



Office of
the Schools
Adjudicator

Determination

Case reference: ADA4493 Chesterton Community College

Objector: A member of the public

Admission authority: Eastern Learning Alliance Multi-Academy Trust

Date of decision: 3 September 2025

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partly uphold the objection to the admission arrangements for September 2026 determined by Eastern Learning Alliance for Chesterton Community College, Cambridgeshire.

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.

In this case I determine that the admission authority must revise its arrangements by 30 September 2025.

This deadline will ensure arrangements for 2026 are clear and transparent in time for the applications process for 2026 entry.

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 Chesterton Community College (Chesterton), a non-selective secondary academy for children aged 11-18 years for September 2026.
2. The objector has identified themselves as a member of the public but states that the objection is "submitted on behalf of the Friends of Park Street C of E Primary School."

3. The local authority (LA) for the area in which the school is located is Cambridgeshire County Council. The LA is a party to this objection. Other parties to the objection are the academy trust for the school (the Trust), the objector, the governing body of Park Street C of E Primary School (Park Street Primary), and United Learning Academy Trust as the admission authority for Parkside Community College (Parkside).

4. Although the objection is specifically in relation to the admissions arrangements for Chesterton, the objector makes clear that the reasonableness and fairness of the arrangements for the school can only be assessed in the context of the arrangements for nearby schools, and those of Parkside in particular. A separate determination is being made in a related objection to the admission arrangements of that school (ADA4492).

Jurisdiction

5. 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 school are in accordance with admissions law as it applies to maintained schools. These arrangements were determined by the Trust, which is the admission authority for the school, on that basis.

6. The objector submitted their objection to these determined arrangements on 14 May 2025. 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. I have also used my power under section 88I of the Act to consider the arrangements as a whole.

7. The objection is in relation to the school's admissions arrangements for 2026/27.

Procedure

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

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

- a. a copy of the minutes of the local governing board meeting held on 28 January 2025 at which the draft arrangements were introduced;
- b. a copy of the minutes of the local governing board meeting held on 25 March 2025 at which the arrangements were confirmed to have been determined on 7 February 2025;
- c. a copy of the consultation document prepared by the school and distributed to stakeholders, and of the document submitted to governors which summarised contributions to the consultation and commented on them;
- d. copies of the determined arrangements for 2026/27, including those which have been submitted to me by the school, those which appear on the school website,

and those which are displayed on behalf of the school on the LA school admissions website;

- e. a copy of the determined admission arrangements for Parkside and Park Street Primary;
- f. a previous determination of an objection to the admission arrangements of the school for 2025 entry, ADA4351, dated 16 July 2024;
- g. the objector's form of objection dated 14 May 2025 along with supporting documents and other correspondence;
- h. the responses of the school, the LA, Parkside, and Park Street Primary to the objection and supporting documents;
- i. the LA's response to the objection and supporting documents;
- j. information on the school's and LA's websites;
- k. the website "Get Information About Schools" (G.I.A.S.);
- l. mapping of indices of deprivation using the website http://dclgapps.communities.gov.uk/imd/iod_index.html;
- m. property search websites;
- n. Ofsted reports on the schools concerned;
- o. "The Case for Cambridge", HM Government 2024;
- p. media reporting of problems in meeting the local need in Cambridge for secondary school places;
- q. information shared at the meeting I convened on 9 July attended by representatives of the school, the LA, and Parkside and Park Street Primary, as well as the objector (the meeting).

10. I am grateful for the information provided and the time given by all parties in this matter and to the local authority for hosting the meeting. The response of each party to requests for information has been exemplary. Although I may not directly refer to it in my determination, I have read and taken account of all the information provided to me.

The Objection

11. The objection is in multiple parts. The objector asserts that:

- the admissions arrangements, when considered alongside the arrangements for neighbouring schools, are unreasonable and unfair to children living in the catchment area for Chesterton but attending Park Street C of E Primary, a school which is listed

in Parkside's admissions arrangements as a feeder school for Parkside. I will refer to these children as "the alleged disadvantaged group."

- consultations on admission arrangements have not included the parents of children from Park Street Primary and other relevant schools and, therefore, do not meet the requirements of the Code.
- The arrangements are unclear because they are not consistently worded on the school website and the LA website.
- the feeder school arrangements fail to meet the requirements of the Code, specifically paragraph 1.15 "The selection of a feeder school or schools **must** be transparent and made on reasonable grounds" and paragraph 14 "admission authorities must ensure that the practices and the criteria used to decide the allocation of places are fair, clear and objective." The Code is also clear in paragraph 1.9 (b) that feeder schools **must** be named, and that admission authorities must not take into account any previous school attended unless it is a named feeder school. In one version of the arrangements the school's feeder schools are not clearly identified.
- the arrangements are unfair because they strongly encourage parents living in the catchment area of Chesterton to list it as a preference, with an indication that failure to do so may leave parents liable to the cost of transport to a less preferred school. This would be unfair because parents in the alleged disadvantaged group would, in fact, have no chance of being allocated a place at Chesterton, and would hence not benefit from their full three preferences;

Other Matters

12. Having considered the arrangements as a whole, it would appear that the following matters also do not, or may not, conform with requirements:

13. The arrangements suggest that the school will not offer places in-year throughout the school year, only at the start of the year for Years 8 to 11 and until Christmas of Year 7 for that cohort.

