

DETERMINATION

Case reference: ADA 2557

Referrer: A member of the public

Admission Authority: The governing body of Archbishop Blanch Church of England High School, Liverpool

Date of decision: 29 November 2013

Determination

In accordance with section 88I(5) of the School Standards and Framework Act 1998, I have considered the admission arrangements of Archbishop Blanch Church of England High School for admissions in September 2014.

I determine that the arrangements do not conform with the requirements of the legislation and the School Admissions Code in relation to the fact that parents must easily be able to understand how any faith-based criteria will be reasonably satisfied and priority must not be given on the basis of any practical support. They do comply with the requirement to provide clarity about the definition of the ‘family’.

Further, in accordance with section 88I I have considered the arrangements for admissions in 2014 as a whole and I determine that there are matters that do not conform with the requirements of the legislation and the School Admissions Code.

By virtue of section 88K(2) of the Act the adjudicator’s decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements as quickly as possible.

The referral

1. The admission arrangements (the arrangements) of Archbishop Blanch Church of England High School (the school), a voluntary aided girls’ secondary school for pupils aged 11 to 18 years, for September 2014, have been brought to the attention of the Adjudicator in an email dated 24 September 2013. The referrer makes three points: the arrangements do not explain to parents how they might meet the requirement for ‘involvement of the family in Church life beyond simple attendance at weekly worship’ and that this breaches paragraph 1.37 of the Code: whether or not the arrangements breach paragraph 1.9 e of the Code; and finally the arrangements do not sufficiently define ‘family’ (as there is reference on the school’s website to the church attendance of grandparents).

Jurisdiction

2. These arrangements were determined under section 88C of the School Standards and Framework Act 1998 (the Act) by the governing body which is the admission authority for the school. The referrer brought these determined arrangements to the attention of the adjudicator on 24 September 2013. The arrangements that come to the attention of the adjudicator may be considered under section 88I of the Act. I am satisfied that it is within my jurisdiction to consider the arrangements under section 88I of the Act.

3. Having reviewed the arrangements for 2014 in relation to the matters brought to my attention I have also used my power under section 88I of the Act to consider the arrangements as a whole.

Procedure

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

5. The documents I have considered in reaching my decision include:

- the email from the referrer dated 24 September 2013;
- the school's response to the referral dated 18 October 2013, with supporting documents;
- a response from the Diocese of Liverpool (the diocese) dated 25 October 2013, with supporting documents;
- Liverpool City Council's , the local authority (the LA) booklet, 'Secondary School Admissions 2014/15', for parents seeking information about admission to schools in the area in September 2014,
- a copy of the minutes of the meetings of the governing body on 30 January 2013 at which the admission policy for 2013 was considered; and of the meeting on 19 June, at which it was confirmed that the arrangements had been determined by Chairman's action on 27 March 2013; and
- a copy of the determined arrangements and confirmation of when consultation on the arrangements last took place.

6. I considered the arrangements for September 2014 and sought a meeting with the school, the diocese and the LA to discuss the matters referred to me and my additional concerns about aspects of the arrangements which I considered might not be fully compliant with the Code.

7. I have taken account of information received during the meeting I convened on 28 October 2013 at the school and further information which has been submitted since that meeting by the LA and by the school.

The referral

8. The referral has three aspects and in the first of these the referrer says that the arrangements do not explain to parents how they might meet the requirement for 'involvement of the family in Church life beyond simple attendance at weekly worship' and that this breaches paragraph 1.37 of the School Admission Code (the Code) which says, "Admission authorities **must** ensure that parents can easily understand how any faith-based criteria will be reasonably satisfied."

9. In the second aspect the referrer questions whether or not the arrangements breach paragraph 1.9 e which says, "It is for admission authorities to formulate their admission arrangements but they **must not** give priority to children on the basis of any practical or financial support parents may give to the school or any associated organisation, including any religious authority."

