



Office of
the Schools
Adjudicator

Case reference: ADA3275

Objector: A parent

Admission Authority: Southend-on-Sea Borough Council for West Leigh Infant School in Leigh-on-Sea, Essex and community and voluntary controlled primary schools in the local authority area

Date of decision: 31 August 2017

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 for September 2018 determined by Southend-on-Sea Borough Council for West Leigh Infant School in Leigh-on-Sea.

I have also considered the arrangements for community and voluntary controlled primary schools in the local authority area of Southend-on-Sea Borough Council in accordance with section 88I(5) and find there are other matters which 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 of the date of the determination.

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, about the admission arrangements for September 2018 (the arrangements) for West Leigh Infant School for children aged from four to seven years. The referral also raised the same concerns with regard to the admission arrangements of West Leigh Junior School and I have considered this in a separate determination, ADA3276 as that school has a different admission authority. The objection is to how priority is given when there are more applications than places for those living in the catchment area and specifically to the fact that within the catchment priority is based on distance from the school with those living closest to the school having a higher priority.
2. The parties to this case are:
 - a) The parent who made the objection (the objector);

- b) Southend-on-Sea Borough Council (the local authority) which is the local authority for the area in which the infant school is situated and the admission authority for West Leigh Infant School and the community and voluntary controlled primary schools in the local authority area, and
 - c) The governing body of West Leigh Infant School (the infant school)
- Other schools referred to in this objection are:
- d) West Leigh Junior School (the junior school) for which the admission authority is the Portico Academy Trust; and
 - e) Hadleigh Infant and Nursery School (Hadleigh Infant School) which is a neighbouring school in the local authority area of Essex County Council.

Jurisdiction

- 3. These arrangements were determined under section 88C of the Act by the local authority, which is the admission authority for the school. The objector submitted his objection to these determined arrangements on 18 April 2017. The objector has asked to have his identity kept from the other parties and has met the requirement of Regulation 24 of the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 by providing details of his name and address to me. 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 the community and voluntary controlled primary schools in the local authority area of Southend-on-Sea Borough Council as a 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 received on 18 April 2017, supporting information and further documentation provided by the objector;
 - b. the local authority's response to the objection, supporting documents and responses to my questions;

- c. the local authority's composite document containing all determined admission arrangements for infant, junior, primary and secondary schools in the local authority area for 2018; the composite prospectus for parents seeking admission to schools in the area in September 2017; and the co-ordinated admission scheme for admissions in 2018;
 - d. maps of the area identifying relevant schools and catchment areas;
 - e. statutory guidance for local authorities issued by the Department for Education: *Home to school travel and transport guidance*;
 - f. information on the admission arrangements for Hadleigh Infant School;
 - g. information about the most recent consultation on the arrangements;
 - h. confirmation that the local authority determined the arrangements and extracts of the relevant minutes; and
 - i. a copy of the determined arrangements.
7. I have also taken account of information received during a meeting I convened on 29 June 2017 at the junior school with the objector and representatives of the local authority, the infant school and the junior school. The meeting was preceded by a short tour of the area to help me understand the local context.

The Objection

8. The objection is that the arrangements for the infant school are unfair because the arrangements disadvantage unduly children living on the western edge of the catchment area. The infant school is on the eastern edge of its catchment area. The infant school has, on occasion, been oversubscribed by children living in the catchment area. When this happens, priority is given on the basis of distance within the catchment area and the effect of this is that a child living on the western edge of the catchment area might not secure a place at the school because their home is furthest from the school. In such a case, the child may be allocated a place at a school that is to the east of the infant school in the local authority area. The child would have a longer journey to get to this school than would a child living nearer the infant school but who would have been more likely to gain a place at the infant school. These matters relate to the catchment area, how priority is given based on the distance between home and the school, fairness and reasonableness. The objector's concern is with how priority is given to those living within the catchment area when not all such children seeking a place at the school can be accommodated. The objector thinks it would be fairer if priority were given in such cases to those

who live furthest from the school rather than those who live nearest. Paragraphs 14, 1.13 and 1.8 of the Code are therefore relevant.