14. The arrangements suggest that the school will not offer places for any cohort unless there are fewer than 180 students on roll in that cohort, even though the Published Admission Number (PAN) for the school only applies to Year 7, and even though the school has offered many places above this PAN in the last three years. The Code, paragraph 1.4, states: "The PAN only applies to the relevant age group. This means that admission authorities may not refuse admission to other age groups on the grounds that they have already reached their PAN. They may, however, refuse admission where the admission of another child would prejudice the provision of efficient education or efficient use of resources." The relevant age group is the age group at which pupils are or will normally be

admitted to the school, in this case year 7 and year 12 because the school admits external applicants to the sixth form.

15. The school's arrangements refer to an "admissions meeting", the status of which is unclear and could be a breach of paragraph 1.9 (m) of the Code regarding interviewing applicants.

16. The arrangements suggest an in-year applicant offered a place has four weeks to accept it, but they do not provide for a second communication repeating the offer as required by the Code. This appears to be a breach of paragraph 2.13 of the Code which states "Where the parent has not responded to the offer, the admission authority **must** give the parent a further opportunity to respond and explain that the offer may be withdrawn if they do not."

17. The arrangements state, "Information from previous schools will be requested for all applicants. Should this information cause concern to the Head of School, they will present the case to the Local Governing Body Admissions Sub-Committee. Where the Local Governing Body Admissions Committee does not wish to admit a child with challenging behaviour outside the normal admissions round, even though places are available, it will refer the case to the local authority for action under the Fair Access Protocol. A letter will be sent withdrawing the place and offering the opportunity to appeal against this decision. This will not apply to a looked after child, a previously looked after child or a child with a statement of special educational needs naming the school in question, as these children must be admitted."

18. This clearly suggests that a review of information about a child will inform a decision on whether to offer a place and indeed may lead to the withdrawal of an offer of a place. Paragraph 3.10 of the Code states that "Where an admission authority receives an in-year application for a year group that is not the normal point of entry and it does not wish to admit the child because it has good reason to believe that the child may display challenging behaviour, **it may refuse admission** and refer the child to the Fair Access Protocol. The statement in the arrangements which refers to the withdrawal of an offer is contrary to the Code, which states at paragraph 2.13, "An admission authority **must not** withdraw an offer unless it has been offered in error, a parent has not responded within a reasonable period of time, or it is established that the offer was obtained through a fraudulent or intentionally misleading application."

Background

19. Chesterton first opened as an academy in 2011. It is a non-selective secondary academy for children aged 11-18 years old. It was part of the Cambridgeshire Educational Trust before joining Eastern Learning Alliance (then known as Morris Education Trust) in September 2019. According to G.I.A.S, the school has capacity for 1,100 pupils, while the LA designates its capacity at 1144. It has a PAN of 180, with the LA suggesting that its Indicated Admission Number (IAN) which is based on its net capacity assessment is 211. It

was last inspected by Ofsted in February 2025 when it was judged to be Outstanding. It is to the north of the River Cam in central Cambridge.

20. The nearby secondary school Parkside is also a non-selective secondary academy for children aged 11-16 years. It has a PAN of 120 which matches its IAN. While different figures appear in documents related to Parkside, including some submitted in response to the objection, the latest academy funding agreement for this school designates its total IAN as 607. It is to the south of the River Cam in central Cambridge. Parkside was also rated as Outstanding in its most recent Ofsted Inspection in 2023. Chesterton and Parkside are located about 1.07 miles apart.

21. Park Street Primary is a small voluntary aided school for children aged 4-11 years old. It is situated just to the south of the River Cam in central Cambridge. It has a PAN of 18, and, in the last four years, it has generally admitted at or just below that number of children. It is named (or in some documents, implied to be) a feeder school for Parkside and is located in the Parkside catchment area. The boundary of the Parkside catchment area and the neighbouring Chesterton catchment area is 180 metres to the north of the school, following the river. Park Street Primary is almost equidistant between Chesterton and Parkside, which are located 0.52 and 0.53 miles away respectively. The objector has described the characteristics of Park Street Primary as follows:

“Park Street Primary is a small ‘village’ style school (with approximately 120 pupils on roll) with rich social and cultural significance in the heart of Cambridge. It offers a uniquely nurturing environment, with mixed year group classes. It is a school in which every child knows each other, and every adult knows every child. Parents choose the school for their children because they feel that this especially close-knit environment is particularly important for their children - it is simply a set-up which is not available at any other school nearby. Park Street Primary pupils have a wide range of backgrounds and disadvantage, including 26% with SEND, 14% Pupil Premium (and many more close to this) and 45% EAL (English as an additional language).”

