



Office of
the Schools
Adjudicator

Determinations

Case reference: VAR2193, VAR2194, VAR2195

Admission authority: Nottinghamshire County Council for Caunton Dean Hole C of E Primary School, Lowe's Wong Anglican Methodist Junior School and Muskham Primary School, Nottinghamshire

Date of decision: 4 November 2021

Determinations

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variations to the admission arrangements determined by Nottinghamshire County Council for Caunton Dean Hole C of E Primary School, Lowe's Wong Anglican Methodist Junior School and Muskham Primary School for September 2021 and September 2022.

I determine that the catchment areas of the schools will be as shown on the map included in this determination.

The referral

1. Nottinghamshire County Council (the local authority) has referred a proposal for a variation to the admission arrangements for September 2021 and September 2022 (the arrangements) for Caunton Dean Hole C of E Primary School (Caunton Dean), Lowe's Wong Anglican Methodist Junior School (Lowe's Wong) and Muskham Primary School (Muskham) to the adjudicator. Caunton Dean and Lowe's Wong are voluntary controlled schools and Muskham is a community school.
2. The proposed variations are to expand the catchment areas of all three schools to cover the area shown on the map included in this determination.

Jurisdiction and procedure

3. The referral was made to me in accordance with section 88E of the School Standards and Framework Act 1998 (the Act) which deals with variations to determined

arrangements. Paragraphs 3.6 and 3.7 of the School Admissions Code (the Code) say (in so far as relevant here):

“3.6 Once admission arrangements have been determined for a particular school year, they cannot be revised by the admission authority unless such revision is necessary to give effect to a mandatory requirement of this Code, admissions law, a determination of the Adjudicator or any misprint in the admission arrangements. Admission authorities may propose other variations where they consider such changes to be necessary in view of a major change in circumstances. Such proposals **must** be referred to the Schools Adjudicator for approval, and the appropriate bodies notified. Where the local authority is the admission authority for a community or voluntary controlled school, it must consult the governing body of the school before making any reference.

3.7 Admission authorities **must** notify the appropriate bodies of all variations”.

4. The local authority has provided me with evidence that the appropriate bodies have been notified. I have also seen evidence that the schools’ governing boards have been consulted on the proposed variation. I find that the appropriate procedures were followed, and I am also satisfied that the proposed variation is within my jurisdiction.

5. In considering this matter I have had regard to all relevant legislation, and the Code.

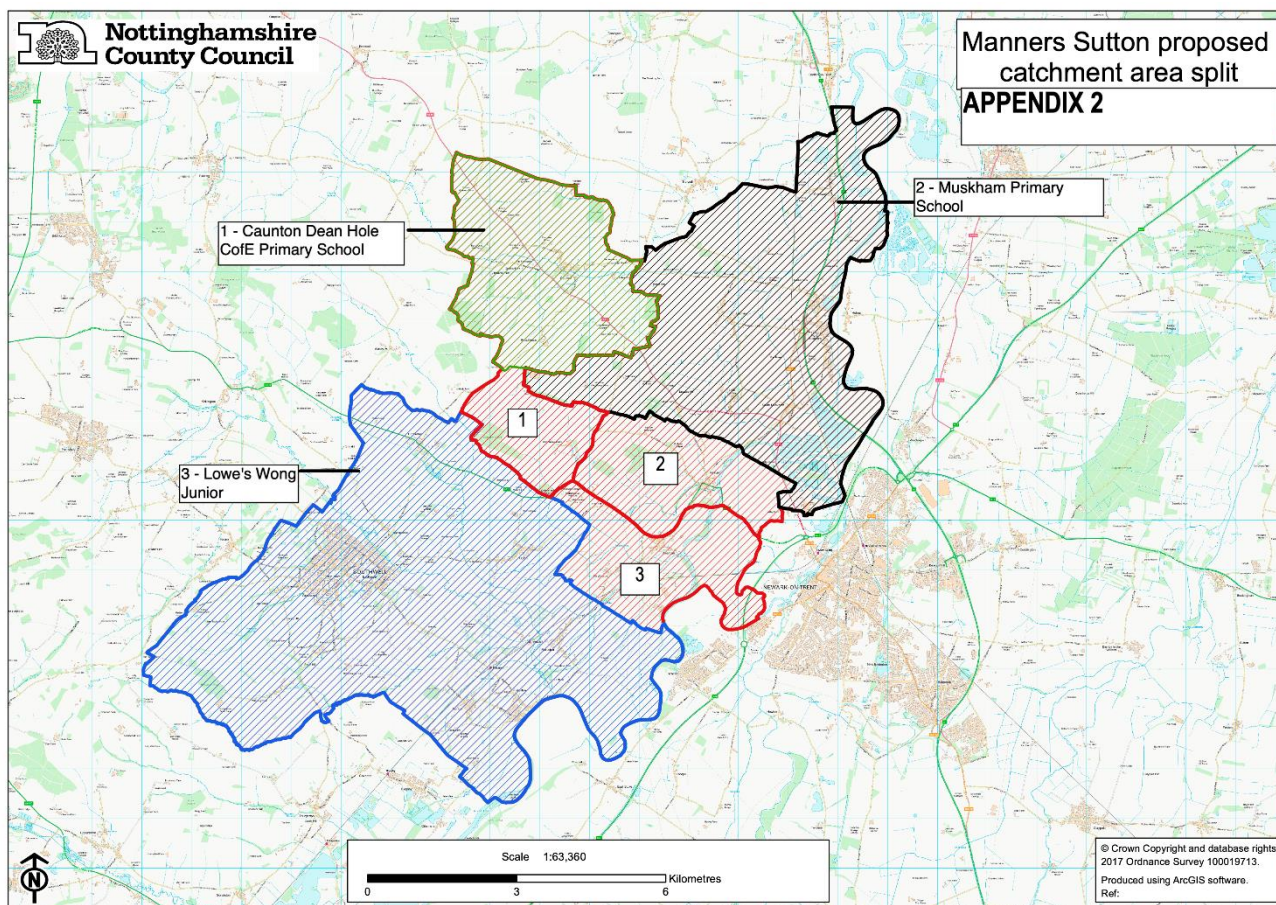
6. The information I have considered in reaching my decision includes:

