



DETERMINATION

Case reference:	ADA2837
Referrer:	The chair of governors of The Nether Edge Primary School, Sheffield
Admission Authority:	The board of directors of the Mercia Learning Trust, for King Ecgbert School, Sheffield
Date of decision:	21 April 2015

Determination

In accordance with section 88I(5) of the School Standards and Framework Act 1998, I determine that aspects of the admission arrangements for the King Ecgbert School, Sheffield for admissions in September 2015 do not conform with the requirements relating to admission arrangements.

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

The referral

1. Under section 88I(5) of the School Standards and Framework Act 1998 (the Act) the admission arrangements for September 2015 (the arrangements) for King Ecgbert School (the school) have been referred to the adjudicator. The school is an academy and the board of directors of the multi academy trust is the admission authority. The local authority is Sheffield City Council (the council).
2. The concern raised is that the oversubscription tie-break, using a straight-line measurement of distance between an applicant's home and the school, is unfair and discriminatory.

Jurisdiction

3. The terms of the academy agreement between the board of directors of King Ecgbert School Academy Trust and the Secretary of State and the subsequent supplemental funding agreement on the establishment of the Mercia Learning Trust, a multi academy trust, require that the admission arrangements for each academy school are in accordance with admissions law as it applies to maintained schools. The arrangements were determined by the local governing

body of King Egbert School on behalf of the board of directors of the multi academy trust on that basis.

4. The referrer wrote on 6 March 2015 to object to the arrangements for September 2015. This was after the deadline of 30 June 2014 in respect of 2015 admissions, but I have decided to consider the arrangements as a whole under section 88I of the Act it appeared to me that the arrangements brought to my attention may not comply with requirements relating to admission arrangements. I am satisfied that it is within my jurisdiction to consider the arrangements.

Procedure

5. In considering this matter I have had regard to all relevant legislation and the School Admissions Code (the Code).
6. The documents I have considered in reaching my decision include:
 - a. the referral, dated 6 March 2015;
 - b. additional documentation received from the referrer on 13 March 2015 and further comments received on 27 March and 3 April 2015;
 - c. the school's initial response to the referral, and accompanying documentation, dated 18 March 2015, and the school's responses to my further enquiries, dated 19 and 23 March and 1 April 2015;
 - d. the school's admission policy, determined at a meeting of the governing body on 13 November 2013;
 - e. the council's initial response to the referral and additional information requested by the adjudicator, sent on 13, 20, 24 and 25 March, and on 9 and 16 April 2015;
 - f. the council's website;
 - g. the council's composite prospectus, *A Guide for Parents: Transfer to Secondary School 2015/16*;
 - h. the websites of The Nether Edge, Lowfield and Sharrow primary schools;
 - i. the Equality Act, 2010; and
 - j. the school's website.

The Referral

7. The referrer perceives unfairness in the arrangements, in that the tie-break in the oversubscription criteria uses a home to school straight-line distance measurement. The referrer contends that this "*indirectly*

discriminates against black and minority ethnic children (BME), children who speak English as an additional language (EAL) and disadvantaged children eligible for free school meals (FSM).” The specific objection of the referrer is that this tie-break contravenes paragraph 1.8 in the Code, as it unfairly disadvantages some racial and social groups.

8. The referrer states that the defined catchment area for the school *“is a long wedge shape from Dore/Totley to the city centre.”* As well as the two suburbs mentioned, this catchment includes four other areas, three of which are served by inner-city primary schools that are close to each other but more than four miles distant from King Egbert School. The referrer states that the proportion of children with EAL in these three primary schools is between 84 and 91 per cent, while the proportion of those eligible for FSM ranges from 23 to 41 per cent. By contrast, of the children attending the three primary schools in the Dore and Totley areas, those closest to the school, the proportion with EAL is between 2 and 8 per cent, while the FSM figure is between 3 and 7 per cent. Detailed data for admissions to year 7 at the school in September 2015 are discussed below; the referrer points out that the last catchment place allocated was to a child living 3.017 miles from the school. The referrer concludes by arguing that *“The catchment children from the inner city areas live too far away and did not secure places. These children are far more likely to be non-white and socially disadvantaged than those living in the suburbs close to the school who did get the places. Using distance from home to school as the tie-break is unfair and discriminatory.”*
9. The three primary schools to which the referrer draws attention are The Nether Edge, Lowfield, and Sharrow.