Other Matters

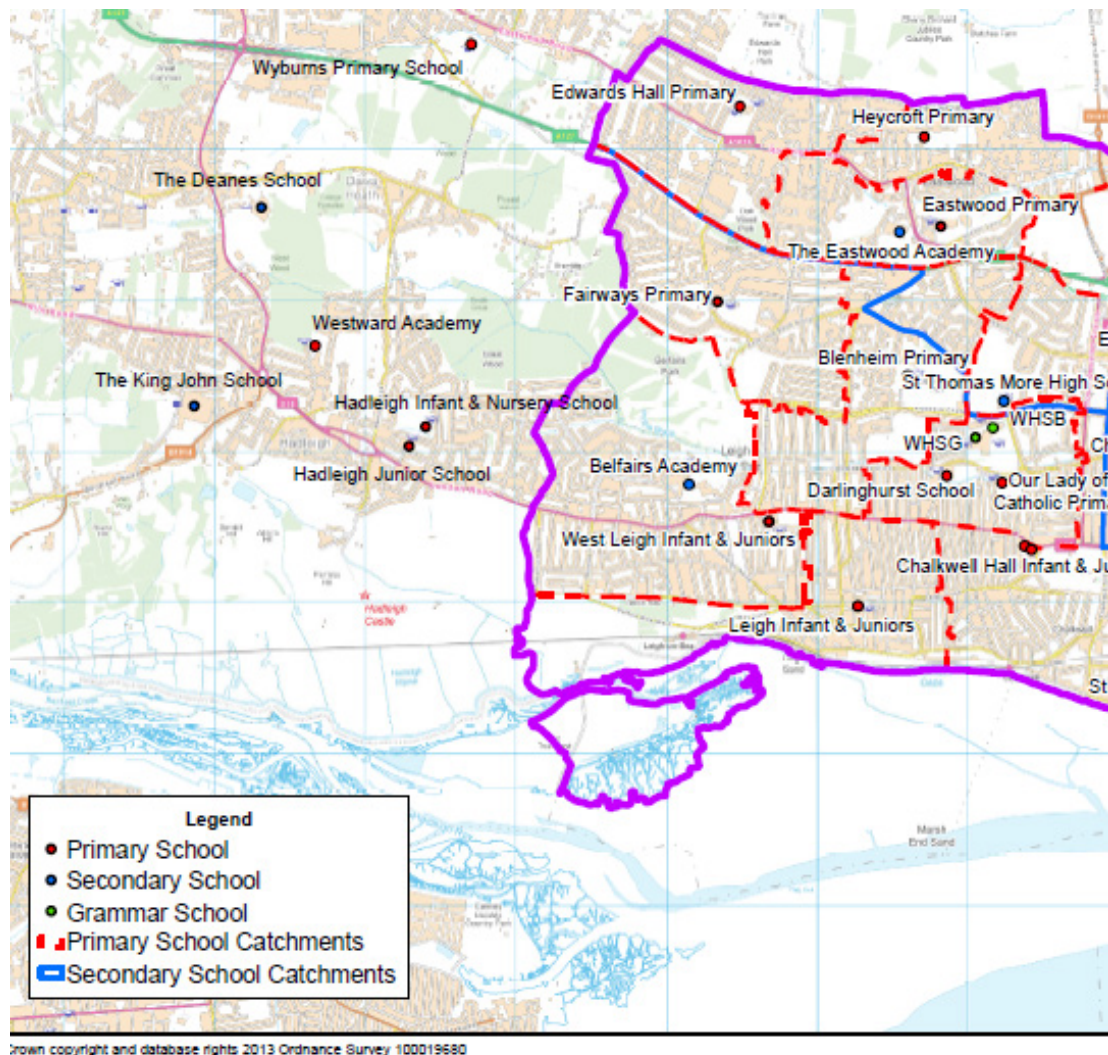
9. In reviewing the arrangements other matters, relating to community and voluntary controlled primary schools in the local authority area, came to my attention that may not comply with the requirements of the Code. These are (with the relevant paragraphs of the Code in brackets):
 - a. the arrangements for junior schools in the local authority area guarantee a place for a child attending a partner infant school and say that no application is required (15d, 1.6 and 1.7);
 - b. the names of the feeder schools to the junior schools are not provided (1.8, 1.9b, 1.15 and 14);
 - c. the definitions for looked after children and previously looked after children may not be clear (14, 1.8 and 1.7);
 - d. it may not be clear how the home address will be decided when children live at more than one address (14, 1.8 and 1.13);
 - e. there is no information on waiting lists (2.14);
 - f. there is no information on admission of children below school age and deferred entry (14 and 2.16); and
 - g. there is no information on admission of children outside their normal age group (14 and 2.17).

