



DETERMINATION

Case reference:	ADA2911
Objector:	The London Borough of Redbridge
Admission Authority:	The Governing Body of St Bede's Catholic Primary School, Redbridge
Date of decision:	20 November 2015

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements determined by the governing body for St Bede's Catholic Primary School, Redbridge.

I have also considered the arrangements in accordance with section 88I(5). I determine that they 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 the London Borough of Redbridge (the objector) about the admission arrangements for September 2016 (the arrangements) for St Bede's Catholic Primary School, Romford (the school), a Roman Catholic voluntary aided school for children aged 3 to 11.**
- 2. The objection concerns the supplementary information forms used by the school and the information which the school includes when publishing its admission arrangements.**

Jurisdiction

- 3. These arrangements were determined under section 88C of the Act by the school's governing body, which is the admission authority for the school. The objector submitted the objection to these determined**

arrangements on 19 June 2015. 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(5) of the Act to consider the arrangements as whole.

Procedure

5. In considering this matter I have had regard to all relevant legislation and the School Admissions Code (the Code).
6. The documents I have considered in reaching my decision include:
 - a. the objector's form of objection dated 19 June 2015;
 - b. the school's response to the objection, its response to my enquiries and supporting documents;
 - c. the comments from the Diocese of Brentwood (the diocese) on the objection;
 - d. comments from the Catholic Education Service (CES) on the objection;
 - e. guidance to parents and parish priests published by the diocese;
 - f. Redbridge Council's, the local authority (the LA), composite prospectus for parents seeking admission to schools in the area in September 2016;
 - g. confirmation of when consultation on the arrangements last took place;
 - h. a copy of the minutes of the meeting of the governing body at which the arrangements were determined; and
 - i. a copy of the determined arrangements.

The Objection

7. The LA submitted an objection to the admission arrangements of six Catholic primary and three Catholic secondary schools on 19 June 2015. All of the schools were within the same LA area and were within the same diocese; however each school was its own admission authority.
8. The objector was asked to clarify the details of its objection to each individual school's arrangements. There were four parts to the objection to this school which the objector summarised as:

"1. The admission authority failed to determine a priest's reference form that is in accordance with the requirements of the

Code. The form used – which they say belongs to the Diocese and they have not determined – establishes parents’ marital status by asking both parents to sign and provide their home addresses. It also asks parents to give the reasons they want a Catholic school. This is not included in the admission arrangements.

1. *The arrangements fail to say how the information gathered on the priest’s reference form on other parish activities will be used in determining their Catholicity. This is not included in the admission arrangements.*
 2. *The guidance to priests on completing the form isn’t considered part of the published admission arrangements and hasn’t been made clear to parents. Again, the admission authority has failed to determine this and include it in the information published for parents.*
 3. *The SIF [supplementary information form] used requires that parents provide proof of residence which has already been provided to the Local Authority. This is an unnecessary requirement and duplication.”*
9. The objector said that the arrangements did not comply with paragraphs 1.8, 1.9, 1.37 and 2.4 of the Code.

Other Matters

10. When I considered the arrangements as a whole there were several points where it appeared to me that they did not, or may not comply with requirements.
- a. The arrangements did not appear to be clear or comply with the Code regarding the prioritisation of both Catholic and non-Catholic looked after or previously looked after children. This would not comply with paragraphs 1.7 and 1.37 of the Code.
 - b. The arrangements give priority to children of other Christian denominations and of other faiths whose parents regularly practise their faith. It did not appear to be clear in the arrangements how regular practice is assessed objectively or how parents will understand how they can satisfy these criteria. This would not comply with paragraphs 1.8 and 1.37 of the Code.
 - c. The last three oversubscription criteria refer to parents or carers being “*sympathetic to and supportive of the Catholic ethos of the school.*” This may not comply with paragraph 1.8 of the Code.
 - d. The arrangements appear to require parents to present their completed forms to governors and to meet with a priest. This may not comply with paragraph 1.9m of the Code.

- e. The arrangements did not appear clear on the admission of children with statements of special educational needs or education, health and care plans which name the school.