Other matters

10. In the course of considering the matter brought to my attention I reviewed the school’s arrangements as a whole and noted that the information published on the school’s website was inaccurate and incomplete. It was difficult to locate the arrangements, including those for external sixth form applicants, and it was stated that the council is the admission authority. Anyone wishing to see the complete arrangements was directed to the council’s website; the link provided was to a general ‘front page’ for admissions, from which interested parties would not necessarily find it straightforward to locate the specific details of admission arrangements for this particular school, including information about catchment areas and linked primary schools.

Background

11. The school, situated to the south west of Sheffield, converted to academy status on 1 October 2012. It is a school for pupils aged 11-18, with about 1300 pupils on the roll, including almost 300 in the sixth form. It was inspected by Ofsted in May 2013 and was judged outstanding overall and in all but one of the separate aspects about

which an inspection judgement is made: the behaviour and safety of pupils was good. At the time of the determination of the arrangements the governing body of the school, representing the board of directors of the academy trust, was the admission authority under the articles of its funding agreement. On 1 February 2014, that is after the determination of the 2015 arrangements, the school became part of a multi academy trust known as the Mercia Learning Trust, linking with two other local schools, one secondary and one primary. The supplemental funding agreement issued on the establishment of the multi academy trust makes clear that responsibilities relating to the admission of pupils remain the same as those set out in the initial funding agreement dated October 2012.

12. The arrangements for 2015 were determined by the governing body of the school on 13 November 2013, using a common policy provided by the council to all maintained and voluntary controlled secondary schools in Sheffield and also used by academy schools. The council describes this decision as *“part of a series of agreements and principles to which they have contracted for the benefit of all Sheffield children and families.”*
13. The school has a planned admission number (PAN), known locally as the indicated admission number (IAN), of 193. The arrangements provide, as required, that children with a statement of special educational need (SEN) in which the school is named will be admitted. Oversubscription criteria are then, in summary:
 1. Looked after or previously looked after children
 2. Children living in the catchment area with a sibling at the school
 3. Children living in the catchment area without a sibling at the school
 4. Children with a sibling at the school
 5. Children at a feeder school
 6. Children of services personnel (for applications outside the normal admissions round)
 7. All other children
14. There are two stages of tie-break in any category of the oversubscription criteria. First is *“exceptional medical, social or special educational needs”*, for which supporting evidence from relevant professionals must be supplied at the time of the original application. The second stage is a distance measurement, using a straight line from the centre of an applicant’s home address to the centre of the school building. Where two or more applicants still cannot be separated, random allocation of the last place would be made, the process being independently supervised and open for applicants to attend as witnesses.
15. The school is oversubscribed. In the admissions round for entry to year 7 in September 2015, 13 places were allocated to children with a statement naming the school and four looked after or previously looked after children; 89 applicants were successful against criterion

2 and 90 against criterion 3. A further 39 applicants were unsuccessful against criterion 3; 14 applicants were unsuccessful against criterion 4, 21 against criterion 5, and 40 on other grounds, meaning that there were 114 unsuccessful applications in total. Five initially unsuccessful applicants were allocated places on appeal.

Consideration of Factors

16. As noted above, with the exception of two voluntary aided schools, all secondary schools in Sheffield, including academies, use a common set of admission arrangements determined by the council for its maintained and voluntary controlled schools, and these secondary schools adhere to catchment areas established some years ago by the council and made up of a composite of their designated feeder primary school catchment areas. It is therefore not possible to consider this case without being mindful of the possible implications for other schools and the effects on admissions throughout the council's area should one school be required to amend its arrangements. This factor, however, will not influence the decision I reach in relation to the school's arrangements, which will be based solely on my consideration of the evidence provided by the parties concerned.
17. The council has explained to me that when catchment areas were established for the secondary schools in the more affluent south west of the city, they were purposely drawn up *"to include inner city areas to provide a more balanced intake and afford the opportunity for families from more deprived areas to access these schools if they wished to do so."* In its response to the objection, the council stated that, until the most recent admissions round (that is, for September 2015), *"catchment applicants in the South West of Sheffield have all been accommodated, so this arrangement has worked well and supported community cohesion."*
18. Minutes of the school's Academy Project Group (APG) meeting in March 2012 record that *"Governors are particularly keen to ensure the school's intake continues to draw from the more distant locations beyond its immediate vicinity"*; the *Vision and Mission Statement* subsequently devised for the Mercia Learning Trust includes, as its second point, a commitment that the school will *"maintain an admissions policy which is informed by the school's mission, serving the existing catchment community"*. In this mission statement there are several other references to the school's intention to support inclusion and community cohesion through its policies.
19. The council's composite prospectus for applications to secondary schools lists all primary schools and designates the secondary school for which each is regarded as a feeder. In this prospectus, while King Ecgbert is named as the only secondary school for which Lowfield Primary School is a feeder, for The Nether Edge Primary School, King Ecgbert is one of two named secondary schools while for Sharrow Primary School, King Ecgbert School is named last in a