Background

10. West Leigh Infant School admits children into Reception Year (YR) and provides for them until the end of Year 2 (Y2). The infant school shares a site and some facilities with the junior school for which it is a feeder school. The other admission authorities in the local authority area have arrangements which are broadly in line with those determined by the local authority including the use of matching catchment areas in the oversubscription criteria.
11. The infant school is situated at the eastern edge of its catchment area. This means that families living slightly east and, in this part of the catchment area, north of the infant school, are outside of the catchment area. The infant and junior schools are situated to the south of the London Road which forms part of the northern edge of their catchment area. The local authority area of Essex and its border with the local authority provides the western edge of the catchment area. Belfairs Park borders part of the area to the north west and creates a natural boundary. Essex County Council also uses catchment areas in its admission arrangements and the catchment area for Hadleigh Infant School in Essex abuts that of the infant school on the school's west side. Figure 1 provides a map of the area showing relevant schools, their catchment areas and the local authority boundary.
12. At its widest points the catchment area is about 1.6 miles across so those living on the western edge of the catchment area travel about

1.5 miles to the infant school. For some living in the school's catchment, their nearest primary school is actually Hadleigh Infant School to the west. The local authority told me that some houses in the infant school's catchment area are less than two hundred yards from Hadleigh Infant School and that it is not unusual for such parents to put Hadleigh Infant School as their first preference. The next nearest infant school in the local authority area is Leigh North Street Primary School; this school is often oversubscribed by those who live in its catchment area.

Figure 1: map showing relevant schools and their catchment areas (note Leigh Infant and Junior Schools are now Leigh North Street Primary School)



13. The last Ofsted inspection for the infant school judged it as good. The infant school has a published admission number (PAN) of 120 and all places have been allocated since 2010. There have been appeals in each year but none have been successful. The last Ofsted inspection for Hadleigh Infant School also judged it good.
14. The local authority told me that there has been an increase in children requiring a school place mainly due to high birth rates and movement into the area. The objector told me, "*Leigh on Sea has*

been featured in a number of national newspapers (The Times voted Leigh on Sea as the 4th best town to live in the country in 2015 and last year The Daily Mail voted Leigh on Sea as the happiest place to live in the UK)." This will make it a popular area and may encourage inward migration.

15. The demand for places has varied from year to year.
 - a. In 2015 all children in the catchment area who wished for a place at the school were admitted.
 - b. In 2016 there were 27 children who lived in the catchment area and wished for a place at the school who were not admitted.
 - c. In 2017 all children who live in the catchment area and wished for a place at the school have been allocated a place plus several who live outside of the catchment area.
16. The local authority said that the infant school site is at capacity and that it is not possible to expand the school or to find another school site in the catchment area due to the density of the housing and the lack of any suitable space. In order to meet the rising demand for places the local authority has increased the number of places available by expanding two nearby schools, Blenheim Primary School and Darlington Primary School. The last Ofsted inspections for these schools judged them as good and requiring improvement respectively.
17. The local authority consulted on its arrangements in 2012 for admissions in 2013 and the arrangements have remained unchanged since then. Paragraph 15b of the Code says that an admission authority only has to consult on its arrangements if a change is proposed or at least once every seven years so this complies with the Code.
18. The arrangements for 2018 for community and voluntary controlled schools were reviewed by the Southend-on-Sea Admissions Forum which agreed that no changes were necessary. The cabinet for the local authority determined the arrangements on 20 September 2016. The oversubscription criteria in the arrangements for infant and junior schools are:
 - "a) *Reception intake:*
 1. *Looked after children and previously looked after children (see explanatory note);*
 2. *Pupils who live in the catchment area served by the school and who have an older sibling attending the school or attending the "partner" junior school;*
 3. *Pupils who live in the catchment area served by the school;*
 4. *Pupils who live outside the catchment area served by the school and who have an older sibling attending the school or attending the "partner" junior school;*
 5. *Pupils who live outside the catchment area served by the school.*