Background

11. The school has a published admission number (PAN) of 60 and is oversubscribed. Its oversubscription criteria are set out below.
 1. Looked after children and those previously looked after from Catholic families.
 2. Baptised Catholic children living in the parish of St Bede's who have a Catholic parent/carer who attends Mass regularly.
 3. Baptised Catholic children living in a neighbouring parish other than St. Bede's at the time the application is made who have a Catholic parent/carer who attends Mass regularly.
 4. Baptised Catholic children who have a Catholic parent/carer who does not attend Mass regularly, but desires a Catholic education for their child.
 5. Non-baptised children of a Catholic parent whose application is supported by their Parish Priest.
 6. Other looked after children and those previously looked after.
 7. Children of other Christian denominations at least one of whose parents/carers regularly practice their faith and whose application is supported by the appropriate Minister of Religion. In such cases the parent must be sympathetic to and supportive of the Catholic ethos of the school.
 8. Children of non Christian faiths at least one of whose parents/carers regularly practice their faith and whose application is supported by the appropriate Faith Leader of Religion. In such cases the parent must be sympathetic to and supportive of the Catholic ethos of the school.
 9. Any other applicants whose parents/carers are sympathetic to and supportive of the Catholic ethos of the School
12. Within each of the above criteria priority is given to children who have a sibling at the school at the time of admission followed by those who live nearest to the school with a lottery being used as a final tie-breaker. The arrangements include definitions of the terms used in the oversubscription criteria.

Consideration of Factors

13. The objection is set out in full above. In its comments on the objection the school said "*we note that the details of the objections raised ...*

relate to the Priest's reference form. This form is provided by the Diocese of Brentwood. The Redbridge Catholic schools have adopted this form and therefore believe it is a matter for the Diocese to comment on."

14. The diocese said "*the Priest's reference form and advice to priests, schools and parents are diocesan property, not the property of the Admissions Authority and therefore do not have to be Code-compliant.*" It also said it was in discussion with the CES and the Department for Education (DfE) about its documentation.
15. The diocese asked the CES to make comments on the objection on the diocese's behalf. The CES said that the Priest's Reference Form (PRF) is a diocesan document and did not belong to any school. The CES compared it to a baptism certificate or other document such as a letter from a doctor in support of admission on exceptional medical grounds which are not part of a school's admission arrangements but are used to test whether an applicant meets an oversubscription criterion.
16. The school is a voluntary aided school and as such its governing body is the admission authority. Paragraph 5 of the Code says "*It is the responsibility of admission authorities to ensure that admission arrangements⁴ are compliant with this Code. Where a school is the admission authority, this responsibility falls to the governing body or Academy Trust.*" In footnote 4 to this paragraph the Code says "*Admission arrangements means the overall procedure, practices, criteria and supplementary information to be used in deciding on the allocation of school places and refers to any device or means used to determine whether a school place is to be offered.*" The SIF and PRF are required to be completed if a parent wishes their child to be considered for a place under the faith-based criteria. They collect supplementary information, are devices used to determine whether a school place is offered and therefore I consider them to be part of the admission arrangements and as such the responsibility of the admission authority.
17. I do not consider the PRF to be equivalent to a doctor's letter in support of an application on exceptional medical grounds as suggested by CES. This is because the PRF is required for all applicants applying for a place on the grounds of them being a Catholic and the test is common to all of them. If a school gives priority for admission on exceptional medical grounds any applications on those grounds are by definition exceptional and will be different to all other applications. A form would be unlikely to be suitable to provide the school with the information required so a letter would be a practical way an admission authority could determine if a child should be offered a place on those grounds. If an admission authority did give priority based on medical needs, it would need to comply with paragraph 1.16 of the Code and set out in their arrangements how they define this need and what supporting evidence will be required. So even if I accepted a comparison between the PRF and a doctor's letter, the Code leaves

the responsibility of definition and choice of evidence with the admissions authority.

