



Office of  
the Schools  
Adjudicator

## Determination

**Case reference:** REF 3618

**Referrer:** The Governing Board of Charlotte Sharman Primary School, Southwark.

**Admission authority:** The Governing Board of Charlotte Sharman Primary School, Southwark.

**Date of decision:** 18 June 2019

## Determination

I have considered the admission arrangements for September 2019 for Charlotte Sharman Primary School, Southwark in accordance with section 88I (5) of the School Standards and Framework Act 1998 and find that in relation to a number of details within the admission arrangements, as outlined in this determination, the arrangements do not conform with the requirements.

Following discussion with the school, the governing board have produced draft admission arrangements which rectify the matters which are not compliant with the Code.

The School Admissions Code requires the admission authority to publish the revised admission arrangements as soon as possible and within two months of the date of the determination. By virtue of section 88K (2) the adjudicator's decision is binding on the admission authority.

## The referral

The governing board of the school requested a variation to the published admission arrangements for September 2019. This variation was agreed by the adjudicator and the determination was published. During the variation process, a number of issues in the arrangements were identified as non-compliant with the Code. I have decided to use the power conferred under section 88I (5) of the School Standards and Framework Act 1998 to

consider whether the arrangements conform with the requirements relating to admission arrangements.

## Jurisdiction

1. These arrangements were determined under section 88C of the Act by the school's governing board, which is the admission authority for the school. I am satisfied the referral has been properly referred to me in accordance with section 88I of the Act and it is within my jurisdiction.

## Procedure

2. In considering this matter I have had regard to all relevant legislation and the School Admissions Code (the Code).

3. The documents I have considered in reaching my decision include:

- a. the variation request from the school and its determination;
- b. correspondence with the school; and
- c. a copy of the determined arrangements.

I have also taken account of information received during a meeting I convened on 8 May 2019 at the school and correspondence received after the meeting. Present at the meeting were the Headteacher and Chair of the Governing Board and two representatives from the local authority of Southwark.

## The Referral

4. The admission arrangements for admission in September 2019 were determined by the school's governing board on 10 December 2018 and published on the school's website. The following areas are non-compliant with the Code;

- a) The admission arrangements for admission in September 2019 were not published on the school's website at the time of the variation referral. Subsequently the arrangements were published but they did not include a map of the Civil Parish Boundaries which formed part of the arrangements at that time. This was contrary to the Code at paragraph 15a which states that *"All schools **must** have admission arrangements that clearly set out how children will be admitted, including the criteria that will be applied if there are more applications than places at the school"*.
- b) The arrangements state that the Published Admission Number (PAN) applies to all school years and not just reception year (YR) which is the relevant age group. This is contrary to paragraph 1.2 of the Code which states that *"As part of determining their admission arrangements all admission authorities **must** set an admission number for each relevant age group"*.

- c) The definition of looked after and previously looked after children is out of date and does not comply with the Code's definition at paragraph 1.7.
- d) Reference is made in the oversubscription criteria to *school distance measurements being made along 'safe walking routes' and that these may be altered by governors if they consider some routes become unsafe. Parents were told to obtain this information from the school.* This makes the arrangements unclear and contrary to paragraph 14 of the Code which states that *"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"*.
- e) The section of the arrangements which deals with waiting lists does not specify a timeframe in line with paragraph 2.14 of the Code. This states that *"Each admission authority **must** maintain a clear, fair and objective waiting list until at least **31 December** of each school year of admission."*
- f) There is no mention in the arrangements about part time or deferred admissions and this is contrary to paragraph 2.16 of the Code which states that *"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 the school;*
  - a. *that child is entitled to a full time place in the September following their fourth birthday*
  - b. *the child's parents may defer the date their child is admitted to the school until later in the school year but not beyond the point at which they reach compulsory school age and not beyond the beginning of the final term of the school year for which it was made; and*
  - c. *where the parents wish, children may attend part time until later in the school year but not beyond the point at which they reach compulsory school age."*
- g) There is no mention in the arrangements of requests for children to be admitted outside normal age group and this is contrary to paragraph 2.17 of the Code which states that *"Parents may seek a place for their child outside of their normal age group"*.

## Background and consideration of arrangements

5. On the 13 February 2019 a variation request was received by the Office of the Schools Adjudicator (OSA). This request was for a reduction in PAN for September 2019. This variation was considered by me and agreed and the determination (VAR828) was published on 23 April 2019. During the consideration of the case it became clear that there

were a number of non-compliant areas of the arrangements and these were communicated to the school. Subsequent revisions to the arrangements made by the governing board did not fully address the issues and other non-compliant issues were introduced. The non-compliant issues are set out above. I arranged a meeting on the 8 May 2019 in order to discuss the non-compliance. The school has been supportive throughout the process and the headteacher has been very keen to make sure the arrangements are compliant. After the meeting the headteacher and the governing board discussed the arrangements and have, subsequently, produced a set of draft arrangements which address the non-compliant issues.

6. I am satisfied that the school's draft amended arrangements are now compliant with the Code and these now need to be formally determined (that is agreed by the governing board) published on their website and communicated to parents and the local authority. This should be completed as soon as possible. These changes can be made without consultation, in line with paragraph 3.6 of the Code which states that *"Once admission arrangements have been determined for a particular school year, they cannot be revised by the admission authority unless such a revision is necessary to give effect to a mandatory requirement of this Code, admission law, a determination of the Adjudicator or any misprint in the admission arrangements"*.

## Determination

7. I have considered the admission arrangements for September 2019 for Charlotte Sharman Primary School, Southwark in accordance with section 88I (5) of the School Standards and Framework Act 1998 and find that in relation to a number of details within the admission arrangements, as outlined in this determination, the arrangements do not conform with the requirements.

8. Following discussion with the school, the governing board have produced draft admission arrangements which rectify the matters which are not compliant with the Code.

9. The School Admissions Code requires the admission authority to publish the revised admission arrangements as soon as possible and within two months of the date of the determination. By virtue of section 88K (2) the adjudicator's decision is binding on the admission authority.

Dated: 18 June 2019

Signed:

Schools Adjudicator: Ann Talboys