10. Finally, the referrer says it is unclear how the school defines 'family' as there is reference on the school's website to points being awarded for the church attendance of parents or grandparents. The referrer contends that this would unfairly advantage girls who had four living grandparents since only one grandparent would need to attend church regularly or to be involved in church life beyond normal weekly attendance for the applicant to awarded qualifying points for admission and if step-parents are allowed then this also increases an applicant's chances of gaining admission to the school.

Other Matters

11. At the meeting I held at the school, I raised other aspects of the arrangements for admission to Year 7 and Year 12 that appeared to contravene the requirements of the Code. These relate to the admissions policy, the application form and to the set of supplementary information forms (SIFs) as follows:

- the requirement to consult on changes to the arrangements;
- the inclusion within Category A, of an oversubscription criterion for admission of children with statements of special educational needs (A1i);
- the requirement for parents of children to complete the medical/social section of the application form;
- the clarity of the definitions of looked after and previously looked after children;
- the separation of looked after children (A1ii) from previously looked after children (A1iii) in two criteria;
- and the requirement for parents of looked after and previously looked after children to complete the medical/social section of the application form;

- the lack of clarity about criterion A2, 'Children of staff employed at the school for 2 or more years, or staff who meet a skills shortage'. (Priority may be given);
- the arrangements in Category E, 'All other applicants' gives no indication to parents about the likelihood of gaining admission, unlike other criteria;
- the arrangements for admission to the sixth form required a fixed published admission number (PAN);
- the accuracy of the application form as it relates to the admission policy and to the SIFs; and finally
- the information required on the set of SIFs.

Background

12. The school is a voluntary aided Church of England secondary school for girls, with a co-educational sixth form that operates in collaboration with five other secondary schools in Liverpool. It has a PAN of 140, with 926 pupils on roll including 220 in the sixth form. In the past the school was oversubscribed for a number of years but numbers are reducing, due to a demographic dip across the city, which is affecting many schools; and which has been exacerbated by families moving out of the city.

13. The most recent Ofsted report (May 2012) describes the overall effectiveness of the school as good. Inspectors describe the school as slightly smaller than average and the report says, "The proportion of students known to be eligible for free school meals is below average, so too, is the proportion from minority ethnic groups. The proportion who speak English as an additional language is well below average. The proportion of disabled students and those who have special educational needs, including those supported by school action plus or with a statement of special educational needs, is below the national average."

14. The school is designated as having a religious character and the Code says in paragraph 1.36, "As with other maintained schools, these schools are required to offer every child who applies, whether of the faith, another faith or no faith, a place at the school if there are places available. Schools designated by the Secretary of State as having a religious character (commonly known as faith schools) may use faith-based oversubscription criteria and allocate places by reference to faith where the school is oversubscribed." In other words, faith schools can decide whether or not to include faith based criteria within their arrangements and the school has decided to do so.

15. The first page of published admission policy includes the following information:

'Archbishop Blanch School is a Voluntary Aided Church of England School. Girls are admitted to Year 7 at the age of 11, and boys and girls to Year 12 at the age of 16.

How many pupils will be admitted?

Each year 140 girls are admitted to Year 7. Places are awarded in the following categories:

Category A1

i: Children with a Statement of Special Educational Need, where the school is named in the Statement

ii Children in Public Care;

iii Adopted children who were previously in Public Care (or have become subject to a residence or special guardianship order) *allocated as required*

Category A2: Children of staff employed at the school for 2 or more years, or staff who will meet a skills shortage *priority may be given*

Category B1: Christian applications* 107 places

**A Christian application is considered to be from families attending any Church in membership with, or sharing the statement of belief of Churches Together in Britain and Ireland, or in full sympathy with its Trinitarian stance.*

Category B2: Non-Christian applications (sub-divided as follows): *up to 9 places*

B2a Muslim up to 7 places

B2b Other World Faith up to 2 places

Category C i: Applications for those with an aptitude in Music *up to 10 places*

ii: Applications for those with an aptitude in Art... *up to 4 places*

Category D: Medical/Social applications..... up to 10 places

** Any places not allocated within categories B2 – D will increase the number of Christian places*

Category E: All other applicants whose parents have expressed a preference for the school

Parents may apply for a place for their daughter under more than one main category if they choose. However, they may only apply for one sub-category within each category.'