18. I have also considered paragraph 1.38 of the Code which says
*“Admission authorities for schools designated as having a religious character **must** have regard to any guidance from the body or person representing the religion or religious denomination when constructing faith-based admission arrangements, to the extent that the guidance complies with the mandatory provisions and guidelines of this Code.”*
This paragraph allows for the possibility that guidance from the diocese may not comply with the Code and the responsibility for ensuring that arrangements do comply with the Code remains with the admission authority as set out in paragraph 5 of the Code quoted above.
19. In my view the Code is clear that while the governing body must have had regard to the diocese’s guidance, it is responsible for setting the test of religious practice and for any documentation used to provide evidence that the test is met. Although the diocese was asked to provide me with the guidance it provides to schools it did not do so, the only documentation it sent to me was the PRF and its guidance to parents and priests. Based on the guidance available to it, the school is responsible for ensuring that the test and any forms used to collect evidence comply with the Code. These are part of the admission arrangements and must be determined annually by the governing body as set out in paragraph 1.46 of the Code and published by the school as required in paragraph 1.47.
20. Paragraph 2.4 of the Code sets out the requirements for supplementary forms used by an admission authority, I consider the PRF to be a supplementary form; paragraph 2.4 says *“In some cases, admission authorities will need to ask for supplementary information forms in order to process applications. If they do so, they **must** only use supplementary forms that request additional information when it has a direct bearing on decisions about oversubscription criteria or for the purpose of selection by aptitude or ability. They **must not** ask, or use supplementary forms that ask, for any of the information prohibited by paragraph 1.9 above or for:*
- a) any personal details about parents and families, such as maiden names, criminal convictions, marital, or financial status (including marriage certificates);*
 - b) the first language of parents or the child;*
 - c) details about parents’ or a child’s disabilities, special educational needs or medical conditions;*
 - d) parents to agree to support the ethos of the school in a practical way;*
 - e) both parents to sign the form, or for the child to complete the form.”*

21. The oversubscription criteria are based on whether or not the child is, or was, looked after and if so were they “*from a Catholic family*”, if the child was baptised, where the child lives; whether they have a Catholic parent or carer who attends Mass regularly or not, and if parents were in sympathy with and support the aims and ethos of the school and have support from a minister of religion or other faith leader. The child’s looked after status and their address will be provided by the LA on the common application form (CAF) so any supplementary forms used by the school, which include the PRF, can only collect information required to make decisions about the other elements of the oversubscription criteria set out above.
22. The PRF is in two parts, the first is headed “*Your Self-Assessment*” and says it is “*confidential to you and the priest and will not be supplied to the school.*” It asks for the name of both father and mother (there is a footnote saying this includes all persons who have a legal responsibility for the child), their parish of residence, whether they are Catholics, which church they normally attend and how frequently and how long that practice has been. There is space on the form for parents to explain why they may not attend mass regularly and to provide any other relevant details. The form also says “*If the child lives at more than one address, please give both and give full details.*” The form then asks for the name and date of birth of the child, the date of baptism and first Holy Communion before saying “*If you or your child participate or contribute to parish activities, you may wish to indicate below*” and then asking “*Why do you wish your child to attend a Catholic school?*” At the end of this section space is provided for both parents to sign before it is given to the priest.
23. The second part of the form is headed “*Priest’s Reference*”. Parents are asked to fill in the name of the child, the name of the parents and the address of the normal family home. The priest is required to say whether the parents are known to him, whether the child is known to him and if having read the guidance to priests he considers the child to be a member of a practising Catholic family. This part of the form is sent by the priest to the school. The first part of the form is either retained by the priest or returned to the parents.
24. The first part of the form asks for personal details about parents and families from which information about the parents’ marital status could be inferred. It also asks for the signatures of both parents. These are expressly prohibited by paragraph 2.4 of the Code. The form collects information which is not required to make decisions about oversubscription criteria also prohibited by paragraph 2.4 of the Code.
25. The objector questioned whether the PRF complied with paragraphs 1.9a and 1.9i of the Code. These say that admission authorities “**must not a) place any conditions on the consideration of any application other than those in the oversubscription criteria published in their admission arrangements ... i) prioritise children on the basis of their own or their parents’ past or current hobbies or activities (schools which have been designated as having a religious character may take**

account of religious activities, as laid out by the body or person representing the religion or religious denomination” . I do not think the school does take into account any conditions other than its oversubscription criteria; the concern is with the information collected to decide if the oversubscription criteria are met and how it is used. This includes the reference in the PRF to parish activities. As the diocese provided the form it sanctions the consideration of parish activities, but it is not clear what activities qualify and if they form any part in deciding if a baptised child has a Catholic parent or carer.