list of four; the prospectus does not imply that the order in which secondary schools are listed is significant. King Egbert is not the nearest secondary school to any of these primary schools but is the only secondary school linked with Dore and Totley Primary Schools, which seems to me reasonable on geographical grounds as it is the nearest secondary school.

20. I have considered the location of the three inner city primary schools named by the referrer in relation to King Egbert School and other secondary schools. Each of the schools is more than four miles from King Egbert School. The Nether Edge Primary School has five secondary schools closer to it than, and at half or less the distance to, King Egbert; it is also a designated feeder school for one of them, High Storrs School. In the case of Lowfield Primary School, although named as a feeder only for King Egbert, six other secondary schools are closer than King Egbert, at distances between just under two and a little over three miles. Sharrow Primary School is further from King Egbert School than from five others, by between one and a half and almost three miles; it is also a designated feeder school for King Edward VII, Silverdale and High Storrs Schools, all of which are closer than King Egbert.
21. It is clear that King Egbert School is not the 'local' school for any of the three primary schools mentioned by the referrer; although unsuccessful applicants might be disappointed not to be offered a place at the school if it were their first preference, I think it unlikely that an alternative secondary school place would be geographically inconvenient. Nor do I believe that the quality of education offered by other designated secondary schools would necessarily cause concern to applicants: both High Storrs and King Edward VII Schools were judged to be good overall in their most recent Ofsted inspections, while Silverdale was judged to be outstanding.
22. The council's response indicates that demand for places at King Egbert school for September 2015 was higher than anticipated and identifies two reasons for this: first, a significant increase in the number of applications on behalf of pupils with statements of special educational need (13) and second, an increase in the number of preferences expressed for this school from two of its designated feeders, both of which also have feeder status for other secondary schools. In view of this change in demand, the council has stated that it *"does continue to monitor and review catchment areas in response to demographic change"* and that it is *"currently engaged in discussions with the Mercia Trust ... to explore what can be done to alleviate the situation for 2015 [sic] and future years."*
23. I will consider next the nature of the school's catchment area. This, as the referrer states, is in effect a wedge shape, but with a gap where the middle of the wedge would be so that the area which includes the three inner city primary schools mentioned in the referral is a detached part of the catchment, much smaller in area but more

densely built-up and much closer to the city centre than the main part of the catchment which is close to the school. This larger part of the catchment area is to the south west of the city, in an area that is comparatively affluent against socio-economic measures and large parts of which are not heavily developed with housing.

24. There is a page on The Nether Edge Primary School website publicising a current consultation about whether the school should join the Mercia Learning Trust. On this page it is stated, "*The partnership with King Egbert School, where the majority of our children move to, helps us shape the education of Nether Edge children from 3 to potentially 18 years.*" This statement does not suggest that large numbers of applicants from this primary school have previously been unsuccessful in gaining a place at the school and so supports the council's statement that catchment applicants have previously been accommodated. Data supplied by the council show that for September 2015, 31 first preferences were received for the school from The Nether Edge, of which 17 were allocated; 12 places – six second and six third choices – were allocated at High Storrs School, the other secondary school for which this primary school is a designated feeder, and the other two at different secondary schools that were second or third choices. As mentioned, the council is aware that this level of allocation to King Egbert School is lower than in previous years, and ways of alleviating this problem are being considered in discussion with the school.
25. The prospectus for Lowfield Primary School, in the section entitled *Transfer to Secondary School*, states that "*most pupils transfer to King Egberts [sic] Secondary School.*" There is no reference to secondary school transfer on the website of Sharrow Primary School.
26. I have outlined above the council's rationale for identifying the catchment area and designated primary feeder schools for King Egbert School. Paragraph 1.14 of the Code says that catchment areas "*must be designed so that they are reasonable and clearly defined.*" There is no question in my mind that the catchment areas for the council's schools or King Egbert School are 'clearly defined'; they are readily available to the public, are clearly explained and advice is offered to applicants if needed. As to 'reasonableness', I am inclined to think that the 'detached' area of the King Egbert catchment is reasonable, given the council's rationale. Moreover, until the most recent admissions round, all applicants from the three designated primary schools who lived in the catchment area were allocated places at the school. I have also noted above the school's agreement with, and continuing commitment to, a catchment area that enables inclusion and community cohesion across different parts of the city.
27. Data already quoted show that 179 applicants living in the catchment area, with or without a sibling at the school, were offered places at the school for September 2015. Thirty nine applicants from the

