



School admissions cases: objection procedures

What happens when you object to the admission arrangements of a school

When you make an objection to the admission arrangements of a school to the Office of the Schools Adjudicator (OSA) the adjudicator must consider it, provided it is within their jurisdiction (that is, that the adjudicator has the legal power to consider it). In order to be within the adjudicator's jurisdiction:

- the objection must meet the deadline, which is 15 May in the year before the admission arrangements apply, for example May 2022 for admission arrangements for September 2023
- the objection must raise issues the OSA is able to consider

The admission arrangements must have been properly determined (that is, formally set and approved by the admission authority).

If you make an objection after the deadline, the adjudicator may decide to consider it if they think that the admission arrangements do not, or may not, meet the requirements of the [School Admissions code](#) (the Code) or other legislation relating to school admissions. In either case the process set out below will usually apply. If we vary the process (for example by appointing more than one adjudicator to consider a case or by limiting the number of exchanges of information) then we will tell you what we are doing and why.

Our procedures are set out fully and formally in our case management procedures. You can obtain a copy by emailing us at: OSA.TEAM@schoolsadjudicator.gov.uk

Stage 1 – initial checks

When your objection is received, you will be told the name of the adjudicator appointed to the case, who the case manager will be and whether any request to withhold your identity has been approved. The case manager will be the person who will write to you and who you should write to as the case progresses. Communication will normally be by email.

When the adjudicator receives your objection form, he or she will check whether all, some, or none of the matters you have complained about are within our jurisdiction (that is, whether the adjudicator has the legal power to consider them). An adjudicator may conclude that they **do not** have jurisdiction to consider some or all of the issues you raise. If

so, you will receive a letter explaining why that is and that some or all of the case will not be considered any further.

If the arrangements have not been determined, they are not within the adjudicator's jurisdiction and the case will be closed. However, the admission authority will be asked to determine the arrangements as soon as possible and to send the adjudicator a copy. The admission authority is the organisation that approves the admission arrangements for the school. At this point the adjudicator may decide to proceed to consider the case.

The OSA will inform the local authority and, if appropriate, the religious authority for the school that an objection was received and was out of jurisdiction because the arrangements had not been determined.

When considering the admission arrangements, if it appears to the adjudicator that other matters, not raised in the objection, do not, or may not conform with the legal requirements, they may use their legal powers to consider whether the arrangements conform with the Code. If so, you will be informed.

Stage 2 – identifying the parties and collecting information

If an adjudicator decides that they do have jurisdiction to consider some or all of the issues you raise, then they will decide who the parties to the case will be. By "parties" we mean those people or organisations who will take part in the case as it proceeds.

You will be a party, along with any other objectors. The admission authority for the school will also be a party. This will be the governing body (or for academies the academy trust) or the local authority. The local authority for the area where the school is located and the governing body will be parties even if they are not the admission authority. For faith schools, the religious authority for the school will also be a party. The adjudicator may also identify other parties. You will be told who each of the parties are.

After identifying the parties, the case manager will send each of them a copy of your objection. Your name and contact details will be removed if your identity is being withheld. The case manager will write to all the parties, including you, setting out the issues which the adjudicator will consider.

The adjudicator will then begin to collect information from the parties and obtain their views on the issues being considered. The procedure followed in most cases will be:

- The case manager will write to the other parties inviting them to respond to the issues raised in your objection and any additional issues added by the adjudicator. The parties may also be asked to provide information. They will be asked to respond within a specified period (usually one week or two weeks). Copies of those communications will be sent to you and to the other parties.
- When responses have been received from the other parties, you will be sent copies and the adjudicator will invite you to comment and to raise any further issues you wish to have considered. The adjudicator may also ask you to provide information. You will be asked to do this within a specified period (again, this is usually one week

or two weeks). It is important that, when you are asked to respond, you provide all of the information requested within the specified time period. If you need more time, you should ask for this as soon as possible and explain your reasons. The adjudicator will decide whether to allow you more time. If there are further points which you consider are important and which are not mentioned in the objection form, this is your chance to tell the adjudicator about them. It is important that you raise all further points at this stage.

- In some cases the adjudicator will require further information and comments from the parties. If so, you will be informed of the process to be followed.

We ask all parties to respond within the deadline set. This is to allow good case management and to ensure that all parties can express their views, and comment on points raised by the other parties. If the number of exchanges of information is kept to a minimum, cases can be decided more quickly and fairly.

At each stage copies of all correspondence will be sent to all parties. All information which the adjudicator takes into account in reaching a decision will be shared with every party to the case. There can be no exceptions to this rule. In some cases material may be submitted which might offend or distress a party or which is not relevant to the case. Material of this sort will not be distributed. Any such material will **not** be taken into account by the adjudicator in reaching a decision. The party submitting such material will be informed that it will not be distributed.

It is the responsibility of each party to ensure they do not provide private or confidential information which should not be shared. If we have agreed to withhold your identity it is your responsibility to check that any additional information you send to the OSA does not disclose your identity.

The adjudicator may collect information from other sources. This will be shared with all parties.

It is for the adjudicator to determine when they have all the information needed to determine the objection. At this point the adjudicator may decide not to accept any further correspondence from any party, in order to avoid delaying the decision-making process.

In some cases the adjudicator will call a meeting to gather further information. All parties will be invited. If your identity is being withheld, it will be for you to decide whether to attend the meeting, which may lead to you being identified to other parties. No decisions are taken at meetings. The meeting will be chaired by the adjudicator.

Stage 3 – decision making

When the adjudicator has all the information they need, they will decide whether to uphold your objection, partially uphold your objection or not uphold your objection. They will also decide whether there are any other parts of the admission arrangements which do not meet the requirements of the legislation or Code.

Stage 4 – publication

When the adjudicator has reached a decision, they will write it up in a document called a determination. How long it takes to reach this stage will depend on many things and we cannot say how long any one case will take. It is important to understand that the adjudicator will also be dealing with other objections besides yours.

The closing date for secondary school admission applications is 31 October in the same year as you sent us your objection. The closing date for primary school applications is 15 January in the following year. As our decision may lead to a change in the admission arrangements of a school, we try to make our decision in advance of those closing dates. Consequently, we usually give priority to dealing with objections to secondary school admission arrangements.

All parties will receive a copy of the determination shortly before it is published on the OSA website.

Stage 5 – after publication

If the adjudicator decides that the arrangements do not meet the requirements of legislation or the Code, the admission authority must revise the admission arrangements within the deadline set by the adjudicator in the determination. It is for the admission authority to decide how to revise the arrangements so that they meet the requirements of the legislation and the Code.

The adjudicator's determination is final and binding. Once the determination is published, the adjudicator's role is finished. The adjudicator cannot enter into any correspondence about the determination. However, you will be given the opportunity to comment on how the case was managed. The only way that a determination can be challenged is by an application for judicial review in the courts.