



Office of
the Schools
Adjudicator

Determination

Case reference: ADA3615

Objector: An individual

Admission authority: The Governing Board of King Edward VI School for King Edward VI School, Warwickshire

Date of decision: 11 October 2019

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 2020 determined by the governing board of King Edward VI School for King Edward VI School, Warwickshire.

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 an individual, (the objector), about the admission arrangements (the arrangements) for King Edward VI School (the school), a selective secondary school for boys aged 11 – 18 for September 2020. The objector considers that the methodology for setting the Automatic Qualifying Score (AQS) for entry to the school is unreasonable and unclear, and operates to disadvantage local applicants who reside within the Priority Circle. The objector has submitted objections in identical terms to the admission arrangements for Stratford Girls Grammar School (ADA3616) and Alcester Grammar School (ADA3614). All three schools are situated in the southern area of Warwickshire.

2. The local authority (LA) for the area in which the school is located is Warwickshire County Council. The LA is a party to this objection. Other parties to the objection are the governing board of King Edward VI School and the objector.

Jurisdiction

3. The terms of the Academy agreement between the academy trust/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 governing board, which is the admission authority for the school, on that basis. The objector submitted his objection to these determined arrangements on 15 May 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.

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. a copy of the minutes of the meeting of the governing board at which the arrangements were determined;
- b. a copy of the determined arrangements;
- c. the objector's form of objection dated 15 May 2019 and supporting documents;
- d. the school's response to the objection; and
- e. confirmation of when consultation on the arrangements last took place.

The Objection

6. The objector considers that setting the AQS in the way that it is set deprives local applicants of the appropriate academic background of their 'rightful place' at the school. I have taken the term 'local applicants' to mean applicants who live in the Priority Circle Area identified by the school as its catchment area. The objector submits that the methodology for setting the AQS confuses two distinct concepts. The concept of a passmark, which signifies the appropriate level of academic ability required for entry to a selective school, and the concept of a cut-off score which is the lowest score required for entry in any particular year group after applying the oversubscription criteria. Under the school's arrangements, the AQS purports to be both. There are no records of any analysis conducted by the Committee of Reference when setting the score, therefore the objector suggests that parents cannot understand how the process works. It follows then that parents cannot challenge the outcome of the process. Paragraph 14 of the Code states that *"In drawing up their admission arrangements, admission authorities **must** ensure that the practices and 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"*.

Background

7. The school is a single sex selective school for boys aged 11 – 18. Girls are admitted to the sixth form. The school can trace its origins back to 1295, however it was re-founded as one of King Edward IV's schools nine days before the young king died of tuberculosis and is believed to be the last of the King Edward VI Schools. Formerly a former voluntary aided school, King Edward VI School became an academy in 2011. It is almost certain that William Shakespeare attended the school. Following a tradition established in 1893, each year pupils and masters lead a procession through the town from the school in Church Street to Holy Trinity Church, where they lay flowers at Shakespeare's grave. In 1982 the five-hundredth anniversary of the endowment of the school was celebrated, and in 2003 celebrations were held for the 450th anniversary of the school's re-foundation. The school is rated as Outstanding by Ofsted and is heavily oversubscribed.

8. I have extracted relevant sections from the school's arrangements for admission to Year 7 in September 2020. These state that, as the school is a single sex boys' school, eligibility for entry in Year 7 will be based upon the child's gender being male. Admission to the school is determined by a child's performance in the Entrance Test and the oversubscription criteria. The school is part of a consortium of schools using a common Entrance Test for entry. The consortium includes this school, the five other Grammar Schools in Warwickshire (including Ashlawn which as a bilateral school offers selective and non-selective places), and the eight Grammar Schools in Birmingham. The Entrance Test consist of two papers, each of approximately 60 minutes which test verbal ability, numerical ability and non-verbal ability. Data from all students sitting the test are used to produce standardised scores. Weightings are applied to the scores achieved in Verbal Reasoning, Non-Verbal Reasoning and Numeracy. The weightings applied to the 11+ test scores for each year of entry are determined by the school. Parents are notified of their child's score in the Entrance Test before the deadline by which they must make applications for secondary schools. Parents/carers who register their child for the 11+ test online will be able to view their child's test results through the LA's online portal. Parents/carers who registered their child for the 11+ test by submitting a paper registration form will be sent their child's test results through the post.