16. All groups are advised of the points available; for Christian applicants up to 52 points are available.

The scoring system below will be applied separately to the child and parent* and will take account the attendance up to an eight year period at Church/SundaySchool.

	Max points available
Child's attendance at weekly worship in 2013	12
Parental attendance at weekly worship in 2013	9
Child's attendance at weekly worship in 2012	9
Parental attendance at weekly worship in 2012	6
Involvement of the family in Church life beyond simple attendance at weekly worship	3
Attendance of both parent and child at weekly worship (<i>at least fortnightly</i>) in 2011	5
Attendance of both parent and child at weekly worship (<i>at least fortnightly</i>) in 2010	5
Fortnightly attendance of both parent and child for at least 8 years*	2
Anglican applicants	1

Consideration of the Factors

17. The referrer says that the arrangements do not explain to parents how they might meet the requirement for "involvement of the family in Church life beyond simple attendance at weekly worship" and that this breaches

paragraph 1.37 of the Code which says, “*Admission authorities **must** ensure that parents can easily understand how any faith-based criteria will be reasonably satisfied.*”

18. In response the school said, “*Clergy are asked to indicate their opinion of the level of involvement of the family in the life of the Church, with no reference or intention to receive any information about financial or practical help. Indeed, it is usually the fact that the child is involved in Brownies, Sunday school, choir or the parent is on the Parish Church Council etc. Very few marks (max 3) are awarded to this category. The governors are aware that a number of churches do not have a range of activities in which families can participate. The boxes for clergy to complete enable them to indicate where families are the most dedicated whatever the range of activities*”.

19. At the meeting I enquired about how parents could find information about the range of activities that in the opinion of individual priests should be taken into account for the purpose of gaining points for admission to school. The head teacher explained that the clergy completed the form and it is for them to illustrate the parents’ involvement in the church beyond simple attendance. The priest then returns the form to the parents and more than one form can be submitted if the parents have moved their place of worship. An annual clergy lunch at the school promotes discussion of what is appropriate. The Chairman said that governors had discussed providing a list but had decided against this, as all churches do not offer the same opportunities for involvement and this might prejudice an application. He suggested that a previous list had become a ‘tick box’ exercise which the school wished to avoid.

20. As I said at the meeting, I accept that compiling a finite list may well be problematic, but in my view the choice here is not whether to have a list or alternatively to leave the reference to the priest’s discretion, but rather whether the school should be taking account of any additional activities when the diocesan guidance refers only to attendance at worship. The arrangements do not make clear what activities are considered or how each activity is scored. Paragraph 1.37 requires that, “*Admission authorities **must** ensure that parents can easily understand how any faith based criteria will be reasonably satisfied.*”

21. Among the guidance issued to the school was “Guidance to Schools on the Application of the School Admission Code 2012” and in the section headed, ‘What the Diocesan Boards of Education recommend to all schools’, it says in paragraph 4(a), “*Where faith commitment is used as a criterion, to use regular attendance at worship as the measure of faith commitment. Worship attendance should be at public worship on Sundays or other days of the week. It must always be verified by a member of the clergy or a church officer. ...*” It continues in paragraph 4(b), ‘To have clear, transparent criteria against which faith commitment will be assessed’, “*At its most basic level this could be baptism, certificate of thanksgiving or admission to membership **or** it may take the form of a single hurdle based on regularity of attendance over a set number of years **or** it may be a variable system which distinguishes between levels of commitment based on attendance at worship, with higher priority being given to those with the most frequent or longer duration of*

attendance.”

