



Office of  
the Schools  
Adjudicator

## Determination

**Case reference:** ADA3942

**Objector:** A parent

**Admission authority:** The academy trust for Parmiter's School

**Date of decision:** 05 August 2022

## 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 2023 determined by the academy trust for Parmiter's School, Watford, Hertfordshire.**

## 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 parent (the objector), about the admission arrangements (the arrangements) for Parmiter's School (the school), an academy school for boys and girls aged 11 to 18, for September 2023. The objection is to the method of measuring distances from applicants' homes to the school.
2. The local authority (LA) for the area in which the school is located is Hertfordshire County Council. The LA is a party to the objection. Other parties to the objection are the academy trust for the school and the objector.

## 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 academy trust, which is the admission authority for the school, on that basis. The objector submitted her objection to these determined arrangements on 10 May 2022. The objector has asked to have her identity kept from the other parties and has met the requirement of Regulation 24 of the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England)

Regulations 2012 by providing details of her name and address to me. 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 academy trust at which the arrangements were determined;
  - b. a copy of the determined arrangements;
  - c. the objector's form of objection dated 10 May 2022, supporting documents and her comments on the responses of other parties;
  - d. the LA's response to the objection and to my enquiries, including information about the allocation of places for admission in September 2022; and
  - e. the school's response to the objection.

## The Objection

6. The objector says that the measurement of distances from applicants' homes to the school should be to the main entrance of the school, rather than an "address point." She says that this is not "clear" and, in later correspondence, describes the use of the address point as "unfair and inaccurate."
7. The objection form does not refer to specific sections of legislation or the Code but paragraph 1.13 of the Code begins as follows:

"Admission authorities **must** clearly set out how distance from home to the school and/or any nodal points used in the arrangements will be measured. This must include making clear how the 'home' address will be determined and the point(s) in the school or nodal points from which all distances will be measured."

The Code also requires oversubscription criteria to be clear and procedurally fair (paragraph 1.8) and states that "admission authorities must ensure that the practices and the criteria used to decide the allocation of school places are fair" (paragraph 14).

## Background

8. The school is an oversubscribed secondary school in Watford, Hertfordshire. Its Published Admission Number (PAN) for admission in September 2023 is 208. The oversubscription criteria, which are unchanged from those for 2022, are summarised in

Table One below, which also shows the number of children allocated places under each criterion for admission for September 2022 as at the National Offer Day. The LA reports that the school agreed to admit an additional 16 students to Year 7 “as a local agreement”, making a total of 224.

**Table One: Places allocated at Parmiter’s School for admission in September 2022**

Oversubscription criterion	Places allocated
(i) Looked after and previously looked after children	9
(ii) 10 per cent of places on the basis of proximity to the school	21*
(iii) Children with a sibling attending the school	103
(iv) Children of staff	4
(v) Children with a compelling medical reason to attend the school	1
(vi) Up to 25 per cent of places by reference to academic ability	52
(vii) Up to 10 per cent on the basis of aptitude for music	20
(viii) Remaining places on the basis of proximity to the school	5^
<b>TOTAL (including nine children with an Education, Health &amp; Care Plan naming the school)</b>	<b>224</b>

\* The last child admitted under the second criterion lived 796 metres from the school.

^ The last child admitted under the eighth criterion lived 890 metres from the school.

9. The arrangements explain how measurements of distance are made as follows:

“...places will be allocated based on the straight line distance measurement provided by Hertfordshire County Council’s computerised mapping system. Hertfordshire County Council’s ‘straight line’ distance measurement system is used for all home to school distance measurements. Distances are measured using a computerised mapping system to two decimal places. The measurement is taken from the AddressBase Premium address point of your child’s house to the address point of the school. AddressBase Premium data is a nationally recognised method of identifying the location of schools and individual residences.”

## Consideration of Case

10. The objector draws attention to sample admission arrangements provided as an appendix to the Code. These arrangements state that “Distances are measured as the crow flies from the main entrance of the child’s home to the main entrance of the school”. She comments that the distance from the address point used by the school to measure distances and the main entrance is 93 metres. She says that “gate to gate distance”, that is, the method used in the sample arrangements in the Code, “is a solid and clear point for understanding and clarity.” She continues,

“when one considers the distance, a known example is about door to door distance, not door to the middle of a field or building, when we reach a destination, we are at the gate of that destination.”

