

DETERMINATION

Case reference: ADA/002560

Admission Authority: The Academy Trust for Somers Park School

Date of decision: 3 December 2013

Determination

In accordance with section 88I(5) of the School Standards and Framework Act 1998, I have considered the admission arrangements of Somers Park School for admissions in September 2014. I determine that they do not conform with the requirements of legislation and the School Admissions Code in relation to the matters brought to my attention and other matters as set out in this determination.

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 as quickly as possible.

The referral

1. The admission arrangements (the arrangements) of Somers Park School (the school), an academy school in Malvern, Worcestershire for pupils aged 3 - 11, for September 2014, have been brought to the attention of the Office of the Schools Adjudicator (OSA) in an email enquiry dated 8 August 2013. That enquiry concerned the inclusion in the school's arrangements of an element of priority for children in Reception Year (YR) who had attended the school's nursery or pre-school or both.

Jurisdiction

2. The terms of the funding agreement between the academy trust which is the proprietor of Somers Park School and the Secretary of State for Education require that the admissions policy and arrangements for the school are in accordance with admissions law and the School Admissions Code (the Code) as it applies to maintained schools. These arrangements were determined by the academy trust which is the admission authority for the school.
3. Having reviewed the arrangements, I believed that there may be matters which do not comply with legislation or the Code and I have accordingly used my power under section 88I of the Act to consider the arrangements as a whole.

Procedure

4. In considering the arrangements for admissions in September 2014, I have had regard to all relevant legislation and to the Code.
5. The documents I have considered in reaching my decision include:
 - the enquiry made to the OSA dated 8 August;
 - the funding agreement between the Secretary of State and the school, in particular Annex B to that funding agreement which provides that the admission arrangements for the school are to be in conformity with the requirements on maintained schools;
 - the school's responses of November 2013 to questions raised by the OSA and various documents attached to those responses;
 - a map of the area showing the catchment areas of schools in Malvern and the surrounding district;
 - the common application form (CAF) used by Worcestershire County Council, the local authority (the LA) for admission to its schools in 2014;
 - information provided by the LA on applications and admissions to the school in 2012 and 2013; and
 - information provided by the school on admissions to the school in 2013.
6. I have also taken account of information received during a meeting I convened at the school on 11 November which was attended by the school's principal and its finance and staffing manager and a representative of the LA and of information provided by the school and the LA subsequent to that meeting.

The referral

7. The arrangements came to the attention of the OSA through an enquiry in August 2013 about the school's admission arrangements for YR and, in particular, the giving of priority to children who had attended the school's nursery and pre-school.

Background

8. Somers Park is a 3 – 11 primary academy school. The school has a published admission number (PAN) of 58 for its YR. It also has a nursery which provides 52 part time places. The school became an academy in August 2011. Prior to that the school was a community

school. The school was judged by Ofsted to be outstanding at its last inspection.

9. The principal has told me that the school's nursery class has existed for 19 years. The nursery itself offers only the state-funded provision which is free to parents for 570 hours a year available as 15 hours per week during school terms. Since becoming an academy, the school has established a pre-school. The pre-school caters both for children who have not reached the nursery class age and for children at the nursery whose parents would like more provision than that provided by state funding. The nursery is currently full and there are eight children making use of the pre-school facilities: a mix of children who also attend the nursery and younger children.
10. The school's website has a section devoted to policies and this includes a heading for admissions with a link to a document headed "Admissions Policy 2014 – 2015". That document sets out the oversubscription criteria for the pre-school, nursery and YR and for YR explains the role of the LA in co-ordinating admissions and the role of the independent appeals panel. It does not explain how parents can apply for places at the pre-school and nursery, but does state that applications for the nursery should be submitted by the end of April.
11. There is, however, also information about admissions in the section of the website headed "classes" the drop down menu for which has a section "early years". This includes elements which I consider to be part of the admission arrangements. These are sections which, among other things, set out the process and timetable for applying for places at the nursery and pre-school and a section about admission to YR.
12. The school's oversubscription criteria for YR are :
 - a. Relevant "Looked After" children
 - b. Pupils currently in attendance at Somers Park nursery at the time of application and living in the catchment area
 - c. Pupils with the presence of a sibling at Somers Park School when the child is to be admitted
 - d. Pupils in attendance at Somers Park Nursery at the time of application
 - e. Pupils from the the catchment area
 - f. Pupils who have a parent employed at Somers Park
 - g. Pupils who live nearest to the school by the shortest available walking route.
13. The arrangements also make clear that children with a statement of special educational needs which names the school will be admitted and there is a tiebreaker which provides that where two children tie for the last available place, random allocation will be used to differentiate between them.

