



Office of
the Schools
Adjudicator

Determination

Case reference: ADA3500

Objector: A local councillor

Admission authority: Eastwood Park Academy Trust for The Eastwood Academy, Southend-on-Sea

Date of decision: 30 April 2019

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements for September 2020 determined by Eastwood Park Trust for The Eastwood Academy, Southend-on-Sea.

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 a local councillor (the objector) on behalf of six residents in his ward about the admission arrangements for September 2020 (the arrangements) for The Eastwood Academy (the school), an academy school for pupils aged 11 to 16. The objection concerns the use of random allocation to offer places if the school is oversubscribed from within its catchment area.

2. The local authority for the area in which the school is located is Southend-on-Sea Borough Council (the local authority) and is a party to the objection. Other parties to the

objection are the Eastwood Park Academy Trust (the trust), the governing board of the school and the objector.

Jurisdiction

3. The terms of the academy agreement between the multi-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 trust on 16 January 2019 on that basis. The objector submitted the objection to these determined arrangements on 19 March 2019. 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 13 March 2019 and subsequent email correspondence;
- b) the admission arrangements and associated information found on the school's website;
- c) copies of the minutes of the meeting at which the trust determined the arrangements;
- d) the comments of the school on the objection and supporting documents;
- e) the comments of the local authority on the objection and supporting documents;
- f) the local authority's composite prospectus for parents seeking admission to schools in the area in September 2019;
- g) maps of the area identifying relevant schools; and
- h) confirmation of when consultation on the arrangements last took place;

6. I have also taken account of information received during and after a meeting (the meeting) I convened on 4 April 2019 at the school. This meeting was attended by the objector, representatives of the school and the local authority.

The Objection

7. The objection was that the practice of using random allocation to offer places when the school was oversubscribed from within the catchment area was unfair and was not clearly explained in the arrangements. Paragraph 14 of the Code 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.”*

8. Paragraph 1.34 of the Code says *“Admission authorities that decide to use random allocation when schools are oversubscribed **must** set out clearly how this will operate, ensuring that arrangements are transparent”* and paragraph 1.35 says *“The random allocation process **must** be supervised by someone independent of the school, and a fresh round of random allocation **must** be used each time a child is to be offered a place from a waiting list.”*

Other Matters

9. When I considered the arrangements as a whole it appeared to me that they did not, or may not, conform with the requirements set out in the Code for the allocation of places on the basis of aptitude. The arrangements themselves did not include details of the process for selection. I found some information about the process elsewhere on the school’s website and I was concerned that they may not conform with paragraph 1.32a of the Code which says *“Admission authorities **must**: a) ensure that tests for aptitude in a particular subject are designed to test only for aptitude in the subject concerned, and not for ability”*.

10. I was also concerned that the associated supplementary information forms (SIFs) did not, or may not, conform with the Code. Paragraph 2.4 of the Code 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”*.

11. The arrangements also appeared not to conform with the Code in the following ways:

- a) the definition of looked after and previously looked after children did not reflect recent legislation so the arrangements may not be clear as required by paragraph 14 of the Code;
- b) the method used to determine the address of a child who lived for part of the week at different addresses may not be fair as required by paragraph 14 of the Code;

- c) a description of the catchment area could not be found in the arrangements;
- d) the process of requesting out of age admission was not set out in the arrangements as required by paragraph 2.17 of the Code; and
- e) the arrangements did not describe the waiting list process clearly.

Background

12. The school is situated in the north of Southend near to the local airport. It became an academy in 2011 and has since formed a multi-academy trust with a primary school in the town. There are 11 other secondary schools in the town four of which are grammar schools and accordingly select all pupils at the age of 11 on the basis of academic ability. Two of the remaining seven schools are Catholic schools, one for boys and one for girls, which select a proportion of their pupils on the basis of academic ability and one of the other non-denominational coeducational schools also selects a proportion of its intake on the basis of ability. This pattern of schools leads to a large number of children travelling into Southend for their education from neighbouring parts of Essex. The whole of the area of the local authority is divided into catchment areas so that each address falls within the catchment of one (and only one) of the six schools which is not a grammar school and not a Catholic school.