22. Paragraph 4 of the Liverpool Diocesan Board of Education: Guidance on Admissions says, “...*faith commitment must be ‘measureable’*. *It cannot include work for the church such as flower arranging or service on the PCC; the only measurable possibility is worship attendance. This should be defined in terms of frequency of attendance and length of time over which this is measured. It is for the governing body to decide where to draw the line.”*

23. In my view this aspect of the scoring system applied to faith criteria, does not provide sufficient clarity for parents. It is vague and reliant on the views of a group of individuals, who may hold varying opinions about what constitutes ‘involvement’. I was advised that parents can attend regular surgeries and meetings with the head teacher to discuss the arrangements, but the fact remains that parents have no way of knowing whether or not they might qualify for admission under this criterion when they look at the arrangements and this is unsatisfactory. The arrangements do not follow the guidance laid down by the diocese nor do they meet the requirement of the Code in paragraph 14 that says, “*Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.*” For these reasons I have concluded that this aspect of the arrangements does not conform to mandatory requirements of the Code.

24. The referrer questions whether or not the arrangements breach paragraph 1.9 e of the Code which prohibits admission authorities from giving priority to the admission of children on the basis of any practical or financial support to the school or any associated organisation, including any religious authority.

25. At the meeting I asked how the school knew what the priests were taking into account when making a judgement about what constitutes ‘involvement of the family in Church life beyond simple attendance at weekly worship’ and how they could be certain that in the view of some, that practical support to the church such as church maintenance, cleaning or gardening was not considered. I was advised that the clergy ‘sit down together’ at lunch to discuss the activities which support the church. The Chairman said that the system could not be transparent as it was a subjective decision by the priest; this was opaque and therefore not transparent. I queried whether or not giving priority for taking part in a range of activities is necessary in order to make the arrangements absolutely objective and the head teacher asked if perhaps the school should only be looking at attendance at worship. I drew attention again to the diocesan guidance and the school agreed that the governing body would need to consider the matter again.

26. I have therefore concluded that the arrangements do contravene paragraph 1.9 e of the Code. Since our meeting the Chairman and head teacher have confirmed that a recommendation will be put to the governors to remove this criterion from the arrangements.

27. In the final aspect the referrer says it is unclear how the school defines ‘family’ as there is reference on the school’s website to points being awarded for the church attendance of parents or grandparents. The referrer contends

that this would unfairly advantage girls who had four living grandparents, since only one grandparent would need to attend church regularly or to be involved in church life beyond normal weekly attendance, for the applicant to awarded qualifying points for admission and if step-parents are allowed then this also increases an applicant's chances of gaining admission.

28. In fact, points are awarded to "the child and parent", and on page five of the policy, 'Allocation of Points for Faith Applications' it states clearly that, 'The term parent in this context is considered to be a parent, grandparent or legal guardian of the girl in question.' The head teacher said 'grandparent attendance' had been included in the policy since 2005 and was originally adopted to ensure that single parent families were not disadvantaged, if a single parent had to work weekends. Points are only awarded for the attendance of the child and one parent, grandparent or guardian. At the meeting the head teacher further explained that the arrangements are intended to focus on one person in the family, usually a parent or grandparent who attends worship with the child and is the 'spiritual leader' of the child as identified by the family.' I found this to be a helpful distinction which clarified that there is no advantage to be gained by an applicant who may have all four living grandparents, as opposed to just one.

29. There is a clear definition of parent in the arrangements and there is no advantage to be gained by families who have four living grandparents and for these reasons I find that this aspect of the referral does comply with the Code. I suggested that the rationale of the school's desire to focus on the spiritual leader within the family should be clarified for all families, within the arrangements, so that there would be no further misunderstanding about the matter and the school has agreed to do so.

Other Matters

30. A general observation is that on first sight to someone not familiar with the admission policy of the school, the arrangements appear to be complicated, with a great deal of information to be absorbed. There is a six page admissions policy, a four page application form and seven SIFs for parents to consider. On closer inspection however, I found that information is repeated, in some cases several times over and I asked the school to consider whether or not parents new to the area could look at the arrangements, without the prior knowledge that the school has of how the information is handled and assess if they are likely to be successful, if they applied for a place at the school and it is oversubscribed.

