



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: ADA2953

Objector: Transform Reading and Kendrick

Admission Authority: The Academy Trust for Reading School

Date of decision: 11 September 2015

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I do not uphold the objection to the admission arrangements determined by the academy trust for Reading School, Reading.

I have also considered the arrangements in accordance with section 88I(5). I determine that they 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 within two months.

The referral

1. Under section 88H(2) of the School Standards and Framework Act 1998, (the Act), an objection has been referred to the adjudicator by Transform Reading and Kendrick (TRAK), the objector, about the admission arrangements for September 2016 (the arrangements) for Reading School (the school), a selective day and boarding academy school for boys aged 11 to 18 in Reading. The objection is to the consultation held on the arrangements, aspects of the selection process and the catchment area.

Jurisdiction

2. The terms of the academy agreement between the academy trust and the Secretary of State for Education require that the admissions policy and arrangements for the academy school are in accordance with admissions law as it applies to maintained schools. These arrangements were determined by the governing body on behalf of the academy trust, which is the admission authority for the school, on that

basis. The objector submitted the objection to these determined arrangements on 28 June 2015. I am satisfied the objection has been properly referred to me in accordance with section 88H of the Act and it is within my jurisdiction.

3. I have also used my power under section 88I(5) to consider the arrangements as a whole.

Procedure

4. In considering this matter I have had regard to all relevant legislation and the School Admissions Code (the Code).
5. The documents I have considered in reaching my decision include:
 - i. the objector's letter of objection dated 28 June 2015 and subsequent correspondence;
 - ii. the school's response to the objection and supporting documents dated 8 July 2015 and its response to my enquiries;
 - iii. comments from the school's solicitors dated 17 July 2015;
 - iv. the response from Reading Borough Council, the local authority (the LA) dated 13 July 2015 and subsequent emails;
 - v. maps of the area identifying relevant schools;
 - vi. confirmation of when consultation on the arrangements last took place;
 - vii. copies of the minutes of the meeting at which the arrangements were determined; and
 - viii. a copy of the determined arrangements.

The Objection

6. There are five elements to the objection as summarised by the objector that:
 - i. the school may not have consulted on its arrangements as required by paragraphs 1.42 to 1.45 of the Code;
 - ii. the use of standardisation of test results may have masked a gradual long-term increase in the level of attainment required to secure a place and this may not comply with paragraph 14 of the Code;
 - iii. the school does not provide a map of the catchment area so the extent of the catchment area is not clear as required by paragraph 14 of the Code;
 - iv. the selection of applicants from a wide geographic area only on the test score when there are many deprived areas near to the school is contrary to paragraph 1.8 of the Code; and
 - v. admitting pupils from a wide geographical area the school may be incompatible with the school's funding agreement.
7. The objector submitted the same objection to the admission arrangements to Kendrick School which is addressed in a separate determination.

Other Matters

8. When I received the determined arrangements from the school it appeared to me that they did not, or may not comply with the Code in several ways:
 - i. the oversubscription criteria include priority for applicants who have an Education Health Care Plan (EHCP) that names the school. This may not comply with paragraph 1.6 of the Code.
 - ii. The oversubscription criteria include priority for children from families in receipt of income support or entitled to claim free school meals. This may not comply with paragraphs 1.9f and 1.39A of the Code.
 - iii. The description of how places for boarders are allocated did not appear clear to me as required by paragraph 14 of the Code.
 - iv. The same oversubscription criteria are used for both day and boarding places in Year 9 and Year 12. This may not be clear as required by paragraph 1.8 of the Code and the tie-breaker did not appear to meet the requirements of that paragraph.

Background

9. The school which became an academy in 2011 admits boys into Years 7, 9 and 12. The published admission number (PAN) for day-boys in Year 7 is 112 which was increased from 100 for 2016; the PAN for boarders in Year 7 is 12. For Year 9 the PAN is eight for day-boys and four for boarders while in Year 12 it is 15 with no specified number for day or boarding pupils. The school has given notice that it intends to consult on no longer admitting pupils into Year 9 from 2017.
10. The school is normally oversubscribed for Year 7. Applicants for 2016 will sit a test in September 2015, the results of which are sent to parents in time to inform the preferences made on the common application form at the end of October. A qualifying score is determined and applicants on or above that score are deemed to have reached a standard suitable to benefit from the style of education provided at the school. If more boys reach this standard than there are places available, oversubscription criteria are used to decide which boys will be offered places. The oversubscription criteria for Y7 day-boys are quoted below.
 - i) The applicant is a child in care or previously in care or the applicant has a child arrangement order*
 - ii) The applicant has an Educational Health Care Plan (formerly statement of special needs) and has named Reading School specifically on the Educational Health Care Plan*
 - iii) The permanent home address of the student is within the designated area of the school and the student is from a family in receipt of Income Support and/or entitled to claim free school meals at their*

current school at the time of the test or is in receipt of the Service Premium. Documentary evidence that the parent is in receipt of the appropriate support payment entitling the child to free school meals/service premium will be required.

