

DETERMINATION

Case reference: VAR/000515

Admission Authority: Our Lady of Compassion RC Primary School,
Formby

Date of decision: 20 July 2011

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Our Lady of Compassion RC Primary School.

The referral

1. The Governing Body of Our Lady of Compassion Roman Catholic Voluntary Aided Primary School, Formby (the school) has referred a variation to the Adjudicator about their admission arrangements for September 2012. They wish to insert a new oversubscription criterion giving priority to baptised Catholic children living in the local parishes who have a sibling at the school.

Jurisdiction

2. The referral was made to me in accordance with section 88E of the School Standards and Framework Act 1998 (the Act) which states that:

“where an admission authority (a) have in accordance with section 88C determined the admission arrangements which are to apply for a particular school year, but (b) at any time before the end of that year consider that the arrangements should be varied in view of a major change in circumstances occurring since they were so determined, the authority must [except in a case where the authority’s proposed variations fall within any description of variations prescribed for the purposes of this section] (a) refer their proposed variations to the adjudicator, and (b) notify the appropriate bodies of the proposed variations”.

3. I am satisfied that the proposed variation is within my jurisdiction.

Procedure

4. In considering this matter I have had regard to all relevant legislation, guidance and the School Admissions Code (the Code).

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

a. the school’s letter of referral of 24 June 2011 and supporting documents;

- b. the determined arrangements for 2012 and the proposed variation to those arrangements;
- c. a copy of Sefton council's booklet for parents seeking admission to schools in the area in September 2012 ;
- d. a copy of the minutes of the meeting of the governing body dated 10 May 2011 supporting the variation
- e. a letter of support from the Liverpool Archdiocesan Centre for Evangelisation dated 7 July.
- f. The school's Ofsted report of 2007 and the interim assessment of 2010
- g. A map of schools in the local area

Background and consideration of factors

6. The school received an outstanding Ofsted report in 2007 and an interim assessment in 2010 confirming that it continues to provide an outstanding education. Local people clearly agree as the school has been oversubscribed for several years, certainly since 2007. In addition, the number of children seeking places in all Formby schools has risen dramatically this year and looks set to remain high as is the case in a number of similar areas in Liverpool and elsewhere.

7. The school's admission arrangements have followed those recommended by the Archdiocese. After baptised Catholic looked after children, priority is given to baptised Catholic children living in the parishes of Our Lady, Formby and St Anne Freshfield.

8. The tie-breaker within each criterion is distance, and for the 2011 admissions, when 74 children applied for 30 places, the committee had to use the tie-breaker for the above criterion. This resulted in a number of baptised Catholic children with a sibling already at the school being refused a place. This has caused understandable anxiety and distress to the governing body, and to parents, some of whom have written to the school.

9. The school has projected that in 2012 children living in the parish with a sibling already at the school would once again be refused a place at the school if its oversubscription criteria remained the same.

10. As a result the school is asking for a variation to their arrangements, inserting a new criterion immediately after 'baptised Catholic looked after children':

"Baptised Catholic children living in the parishes of Our Lady's Formby and St Anne's Freshfield who have a brother or sister at the school at the time of likely admission. This includes full, half or step-brothers and sisters, foster brothers and sisters and children who are living at the same address and are part of the same family unit. Proof of baptism in the form of a Baptismal certificate is required."

11. Among the factors I have considered are the following:
- a. The school maintains that the effect of the dramatic increase in the number of applications in 2011 on their admissions processes which is projected to have a similar impact in 2012 constitutes a “major change in circumstances” – “*a serious and unexpected event affecting the provision of education at the school*” (Code 4.25);
 - b. the admission authority is seeking a variation that would address the problem arising from this change of circumstances;
 - c. paragraphs 2.21 and 2.25 of the Code emphasise the importance placed on supporting families with young children of primary school age by ensuring that siblings can attend the same primary school;
 - d. both the council and the archdiocese support the proposed variation;
 - e. there would be no numerical impact on the school nor on any other school in the area

12. I am persuaded that this proposed simple change reflects the desire clearly expressed in the Code that where possible priority should be given in the oversubscription criteria in order to enable primary school children of the same family should be educated together. Changing the criteria for 2012 will ensure that yet more such siblings and their families are not disadvantaged.

Determination

13. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Our Lady of Compassion RC Primary School.

Dated: 20 July 2011

Signed:

Schools Adjudicator: Dr Stephen Venner