31. The last consultation about changes to the arrangements related to the arrangements for 2013, but two changes were proposed to the 2014 arrangements after discussion by the governing body on 10 October about:

- *"a change of wording on the clergy reference form averaging the number of attendances.*
- *2 additional points to be given to families who have attended at least fortnightly for a period of 8 years or over."*

32. The minutes note that following a review of the arrangements for 2014,

'No alterations to the policy were deemed necessary, apart from the changes quoted above to the Christian reference forms.' An amended SIF was considered and subsequently approved at a meeting on 28 November 2012. It was agreed to move to averaging the number of attendances and introduced an award of two additional points to families who had attended fortnightly or more for a period of at least 8 years. At a meeting on 30 January 2013 the changes were accepted and the policy was placed on the website.

33. The head teacher said , 'The policy for 2014 was placed on our website for comment in late January and sent to the Director of Education at the Diocese of Liverpool in March 2013, prior to it being sent to the Local Authority in July 2013 for inclusion in the Local Authority Admissions Prospectus for 2014.'

34. However at the meeting it was clarified that the school had not considered the changes to require consultation and there had been no formal consultation as required by the Code in paragraph 15b which says, "Admission authorities **must** determine admission arrangements annually. Where changes are proposed to admission arrangements, the admission authority **must** first publically consult on those arrangements..... Consultation must be for a minimum of 8 weeks...."

35. In my view the introduction of an award of additional points for attendance over a prolonged period of eight years is one which ought to be the subject of full consultation which explains why the governing body wishes to deviate so widely from the diocesan guidance. I was advised that the proposal to introduce the change came from a priest after an issue with a single application, but the resulting decision constitutes a significant change and one that parents ought to be properly consulted about. It creates an onerous burden of proof for both parents and priests. I would query whether it is reasonable for parents (or priests) to have records available for the previous 8 years.

36. I considered several issues within the policy. Parents are advised that "...in the event of more pupils applying *in each category* (my emphasis) than there are places, the following over subscription systems will be used to decide who gets places." After this statement about oversubscription criteria the policy then lists the groups of applicants in category A: children with statements of Special Educational Need (SEN), Children in Public Care, then Adopted Children and finally children of staff. However, if there are fewer applicants than the number of places available, then all applicants **must** be admitted, regardless of how many places the school has allocated to individual categories of applications. Oversubscription criteria are only applied if there are more applicants than places overall.

37. It is incorrect to include children with a statement of SEN in the oversubscription criteria. A statement of SEN is made by a local authority under section 324 of the Education Act 1996 and will specify the particular provision that is required and will name a school. Paragraph 1.6 of the Code states that, '....All children whose statement of special educational needs (SEN) names the school must be admitted.' Parents of children with statements are referred to section 5 of the application form 'Medical/Social'

and/or 'Category A Applicants' which asks them to briefly state the special reasons for the application. They are informed that 'it is essential that the reasons are supported by a reference from suitably qualified professionals, e.g. social worker/doctor.' This is not correct. Parents have already completed a full statutory process with the LA, in order for a statement to be issued and for a school to be named and if the school is named the child must be admitted. There should be no suggestion in the arrangements that the governing body has any discretion, after the statement has been issued, in whether or not to admit the child.

38. At the meeting it became clear that the head teacher was fully aware of this and that the school expected to admit children with a statement that named the school. However, the head teacher expressed concern to me and asked how, if the medical/social section was not also completed, she would know that the school was always the correct school for a child. The LA has subsequently confirmed that some parents of children with statements of SEN have also completed the Common Application Form and this has resulted in the confusion for schools. References throughout the policy and application form to this requirement for parents to provide additional information must be removed.

39. As stated above Category A consists of four sub-categories which can be summarised as follows:

- A1i Children with statements of SEN
- A1ii Children in Public Care
- A1iii Adopted Children who were previously in Public Care
- A2 Children of members of staff in shortage subjects who have been at the school for two years or more

40. The school, as a faith school has decided to offer priority to all looked-after and previously looked-after children. However, the first matter to consider here is that looked-after and previously looked-after children must be treated equally as they constitute a single group of children; and the second matter is that the definitions of this group of children must be accurate. I suggested that the school considers the definitions that are used in the text of the Code. Parents are referred to section 5 of the application form in the same way as children with statements and this is incorrect. The Code is very clear that the highest priority **must** be given in any oversubscription criteria to looked-after and previously looked-after children. There is no discretion for admission authorities to consider medical or social information in order to decide whether or not to admit a child. Looked-after and previously looked-after children must be admitted without reference to any category of applicant.