13. Although the published admission number (PAN) has been increased incrementally from the figure of 168 in 2014 to the present figure of 220 the school remains oversubscribed. The oversubscription criteria can be summarised as follows:

1. Looked after and previously looked after children.
2. Siblings of children on roll at the time of application.
3. Children with an aptitude for performing arts or sport (22 places).
4. Children living in the priority admission area.
5. Children of staff.
6. Other children.

14. The arrangements say that *“In the case of oversubscription in any one category, places within that category will be allocated according to random allocation.”*

Consideration of Case

Random Allocation within the Catchment Area

15. The term *“priority admission area”* is used in the arrangements; this term means the same as the more commonly used *“catchment area”* found in the Code which is the term I will use in the remainder of this determination. The catchment area consists of a rectangle

about five kilometres long and one kilometre wide to the north of the A127 and a smaller area of just over a square kilometre to the south of the A127. The A127 is the main road into Southend from the west. The school sits near the centre of its catchment area.

16. The objector said *“I am not satisfied that the “Random” element of the Admission policy is highlighted in anywhere near or [sic] appropriate way. I honestly believe busy parents need this drawn to their attention.”* He continued to say *“The use of computer software is not unknown throughout many social processes but applied to sensitive families and their children, I find a premium bond approach totally unacceptable.”* At the meeting the objector described the distress of the families that he represents who live in the catchment area and who were refused places at the school on the basis of random allocation.

17. The school argued that the use of random allocation gave everyone living in the catchment area an equal chance of being offered a place wherever they lived in the catchment area.

18. The local authority told me that it had concerns about the use of random allocation because it could lead to children who lived very close to the school not being offered places and quoted the case of one twin being offered a place and the other not. It also raised concerns about children not being able to transfer to secondary school with peers from their primary school.

19. The Code permits the use of a catchment area and the use of random allocation. I will first consider the fairness of this combination in the circumstances of this school and then consider whether the arrangements are sufficiently clear about the process.

20. Prior to 2017 it was possible to offer a place at the school to all children living in the catchment area who applied for one; however, more recently this has not been the case. Details are shown in the table below.

	2017	2018	2019
PAN	200	200	220
Places offered on basis of living in catchment	98	87	110
Number of children living in catchment refused places	50	50	11

21. At the meeting I asked whether the increase in the number of catchment area children being refused places was due to demographic change or a change in the pattern of parental preferences. I was told that both were contributory factors.

22. Having noted that the number of catchment area children not being offered places had fallen in 2019 I asked the local authority for data indicating the demand for places from local children up to 2020 and beyond. This is shown in the table below, note that PANs have not been set beyond 2020 or places allocated beyond 2019. From this table it is

apparent that the school will continue to be oversubscribed from within the catchment area for the foreseeable future.

Entry year	2017	2018	2019	2020	2021	2022	2023
Pupils living in catchment who attend primary schools in Southend	241	258	301	298	307	268	282
PAN	200	200	220	220	-	-	-
Places offered on basis of living in catchment	98	87	110	-	-	-	-
Number of children living in catchment refused places	50	50	11	-	-	-	-

23. Parents living in a catchment area are likely to have an understandable expectation that they will have a good chance of being offered a place at the local school for their children. Paragraph 1.14 of the Code says that catchment areas “*must be designed so they are reasonable*”. If in most years a school cannot meet the demand for places from within its catchment area it raises the question of whether or not the catchment area itself is reasonable. This question was discussed at the meeting.

24. I have concluded that the catchment area is reasonable. This is because every address within Southend uniquely falls into the catchment area of this or one of the other five secondary schools which are neither fully selective, nor Catholic. The catchment areas which abut this one are set by different admission authorities which would be under no obligation to change them if this catchment area was changed. Therefore, reducing this catchment area could leave families at some addresses in Southend without a catchment area school and so having low priority for places at all of these six schools. It was also put to me at the meeting that parents would prefer to be in a large catchment where they had some chance of being offered a place at the school rather than being outside of it and having a much smaller, if any, chance.

