



DETERMINATION

Case reference:	ADA3458
Objector:	The governing board of Houghton on the Hill Church of England Primary School
Admission Authority:	The Academy Trust for Gartree High School, Oadby, Leicestershire
Date of decision:	12 September 2018

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 board on behalf of the trust for Gartree High School, Oadby, Leicestershire.

I have also considered the arrangements 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 the governing board of Houghton on the Hill Church of England Primary School (the objector), about the admission arrangements (the arrangements) for Gartree High School (the school), an academy school for children between the ages of 11 and 16, for September 2019. Although also expressed in terms of concern about a catchment area, the objection is in fact to the list of feeder schools named in the arrangements as well as to the consultation which preceded their determination.**
- 2. The local authority for the area in which the school is located is Leicestershire County Council. The local authority is a party to this objection.**

Jurisdiction

3. The terms of the Academy agreement between the academy 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 school's governing board on behalf of the trust for the school, which is a single academy trust and the admission authority for the school, on that basis. The objector submitted the objection to these determined arrangements on 15 May 2018. 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. I have also used my power under section 88I of the Act to consider the arrangements as a whole.

Procedure

4. In considering this matter I have had regard to all relevant legislation and the School Admissions Code (the Code).
5. The documents I have considered in reaching my decision include:
 - a. the objector's form of objection dated 30 April 2018 and covering email dated 15 May 2018;
 - b. the admission authority's response to the objection and supporting documents;
 - c. the comments of the local authority on the objection and supporting documents;
 - d. the local authority's composite prospectus for parents seeking admission to schools in the area in September 2019;
 - e. a map of the area identifying relevant schools;
 - f. confirmation of when consultation on the arrangements last took place;
 - g. copies of the minutes of the meeting at which the governing body of the school determined the arrangements; and
 - h. a copy of the determined arrangements.

I have also taken account of information received during a meeting I convened on 11 July 2018 at Houghton on the Hill Church of England Primary School.

The Objection

6. The objector made the following complaints about the arrangements:

- a. that the school's catchment area and the list of feeder schools which it names are unreasonable. The latter would be a breach of paragraph 1.15 of the Code; and
- b. that the consultation leading to the determination of the arrangements was inadequate and that in particular no attempt was made to communicate directly with parents of children attending feeder primary schools. Paragraphs 1.42 to 1.45 of the Code set out the requirements concerning this consultation.

Other Matters

7. When I looked at the arrangements, I was concerned that there were the following matters which may not conform with the requirements of the Code:
 - a. the statement that *"all matters relating to admissions are delegated to the local authority"*;
 - b. the setting out of the procedure for the admission of children whose statement of special educational need or whose Education, Health and Care plan names the school under the heading *"oversubscription criteria"*;
 - c. the priority given to children who have attended a feeder school who have done so *"for at least two years before the time of transfer"*; and
 - d. the statement referring to the list of oversubscription criteria which says that *"combinations of the above are used in priority order"*.
8. The Code (at paragraph 14) requires admission authorities to ensure that *"the practices and criteria used to decide the allocation of school places are fair, clear and objective"*. I was concerned that matters described above in (a) and (d) may breach the requirement of clarity paragraph 1.8 requires among other things that oversubscription criteria be reasonable. I was concerned that (c) may breach that requirement as well as the requirement in paragraph 14 as to fairness.
9. In relation to (b) above, paragraph 1.6 of the Code makes it clear that children whose statement of special educational need or whose Education, Health and Care plan names the school must be admitted, and that this process therefore stands outside the operation of oversubscription criteria. The school's description of that process as an oversubscription criterion within the arrangements is in consequence a potential cause of lack of clarity and may be a breach of paragraph 14 of the Code.
10. I sought the comments of the school concerning these points of concern, and at the meeting which I held with the parties I raised a further concern regarding the arrangements. The objector had

expressed the objection to the arrangements in terms of what the Code has to say about feeder schools, since it was a change made by the school to its feeder schools for September 2019 that was the origin of its disquiet. However, I considered it possible that the effect of this change might be to render the arrangements unfair, and in breach of paragraph 14 of the Code.