22. In spite of the oversubscription criteria which give priority to children living close to Park Street Primary, only a minority of children attending Park Street Primary live in the immediate area around the school. In the 2024/25 Year 5, (those pupils who will be transferring to secondary school in September 2026) only two children out of 18 live in the Park Street Primary catchment area. Looking slightly more broadly, Park Street Primary’s catchment area is one of four primary school catchment areas which together comprise the catchment area for Parkside. Eight of the 18 children in Park Street Primary Year 5 live in that area. The next most common place of residence for Park Street Primary Year 5 children in terms of secondary school catchments is the catchment for Chesterton Community College, where five children live. These are the group of children identified by the objector (the “alleged disadvantaged group”) as likely to face unfair treatment under the 2026 arrangements. According to the objector, 51 per cent of the families of children on the roll of Park Street Primary live in the catchment area for Chesterton, and this is confirmed by data provided to me by the LA.

23. The objector suggests this pattern in residence and school placement is the result of a scarcity of family residential properties in the area surrounding Park Street Primary. Park Street Primary is 200 metres from the geographical centre of Cambridge. Much of the local area is taken up by colleges of the University, or student accommodation, or the commercial retail centre of the city. There are extensive open spaces close to Park Street Primary. Such property in the area as is suitable for residential dwelling is often expensive.

24. Having visited the area around the school, I consider that the geography makes it a viable choice to live to the north of the River Cam, in the catchment area for Chesterton, but select Park Street Primary to the south of the river as your child's primary school. The bridges across the river and routes onward to Park Street Primary are pedestrianised. The journey to Park Street Primary from much of the catchment of Chesterton is short and safe. Housing north of the River Cam is more available, diverse in nature, and affordable in price compared to the area around Park Street Primary. The pattern of application to Park Street Primary and the place of residence of its pupils reflect this reality.

25. The characteristics of children attending Park Street Primary are similar in profile to many schools in the area, albeit more advantaged compared to children attending some of the primary schools north of the River Cam in the catchment for Chesterton, or to the south east in the catchment of Coleridge Community College (Coleridge). More detailed consideration of the composition of the student body of relevant schools will be undertaken below, in so far as it is pertinent to the consideration of the objection.

26. After the admission of children with an Education, Health and Care Plan (EHCP) which names the school, the oversubscription criteria for Chesterton are in summary as follows.

- i) Looked after children and children who were previously looked after.
- ii) Children of staff who have been employed at the academy for at least two years or have been recruited to fill a vacant post for which there is a demonstrable skill shortage.
- iii) Children who live in catchment area, attend primary schools* within the catchment area and who have a sibling at the school at the time of admission.
- iv) Children who live in the catchment area with a sibling at the school at the time of the admission.
- v) Children who live in the catchment area who attend the primary schools* within it.
- vi) Children who live in the catchment area
- vii) Children who live outside the catchment area, who attend primary schools* within it and who have a sibling at the school at the time of admission.
- viii) Children who live outside the catchment area who have a sibling at the school at the time of admission.
- ix) Children who live outside the catchment area who attend the primary schools* within the catchment area.
- x) Children who live outside the catchment area, but nearest the school as measured by a straight line.

Within each criterion, priority is given according to the distance the child lives from the school site with the nearest having the highest priority.

* There are four primary schools within Chesterton's catchment area. They are its named feeder schools. The four schools are: St Luke's Primary School, Milton Road Primary School, Mayfield Primary School and Arbury Primary School.

27. The oversubscription criteria for Parkside at first sight are very similar to Chesterton's criteria. In summary they are:

- i. Looked after children and all previously looked after children.
- ii. Children who live in the catchment area, who have a sibling at college at the time of admission;
- iii. Children who live in the catchment area;
- iv. Children who have a sibling at the college at the time of admission
- v. Children who attend a [feeder] primary school within the catchment area
- vi. Children who live nearest the college by the shortest straight-line distance by measuring a straight line from the reference point of the home to the main pupil entrance to the secondary school

In cases of equal merit, priority will go to children living nearest the school according to the shortest straight-line distance.

In some published versions of the Parkside arrangements, feeder schools are described as being Park Street Primary, Newnham Croft Primary School, St Mathews Primary School, and St Paul's C of E VA Primary School.

27. Parkside's arrangements therefore have in common with Chesterton a catchment area element, sibling element, and named feeder schools.

