



## Determination

<b>Case reference:</b>	<b>ADA4270</b>
<b>Objector:</b>	<b>A member of the public</b>
<b>Admission authority:</b>	<b>Cabot Learning Federation for Bristol Metropolitan Academy</b>
<b>Date of decision:</b>	<b>24 July 2024</b>

## Determination

**In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements for September 2025 determined by the Cabot Learning Federation for Bristol Metropolitan Academy.**

**I have also considered the arrangements in accordance with section 88I(5) and find there are other matters which do not conform with the requirements relating to admission arrangements in the ways set out in this determination.**

**By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements by 1 September 2024.**

## 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 member of the public (the objector), about the admission arrangements (the arrangements) for September 2025 for the Bristol Metropolitan Academy (the BMA or the school).
2. The school is a secondary academy for 11 to 19 year olds. The school is part of a multi-academy trust called the Cabot Learning Federation (the CLF or the trust). The trust is governed by a trust board.

3. The local authority for the area in which the school is located is Bristol City Council (BCC or the LA). The LA is a party to this objection. Other parties to the objection are the objector, the trust and the school.

## Jurisdiction

4. The terms of the funding agreement between the trust and the Secretary of State for Education require that the admission authority:

“[...] act[s] in accordance with, and will ensure that an Independent Appeal Panel is trained to act in accordance with, all relevant provisions of the School Admissions Code, and the School Admission Appeals Code published by the Department for Education (“the Codes”) as they apply at any given time to maintained schools and with equalities law and the law on admissions as they apply to maintained schools.”

5. The arrangements were determined by the trust, which is the admission authority for the school, on that basis. The minutes of the trust board meeting in which the determination of the arrangements was formally recorded were dated 4 March 2024. This is after the deadline for determining arrangements, which was 28 February 2024. However, this does not affect the standing of the arrangements or my power to consider them or the objection about them.

6. The objector submitted her objection to these determined arrangements on 13 March 2024. 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.

7. I am satisfied the objection has been properly referred to me in accordance with section 88H of the Act and the four concerns raised (as set out in ‘The Objection’ section below) are within my jurisdiction.

8. I have also used my power under section 88I of the Act to consider the arrangements as a whole and to determine whether or not they conform with the requirements relating to admissions and, if not, in what ways they do not so conform. I will refer to these as ‘Other Matters’ and these are covered in the sections of the determination under that name.

## Procedure

9. In considering this matter I have had regard to all relevant legislation and the Code.

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

- a. a copy of the minutes of the meeting of the trust board at which the arrangements were determined;
- b. a copy of the determined arrangements;

- c. the objector's form of objection dated 13 March 2024;
- d. the responses of the trust and LA to the objection, along with supporting documents;
- e. a copy of the trust's master funding agreement and the school's supplementary funding agreement;
- f. information available on the websites of the school, the trust and Ofsted;
- g. information available on the LA's website, including the document 'Bristol City Council Delayed, Deferred and Accelerated Admissions Process'; and
- h. information on Department for Education (DfE) websites, particularly the 'Get Information About Schools' (GIAS) site and the page entitled 'Guidance on handling admission requests for summer born children' published 27 April 2023 (the April 2023 non-statutory guidance).

11. The April 2023 non-statutory guidance is primarily focussed on supporting paragraph 2.17 of the Code (covering the requirements relevant to the admission of children below compulsory school age and deferred entry to school). However, the objector specifically references those parts of the April 2023 non-statutory guidance contained within its sub-section entitled 'Handling requests for admission out of normal age group'.

## The Objection

12. The objector expressed the following concerns that are within my jurisdiction:
- A. That it would be helpful for section 11 of the arrangements, dealing with admission out of chronological age, to include the part of paragraph 2.19 of the Code which states that: "When informing a parent of their decision on the year group the child should be admitted to, the admission authority **must** set out clearly the reasons for their decision."
  - B. That section 11.5 of the arrangements does not conform to paragraph 2.18 of the Code in that it does not: "make clear in their admission arrangements the process for requesting admission out of the normal age group"; and does not follow the April 2023 non-statutory guidance by detailing how and who the parent should write to or clarify the timescales involved, for example, how quickly the school will aim to respond.
  - C. That section 11.7 of the arrangements does not include information on how those making a request for a place out of chronological age can raise a concern or question about how the decision has been made (as this cannot be made through the appeal process) as set out in the April 2023 non-statutory guidance.
  - D. That section 11.6 of the arrangements covers the expectations and arrangements for reception and junior intakes and is not relevant as the school is a secondary school.