9. The Automatic Qualifying Score (AQS) for the year of entry is set by the Committee of Reference during the Local Review Process using the results from the 11+ test. The minimum score for the waiting list for this School is also set by the Committee of Reference.

10. Additional information about the 11+ test, which is aimed to assist parents/carers in completing the child's secondary school application, is available on the LA's website. Parents/carers who have either registered with Warwickshire Admissions (or have asked that their child's score be shared with Warwickshire Admissions) will receive the following information from Warwickshire Admissions:

- The child's total standardised score broken down by performance in Verbal Reasoning, Numeracy, and Non-Verbal Reasoning.

- The automatic qualifying scores and waiting list scores for each Warwickshire grammar school for the previous year where the same weightings have been applied for the three sections.

The arrangements state clearly that the previous years' qualifying scores can be used for comparison purposes but there can be no guarantee that any child, including those scoring above the required score for previous years, will be offered a grammar school place.

11. Parents/carers who have either registered with the grammar schools in Birmingham (or have asked that their child's score be shared with the grammar schools in Birmingham) will receive an additional letter showing their child's test score and the minimum score required for entry in the previous year, together with the qualifying score for those schools who have set such a score. Warwickshire's grammar schools and the grammar schools in Birmingham may choose to use different weightings. This means that if a child receives two result letters, their total scores could be different.

12. The PAN (published admission number) for Year 7 is 87. The arrangements state that there is no guarantee of a place being available, but places up to the PAN during the normal round of admissions are allocated to children in the following order, where they meet the necessary academic and eligibility entry requirements requirements with the applications ranked in score order within each category:

“Category 1: Any Looked-After³ or Previously Looked-After Children who either achieve the automatic qualifying score or above for this School for this particular year of entry, or who score up to ten marks below the automatic qualifying score.

Category 2: Children who live in the priority circle who attract the Pupil Premium via eligibility for Free School Meals⁵ who achieve either the Automatic Qualifying Score or above for this School, for this particular year of entry, or who score up to 20 marks below the Automatic Qualifying Score. Up to thirteen places only will be offered in this category (including any re-offers which are made from the waiting list in this category after Monday 2nd March 2020). Warwickshire Admissions will require, on behalf of the School, evidence of Pupil Premium eligibility and the School reserves the right to withdraw the offer of a place if the offer has been made on the basis of an incorrect, fraudulent or misleading application.

Category 3: Children who live in the priority circle who achieve the automatic qualifying score or above for this school, for this particular year of entry.

Category 4: Children living outside of the priority circle who achieve the automatic qualifying score or above for this school, for this particular year of entry.

Category 5: Children who score below the automatic qualifying score, but above the minimum score for the waiting list score for this school, for this particular year of entry.

To differentiate in the case of children with the same score in any of the following categories, those who live nearest the School in straight-line distance will be given priority. 1 In the case of a tie-break situation where more than one child has achieved the same score, and where all home to school distances are equal, and there are not enough spaces to offer all applicants who fulfil the relevant criteria, the remaining

place(s) will be allocated using a computerised random number generator. This process will be carried out by Warwickshire Admissions on behalf of the School, in the presence of a witness from Legal Services who is independent of the school and the admissions process.

Priority Circle: the priority circle for King Edward VI School and Stratford Girls' Grammar School is based on a circle with a radius of 16.885 miles drawn from the Fountain in Rother Street, Stratford-upon-Avon (half-way between the two schools) to the County boundary south of Long Compton. In drawing a priority circle in this manner, the schools are able to comply with their duty following the Greenwich Judgement (1989). Evidence will be required to prove that the child is resident within the priority circle by the deadline of 11.59pm on Tuesday 31st December 2019. Warwickshire Admissions will require, on behalf of the School, evidence of the applicant's home address. Parents/carers will be notified each time this is required. The Admissions Service may also carry out a home visit to the family to further verify an applicant's address. The School reserves the right to withdraw the offer of a place if it is satisfied that the offer has been made on the basis of an incorrect, fraudulent or misleading application.

Committee of Reference

In South Warwickshire the Committee of Reference sets the automatic qualifying score taking account of the applications for the individual schools and the number of places available. The Committee of Reference is a panel of Headteachers and teachers appointed according to terms of reference. The Heads of the selective schools in South Warwickshire or their representatives will be members of the Committee. The Committee also reviews the arrangements made for any children with disabilities or Special Educational Needs.