iv) The permanent home address of the student is within the designated area of the school and this home address is the address of the parent(s)/carer(s) and the student.

v) Students whose home address is NOT in the designated area of the school.”

Within each of the above criterion, boys are ranked according to their test score with home to school distance and then random allocation being used as a final tie-breaker to separate boys with the same score.

11. For Year 7 boarders the oversubscription criteria are:

“i) The applicant is a child in care or previously in care or the applicant has a child arrangement order

ii) The applicant has an Educational Health Care Plan (formerly a statement of special needs) and has named Reading School specifically on the Educational Health Care Plan.

iii) Children of members of the UK Armed Forces.

iv) The applicant has a boarding need.”

Random allocation is used as a tie –breaker for these applications.

12. In Years 9 and 12 the oversubscription criteria are the same for day-boys and boarders:

“i) The applicant is a child in care or previously in care or the applicant has a child arrangement order

ii) The applicant has an Educational Health Care Plan (formerly statement of special needs) and has named Reading School specifically on the Educational Health Care Plan

iii) Children of members of the UK Armed Forces.

iv) The applicant has a boarding need (please see note below)

v) The permanent home address of the student is within the designated area of the school and the student is from a family in receipt of Income Support and/or entitled to claim free school meals at their current school at the time of the test or is in receipt of the Service Premium. Documentary evidence that the parent is in receipt of the appropriate support payment entitling the child to free school meals/service premium will be required.

vi) The permanent home address of the student is within the designated area of the school and this home address is the address of the parent(s)/carer(s) and the student.

vii) Students whose home address is NOT in the designated area of the school.”

Distance is used as a tie-breaker for these applications.

13. Terms used in these oversubscription criteria are clearly defined in the arrangements. The definition of “a child in care or previously in care” is

that used in paragraph 1.7 of the Code and its footnotes to describe a looked after or previously looked after child.

Consideration of Factors

Consultation

14. The objector said that towards the end of 2014 through monitoring the school's website it became aware that the school was consulting on its admission arrangements for 2016. The objector set up a website to promote debate and organised a petition asking the school to change its arrangements to benefit local communities. The objector alerted the local media and the issues were discussed on television and radio.
15. The objector claimed, supported by a page from a local on-line newspaper, that four days from the end of the consultation period the school made it publicly known that to make any changes to the designated area a full consultation would be required.
16. In its response via the school's solicitor the school said there was no requirement for the school to consult as the only changes proposed were an increase in PAN, prior notification that the school was considering the removal of Year 9 admission in 2017 and some changes to wording to comply with the revised Code which came into effect in December 2014. The policy was published on the school's website from 19 November 2014 to 28 February 2015 and it was distributed to other schools and admissions authorities by the LA as part of the support the LA provides to the school. The school also wrote to 260 primary schools in February 2015 to raise awareness of changes to the testing timetable.
17. The LA has confirmed that on the school's behalf it circulated a link to the proposed policy to all establishments in the borough and to admission authorities outside the borough which were within the relevant area. The LA also informed me that as part of the consultation they ask schools to include information about consultation in newsletters to parents. The LA has an admissions forum which discussed the arrangements at their meeting in January 2015 and it is of the view that the school followed the requirements of the Code with regard to consultation.
18. Paragraph 1.43 of the Code requires that consultation on admission arrangements for 2016 "**must be for a minimum of 8 weeks and must be completed before 1 March 2015.**" The school has met this requirement.
19. The subsequent paragraph in the Code sets out who **must** be consulted.

"a) *parents of children between the ages of two and eighteen;*

b) other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions;
c) all other admission authorities within the relevant area (except that primary schools need not consult secondary schools);
d) whichever of the governing body and the local authority who are not the admission authority;
e) any adjoining neighbouring local authorities where the admission authority is the local authority; and
f) in the case of schools designated with a religious character, the body or person representing the religion or religious denomination.”

