannot be agreed, the oversubscription criteria set out earlier in the policy will be applied to determine priority.

#### **Application Process**

BL6 welcomes Y11 students currently studying at Brine Leas School along with external applicants from other educational institutions. Entry requirements are the same for all applicants.

Students who are interested in attending BL6 are invited to attend a range of events designed to enable them to make informed choices about their Post 16 study. Such events include:-

- Open Morning and Open Evening during the Autumn term as advertised in the local press and on our website.
- Informal information, advice and guidance sessions during the Spring and Summer terms to offer advice on the suitability of courses chosen, offer of further guidance as part of the options process, to discuss the extra-curricular interests of the student, and to answer questions about BL6. No decision about the offer will be made at this interview.
- Subject taster sessions post GCSE examinations during the Summer Term.
- Enrolment will begin immediately following the publication of GCSE results and students will be able to enrol up to the start of term.

Current Y11 student and external students will be accepted into BL6 on the condition they meet the entrance criteria and have applied formally for a place. Application forms are provided at our Open Evening and are also available from the School or they can be downloaded from our website. Students will receive confirmation that their application has been successful once the suitability of courses has been determined.

#### **Confirmation of Places**

Students holding offers will have their full time places confirmed at enrolment, following receipt of examination results, provided they meet the general criteria and grade requirements for particular subjects as outlined below.

If students do not meet the criteria, we will discuss at enrolment whether or not an offer of a place can be confirmed. Applicants are encouraged to enrol within 24 hours of the publication of their GCSE results by completing the enrolment form to ensure groups can be organised prior to the start of term. If false information is supplied, BL6 reserves the right to withdraw its offer of a place.

Only in very exceptional cases will an offer of a place be made to students who are unable to follow a full-time course.

BL6 aims to provide students with their first choice combination of subjects requested. Where this is impossible, for reasons such as timetable clashes or over subscription of particular subjects, guidance will be offered about suitable alternatives. If a particular subject is over-subscribed, then places in these subjects will be allocated on the basis of a student's overall profile, although consideration will be given to individual cases.

Students entering Brine Leas Sixth Form will be expected to read and sign a Learning Agreement which outlines the commitment required to be successful in Post 16 study and the support students can expect to receive by staff. In addition, Sixth Form students must recognise they are part of a large community and have a responsibility to abide by our dress code and conduct themselves in a manner that supports the BL6 ethos. (The BL6 Dress Code Policy can be obtained on request or downloaded from our website)

### **Entry Requirements for Advanced Courses**

We admit students for Y12 AS courses/linear A Levels where academic demands are significantly higher than for GCSE. It is our experience that students who do not meet the criteria below will find the AS courses difficult and they are likely to struggle to make satisfactory progress. In order to be eligible for entry onto particular courses students should have the following qualifications:-

- 5 or more A\*- C or 5-9 (*new grade criteria for reformed GCSE's*) GCSE grades (full course).
- Mathematics and English Language GCSE each at grade 5 or above.

Students may be able to study an A Level subject they did not take at GCSE, if they meet other criteria. However, when a subject has been previously studied, there are minimum entry requirements specified for particular AS subjects and linear A Level's. The details of these entry requirements are set out in the BL6 prospectus and are also online.

The Sixth Form reserves the right to admit exceptions to the rule where the decision may be appropriate and to the benefit of the student. Such cases will be considered and judged on an individual basis and when applications below the minimum requirements arise.

### **Special Consideration**

Students who fail to achieve the required grade in English and/or Maths will be considered on an individual basis. Some students are required to re-sit these courses as a prerequisite to entering the sixth form and will take into consideration their previous predicted grades at Level 2.

### **Requirements of Progression from Y12 to Y13**

- Students taking examined subjects will have achieved at least a grade D within the internal mock examinations in a minimum of 3 subjects to guarantee progress from Year 12 to Year 13.

- Students taking a vocational subject will have finished all work targeted for completion during Y12.
- Students who do not meet these criteria will be required to attend a meeting to discuss the terms upon which they may or may not return to the sixth form.

### **Application to Join BL6 in Year 13**

Applications to join Year 13 will only be considered from students who have exceptional circumstances provided there are places available on their chosen courses, and provided they:-

- meet the normal admissions criteria outlined above and are clearly recommended for progression onto A level and BTec courses.
- provide evidence of examination specifications already taken in Year 12, so normal transition to A level can occur.

### **Application to Join BL6 in Year 14**

It is unusual for students to have a third year in sixth form and the school encourages students to move on after two years. In some circumstances, the school will consider allowing students to spend a third year in sixth form, but it does not guarantee a place.

The usual reasons that lead to consideration of a third year in sixth form are:-

- A significant period of absence due to illness or other personal circumstances beyond the student's control. The student must have extenuating personal circumstances which affected his/her performance in Year 12/13.
- A student restarted Year 12 due to a change in his/her programme of study.
- The student completes a course to A Level to enable them to progress to the next stage of his/her career.
- A student restarted Year 12 due to poor performance. However, some students may wish to enter themselves for re-sits in the subsequent exam period following their results at the end of year 13. These students will not normally be re-enrolled into the sixth form or attend classes.