Background

11. The historical and geographical context are crucial to an understanding of this case, since both combine to create the circumstances that prevail for admissions to Gartree High School in September 2019.
12. The school is situated in Oadby, which is a small town about three miles from the centre of the city of Leicester, and itself on the edge of the south eastern boundary of the city and its residential areas. Houghton on the Hill Church of England Primary School which made the objection is situated to the east of the city and the local authority measures the distance between the primary school and Gartree High School as just under 3.8 miles. Some addresses in the city will therefore be closer to Gartree High School than those of children who have attended Houghton on the Hill Church of England Primary School. It is also the case that there are other secondary schools that are closer to Houghton on the Hill than is Gartree High School, both in Leicestershire and in the city of Leicester. Children from Houghton on the Hill have traditionally been able to go to Gartree High School.
13. Prior to 1997 the city of Leicester was part of the local authority covering Leicestershire as a whole, but the two are now separate local authorities. The system of schooling in this part of the former Leicestershire was three-tier, comprising primary schools up to and including year 5, high schools for years 6 to 9 inclusive, and upper schools for years 10 and above.
14. In the Oadby area, there were two high schools – Gartree High and Manor High – and one upper school, Beauchamp College. Each of the high schools previously defined a geographical catchment area which was itself the aggregate of the catchment areas of a group of named feeder schools, five in the case of Gartree High and three in the case of Manor High. Houghton on the Hill Church of England Primary School was one of these five original feeder schools for Gartree High School. It is important to note that within this system children had a higher level of priority for admission to the high schools based on living in the catchment area of that school (irrespective of what primary school they attended) and a lower level based on attending a feeder school but living outside the catchment area. To gain this lower level of priority a child had also to have attended the feeder school for a period of two years.
15. Following reorganisation, Beauchamp College as well as Manor High and the school began to admit children to Year 7. The schools are all within half a mile of each other and all thus roughly equally accessible

to children from Oadby and the surrounding area, and therefore from the area in which Houghton on the Hill is situated. The first full intake occurs in September 2018, Year 6 pupils having remained in their primary schools in September 2017. This reorganisation has also resulted in a change in Leicestershire's home-to-school transport arrangements which had historically provided free transport for children living in the school's catchment area. Transport is now provided to the nearest Leicestershire secondary school if this is further than the statutory walking distance from a child's home. For most children who have attended Houghton on the Hill Church of England Primary School, this means that free transport is now available to Manor High School and not to Gartree High School.

16. For admissions in September 2018, the school's admission arrangements gave first priority (after looked after and previously looked after children) to children living in its catchment area and then, after a priority for siblings of children already at the school, to children attending eight "county" primary schools. These were the eight Oadby schools that were traditional feeder schools for itself and Manor High School, and so included Houghton on the Hill Church of England Primary School. The next priority was for those attending two named "city" schools. So children who had attended Houghton on the Hill Church of England Primary School either had a very high priority if they lived in the school's catchment area, or a high priority, if they did not.
17. In December 2017, the school began a consultation on its proposed admission arrangements for September 2019. The changes from the arrangements for 2018 which were proposed in this consultation, and which were subsequently incorporated into the arrangements, were
 - a. the removal of the catchment area;
 - b. the inclusion of two further named feeder schools; and
 - c. the removal of the distinction between "county" and "city" schools.
18. These changes were included in the arrangements which the school determined for September 2019, which:
 - a. begin by stating that *"Gartree High School is its own admission authority but all matters relating to admissions are delegated to the local authority"*;
 - b. give 155 as the published admission number (the PAN);
 - c. under the heading "oversubscription criteria" state that *"children with statements of Special Educational Need or Education, Health and Care plans where Gartree High School is named will be offered a place at the school"*;
 - d. state that if there are more applications than places, oversubscription criteria will be applied in the following order:

- i. looked after and previously looked after children;
- ii. pupils who have an older brother or sister (as defined) attending the school;
- iii. pupils who have attended a feeder school for at least two years before the time of transfer;
- iv. pupils who have a serious medical condition or exceptional social or domestic need that makes it essential that they attend the school;
- v. pupils living nearest to the school (with the distance measurement procedure as set out).

The arrangements also:

- a. state that *“Combinations of the above are used in priority order. Where the computerised system throws up an equality of distance for more than one child (who do not have the same home address) the final tie breaker will be by drawing lots”*;
- b. list 12 feeder primary schools (the ten named in the previous arrangements together with the two additional schools) and state that the child *“must have been enrolled at one of the above feeder schools on or before the start of the autumn term two years before transfer”*.