20. An academy is entitled to employ the LA, another organisation or person to undertake consultation on its behalf. The academy remains responsible for ensuring their agent does consult as required by the Code. The objector has questioned the evidence of consultation with parents of children aged between two and eighteen or with other admission authorities in the relevant area. I accept the word of the LA that they did send the proposed arrangements to all admission authorities in the relevant area. Consultation with parents other than those with children at the school is more difficult and relies on other bodies disseminating the information. I do not doubt that the LA did send the proposed policy to schools in the borough and asked them to inform parents about the consultation.
21. It could be argued that the school should have been more proactive in November 2014 and issued a press release at the start of the consultation, but it is not required to do so. I am satisfied that the school took reasonable steps to consult with parents through third parties, but it does not appear to have checked that these were followed through. The campaign organised by the objector produced a petition containing 611 signatures, and led to coverage in the local media. I am certain that the consultees listed in the Code would have been aware of the consultation and the issues even if it was not through the school's sole efforts.
22. Paragraph 1.45 of the Code says *“For the duration of the consultation period, the admission authority must publish a copy of their full proposed admission arrangements (including the proposed PAN) on their website together with details of the person within the admission authority to whom comments may be sent and the areas on which comments are not sought”*. The objector provided me with a copy of the school's webpage used for the consultation. This invites comments on the proposed changes, but does not make it clear what they were or say that comments were not sought on other aspects of the arrangements. It was therefore legitimate for the objector to comment on the designated area and to expect the school to take views on the catchment area into consideration when determining the arrangements.
23. Minutes of the meeting at which the school's governors discussed the consultation responses show that views expressed about the catchment area were discussed. One minute says *“most responses*

(including the petition) had been concerned with the school's designated area". The minutes go on to note a recommendation not to change the current designated area *"other than considering areas where students had access to alternative grammar schools."* A request for a report on this and options to *"extend opportunities for disadvantaged pupils"* was recorded in the minutes.

24. The school has clearly noted there is some dissatisfaction with the designated area and has responded as far as it can at this time. The school would not be justified in changing the designated area on the basis of this consultation. For every child who would gain priority in the oversubscription criteria through a change in the designated area, another would lose priority. Therefore before bringing forward proposals to change its designated area, the school would need to model the impact of various options and decide on one or more preferred options for consultation. This would be the full consultation referred to by the school and would require considerable preparation and planning if the school decided to go ahead with it. This could not have been completed in the timescale for 2016. The school may choose to do this in future; however there is no requirement on the school to consult on its admission arrangements more than once in seven years.
25. In my view the school was not required to consult on the changes being made for 2016 as they were an increase in the PAN and changes in wording covered by paragraph 3.6 of the Code. The school however chose to consult and took reasonable steps to consult as required by the Code. It might be criticised for not being precise about what it was consulting on and over reliance on third parties disseminating information to parents effectively. The school may wish to reflect on this next time it undertakes consultation. However there is evidence of widespread discussion about the school's admissions policy in the media which would have led to all required consultees being aware of the issues and able to submit comments on them. I am satisfied that the school did take into account comments received during consultation before determining the arrangements. I do not uphold this part of the objection.

Standardisation of test results

26. The objector asked me to consider *"Whether the schools' use of 'standardisation' without reference to any fixed level of achievement which has masked a gradual long term increase in the level of attainment needed to secure a place is contrary to section 14 of the code."* The objector quoted an article from the National Foundation for Educational Research (NFER) on standardisation of tests. This article explained how standardisation can be used to either place test takers' scores on a readily understandable scale or so that an allowance can be made for the different ages of the pupils.