Automatic Qualifying Score

Performance in the Entrance Test and the number of applications for the schools will be used by the Committee of Reference to set the automatic qualifying score. Above and at that qualifying score a child will receive an offer from their highest named preference of selective school (subject to living within the priority circle, not being a late entry or having an offer from a higher preference of school).... The Committee will consider the descending score order and the number of children applying for each school (living within the priority circle and who registered before the closing date) and set the Automatic Qualifying Score as close to the Published Admission Number for the School as possible. The Committee of Reference has an overriding discretion to set the Automatic Qualifying Score and the minimum score for the waiting list as it considers appropriate to ensure that those offered places, and those on the waiting list, have reached the required academic standard for the school....In South Warwickshire the Committee of Reference sets the automatic qualifying score taking account of the applications for the individual schools and the number of places available. The Committee of Reference is a panel of Headteachers and teachers appointed according to terms of reference. The Heads of the selective schools in South Warwickshire or their representatives will be members of the Committee. The Committee also reviews the arrangements made for any children with disabilities or Special Educational Needs."

Consideration of Case

13. The objector's argument centres upon the fact that he has been informed that the function of the Committee of Reference is to determine the appropriate academic level of entry to each school. His view is that the Committee does nothing of the kind. It sets the AQS at a level which ensures that applicants living outside the Priority Circle will be offered places. The AQS differs from year to year, and so the objector argues that there is no merit in the assertion that that AQS is set with reference to capability of benefitting from a grammar school education. He says that applicants who live within the Priority Circle with a score of 232 were denied the offer of a place for admission in 2019; 232 is a score which is considered to be an appropriate passmark for the Birmingham Consortium grammar schools; and it is a score which is above the 85th percentile of the national ability range. There can be no argument (he says) that an applicant with a test score of 232 is not capable of benefitting from a grammar schools education, so the objector asks why the AQS is set at 233. The objector's argument is that there is no logical explanation for the level at which the AQS for the school is set. The Birmingham Consortium grammar schools, which use the same test as the Warwickshire Consortium grammar schools determine a pre-set passmark before the tests are taken, and this is based upon capability of benefitting from a grammar school education. This is usually a score of 207/208. I note in this context that given the scope for the use of different weightings as described above, a particular child achieving a score of 207/208 in Birmingham may achieve a higher or lower score in Warwickshire.

14. I have looked at the entry qualifying scores for these schools for entry in September 2019. They were as follows:

- | | |
|-----------------------------------|-----|
| • Bishop Vesey | 205 |
| • King Edward VI Aston | 205 |
| • King Edward VI Camp Hill Boys | 215 |
| • King Edward VI Camp Hill Girls | 209 |
| • King Edward VI Five Ways | 200 |
| • King Edward VI Handsworth Boys | N/A |
| • King Edward VI Handsworth Girls | 205 |
| • Sutton Coldfield Girls | N/A |

15. The objector has submitted evidence for the admission years 2017, 2018 and 2019 in respect of the King Edward VI School showing the AQS for each of these years and the number of applicants offered places under each of the oversubscription criteria. I have inserted this information into a table.

	AQS	Minimum Waiting List Score	Offers under Category 1 (LAC/PLAC)	Offers under Category 2 (Pupil Premium)	Offers under Category 3 (PA Applicants)	Offers under Category 4 (Outside PA applicants)	Offers under Category 5 (Applicants achieving the minimum waiting list score)
2017	232	225	0	0	80 Lowest score 232	1 Lowest score 252	0
2018	230	225	0	2	76 Lowest score 230	4 Lowest score 232	5 Lowest score 229
2019	233	228	1	0	80 Lowest score 233	6 Lowest score 234	0

16. The objector considers that 232 is a score which demonstrates a high level of academic capability, and so there is no basis for setting a passmark of 233. Passmarks and cut-off scores are different, and where a school has a pre-set passmark, there can be a significant difference between the passmark and the cut-off score. For example, the entry qualifying score for Bishop Vesey's Grammar School for 2019 was 205, whereas the cut-off score was 228. Similarly for King Edward VI Aston School, the entry qualifying score was 205, whereas the cut-off score was 225. The objector suggests that no other grammar school in the country (other than the Warwickshire grammar schools) sets a passmark after the tests have been taken. He suggests that the only "*power*" exercised by the Committee of Reference each year is to move the AQS up or down by a single point, and that the purpose of doing this is to admit more applicants from outside the Priority Circle. Finally, the objector argues that paragraph 14 of the Code requires that whatever methodology is used to set the AQS, it must be explained in a way that parents can understand and that the arrangements for this school fail to explain the methodology as required.