Consideration of Case

19. The objector set out in their form of objection a complaint that the arrangements include an unreasonable catchment area and list of feeder schools. I have explained to the objector that I cannot consider the first part of this complaint, since the arrangements plainly do not include a catchment area and take account of where children live only for the purpose of giving priority on the basis of home-to-school distance, which is not the same thing.
20. The objector’s reason for believing that the list of named feeder primary schools is unreasonable is that it creates *“a significant disadvantage to families in rural communities who have had traditional feeder school status for many years. The number of potential applications from the increased list of schools far exceeds the number of places This leaves rural and outlying schools without a guaranteed school place within a reasonable travel distance.”* The combined admission numbers of the twelve schools now named as feeder schools in the arrangements total 635, the objector says. The school has not challenged this figure, but the local authority has subsequently provided me with a figure of 623 for the twelve combined PANs. The twelve named feeder schools consist of:

- a. the five original feeder primary schools whose catchment areas were previously combined to define the school's catchment area;
- b. the three further primary schools in the Oadby area;
- c. two additional primary schools located in the county;
- d. two additional primary schools located in the city of Leicester.

21. So the progression over time of schools named as feeder schools for Gartree High School has been:

Original feeder schools	In 2018 arrangements	In 2019 arrangements
Five, including Houghton (equal priority)	A. These five together with three other Oadby primaries ("county schools") (higher priority) B. Two "city" schools (lower priority)	These ten together with two further "county" schools (equal priority)

22. Paragraph 1.15 of the Code states:

*"The selection of a feeder school or schools **must** be transparent and made on reasonable grounds."*

This means in my view that there need to have been grounds for the selection of the given feeder school, and that these grounds need to have been reasonable.

23. The school will admit up to its PAN in September 2018, with admissions against oversubscription criteria being:

- SEN/EHCP - 4 pupils
- Looked after children – 3 pupils
- Catchment – 91 pupils
- Siblings – 14 pupils
- County feeder schools – 7 pupils
- City feeder schools – 36 pupils

24. The school has explained to me its reasons for making the changes described above to its admission arrangements for September 2019, and has argued that they are justified in terms of its traditional

relationship with Houghton on the Hill Church of England Primary School by changing local circumstances. It has told me that:

- a. whereas the historical position was that home-to-school transport was provided to the school for children from Houghton on the Hill, this is no longer the case. Free transport for these children is now available to Manor High School, as the nearest “county” school;
 - b. Beauchamp College gives priority in its admission arrangements to children attending primary schools which are “Learning Partners” – that is to say, schools formally participating in transition and transfer activities. Houghton on the Hill Church of England Primary school is a Learning Partner of Beauchamp College. The school says that *“the vast majority of Houghton pupils will transfer to Beauchamp in 2018”*;
 - c. Beauchamp College and Manor High School have previously dispensed with catchment areas, and now list feeder primary schools as a means for giving priority if oversubscribed. The adjustment which the school is making for admissions in September 2019 follows suit, it says, and reflects the fact that the previous catchment area has been made obsolete by the change made by the local authority to its home-to-school transport policy; and
 - d. children from Houghton on the Hill will not be put at a disadvantage in its view, since there are other schools closer to their homes than Gartree High School, including three in the city of Leicester as well as Manor High School and Beauchamp College.
25. Responding to the objector’s concern about the number of children attending the feeder schools named in the policy, the school says that the objector is making unwarranted assumptions about the number of children likely to seek a place at Gartree High School. Of the children for whom places at the school have been allocated for September 2018, 65 children had attended one of the eight “Oadby” primary schools and a further 50 one of the two “city” feeder primary schools or the two new primary schools which are included in the admission policy for September 2019. The school believes that, given the removal of the catchment area, it has been necessary to add feeder schools to protect its level of admissions, which it says would otherwise have been *“decimated”*.
26. The objector has responded by pointing out that Houghton on the Hill Church of England Primary School is the furthest of the twelve schools that are named by Gartree as feeder schools in its arrangements, and that while there are other secondary schools that are nearer, each also has other primary schools that are nearer than Houghton. This, it says, means that children from its location *“being at the back of the queue for all good settings”*.