27. The objector argued that in the 1990s the majority of the children at the school came from Reading and about a quarter of children in the town reached the standard suitable for a grammar school. Based on 2011 census data they claim that less than 4 per cent of local children are now admitted to the school.
28. The argument presented by the objector is that by only comparing applicants against each other and not against the population as a whole this has masked an increase in the standard which is regarded as suitable for a grammar school. The objector considers the method of calculating standardised scores to be *“highly unorthodox”* and developed an argument that tests are *“inherently inaccurate”*, and that giving results to two decimal places was an inappropriate level of precision. The objector suggested that confidence intervals should be quoted for the results so that *“the shortcomings of 11+ testing are made clear to the public.”*
29. The objector’s concern is with the methodology by which the mark reflecting the standard is set and the possibility that the standard has been changing over time without parents being aware.
30. The school uses tests supplied and marked by the Centre for Education and Monitoring (CEM). These tests cover verbal and non-verbal reasoning and numeric ability. In its response to the objection the school said it could not see how the standardisation of the scores undertaken by CEM in anyway affects the qualifying standard.
31. The school stated by the time parents express a preference for school places they already know the results of the test and understand that reaching the qualifying score is not enough to secure admission as the applicants are ranked by score.
32. Paragraph 14 of the Code which the objector cites for this part of the objection says *“In drawing up their admission arrangements, admission authorities **must** ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.”* In addition paragraph 1.31 of the Code says that *“Tests for all forms of selection **must** be clear, objective, and give an accurate reflection of the child’s ability or aptitude, irrespective of sex, race, or disability. It is for the admission authority to decide the content of the test providing that the test is a true test of ability.”*
33. I am satisfied that by contracting with a test supplier with a long history of assessing children for various purposes the school has met the requirements of paragraph 1.31.
34. The second part of paragraph 14 in the Code says parents should be able to easily understand how places at the school will be allocated.

The arrangements say the school sets a standard and boys who meet that standard are allocated places on the basis of the published oversubscription criteria. I find this easy to understand.

35. The Code would allow the school to select its entire intake on the basis of the test result alone, offering places to those who scored highest wherever they live or whatever their personal circumstances. The school has however chosen to give priority for places on the basis of other factors such as address. When a school chooses to use other factors, paragraph 1.20 of the Code requires it to give priority to looked after and previously looked after children who meet a pre-set standard. In these arrangements a test score is used to identify boys of grammar school ability that are looked after, were previously looked after or who come from low-income families or qualify for the service premium. After these children have been offered places, the majority of the places are allocated on the basis of the test score to boys living in the designated area. The mark required for most boys to be admitted to the test will therefore be different each year as each group of boys will be different and they will take different tests. If the standard is rising for most boys it is due to the level of competition for places and not as a result of changes made by the school. I do not uphold this part of the objection.

Map of the catchment area

36. The objector asked to me consider whether the school's failure to provide a map of the designated area prevented a clear picture of the extent of the catchment area and was contrary to paragraph 14 of the Code.
37. I looked at the school's website on 3 July 2015 and was able to find a map of the designated area in the admissions pages. The objector said this is a recent addition to the website. The school also provided me with a copy of a document entitled "Admission Guidelines" which gives more details about the test arrangements and includes a map of the designated area. While a map is helpful, the Code does not require one and the definition of the designated area in terms of postcode meets the requirements of paragraph 1.4 of the Code for catchment areas to be "clearly defined". I do not uphold this part of the objection.

Selection from a wide geographic area

38. There are two parts of the objection relating to the wide geographic area served by the school. The first is "*Whether the schools' method of selecting from a very wide geographic region and ranking applicants only on the score, when there are many socially deprived areas near to the schools, is contrary to section 1.8 of the admission code in that it disadvantages local applicants who have reached the necessary standard.*" The objector quotes the proportion of children at the school in receipt of free school meals as 0.6 per cent compared with 20.6 percent for Reading as a whole.

39. I have checked these figures with the data shown on the Department for Education performance tables. These confirm the value for the school, but the figure for the LA is 18.2 per cent. The neighbouring authorities of Bracknell Forest, West Berkshire and Wokingham have figures of 7.5 per cent, 7.7 per cent and 5.9 per cent respectively. The school clearly takes a low proportion of boys from deprived families.
40. The objector has said that by offering places to families who live up to 25 kilometres away it will only be affluent families that can afford the travel costs to the school and these families will take places which otherwise might be available to local boys.
41. In its response the school said that there is no requirement on a grammar school to use a catchment area and it could simply take the most able children no matter where they live. Such schools can leave places empty if there are insufficient applicants meeting the required academic standard. The school pointed out that it has chosen to give priority in its oversubscription criteria to local children with social or economic disadvantage who meet the academic standard.
42. From the data on free school meals for each of the local authorities quoted above most boys who might have such disadvantages and benefit from the school's policy would live in Reading.
43. Paragraph 1.8 of the Code says "*Admission authorities **must** ensure that their arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs*". Through the criteria giving priority to boys on low income living within the designated area, the school has taken a step to increase the chances of an able boy from a low income family being offered a place at the school. I do not uphold this part of the objection.
44. The final part of the objection is that the size of the designated area is incompatible with the requirement in the school's funding agreement to be at the heart of the community.
45. The school's funding agreement says "*the school will be at the heart of its community, promoting community cohesion and sharing facilities with other schools and the wider community*". It also says "*the school provides education for pupils who are wholly or mainly drawn from the area in which the school is situated*", this is a requirement of Section 1(6) of the Academies Act 2010. Paragraph 1.8 of the Code requires oversubscription criteria to comply with all relevant legislation.
46. The school listed several ways in which it works with the local community including working with able primary school pupils, working with primary schools in areas of deprivation, partnership with a secondary school requiring improvement, links with the university and local businesses. The school also said that out of 830 day students,