14. The oversubscription criteria for the pre-school and nursery are slightly different from those for YR and can be summarised as follows:
- a. Relevant “Looked After” children
 - b. Pupils with the presence of a sibling at Somers Park School when the child is to be admitted
 - c. For the nursery only, pupils accepting a pre-school placement at Somers Park
 - d. Pupils from the catchment area
 - e. Pupils who have a parent employed at Somers Park
 - f. Pupils who live nearest to the school.
15. In addition, the arrangements state that in order to access the pre-school, children must be on the nursery waiting list or already attending Somers Park nursery and that applicants who wish to attend the nursery for five sessions a week will have priority over other applicants.
16. The school’s current arrangements for YR were first adopted for admission to the school in 2013 which was the first year for which the school was responsible for determining its own arrangements. The school has confirmed that the consultation required by the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 was carried out before the new arrangements were determined by the admission authority in January 2012.
17. Prior to the school becoming an academy, its arrangements were determined by the LA as it was then the admission authority. At the meeting, the LA representative explained that Worcestershire County Council set significant store by its system of catchment areas. The oversubscription criteria which apply to community and voluntary controlled schools in Worcestershire and which thus applied to Somers Park until 2012 are as follows:
- a. Looked after children
 - b. Siblings of existing pupils who live in the catchment area
 - c. Children who live in the catchment area
 - d. Children who live outside the catchment area but have a sibling at the school
 - e. Children of staff where that member of staff has been employed for more than two years and/or is recruited to fill a post for which there is a skill shortage
 - f. Children who live closest to the school.
18. The school is popular and consistently admits up to its PAN of 58. Figures provided by the LA show that the school received a total of 104 applications for admission in 2012 and 108 in 2013. The total number of applications to a school is not the whole story as parents are able to

express a preference for three schools. In the case of Somers Park, 64 applications for places in 2012 and 55 in 2013 named the school as first preference.

19. In 2013, 58 children were offered and accepted places at Somers Park as shown in the table below. Of the remaining 50 who had also applied for a place, 45 were offered places at schools which they preferred to Somers Park. This means that five children were refused a place at Somers Park and were not able to be offered a place at a school which they would have preferred to Somers Park. One of these was a late application. It is, of course, inevitable that where a school is oversubscribed, some children whose parents would have liked them to go there will not secure a place.

Admissions to Somers Park in 2013 by oversubscription criteria

a	Looked after children	1
b	Children who attend the nursery and live in the catchment area	25
c	Siblings of existing pupils	4
d	Children who attend the nursery	10
e	Children who live in the catchment area	13
f	Children of staff where that member of staff has been employed for more than two years and/or is recruited to fill a post for which there is a skill shortage	-
g	Children who live closest to the school	5

Consideration of Factors

20. First I need to refer to inconsistencies in the dates in the arrangements for 2014 as published on the school's website. The arrangements as set out in the document "Admissions Policy 2014- 2015" state that: "Applications are accepted for pupils who will be 5 between 01.09.2013 and 31.08.2014" and "Applications for Somers Park Nursery should be submitted by the end of April 2013. Applications for the Reception classes should be received by 15th January 2013".

21. At our meeting, I pointed out that these dates could not sensibly relate to admissions in September 2014 as the children would be of the wrong age and the dates for application would have passed by the time the arrangements were published. The school said that these were simple clerical errors flowing from a failure to update the document properly from that which applied for admission in September 2013. The school apologised and said that it would amend the arrangements. No

changes had been made to the dates at the time of finalising this determination. It is important that this is rectified. It would be highly unfortunate if a parent looking at the website concluded that it was too late to apply for a place for their child.