13. In respect of these concerns, the objector referenced the April 2023 non-statutory guidance and the following paragraphs of the Code:

- 2.18 (part): “Admission authorities **must** make clear in their admission arrangements the process for requesting admission out of the normal age group.”
- 2.19 (part): “When informing a parent of their decision on the year group the child should be admitted to, the admission authority **must** set out clearly the reasons for their decision.”

14. I have also identified that the following paragraphs of the Code are relevant:

- 14 (part): “Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.”
- 2.20 (part): “Parents have a statutory right to appeal against the refusal of a place at a school for which they have applied. This right does not apply if they are offered a place at the school, but it is not in their preferred age group.”

## Other Matters

15. The aspects of the arrangements which I identified as not or possibly not conforming with the requirements relating to admissions have been identified in detail towards the end of this determination.

16. In summary, I note here that I raised the following matters in respect of the arrangements: areas have not been completed and there is information missing making the arrangement unclear; inclusion of information relevant to primary schools when BMA is a secondary school; use of different terms to mean the same thing, which renders the arrangements unclear for parents; the inclusion of the tie-breaker as an oversubscription criterion; information on the waiting list not conforming with relevant requirements in the Code; inclusion of information irrelevant to a parents understanding of how their child(ren) will be admitted to the school; not cross-referencing notes properly; and not appropriately signposting to information on the website or the LA’s website.

## Background

17. According to GIAS, the school is a non-selective and co-educational school with no designated religious character. Education for 11 to 16 year olds is provided on the school site, with post-16 provision at the CLF P16 site in Woodside Road in Bristol. Ofsted rated the BMA as ‘Good’ in its last inspection in March 2022. The Published Admission Number (PAN) for Year 7 is 180.

18. The CLF includes 34 schools (with additional location information and latest Ofsted grade in brackets (where available)):

- 17 Primary schools, including: The Redstart Primary School (Chard, Good); Waycroft Academy (Bristol, Requires Improvement); Herons' Moor Academy (Weston-Super-Mare, Good); Begbrook Primary Academy (Bristol, Good); Summerhill Academy (Bristol, Good); Minerva Primary Academy (Bristol, Good); Frome Vale Academy (Bristol, Outstanding); Wallscourt Farm Academy (Bristol, Good); Haywood Village Academy (Weston-Super-Mare, Outstanding); Castle Primary School (Stoke-Sub-Hamdon, Good); Woodlands Academy (Bristol, Good); Evergreen Primary Academy (Bristol, Good); Priorswood Primary School (Taunton, Good); Uphill Village Academy (Weston-Super-Mare, Good); Minerva Primary School (Taunton); Queen Margaret Primary Academy (Tewkesbury); and Wicklea Academy (Bristol);
- Including BMA, there are 10 secondary schools: John Cabot Academy (Bristol, Good); Bristol Brunel Academy (Good); Hans Price Academy (Weston-Super-Mare, Good); Tewkesbury Academy (Requires Improvement); Hanham Woods Academy (Bristol, Good); The City Academy Bristol (Good); Winterstoke Hundred Academy (Weston-Super-Mare, Good); Broadoak Academy (Weston-Super-Mare, Good); and Monkton Wood Academy (Taunton).
- One all-through school: King's Oak Academy (Bristol, Good).
- One studio school: Digitech Studio School (Bristol, Good).
- Two alternative provision schools, including: Snowdon Village (Bristol, Good); and Lansdown Park Academy (Bristol).
- Three special schools, including: Brook Academy (Gloucester); Lime Hills Academy (Nailsea); and The Sky Academy (Taunton)

19. The arrangements set out that children with EHCPs will be admitted first. Then, in times when oversubscribed, children will be prioritised according to the oversubscription criteria. These can be summarised as follows:

1. Looked after children or previously looked after children.
2. Siblings living in the school's catchment area.
3. Children living in the school's catchment area.
4. Siblings living outside of the school's catchment area.
5. Children living outside of the school's catchment area.

In the event of two or more applications that cannot otherwise be separated by criteria 1-5, places will be allocated by random allocation, supervised by a person independent of the school and the LA.

