



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: ADA2851

Objector: A parent

Admission Authority: The governing body of the academy trust for
Watford Grammar School for Girls,
Hertfordshire

Date of decision: 5 August 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 Watford Grammar School for Girls, Hertfordshire for September 2016.

I have also considered the arrangements in accordance with section 88I(5). I determine that some other aspects of the arrangements 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 by 31 October 2016.

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 a parent, the objector, about the admission arrangements (the arrangements) for September 2016 for Watford Grammar School for Girls (the school), a partially selective academy school for girls aged 11 to 18. The objection is to the priority given in the oversubscription criteria to girls who have a brother attending Watford Grammar School for Boys.

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 25 March 2015. The objector asked to remain anonymous, but provided both name

and address to the adjudicator as required by regulation 24 of the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 (the Regulations).

3. The school was subject to a determination by the Office of the Schools Adjudicator in July 2014. Regulation 22 says that an objection cannot be referred to the adjudicator raising the same or substantially the same matters within two years of a decision by the adjudicator. The 2014 objection was on the omission of foster siblings in the definition of sibling used by the school. In that adjudication there was reference to the priority given to siblings of pupils at Watford Grammar School for Boys, but the fairness of this priority had not been challenged and the adjudicator did not consider the impact of the rule. I consider this objection is not prohibited as it is not the same or substantially the same as the objection lodged in 2014.
4. 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. I have also used my power under section 88I(5) of the Act to consider the arrangements as a whole.

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 objector's email and form of objection dated 25 March 2015;
 - b. the school's response to the objection and supporting documents of 27 April 2015, and subsequent letters and emails ;
 - c. Hertfordshire County Council's, the local authority (the LA) response to the objection of 28 April, and information provided by the LA in response to my enquiries;
 - d. the LA's composite prospectus for parents seeking admission to schools in the area in September 2015;
 - e. maps of the area identifying relevant schools;
 - f. confirmation of when consultation on the arrangements last took place;
 - g. copies of the minutes of the meeting at which the governing body of the school determined the arrangements;
 - h. a copy of the determined arrangements; and
 - i. a message to parents about this adjudication from the headteacher and subsequent emails and letters received at the Office of the Schools Adjudicator from parents and others.
7. I have also taken account of information received during a meeting I convened on 4 June 2015 at the school attended by representatives of the school and local authority.

The Objection

8. The objection is to the priority in the school's oversubscription criteria given to girls who have a brother at Watford Grammar School for Boys. This is known locally as the 'cross-sibling rule'.
9. The objector said that the 'cross-sibling rule' led to girls who lived near the school being unable to obtain places and needing to travel to schools further away. This appeared unfair to the objector and paragraph 14 of the Code requires admission arrangements to be fair.

Other Matters

10. Paragraph 15d of the Code says "*a parent can apply for a place for their child at any state-funded school in any area.*" It was not clear to me how a parent who did not live in what the school calls the 'Admission Area' would be considered for a place. Paragraph 14 of the Code requires admission arrangements to be clear and says parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated. I considered there was some ambiguity in the description of how the oversubscription criteria applied to each part of the 'Admissions Area'.
11. Paragraph 2.4 of the Code sets out requirements for any supplementary information form (SIF) used by the school. I considered the school's SIF included a question which might not comply with those requirements because it asked for the address of both parents if they lived separately.
12. The admission arrangements for sixth forms are required to comply with the Code. It appeared to me that one of the oversubscription criteria for Year 12 concerning the use of GCSE points to rank applicants might contravene paragraphs 2.6 and 1.9d of the Code.

Background

13. The school is a partially selective academy school for girls. It has a published admission number (PAN) of 180, of which 45 places are allocated on the basis of academic ability and 18 on the basis of musical aptitude. Places offered on the basis of academic ability and musical aptitude are called 'specialist places' and the remaining places are called 'community places'.
14. The school is oversubscribed and uses an 'admission area' and eight oversubscription criteria to determine priority for places. The admissions area is defined by postcode and is split into two parts, the 'Watford Area' and the 'Rest of the Admission Area' when allocating the specialist places. The school allocates 38 of the specialist places to applicants living in the 'Watford Area' and 25 to applicants living in the 'Rest of the Admission Area'.

