

DETERMINATION

Case reference: VAR000560

Admission Authority: The Governing Body of The Cardinal Wiseman Catholic School

Date of decision: 13th December 2011

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the Year 12 admission arrangements determined by The Cardinal Wiseman Catholic School. For entry in September 2012 the Y12 academic entry requirement will be four or more GCSE grades A*-C including English.

The referral

1. In a letter dated 23rd November 2011, the Chair of the Governing Body of The Cardinal Wiseman Catholic School ("the School") in Greenford, Middlesex, referred a variation to the Adjudicator about the School's admission arrangements ("the arrangements") for September 2012. The School is proposing to vary the published Arrangements by changing the qualifications required to obtain a place in Year 12 for September 2012. The referral initially also contained a request to vary the Y12 admission number but this element of the referral was withdrawn in an email, dated 8th December 2011, from the School's headteacher.

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:
 - the School’s variation request form;
 - a copy of the School’s “Sixth Form Prospectus 2012”;
 - copies of letters from three neighbouring secondary schools which were received by the School following the consultation exercise associated with this proposal;
 - an email from Ealing Borough Council dated 9th December 2011;
 - an email from the School’s headteacher dated 8th December 2012; and
 - the report of the Ofsted inspection of the School in December 2008.

Background

6. Until 2010, the School was able to provide accommodation for 200 Year 12 pupils. In the same year the process of comprehensively rebuilding and improving sixth form provision at the School commenced. The School foresaw certain difficulties associated with maintaining sixth form provision during the building work, especially in relation to the number of available teaching spaces. The School was also concerned about the health and safety risks to pupils arising from the fact that some 30% of the site was cordoned off for building work. The School responded by recalculating its Year 12 capacity for September 2011 from 200 to 180 places. The School now believes the building work will have been substantially completed by September 2012 and that it will, once again, have the capacity be able to provide places for 200 Year 12 pupils.

7. The School also sought to balance the supply of, and demand for, places in Year 12 September 2011 by changing its Arrangements by raising the level of academic qualifications required for entry to five or more GCSE grades A*-C, including at least a B grade in both English and Mathematics. In fact, this had the effect of reducing demand even more than had been predicted or the accommodation pressures necessitated. The School now wishes to change its Arrangements so that the qualifications required for entry to Year 12 becomes four or more GCSE grades A*-C including English. This variation request was unanimously endorsed at a meeting of the School’s governing body on 9th November 2011.

Consideration

8. The School states that this variation request follows a change of circumstances resulting from the fact that it now has a “*firm timeline for the*

completion of the substantive part of the build – June 2012” following “*earlier uncertainty in the building schedule*”. This “*firm timeline*” gives the School the certainty that it did not previously have in relation to the capacity of its sixth form accommodation for September 2012. I believe that this can reasonably be considered as a significant change.

9. The new accommodation offers over 40 new classrooms in impressive purpose built facilities. The School, which has some 300 pupils in Year 11, is the only Catholic school in Ealing which offers sixth form provision. In December 2008, Ofsted judged sixth form provision at the School to be outstanding. Historically, these factors have combined with the previous academic admission requirements to produce a strong demand for sixth form places. The School is clearly successful and this proposal will enable it to adjust the academic entry requirements to better match the supply and demand for places.

10. The School states that the tightened academic entry criteria for 2011 were “*not popular with many families at the School, who argued that as a Catholic community the school had a duty towards inclusion.*” While the School noted this concern it was also clear that the matters set out in paragraph 6 above meant that, for the duration of the building works, such a step was necessary. It also resolved to revise its academic admission criteria when the building work was completed, a situation which is now in prospect for September 2012.

11. The School has consulted the local authority (London Borough of Ealing); the Archdiocese of Westminster and all secondary schools with the Ealing Council area. It reports that all secondary schools consulted have “*either supported the variation or stated their disinterest*”. The London Borough of Ealing has indicated it “*has no objection to this proposal*”. The evidence on local patterns of transfer at the end of Year 11 does not suggest that this proposal will have an adverse effect on any other school.

Conclusion

12. The School contends, and I agree, that the confirmed availability of the new sixth form accommodation in September 2012 means there has been a major change in circumstances since the admission arrangements were determined. The evidence suggests that this proposal will enable more pupils to benefit from outstanding provision in new, purpose built accommodation.

13. The proposal has the unanimous support of governors, responds to parental opinion, and is not objected to by any other local school or by the local authority. I therefore approve the proposal to vary the School’s Year 12 arrangements.

14. I note that the deadline for receipt of applications for Year 12 places from pupils who do not attend the school is stated, on the School’s web-site, as being 9th December 2011. I have therefore considered what the Code says about the timing of making variations and whether the variation is essential given that the deadline for applications has passed. For the reasons given above I am of the view that I should approve the variation, but I also consider

that the School should extend this deadline so that no-one is disadvantaged by the fact that the academic entry requirement has been lowered. I shall leave it for the School to decide what this new deadline should be and so enable it to take into account local knowledge, previous patterns of Year 12 admission applications and the fact that the allocation of places will not be finalised until the 2012 GCSE places are known. This new date should be agreed and published, at the latest, by the start of the spring term.

Determination

15. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the Year 12 admission arrangements determined by The Cardinal Wiseman Catholic School. For entry in September 2012, the Year 12 academic entry requirement will be four or more GCSE grades A*-C including English.

Dated: 13th December 2011

Signed: 

Adjudicator: John Simpson