22. Furthermore, I found an inconsistency between the material on the website sections “admissions” and “classes”. The former – as explained above – states that applications for nursery must be submitted by the end of April. The latter states that the cut-off date for nursery applications is 11 October 2013 for September 2014. It is essential that all references to dates in admission arrangements are consistent and that they are accurate. It is a requirement of the Code that admission arrangements are clear. Arrangements that are internally inconsistent are not clear and thus do not comply with the Code. The Code requires the school to amend its arrangements as quickly as possible.
23. I shall deal now with the giving of priority for YR to children who have attended the school’s nursery. The Code does not address whether it is acceptable for an admission authority to give priority to children for admission to YR on the basis of attendance at a particular nursery. I must therefore consider the question with reference to the general and specific provisions of the Code. Paragraph 1.9 sets out a number of criteria which **must not** be used in deciding which children should be offered a place at a school as well as the overall requirements in paragraphs 1.4 and 1.8 of the Code that admission arrangements **must** be clear, fair and objective.
24. Paragraph 1.9e of the Code prohibits the “giving of priority to children on the basis of any practical or financial support parents may give to the school or any associated organisation”. I have noted above that children who have accepted a placement at the pre-school have an element of priority at the nursery and that attendance at the nursery or being on the nursery’s waiting list is a pre-requisite of admission to the pre-school. This means that where the nursery is oversubscribed, some children whose parents do not want or cannot afford additional sessions in the pre-school may have less of a chance of securing a place than those children who will also attend the pre-school. The parents of children attending the pre-school will be paying for their attendance.
25. The school explained at our meeting that it had set up the pre-school in response to demand from parents who wanted more hours of provision and as numbers seeking a place in the nursery had declined as parents who needed more provision than the nursery could offer did not want to have to take children to more than one setting. As the pre-school was established by the school’s academy trust and is run by it I consider that the pre-school is an associated organisation of the school and that the fees paid for attendance at the pre-school amount to financial

support. In addition, the admission arrangements for the nursery give priority to children who have accepted a place at the pre-school. In these circumstances, I consider that the priority given for admission to YR for children who have attended the nursery or the nursery and the pre-school amounts to a breach of paragraph 1.9e of the Code.

26. Even though I have determined that 1.9e is breached for at least some children and the Code thus requires the school to amend its arrangements to remedy this breach, I have considered it appropriate as noted above also to assess whether the nursery criterion complies with paragraphs 14 and 1.8 of the Code. I have concluded that the oversubscription criteria for YR so far as the issue of priority for children who have attended the nursery is concerned are both clear and objective. Paragraph 14 of the Code says that parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated. I think that this test is met in the case of Somers Park and that parents looking at the arrangements would be able to assess their chances of securing a place for their child in YR.
27. I have considered carefully whether the giving of priority for YR to children who have attended the school's nursery is fair. In my deliberations I have taken full account of the points made by the school at our meeting. The principal explained that as part of the consultation it undertook when converting to academy status, it held focus group meetings with parents which involved around 120 parents. He said that many parents asked the school at that time to include attendance in the nursery as part of their oversubscription criteria for YR so that they would have the certainty of continuity for their children from nursery through to YR and beyond. The school's view was that providing for this continuity was an important part of serving the community. The school told me at the meeting that its pupil tracking showed that children entitled to free school meals, those with special educational needs and those from the traveller community all made better progress across the whole of their primary career if they had been in the school's nursery than if they had joined the school at YR.
28. At our meeting, the principal made the point that school was less advantaged than others nearby and that, in this context, continuity of provision from nursery through to YR and beyond was particularly important in allowing children to achieve to their full potential. The LA has provided a range of data about the characteristics of the intakes of the schools in the area. These show, among other things, that the percentage of pupils at the school entitled to free school meals is 14.4 and the comparable percentages at the schools serving the neighbouring catchment areas are 31.8 at Great Malvern, 6.4 at Northleigh, 23.9 at St Matthias, 6.7 at Malvern Parish and 27.8 at Grove. The Department for Education's (DFE) first statistical release 21/2013 states that 19.2% of of pupils at maintained nursery and state funded primary schools are known to be eligible for free school meals.

Based on free school meals entitlement, therefore, Somers Park is a little below the national average in terms of the levels of disadvantage of its intake and the proportions in nearby schools vary from schools with more advantaged intakes to those with much more disadvantaged intakes.