15. The school was unable to provide me with a map showing the 'Admissions Area' so I constructed one myself and asked the school to inform me if it was not accurate. In the absence of any comment from the school I will assume it is accurate. The 'Watford Area' is approximately nine kilometres from east to west from Croxley Green to Bushey Heath and about 11 kilometres from north to south from junction 21 of the M25 to South Oxhey. The school is close to the centre of the area. The 'Rest' consists of two parts, one wrapping around to the north and west, the other to the south and east. This extends the area to about 17km from east to west and 15 from north to south. The 'Rest of the Area' is larger than the 'Watford Area'.
16. Applicants are asked to indicate under which criterion or criteria they are applying and are recommended to apply for both a community and specialist place unless they are applying under criteria 1, 3 or 4 in the list of oversubscription criteria quoted below.

"Community Places

1. *Children Looked After and children who were looked after, but ceased to be so because they were adopted (or became subject to a child arrangements order or a special guardianship order).*
2. *Applicants whose permanent home address is nearest to the school and who would not be allocated a place under any other criterion (18 places, 10% of the total admissions).*
3. *Applicants who are children of a parent who is a permanent member of the school staff.*
4. *Applicants with a sister enrolled at the school, excluding sisters who first entered the school in the Sixth Form (Year 12 or Year 13).*
5. *Applicants with a brother enrolled at Watford Grammar School for Boys, excluding brothers who first entered the school in the Sixth Form (Year 12 or Year 13).*
6. *Places will then be allocated to applicants living closest to the school.*

Specialist Places

7. *Applicants selected on the basis of aptitude for music as measured on the school's assessment procedures (18 places, 10% of total admissions).*
8. *Applicants selected by academic ability as measured by the school's assessment procedures, in merit order (45 places, 25% of total admissions)"*

17. If an applicant could be offered a place under more than one of the criteria, they will be offered a place under the lowest numbered criterion.
18. These criteria are followed by six pages of notes, definitions and information on the tests, appeals, special educational needs (SEN), advice and data about the allocations made in the previous year.

19. The number of places offered against each criterion in the last four years is shown in the following table. The cross-sibling rule and the priority for children of members of staff were introduced in 2013. From this table it appears that between 32 and 34 girls have been admitted under the cross-sibling criterion each year since its introduction.

	2012		2013		2014		2015	
Total applications	754		821		886		828	
First preferences	418		398		398		410	
SEN	0		0		1		0	
1. Previously/ Looked After Children	2		2		2		5	
2. Proximity	18		18		18		18	
3. Children of Staff	n/a		1		1		0	
4. Sibling	36		38		38		60	
5. Cross-sibling	n/a		32		32		34	
6. Distance	61		26		41		0	
Specialist Places	Watford	Rest	Watford	Rest	Watford	Rest	Watford	Rest
7. Music	11	7	11	7	11	7	11	7
8. Ability	27	18	27	18	27	18	27	18
Total	180		180		180		180	

Consideration of Factors

20. The objector said that it made sense to give siblings priority for admission if they were travelling to the same or adjacent sites and stated that, apart from the two grammar schools, no other schools in the area gave priority to siblings of children at another school. The objector said the cross-sibling rule had made it less likely that girls from the local community would be allocated a place at the school and they would have to travel a long distance to another school.

21. Paragraph 1.12 of the Code says “*Some schools give priority to siblings of pupils attending another state funded school with which they have close links (for example, schools on the same site, or close links between two single sex schools). Where this is the case, this priority must be set out clearly in the arrangements.*”

22. The school argued that proximity is not essential; it is the close links which are required. It then said that the other schools in the area do not use a cross-sibling rule because they are mixed schools.