25. The main alternative to using random allocation to decide which children are given priority for places is to use a distance measurement. This is most commonly done by giving priority to children who live closest to the school, but other more complex ways of using distance could be more appropriate in some circumstances such as taking into account the proximity of other schools, giving priority to those who would have farthest to travel elsewhere.

26. Whichever way distance was used to distinguish between children living in the catchment, children in the same parts of the catchment area would be refused places each year. This essentially reduces the catchment area, leaving all children in those areas with low priority for all schools, but on an uncertain and variable basis. It was put to me at the meeting by the local authority that parents would prefer it if all children in a particular street

were refused places so they could travel to alternative schools together rather than seeing individual children from across the area making journeys on their own. This of course assumes that all of the parents in those streets expressed preferences for the same schools in the same order and it was possible for them all to be offered places at the same schools.

27. I have also considered the point made by the local authority about random allocation preventing some children from transferring to secondary school alongside children from the same primary school. Primary schools serve smaller geographic areas than secondary schools, if a distance based criterion was used to refuse children places, the children not offered places would be likely all to live in the same area and would be likely to attend the same primary schools. If, as in the past, as many as 50 children from the catchment area had to be refused places that could be all of the children from one primary school. However, their parents may not all have applied for the same alternative schools, and there is no guarantee that all of them could be offered places at the same alternative school. Many of the children will also be transferring to the selective and Catholic schools rather than the local secondary school so there is an existing pattern of children from the same primary school dispersing to other schools at the age of 11.

28. The local authority have told me that it was possible to offer all of the catchment area children refused places at the school in recent years a place at a school which was one of the preferences listed by their parents. These schools were all within the three mile walking distance of their homes used to determine eligibility for free home to school transport. While these schools may be less favoured by parents, attending them should present little difficulty for children of secondary school age.

29. I have concluded that the use of distance from the school in order to give priority for places to children living within the catchment area would mean that some families living in parts of the catchment area will have no chance of a place at the school; these families will also have low priority for places at other schools. Other families will be certain of a place if they live near the school and there would be a varying range of probabilities for addresses in between. It appears to me that the use of random allocation as a tie-breaker spreads the uncertainty about whether or not a child will be refused a place equally across the catchment area. I do not consider this to be unfair or unreasonable.

30. I do, however, have one reservation which concerns provision in the case where one twin is offered a place through random selection and the other is not. The arrangements themselves prioritise siblings of children in other year groups, recognising the benefits for families of siblings being educated together if possible. Also the benefits for children from multiple births to be educated at the same school is recognised in the Code which allows infant class size limits to be exceeded so that children of multiple births can attend the same school. It therefore appears unfair to me that there is no provision in the arrangements to avoid twins or children from other multiple births being separated. The same considerations would apply to siblings born in the same school year. The school appeared to rely on an independent appeal panel to resolve the matter rather than address the issue in the arrangements which it could easily do thereby preventing distress for any family which found itself in that situation.

31. I now turn to the question of whether or not the arrangements are sufficiently clear concerning the use of random allocation. While I note the efforts which the local authority makes to inform parents about school admissions, the requirement in paragraph 14 of the Code is for the admission authority to make the arrangements clear because as it says in Paragraph 14 *“Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.”*

32. The admission arrangements can be found easily on the school’s website. On the first page the arrangements state the PAN and then the oversubscription criteria and then refer to the admission of children with an Education, Health and Care Plan. The first paragraph on the second page of the arrangements has no heading but says *“In the case of oversubscription in any one category, places within that category will be allocated according to random allocation. Random allocation, in the context of oversubscription, provides all applicants within the category in question, with an equal chance of obtaining a place. The random allocation process is organised by the Vice Principal (using approved computer software) and supervised by someone independent of the Academy.”* Subsequent sections of the arrangements have headings.