26. Paragraph 14 says *“In drawing up their admission arrangements, admission authorities **must** ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.”* Paragraph 1.8 says *“Oversubscription criteria **must** be reasonable, clear, objective, procedurally fair, and comply with all relevant legislation, including equalities legislation.”* And paragraph 1.37 says *“Admission authorities **must** ensure that parents can easily understand how any faith-based criteria will be reasonably satisfied.”*
27. The oversubscription criteria refer to *“Baptised Catholic children ... who have a Catholic parent/carer who attends Mass regularly”*. Also they refer to *“a Catholic parent/carer who does not attend Mass regularly.”* This requires three facts to be established, is the child baptised, do they have a Catholic parent or carer and if so do they attend Mass regularly. It is clear whether a child is baptised or not and if a parent or carer is Catholic, this is easily evidenced through the baptismal certificate. To meet the requirements of the Code quoted in the previous paragraph, arrangements must be clear and objective and a parent **must** be able to easily understand how they can be considered to attend Mass regularly.
28. In the arrangements it says *“Regularity will be determined from the Priest’s reference.”* There is no other guidance about what practising means in the arrangements themselves. It was not stated how long this practice should have been sustained for although that question is asked on the PRF. The PRF itself is not available on the school’s website as paragraph 1.47 of the Code requires it to be, it is however available through the LA’s website.
29. The CES provided me with the uniform resource locator (URL) where guidance for parents and priests could be found on the diocese’s website. I could not access these pages from diocese’s home page without using the search facility. The diocese’s guidance for parents dated May 2014 explains how to complete the form but does not give any objective definition of what is required to be a practising Catholic and there is none on the PRF itself. The guidance for parents says that the decision about whether *“you are a practicing Catholic family”* will be based on *“your Mass attendance”*. Parents may question why they are asked to provide other information and will not *“easily understand how any faith-based criteria will be reasonably satisfied.”*

30. The guidance for priests is marked "*For Admissions in September 2012*" and says the purpose of the PRF is "*to give all priests a framework in which they can essentially let Catholic schools know whether that applicant is from a practising Catholic family.*" It also says in the first annexe to the guidance "*It is for the priest to make the judgement whether a child comes from a practising Catholic family.*" There is further guidance in bold type "*for the purposes of this priest's reference form, a person is a practising Catholic if they observe the Church's precept of attending Mass on Sundays and holidays [sic] of obligation.*" The guidance goes on to say "*for numerous reasons, occasional non-attendance may not constitute a breach of the obligation; canon law provides for a range of particular circumstances which excuse or mitigate the obligation.*"
31. The priest's guidance refers to the length of practice; it gives no specific period although it warns "*A person is certainly not to be regarded as a practising Catholic if that practice has started recently solely in order to fulfil the requirements of entry to a Catholic school.*" The guidance for priests does however clarify that for the family to be regarded as practising just one parent is required to be a practising Catholic. It also gives scope for a priest to use their judgement if a grandparent or other relative supplements a lack of practice by the parents. It would appear that a priest may use a degree of judgement to declare a child to be a member of a practising Catholic family and parents have no way of understanding on what grounds this decision was reached.
32. I do not see how parents can, as required by paragraph 1.37 of the Code, easily understand from the arrangements how they will satisfy the requirement in the oversubscription criteria that they attend Mass regularly. They will not know the frequency that they should attend Mass or for how long they should have sustained that practice. They may also think that the other information sought on the PRF in some unspecified way influences the priest's decision on whether or not they are a practising Catholic.
33. The PRF leads to a declaration by the priest that the applicant is from a practising Catholic family, the school does not require this; the oversubscription criteria require that the applicant is baptised and they have a parent or carer who is Catholic and if so does the parent or carer attend mass regularly or not. The PRF does not provide the information the school needs to apply its oversubscription criteria.
34. The final part of the objection is that the SIF asks for proof of residence which has already been provided to the LA. Neither the school nor the diocese commented on this part of the objection. The copy of the SIF provided by the LA with its objection and the copy provided by the school are identical, neither asks for proof of residence. I do not therefore uphold this part of the objection however the SIF fails to meet requirements for other reasons.
35. The SIF asks for both parents' full name and religion. Paragraph 2.4 of

the Code quoted above prohibits admission authorities asking for information on a SIF which is not required to make decisions about oversubscription criteria or for both parents to complete the form. The SIF also asks for the child's birth certificate. Paragraph 2.5 of the Code only allows a birth certificate to be requested after a place has been offered and then a 'long' birth certificate is not permissible as it contains information about a child's parents.