17. The objector urges me to require the school to revise its arrangements so that it has a passmark which it publishes prior to the tests being undertaken, as is the case with the Birmingham grammar schools. I am not able to do this. My functions are limited to making a finding as to whether a set of admission arrangements is lawful. If I find that the

arrangements are unlawful, I can require an admission authority to revise them, but it is not for me to dictate the nature of any revisions which must be made.

18. The school sent a response to the objection on 3 September 2019. The response was clear, succinct and helpful. It stated that:

- The AQS is not a pass mark *per se* as it is not set with reference to an objective academic standard.
- The AQS is set to take into account the level of capability required to benefit from the education in a particular grammar school and to ensure that the number of first-round offers made on national offer day matches the number of places available at the school. It is not intended to be the lowest score upon which an applicant is judged to be of grammar school ability. It is not possible to set the AQS in advance because the content and difficulty of the test varies from year to year and therefore the scores from different years are not directly comparable.
- The Minimum Waiting List score (MWLS) is effectively the lowest score at which applicants are judged to be of the required ability to benefit from the education in a particular grammar school. It is not intended to be the lowest score upon which an applicant is judged to be of grammar school ability.
- The AQS and MWLS are set by the Committee of Reference which comprises the Headteachers of the grammar schools and others with local knowledge and expertise, using knowledge about each school and the ability of the cohort.
- The headteacher of each school has a significant influence over the AQS and MWLS set by the Committee of Reference as they have knowledge about the level of ability needed for a pupil to benefit from the environment operated at the school, and how this should be determined.
- Whether or not some applicants living outside the priority area are made offers in the first round will depend on the number of candidates meeting higher oversubscription criteria. In practice the application of the oversubscription criteria usually means that only applicants in categories 1, 2 & 3 obtain offers in the first round. However, movement after National Offer Day inevitably leads to offers being made to applicants from lower categories.
- The Priority Area was established by the South Warwickshire Grammar Schools following the Greenwich Judgement. It ensures that all students living in South Warwickshire are able to apply to the South Warwickshire Grammar Schools and ensures that all those who attend the schools are close enough to take a full part in the rich extra-curricular life of the schools.

19. The objector, in reply, sent me the minutes of the meetings of Southern Area Committee of Reference in 2015, 2016, 2017, 2018 and 2019. All show a similar pattern for

setting the AQS and the MWLS, and so I have extracted the minutes of the meetings in January 2017 and 2018 as examples. These record as follows:

“January 2018 King Edward VI School:

“The Committee of Reference has agreed that the proposed qualifying score for KES at this point in time = 230

This gives a total of 83 potential offers at present, using the following over-subscription criteria:

- ***Category 1 offers = 0***
(Looked After, up to 20 marks below)
- ***Category 2 offers = 2***
(Pupil Premium, up to 20 marks below)
- ***Category 3 offers = 77 (including x1 PP)***
(Qualifying score or above, on time, in circle)
- ***Category 4 offers = 4 (down to a score of 230)***
(Qualifying score or above, on time, out of circle)
- ***Category 5 offers = 5 available on a score of 229 and 4 on 228***
(Waiting list range)

There is one SEN child but they will potentially be lost to Birmingham. At least 2, from category 3, of these potential offers are not first preference choices though, so they could be offered a higher preference school prior to the 1st March. If both 2 are lost then this will leave a total of 81 offers being made within these categories.

This will leave 6 places to fill either from families moving into area before 29th December 2017, who sit the 11+ test at one of the supplementary sessions and achieve the proposed qualifying score, or this shortfall could also be accommodated with children from the next Category within the over-subscription criteria (Category 5 = 5 available on a score of 229 and 4 on 228).

On a qualifying score of 230, the waiting list could have a minimum score of 223. This would produce a list of at least 22 boys, with further children expected to be added after 1st March, due to being late applicants.