b) *Junior school intake:*

Priority will be given to those pupils currently attending the “partner” infant school. Provided that the number of pupils in year 2 of the infant school does not exceed the admission limit of the junior school they will all be guaranteed a place. If places remain unfilled the following criteria will be used, in priority order to allocate places up to the annual admission limit of the junior school.

- 1. Looked after children and previously looked after children (see explanatory note);*
- 2. Pupils who live in the catchment area served by the school and who have an older sibling attending the school;*
- 3. Pupils who live in the catchment area served by the school;*
- 4. Pupils who live outside the catchment area served by the school and who have an older sibling attending the school;*
- 5. Pupils who live outside the catchment area served by the school.”*

19. The arrangements include a map of the catchment areas. The arrangements further explain, *“In the case of over subscription in any one category “straight line” distance will be used to measure the distance between the pupil’s home and the nearest pupil entrance to the school/main entrance to the school. Distances will be measured using the Local Authority’s computerised measuring system. The pupils living closest will be given priority.”* It is this last sentence which the objector says is unfair and unreasonable.

Consideration of Case

20. Paragraph 1.10 of the Code says, *“This Code does not give a definitive list of acceptable oversubscription criteria. It is for admission authorities to decide which criteria would be most suitable to the school according to the local circumstances.”* For any school, there is likely to be more than one type of admission arrangements that satisfy the requirements relating to admissions. My jurisdiction is to consider whether the arrangements determined by the admission authority do satisfy those requirements.

21. The objector says that the current arrangements are not fair or reasonable so paragraphs 14 and 1.8 of the Code are particularly relevant. 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.”* Paragraph 1.8 says, *“Oversubscription criteria **must** be reasonable, clear, objective, procedurally fair, and comply with all relevant legislation, including equalities legislation.”*

22. Paragraph 1.13 of the Code is specific to distance and says, *“Admission authorities **must** clearly set out how distance from home to the school will be measured, making clear how the ‘home’ address will be determined and the point in the school from which all distances are measured.”* This does not say whether priority

should be given to those who live closest or furthest away and neither does any other part of the Code.

23. Paragraph 1.14 says, “*Catchment areas **must** be designed so that they are reasonable and clearly defined. Catchment areas do not prevent parents who live outside the catchment of a particular school from expressing a preference for the school.*” There is no requirement for a school to have a catchment area and, where a school does have a catchment area, there are no specific requirements governing how priority is to be determined if the school cannot accommodate all those living within its catchment area who would like to go there.
24. I visited the area of the infant school as the context is important. I also studied maps showing the location of the schools in the local authority area and their catchment areas. This catchment area is unusual, but not unique, in that the infant school is on the edge of its own catchment area and that children living across the road to the school on its north eastern edge are actually outside of the catchment area. The local authority has told me that the catchment area is like this for several reasons.
- a. The western edge of the catchment area is the same as the local authority boundary and while it has explored changing the catchment area boundary through discussions with Essex County Council there has been no progress so far.
 - b. To the south of the infant school is another popular school, Leigh North Street Primary School, which was oversubscribed by those living in its catchment area and this was addressed some years ago by increasing the catchment area for the infant school which at the time had capacity.
 - c. A large section of the northern edge of the catchment area is Belfairs Woods through which there are no roads or safe walking routes to an alternative school. It is therefore a major physical barrier.
 - d. The location of the school is historical and there is now no scope for it to be located elsewhere in the area or for an additional school built because of the density of the housing. For those to the west of the local authority area the infant school is their nearest school in the local authority area. In order to give these families the best opportunity to be admitted to the infant school the catchment area boundary is right beside the school. This gives the children living on the western edge a higher priority than those who live right by the school but who have other nearby schools in the local authority area.
 - e. The northern edge of the catchment area at this point by the school is the A13 or London Road which is a major route and a geographical boundary. The local authority told me that some of the nearest properties across the road are commercial; I noted that this is an area of mixed residential and commercial properties with residential streets nearby.