36. The purpose of the SIF is not clear to me as it does not collect any information required to make decisions about oversubscription criteria which is not included on the CAF.
37. I uphold all but the last part of the objection because the responsibility for any forms used in the school's admissions process sits with its admissions authority which is the governing body. All forms must be determined and published as required by paragraphs 1.46 and 1.47 of the Code and this was not done. The PRF and the SIF do not comply with paragraph 2.4 of the Code and ask for information beyond that required to make decisions about oversubscription criteria. Paragraph 14 of the Code requires arrangements to be clear and paragraph 1.8 says that oversubscription criteria must be objective. The arrangements contain no objective definition of practising Catholic leaving this to an individual priest's judgement. This means that parents will not be able to easily understand how the faith based criteria will be satisfied as required by paragraph 1.37 of the Code

Other Matters

Looked after and previously looked after children

38. The first oversubscription criterion is "*Looked after children and those previously looked after i.e. legally adopted from Catholic families*". The definition of previously looked after children used in the arrangements does not reflect the introduction of child arrangements orders by the Children and Families Act 2014 and is not as set out in paragraph 1.7 of the Code and its footnotes.
39. Paragraph 1.37 of the Code says "*Admission authorities **must** ensure that parents can easily understand how any faith-based criteria will be reasonably satisfied. Admission authorities for schools designated with a religious character may give priority to all looked after children and previously looked after children whether or not of the faith, but they **must** give priority to looked after children and previously looked after children of the faith before other children of the faith. Where any element of priority is given in relation to children not of the faith they **must** give priority to looked after children and previously looked after children not of the faith above other children not of the faith.*"
40. This paragraph in the Code refers to children of the faith, not children from families of the faith. I asked the school to clarify what was intended by this criterion as it was not clear to me whether it gave priority to baptised Catholic children adopted by non-Catholic families

or to non-baptised children adopted by Catholic families.

41. The school said the criterion applied to both and *“A child is generally required to be a baptised Catholic. However, in addition, one of the child’s parents/carers must also be Catholic. The parent/carer should preferably be attending Mass on a regular basis, in order to bring the child up properly in the faith. There is a distinction made between parents who regularly practise and those who do not, with a higher priority given in relation to admissions being given to those who attend regularly”*.
42. Paragraph 1.37 of the Code refers to children of the faith, not children from families of the faith as in the oversubscription criterion. The arrangements say *“Catholic means a baptised member of the Church”*. Being adopted or fostered by a Catholic family does not make the child a Catholic. Unless a looked after or previously looked after, child has been baptised they cannot be given highest priority in this way.
43. I have also considered the position of a looked after or previously looked after, child who was baptised, but was not adopted or fostered by a Catholic family. Such a child, although of the faith, would not meet the first criterion as it is worded. The Code requires such a child to have highest priority. The school could give all looked after and previously looked after children highest priority, but if it chooses to restrict highest priority to those of the faith, it must do so in a way that is consistent with the Code.
44. Criterion 5 gives non-baptised children of a Catholic parent higher priority than other looked after or previously looked after children if supported by their parish priest. By the school’s own definition these children are not Catholic and therefore not of the faith and according to paragraph 1.37 of the Code other looked after or previously looked after children, must have higher priority than them.

Priority for children of other Christian denominations and other faiths

45. The seventh and eighth oversubscription criteria are for children of other Christian denominations and other faiths at least one of whose parents or carers regularly practice their faith and whose application is supported by an appropriate faith leader. In such cases the parent must be *“sympathetic to and supportive of the Catholic ethos of the school”*. The school provides a form which it requires to be submitted in support of applications under these criteria. The form asks the faith leader whether or not the family is known to him and whether or not they are a practising family, it also asks for a copy of the child’s birth certificate to be sent to the school which as explained above is not permissible.
46. I have quoted paragraphs 14, 1.8 and 1.37 of the Code above; arrangements are required to be clear and objective so parents can easily understand how they can meet the requirements of oversubscription criteria. Here there is a mismatch between the

criterion and the associated form. The oversubscription criterion requirement is regular practice by one parent, sympathy with the aims and ethos of the school and support from a faith leader. The form asks the minister to say if they know the family and if it is a practising family, it does not ask for the faith leader to say they support the application. Even if the form did ask the faith leader if they supported the application, this would be a subjective judgement, there is no guidance on what the faith leader's support should be based on. The Code requires arrangements to be objective, length and frequency of practice would be objective, support from a faith leader is not.