23. The school goes on to say that most of the pupils at the school are local and objectors have not considered relevant facts, specifically:

“i) 60% of the places under selective criteria (38) go to children from the Watford Area, as do virtually all the non-selective places, apart from a small number of those for same sex siblings whose families might have moved further away.

ii) Only 25 of the 180 girls admitted each September to Year 7 live in the outer area; 155 each year live in the Watford Area, as defined by the postcodes in the arrangements.

iii) This number (25) is 40% of the selective places, which are in effect the only places available to families that do not live so locally (save for sibling places).

iv) This dispensation does not apply to cross-siblings.

v) 18 places (10%) are reserved for children who live close to the school and who would not have achieved a place under any other criterion.

24. The school continued to say *“The objector comments on the ‘local flats’. The number of these dwellings has increased considerably in recent years to the extent that it is highly unlikely that elevating the importance of distance as a criterion would have the effect that the objector apparently desires.”*

25. I asked the school to provide me with data on the distance from the school that successful applicants lived in the two years before and after the cross-sibling priority was introduced. I have organised the data into the table below. This table shows that before the cross-sibling rule was introduced in 2013 a greater proportion of girls admitted to the school lived less than one kilometre from the school than afterwards.

	2011	2012	2013	2014
Less than 1km	81	93	65	49
Between 1km and 2km	27	21	26	38
Between 2km and 3km	18	9	18	25
Between 3km and 4km	20	18	19	11
Between 4km and 5km	10	13	14	13
Between 5km and 6km	6	9	13	11
Between 6km and 7km	9	7	9	17
Between 7km and 8km	6	8	7	11
Between 8km and 9km	2	2	6	4
Between 9km and 10km	0	0	2	1
More than 10km	1	0	1	0

26. I also noted from the data provided by the school how far the last girl to be admitted on the grounds of distance, rather than one of the other criteria, lived from the school in each of the last five years. A clear change can be seen from 2013 onwards. Unless a girl has a sibling at either grammar school, or is able to reach the standard required for a selective place she would need to live as close 250m of the school to have a chance of a place.

2011	2012	2013	2014	2015
1083.14m	997.02m	478.26m	250.44m	246.59m

27. At the meeting I asked the school and LA if they knew of any other factor that might have led to a reduction in the number of girls coming from within a kilometre of the school. It was suggested that there may be a dip in the number of children who lived close to the school. I asked the LA to provide data about the number of children it knew to be living within one kilometre of the school that had applied for Year 7 school places in recent years. This data did not show any decrease in the number of children in those age groups. In the table below I have compared the number of children, boys and girls, living within one kilometre of the school with the number of places offered to girls who live in that area. While the number of children living in the area has been increasing, the number of girls from it who are offered places at the school has been decreasing. The figures indicate that before the cross-sibling rule was introduced almost every girl living within one kilometre of the school would have been offered a place, since its introduction that has not been the case.

Year	2011	2012	2013	2014
Applicants from with 1km of school (Boys and girls)	193	195	178	243
Number of girls receiving places at the school	81	93	65	49

28. One other change to the oversubscription criteria was introduced in 2013, namely the priority for children of members of staff. No more than one girl has been admitted in any year under that criterion since it was introduced and over 30 have been admitted each year under the cross-sibling rule. From the data it therefore seems to me that the objector is correct in saying the cross-sibling rule has made it less likely that girls living close to the school will be offered places there.

29. At the meeting I explained to the school what my analysis of the data seemed to be showing and offered the school the opportunity to challenge my findings. I explained to the school that while paragraph 1.12 of the Code does allow the cross-sibling rule, the arrangements as a whole must be fair as required by paragraph 14 of the Code *“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.”* Individual oversubscription criteria may be allowed by the Code, but the effect of them in the context of the school may be unfair overall. I said that I would be weighing the benefit the links between the schools gave to the cross-siblings against the impact on girls who could no longer access their most local school and referred to Section 1(6) of the Academies Act 2010 which sets the characteristics of the school and which appear in its funding agreement where it says *“the school provides education for pupils who are wholly or mainly drawn from the area in which the school is situated.”* I gave the school opportunity to respond on these points and at its request extended the time I initially allowed for this response.