41. The last group of applicants in category A is A2, 'Children of staff employed at the school for 2 or more years, or staff who will meet a skills shortage. (Priority may be given).' My concern here relates to the fact that there is no certainty for parents who are also members of staff about whether or not they will gain priority. The school agreed to clarify this in the text for

staff who are also the parents of prospective applicants.

42. In the final category is “E: All other applicant”, no indication is given to parents about the likelihood of gaining admission. Only later on page three will parents find information in the guidance notes that explain that this category refers to any final unfilled places. This needs to be clarified. I also drew attention to the wording on the part of the application form that applies to these applicants. For all other oversubscription criteria there is a statement for applicants that begins with the words, ‘I wish my daughter to be allocated a place’ or ‘I wish my daughter to be considered for admission’, but for category E applicants the text starts with the words, ‘I do not wish to make an application under category A to D but.....’ The head teacher explained that the wording was developed because of previous experience of parents not completing the form correctly and only ticking one box without reading the text properly; but she acknowledged that it could be reframed, so that it started with the same way for all applicants, that is, with a positive statement, ‘I wish my daughter to be considered for admission’ with a further statement to completed that confirms that the parent does not wish to make an application under any of the previous categories.’ In this way parents may feel equally welcome to make an application to the school.

43. We then considered the policy for admission to the co-educational sixth form. The arrangements state, ‘The admission number of students to be admitted in Year 12 in September 2013 is 140. Up to 40 places may be allocated to students from other schools.’ There are two issues in the written policy: the first is that the year cited is 2013, yet this is the policy for 2014; and the second, that it refers to the admission of ‘up to’ 40 places for external applicants. This results in a lack of certainty about the actual number of places available. As framed, it indicates that any number from one to 40 places may be available and I understand from the meeting that it has been written in order to express this policy intention

44. However, this does not meet the requirement of the Code in paragraph 14 that parents should be able to look at a set of arrangements and understand easily how places will be allocated. The Code says in paragraph 1.2, ‘Published admission Number (PAN) – As part of determining their admission arrangements, all admission authorities **must** set an admission number for each relevant age group.’ So there must be a PAN for both Year 7 and Year 12. The school expressed concern that if a firm number was specified (and depending on what this was), this might result in either too many students having to be admitted in the sixth form or an insufficient numbers applying for places.

45. The sixth form PAN is the minimum number of external students that will be admitted. Both the head teacher and chair expressed concern about how this might work in practice suggesting that this requirement of the Code was ‘unfair and might force the school to become a hostage to fortune’. However, as the PAN is determined every year it is up to the school, with its detailed knowledge of the abilities and likely achievements of each year group to set a PAN that allows sufficient flexibility. The head teacher said she was concerned that if the school set a lower PAN, to ensure sufficient places for internal students who met the entry requirements, then the school might not

attract enough applicants. After further discussion the school agreed that with the correct wording they could indicate that the overall capacity; then point out that all applicants in Year 11 at the school who met the academic criteria would be allocated a place and all the remaining places up to the capacity of 140 would be allocated if there were sufficient applications. A firm PAN must be published and the school has confirmed that it will set and publish a lower PAN.

46. Moving on to the application form there two issues: point 1.6 asks for a work telephone number in addition to a home and mobile telephone numbers. This should be amended to remove the word 'work', as this refers to the occupational status of parents. Paragraph 1.9f says that admissions authorities **must not** give priority to children according to the occupational.....status of parents...' The school agreed that the word 'alternative' might be substituted. Point 1.8.6 refers incorrectly to the need for the parents of looked after children and previously looked after children to submit appropriate written confirmation from the LA and/or medical/social reference form. This statement needs to be removed.

47. There are several matters relating to the seven SIFs. The first of these is that one SIF refers to Category B1A but this category does not form any part of the arrangements.