The Committee agreed that the waiting list minimum score will be set at 225 which would produce a list of at least 16 boys, with further children expected to be added after 1st March, due to being late applicants.

There were 4 boys that scored above the proposed qualifying score, who could have received an offer on 1st March, however, they did not comply with the residency requirements. As a result of this, their applications are being considered as late and will not be considered until after 1st March.”

20. The AQS remained at 230, and places were allocated for admission to the school as follows:

- **Category 1 = 0**
(Looked After, up to 10 marks below)
- **Category 2 = 2**
(Pupil Premium, up to 10 marks below)
- **Category 3 = 76**
(Qualifying score or above, on time, in circle)
- **Category 4 = 4**
(Qualifying score or above, on time, out of circle)
- **Category 5 offers = 5**
(Waiting list range)

21. For January 2017, the minutes record:

“January 2017 King Edward VI School

81 potential offers falls at **235**
(will potentially lose up to 13 of these to higher preference offers)

Proposed Qualifying Score for KES = 232

- *Category 1 (LAC + QS) = 0*
- *Category 2 (PP + up to 10 below) = 0*
- *Category 3 (Circle + QS) = 95*
- *Category 4 (Out Area + QS) = 3 available*
- *Category 5 (Waiting list range) = 2 available on a score of 231*

Could potentially lose a further offer from Category 3 to a higher preference, and possibly all of the 3 identified in Category 4.

If lose all of the 17 expected, this would give 81 offers. If do not lose all 17 to higher preferences then we will not use Category 4 or 5 and may have to increase the qualifying score”.

22. The AQS was revised from 232 – 233, and places were allocated at the school as follows:

Category 1 = 0

(Looked After, up to 10 marks below)

Category 2 = 0

(Pupil Premium, up to 10 marks below)

Category 3 = 80

(Qualifying score or above, on time, in circle)

Category 4 = 1

(Qualifying score or above, on time, out of circle)

Category 5 offers = 0

(Waiting list range)

23. Looking at the overall effect of the operation of the admissions process. In 2017, the AQS was raised after the January Committee meeting from 232 to 233, and the effect of this was to enable 80 offers to be made to Priority Area applicants. The number of out of area offers was 1. In 2018, the AQS remained unchanged at 230, and the effect of this was to enable 76 offers to be made to Priority Area applicants. The number of out of area offers was 4, and there were 5 offers made to category 5 applicants. In 2019, the AQS was raised from 230 to 233, and the effect of this was to enable 80 offers to be made to Priority Area applicants. The number of out of area offers was 6. When the AQS was changed post-committee in 2017, the number of out of area applicants offered places was 1; in 2018, the AQS was not changed, and the number of out of area applicants offered places was 4; and in 2019 the AQS was changed post-committee and the number of out of area applicants offered places was 6. There is no discernible pattern of manipulation for the express purpose of offering more places to out of area applicants emerging from the evidence of what happens either during the Committee meetings or afterwards. The evidence does not support the assertion that the AQS is changed in order to allow more out of area applicants to be offered places.

24. The objector says that the minutes of the Southern Area Committee of Reference show that the Committee sets the AQS as the arrangements say. Indeed, the minutes bear out exactly what the school has said in describing the process. However, the objector says that after the Committee meeting, the score is then manipulated to allow more out of area applicants to be offered places. He says that it is not clear by whom. He accepts that the number of out of area applicants admitted is minimal, and he says that he has nothing against out of area applicants but that applicants who live within the Priority Circle Area should be offered places in preference to out of area applicants because this is what the arrangements envisage. Indeed if, as the school says, the MWLS is the lowest score upon which an applicant is deemed capable of benefitting from a grammar school education at the school in question, then applicants living in the Priority Circle Area who score above the MWLS but below the AQS should be afforded higher priority than out of area applicants who achieve the AQS or above.

