

## DETERMINATION

**Case reference:** ADA/002351

**Objector:** A local parent

**Admission Authority:** Leicester City Council

**Date of decision:** 26 July 2012

### **Determination**

**In accordance with section 88H (4) of the School Standards and Framework Act 1998 I do not uphold the objection to the definition of the catchment area of Granby Primary School which forms part of the admission arrangements determined by Leicester City Council.**

### **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 for Granby Primary School (the school), a community primary school, for September 2013 as determined by Leicester City Council (the council). The objection relates to the definition of the school's catchment area.

### **Jurisdiction**

2 These arrangements were determined under section 88C of the School the Act by the council which is the admissions authority for the school. The objection from the parent was dated 29 June 2012. I am satisfied this objection has been properly referred to me in accordance with section 88H of the Act and that it falls within my jurisdiction.

### **Procedure**

3 In coming to my conclusions I have had full regard to all relevant legislation and the School Admissions Code (the Code).

4 The documents I have considered in reaching my decision include:

- emails from the objector dated 29 June 2012 (in which he sets

out his objection) and 19 July 2012 (in which he responds to the information provided by the council on 16 July 2012);

- a letter from the council to the objector dated 28 May 2012;
- maps of the catchment area of the school and neighbouring primary schools;
- the report on the latest Ofsted inspection of the school which was published in March 2011;
- the council's admission arrangements for 2013-14;
- emails from the council dated 12 and 16 July 2012 which contained a range of relevant information and data; and,
- minutes of the Leicester Schools Admissions Forum meetings of 7 March 2012 and 13 June 2012

## **The Objection**

5 This objection is to the definition of the school's catchment area. The objector contends that, as a parent of a child who had yet to start school, he was not properly consulted on the changes made to the catchment area for admissions in 2013/14 and which have resulted in the street in which he lives being removed from it. He believes that the communication methods used by the council during the consultation period were not designed to meet the needs of working families with children who were yet to start school and that, as a result, he did not know about the proposed changes and was therefore unable to comment on them.

6 The objector states that his road has been included in the school's catchment area for 11 years, that the change could result in his daughter not obtaining a place at the school which all other children in the street attend, and that the school is the nearest primary school to his home address. As a result, he believes that his only choice is to move home and that this will be very difficult. He concludes that his street should be reinstated into the school's catchment area.

## **Background**

7 The school caters for pupils aged 3-11years. It has an admission number of 60 and is oversubscribed. In March 2011, an Ofsted inspection judged the school to be satisfactory.

8 In 2011 the council took the decision to consult on changes to the catchment areas of all schools for the first time since the current Leicester City Council was formed in 1997, since when several schools have been discontinued. The council's stated objective was "*to provide a single primary and secondary catchment area for each address in the city.*" The review took place between Monday 5 December 2011 and Friday 10 February 2012 and several changes to catchment areas were agreed as a result. The changes made to the school's catchment area are regarded by the council as being "significant". One result of the review was that the objector's street was re-

designated from the catchment area of the school into the catchment area of the nearby Knighton Fields Primary School (which was also judged to be satisfactory in its most recent Ofsted inspection). The objector's house is just over half a mile from Knighton Fields, almost exactly the same distance as it is from the school itself.

### **The Response of the Council**

9 The Council does not accept that the consultation exercise was flawed and sets out the steps it took to ensure that the consultation exercise met the requirements of paragraph 1.44 of the Code. These included;

- placing a public notice placed in the Leicester Mercury, with an accompanying article, on 5th December 2011;
- arranging coverage on local radio stations, local BBC TV news and the local BBC website;
- placing announcements on the council's website (including a banner on the home page);
- using social media outlets such as Twitter and Facebook to encourage members of the public to respond to the consultation;
- placing the consultation materials on the council's website, and making paper documents available at customer service centres, libraries and children's centres throughout the city;
- distributing paper copies of the consultation materials to all city schools during January 2012;
- commissioning the independent Choice Advice Service to hold three meetings for parents and attend other local meetings. These events were publicised in schools through posters distributed by the City Primary Heads group newsletter; and,
- asking all city schools to publicise the consultation exercise to parents through newsletters and/or websites.

10 The consultation responses were duly analysed and summarised in a report to the city mayor. This analysis does not record any specific comments relating to the school. Having considered the responses, the mayor made the decision to *"implement all proposed primary catchment area changes consulted upon during the period 6 December 2011 – 10 February 2012 for September 2013 entry"* on 14 April 2012. The decision was published on the council's website.

11 In a letter to the objector dated 28 May 2012, the council commented on data concerning admissions to the school. In September 2011, 11 places were offered to children who lived outside the catchment area with straight line distance from home to school determining who these pupils were. The child who was offered a place and who lived the furthest distance from the school lived 0.661 miles away. I note that the objector lives 0.545 miles from the school, meaning his daughter would have obtained a place in 2011 even if her address had been outside the school's catchment area that year.

12 The council quite rightly points out that it is never able to guarantee a place even for those that live in the school's catchment area and the new catchment area itself may result in an entirely new pattern of offers of places. However, the data provided by the council does enable the objector to make a reasonable assessment of the likelihood of his child obtaining a place at the school in September 2013.

### **Consideration**

13 Paragraph 1.14 of the Code permits the use of a catchment area in oversubscription criteria providing such an area is clearly defined and reasonable. In this case the catchment area is well defined, both in the admission arrangements and on the ground. It takes the location of other nearby primary schools into account. I believe it meets the requirements of the Code. It is also reasonable that the council should undertake a review of catchment areas, especially in light of the fact that there has been no such review for 15 years and the pattern of schools has changed during this period. The nature of any review of catchment areas is that some addresses are likely to find themselves moved from one catchment to another and no guarantee can ever be made that a particular address will always be in a particular catchment area. In this case, the objector's address has been allocated to a school within approximately half a mile of his home which is, if anything, nearer to his home than is the school. I believe the changes to the school's catchment area are clear, reasonable and fair and therefore meet the requirements of paragraph 1.14 of the Code.

14 The objector alleges that that the proposed changes to the catchment areas were not subject to a proper consultation exercise, especially the requirement of paragraph 1.44(a) of the Code to consult "*parents of children between the ages of two and eighteen.*" I set out above the various steps the council took to fulfil this requirement. I believe these were comprehensive, reasonable within the context of the finite resources available, and sufficient to meet the requirements of the Code.

### **Conclusion**

15 For the reasons set out above I do not uphold the objection to the new catchment area of the school. I believe that the new catchment area is well defined and reasonable in the context of other primary schools in the area. I believe that the requirements of the Code in relation to consultation have been met.

### **Determination**

16 In accordance with section 88H (4) of the School Standards and

Framework Act 1998 I do not uphold the objection to the definition of the catchment area of Granby Primary School which forms part of the admission arrangements determined by Leicester City Council.

Dated: 26 July 2012

Signed:

John Simpson School Adjudicator