30. The school took legal advice before responding adding to the points it made in its initial response noted above. They made two main submissions.

1. The different parts of the arrangements are sufficiently fair in balancing the competing interests of the community; and
2. the “cross-sibling” criterion does not cause a disproportionate number of very local pupils to lose the opportunity of a place and leave them with an unacceptable travelling distance to an alternative school.

31. In arguing the first of these points the school says “*The principle of fairness is not, and cannot be absolute as regards setting admission arrangements. Inevitably some applicants will lose out at the expense of others through oversubscription.*” They continue to say “*The requirement therefore is for admission authorities to ensure sufficient fairness in using the types of oversubscription criteria permitted by the Code in a school’s particular context. Whilst there may be an intuitive desire to prioritise the access of students living very close to the School, in fact the Admissions Code does not set a requirement to reserve a certain proportion of places for local pupils or to use any form of catchment area.*” This is true, however for an academy there is also the requirement of Section 1(6) of the Academies Act 2010 to consider.

32. The school’s response continues to argue what ‘local’ means, they say it is not just the pupils who live close to the school, but “*all pupils within the usual expected independent travel distance to the school of three miles diameter.*” Strictly speaking the three mile (4.83km) distance is a walking route and so will not produce a three mile diameter circle around the school, I have however looked at the number of girls who gained admission to the school from within this radius in the two years before and after the introduction of the cross-sibling rule. This also shows that fewer girls living within this radius of the school have been offered places since the introduction of the criterion. However this still represents a majority. And the numerical decrease is less than the number of girls being offered places through the cross-sibling criterion.

2011	2012	2013	2014
155 (86%)	150 (83%)	142 (79%)	134 (74%)

33. The school’s submission goes on to say “*given that this type of criterion [the cross-sibling criterion] has been deliberately allowed in the Code, it cannot be lawfully and rationally struck out of admission arrangements unless it has a manifestly unfair and disproportionate effect on access to the school by local pupils and only when those pupils do not have access to another school within reasonable distance.*” I will be considering that point below and in addition I will consider the advantages this rule brings to those who benefit from it, how those who benefit from it would be affected if it was not there and balance these against the issues not attending their closest school create for other girls.

34. The school has asked me to consider two contextual issues, the first is that among the partially selective schools in the area there are only two single sex schools, this school and Watford Grammar School for Boys. In the other schools, cross-siblings will be admitted under the ordinary sibling rule. I have been asked to note *“the immensely strong links between our two schools and for practical purposes our local community regards those two schools as one entity serving Watford.”*
35. I had been provided with a list of links between the two grammar schools. This list set out the historic links which have been in place since 1704 through the joint foundation. I clarified the role of the joint foundation which owns the land and oversees the ethos of both schools at the meeting. The schools have separate academy trusts although the foundation is represented on both and each headteacher sits on the trust of the other school as well as that of their own school. There are a number of joint governing panels including the admissions committee and the schools collaborate on staff training. I was particularly interested to note any links that benefited the daily educational experience of girls. The list included joint extra-curricular activities such as an orchestra and skiing trips, and joint teaching of some A level courses.
36. On my visit to the school I explored its immediate surrounding area on foot and noted it took over 20 minutes to walk between the two schools. I asked the school what the extent of the curricular links between the schools was. Currently there are six A level subjects where students travel between the two sites. In all 25 boys and 19 girls make the journey between the sites by foot, taxi or school minibus. The school anticipates this number will grow driven by financial constraints. No girls in Years 7 to 11 have lessons at the boys’ school and no boys attend lessons at the girls’ school although some girls use CAD/CAM equipment at the boys’ school outside of school hours to enhance their work in Product Design.
37. The second contextual issue I have been asked to consider by the school is that it selects 35 per cent of its students by ability and aptitude and this will inevitably broaden the width of a school’s catchment. Selection, the school says, *“should be weighted as an equal factor with local access.”* In this case where the school reserves places for applicants from farther away, the ‘Rest of the Admission Area’, who meet the selection standard this will broaden the catchment area. However, the proportion of girls selected on the basis of ability or aptitude is fixed so I would not expect that on its own it would lead to changes in the geographic distribution of girls attending the school.
38. I will now turn to the school’s second submission that the “cross-sibling” criterion does not cause a disproportionate number of very local pupils to lose the opportunity of a place and leave them with an unacceptable travelling distance to an alternative school. In support of this submission the school provided the data for the 2015 admissions group and that for the 2014 group which shows that over half of the 2015 intake lives within 2km of the school, slightly more than in 2014.