28. However, what might appear to be minor differences are more material than would be at first apparent.

- Parkside prioritises living in the school catchment area third in its list of oversubscription criteria, and within that criterion attending a "feeder school" makes no appearance as an advantaged characteristic: rather distance from home to school is used to determine priority.
- Being a sibling of a current Parkside student is a characteristic giving significant advantage, both for those living in catchment but also for those outside the catchment.
- Living outside the catchment but with a sibling at the secondary school ranks only as criterion 8 in Chesterton's oversubscription criteria, but for Parkside this is the fourth criterion (without regard to place of residence), coming above applicants who attend a feeder primary school.
- Parkside has no "children of staff" criteria.

29. For the moment, the key feature worth emphasis is the differential level of priority for admission that Parkside and Chesterton place on catchment area versus feeder school enrolment. In the case of Parkside, living in the catchment area becomes highly determinative of a place being allocated, and attending a listed feeder school has tended to have no significant effect. In the case of Chesterton, attending a feeder school is one of a number of factors which in combination with living in catchment have proved determinative of a place being allocated, with catchment residence alone being insufficient. The contention of the objector is that this leaves the alleged disadvantaged group unable to secure a place at either of their closest secondary schools.

30. Both the secondary schools mentioned in the objection are heavily over-subscribed in terms of first preferences, as shown in Table 1.

Table 1 First preference applications for Chesterton and Parkside

	2022	2023	2024	2025
Chesterton (PAN 180)	311	340	343	345
Parkside (PAN 120)	155	197	184	167

Demand for secondary school places versus capacity

31. In considering the objection and assessing the reasonableness and fairness of the school's arrangements, it is necessary to consider the local context of a shortage in the number of Year 7 places needed to meet historic and future levels of demand.

32. This is not a new problem. As long ago as 2021, the LA reported that 60 students were having to be transported 19 miles to St Neots as the nearest available Year 7 placement. LA data published on its website in April 2023 and April 2024 showed no, or almost no, Year 7 availability in central Cambridge for late application entry in September of those years. In July 2025, a parent making a late application for a Year 7 school place for September would have found that every single secondary school in the city had already allocated places in that year group at least up to their PAN. Those present in the meeting on 9 July unanimously communicated a sense that this problem is serious and feels intractable.

33. The overall satisfaction of parental preferences in Cambridgeshire is high with 96.5% of applicants in 2025 getting one of their preferred schools on National Offer Day. However, this was achieved to a degree by schools offering additional places over their PAN, and even with these additional places, in 2025, there were 122 children resident in central Cambridge postcodes (CB1,2,3,4,5) who were not allocated any of their preferred schools on National Offer Day.

34. In 2025 six children living in CB3 (west central Cambridge) were allocated places in CB25, the rural area on the eastern fringe, and six children were allocated from the former

to the latter. Three children living in CB4 (northeast central Cambridge) were allocated places in CB23, the rural area to the west of Cambridge.

35. Overall, it is clear that children have, on occasion, been allocated places more than five miles away from their home address.

36. There is a repeated shortfall in capacity for children needing a Year 7 place in Cambridge. The LA has had to approach schools every year in order to achieve a sufficiency of places and has stated that beyond finding sufficient places to meet demand, satisfying parental preferences by trying to create additional places local to where the demand is concentrated is only sometimes achievable. In the last three years every one of the eleven secondary schools within 5 miles of Park Street Primary has been involved in allocating places above their PAN at some point. Five schools have allocated places over PAN every year, with 366 additional places allocated over the three years. Without the action taken by the LA, and the supportive response of schools, the situation would be worse still.

37. Both Chesterton and Parkside have responded positively to the LA requesting that they offer additional places over their PANs in recent years. In the case of Chesterton, its offer of places over PAN has been as follows:

Table 2: Places offered by Chesterton School beyond its PAN of 180

	2022	2023	2024	2025
Additional places allocated over PAN of 180	30	60	10	21

38. Parkside's offer of additional places was limited to one year, 2023, when 37 additional places were allocated over the PAN of 120. In 2022 Parkside created an additional form of entry in June of that year to ensure sufficiency of places for that September.

39. The LA projections of demand for places at Chesterton, and more broadly, are shown in Table 3.

Table 3: PAN and Indicated Admission Number information for Cambridge secondary schools, along with forecast need for places in 2026 and 2027. (Figures in brackets show the shortfall compared to PAN)

School Name	PAN (September 2025)	Indicated Admission Number from DfE Net Capacity Assessments	Places required 2026 2024 SCAP Forecasts	Places required 2027 2024 SCAP Forecasts
Chesterton Community College	180	211	247	249
Total City Schools	1290	1483	1380 (-90)	1453 (-166)

School Name	PAN (September 2025)	Indicated Admission Number from DfE Net Capacity Assessments	Places required 2026 2024 SCAP Forecasts	Places required 2027 2024 SCAP Forecasts
Total City Fringe Schools	1870	2099	1927 (-57)	2020 (-150)
Total of City and City Fringe Schools	3160	3582	3307 (-147)	3473

40. From the SCAP forecasts in Table 3, there is a projected shortfall of 90 secondary school places in central Cambridge for 2026, and 166 places in 2027. In ‘fringe schools’, the term used by the LA to describe schools surrounding the city centre, the projected shortfall is 57 places in 2026 and 150 in 2027. Data also suggests a continued future shortfall in capacity for applicants requiring a Year 7 place.