48. This form and several other SIFs ask for information about attendance that is twice monthly, more than once a month or once a month or less. Yet the policy refers to points for weekly or fortnightly attendance. When I queried why the school was requesting this information it became clear that the school does in fact award points for attendance on a sliding scale. The school said that parents are advised of the outcome of the school's assessment of attendance at worship and that if they included the information it would make the policy overlong. In my view if the school is relying on this information and taking it into account, it must be published as part of the arrangements.

49. On SIF B2a (Mosque), I enquired why the school had asked specifically about the attendance of both parents and why there was reference to the gender of the parent and to a grade of attendance. The SIF asks for detailed information and parents' attendance is graded from 'A' highest to 'D' lowest. The attendance of the parent with the highest grade is then put forward for admission purposes. While I appreciate that there is a quite different pattern of attendance at the mosque for girls and boys and for their parents, it is possible for an imam to select the parent with the highest level of attendance and to complete the SIF; without having to provide such detailed information about both parents to the governing body. This information is not actually used by the governing body but in any case, the request for information about both parents is not acceptable. It contravenes the Code which requires admission authorities to ask for information about one parent only. The school has since confirmed its intention to request information about the attendance of one parent only. In revising the SIF the school will need to take particular care to ensure there is no disadvantage to any applicant, given that the religious practice of the mother or father of a child may take a different pattern.

50. This SIF also requests information relating to a different time period over which attendance at worship is assessed for applicants for 'other world faith'. The head teacher said that these applicants were largely drawn from the local Somali population, the majority of whom were recent immigrants and therefore the governing body had decided after consultation with the appropriate religious authority that a lesser period was more appropriate. There is no requirement for the period of worship for different groups to be identical if the underlying rationale is reasonable and transparent and easy for parents to understand.

51. SIF B2a (Madrassa) also requires information about attendance between 70 and 70%, 50 and 70% and up to 50% and here again the arrangements only refer to attendance that is 80% or above. Again, parents must be advised that attendance lower than 80% is considered by the governing body and does count towards admission.

Conclusion

52. There were three aspects to the referral and for the reasons given above I have concluded that the arrangements do not conform with the requirements of the Code in that that the arrangements do not explain to parents how they might meet the requirement for 'involvement of the family in Church life beyond simple attendance at weekly worship' and that this breaches paragraph 1.37 of the Code which requires that parents can easily understand how faith based criteria will be reasonably satisfied.

53. The referrer questions whether or not the arrangements breach paragraph 1.9 e of the Code, which prohibits admission authorities from giving priority to the admission of children on the basis of any practical or financial support to the school or any associated organisation, including any religious authority and for the reasons given above I have concluded that the arrangements do not conform to the requirements of the Code.

54. However, I do not agree that it is unclear how the school defines 'family' as there is clear guidance in the policy for parents. Neither do I agree that there is any advantage to be gained if there are more grandparents living, in the family. It is the school's intention to acknowledge the attendance of a child's spiritual leader within the family and points are only awarded for the attendance of the child and the "spiritual leader" of the family, whether a parent, grandparent or guardian. This would, however, benefit from further explanation within the arrangements to avoid future misunderstandings.

55. In addition to the matters raised in the referral there were numerous issues that required consideration and it would therefore be timely for the governing body to undertake a thorough reconsideration of the arrangements.

Determination

56. In accordance with section 88(5) of the School Standards and Framework Act 1998, I have considered the admission arrangements of Archbishop Blanch Church of England High School for admissions in September 2014.

57. I determine that the arrangements do not conform with the requirements of the legislation and the School Admissions Code in relation to the fact that parents must easily be able to understand how any faith-based criteria will be reasonably satisfied and priority must not be given on the basis of practical support. They do comply with the requirement to provide clarity about the definition of the 'family'.

58. Further, in accordance with section 88I I have considered the arrangements for admissions in 2014 and I determine that they do not conform with the requirements of the legislation and the School Admissions Code.

59. By virtue of section 88K(2) of the Act the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements as quickly as possible.

Dated: 29 November 2013

Signed:

Schools Adjudicator: Mrs Carol Parsons