676 live within the Reading and Wokingham postcodes.

47. The objector said that Reading postcodes could include places as far away as Basingstoke and parts of Wiltshire. I have confirmed this to be the case. I have however looked at data provided by the LA on the pattern of admissions in 2015. There were 238 applications with 53 (22 per cent) of these from Reading residents. Of these applications 42 did not meet the required academic standard and 47 were offered a place at a school which was a higher preference, leaving 149 applicants for the 112 places. Thirty one of the places offered were to boys living in Reading and 37 to boys living in the borough of Wokingham.
48. The boundary between the boroughs of Reading and Wokingham is less than one kilometre from the school and the residential areas of Woodley and Earley, although in the borough of Wokingham are immediately adjacent to Reading and within four kilometres of the school. Aerial photographs and maps indicate that Woodley and Early together form the largest area of housing in Wokingham Borough. The town of Wokingham itself is the next nearest significant area of housing to the school after Reading.
49. Therefore over 60 per cent of the places were allocated to boys who in my view are mainly drawn from the area in which the school is situated. This complies with the Academies Act in that boys are mainly drawn from the area in which the school is situated and consequently with paragraph 1.8 of the Code. I do not uphold this part of the objection.

Other matters

Admission of boys with EHCP naming the school

50. Paragraph 1.6 of the Code says "*All children whose statement of special educational needs (SEN) or Education, Health and Care (EHC) plan names the school must be admitted.*" The school includes an oversubscription criterion for such children. Children with an EHC plan or statement of SEN naming the school **must** be admitted, oversubscription criteria do not apply to them.
51. The school has accepted that this oversubscription criterion should be deleted and the arrangements should explain the position of children with EHC plans or statements of SEN elsewhere in the arrangements.

Families in receipt of income support or entitled to claim free school meals

52. The third oversubscription criterion for day boys is "*The permanent home address of the student is within the designated area of the school and the student is from a family in receipt of Income Support and/or entitled to claim free school meals at their current school at the time of the test or is in receipt of the Service Premium.*" A similar criterion is used for Year 9 and Year 12. Paragraph 1.9f of the Code says that admission authorities must not "*give priority to children according to the*

occupational, marital, financial or educational status of parents applying. The exceptions to this are children of staff at the school and those eligible for the early years pupil premium, the pupil premium and the service premium who may be prioritised in the arrangements in accordance with paragraphs 1.39-1.39B”.

53. Pupils’ eligibility for the pupil premium are those looked after by a local authority, who have left local authority care through adoption, a Special Guardianship, Residence or Child Arrangements Order or registered for free school meals at any time in the last six years. This is not the same as being “*from a family in receipt of Income Support and/or entitled to claim free school meals at their current school at the time of the test*”.
54. The school has said that the intention of the criterion was to provide for children eligible for the pupil premium and has undertaken to change the wording to comply with the Code and to inform parents of the change.