27. The objection has been framed in terms of the reasonableness of the grounds on which the twelve schools have been named as feeder schools in the arrangement. In order to come to a view as to whether the schools have been named on reasonable grounds, I have considered whether the school has gone through a rational process in deciding to name the schools, and therefore whether it can explain in a coherent manner what that process was.
28. There is no doubt in my mind that the school has had reasons for naming twelve feeder primary schools. Firstly, the school has reasoned, correctly it seems to me, that the changing local context has rendered irrational the continued use of a catchment area which no longer acts to qualify those living within it for free home to school transport to the school. Secondly, since priority has also been given for many years to children attending named schools, the school has also reasoned that if oversubscribed, it is reasonable to continue to give priority on the grounds of the schools attended by those applying for a place. The named schools consist of ten that were previously named in the arrangements together with two others, and the school's reason for including further schools and providing all twelve with equal status has been considered by the school in the light of the most recent history of admissions from them and of its own PAN. In the local context where the eight local "Oadby" schools are also named feeder schools for the two other secondary schools, and where therefore the available children are certain to be shared between them to a considerable degree, this does not seem to me to be an unreasonable approach. It seems to me that the school has reasonable grounds for naming its feeder schools, and so I do not uphold this part of the objection. However, in order to consider the effects which the objector complains will flow from the changes which the school has made to its arrangements, I have also gone on to consider later in this determination whether the naming of these schools is unfair in its effect.
29. The second part of the objection concerned the consultation carried out by the school prior to determining its arrangements. The school has provided me with a copy of the information it provided to the following
- All linked primary schools
 - The two other local secondary schools
 - The local authority and Leicester City Council
 - Parents of children at the school
30. The school has told me that *"there was no attempt to directly communicate with parents in feeder primary schools"*, and that *"it is our established practice to use the Primary Headteacher as the conduit for any proposals."* The school says that *"our process is in line with paragraphs 1.44 and 1.45 of the Code"*. However, paragraph 1.44a says plainly:

*“Admission authorities **must** consult with... parents of children between the ages of two and eighteen”.*

This statutory requirement is placed upon the admission authority for the school and means that a reasonable attempt must be made to consult with the group in question. Although parents of younger children would need to be reached by another means, for parents of children of school age a specific request to headteachers of primary schools to draw a consultation to their attention can constitute such an attempt. However, the communication sent by the school to primary school headteachers did not mention parents of children. No other means, such as advertisements in local newspapers, or notices in public places or social media was used and I conclude that the consultation carried out by the school failed to meet the requirement set out in the Code. I uphold this part of the objection.

31. I turn now to the points of concern which I raised with the school. First, in respect of the statement in the arrangements that *“all matters relating to admissions are delegated to the local authority”*, the school has told me that it has a service level agreement with the local authority and has provided me with a copy of this. This specifies the activities which the local authority undertakes on behalf of the school in return for a financial consideration. The local authority has told me that the statement made in the arrangements is not accurate, since there are certain matters, such as the determination of the school’s admission arrangements, which fall outside the operation of the service level agreement. It is however the case, to use this same example, that the Academy agreement simply does not permit the delegation of the admission arrangements for an academy school to a third party such as the local authority.

32. A footnote to paragraph 5 of the Code defines a school’s admission arrangements as:

“...the overall procedure, practices, criteria and supplementary information to be used in deciding on the allocation of school places...”

Paragraph 14 of the Code says that these **must** be clear. It seems to me to be important that parents and others are able to understand from admission arrangements how applications for school places are dealt with, and by whom. Without this understanding arrangements become unclear. The school has helpfully offered alternative wording, but the statement made in the arrangements determined by the school does not in my view meet the requirements of paragraph 14 of the Code.

33. The school has also accepted that it had not succeeded in its intention of making clear that arrangements for the admission of children with a statement of special educational need or Education, Health and Care Plan which names the school stand outside the oversubscription criteria. The arrangements clearly list it under the heading “oversubscription criteria”, whereas the Code at paragraph 1.6 makes it

clear that all such children **must** be admitted. The arrangements fail to be clear as a result, and so breach paragraph 14 of the Code.