catchment area but without a sibling were refused a place when the distance tie-break was applied. A further 21 applicants were refused a place because, although they attended a feeder school, they did not meet any of the more highly prioritised criteria. Sixty applicants who either lived in the catchment area, at a distance greater than 3.017 miles from the school but without a sibling, or attended one of the feeder schools but lived outside the catchment area, were thus refused a place. I note that in each of the last three admission rounds, a small number of first preference applications on behalf of children attending Dore and Totley Primary Schools has also been unsuccessful.

28. While 60 families with children attending one of the three inner city primary schools may have been very disappointed at the outcome of their application to the school, this is always a possibility in a heavily populated urban area and I believe that the support for co-ordinated admissions, including shared arrangements, that Sheffield schools, including academies, have continued to implement indicates a genuine effort to meet parental preference wherever possible, an attempt to provide applicants with access to schools in more privileged areas where appropriate, and a desire to offer alternatives that are conveniently located geographically and that offer at least a good quality of education.
29. Indeed, data supplied by the council show that of all unsuccessful first preference applicants for the school for September 2015, only five were allocated places at schools further from their home than King Ecgbert; two were allocated places at schools at about the same distance from their homes as King Ecgbert, while the vast majority were allocated places at secondary schools nearer to their homes than King Ecgbert. While parents might have preferred a place at King Ecgbert School, I do not see that the allocation of places elsewhere should be inconvenient in terms of location or that the quality of education offered at alternative schools should be of concern.
30. I move now to consider directly paragraph 1.8 in the Code, cited by the referrer, which states that "*Admission authorities **must** ensure that their arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular racial or social group ...*". On the basis of the information I have presented thus far I do not believe that the school has set out to deny places to applicants from particular racial or social groups through the arrangements it has chosen to adopt and determine. The system of catchment areas and designated feeder schools set up by the council provides for parents living in a less privileged part of the city to access places at a school which they may perceive to offer more advantageous life chances to their children. As I have already mentioned, the school made a renewed commitment to this process on adopting academy status and it is only in the latest admission round that a problem has arisen.

31. For the September 2015 entry to secondary schools, there was an increase in the cohort size of some 400 applicants across the council's area. While it might be argued that this could have been forecast and that more places at schools likely to be popular might have been planned, that is not to attribute a motive of discrimination to the admission arrangements in use at the time or to an individual admission authority that had adopted and determined them.
32. The council has explained to me that there is an *"options appraisal underway with our secondary heads partnership and other stakeholders to determine how we can increase capacity within the secondary sector to allow for larger cohorts of children over the next few years. This will include a major scheme (or schemes) for the South West, which we anticipate will be of the order of 6-8 forms of entry of additional capacity by 2019, with some being phased in from 2016 onwards."* The view of the council is that the catchment area arrangement is liked by parents and that it should be preserved, but that it will require additional places to be added if future demand from current catchment areas is to be met. The review process has already recommended specifically the retention of the south west catchment arrangements, an outcome that is acknowledged and welcomed by the referrer.
33. The referrer acknowledges that *"the catchment was deliberately set up ... in the first place to ensure a mix of pupils in the school"* but believes that the arrangement has become discriminatory because of the concentration of BME children at the 'city end' of the catchment and the scarcity of available places for September 2015. However, I do not accept the implied causal link between these two factors; the lack of places, as I have suggested, is the result of insufficient timely provision of additional school places where needed, not of a catchment policy per se introduced and accepted some years ago and which has, until now, served the purpose intended by the council and accepted by the referrer. While it may take, regrettably, until 2019 to resolve the lack of available places at secondary schools in south west Sheffield, I believe it is overstating the case, and misrepresenting the motives of those involved to claim, as does the referrer, that *"the ethnic balance that successive admissions authorities have sought to create and continue to support is in danger of being dismantled because of this insistence on applying an unfair tie-break."* In the current context of places available and numbers of applicants, the same number of applicants – although not necessarily the same individuals – would be refused a place at the school whatever tie-break method were used; the referrer's suggestion that the distance tie-break should be replaced by random allocation would not create more places at the school, and would, as the council indicates, reduce *"parents' legitimate expectations of a place in relation to where they live."* I have shown already that the naming of alternative secondary schools and the allocation of places at them has been made with clear regard to where applicants live. The council further argues that *"The distance tie break underpins our*

