

DETERMINATION

Case reference: ADA/002325

Objector: A parent

Admission Authority: Cambridgeshire County Council

Date of decision: 1 August 2012

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 Cambridgeshire County Council for admissions in September 2013 to Monkfield Park Primary School.

The referral

1. Under section 88H (2) of the Schools 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 Monkfield Park Primary School (the School), a 4-11 community primary school for September 2013. The objection is to the tie breaker which gives priority to children living nearest to the school. The objector contends that this disadvantages children living Lower Cambourne. Paragraph 1.8 of the School Admissions Code (the Code), says that, "Oversubscription criteria **must** be reasonable, clear, objective, procedurally fair, and comply with all relevant legislation, including equalities legislation."

Jurisdiction

2. These arrangements were determined under section 88 C of the Act by Cambridgeshire County Council (the Council), which is the admission authority for the School. The objector submitted her objection to these determined arrangements on 12 June 2012. 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.

Procedure

3. In considering this matter I have had regard to all relevant legislation and the Code.

The documents I have considered in reaching my decision include:

- a. the objector's letter and form of objection dated 12 June 2012;
- b. the Council's response to the objection and supporting documents;
- c. the Council's composite prospectus for parents seeking admission to primary schools in the area in September 2013;
- d. maps of the area identifying relevant schools;
- e. confirmation of when consultation on the arrangements last took place;
- f. the Ofsted inspection report for the School and the other three schools in Cambourne; and
- g. a copy of the determined arrangements.

The Objection

4. The tie breaker for admissions to the School reads as follows, "In cases of equal merit, priority will go to children living nearest the school as measured by a straight line." The objector believes that it is unfair to give priority to those living nearest to a school without consideration of the geography of the area. In this case, giving priority to children living nearest to the school means that children living on the far side of Lower Cambourne do not get places. Since there are no schools on the Lower Cambourne side of the village, the children in question end up having to go to other schools in Cambourne which are a long way from their houses. This breaches paragraph 1.8 of the Code.
5. The objector also contends that the consultation process on admissions needs to be better publicised. She believes that in a growing community such as Cambourne, admissions criteria need reviewing far more regularly and with more input from parents. She proposes a reduced catchment area for the School and/or a distance tiebreaker that takes distance away from the next nearest school into account. This could be based on the school closest to a child's house rather than houses closest to the school. Paragraph 1.14 of the Code specifies that catchment areas must be "designed so that they are reasonable and clearly defined." She objects to the lack of information about plans to cater for the ever growing number of children in the area.

Background

6. In April 1994, outline planning permission was granted for the new settlement of Cambourne to provide 3,300 dwellings. The developers agreed to provide sites and fund two 420 place primary schools. In 2007 an additional 950 dwellings and a further primary school were agreed. Cambourne now has three primary schools of its own. In the past a lack of school places in Cambourne resulted in children going by

bus to Hardwick Primary School which is in the nearby village of Hardwick. This worked well and from September 2012, Hardwick Primary School will be running a linked school in Cambourne to make up the shortfall in places. Throughout the development of Cambourne, the Council has worked with the governing bodies of the Cambourne schools and local county councillors to keep admission arrangements under review. Issues have been raised and arrangements have been revised as required.

7. The most pressing issue raised related to difficulties some parents faced when younger siblings were refused places at the school attended by their older siblings. Recognition of this led to the decision to give priority to siblings of Camborne residents over those of children from within the catchment area of the School. This change came into effect in September 2009, since when the arrangements have remained unchanged and been consulted upon annually.
8. A further development of 950 homes has recently been given planning permission. This, coupled with the current demand for school places within Cambourne, has led to the current consideration of the need for an additional Cambourne primary school.

Consideration of Factors

9. The objector has complained that the siting of schools in Cambourne coupled with the distance tie breaker is unfair to children in Lower Cambourne. Since alternative schools are on the other side of the village, children can end up having to travel 2 miles to school. She states that this is too far for four year olds to walk. This is certainly not an ideal scenario, but there are alternative schools within two miles and this fulfils requirements. Moreover, all the schools concerned are classified as good by Ofsted.
10. The School is oversubscribed. The Council says that it works closely with its schools to ensure that where it is appropriate to do so over admissions are agreed to accommodate all catchment children. Monkfield Park has been unable to accommodate more children due to infant class size legislation. Under the new Code, the increased excepted pupils' categories should result in some increased flexibility. In addition, the opening of the Hardwick link school will ensure that there are sufficient school places in Cambourne.
11. The arrangements were originally determined on 2 July 2007 and have been consulted upon annually since then. The latest consultation took place between 3 January and 28 February 2012. A public notice was published in five local newspapers and all local councillors, schools and neighbouring local authorities were alerted by email to the consultation. No responses relating to the School were received by the deadline. The objector says that the lack of any official complaints may well be because parents are not aware of the consultation process or how the arrangements might affect their children. I quote, "It may well tick all the boxes for Local Authorities, but not for parents. Parents don't

know how this system works, so end up not taking part.”

12. I sympathise with the view expressed by the objector and accept that what she says may be true for many parents. Nonetheless, I recognise that as far as consultation is concerned, the Council has done everything that it is required to do in accordance with the Code and therefore do not uphold this part of the objection.
13. The objector believes that admissions arrangements should be reviewed more frequently in areas where there is population turbulence. Since consultation has taken place every year since 2007 and in 2012 there seems to me to have been every opportunity for those who wish to comment on admission arrangements to have done so.
14. The current catchment area for the School is clearly defined and not unreasonable. I accept that the nearness tie breaker has the potential to disadvantage some children living in Lower Cambourne by obliging them to attend a school that is not the nearest to their homes but by definition, when there are fewer places available in a school than there are children wanting admission, there will always be a degree of disadvantage to someone. The tie breaker is not inherently unfair and does not breach the Code. I nonetheless suggest that the Council gives some thought to the implications of the nearness tie breaker and possible variants on it, as set out by the objector.
15. The objector has raised issues about school place planning for the increasing numbers of children in the area. The local authority has been discussing and responding to these issues as evidenced by the arrangements made for the Hardwick link school in response to a shortage of places. Overall primary numbers are forecast to peak at 2017 and then reduce by the end of the decade. This demographic profile with a sharp peak and subsequent fall in numbers means the Council has not committed itself, at this stage, to a permanent fourth primary school. Instead it has arranged for an existing school to expand to provide the additional primary school capacity needed in Cambourne. Alongside this, the need for a permanent fourth school will be kept under regular review.

Conclusion

16. The arrangements in question were properly consulted upon in accordance with requirements. Although I accept that some small children in Cambourne may have to travel further than is desirable to school whilst others do not, this is not a breach of the Code. I therefore do not uphold the objection.

Determination

In accordance with section 88 H (4) of the School Standards and Framework Act 1998, I do not uphold the objection to the admission arrangements determined by Cambridgeshire County Council for admissions in September 2013 to Monkfield Park Primary school.

Dated: 1 August 2012

Signed:

Schools Adjudicator: Mrs Janet Mokades