



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: ADA3007

Objector: A parent

Admission Authority: Aspirations Academies Trust for Oak Hill Academy, Feltham, London Borough of Hounslow.

Date of decision: 2 September 2015

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements determined by the Aspirations Academies Trust, the admission authority for Oak Hill Academy, for admissions in September 2016.

I have also considered the arrangements in accordance with section 88I(5). I determine that the arrangements do not conform with the requirements relating to admission arrangements in the matters 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 within two months.

The referral

1. Under section 88H(2) of the School Standards and Framework Act 1998, (the Act), an objection has been referred to the Office of the Schools Adjudicator (OSA) by a parent (the objector), about the admission arrangements (the arrangements) determined by the Aspirations Academies Trust (the trust) for Oak Hill Academy (the school), an academy school for pupils aged 7 to 11 years, for September 2016. The objection is that there is no information about the admission of children outside their chronological age group and this is said to contravene paragraph 2.17 of the School Admissions Code (the Code).

Jurisdiction

2. The terms of the academy agreement between the trust and the Secretary of State for Education require that the admissions policy and

arrangements for the academy school are in accordance with admissions law as it applies to maintained schools. These arrangements were determined by the trust which is the admission authority for the school, on 13 March 2015, on that basis. In this case, the objector submitted the objection to these determined arrangements for 2016 on 30 June 2015 and 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.

3. I have also used my power under section 88I of the Act to consider the arrangements for 2016 as a whole.

Procedure

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

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

- the objection dated 30 June 2015;
- the school's response dated 13 July 2015, with supporting documents; and further information sent on 17 July 2015;
- a response from Hounslow Borough Council, the local authority (the LA) dated 21 July 2015;
- minutes of the meeting of the trust held on 13 March 2015 at which the arrangements for admission in September 2016 were determined;
- the determined arrangements for 2016;
- a copy of the supplementary funding agreement dated 25 March 2014; and
- the LA's composite prospectus for parents seeking admission to primary schools in the area in September 2015.

The Objection

6. The objection is that the arrangements do not include information about the admission of children outside their chronological age group. This is said to contravene paragraph 2.17 of the Code which says, "*Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health. In addition, the parents of a summer born child⁵⁰ may choose not to send that child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to reception rather than year 1. Admission authorities **must** make clear in their admission arrangements the process for requesting admission out of the normal age group.*" The objector says that the final sentence of this paragraph is clearly not fulfilled in the arrangements as there is no mention at all of admitting children outside of their normal year group.

Other Matters

7. Having reviewed the arrangements as a whole for admission to the school in September 2016, I considered four matters that appear to contravene the Code: the arrangements for 2016 are not published on the school's website; the waiting list does not include information for parents about how long the 'continued interest list' will be maintained; oversubscription criterion 3 which gives priority to children attending any named "Aspirations Academy"; and there is no definition of "staff".

Background

8. The school was previously a community school and converted to academy status on 1 April 2014. The school is sponsored by the Aspirations Academy Trust which is a multi-academy trust of primary and secondary schools. It is a junior school for pupils aged 7 to 11 years and has a planned capacity of 360. The published admission number is 120 and there are approximately 400 pupils on roll.

9. The school's website has a helpful tab labelled admissions, but unfortunately does not have the 2016 arrangements published there, only the 2015/16 arrangements

Consideration of Factors

10. The objector asserts that the arrangements do not include information about the admission of children outside their chronological age group. This is said to contravene paragraph 2.17 of the Code

11. The school says, "*We accept that in line with the new admissions code there is an omission from the policy in relation to the admission of children outside of the normal age group.*" As the arrangements did not meet the requirement set out in paragraph 2.17 of the Code, detailed above, I uphold the objection.

12. In response to the objection the school sent in a proposed amendment which has yet to be formally agreed by the trust. It provides parents with detailed information about the admission of children out of their normal age group.

Other Matters

13. Having reviewed the arrangements as a whole for admission to the school in September 2016, I considered four matters that appear to contravene the Code. The first of these concerns the publication of arrangements on the school's website. Paragraph 1.47 of the school says, "*Once admission authorities have determined their admission arrangements, they **must** notify the appropriate bodies and **must** publish a copy of the determined arrangements on their website displaying them for the whole offer year (the school year in which offers for places are made).*" On 24 August the school's website the only arrangements available for parents refer to 2015/16.

14. The second matter is that the arrangements must include information for parents about *how long* the ‘continued interest list’ (or waiting list) will be maintained for, that is, until 31 December 2016 as set out in paragraph 2.14 of the Code, or longer if the trust prefers.

15. The third matter is that oversubscription criterion 3 says, “*Children who have attended any named Aspirations Academy*” The school is a junior school but there is no local trust infant school and so no school is named. Therefore no applicants can qualify under this this oversubscription criterion. The school sent in proposed changes to its arrangements which remove oversubscription criterion 3.

16. The final matter relates to the need for a definition of “staff” in the notes to oversubscription criterion 4, which affords priority to the children of staff who have been employed at the academy for two or more years. Parents should know whether “staff” applies to any member of staff employed by the school or just to one group of staff, so that they can assess the impact of this oversubscription criterion of the chance of their child of gaining admission to the school. Staff too, need to know whether they would qualify for priority for their child.

Conclusion

17. The objector asserts that there is no information about the admission of children out of their chronological age group. The school readily accepts that this information was omitted from the arrangements. As they do not meet the requirement set out in paragraph 2.17 of the Code and I uphold this objection.

18. Having reviewed the arrangements as a whole for admission to the school in September 2016, I have concluded that there are four matters within arrangements that do not comply with the Code. These include the requirement for the arrangements for 2016 to be published on the school’s website; the waiting list should include information for parents about how long the ‘continued interest list’ will be maintained; oversubscription criterion 3 which gives priority to children attending any named “Aspirations Academy” is redundant as no school is named; and there is no definition of “staff” in the notes to oversubscription 4.

Determination

19. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements determined by the Aspirations Academies Trust, the admission authority for Oak Hill Academy, for admissions in September 2016.

20. I have also considered the arrangements in accordance with section 88I(5). I determine that the arrangements do not conform with the requirements relating to admission arrangements in the matters set out in this determination.

21. 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 within two months.

Date: 2 September 2015

Signed:

Schools Adjudicator: Mrs Carol Parsons