41. The urban development and demographic pressures which have led to the shortfall in capacity are likely to continue. Indeed, local and national politicians have stated that facilitating the growth of Cambridge schools is a priority.

42. Capacity pressures could also be made worse by a possible in the reduction of the proportion of parents seeking independent schooling for their children. The traditionally high take up of independent schooling in Cambridge makes the city unusually vulnerable to the impact of any reduction in the number of parents choosing independent education for their children, for example, as a result of VAT changes and a subsequent increase in fees.

43. I requested that the LA provide me with data on the number of children who have not participated in the co-ordinated admissions scheme which applies to maintained schools and academies in 2023, 2024, and 2025 because they have chosen to enrol in independent schools. Currently the percentage of children taking this step is stable, with around seven per cent of applicants in CB1 postcodes doing so in both 2024 and 2025. This matches the national average. This number of children going outside the state sector in the city reduces pressure on capacity. However, the LA will have to consider the possibility of this changing, and also the possibility of independent schools closing at short notice leading to sudden capacity pressures.

44. The LA recognises that there is a shortfall in secondary places in the north of Cambridge. Its data show that for admission to Y7 in 2024, 53 children living in Chesterton’s catchment area were not offered a place at the School.

Consideration of Case

45. This is the second objection in successive years to Chesterton’s admission arrangements. In essence, the arrangements objected to are unchanged from those for 2025. The adjudicator in the 2024 objection, ADA4351, did not require changes to the oversubscription criteria, or to their relative ranking, although some other changes were required. The adjudicator did not uphold the objection and described the arrangements as reasonable and fair.

46. This objection requires me to consider the arrangements afresh, albeit against the same tests and requirements. I have made clear to the parties at the meeting I convened that the circumstances under consideration are materially different to those considered in ADA4351. A comparison of this objection with ADA4351 shows:

- 46.1. ADA4351 was concerned with an objection related to unfairness of the effect of arrangements on children attending University of Cambridge Primary School (UCPS). This was a new school, with argument centering on which secondary school it should be designated as a feeder school to, and the process by which that was decided. Like ADA4351, this objection relates to unfairness to a group of students, but this is a group of students attending a different school with long established catchment and feeder arrangements. The objector states, "Park Street Primary School is nearly 150 years old (it was built in 1887). When catchment areas and catchment schools were designated, many years ago by the Local Authority, there were families living in the area surrounding Park Street Primary School. As these houses have become commercial and Cambridge University college premises, this is no longer the case, and a growing number of families whose children attend the school live on the other side of the river – an easy 10-minute walk away." This objection relates to a claimed failure by the school to observe and remedy changes which arguably have made its arrangements no longer reasonable and fair.
- 46.2. ADA4351 dealt with the anticipation of the way secondary school admission arrangements might affect pupils attending UCPS as those pupils started to reach secondary transfer age. In the objection I am now considering there is data over several years showing the emerging trends in the degree to which preferences for the affected group of pupils have been met relative to other schools, and also changes in the consequent effects experienced by children failing to secure a place at one of their high preference schools.
- 46.3. For the 2026 arrangements a consultation was undertaken, and I am, therefore, able to review evidence of the proposed draft arrangements, and the consideration Chesterton gave in February 2025 to the responses to the consultation. This places me differently to the adjudicator in ADA4351 in my ability to assess the reasonableness of the arrangements.
- 46.4. On unfairness, determination of an objection will relate to the exact impact on a particular group, assessing the detriment faced by that group compared to the detriment that other children would face if the arrangements were amended. The group who are claimed to face detriment in this objection are different to the group identified in ADA4351, as are different geographic and other relevant circumstances.
- 46.5. A common feature of this objection and the one considered in ADA4351 is that both objectors claim that unfairness arises as a result of the interplay of

the admission arrangements for two schools. However, the schools concerned are different. In ADA4351 the relevant schools were Chesterton and Impington Village College (Impington), while in this objection the schools seen as relevant are Chesterton and Parkside.

47. As has been seen above, the LA, Chesterton, and other schools, have come to use the offer of a hundred or more additional places over PAN on an annual basis in Cambridge schools as their means of providing sufficient suitable school places to meet local needs and preferences. The adjudicator considering ADA4351 was alert to this in 2024.