25. It is clear from the minutes of the Southern Area Committee of Reference from 2015 – 2017 that the Committee considers the test scores and the PAN, and fixes the AQS on a provisional basis at a level which ensures that the highest number of Priority Circle Area applicants will be admitted. But what then happens is that offers are made from higher preference schools to identified applicants who have achieved the AQS for this school. Parents then choose to take up an offer from the higher preference school. This is a factor which is beyond the control of the Committee, but the members attempt to pre-empt how this will operate in practice by setting a **proposed** AQS at a level which they consider will allow the maximum number of applicants from the Priority Circle Area to be admitted. The Committee anticipates that the AQS may change. It is only ever raised or lowered by one or two marks. The purpose of raising the AQS is to prevent the school from having to admit more applicants than its PAN. As the school says: *“In practice, the application of the oversubscription criteria usually means that only applicants in categories 1, 2 & 3 obtain offers in the first round. However, movement after National Offer Day inevitably leads to offers being made to applicants from lower categories”*. The arrangements say that *“the Committee will consider the descending score order and the number of children applying for each school (living within the priority circle and who registered before the closing date) and set the Automatic Qualifying Score as close to the Published Admission Number for the School as possible”*. This is exactly what the Committee does.

26. The minutes of the Committee meetings are not identical, and some of the minutes do say: “The WCC Officers reiterated that at this stage everything is provisional and nothing will be confirmed until later in the process. Data is due to be exchanged further with surrounding Local Authorities, such as Oxfordshire, Worcestershire and Birmingham, so this may have an impact on the qualifying scores and waiting list information over the next few weeks. If the information within these minutes does change at any point then this will be reflected as an additional note (NB:). The minutes of the January 2015 meeting say: “If other local authority data and/or late testing scores change anything agreed today then members will be informed of this and any new agreements will be noted within these minutes”. So, it does appear that the members of the Committee are consulted and agree the final AQS if there is a perceived need for it to change after the meeting.

27. I do not agree with the objector that the arrangements should provide that Priority Circle Area applicants who achieve the MWLS but not the AQS should be offered places ahead of applicants who do not live in the Priority Circle Area who have achieved the AQS. It is legitimate for the school, as a selective school, to afford higher priority in its oversubscription criteria to applicants who achieve the AQS ahead of applicants who do not. The evidence I have been sent by the objector has been very helpful indeed, however it has served to confirm that the Committee does consider the scores, the number of on-time applicants living within the Priority Circle Area and the PAN. The Committee sets the AQS as the arrangements describe. Having set a provisional AQS, the Committee will fix the final AQS to ensure that the PAN is not exceeded. I have considered whether the role of the Committee of Reference could be described in more detail in the arrangements so that this is clearer to parents. In other words, whether the arrangements should say that the Committee sets a provisional AQS with reference to the Priority Circle Area applicants and

the PAN, which may later be revised by agreement of the members to ensure that the PAN is not exceeded, however my conclusion is that this level of detail is not needed. The description of how the AQS is set, and the role of the Committee are as clear as they need to be.

28. The Committee of Reference sets the AQS in a manner which is objective. As a grammar school, this school is permitted to determine arrangements which establish eligibility for entry by means of performance in selective tests. The school has also elected to afford priority to local applicants subject to eligibility. The Committee is comprised of members with local knowledge and specialist knowledge of the schools for which it sets the AQS. I cannot see anything which is not objective in these arrangements. They create a balance between the establishment of a high academic standard whilst offering opportunities to disadvantaged applicants and applicants from the local community. The arrangements do not operate unfairly to residents who live in the Priority Circle Area. These applicants comprise the majority of the school's intake. They are clear in their operation, and I do not believe that the AQS is set by the Committee of Reference, or anybody else, in a way that confers any undue advantage upon out of area applicants. For these reasons, I do not uphold the objection.

29. The objector has been given information about the operation of the Eastern Area Committee of Reference which is different to that which has been provided in response to this objection, and considers that he has been misled. The arrangements for the Warwickshire grammar schools in the eastern area are different, and a different Committee of Reference sets the AQS for these schools. In the context of this objection, I am not able to comment further on this point.

30. The LA has not submitted a response to this objection, despite being offered the opportunity to do so.

Summary of Findings

31. On the basis of the evidence before me, I do not uphold this objection. I find that the arrangements are as clear as they need to be about how the AQS is set and the role of the Committee of Reference. I also find that the arrangements are objective and that they do not operate unfairly to applicants residing within the Priority Circle Area.

Determination

32. 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 2020 determined by the governing board of King Edward VI School for King Edward VI School, Warwickshire.

Dated: 11 October 2019

Signed:

Schools Adjudicator: Dr Marisa Vallely