



Determination

Case reference:	ADA4305
Objector:	Member of the public
Admission authority:	The Rivers Church of England Academy Trust for Northwick Manor Primary School, Worcestershire
Date of decision:	21 August 2024

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements for September 2025 determined by The Rivers Church of England Academy Trust for Northwick Manor Primary School, Worcestershire.

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 within two months of the date of the determination.

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 for September 2025 for Northwick Manor Primary School, Worcestershire (the School).**
- 2. The parties to the objection are the Objector, the School and the Rivers Church of England Academy Trust (the Trust), which is the admission authority for the School, and Worcestershire County Council (the Council).**

Jurisdiction

3. The Objector submitted her objection to these determined arrangements on 15 April 2024.
4. I am satisfied the objection has been properly referred to me in accordance with section 88H of the Act and the objection is within my jurisdiction.
5. 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 they are covered in the sections of the determination under that name.

Procedure

6. In considering this matter I have had regard to all relevant legislation and the School Admissions Code (the Code).
7. The documents I have considered in reaching my decision include:
 - a. a copy of the determined arrangements for the School;
 - b. the Objector's form of objection dated 15 April 2024;
 - c. the responses of the Trust and the Council to the objection;

Consideration of Case

8. The Objector states

"I believe [the School's] admissions policy does not comply with sections 2.18 and 2.19 of the School Admissions Code because it requires the Headteacher to make the final decision instead of the admission authority (academy trust) and asks the headteacher to complete an educational assessment to determine whether or not it is appropriate for the individual child to delay or accelerate their entry into school and be taught outside of their chronological age group".
9. The relevant paragraphs of the Code read:

"Admission of children outside their normal age group

2.18 Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health. In addition, the parents of a summer born child may choose not to send that child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to reception rather than year 1.

Admission authorities **must** make clear in their admission arrangements the process for requesting admission out of the normal age group.

2.19 Admission authorities must make decisions on the basis of the circumstances of each case and in the best interests of the child concerned. This will include taking account of the parent's views; information about the child's academic, social, and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if it were not for being born prematurely. They **must** also take into account the views of the head teacher of the school concerned. 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."

10. The relevant part of the admission arrangements reads as follows:

"Admission of Children outside of their normal age group

Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health, effectively in the year group below or above their chronological age group.

In addition, the parents of a summer born child may choose not to send that child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to Reception rather than Year 1.

The Headteacher Advocate will request the Head Teacher to reach the final decision. This will involve the Head Teacher completing an educational assessment to determine whether or not it is appropriate for the individual child to delay or accelerate their entry into school and be taught outside of their chronological age group."

11. The Trust response is as follows:

"our local authority link... has advised that the final paragraph in Northwick Manor's policy should be deleted (including reference to the headteacher advocate) and replaced with the following wording: "Parents/carers should make their request in writing or via email to the headteacher, setting out the reasons why they believe their child should be taught outside their chronological age group. If parents wish to provide any supporting information, they may do so but are not required to. The headteacher will share their views on the request with the trust via the directors of education, who will make the final decision on the basis of the circumstances of each case and in the best interests of the child concerned. The decision on the year group the child should be admitted to will be communicated to the parent and will set out the reasons for the decision."

The school's postal and email addresses will be added so that it is clear to parents where to send their request."

12. As the Trust helpfully accept that the wording will need to change I will simply uphold the objection without further analysis. It is not the role of the Adjudicator to advise on the wording of admission arrangements so I will not comment on the proposed amended wording.

Other matters

13. Having considered the arrangements as a whole it appeared that the following matters also do not conform with the relevant requirements of admissions legislation. I therefore decided to exercise my powers under section 88I of the Act to consider the arrangements as a whole and whether they conform with those requirements.

14. There are two references in the admission arrangements to “statements of special educational needs”. No child has such a statement any more. References should be solely to Education, Health and Care Plans. The Trust responded “Northwick Manor will remove the two references to “statements of special educational needs”. Consequently, I make no finding on this point.

15. Under the heading “waiting lists” the admission arrangements state “These waiting lists will be maintained until the Autumn term”. Paragraph 2.15 of the Code states that waiting lists must be maintained “until at least 31 December of each school year of admission” and that admission authorities must state “in their arrangements that each added child will require the list to be ranked again in line with the published oversubscription criteria”. The Trust responded “Northwick Manor will remove the phrase “until the autumn term” and add the phrase “until at least 31 December” of each school year of admission”. Consequently, I make no finding on this point but observe that the proposed amended wording does not include reference to the requirement to state “in their arrangements that each added child will require the list to be ranked again in line with the published oversubscription criteria”.

Determination

16. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements for September 2025 determined by The Rivers Church of England Academy Trust for Northwick Manor Primary School, Worcestershire.

17. 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.

18. 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 within two months of the date of the determination.

Dated: 21 August 2024

Signed:

Schools Adjudicator: Tom Brooke