Oversubscription criteria for boarding in Year 7

55. The oversubscription criteria for Year 7 boarders are:
- i. Children in care or previously in care.
 - ii. Children with an EHC plan.
 - iii. Children of members of the UK armed forces.
 - iv. Applicants with a boarding need.
56. I have referred to why the second of these criteria does not comply with the Code above and the school has agreed to address this issue in these boarding arrangements as well as for day boys. My first concern was that these criteria did not allow for boys who were not and never had been looked after, who did not have a parent in the UK Armed Forces and did not have a boarding need.
57. In response to my enquiry about these criteria, the school said it complied with paragraph 1.41 of the Code “*Boarding schools **must** give priority in their oversubscription criteria in the following order:*
- a) *looked after children and previously looked after children;*
 - b) *children of members of the UK Armed Forces who qualify for Ministry of Defence financial assistance with the cost of boarding school fees;*
 - c) *children with a ‘boarding need’, making it clear what they mean by this.*
- and it would add a criterion to allow for other boarding applicants.
58. The requirement in the Code for priority to be given to children of members of the UK Armed Forces is more specific than the criterion used by the school. It is only for those “*who qualify for Ministry of Defence financial assistance with the cost of boarding school fees.*” As it stands this criterion does not comply with paragraph 1.9f of the Code quoted above. However, if the school’s intention is to give priority to all

children of members of the UK Armed Forces, the permission in paragraph 1.39A to give priority to children eligible for the service premium would allow it to do so as it does elsewhere in the arrangements. The school has said it wishes to comply with paragraph 1.39A and therefore should change the wording of this criterion to do so.

Oversubscription criteria in Years 9 and 12

59. Paragraph 1.8 of the Code requires that oversubscription criteria are clear and that “*Admission arrangements **must** include an effective, clear and fair tie-breaker to decide between two applications that cannot otherwise be separated.*”
60. The school uses the same oversubscription criteria for boarding and day places for Year 9 and Year 12. These are quoted above. The second criterion refers to EHCPs. I have addressed this issue before in this determination; this criterion should be removed from the arrangements.
61. The third criterion is “*Children of members of UK Armed Forces*”. I have discussed this criterion before in the context of Year 7 boarding places. By combining the oversubscription criteria for day and boarding places together, the issue becomes more complex. While for boarding places, with the rider “*who qualify for Ministry of Defence financial assistance with the cost of boarding school fees*”, this criterion is required by paragraph 1.41 the Code, this criterion would be prohibited by paragraph 1.9f of the Code for day places even if it had the rider. All boys whose parents are members of the UK Armed Forces could be given priority for both day and boarding places through the permission to give priority to children eligible for the service premium in paragraph 1.39A of the Code. Indeed the school uses this permission in the fifth criterion.
62. The fourth criterion is for applicants with boarding need and this is also required by paragraph 1.41 for boarding places. To find it among oversubscription criteria which also apply for day places appeared to me to be confusing. The school refuted this as they have never had any concerns or complaints expressed to them on this point. The school said “*The only reason we have two separate policies for day and boarding in Year 7, is because there is a set number of boarding places for entry in Year 7 and we have to treat them as two different points of access. We need to have both included in the same oversubscription criteria as we would use this as part of our ranking. For example, if there are 80 applications and 30 pupils achieve the pass mark and the pupil who came 30th was a boarder with a boarding need, then they would be ranked higher than a day pupil who passed and lives within the designated area. Likewise, if a day applicant who is on free school meals achieved lower than a boarding applicant with no boarding need then he would be ranked higher than the boarder. The policy reflects the current practice better if the two elements are*

kept in the same place.”

63. This statement is not consistent with the arrangements for Year 9 which say there are eight day student places and four boarding places and that places are only swapped between the two categories if insufficient numbers reach the pass mark in one of them.
64. The Code in paragraph 1.40 does not require a separate PAN for day and boarding places. The arrangements for Year 9 say there are separate PANs and therefore the criteria should be applied to each separately as happens in Year 7. I note that the school is considering abolishing Year 9 admission but the arrangements should be clear so parents know whether an applicant for day place is competing with an applicant for a boarding place or not. The school's suggestion that criteria which only apply to boarders are labelled as such will be helpful in the future.
65. The arrangements for Year 7 are clear that if two applicants cannot be separated then home to school distance and then random allocation will be used as the tie-breaker; this complies with paragraph 1.8 of the Code. For Years 9 and 12, the tie-breaker only uses distance; it would not be possible to differentiate between two boys living the same distance from the school as this does not comply with the Code.

Conclusion

66. For the reasons set out above I do not uphold this objection. There are however a number of other ways in which the arrangements do not comply with requirements.

Determination

67. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I do not uphold the objection to the admission arrangements determined by the academy trust for Reading School, Reading.
68. I have also considered the arrangements in accordance with section 88I(5). I determine that they do not conform with the requirements relating to admission arrangements.
69. 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 within two months.

Dated: 11 September 2015

Signed:

Schools Adjudicator: Phil Whiffing