25. In this context the catchment area, where normally there are sufficient places for all those who live in the catchment area, seems reasonable for admissions in 2018. The local authority's forecasts show that there will be an increase in children living in the area and so a future risk of oversubscription by those living within the area. The local authority told me that it is therefore considering consulting on options for the future and this could include looking at different ways of giving priority when there are not enough places for all those who live in the catchment area and wish to attend the school.
26. It would seem unexceptional to expect a child living in a catchment area for a primary school (where no special factors such as being a school with a religious character apply) to be able to be admitted to that school if it is made their first preference. The case of this school, where numbers of applications have fluctuated significantly from year to year, show that this might not always be possible. It is not always possible for admission authorities to change the number of places available and rarely possible to make significant numbers of places available quickly. Living in a school's catchment area does not and cannot confer a guarantee of being admitted to that particular school.
27. The objector presented the situation of a child:
- a. living on the western border of the catchment area;
 - b. not able to secure a place at the school because of oversubscription by those living within the catchment area; and
 - c. who wants a school within the local authority area.
28. This child may be allocated a place at a school that will be around two miles away which the objector says is unreasonable. The objector thinks it would be fair and reasonable for the arrangements to give priority in such cases to the children living furthest from the school. His reasoning is that children living nearer to the school also live nearer to other schools within the local authority's area.
29. The local authority's response to this argument is to point out that when the school is oversubscribed within catchment the same number of children (27 in 2016) will not have been allocated a place. In the arrangements envisaged by the objector, these children would have been living very close to the school so this would have seemed unfair to them. The objector countered that by pointing out that because of the location of the school within its catchment there are already children living very close to the school who are outside of the catchment area so this was an inconsistent argument. However, the local authority has provided a clear rationale for the design of the catchment area.
30. The local authority takes the view that a child in the situation posited by the objector would not necessarily find him or herself at a school around two miles away. The local authority has explained to me that it encourages parents to state up to three preferences and in this

situation to consider Hadleigh Infant School which is closer than other schools in the local authority area. I note that section 14(2) of The Education Act 1996 (the Education Act) section 14(2) places a duty on a local authority to secure sufficient schools for providing primary education and that those schools are available for their area. This does not place a duty to provide the schools in the local authority area; this would not be possible or reasonable in certain circumstances. A parent may prefer that their child attends a school within the local authority area but each parent is responsible for making their preferences on the basis of the information available to them. There is no right to a place within the local authority area although that may be what some parents want and most children do attend schools in their local authority area.

31. It is reasonable for the local authority, when deciding its arrangements, to take into account the provision made in other local authority areas. To do otherwise could lead to overprovision which is poor use of public funds. We discussed the future demand for Hadleigh Infant School at the meeting and the local authority told me that there is no evidence that Hadleigh Infant School will not be able to continue to admit children who live outside of its catchment area. So those who live on the western border of the infant school's catchment area have a high likelihood of being able to attend a school that is less than a mile away if it is put down as a preference by the closing date. This provides me with reassurance that there are suitable and local school places available for those who live on the western border if there are insufficient school places within the catchment area.
32. If a parent did not put Hadleigh Infant School down as a preference then in years of oversubscription from within the catchment area for the infant school, such as occurred in 2016, then places would be offered at schools in the local authority area that are about two miles away. The Department for Education provides statutory guidance, *Home to school travel and transport guidance*. This states a duty of local authorities is to provide free transport for all pupils below the age of eight years if their nearest suitable school is beyond two miles and arrangements must be made if a shorter route is deemed unsafe to walk. Statutory guidance therefore establishes that it is reasonable for a young child to be expected to walk up to two miles on a safe route. I recognise that walking up to two miles can be arduous for young children, and their parents particularly if there are younger children. Similarly, I recognise that it is desirable that children walk to school as this is good for their health and that this is more likely to happen if the walking distance is shorter. I also note that there are other possibilities for travelling to school such as public transport, car sharing and cycling in some instances. All of these may be very difficult depending on a variety of factors but parents in this area do have choices. The distances involved in this situation do not render the arrangements unreasonable.