	Below 1km	Between 1km and 2km	Over 2km	Total
2015	55	37	88	180
2014	49	38	93	180

39. The school compares this with the data from the LA which identified 51 applicants living within one kilometre of the school who were not allocated places in 2015. While the school's claim that more than half of the girls living within one kilometre of the school were offered a place is correct, data set out above shows that before the introduction of the cross-sibling rule almost all girls living within the one kilometre radius of the school would have been offered places and about half of the girls at the school would have lived less than one kilometre of the school.
40. Further data was provided by the school about the distance the 34 students admitted under the cross-sibling criterion in 2014 live from the school. The school says these figures "*demonstrate that in fact the majority of these students are in fact local to the School.*" The school continues to say "*all but 25 of the 180 students admitted to the school come from within the 'Watford' area which on any reckoning is 'local' to the School*".

Less than 1km	Between 1km and 2km	More than 2km
7	15	12

41. The term local will depend on one's perspective; someone living a few hundred metres from the school will consider themselves more local than someone living five kilometres away who in turn is more local than someone living ten kilometres away. The data presented by the school does not change my conclusion that the introduction of the cross-sibling rule has altered the distribution of girls attending the school. While the effect is most noticeable on those living within one kilometre of the school, even using the school's interpretation of local there has been a reduction in the proportion of girls living within three miles of the school being offered places.
42. The school has said, to show unfairness it is necessary to show that the girls displaced by the sibling-rule are unable to obtain places at another local school, in their view one less than three miles from home. Quoting data from the LA they identify just three girls for whom this was the case in 2015. The same data shows there were five in 2014. This, the school asserts, means the cross-sibling rule is not unfair to this group of girls.
43. The data from the LA could be looked at in another way, in 2015 six of the girls were placed at a school within a comparable distance of their home, that is less than one kilometre, the others all had longer journeys of up to six kilometres. In 2014 only one girl was placed at a school less than a kilometre from their home. Whatever distance these girls need to travel, for almost all of them it is farther than it would have been if they had

attended the school and this would appear unfair to them. What I must consider is whether the benefits that accrue to those admitted under the cross-sibling rule outweigh the disadvantage of additional travel to those who would have been admitted if the rule was not in place.

44. I have considered very carefully how the links between the two grammar schools benefit girls who have siblings at the other school. The historical and governance links may help provide long term stability for the school while collaboration on training and curriculum will share expertise to the benefit of all children in both schools as will the extra-curricular activities. The number of students taught on both sites is small and limited to six A level courses, these arrangements appear to be driven by financial considerations rather than pedagogic reasons. None of these links appear to me to enhance the education of a cross-sibling any more than they would a girl without a brother at the other school. The only advantage I can think of is if liaison between the two schools allowed co-ordination of parent consultation evenings or other events which could clash if siblings are at different schools.
45. So what would the disadvantage be to a girl who was a cross-sibling if the rule was not in place? If they lived close to the school, then they would have a chance of being offered a place on distance, if they were an able child or had an aptitude for music they could compete for a specialist place. They would be on an equal footing with all other girls in the area. If unsuccessful in being offered a place some may have longer journeys to alternative schools, but others may have a shorter journey if they come from farther away as they may live near alternative schools. For example in 2014 eight of the cross-siblings admitted to the school lived more than three miles away from it and would probably have closer schools to their homes. The journeys for such children could be shorter than or similar in length to the journey to this school. They would be no more disadvantaged by attending other schools than other girls.
46. In response to a communication from the headteacher informing parents about the adjudication and its focus on the cross-sibling rule, a total of 51 parents wrote to the Office of the Schools Adjudicator expressing their views. Some parents wrote on more than one occasion. I have read the emails and letters and noted the strength of feeling some parents have on this matter.
47. Among the arguments from parents in favour of the cross-sibling criterion was that it allowed brothers and sisters to have education with the same ethos within a single sex environment. This argument was sometimes reinforced on the grounds of religious belief. Another benefit referred to in the emails and letters was the co-ordination of parents' evenings, concerts and holidays between the two schools which allows full family participation in such events.