29. Figures provided by the school and the LA and set out below show that up to and including 2013, the school has been able to admit all children in the catchment area, all children satisfying a higher criterion and some children on the basis of distance. However, this may change over time if more children from outside the catchment area begin to attend the nursery and/or the pre-school and thus take precedence over catchment area children who have not attended the nursery. As the school's PAN of 58 is not much greater than the number of children leaving nursery each year of 52, this must be a real possibility. Indeed, in 2013, the school admitted 10 out of catchment area children on the basis of their attendance at the nursery.
30. The school emphasised at our meeting its desire to serve its traditional community. I have no doubt that this desire is genuine. It was evident from displays in the school as well as from the discussion at our meeting that the school is committed to its community. The school was established originally as a non-conformist school and the principal noted that the area retained a significant non-conformist population. However, it is inescapable that the net effect of changes the school has made to its admission arrangements is to give less priority to children from its traditional catchment area.
31. Parents do not have to send their children to nursery and they should not feel forced to do so. Where they do choose to use nursery provision they should not feel that they must choose a particular nursery in order to have a reasonable chance of securing a place at a particular primary school, especially if that primary school is their catchment area school and is one that children from their area have traditionally been able to attend.
32. The arrangements for admission to nursery are not bound by admissions legislation or the Code. However, where attendance at a nursery can significantly affect the chance of gaining a place at a particular primary school, it is appropriate for an adjudicator in determining whether the arrangements for admission to YR are fair to consider whether the arrangements for admission to the nursery would satisfy the requirements of the law and Code. In the case of the arrangements for the nursery at Somers Park, some aspects of the arrangements would not be acceptable for YR. The nursery gives third priority to children who have accepted a placement at the pre-school. As noted above, the pre-school is a fee paying establishment and it would not be lawful for a school to give priority to children who were to attend, say, a fee paying after school club. In addition, where children

are refused a place in YR at a school, their parents have access to an independent appeals panel. At my meeting with the school, the principal confirmed that there was no arrangement for independent appeal in the case of a child refused a place at the nursery. He said that he would talk to the parents and that he had in fact done so recently, but this does not amount to an independent appeal with the potential to award a place at the nursery. It is accordingly possible that a child could be wrongly denied a place at the nursery and because of that then fail to gain a place in YR.

33. I have referred above to the different deadlines for application to the nursery given in different parts of the school's arrangements. At my meeting, the school indicated that it was likely to settle on the earlier date, that is the October preceding the September when a child would start at the nursery. This is several months before parents would expect to apply for a YR place. I consider that the use of a very early application deadline can disadvantage some groups of parents such as those who have recently moved to the area or who are not able so far in advance to decide what provision for their young child will best suit their needs.
34. For all of these reasons, I consider that the giving of priority to children in YR who have attended Somers Park nursery is unfair and hence does not conform with the Code.
35. I turn now to the issue of the priority given to looked after and previously looked after children. Paragraph 1.7 of the Code says: "All schools must have oversubscription criteria ...and the highest priority **must** be given, unless otherwise provided in this Code, to looked after children and previously looked after children." Definitions of both "looked after" and "previously looked after" children are set out in the Code, in a footnote to paragraph 1.7 in the case of looked after children and in the body of the paragraph in the case of previously looked after children.
36. The school's arrangements refer to "Relevant 'Looked After' Children". While the school's arrangements define a number of terms, they do not offer a definition of this term. There is no reference in the school's arrangements to "previously looked after" children.
37. When I raised this issue with the school at the meeting, the principal said that the school had simply adopted this term from the arrangements used by the LA when it was the admission authority for the school. I accept that this is what the school has done and it is true that the LA uses this term. However, the LA defines the term and makes clear that it encompasses previously looked after children.
38. I do accept that the school fully intends to give the highest priority to all children who fall within the definitions set out in the Code for both

looked after and previously looked after children. That said, the school is responsible now for its own admission arrangements and as part of that must ensure that it defines the terms it uses and that its descriptions of its arrangements are accurate. It cannot rely on the fact that the LA uses and defines a term – the LA is not the admission authority for the school. For the avoidance of doubt, the first oversubscription criterion needs to say both looked after and previously looked after children.