33. I think that the use of random allocation could be made clearer by giving the relevant section in the arrangements a heading and that it could contain more detail by saying who the independent person may be. However, I think that a parent reading this would know that random allocation was used to allocate places at the point at which the school became oversubscribed and I consider it sufficiently clear to meet the requirements of the Code.

34. I find that the random allocation of places when the school is oversubscribed from within its catchment area is fair and reasonable and that this is sufficiently clear in the arrangements. However, I do find that the outcome of random allocation for siblings from multiple births or within the same school year group could be unfair and I therefore partially uphold the objection.

Selection by Aptitude

35. The third oversubscription criterion reads *“Pupils who are granted preferential admission (in respect to their aptitude in physical education and/or performing arts) up to a limit of 10%. Parents of children with an aptitude in these areas are invited to complete a Supplementary Information Form (SIF). Prospective pupils will then be required to undertake an assessment of their aptitude.”* Immediately following the paragraph in the arrangements about random allocation referred to above, there is a paragraph headed *“Preferential Admissions”* which says *“The Academy offers excellent Physical Education and Performing Arts tuition. Parents of children with an aptitude in these areas are invited to complete a Supplementary Information Form (SIF). Prospective pupils will then be required to undertake an assessment of their aptitude. Aptitude testing is scheduled to take place in September and details can be found on the Academy’s website.”* In recent years the number of applications under this heading has been about 100 for sports and 50 for performing arts.

36. At the meeting I asked why admission on the basis of aptitude was described in the arrangements as “*preferential admission*”. I was told that this is a historic term; in my view it is not a clear term.

37. Footnote 4 on page 5 of the Code defines admission arrangements as “*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 SIFs and the tests for aptitude are therefore part of the admission arrangements and paragraph 1.47 of the Code requires that admission authorities publish admission arrangements on their website which should therefore include the SIFs and the process for selection by aptitude. In this case the SIFs and details of the process of selection, in the form of FAQs (frequently asked questions), are found on the school’s website adjacent to the admission arrangements, not within them. While FAQs can be helpful to expand and explain a process, I do not think that they can be a substitute for setting out the full process in the arrangements. I will set out below where these FAQs do not set out the full process.

38. I will begin by describing the SIFs. There are separate SIFs for performing arts and sport; the first three sections of both forms are identical. The first section is headed “*Child Details*” and requests surname, forename, date of birth, gender, a photograph and the name of the child’s primary school and headteacher’s name. The first three of these are necessary to identify the child and link the application to the common application form used by local authorities. Paragraph 1.9(o) of the Code allows the use of a photograph as proof of identity when sitting a selection test. However, gender and the child’s primary school details do not, to quote paragraph 2.4 of the Code, have “*a direct bearing on decisions about oversubscription criteria*” and so must not be included on these SIFs.

39. The next section is headed “*Parent Details*” and asks for contact details which would be necessary to administer the test. The third section asks for “*details of another person we could contact as a reference regarding your child’s aptitude for Performing Arts*” or “*details of another person we could contact as a reference regarding your child’s aptitude for Physical Education/Sport*”. Paragraph 1.9(g) of the Code prohibits taking into “*account reports from previous schools*”. The SIFs do not make this prohibition clear, nor do the arrangements or FAQs say how the reference from another person will be used to assess aptitude. If they are not used they should not be requested and a reference from, say, a junior football team coach could be seen as “*giving priority to children on the basis of their own or their parents’ past or current hobbies*” which is prohibited by paragraph 1.9(i) of the Code.

40. The second pages of the two SIFs are slightly different. The first section on the SIF for performing arts is headed “*Aptitude Test*” and asks for an indication of the child’s interest as “*Theatre and vocal performance*” or “*Music – (instrument)- please state*”. The second section on this page is headed “*Performing Arts Information*” and requests “*any information that may present a fuller picture of your son/daughter’s Performing Arts history eg experience, any graded level of performing arts awards (exams), clubs attended eg*

Drama/Music School". As noted above paragraph 1.9(i) of the Code prohibits prioritising "children on the basis of their own or their parents' past or current hobbies or activities."