20. The trust provided me with the number of children in each year group on the BMA site (as of June 2024). I have put that data into Table 1.

Table 1: Number of children in each year group on the BMA site (as of June 2024)

Year 7	Year 8	Year 9	Year 10	Year 11	TOTAL
221	223	225	220	224	1113

## Consideration of Case

21. The objection relates to concerns about the information in the school’s arrangements pertaining to the admission of children outside of their normal age group. The Code covers this aspect of the admissions process in paragraphs 2.18 to 2.20.

22. The objector makes reference to the DfE’s April 2023 non-statutory guidance “Guidance on handling admission requests for summer born children” in the objection. This guidance provides support for admission authorities with implementing paragraphs 2.17 to 2.20 of the Code (only paragraphs 2.18 to 2.20 of which are relevant to this objection). There is, however, a distinction to be drawn between mandatory requirements such as those laid down in the legislation and the Code, and the provisions of guidance. The former, where they relate to admissions, must be adhered to for admission arrangements to be lawful. There is no absolute requirement to ‘follow’ or ‘adhere’ to such guidance but admission authorities should have regard to it.

23. I will consider each of the concerns raised by the objector in turn.

### **A. The part of the arrangements dealing with admission out of the normal age group does not set out that any decision on such admission must set out clearly the reasons for its decision**

24. About this concern, the objector told me:

“As [section 11 of] the policy contains most of section 2.19 of the Code, it would be helpful for the policy to also include the section of the [C]ode stating that ‘When informing a parent of their decision on the year group the child should be admitted to, the admission authority **must** set out clearly the reasons for their decision.’”

25. I have considered the relevant part of paragraph 2.19 of the Code. This sets out the requirements on an admission authority when informing parents of a decision made on an application for a place out of the normal year group. The Code does not set out a requirement that an admission authority has to include the fact that it is required to do this in its arrangements. I do not uphold this part of the objection.

26. The school told me that, in respect of the concern raised, its arrangements “can be updated to include this”. The objector said it would be ‘helpful’ to have this set out in the arrangements. For the avoidance of doubt, whilst the Code does not compel it to do so, there is nothing in the statutory scheme that would prevent the school from including this information to assist parents.

## **B. Section 11.5 of the arrangements does not make clear the process for requesting admission out of the normal age group**

27. It is a requirement of paragraph 2.18 of the Code that admission arrangements must include the process for requesting admission out of the normal age group. About this, the April 2023 non-statutory guidance states:

“Admission authorities should ensure parents:

- are aware of when and how they can make requests
- know what information they need to provide
- know the outcome of their request in time to make an informed decision about whether their child will start school before compulsory school age”.

28. Section 11.5 of the arrangements states:

“Parents will need to write to the school to request that their child starts a year later or earlier than their chronological age. Parents will need to give reasons for the request and details of the child’s particular needs. Any reports or evidence to support your request should also be enclosed.”

29. About this part of the objection, the objector told me that:

“As personal information needs to be disclosed to the school, it would be helpful to detail how and who the parent should write to e.g. is an email sufficient, is a form required, and who should this go to; the school office or an admissions email?

Could the school also clarify the timescales involved e.g. how quickly the school will aim to respond [?]”

30. In respect of this part of the objection, I have taken into account the following: paragraph 2.18 of the Code requires that admission authorities make clear the process for requesting admission outside of the normal age group; the April 2023 non-statutory guidance which specifies how to make such information clear; and that part of the guidance which states that admission authorities ‘should ensure’ that the information listed therein is included. As the guidance is designed to support admission authorities to meet the requirement of paragraph 2.18 of the Code, an admission authority would need a good reason to depart from it.

31. I asked the school whether it had decided not to follow the guidance in any regard and, if so, what those reasons were. Its response was:

“There was no conscious decision to omit any part of the non-statutory guidance. We adopted a template provided by the local authority. On reflection, we can see that this template lacks some of the clarity highlighted by your report and we are happy to amend and provide clarification on the points highlighted. As an aside, as a trust, the

Cabot Learning Federation have already started a body of work to review all of our admission policies across the entire trust given our recent expansion into different LAs to ensure they are fit for purpose. This work is being done in conjunction with our specialist solicitors to ensure they are legally accurate.”

32. In its response to this part of the objection, the school told me:

“Process - We felt this was clear. It says they have to write to the school (as we are the admissions authority) to request admission out of the normal year group. That would surely make it compliant with 2.18? We are however happy to edit further with any suggested wording.