48. Before dealing with the allegation that the admission arrangements are unclear, unreasonable, or unfair, I will address issues regarding the consultation that took place in Spring 2025 to determine the school's admission arrangements for 2026.

49. The adjudicator in ADA4351 identified that there had been, at the time that objection was being considered, a failure to consult on the school's 2025 arrangements as required by the Code.

50. The consultation which did take place on the proposed arrangements for 2026 was required to be conducted in a manner compliant with paragraphs 1.45-1.48 of the Code. The objector has suggested in a recent communication that Park Street Primary and the parents of children attending it were not consulted and that therefore the consultation was not undertaken in accordance with the relevant requirements since these parents would clearly have had an interest in the outcome of the consultation.

51. I sought clarity from Chesterton that "all other admissions authorities in the relevant area" were consulted on the proposed arrangements for 2026 as required by the Code; to know which schools sit within a term mentioned in the consultation document "schools in the school cluster groups"; and what steps the admission authority had taken to ensure that parents of children between the ages of two and eighteen would be aware of the consultation, as required by paragraph 1.47(a) of the Code.

52. In its response, Chesterton said: "A consultation was circulated to all feeder schools, local secondary schools, union representatives, staff, the parent body and the Local Authority, and was advertised on the school website. The consultation was published on 20 November 2024 and ended 17 January 2025." This meets the requirement for a six-week consultation set out in the Code. The school has clarified that the schools consulted were "schools in the school cluster groups" which are described in the consultation documentation as a recipient in a group of schools north of the river. This confirms the contention of the objector that parents of children at Park Street Primary, and other schools outside the school's catchment area, were not consulted. This would appear unsatisfactory in that many such children live in the catchment area of the school, and the school's arrangements actively encourage such children to express a preference for the school. While the Code states that it is for the LA to determine the "relevant area" for consultation, I cannot support the idea that such a small footprint for the consultation is a reasonable interpretation of that term.

53. Furthermore, paragraph 1.47(b) of the Code requires that admission authorities are required to consult with “other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions”. Whilst I accept that the onus is on the admission authority to determine which persons have an interest in their arrangements, I find it difficult to imagine any rational argument for concluding that the parents of children attending Park Street Primary School would not have an interest in Chesterton’s admission arrangements.

54. Chesterton embraced a laudable range of ways for stakeholders to respond to the consultation. However, as the report on the consultation states, “Overall, there were 21 responses to the consultations. The response rate is low.” This might seem surprising given the high concern in the city regarding school admissions, seen in evidence of media coverage which the objector has submitted. The low response rate might reinforce an impression that the range of stakeholders consulted was inadequate and may have been skewed towards consulting those likely to benefit from the arrangements as drafted.

55. I note the consultation document refers to ADA4351 and states “Over summer 2024 an independent Schools Adjudicator reviewed the admission arrangement for the school in relation to concerns raised from a parent at UCPS. The Schools Adjudicator collated evidence from Chesterton Community College, the Local Authority and the parent. Upon review of this evidence, it was concluded that the arrangements for the school were fair and reasonable and in alignment with the Admissions Code.” This is misleading and incorrect as the determination specified a number of ways in which the arrangements for 2025 were in breach of the Code, notwithstanding that the objection itself was not upheld. This may have affected the way stakeholders assessed the arrangements, affecting the validity of the consultation.

56. I therefore find that the school failed to properly consult on the arrangements in accordance with the requirements of the Code.

57. However, an adjudicator cannot impose a requirement upon an admission authority to re-consult after it has determined the arrangements even if the consultation has not been conducted in accordance with the requirements of the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 and the Code.

58. I now move on to consider the further grounds of objection. For clarity, I will first consider the oversubscription criteria which are the subject of the objection. I will then consider in greater detail the role which catchment area and feeder schools oversubscription criteria play in the effect of Chesterton’s arrangements. Finally, I will consider the effect of the interplay of the arrangements of the school with those of Parkside.

Oversubscription criteria

59. I have considered the oversubscription criteria as set out earlier in the determination. Both Chesterton and Parkside give priority to children living in the relevant school’s

catchment area and attending one of the feeder primary schools within their catchment area.

60. Oversubscription criteria that prioritise children living in a particular catchment area and who also attend a named feeder school can be found in other schools in the LA and, indeed, across the country. All Cambridge city primary schools have catchment areas, as do all secondary schools apart from St. Bede's. One primary school sits in overlapping catchments of two secondary schools. Feeder school priority for secondary school arrangements is common. Hardwick and Cambourne Community Primary School is a feeder for both Cambourne Village College and Comberton. Queen Emma is a feeder school for both Coleridge Community College and The Netherhall School.