34. When the school responded to my concern about the condition placed on the priority given to children attending named feeder schools that they must have been in attendance there for at least two years before the time of transfer, it told me that this has been adopted by the school, and by many others in the county, to follow suit with the local authority's arrangements which contain this provision. The local authority explained that the reason for this condition is "*to prevent the movement of children in year six to the feeder school simply in order to secure a place at a very popular school*".
35. The wording in the school's arrangements is that "*The child must have been enrolledon or before the start date of the Autumn Term two years before the transfer*".
36. This means that a child seeking admission in September 2019 must have been on the roll of a feeder primary school no later than the start of the autumn term in 2017 in order to be afforded feeder school priority.
37. I have no doubt that this provision has the effect which the local authority describes. I can also accept, in the context of the former three-tier schooling arrangements which required a minimum of two changes of school during the period of compulsory education, that it might have been considered inimical to a child's education for there to be a third such transition which involved two changes in successive years. However, notwithstanding the fact that this would in any case have been a parental decision, circumstances are now considerably changed.
38. In the first place, the three tier system has been replaced by one in which there is only one transition between phases of schooling. Secondly, the school has amended its arrangements for September 2019. Under the arrangements in place up to and including September 2018, the children of a family moving into the school's catchment area would have had a high priority for a place at the school, the highest after that given to looked after and previously looked after children, with no minimum period of residence necessary. Under the arrangements for 2019 which define no catchment area, if a family moves into the area within two years of secondary transfer and their child attends one of the named feeder schools, that child will only be considered for a place under the final oversubscription criterion once all other children attending feeder schools who want a place have been admitted. In 2018, the school was oversubscribed before this criterion was reached in the allocation process. The likelihood is that in 2019 any such child would not secure a place at the school, no matter how close to it their home. This seems to me to be an unreasonable situation, the more so because the original justification for the condition of two years attendance at a feeder school is now much diminished. It is a matter of concern that the apparent continued widespread use of this condition

by admission authorities in the area, including the local authority, is likely to have the effect I have described for many children.

39. Paragraph 1.8 of the Code states that: “*Oversubscription criteria **must be reasonable**...*” Although it does seem to me to have been a severe requirement, what may not have been an unreasonable provision previously, given the priority then given to those living in the school’s catchment area, does now in my opinion cause the arrangements to be unreasonable, for the reason I have set out. The arrangements are in breach of paragraph 1.8 of the Code.
40. I have also considered this provision against the requirement in paragraph 14 of the Code that “*admission authorities **must ensure that the practices and criteria used to decide the allocation of places are fair**...*” There will be many reasons for children to join a primary school within years five and six. These will include where a family has moved from some distance (for whatever reason) or because of dissatisfaction with another school or because a place becomes available at a long preferred school when it was not previously available. Whatever the reason, it is not in my view fair for such children to have very little priority for a secondary school place. The criterion is accordingly not only unreasonable but it is unfair.
41. The arrangements say, in relation to the listed oversubscription criteria, that “*combinations of the above are used in priority order*”. The school again referred me to the local authority’s arrangements, which also use this phrase. The local authority told me that “a combination of criteria is not precluded by reference to the list of factors set out in paragraph 1.9 of the Code”. This paragraph lists prohibited means for giving priority to children when a school is oversubscribed.
42. At the meeting which I held, the local authority explained to me that the above phrase, which I had said appeared to me to be unclear, allowed an admission authority to use distance from the school as a means for giving priority to children if this were a listed oversubscription criterion and oversubscription occurred under an earlier criterion, such as attendance at a named feeder school. There is clearly a need to have a means for deciding which children are allocated places in such a circumstance, and this is not at issue. What concerns me is the way this process is described in the arrangements.
43. Paragraph 14 of the Code says that: “*parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated*” and

Paragraph 1.7, when describing how oversubscription criteria are to be used to give priority when a school is oversubscribed, says:

“*Oversubscription criteria **must...be appliedin the order set out in the arrangements.***”

44. When I read the arrangements, I did not ascribe to them the meaning which the local authority has told me is intended, and I doubt if any parent reading them would do so. It is impossible to know from the wording which is used which oversubscription criteria are to be “combined”, and therefore what the effective order is in which they are applied. As a result, the arrangements fail to be clear, and are in breach of paragraph 14 of the Code.

45. Finally, I have considered whether the arrangements might give rise to an unfairness, in breach of paragraph 14 of the Code, which requires that:

“... the practices and criteria used to decide the allocation of school places are fair, clear and objective”

46. Unfairness might arise if, as a result of the arrangements, it appeared likely that no secondary school place would be available within a reasonable travelling distance from their home for a group of children. Such is the complaint made by the objector.