Timescale - Accepted It doesn't state how quickly we will respond and we could easily build that in and give a timeframe (10 school days for example?)”

33. I am not of the view that the arrangements have to go into the depth that the objector asserts in terms of specifying the method by which parents can contact the school. The arrangements do state that parents must write to the school to make such a request, and I deem that to be clear enough. I also note that the arrangements say such communication is to include reasons, information about a child's specific needs and any reports or evidence in support. In that regard, the school has provided some of the information required by parents planning to make such an application. However, it does not include the following from the April 2023 non-statutory guidance: it is not clear when parents should make such a request and how this relates to the timing of the application process for a place at the school (such as is covered in the section entitled “Handling requests for admission out of normal age group” in the guidance); and the nature / type of the supporting reports is not specified (such as is covered in the section entitled “Evidence provided by parents” in the guidance).

34. The objector raised the point that the timescale for the school to respond be included in the arrangements. The April 2023 non-statutory guidance does state that admission authorities should ensure that parents “know the outcome of their request in time to make an informed decision about whether their child will start school before compulsory school age”. I read that as stating that as an action an admission authority has to take in respect of informing parents, not that this information needs to be included in admission arrangements.

35. I partially uphold this objection on the basis that the school, by not following the guidance provided to support admission authorities to do so, has not fully met the requirement set out under paragraph 2.18 of the Code.

36. As noted above, the school told me that it could make changes to the arrangements in terms of process and timescale, the former in the light of any suggested wording. It is not my role to give advice or to suggest the wording that should be included in arrangements; the school's arrangements are its own. In any event, it appears to me that the school has rather missed the point that the April 2023 non-statutory guidance performs that role. The



school could use the guidance to help it more fully meet the requirements of paragraph 2.18 of the Code, as it has indicated it will do.

**C. Section 11.7 of the arrangements does not include information on how those making a request for a place out of chronological age can raise a concern or question about how the decision has been made**

37. Section 11.7 of the arrangements states:

“Where the admission authority agrees to a parent’s request for their child to be admitted out of their normal age group the parent must apply according to the timescales of the agreed admission cohort. The application will be processed as part of the main admissions round (including applying the oversubscription criteria where applicable), unless the parental request is made too late for this to be possible. Parents have a statutory right to appeal against the refusal of a place at a school for which they have applied and been refused. This right does not apply if they are offered a place at the school but it is not in their preferred age group”.

(The underlined sentences are my emphasis through which I have identified the inclusion in the arrangements of text directly taken from paragraph 2.20 of the Code).

38. The objector expressed the following concern about this section of the arrangements:

“Section 11.7 mentions the process for appeal if children do not get a place at the school for which they apply. However there is no mention of how those making a request for a place out of chronological age can raise a concern or question how the decision has been made, which cannot be made through the appeal process. It would therefore be prudent to add relevant details from April 2023 Guidance on handling admission requests for summer born children.”

39. I note that this part of the objection relates to paragraph 2.20 of the Code. The objector has not raised a concern about the compliance of the arrangements in this respect, but that the arrangements, again, have not included that which is set out in the April 2023 non-statutory guidance.

40. In its response to this part of the objection, the trust told me:

“The process expected would be dependant on whether it was in-year or Y6 to Y7 transition. Either way we would expect the parent/carer to contact the Academy for a written statement that we will support an application for a student out of year. In 7 years, I have never turned down an application at Y6 to Y7 transition for a student who has been operating out of year in Primary education. Once they have a statement of support from the Academy, they would either apply using the CAF to BCC (for Y6 to Y7 transition) or using BMA In Year Application.

Assuming the question about “what body or person makes the decision” relates to the decision about whether to accept a request for out of year admission that would

be made by the Principal of BMA. In terms of what steps to follow, BCC do publish a document around delayed admission which is [called] Delayed, Deferred and Accelerated Entry to School (bristol.gov.uk) but we could definitely add a clearer process within our admissions policy.”

41. About this, I pause here to make the point that the LA is not the admission authority. It is the responsibility of the trust (as the admission authority) to ensure that the school’s arrangements include the information necessary such that they meet the requirements of the Code. It is not enough to rely on a document produced by the LA (‘Delayed, Deferred and Accelerated Entry to School’) which is not referred or linked to in the school’s arrangements.