41. In the FAQs it says "As part of your information pack you will be asked to fill in a short form detailing the relevant performance experience of the candidate, together with a passport-sized photograph that will allow the assessors to identify candidates during the workshop. This information will assist assessors but will not form a part of the judgements made, which are made based on a candidate's aptitude rather than previous experience." At the meeting it was confirmed that none of this information, other than the photograph, is used so requesting it is prohibited by paragraph 2.4 of the Code.

42. The second page of the SIF for physical education and sport has under the heading "Aptitude Test" a note that "all pupils will be tested across the following areas" and lists football, basketball, athletics and multi-stage fitness test (Bleep Test). It then has a section headed "Sport information" in which it says "Please list information (if applicable) that may present a fuller picture of your son/daughter's sport history. Please also include any activities outside of those listed above." Asking for this information would again appear to contravene paragraph 1.9(g) of the Code and it is not explained in the arrangements nor the FAQs how this information is used to assess aptitude. At the meeting I was told that this information is not used, but, unlike for performing arts, this is not stated in the FAQs.

43. I find that the SIFs do not conform with the requirements set out in paragraph 2.4 of the Code.

44. I have quoted above all that is said in the arrangements about the tests for selection by aptitude. According to the arrangements "In the case of oversubscription in any one category, places will be allocated according to random allocation." Together with the wording of the third oversubscription criterion quoted above this suggested to me that an assessment is made of whether or not a child has aptitude for physical education and/or performing arts and 22 children were randomly selected from those deemed to have that aptitude. All further information is found in the FAQs which describe a different process where children given a score to represent their aptitude and allocated places in rank order of their scores with 11 places being given for performing arts and 11 for physical education.

45. In the FAQs the sixth question is "What do the tests entail?" For performing arts the reader is told that it is possible to take tests for both drama and vocal and musical aptitude as the tests take place on different days.

46. The test for drama and vocal aptitude requires the child to take part in a two-part musical theatre workshop led by subject specialists. The workshop is described as follows:

"The first part will be drama-based and will lead to the performance of a duologue, the script for which will be sent along with your information pack so that candidates may familiarise themselves with the text. Candidates will be allocated roles on the day and paired at random, allowing us to assess aptitude and as such we are not asking for a rehearsed performance to be prepared in advance.

The second part will involve a vocal warm up and rehearsal of a short ensemble song, allowing candidates to demonstrate their aptitude as a chorus member and, by delivering a short solo section, to assess their strength as a solo singer. The song to be learnt will also be sent in advance but, again, this is to allow candidates the opportunity to familiarise themselves with the material rather than to rehearse a finished performance.”

47. Children receive a score of up to 30 marks for “*Accuracy and Fluency*”, up to 30 marks for “*Control and Technique*” and up to 40 marks for “*Expression and Interpretation*” giving a maximum of 100. The same scoring system is used for the assessment of musical aptitude in what is described in the FAQs as an assessment “*based on aptitude on a musical instrument*” in which children are asked to “*to prepare a 3 minute piece of solo music on an instrument of their choice, with or without accompaniment.*”

48. Both the descriptions of what marks are given for and the requirement for children to be able to play an instrument in order to access one of the tests suggested to me that these tests may be more of ability than aptitude and therefore not comply with paragraph 1.32(a) of the Code which is quoted above. At the meeting I asked whether there were any published or written descriptions of what a child would need to do to be given a particular score. I was told there were none. Children being assessed for drama and vocal aptitude are competing for the same places as those being assessed for music aptitude places; I asked at the meeting how it was demonstrated that a score of say, 70, in the drama assessment was equivalent to a score of 70 in the music assessment. No answer could be given.

