



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: ADA3006

Objector: A parent

Admission Authority: The academy trust of Norwood Green Junior School, Southall, in the London Borough of Hounslow

Date of decision: 17 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 for Norwood Green Junior School, 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 ways 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 adjudicator by a parent (the objector), about the admission arrangements (the arrangements) for Norwood Junior School (the school), an academy school for pupils aged 7 to 11 years, for September 2016. The objection is to the omission of information in the arrangements concerning the admission of children out of their chronological age group.

Jurisdiction

2. The terms of the academy agreement between the Norwood Green Junior School Trust (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 governing body, for the trust which is the admission authority for the school, on 17 March 2015, on that basis.

3. 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.

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

Procedure

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

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

- the objection dated 30 June 2015;
- the school's responses dated 17 July 2015, with supporting documents; and a further response to my enquiry, dated 9 September 2015;
- a response from Hounslow Borough Council, the local authority (the LA) dated 21 July 2015;
- minutes of the meeting the governing body held on 17 March 2015 at which the arrangements for admission in September 2016 were determined;
- the determined arrangements for 2016;
- a copy of the funding agreement dated 28 June 2013; and
- the LA's composite prospectus for parents seeking admission to primary schools in the area in September 2015.

The Objection

7. The objection is to the omission of information in the arrangements concerning the admission of children out of their chronological age group. This is said to contravene paragraph 2.17 of the Code

Other Matters

8. Having reviewed the arrangements as a whole for admission to the school in September 2016, I considered other issues which may contravene the Code. These are the lack of information concerning the admission of children whose Education, Health and Care (EHC) plan names the school; and the sufficiency of information about the operation of the waiting list.

Background

9. The school was previously a community junior school and converted to academy status on 1 July 2013. It is located within the Heston and Cranford Priority Admission Area of the borough. There are approximately 360 pupils aged 7 to 11 years on roll, but from September 2015 the school will have a published admission number (PAN) of 120 and will become a four form entry school. The majority of pupils are admitted from the linked infant school, Norwood Green Infants which also has a PAN of 120. The school is supported by the Norwood Green Junior School Trust.

10. I found a set of arrangements that were easy to locate on the school's website on the Homepage under the tab, "Admissions." The arrangements were identical to those published on the LA's website for 2016, but unfortunately the arrangements on the school's own website are undated.

Consideration of Factors

11. The objector asserts that there is no information in the arrangements concerning the admission of children out of their chronological age group and 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 child 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.*"

12. Responding to the objection the school says that it had not intended to omit information about the admission of children out of their chronological age group and an amendment has been proposed. The governing body will consider the proposal at their autumn meeting.

13. Commenting on the objection and the school's response, the LA says it supports the proposed revision.

14. As the required information was not included in the arrangements, the requirement set out in paragraph 2.17 was contravened.

Other Matters

15. I have reviewed the arrangements as a whole for admission to the school in September 2016 and noted that there is no mention of the admission of children with EHC plans. Paragraph 1.6 of the Code says, "*...All children whose statement of special educational needs (SEN) or Education, Health and Care (EHC) plan names the school **must** be admitted...*" The school has proposed an amendment but it refers to Health and Care plans and therefore still does not comply with the Code and needs to be revised.

16. My second concern relates to the sufficiency of information about the operation of the waiting list. The arrangements state, “*A waiting list is held for a maximum of one academic year, in accordance with the oversubscription criteria above. The waiting list is managed by the Local Authority on behalf of the Governing Body.*”

17. Paragraph 2.14 of the Code says, “*Each admission authority **must** maintain a clear, fair and objective waiting list until at least **31 December** of each school year of admission, stating in their arrangements that each added child will require the list to be ranked again in line with the published oversubscription criteria. Priority **must not** be given to children based on the date their application was received or their name was added to the list.*” The school meets the requirement for having a waiting list and has now drafted an amendment which states clearly that the waiting list will be ranked again after each child is added to the list.

Conclusion

18. The objection is to the lack of information about the admission of children out of their chronological age group. The school has acknowledged that this information was omitted. The arrangements do not meet the requirement set out in paragraph 2.17 and for this reason I uphold the objection.

19. I have also considered the arrangements as a whole for admission to the school in September 2016 and have concluded that there are matters within the arrangements as a whole that do not comply with the Code. These are the omission of information about the admission of children with EHC plans; and the requirement to state that as each child is added to the waiting list, the list will ranked again in line with the oversubscription criteria.

Determination

20. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements for Norwood Green Junior School, for admissions in September 2016.

21. 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 ways set out in this determination.

22. 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: 17 September 2015

Signed:

Schools Adjudicator: Mrs Carol Parsons