42. About challenging a decision not to admit a child outside of a normal age group this, I note that the April 2023 non-statutory guidance states:

“Complaints and appeals

Parents who wish to challenge a decision to refuse their request for admission out of the normal age group may submit a complaint using the school[’]s complaints procedure or the local authority’s complaints procedure in the case of community and voluntary controlled schools.

If a parent is unhappy with the way a local authority or maintained school has handled their complaint, once they have exhausted the local complaints process, they may complain to the Local Government and Social Care Ombudsman.

If they are unhappy with the way an academy has handled their complaint they may complain to the Department for Education, once they have exhausted the local process.

Parents whose request for delayed entry is refused have no statutory right to appeal this decision. The statutory admission appeals process does not cover a decision to refuse delayed entry to school.”

43. Other than the final paragraph of this section of the guidance (which relates to paragraph 2.20 of the Code), the arrangements do not include this information. However, whilst the April 2023 non-statutory guidance sets out how parents might challenge such a decision, this: is not linked to any requirement in the Code to have to include this information in arrangements; and does not itself say that this information needs to be communicated to parents in arrangements. I, therefore, do not uphold this part of the objection.

44. I note that in its response to this part of the objection, the school also said that “We can edit section 11.7 to incorporate that”. The objector is of the view that it would be ‘prudent’ to include this information in the arrangements. For the avoidance of doubt, whilst the Code does not – and the guidance cannot – compel it to do so, there is nothing in the

statutory scheme that would prevent the school from including this information to assist parents.

**D. Section 11.6 of the arrangements covers the expectations and arrangements for reception and junior intakes and is not relevant as the school is a secondary school**

45. Section 11.6 of the arrangements states:

“For reception and junior intake applications, it is advised that an on time application is submitted for the correct chronological year group. If the delay/accelerated request is agreed, the on time application can be withdrawn and a new application should be made the following year. If the request is not agreed, and the child stays in their chronological age group, the on time application can still be processed. If a request is not agreed and the child does not have an on time application then a late application would need to be submitted.”

46. The objector told me that:

“11.6 of the admission policy states the expectations and arrangements for reception and junior intakes. As Bristol Metropolitan Academy is a secondary school, this is not relevant. It would be relevant to detail the procedure for secondary schools.

For example, the April 2023 guidance states on secondary school requests states that schools should:

expect parents to secure agreement from the admission authority of their preferred age group when their child begins year 5 (before the normal admissions round closes on 31 October)

ensure parents receive the response to their request before the normal secondary admissions round closes”.

47. About this, the school told me that “We can remove the reference to Reception/Junior intakes”.

48. I uphold this part of the objection on the basis that the reference to the wrong phase of education would render this part of the arrangements unclear to parents, thereby not meeting the requirements of paragraph 14 of the Code.

## **Other Matters**

49. Having considered the arrangements as a whole it appeared to me that the following matters do not conform with the requirements of the Code and so I brought them to the attention of the trust. Most of the matters raised concern compliance with paragraph 14 of the Code which states:

“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.”

50. The matters I raised are (paragraphs of the Code other than 14 are indicated where relevant):

- Under section 5.1, it is stated: “Where fewer than [enter PAN] applications are received, the Local Authority will offer places to all those who have applied.” This is not completed and is not clear for parents.
- It is not clear why section 5.2, which states: “Children of UK Serving Personnel are excepted pupils for Infant Class Size outside the normal round of allocations”, is included when Infant Class Size regulations are not relevant to a secondary school.
- Under section 7.1, it is stated: “Notes/definitions to the oversubscription criteria are set out in Annex A [enter page number].” This is not completed and is not clear for parents.
- Oversubscription criteria 4 and 5 appear to be referring to prioritising children from out of ‘the designated area of first priority’ used to prioritise admission under criteria 3 and 4. However, the terms used under both criteria are different and ‘out of area’ is undefined. This means that the arrangements will not be clear for parents.
- Oversubscription criterion 6 is the ‘tie-breaker’. This should not be a criterion.
- Section 10.1 of the arrangements does not make clear that the waiting list is maintained until at least 31 December as set out in paragraph 2.15 of the Code.
- ‘Annex A Notes/definitions to the oversubscription criteria’ are not cross-referenced in the oversubscription criteria section. The Home Address notes is part of note 2 but appears to need its own note number. The annex is therefore not clear for parents.
- The arrangements link to the interactive ‘designated area’ map provided on Bristol City Council’s website. This provides the designated area for every school in Bristol. It was not clear why the link does not just go to the page provided by Bristol City Council specifically for the school, which will be clearer for parents.