47. I consider the requirement in these criteria for parents to sympathise with the aims and ethos of the school below. In my view this criterion is neither clear nor objective. I do not see how a parent could easily understand how they could meet the requirement of this oversubscription criterion and it does not comply with the Code.

Support of the ethos of the school

48. In response to enquiries about the requirement in criteria 7, 8 and 9 for parents to sympathise with the aims and ethos of the school. The school responded "*it is hoped that in wanting to send their child to our school, they [parents] would give their full support to our aims and ethos, where the Catholic character of the school's education permeates every aspect of the school's life and activities.*"
49. There is no mechanism for a parent to demonstrate that they do so. It could be argued that if they did not they would not apply in the first place, however the parent could be applying because of the school's academic record or its proximity to the family home, not its ethos. I do not think sympathy for aims and ethos can be demonstrated objectively so this does not comply with paragraph 1.8 of the Code.
50. Faith schools are required by the Code in paragraphs 1.6, 1.36, 2.8 and 2.9 to admit every child who applies, whether of the faith or not, if there are places available. If there were sufficient places the school could not refuse to offer a place to an applicant whose parents were not sympathetic or supportive of the ethos of the school. The absence of an oversubscription criterion which provides for such children does not meet requirements.

Presenting forms to governors

51. In the arrangements there is a paragraph which says "*St Bede's Parish Church newsletter will publish diary dates for Reception and Nursery parents to schedule a time to meet the Parish Priest to sign their Priest's Reference Form*". The arrangements also say "*St Bede's Catholic Primary School and Nursery will publish dates and times for parents to present their completed forms to Governors of the Admissions Committee along with supporting documentation.*" Paragraph 1.9m of the Code prohibits admission authorities from interviewing parents.

52. In response to enquiries on this point the school said the reason parents are asked to present their forms to the Admissions Committee on a given date is to make the process easier from them as it enables them to check that all documents have been submitted and allows parents to ask questions about the process. The school said that if parents are unable to attend on the specified day they were told it did not preclude forms being submitted on other days up to the deadline.
53. A parent who, through work or other commitments, could not meet with either the parish priest or the admissions committee on the given dates could consider themselves unable to submit an application which would not be fair. Even if parents did contact the school and were told the meeting was unnecessary they may think that by not attending the meeting they were putting their application at a disadvantage. If other parishes do not offer parents the opportunity to meet the priest these parents will also be treated differently and I consider this unfair as well. Having considered the school's response and what is written in the arrangements I am of the view that a meeting with the parish priest and the Admissions Committee could be construed as interviews and are prohibited by the Code.

Admission of children with statements or education health care plans

54. The arrangements say that the admission of a child with a statement or EHCP is dealt with by a separate procedure. This is not the case.
55. Paragraph 1.6 of the Code says that all children with a statement of special educational need or an education, health and care plan (EHCP) which names the school must be admitted. If the child's statement or EHCP does not name the school then they are subject to the same process and oversubscription criteria as other children. Paragraph 14 of the Code requires arrangements to be clear and these arrangements are not clear on this point.

Conclusion

56. Responsibility for any forms used in the school's admissions process sits with its admission authority which is the governing body. All forms must be determined and published as required by paragraphs 1.46 and 1.47 of the Code and this was not done. The PRF and the SIF do not comply with paragraph 2.4 of the Code and ask for information beyond that required to make decisions about oversubscription criteria. Paragraph 14 of the Code requires arrangements to be clear and paragraph 1.8 says that oversubscription criteria must be objective. The arrangements contain no objective definition of practising Catholic leaving this to an individual priest's judgement. This means that parents will not be able to easily understand how the faith based criteria will be satisfied as required by paragraph 1.37 of the Code. On these grounds I uphold all but the last part of the objection.
57. After considering the arrangements as whole I have identified a number of other ways in which they do not conform with the Code.

Determination

58. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements determined by the governing body for St Bede's Catholic Primary School, Redbridge.
59. I have also considered the arrangements in accordance with section 88I(5). I determine that they do not conform with the requirements relating to admission arrangements in the ways set out in this determination.
60. 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.

Dated: 20 November 2015

Signed:

Schools Adjudicator: Phil Whiffing