policy of providing a good local school place ... We have endeavoured to maintain a single policy framework for the whole of the city in the interests of a clear and fair framework for parents ... our aim is to provide sufficient places to avoid the necessity of using the catchment tie break." The referrer is content with the arrangements themselves and the council acknowledges that it is the effect of increased applications bringing the tie-break into play that has caused the difficulty.

34. I have ascertained that while the population of the Dore and Totley ward of Sheffield, within which the school is located, includes only eight per cent of BME groups, the school currently has almost one third of minority ethnic pupils and a proportion of pupils with EAL that is higher than the national average. Again, while not disputing that there has been a difficulty in meeting the demand for places in September 2015 from parts of the catchment where pupils with these characteristics may be more heavily concentrated, these data do not suggest to me a school that has been, or is, adopting arrangements that are discriminatory, either directly or indirectly.
35. Although the referrer has questioned the quality of the council's ethnicity monitoring, and its use of the data obtained, it was nevertheless able to show me that, in the most recent three application rounds, the numbers of BME applicants allocated places at the school compared with White British applicants was 91:110 (2013/14); 83:109 (2014/15); and 67:127 (2015/16). The proportion of BME applicants offered places thus shows a significant decline from about 45 per cent in 2013/14 to just under 35 per cent in 2015/16; this accords both with the council's explanation of the additional pressure on places and the referrer's concern that those living in the part of the catchment area furthest from the school, where BME applicants are most heavily concentrated, are likely to have been refused places as a result. Despite this decline in the proportion of BME children allocated places at the school for September 2015, however, I note that the proportion is still more than four times greater than that of the BME population within the immediate locality of the school and that the proportion of successful BME applicants is still in line with the overall figure for the school..
36. Having considered sections 13 and 19 of The Equality Act 2010, I do not consider that the arrangements discriminate either directly or indirectly against applicants from particular racial groups. I am of the view that the catchment area identified for the school is a reasonable and proportionate attempt to allocate places to applicants from areas that, in relation to the school's immediate surroundings, are relatively deprived in socio-economic terms. While there may be a heavy concentration of BME applicants from these areas, there will be White British applicants too, to whom the same provisions and arrangements apply. Moreover, section 149, the public sector equality duty, obliges an admission authority to have "*due regard to the need*" to eliminate discrimination, advance equality of opportunity

and foster good relations; the academy trust's *Vision and Mission Statement* quoted earlier refers explicitly to, and reiterates, such aims.

37. I repeat my earlier comment that it is unfortunate if, in the short term at least, some applicants are not allocated places at their preferred choice of school. This, however, is true of the outcome of many different sets of arrangements where pupil numbers are increasing and the supply of available places has not kept pace with demand for particular schools. In such circumstances, tie-breaks will inevitably come into play and any method used is likely to lead to disappointment for some applicants. I do not believe that the process to which the referral draws attention is in itself unfair or discriminatory, even indirectly: it is the result of the pressure of pupil numbers on available places in a popular school, and the council, in partnership with schools and others, is actively seeking solutions to alleviate the situation. The admission authority is implementing arrangements that aspire to establish and maintain inclusion and cohesion across a range of communities.

38. I therefore find that the use of a distance measurement as the tie-breaker in the arrangements determined by the school does not contravene the Code.