39. The school agreed at our meeting that it would adopt a new definition for looked after and previously looked after children in line with that given in the Code.
40. In the following paragraphs, I consider two further aspects of the school's arrangements. These are the use of an application form in addition to the CAF and the request that parents return a signed copy of the school's home-school agreement to the school when applying for a place at the school. These were not initially apparent to me as they do not feature on the admissions section of the school's website but on the sections about classes noted above and which I saw when I was reviewing the website. I should say that the school has since my visit made significant changes to these parts of its website in order to bring the provisions into line with the law and requirements relating to admissions. It is good that the school has responded so quickly to the concerns drawn to its attention. However, I must also describe the arrangements as they were when I first saw them and record the ways in which they did not at that time conform with legislation and the Code.
41. When I first reviewed the website the following appeared under a heading "Reception" in the early years part of the "classes" section:
- "All children in England start school in the September following their fourth birthday and application forms for school places are given out to parents during their first term in Nursery, these need to be completed by the following January. In addition to this, we would ask you to complete a school application form which is available from the school office. School places are allocated in line with our Reception admissions policy and you will find out if your child has been allocated a place before the end of the spring term."
42. No application form was available on the school's website, so I asked for and was given a copy at the meeting with the school. Given what I shall go on to say about this form and because it was not available online and is no longer in use, I have decided to list in full the information it asked for and this is:

- a. Child's details, including name, sex, date of birth, address and telephone

- b. Any previous school or nursery
- c. Names of siblings at the school
- d. Names, and contact details for both parents and whether each has parental responsibility
- e. Whether the child has a statement of special educational needs (SEN)
- f. Whether the child is looked after by a local authority and, if so, which one
- g. Emergency contact details – other than parents
- h. Details of the child's doctor and any medical conditions "eg toilet problems, diabetes, allergies, hearing/sight etc"
- i. Child's religion
- j. Ethnic origin
- k. Language Spoken at home.

43. The Code recognises in paragraph 2.4 that some admission authorities will need to use supplementary information forms in order to have additional information (that is, information not already available from CAF) needed to consider applications. The Code provides also that such forms **must not** ask for any of the information prohibited by paragraph 1.9 of the Code or for a range of other information set out in paragraph 2.4 of Code. While the school's form was called an application form rather than a supplementary information form I am satisfied that it falls within the definition given and intention of paragraph 2.4 of the Code.

44. Some of the information on the school's form will be available through the CAF, including such matters as the child and parent details, whether child is a looked after or previously looked after child and whether any siblings attend the school. There can be no justification for a form which asks for such information as parents will already have provided it on the CAF. The question of whether a child has a statement of SEN is inappropriate as parents do not apply for school places for these children through the normal admissions round process.

45. The school is not a school with a religious character so can have no reason for asking about religion in its admission arrangements. The issue of a child's ethnicity and the language spoken at home can play no part in decisions about admission to any school. Moreover, one of the items specifically prohibited by paragraph 2.4 of the Code is questions about the first language of the child. I consider that "first language of the child" and "language spoken at home" to be synonymous and that the inclusion of this question thus breaches paragraph 2.4.

46. Paragraph 2.4 also prohibits questions seeking details about a child's disabilities, special educational needs or medical conditions. The school's questions about these matters are thus further breaches of

paragraph 2.4.

47. The school explained at our meeting that it found it helpful to know about language, religion and ethnicity in order to help with its monitoring of pupils' progress. It added that when children joined the school, it was important to have information about any medical conditions in order to ensure that any necessary support was provided and that it had found it hard to gather such information from parents after places had been offered.
48. I accept that schools need to know about some medical conditions when children have joined the school. I understand and appreciate too that schools can sometimes struggle to get information from parents. However, the fact that it may not be easy to get information from parents once a child has been admitted to a school is not a justification for seeking a wide range of information about children who may never join the school and cannot justify direct breaches of a mandatory Code. The school has no need of the information on its form in order to apply its oversubscription criteria and therefore must not use its own application form. The school has acted swiftly to remove references to its application form from its admission arrangements. The arrangements now state clearly that parents will be asked to complete an information form after a place has been allocated and accepted and in this regard the arrangements now conform to the requirements relating to admissions.
49. As noted above, the school's website previously asserted that all children in England start school in the September following their fourth birthday. The admissions policy document still states that: "Should a parent wish to discuss deferred entry, they should arrange to meet the head teacher."
50. The statement on the website was not true. There is no requirement for a child in England to start school until they reach compulsory school age which the law defines as the beginning of the term after the term in which the child turns five. This is recognised in the paragraph 2.16 of the Code. This provides that while admission authorities must provide for the admission of children in the September following their fourth birthday, they must also make it clear in their arrangements that parents can request that the date their child is admitted to school is deferred until later in the academic year or until the term in which the child reaches compulsory school age or that their child is admitted part-time until reaching compulsory school age.
51. The school has already amended the classes section of its website arrangements to state that "All children in England start school in the academic year following their fourth birthday". Unfortunately, this is still not an accurate description of the legal position. A child who is five in the summer term does not have to start school until the following