61. Both the adoption of named feeder schools and the designation of catchment areas are ways of ranking applications which are expressly permitted by the Code.

Catchment area

62. The Code uses the term 'reasonable' but does not define it. An everyday definition is of having sound judgement; being sensible and rational. It is the requirement of public bodies, including admission authorities, that they must act reasonably in adopting any policy or making any decision. The test I will apply to reach a conclusion on this aspect of the objection, therefore, is the common law (Wednesbury) test as to whether the admission arrangements are such that a reasonable admission authority, acting rationally and taking into account all relevant factors and no irrelevant factors, would choose them.

63. The admission authority offered as a rationale for the catchment area features of its admission arrangements that it inherited them when it took proprietorship of the school and saw stability in admission arrangements as in the best interest of the community served by the school. I view this to be a sound judgement to have made at the time. Chesterton has not seen reason to vary from this start point, and the school emphasised adverse likely effects were it to attempt to unilaterally change its catchment area. Chesterton stated that change could only be realistically undertaken as part of a negotiated change involving other admission authorities and the LA and did not see this as achievable. I find the argument put by the admission authority as pragmatic and understandable.

64. There could be sound reasons for the setting of a catchment area which may mean that a school could not provide for all the children living in it. A catchment area denotes an area from which applicants gain priority over other applicants if a school is oversubscribed. It is no more than that. Parents will take more or less optimistic positions on the significance of living in a catchment area on their prospect of preferences being met.

65. In fact, in 2024 and 2025, a catchment applicant would have needed both an additional qualifying trait and would also have needed to live close to the school to be allocated a place. In 2025, had Chesterton not admitted 21 additional students over PAN, the final student who would have been allocated a place under criterion 5 (living in catchment and attending a feeder school) lived 0.677 miles from the school.

66. Chesterton has contended that the catchment area as defined is still meaningful. Satisfying that criteria may not of itself secure an allocation. However, it indicates a feature of an application which would lead it to be ranked more favourably and which, in conjunction with other features such as sibling status or feeder school attendance, could lead to a ranking that will result in the offer of a place. I find this contention reasonable.

67. Annex B of the consultation document for the 2026 arrangements appears to show a lack of clarity on the part of the school as to the operational impact of the arrangements. It states “regardless of where in the Chesterton catchment a child lived, they are prioritised for a place if they attend a catchment primary school. This is crucial in terms of ensuring equity of access to Chesterton because this criterion ensures that students attending catchment primary schools but living in the less affluent areas are not disadvantaged due to distance lived from the school. (The School) would consider that it would be unfair to determine places based on the distance from the school for this reason.” However, in some cases the oversubscription criteria have exactly the effect the school seem to be seeking to avoid. While children who live in the catchment area and attend a feeder school would indeed all sit within criterion five, distance is then to be used to rank students within that criterion. This would, by definition, make it less likely that criterion five students living in less advantaged areas of the catchment over half a mile to the northeast, north and northwest would be offered places.

68. To a point, it could be argued that the ranking of living in the catchment area above attendance at a feeder school in oversubscription criteria is not rational given the admission authorities expressed priority of ensuring a comprehensive demographic in its intake. Chesterton has identified Arbery Primary School as a feeder school which it believes helps it to increase the number of children in its intake from less advantaged backgrounds – but, with arrangements as they stand, if places are offered only up to the PAN, children attending Abery Primary School will only be admitted if they live both in the catchment area and relatively close to Chesterton.

69. **However, these ‘defects’ do not render the catchment area element of the arrangements such that no reasonable admission authority having taken into account all relevant information would have determined. Therefore, they do not meet the criteria needed for me to find that this element of the determined arrangements is unreasonable. I therefore do not uphold that element of the objection.**

70. It can be contended that LA advice to applicants creates an unfairness. The advice states, “If you don’t apply to your catchment school you will be responsible for getting your child to and from another school.” I would expect parents in Cambridge to take this warning seriously, given the established shortage of secondary school places in North Cambridge and media coverage of very long journeys to rural secondary schools which some children have had to make. It is unfair if a family has to expend a preference on a catchment school when it is clear they have no prospect of being allocated a place, solely to insure against possible future costs of travel to a more distant school. It would be unfortunate if some families were able to improve their chances of being allocated a school of higher preference

by leaving out a preference for their catchment school, because they had the financial means to shoulder travel costs when others cannot.

71. However, I find that in terms of the Code, the advice given by the LA does not constitute part of the admissions arrangements for Chesterton. I therefore do not uphold a claim of unfairness in this regard.

Feeder School arrangements

72. Chesterton has confirmed that the basis for the feeder schools which appear in the arrangements, is the same as it was at the time of the previous objection (ADA4351), that is:

“Students living in catchment and attending (feeder) schools are prioritised. This criterion means that regardless of where in the Chesterton catchment a child lives, they are prioritised for a place if they attend a catchment primary school.