33. Children who live more than two miles from an alternative school, which is provided because there are insufficient places at their catchment area school, will be provided with free travel. The objector says that this is not good use of public funds and that this could be avoided if the distance criteria were changed. This is because those who live closest to the infant school are also closer to the alternative schools than those who live on the western edge. This is true but does not render unreasonable or unfair the method of giving priority on the basis of distance.
34. When there is oversubscription there will be disappointed families and it is possible that one result is that siblings will be admitted to different schools making the practicalities of travel to school and other matters more difficult. Again, this does not make the method of giving priority based on distance unreasonable or unfair. I note that the oversubscription criteria for the primary schools in the area do give priority for siblings of existing pupils. This reduces the likelihood of siblings having to attend different schools.
35. It is pleasant for children to be able to socialise after and out of school with their peers from the school they attend and this is less likely if children have to go to different schools. This desirability is insufficient grounds to render the higher priority given to those who live closest to the school unreasonable.
36. None of the distances in this context is very far. There are options for travelling to school. Parents have up to three options when stating their preferences and there is a nearer school. In most years all catchment area children are admitted to the infant school. It is my view that the local authority has a reasonable catchment area in the local situation. The local authority could determine other ways to give priority when there is oversubscription within the catchment area but in this context, given all the factors described above, I judge the way they do so is fair and reasonable for admissions in 2018 and I do not uphold the objection.

Other matters relating to community and voluntary controlled primary schools in the local authority area

Applying for admission to a junior school

37. Paragraph 15d of the Code says, "*Published admission arrangements **must** make clear to parents that a separate application **must** be made for any transfer from nursery to primary school, and from infant to junior school.*" The arrangements say, "*Priority will be given to those pupils currently attending the "partner" infant school. Provided that the number of pupils in year 2 of the infant school does not exceed the admission limit of the junior school they will all be guaranteed a place. If places remain unfilled the following criteria will be used, in priority order to allocate places up to the annual admission limit of the junior school.*" The arrangements further explain that it is not necessary for a parent of

a child in an infant school to apply for a place unless a place is sought in a school other than the partner junior school.

38. I asked the local authority to explain its approach in the light of the requirements of the Code. The local authority said that there are about 1,800 children in any Y2 group and the majority of those are in primary schools catering for children aged four to eleven and move seamlessly from Y2 to Year 3 (Y3). Of course, they do not need to apply for a Y3 place. Parents of those in Y2 are also given the option to apply for a place at a junior school (assuming those in an infant school or primary school have a guaranteed place in Year 3) but only about 80 a year do so. The local authority says it takes this approach because *“The automatic progression from year 2 in the infant, to year 3 in the junior schools for West Leigh and Chalkwell Hall schools, provides the children in these schools with the same opportunity (as those in primary schools) to avoid disruption in their primary schooling and every parent is made aware. This provides clarity and certainty to parents that all children may progress to year 3... It is the view of the local authority that this process supports an efficient use of resources and effective process for the provision of education in the borough.”*
39. These are understandable motivations but the arrangements do not comply with the Code in this regard. In addition, the Code has other requirements. Paragraph 1.7 of the Code says, *“highest priority **must** be given, unless otherwise provided in this Code, to looked after children and all previously looked after children.”* This highest priority cannot be given if all children attending the infant school are allocated a place before any other applications are considered. The arrangements do not comply with the Code because they give a child who attends an infant school a guarantee of admission to the partner junior school, do not give the highest priority to all looked after and previously looked after children and the arrangements do not require an application to be made on behalf of the child.