47. The local authority has told me that it does believe that the school’s arrangements for 2019 will increase the difficulty for children from Houghton on the Hill to secure a place at the school, but also that:

“The local authority can confirm in terms of sufficiency of places in the Oadby locality that at the normal round of year seven transfer the LA has more than enough school places for Oadby residents and for residents in the immediate traditional surrounding area including pupils who attend Houghton on the Hill Primary School.....The issue in the LA’s view is not the sufficiency of school places but instead parental preference for Beauchamp College over the other two schools noting that Manor High School is the nearest school geographically to Houghton on the Hill”.

48. I have asked the local authority to provide me with the information which it has used to draw these conclusions. The number of children which it expects will transfer from Houghton on the Hill Primary School to secondary schools is:

Year of admission	Number to transfer
2018	28
2019	31
2020	30

49. In 2018, the expected destinations of these children are 20 to Beauchamp College, six to Gartree High School, one each to Manor High School and the private sector. The school has expressed its view

that parents in subsequent year groups are likely to prefer Gartree Hill School to a greater extent than was the case in 2018.

50. Children who have attended Houghton on the Hill Primary School and who will transfer under the determined admission arrangements for 2019 will have priority at the three Oadby secondary schools as follows:

School	Priority category	Combined PANs of schools in priority category	School PAN
Gartree HS	Third (after LAC/PLAC and siblings). 12 named feeder schools of which two are in the city	623	155
Manor HS	Second (after LAC/PLAC). 12 named feeder schools of which three are in the city	668	180
Beauchamp College	Second (after LAC/PLAC). 9 named feeder schools including eight traditional feeder schools).	420	240

51. If oversubscription were to occur under the relevant criterion in the table, the school and Beauchamp College would give priority to those living closer to them, and Manor High School by drawing lots. The figures in the table above of course contain a large number of children who attend schools which are named feeder schools for more than one of the secondary schools. It is more instructive therefore to consider the total number of children who will transfer to secondary schools in 2019 from the eight "traditional" Oadby primary schools, which is currently expected to be 407. Of these, 331 are resident in the traditional catchment areas of these schools with the majority of the others presumably resident in the city of Leicester and possibly living closer to the secondary schools in Oadby.

52. The combined PANs of the three Oadby secondary schools is 575 and I believe that there is a possibility that a temporary increase in the PAN for Beauchamp College for admissions in September 2018 of 50 places may again be agreed by the Regional Schools Commissioner, although

this has not been confirmed. So there are considerably more places available across the three schools than the total number of children transferring from the group of schools that form the eight Oadby primary schools, and which includes Houghton on the Hill Church of England Primary School.

53. This is a new and evolving situation. The effect in practice of the school's arrangements for September 2019 on children living further away, such as those transferring from Houghton on the Hill Primary School, cannot be gauged with certainty. It will depend to a large extent on the unknown preferences of the parents of children living nearer to the school and who have now been given equal priority for the first time. However, it seems to me that there is a very strong likelihood that children from Houghton on the Hill will be able to secure a place at one of the three local secondary schools in September 2019, based on the figures which the local authority has supplied to me, and this is its own view, as I have said.

54. The local authority has suggested to me changes to the admission arrangements for Gartree High School (and indeed for Manor High School, which is not the subject of this objection) which it believes would mitigate the possibility of an unfairness arising for children from Houghton on the Hill. It is however not for me to suggest any such changes, only to consider whether the arrangements which have been determined comply with the Code and the legislation concerning school admissions. My view is that, on balance, no unfairness can be seen to arise from them which would cause a breach of paragraph 14 of the Code

Summary of Findings

55. I have explained in the preceding paragraphs why I have

- a. not upheld the objection that the arrangements include feeder schools which have not been named on a reasonable basis, and why I have found that the naming of the feeder schools is not unfair.
- b. upheld the objection that the consultation which preceded the determination of the arrangements did not meet the requirements of the Code.

56. I have also explained why I have come to the view that particular aspects of the arrangements fail to conform with a number of provisions of the Code.

Determination

57. 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 on behalf of the Trust for Gartree High School, Oadby, Leicestershire.

58. I have also considered the arrangements 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.

59. 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: 12 September 2018

Signed:

Schools Adjudicator: Dr Bryan Slater