The objector also makes a number of observations about how the way in which the distance was measured for admission in September 2022 affected her child’s application or a place and how places were allocated. These matters are outside my jurisdiction, which is confined to considering the compliance of the arrangements with the requirements relating to admissions.

11. In response to the objection, the LA, which operates the distance measurement used by the school on its behalf, explains that the system of measurement has been in place in Hertfordshire since 2011/12 and has been adopted by every maintained school and academy in the county, 490 in total. The LA states its view in simple terms:

“The County Council maintains that the definition, and use of school address points, is clear, transparent and meets the requirements of the School Admissions Code.”

12. The objector does not agree. She says that the AddressBase Premium address point system “has its own limitation and is subject to human errors” and that the distance between the address point and the school entrance “is not clearly available.” Other parents she had asked were not aware of the existence of address points and “were shocked to hear that school gate has not been used to measure the distance.”

13. In response, the LA points out that,

“All route measurement systems have limitations and are susceptible to human error...the Code is not prescriptive in this area and does not require measurement to school gates or any other specific location within a school site. Moving the “destination” measurement point to school gates, as opposed to the Address Point, would not make the measurement system any simpler. The margin of error would remain the same.”

The LA also says that information about address points can be provided for parents:

“Whilst maps of school Address Points are not published on the HCC website (this is not a Code requirement), both the admission arrangements of HCC and Parmiter’s School explicitly state that admission measurements are made between home and school Address Points. Any parent or carer can request specific information on a school’s Address Point and would be sent a map...clearly outlining the location.”

14. I recognise the merits of the argument the objector makes. She may well be right to say that many applicants, who had not studied the arrangements in detail, would assume that measurements would be made to the main entrance of the school. She comments that there are a number of local authorities that measure to the main entrance and argues that such an approach should be adopted nationally. It is outside my jurisdiction for me to consider this suggestion. The Code and its provisions are the responsibility of the Secretary

of State for Education and Parliament. My task is simply to determine whether the system of measurement used by the school complies with the requirements relating to admissions, specifically paragraph 1.13 of the Code.

15. Paragraph 1.13 requires admission authorities to make two aspects of the measurement of distance clear: first, they “**must** clearly set out how distance from home to the school...will be measured” and second, they **must** make clear “how the ‘home’ address will be determined and the point(s) in the school...from which all distances will be measured.”

16. I am in no doubt that the trust, by incorporating in the arrangements the wording provided by the LA about the measurement of distances (reproduced in paragraph 9 above), meets the first of these requirements. It is clear that distances are measured using a computerised mapping system in a straight line.

17. With respect to the second requirement of paragraph 1.13, the wording in the arrangements makes clear that it is the distance between the AddressBase Premium address points of the home address and the school that is measured. The arrangements do not state where precisely on the school grounds its address point is located. I do not regard this as a breach of paragraph 1.13; in my view, to state that the AddressBase Premium address point is used is sufficient to meet the requirement of the Code.

18. However, the objector has shown that the location of the point at the school to which distances are measured can be absolutely critical in determining the allocation of places, especially at a popular school such as this, where all children allocated a place on the basis of distance live within one kilometre of the school. The LA has confirmed that information about school address points is readily available and it may well be that this could be helpfully incorporated into arrangements, although this is not a matter for me to determine.

19. I find that the method of measuring distance is made clear in the arrangements. I have considered whether it is also fair as this was also raised by the objector. The effect of arrangements that give priority on the basis of distance from a school is essentially to create a circle in which the point of measurement is the centre of that circle. The radius of that circle – or to put it another way how close an applicant has to live in order to gain a place - in any given year will depend solely on how many other children also seek a place and where they live. Moving the centre point of the circle from one part of the school site to another will increase the priority for some and decrease it for others. I have been provided with no evidence that having the centre point of the school as an address point, rather than the main entrance, creates any unfairness in the sense that there are children who cannot gain access to any school within an acceptable distance of their home as a result of having a lower priority for Parmiter’s School than they would enjoy if the distance to the school entrance were used. I do not uphold the objection.

## Determination

20. 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 2023 determined by the academy trust for Parmiter's School, Watford, Hertfordshire.

Dated: 05 August 2022

Signed:

Schools Adjudicator: Peter Goringe