- a. the referrals from the local authority dated 13 October 2021, supporting documents and further information provided at my request;
- b. the determined arrangements for 2021 and 2022 and the proposed variations to those arrangements;
- c. comments on the proposed variations from the diocese of Southwell and Nottingham (the diocese) which is the faith body for the two voluntary controlled schools; and
- d. a map showing the location of the school and other relevant schools.

The proposed variations

7. The three primary schools are situated in the mainly rural area immediately to the west of Newark, which includes the minster town of Southwell. A fourth primary school, Manners Sutton Primary School (Manners Sutton), was also situated in the same area but was discontinued on 31 August 2021. Priority for admission to community and voluntary controlled primary schools in Nottinghamshire is based on a system of catchment areas. As a result of the closure of Manners Sutton, children living in what was its catchment area no longer live in the catchment area of any school and so would not have the same level of

priority for a school place as other children in the county. The proposed variation is to divide the former Manners Sutton catchment area into three parts and assign each part to one of the three schools as shown on the map below which was provided by the local authority.



8. Paragraph 3.6 of the Code requires that admission arrangements, once determined, may only be revised, that is changed or varied, if there is a major change of circumstance or in certain other limited and specified circumstances. The closure of Manners Sutton is clearly a major change in circumstances which has occurred since the arrangements were determined.

9. Lowe's Wong is a junior school fed by two infant schools which are academies. The catchment areas of the two infant schools covers the same area as that of Lowe's Wong. I understand that in parallel with this request, approval of variations to the admission arrangements of those infant schools are being requested from the Education and Skills Funding Agency (ESFA). I do not think that this decision is dependent on that of the ESFA or vice versa.

Consideration of proposed variation

10. Initially, it appeared that the local authority was just asking for a variation to the 2021 arrangements because these were the only arrangements sent to me. Because approving a variation to the 2021 arrangements would only affect those arrangements and would leave

children living in the former Manners Sutton catchment area without a catchment area for admission in September 2022, I asked the Office of the Schools Adjudicator to write to the local authority to clarify which year or years variations were being sought for. The local authority confirmed that it was for both 2021 and 2022 and provided me with the arrangements for 2022.

11. For all three schools, children living in their catchment area have higher priority for places than children who do not live in it. In my view it would be unfair to the children living in the former Manners Sutton catchment area if, unlike children living in nearby villages, they did not have this high degree of priority for a school place. Paragraph 14 of the Code requires that admission arrangements are fair. The extension of the catchment areas of the neighbouring schools is the obvious way to ensure that these children do live in the catchment area for a school and avoid this unfairness.

12. The diocese wrote to confirm its support for these proposals. Muskham told me that it was “delighted” with the proposal while Caunton Dean noted that there were no residencies in the area being added to its catchment. I received no response from Lowe’s Wong when I invited it to comment on the proposals.

13. Paragraph 1.14 of the Code requires that catchment areas are “reasonable and clearly defined”. The map shown above was provided with the application and comparison with the Ordnance Survey map of the area shows that the lines dividing up the former Manners Sutton catchment area follow the A617 and a minor road. The Ordnance Survey map shows no housing along these roads where they form the boundary, however, this could change in the future and the local authority will need to be clearer at that time which catchment area any addresses on these roads fell into. Until then, the extensions to the catchment areas appear to be clear.

14. I was concerned that the schools might not be able to accommodate all the children living in their new catchment areas who wanted a place. Living in a catchment area does not guarantee a child a place at the school, but it may be unfair if extending the catchment area led to a child who lived in the existing catchment area being displaced by one from the new part. I asked the local authority for the following information:

	2021 Intake			2022 Intake	
	PAN	Number of year group children living in current catchment area	Intake	PAN	Number of year group children living in proposed catchment area
Caunton Dean	8	2	2	8	3
Lowe’s Wong	100	65	66	100	59

Muskham	30	18	27	30	5
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From this it is clear that all of the schools would have the capacity to accommodate all of the children who live in their extended catchment areas.

15. I am satisfied that the proposed new catchment areas of the three schools are reasonable and clearly defined. The proposal will ensure that children living in the former Manners Sutton catchment area continue to have priority for a school place on the basis of living in the catchment area for a school, consequently I approve the proposed variations.

Determination

16. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variations to the admission arrangements determined by Nottinghamshire County Council for Caunton Dean Hole C of E Primary School, Lowe's Wong Anglican Methodist Junior School and Muskham Primary School for September 2021 and September 2022.

17. I determine that the catchment areas of the schools will be as shown on the map included in this determination.

Dated: 4 November 2021

Signed:

Schools adjudicator: Phil Whiffing