51. I find in each case that the provision set out above does not comply with the requirements of the Code. The school has told me that it will address these matters, as permitted by paragraph 3.6 of the Code, which is welcomed. The Code requires that the arrangements be amended to address the points I have raised within the timescale set out in this determination.

52. I raised two further concerns with the school, which warrant more detailed consideration:

- On the school's website, it was not clear why the Admissions Policy for 2025/26 is not a prominent link on its own. As it is currently linked, it appears only to imply that it comes into effect when the school is oversubscribed. This is likely to be misleading to parents and to not be appropriately signposting to information that is not elsewhere on that page.

About this the school told me:

"We can put a link to it on the "Year 7 Applications" section.

However, we currently link to the BCC website which hosts our policy so not sure I agree that there is any implication it only comes into effect if we are oversubscribed."

As it currently stands on the website, there is no link to the admissions policy (though there is the link to the LA's website under the heading 'Year 7 Applications'. The link to the admissions policy can only be found under subheading 'In Year Applications' where it states:

"Where the number of applications for admission is greater than the published admissions number, applications will be considered against the criteria set out in our Admissions Policy".

I remain of the view that the way the admissions page on the school's website is laid out is not clear for parents in the way I set out (paragraph 14). However, I note that the school will rectify this by placing a link to the arrangements under the 'Year 7 Application' section of the web page.

- Section 12 of the arrangements appears to be irrelevant to this school and is therefore likely to render the arrangements unclear for parents:

"12 Feeder Schools

12.1 The CLF does not operate a feeder primary academy policy for admissions to a secondary academy and therefore attendance at a federation primary academy does not guarantee a place at a particular federation secondary academy. The exception to this is King's Oak Academy which is an all-through provision."

About this the Principal of the school told me that:

"I don't think this is irrelevant. We are saying that being a student at Begbrook, for example, which is CLF and our biggest feeder, does not guarantee a place at BMA? This is a Q often asked by families on Open Events "my child attends a CLF Primary, does that guarantee them a place at BMA?""

I accept that explanation as a justification for the inclusion of that section in the arrangements.

## Summary of Findings

53. The objector raised concerns in respect of the information provided by the school in its arrangements relating to applications for admission out of the normal age group. In particular, that the arrangements do not meet the requirements of the Code and do not include information provided in the April 2023 non-statutory guidance, designed to support admission authorities to meet their statutory duties in respect of handling admission requests for summer born children.

54. There were four concerns, that the arrangements do not: set out that the admission authority must, when informing a parent of their decision on the year group the child should be admitted to, specify the reasons for the decision; detail how and who the parent should write to or clarify the timescales involved in making such an application; include information on how those making a request for a place out of chronological age can raise a concern or question about how the decision has been made; and includes information which is not relevant to being a secondary school.

55. I have found that: the Code does not require the school to include information about how and within what timescale it will respond to such applications, only that it must set out the reasons for its decision; although the April 2023 non-statutory guidance does not compel the inclusion in arrangements of the information therein, where that guidance is supporting admission authorities to meet requirements where the Code has specified that information must be included, there must be a good reason to depart from it; the school has not included all of the information necessary for parents to be able to understand how to make an application for a place out of the normal age group; the school is not required by the Code to include information on how a parent can complain or appeal a decision not to admit out of the normal age group; and that the school has made reference to the Reception / Junior age range, which is not relevant to the school being in the secondary phase.

56. This means that I partially uphold the objection.

57. I have found other matters in respect of the school's arrangements which I have detailed in the 'Other Matters' sections.

58. The school must address the matters I have upheld from the objection, and the other matters that I have identified, before 1 September 2024 to be ready for the application period for entry in 2025.

## Determination

59. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements for September 2025 determined by the Cabot Learning Federation for Bristol Metropolitan Academy.

60. I have also considered the arrangements in accordance with section 88I(5) and find there are other matters which do not conform with the requirements relating to admission arrangements in the ways set out in this determination.

61. By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements by 1 September 2024.

Dated: 24 July 2024

Signed:

Schools Adjudicator: Dr Robert Cawley