September. This is not the academic year following that child's fourth birthday, it is actually the academic year following that child's fifth birthday. There is also a further inaccuracy in the revised material on the website as it stands at the time of writing. The website now states that "the deadline for applications is the 15th January of the academic year in which a child will start school". This is not correct. Academic years run from September to August and applications for places are made in the academic year which precedes the academic year for which a place is sought. The arrangements do not accurately describe the legal position and could be misleading. They are accordingly not clear and do not conform with the Code. The Code requires the school to amend its arrangements as quickly as possible.

52. I now move on to the home-school agreement. The previously used application form asked the parent to confirm that he or she was returning a signed home-school agreement. The school provided me with a copy of the home-school agreement as this was not available on the school's website. The admissions policy document states that:

"Parents seeking a place at the academy are invited to:

Visit the school learn and assess its ethos.
Obtain the admissions pack which includes the prospectus, OFSTED report, copy of the "Somers Star", home/school agreement and the Worcestershire Local Authority "Starting School" leaflet."

53. I am satisfied that the school has now removed any reference to the a signed home-school agreement from its arrangements in order to comply with the requirements of legislation as discussed at the meeting. However, I am setting out here the position in relation to the arrangements as they were when they came to my attention.

54. The Code does not refer in terms to home-school agreements. However, it is a legal requirement (set out in sections 110 and 111 of the Act) that all publicly funded schools – including academies such as Somers Park – have a home-school agreement and associated parental declaration. Schools must take reasonable steps to ensure that parents of pupils sign the parental declaration. These requirements are explained in statutory guidance issued by the DfE (Home-school agreements Guidance for local authorities and governing bodies, 2013). The DfE guidance also, however, explains very clearly that section 111 of the Act provides that schools **must not**:

Invite a parent to sign the parental declaration before the child has been admitted to the school;

Make the signing of the parental declaration a condition of the child's admission to the school; or

Base a decision about admitting a child to the school on assumptions about whether his or her parents are or are not likely to sign the parental declaration.

55. I consider that by asking the parents on the school's application form to "return a signed home/school agreement", the school was breaching section 111 of the Act. In addition, I consider that by asking parents to return a signed home-school agreement the school was also breaching paragraph 1.9a of the Code which states that admission authorities **must not** "place any conditions on the consideration of any application other than those in the oversubscription criteria. While I consider that the school's admission arrangements at the time they came to my attention included the request for a signed home-school agreement, this was not included in the published list of oversubscription criteria. The school's arrangements were accordingly in breach of paragraph 1.9a of the Code.

56. The school's use of a supplementary information form breached paragraph 2.4 of the Code. The school's request for a signed home to school agreement breached legislation and paragraph 1.9a of the Code. The school has already amended its arrangements. As noted above some inaccuracies remain which make the arrangements unclear and hence not in conformity with the Code. The Code requires the school to amend its arrangements as quickly as possible. The school is to be commended for having moved quickly to amend its arrangements in relation to the use of a supplementary information form and the requirement for a signed home-school agreement.

Conclusion

57. I have concluded that the arrangements of the school do not conform with the Code in respect of the giving of priority at YR to children who have attended the school's nursery or pre-school or both and in relation to the definition of looked after and previously looked after children. I also found that, at the time the arrangements came to my attention, they contained a number of inaccuracies and inconsistencies together with significant breaches of the Code and education legislation in relation to the use of a supplementary information form and the request for a signed home-school agreement before a child has been admitted to the school. Many aspects of these breaches have been rectified; there remain a small number to be remedied.

Determination

58. In accordance with section 88(5) of the School Standards and Framework Act 1998, I have considered the admission arrangements of Somers Park School for admissions in September 2014. I determine that they do not conform with the requirements of legislation and the School Admissions Code in relation to the matters brought to my

attention and other matters as set out in this determination.

59. 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 as quickly as possible.

Dated: 3 December 2013]

Signed:

Schools Adjudicator: Ms Shan Scott