



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: ADA3043

Objector: A member of the public

Admission Authority: The Horsell Village School trust for Horsell Village School, Woking, Surrey

Date of decision: 2 September 2015

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 the governing body of Horsell Village School on behalf of the academy trust, the admission authority for the school, for admissions in September 2016.

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 member of the public (the objector), about the admission arrangements (the arrangements) determined by the governing body of Horsell Village School (the school), an academy school for pupils aged 4 to 7 years, for September 2016. The objection is to the omission of information in the arrangements concerning deferred admissions, admission on a part-time basis or for the admission of children to the reception class (Year R) at compulsory school age. The arrangements are said to contravene paragraphs 2.16 and 2.17 of the School Admissions Code (the Code).

Jurisdiction

2. The terms of the academy agreement between the Horsell Village 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, on behalf of the trust which is the admission authority for the school, on 27 November 2014, on that basis. The objector submitted the objection to these determined arrangements for 2016 on 30 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.

3. The objector has asked to remain anonymous and has satisfied the requirement of regulation 24 of The School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 by providing name and address to the OSA.

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 17 July 2015, with supporting documents;
- comments from Surrey County Council, the local authority (the LA) dated 21 July 2015 and a further response to my enquiry, dated 4 August 2015;
- minutes of the meeting the governing body held on 27 November 2014 at which the arrangements for admission in September 2016 were determined;
- the determined arrangements for 2016;
- a copy of the funding agreement dated 31 August 2013; and
- the LA's composite prospectus for parents seeking admission to primary schools in the area in September 2015.

The Objection

6. The objector contends that the arrangements do not mention parental rights to defer admission to the school or attend part-time in respect of children below compulsory school age although the Code is very specific that these parental rights must be made clear; and further the school does not mention the right of the parents of a summer born child to request the entry into the reception class (Year R) at compulsory school age, that is, out of chronological age group. The objector asserts that this contravenes paragraphs 2.16 and 2.17 of the Code.

Background

7. The school was previously a community school and converted to academy status on 1 September 2013. It is supported by a single academy trust, the Horsell Village School Trust. The school is an infant school for pupils aged 4 to 7 years and has a published admission number of 90 with approximately 265 pupils on roll.

8. The arrangements are easy for parents to locate on the school's website.

Consideration of Factors

9. The objector's concern is that there is insufficient information about the deferred admission of children and about part-time attendance for children below compulsory school age and that this contravenes paragraph 2.16 of the Code which states, "Admission authorities **must** provide for the admission of all children in the September following their fourth birthday. The authority **must** make it clear in their arrangements that, where they have offered a child a place at a school:

a) that child is entitled to a full-time place in the September following their fourth birthday;

b) the child's parents can defer the date their child is admitted to the school until later in the school year but not beyond the point at which they reach compulsory school age and not beyond the beginning of the final term of the school year for which it was made; and

c) where the parents wish, children may attend part-time until later in the school year but not beyond the point at which they reach compulsory school age."

10. In response to the objection the school says that the governing body believes it is likely that a mistake has been made as all the information that is said to have been omitted is contained in the arrangements. The school suggests that the link provided by the objector is 'out of date' and that perhaps the objector's webpage needs to be refreshed since that link does not connect to the school's or LA's current webpages.

11. When I looked at the website via the link on the objector's form I too found that the information on the admissions webpage was out of date and referred to 2007. Using the link provided by the school to its arrangements I found the sections pertaining to deferred admission and to part-time attendance. The first reference is to section 16. "Starting School" which states: "*The Horsell Village School has a single intake into Reception. All children whose date of birth falls between 1 September 2011 and 31 August 2012 will be eligible to apply for a full time place in Reception for September 2016.*

Parents may request to defer their child's entry to Reception until later in the school year, but this will not be agreed beyond the beginning of the term after the child's fifth birthday, nor beyond the academic year for which the original application was accepted.

Children can start part time until they reach statutory school age."

12. There is clear information as required by paragraph 2.16 of the Code and there is no contravention of the Code.

13. The objector is also concerned that there is no information for parents of summer born children about admission out of chronological age group and paragraph 2.17 of the Code, which states, “*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*” is said to be contravened.

14. The school refers to section 19 of its arrangements which say, “*Applicants may choose to seek places outside of their child’s chronological year group. Decisions will be made on the basis of the circumstances of each case. Applicants must state clearly why they feel admission to a different year group is in the child’s best interest and provide evidence to support this. More information on educating children out of their chronological year group is available at www.surreycc.gov.uk/admissions.*”

15. Commenting on the objection the LA notes that they do include a statement about the right of a parent to ask to defer their child’s entry to Year R until later in the school year and to ask that their child starts part-time and that this text is compliant with the Code.

16. The arrangements of the school meet the requirements set out in paragraphs 2.16 and 2.17 of the Code and I conclude that there has been no contravention of the Code.

17. I have noted that the website contains links to information about admissions that it out of date and does not relate to admissions in 2016. The school needs to ensure that only relevant information is accessible via its website to avoid any confusion for parents.

Conclusion

18. The arrangements provide clear information for parents seeking part-time admission, deferred admission or admission out of chronological age group for children below compulsory school age and meet the requirements set out in the Code.

19. I accept that the arrangements make no particular reference to the admission of summer born children to Year R, at compulsory school age, that is, out of their chronological age group, but there is no requirement in the Code to refer specifically to summer born children.

20. For the reasons given above I conclude that the requirements of the Code have been met and I do not uphold these objections.

Determination

21. 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 the governing body of Horsell Village School on behalf of the academy trust, the admission authority for the school, for admissions in September 2016.

Date: 2 September 2015

Signed:

Schools Adjudicator: Mrs Carol Parsons