Other matters

39. I turn now to the other matters mentioned above. When the arrangements were brought to my attention, I consulted the school's website; the single page concerning admissions referred to the council as the admission authority. Because the school became an academy in 2012, this had not been the case for three admission rounds, during which time the school had been its own admission authority; when my enquiries brought this matter to the school's attention, it was rectified at once on the website and described as a "*technicality*", a term also used by the council in reference to this error. The error is more than a technicality, however, since it raises the question of whether the school had been, and was, fully aware of its responsibilities and duties as an admission authority, notably in relation to communicating information to potential applicants and other interested parties. It is perfectly acceptable to adopt and determine arrangements drawn up by the council but in doing so, the arrangements become the admission authority's, and the governing body – on behalf of the academy trust – must be satisfied that it is fulfilling all the requirements laid on it by the Code and admissions legislation. Indeed, minutes of a meeting of the governing body from September 2012 record its noting that "*the new Academy Trust will be its own admissions [sic] authority*" and that "*currently the school does not act as its own admissions [sic] authority*". It is unfortunate, therefore, that erroneous information had been published on the school's website for several years until correspondence concerning this referral brought the issue to light.

40. Although the school's website now acknowledges that it is its own admission authority, very little information is given regarding the arrangements for admission to year 7, or for external applications to year 12. Anyone wishing to see the arrangements in full is directed to the council's website; the link provided is to a general 'front page' for admissions, from which interested parties would not necessarily find it easy to locate the specific details of admission arrangements for this particular school. Paragraph 1.47 of the Code states a clear requirement that "*Once admission authorities have determined their admission arrangements, ... they **must** publish a copy of the determined arrangements on their website displaying them for the whole offer year ...*" By not acknowledging itself as the admission authority, the school has failed to meet this requirement, which means that at any time there should be two sets of arrangements published on its website, that is, those for both the previous and the current admission rounds, and once determined for the next admission year, and that these arrangements should be, as required by paragraph 1.2 in the Code, "*for each 'relevant age group'*", that is, in the case of this school, for entry to year 7 and year 12.
41. I therefore find that the academy trust, as the admission authority for the school, has not met the requirements placed on it by the Code. It should rectify this situation at the earliest opportunity.

Conclusion

42. The referrer contends that the use of a home to school distance measurement as a tie-break in the oversubscription criteria, unfairly disadvantages some racial and social groups. I found that the arrangements refer to catchment areas and feeder schools that are part of a council-wide pattern and that the arrangements, including the tie-break, are those drawn up by the council and used by most Sheffield secondary schools, including academies. Data suggest that applicants from the three inner city primary schools named by the referrer have been successful in obtaining places at the school in previous years but a substantial increase in the size of the pupil cohort applying for year 7 places in September 2015 has resulted in fewer catchment applicants than previously from the three schools being allocated places. Those who were unsuccessful, however, have been allocated places at other schools, many of which are linked and well performing schools in the council-wide arrangements and almost all of which are nearer to the applicants' homes than is King Ecgbert. The racial and social mix in the school, despite the allocation of fewer places for September 2015 to applicants from the three inner city primary schools, continues to be significantly broader than is the case in its own immediate community.
43. The school itself supports the continuation of the designated catchment area and the principles behind it, which together are designed to ensure a broader socio-economic and racial mix of pupils

than would be the case if applications from its immediate locality were prioritised above all others. The arrangements, including the oversubscription criteria and the distance tie-break, are not unusual and are not, it seems to me, in themselves either unreasonable or discriminatory. While their application may result in some children from particular racial and social groups being less likely to be offered a place at the school when demand is high, this is an outcome dependent on demographic changes that have affected a number of the council's schools. Discussions are underway between the council, head teachers and other stakeholders in order to provide additional places in the school, and other nearby schools in the south west of the city, so as to ensure that a higher proportion of first preference applications for the school from throughout the catchment area may again be successful in future admission rounds. The school has expressed a commitment to this process.

44. I therefore did not agree with the referrer's contention that the distance tie-break contravenes paragraph 1.8 in the Code by unfairly disadvantaging some racial and social groups.
45. In considering the arrangements as a whole, I found that the academy trust had not acknowledged its responsibility as the admission authority for the school and had not met the Code's requirement to publish arrangements in full on its website for a given period of time. While the website now states that the school is its own admission authority, the issue of full publication has not been addressed.
46. It is for this reason that I conclude that the arrangements are not compliant with the Code and must be revised as soon as possible.

Determination

47. In accordance with section 88I(5) of the School Standards and Framework Act 1998, I determine that aspects of the admission arrangements for the King Ecgbert School, Sheffield for admissions in September 2015 do not conform with the requirements relating to admission arrangements.
48. By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements.

Dated: 21 April 2015

Signed:

Schools Adjudicator: Andrew Bennett