Feeder schools

40. The term ‘partner schools’ is used in the arrangements with the guarantee of a place at the junior school to a child attending a partner infant school. As discussed above this guarantee is not permitted but, in addition, I could not see where the names of the partner schools, which in effect are feeder schools, were provided. Paragraph 1.9b of the Code says that arrangements **must not**, *“take into account any previous schools attended, unless it is a named feeder school.”* The feeder schools for the junior schools are not named so the arrangements do not comply with the Code.
41. The arrangements also give priority to siblings of children attending a partner (or feeder) school. This is permitted by paragraph 1.12 of the Code but as the feeder school has not been named this may not be clear and so not conform with paragraph 14 to be clear.

42. The local authority explained to me that an infant school is a feeder school for a junior school of the same name (as in West Leigh Infant School and West Leigh Junior School and so they felt that the name of the partner school was self-evident. This may be the case but the admission authority **must** name the feeder schools. The local authority has expressed its intention to do so and this is welcomed.

Definition of looked after and looked after children

43. The oversubscription criteria give the highest priority to looked after and previously looked after children. The definition provided is, *“Any reference to previously looked after children means children who were adopted (or subject to residence or special guardianship orders) immediately following having been looked after.”* This provides no definition of looked after children and is a partial definition of previously looked after children. This makes the arrangements unclear so they do not comply with paragraph 14 of the Code.

Required information

44. Some of the information required by the Code was not in the published arrangements for 2018. The local authority published its arrangements, as required by the Code, and it is impressive that the local authority also published the arrangements for all admission authorities in its area on 15 March 2017. It is unfortunate that this was published on the education policies page of the local authority’s website rather than the admissions page where parents might find it more easily. Some of the required information, however, is not published in the arrangements for 2018 although it is available in other places such as the primary admissions booklet for 2017 or the co-ordinated admissions scheme. The local authority told me that it planned to publish all required information in the primary admissions booklet for 2018. The full arrangements **must** be published once determined as set out in paragraph 1.47 of the Code and to meet the requirements of paragraph 1.49 of the Code. Relying on a publication not required until September 2017 does not allow a parent or other person to see the arrangements in full and submit any objection to the adjudicator before 15 May 2017. I list the required matters not published in the arrangements below.
- a. Defining the home address when parents have separated: The arrangements do not include, as required by paragraph 1.13 of the Code, information on how the home address will be decided when a child lives at more than one address.
 - b. Information on waiting lists: 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.”* This is not stated in the

- arrangements.
- c. Information on admission of children below school age and deferred entry: Paragraph 2.16 of the Code says, “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:
- i. that child is entitled to a full-time place in the September following their fourth birthday;
 - ii. 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
 - iii. 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.”
- This information is not clear in the arrangements.
- d. Information on admission of children outside their normal age group: Paragraph 2.17 of the Code explains that parents may wish their child to be admitted outside of their normal age group and says, “Admission authorities **must** make clear in their admission arrangements the process for requesting admission out of the normal age group.” This is not clear in the arrangements.

Summary of Findings

45. The catchment area for the school means that those on its western edge are furthest from the school and the arrangements are that those who live closest have priority. The catchment area has been designed to increase the chances of admission for those who live on the western edge of the catchment area. Normally there is not oversubscription from within the catchment area. There is another closer school which parents could state as a preference if they so wished in case there was oversubscription from those living within the catchment area. The distances involved are mainly under two miles. In these circumstances I do not uphold the objection.
46. There are other matters which do not fulfil the requirements of the Code as stated above. The Code requires the local authority to revise the arrangements to address these matters.

Determination

47. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I do not uphold the objection to the admission arrangements for September 2018 determined by Southend-on-Sea Borough Council for West Leigh Infant School in Leigh-on-Sea.
48. I have also considered the arrangements for community and voluntary controlled primary schools in the local authority area of

Southend-on-Sea Borough Council in accordance with section 88I(5) and find there are other matters which do not conform with the requirements relating to admission arrangements in the ways set out in this determination.

49. 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 of the date of the determination.

Dated: 31 August 2017

Signed:

Schools Adjudicator: Deborah Pritchard