48. Many of the emails expressed concern that children from outside Watford were getting places at the school. They considered the cross-sibling criterion gave some degree of priority to local people. Others said the system was being abused by wealthy parents renting accommodation near the school and that the cross-sibling criterion gave existing residents a better chance of being offered a place at the school. The data I have considered above however shows that the cross-sibling criterion has resulted in more children from farther away being offered places while the perceived advantages to girls living near the school will not be there if the child does not have an older sibling who was able to secure a place at the boys' school.
49. A commonly repeated theme in these emails was that once an older brother had secured a place at the boys' school, the chances of a younger sister getting a place at the school were much greater and the family faced less stress during the admissions process equivalent to that of families who children were of the same sex or whose children attended a mixed school and would be given priority under a sibling criterion. It is not surprising that the views of those who benefit from the criterion support its continued inclusion in the admission arrangements.
50. While one of the emails from a parent did support the views of the objector, there is no comparable opportunity for the objector to seek support in the community for their views. The number of people who support or object to admission arrangements is not a factor I can consider. I can only consider whether admission arrangements comply with the Code.
51. I have concluded that since the introduction of the cross-sibling criterion fewer girls living near the school have been offered places at what is their nearest school. However, the school continues to recruit about three quarters of its pupils from within three miles of the school, I consider this meets the requirement on it as an academy to provide "*education for pupils who are wholly or mainly drawn from the area in which the school is situated.*"
52. I have considered the disadvantage to the girls who, if the cross-sibling criterion was not in place might have been offered places under the distance criterion. While the majority of these girls will have longer journeys to alternative schools, with four other schools situated within three miles of the school, few of those girls would have an unreasonable distance to travel.
53. I have considered the advantages to girls who are offered places through the cross-sibling criterion and would not have sufficient priority under another criterion to be offered places. I am not convinced of any significant benefit to those girls from the links between the schools other than the co-ordination of parents' evenings and similar events. The Code however does not require that I am as the Code simply requires the priority to be set out clearly in the arrangements. The implications for this group of girls if the cross-sibling criterion was not in place would be daily journeys to

alternative schools. Considering the location of alternative schools in the area, most of these girls would live within a reasonable distance of one of them.

54. The school is oversubscribed so some girls who apply will not be offered places and will have to travel to alternative schools. The Code permits the school to use the cross-sibling criterion, the Code also requires the arrangements overall to be fair. Some families do consider the cross-sibling criterion leads to unfairness as it lowers their daughter's priority for a place at the school and others consider it is fair as it enhances their daughter's priority. While the criterion does affect the geographic distribution of girls attending the school I am not convinced that the journeys to alternative schools for girls who live close to the school are anymore unreasonable than they would be for girls who would not be offered places if the criterion was not in the arrangements. The Code does not place a requirement on admission authorities to consider whether their arrangements increase the travel to schools in an area or keep travel to a minimum such that pupils do not have to travel past their nearest school to another as other children have acquired a higher priority for admission. I do not uphold the objection.

