



Office of  
the Schools  
Adjudicator

## Determination

**Case reference: ADA3799**

**Objector: An individual**

**Admission authority: The Thames Learning Trust for Reading Girls School, Reading**

**Date of decision: 17 August 2021**

## Determination

**In accordance with section 88H(4) of the School Standards and Framework Act 1998, Mrs Talboys and I partially uphold the objection to the admission arrangements for September 2022 determined by the Thames Learning Trust for Reading Girls School, Reading.**

**By virtue of section 88K(2) the adjudicators' 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 unless an alternative timescale is specified by the adjudicators. In this case we determine that the arrangements must be revised as quickly as possible.**

## 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 Reading Girls School (the school), a partially-selective academy school for girls aged 11-18 for September 2022. The objection is to the fact that the test dates set out in the arrangements are incorrect, and to the fact that the arrangements state that the school uses the services of the Centre of Evaluation and Monitoring (CEM) in connection with the tests used in order to establish eligibility for a place in the selective stream. The objector alleged that this statement is incorrect.

2. The local authority (LA) for the area in which the school is located is Reading Borough Council. The LA is a party to this objection. Other parties to the objection are the school, the Thames Learning Trust and the objector.

3. This is one of a number of objections to the admission arrangements for September 2022 for different schools referred to the Office of the Schools Adjudicator by the same objector. Mrs Ann Talboys and I have been appointed as joint adjudicators for these objections as permitted by the Education (References to Adjudicator) Regulations 1999. I have acted as the lead adjudicator for this case and have drafted this determination.

4. Some of the objections contain aspects which are common to several other objections. We are aware that the objector has made objections to other schools in previous years about these same aspects which have been determined by different adjudicators. We have read the relevant previous determinations and taken them into account. Those determinations do not form binding precedents upon us, and we have considered each of these aspects afresh. The approach we have taken is to discuss each of the common aspects in the objections which have been made this year and agree the wording of our determinations in relation to those aspects. Some identical wording will appear in each of the determinations in relation to these common aspects.

5. Where an objection contains aspects which are unique to that objection, as this one does, the lead adjudicator has made a determination on each of those aspects which has then been read and agreed by the other adjudicator prior to completion of the determination.

## **Jurisdiction**

6. 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 academy trust, which is the admission authority for the school, on that basis. The objector submitted his objection to these determined arrangements on 22 April 2021.

## **Procedure**

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

8. The documents we have considered in reaching our decision include:

- a. a copy of the minutes of the meeting of the multi-academy trust at which the arrangements were determined;
- b. a copy of the determined arrangements, which include a Supplementary Information Form (SIF);
- c. the objector's form of objection dated 22 April 2021 and supporting documents;

and

- d. the school's response to the objection.

## The Objection

9. First, the objector has drawn to our attention the fact that the arrangements state that the date of testing for entry into our Year 7 Selective Stream in September 2022 will be each Tuesday between 7th September and 12th October 2020. Second, the objector alleged that the arrangements contain an incorrect statement, namely that the school uses the services of CEM in connection with the selection tests used to determine eligibility for a place in the school's selective stream. Paragraph 1.17 of the School Admissions Code (the Code) requires that all selective schools must publish the entry requirements for a selective place and the process for such selection.

## Background

10. The school is a partially selective academy school for girls aged 11-18. The Published Admission Number PAN for Year 7 is 210. We have not considered it necessary to summarise the full over subscription criteria here, as is our normal practice, because the only aspect of the arrangements relevant to this objection is that oversubscription criterion 2 provides that up to 42 places are available for applicants who are selected by ability which is assessed by means of rank order of score in the selection tests. For parents wanting further information about the tests, there is a link to a separate page which indicates that CEM provides the selection tests and that the tests cover three core areas: Numerical, Verbal and Non-verbal ability. The arrangements also say:

### **“4. How to apply**

For applications in the normal admissions round you should use the application form provided by your home local authority (regardless of which local authority the schools are in). You can use this form to express your preference for a minimum of 3 state-funded schools, in rank order. Those wishing to take the Selective Stream test must also complete the school's registration form (on the school's website or copy attached). The Selective Stream tests will take each Tuesday from 8th September **2020** until 13th October 4 **2020** at the school. The test is the CEM Select 11+ Entrance Test. You will be informed by the school about the results of the test by letter sent before 31st October 2020. You will receive an offer for a school place directly from your local authority (Our emphasis on the 2020 date)”.

### **“6.2 Selection and banding (optional)**

As a partially selective school, we have x42 places available each year for our selective stream. The application is direct to the school. The test dates for entry in September 2022 is weekly between 7th September and 12th October **2021**. The application form can be found on the school website”. (Our emphasis).

The SIF, which is part of the arrangements, states:

“The date of testing for entry into our Year 7 Selective Stream in September 2022 will be each Tuesday between 7th September and 12th October **2020**”. (Again, our emphasis).

## Consideration of Case

11. As we have said, paragraph 1.17 of the Code requires that all selective schools must publish the entry requirements for a selective place and the process for such selection. In our view, the test dates are essential information relating to the selection process therefore the relevant dates must be set out in the arrangements, and they must be set out correctly. Both section 4 of the arrangements and the SIF (which is part of the school’s admission arrangements) contain a clear error insofar as the dates in question should refer to the year 2021, as opposed to 2020. Since it would be open to the admission authority to correct these errors under paragraph 3.6 of the Code, we wondered whether we could simply suggest that this should be done as quickly as possible without the need for us to write and publish a formal determination. However this course of action has not been possible. Upon receipt of an objection, adjudicators have a duty under section 88H(4) of the Act to make a determination about whether or not to uphold that objection and a duty under section 88K(3) to publish a report of the decision. Accordingly therefore we must formally uphold this aspect of the objection and publish our decision. In relation to the second aspect of the objection, the school has confirmed that it does, in fact, use the services of CEM in connection with the selection tests, therefore the arrangements are correct in stating this to be the case. We do not uphold this aspect of the objection.

12. Upon receipt of the school’s response to the objection, the objector raised a number of additional points about late testing and submitted information relating to the London Borough of Redbridge. Since these points were not made on the objection form, we are not able to consider them because they have been made after the deadline for making an objection to admission arrangements for September 2022.

## Summary of Findings

13. We find that the admission arrangements contain material errors which render the selection process unclear. The errors need to be corrected as quickly as possible. We also find that the arrangements contain a statement that CEM is the test provider. We find this statement to be correct as the school has confirmed this to be the case.

## Determination

14. In accordance with section 88H(4) of the School Standards and Framework Act 1998, Mrs Talboys and I partially uphold the objection to the admission arrangements for September 2022 determined by the Thames Learning Trust for Reading Girls School, Reading.

15. By virtue of section 88K(2) the adjudicators' 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 unless an alternative timescale is specified by the adjudicators. In this case we determine that the arrangements must be revised as quickly as possible.

Dated: 17 August 2021

Signed:

Schools Adjudicator: Marisa Vallely

Schools Adjudicator: Ann Talboys