49. The FAQs include a list of sports in which assessment is available. This list includes swimming, hockey and netball as well as those listed on the SIF; this raises questions about the clarity of the arrangements. There is no description of how aptitude for these sports is assessed although the assessment of fitness through a bleep test is described. Scores are awarded with 30 marks for “*Performance*”, 30 marks for “*Proficiency*” and 40 marks for “*Fitness*”. In my view performance and proficiency are more of an assessment of ability than aptitude and the school could not provide any written descriptors of how aptitude could be demonstrated or explain how a score in one of the sports could be equated to a score in one of the other sports.

50. There are established tests, such as the Bentley Test which can measure aptitude for music without the child needing to have had the opportunity to learn an instrument and tests of attributes such as hand-eye co-ordination, balance, and agility which could sit alongside the bleep test as tests of aptitude for sport without being specific to any one sport. I am not satisfied that the assessment of aptitude conforms with paragraph 1.32(a) of the Code.

Other Matters

51. The definition of looked after and previously looked after children used in the arrangements referred to residence orders. The Children and Families Act 2014 replaced residence orders with child arrangements orders. I find that using an obsolete term renders

the arrangements unclear. Paragraph 14 of the Code quoted above requires that arrangements are clear.

52. The arrangements say that *“If the child lives at more than one address, it is the address of the parent/guardian that is in receipt of the child benefit, that is considered”*. The rules concerning child benefit do not require the child to be living during the week or during term time with the parent to whom the benefit is paid. A child may only spend weekends with the parent that receives child benefit and that could be in an entirely different town from the town they live in during the week and in which they need a school place. Using this definition of a child’s address could lead to unfairness which would be contrary to the requirements of paragraph 14 of the Code.

53. When I first received a copy of the arrangements a description of the catchment area could not be found in them. A link was offered to a page on the local authority’s website which gave a list of postcodes for all catchment areas in the town for 2019. Not only is this link not for the 2020 arrangements, by virtue of paragraph 1.47 and footnote 4 of the Code it is the admission authority’s duty to publish a description of the catchment area once determined. The local authority does not have to publish admission arrangements for schools in its area until 12 September each year.

54. Paragraph 2.17 of the Code says *“Admission authorities **must** make clear in their arrangements the process for requesting admission outside of the normal age group.”* The section in the arrangements headed *“Over and Under Age Applications”* is extensive and describes local authority processes, it does not however say what the process is for requesting admission outside of the normal age group at this school.

55. The arrangements say *“if the Academy is oversubscribed, any application received after the identified closing date will be slotted into the Waiting List in the appropriate position (ranked according to the admissions criteria) once the initial offers have been made.”* Paragraph 2.14 of the Code requires admission authorities to state in their arrangements that *“each added child will require the list to be ranked again in line with the published oversubscription criteria.”* In the case of a school which uses random allocation paragraph 1.35 of the Code says *“a fresh round of random allocation must be used each time a child is to be offered a place from a waiting list.”* The arrangements do not make this clear. Nor do the arrangements make it clear how a child on the waiting list might be offered a place under the third criterion, aptitude for performing arts or sport.

Summary of Findings

56. The objection was that if the school is oversubscribed from within the catchment area it is unfair to allocate places randomly and that the process of using random allocation was not clear in the arrangements. For the reasons set out above I do not find using random allocation in this way to be unfair other than where it leads to children of multiple births, or other siblings in the same school year group being separated. I also find that although the explanation in the arrangements of the process could be improved, it is explained well enough to meet the requirements of the Code. I therefore partially uphold the objection.

57. I find that the arrangements are unclear because they do not include a full and accurate description of the process for selecting pupils on the basis of aptitude. I find that the SIFs used by the school do not conform with the requirements of the Code and that the tests for selection are tests of ability rather than of aptitude and so do not meet requirements.

58. I also find that the arrangements do not conform with the requirements of the Code in the other five ways set out above.

59. I would like to thank the school and local authority for their prompt, helpful and constructive contributions which aided my consideration of this case.

Determination

60. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements for September 2020 determined by Eastwood Park Trust for The Eastwood Academy, Southend-on-Sea.

61. 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.

62. 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: 30 April 2019

Signed:

Schools Adjudicator: Phil Whiffing