Other Matters

The 'Admissions Area' and oversubscription criteria

55. Paragraph 15d of the Code says "*a parent can apply for a place for their child at any state-funded school in any area.*" Furthermore paragraph 1.14 says "*Catchment areas must be designed so that they are reasonable and clearly defined. Catchment areas do not prevent parents who live outside the catchment of a particular school from expressing a preference for the school.*" The arrangements say that all specialist places are reserved for girls living in the admission area with 38 places for those living in the Watford Area and 25 for those living in the Rest of the Area. The level of oversubscription makes it unlikely that a girl from outside the admission area would be offered a place, however the arrangements must not prevent a parent applying if they so wish. The arrangements do not say how an applicant who does not live in the 'Admission Area' would be allocated a specialist place if they were not all taken by girls from within the 'Admission Area' and they should do so to comply with these paragraphs of the Code.
56. On the first page of the arrangements it says that following looked after children, priority is given to "*those whose permanent home address lies within the school's Admission Area.*" It then has a section headed "**OVERSUBSCRIPTION WITHIN THE ADMISSION AREA**" in which it says "*For the purpose of applying the community criteria, the Admission Area will be treated as a single area.*" And then describes how the two parts of the area are used to allocate specialist places. On the second page of the

arrangements there is another heading centred on the page "OVERSUBSCRIPTION CRITERIA" under which are listed the six criteria for community places and the two for specialist places quoted above. These do not make any reference to the 'Admissions Area'.

57. It was not clear to me, and therefore may not be clear to parents, if these oversubscription criteria only applied to girls living within the 'Admission Area'. As set out above paragraph 1.14 of the Code catchment areas do not prevent applications being made from people who live outside it. For example it was not clear to me what priority might be given to a girl who lived outside the area and who had a sibling at the school. Paragraph 14 of the Code says "*Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.*"
58. At the meeting the school acknowledged the potential ambiguity and agreed to review the wording to clarify the position of girls who live outside the 'Admissions Area'.

The supplementary information form

59. Paragraph 2.4 of the Code sets out what it is allowed and what is not allowed to be asked on a supplementary information form (SIF). "*In some cases, admission authorities will need to ask for supplementary information forms in order to process applications. If they do so, they must only use supplementary forms that request additional information when it has a direct bearing on decisions about oversubscription criteria or for the purpose of selection by aptitude or ability. They must not ask, or use supplementary forms that ask, for any of the information prohibited by paragraph 1.9 above or for:*

- a) *any personal details about parents and families, such as maiden names, criminal convictions, marital, or financial status (including marriage certificates); ...*"

60. The school's SIF asks "*if parents live separately, please give addresses of both parents*". At the meeting the school acknowledged this part of the SIF did not comply with the above paragraph of the Code.

Sixth Form

61. In a letter to the school of 1 May 2015 I pointed out that Paragraph 2.6 of the Code says that academic entry criteria for internal and external applicants to the sixth form **must** be the same. The arrangements say the total point score for GCSE subjects is an oversubscription criterion for external candidates, this is a different academic entry requirement to that for internal applicants and introduces new selection by ability which is prohibited by paragraph 1.9d of the Code.

62. In response to my letter the school said it would redraft the oversubscription criteria to comply with the Code on this point.

Conclusion

63. For the reasons set out above I do not uphold the objection.
64. I have also noted three ways in which the arrangements do not comply with the Code. The school has already acknowledged these points and has undertaken to address them.
65. Paragraph 3.1 of the Code says "*The admission authority must, where necessary, revise their admission arrangements to give effect to the Adjudicator's decision within two months of the decision (or by 28 February following the decision, whichever is sooner), unless an alternative timescale is specified by the Adjudicator.*" In this case I have taken into account the school summer holiday and decided to set the 31 October 2016 as the date by which these arrangements must be revised to ensure the school has two months to do so.

Determination

66. 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 Watford Grammar School for Girls, Hertfordshire for September 2016.
67. I have also considered the arrangements in accordance with section 88I(5). I determine that some other aspects of the arrangements do not conform with the requirements relating to admission arrangements.
68. 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 by 31 October 2016.

Dated: 5 August 2015

Signed:

Schools Adjudicator: Phil Whiffing