This is crucial in terms of ensuring equity of access to Chesterton because this criterion ensures that students attending catchment primary schools but living in the less affluent areas - sometimes towards the edge of our geographical catchment area - are not disadvantaged due to distance lived from the school.

An important point of context is that Chesterton serves a demographically mixed area, with a huge economic gap between the most affluent and most disadvantaged postcodes we serve. Our current admissions policy ensures a genuinely comprehensive cohort as opposed to advantaging those able to buy or rent houses closest to the school.

This criterion also ensures that full cohorts of students move on to their secondary schools together. We work with the Local Authority year on year to ensure all children in our catchment primary schools are offered a place.”

73. The school admissions policy sent to me and now published on its website for 2026/27 is entirely clear, stating:

“Feeder Primary Schools in the School Catchment are St Luke’s Primary School, Milton Road Primary School, Mayfield Primary School & Arbury Primary School.”

74. This is compliant with the requirement of the Code which states in paragraph 1.9b that “feeder schools **must** be named.”

75. It is unhelpful that the oversubscription criteria in the arrangements as published on the LA website only mention “Children who live in the catchment area and who attend primary schools within it.”

76. I find that the school’s admission arrangements are those stated in its determined policy. That policy names the feeder schools as required. I therefore do

not uphold the element of the objection that the feeder school arrangements are unclear.

77. In ADA4351 the determination stated, “In this case, the four primary schools listed earlier in the determination have been named feeder schools for Chesterton for several years and the trust has provided an explanation about why they believe it is important to link with these schools, namely, to secure a “genuinely comprehensive cohort” and enable “full cohorts of children to transfer to secondary school together.” I find that these reasons are transparent and reasonable. There is no evidence that UCPS (pupils from which were the subject of that objection) has ever been named as a feeder school for Chesterton.”

78. I agree with ADA4351 that the reasons given by the school, which remain the same, are transparent and reasonable. I have sought to consider the same issues in the context of the different set of circumstances of this objection, and with the benefit of fresh data from the 2025 admissions round. The review of additional or different evidence might lead to an adjudicator taking a different view to a previous determination.

79. I have firstly sought to explore further the characteristics of the school’s feeders. I have attempted to consider whether the chosen arrangements have the effect which the school intends from the feeder schools it has adopted.

80. Considering the percentage of children in receipt of Free School Meals in feeder schools and in the schools they feed is one way of considering the social demographic of cohorts of students, and the school has contended that this is important to it when designing and determining its admission arrangements.

Table 4: Characteristics of Chesterton, its four feeder schools, and the other primary schools nearest to it. Data for Parkside and North Cambridge Academy (NCA) provided for context.

School	Feeder for	Percentage of students in receipt of Free School Meals	Cohort size of Y6 leaving 2025	% of cohort allocated place at the school to which they feed 2023	% of cohort allocated place at the school to which they feed 2024	% of cohort allocated place at the school to which they feed 2025	2025 figure if receiving school had offered only up to PAN
Milton Road	Chesterton	11.8	61	52	45	55	54
St Lukes	Chesterton	18.5	30	21	14	27	26
Mayfield	Chesterton	16.4	61	45	50	47	37
Arbury	Chesterton	38.8	60	32	40	41	36
Chesterton	n/a	16.5	n/a	n/a	n/a	n/a	n/a
Park Street Primary	Parkside	13.9	19	5	3	3	n/a
St Mathews	Parkside	15.1	90	68	62	63	n/a

School	Feeder for	Percentage of students in receipt of Free School Meals	Cohort size of Y6 leaving 2025	% of cohort allocated place at the school to which they feed 2023	% of cohort allocated place at the school to which they feed 2024	% of cohort allocated place at the school to which they feed 2025	2025 figure if receiving school had offered only up to PAN
Newnham Croft	Parkside	8.7	34	26	22	18	n/a
St Pauls C of E	Parkside	16.8	32	22	13	19	n/a
Parkside	n/a	17.1	n/a	n/a	n/a	n/a	n/a
Chesterton Primary	n/a	32.9	No data	No data	No data	No data	n/a
Shirley Community Primary	NCA	43	No data	33	30	32	n/a
The Grove	NCA	47.9	No data	18	19	24	n/a
Orchard Park	NCA	39.1	No data	7	12	12	n/a
Kings Hedges	NCA	37.8	No data	36	39	28	n/a
NCA	n/a	45	n/a	n/a	n/a	n/a	n/a

81. From Table 4, it is possible to discern that with the current admission arrangements for Chesterton are not achieving this stated intention of admitting a genuinely comprehensive intake. It has a lower percentage of children on Free School Meals than Parkside and NCA, the two secondary schools closest to it.

82. The desired effect is not achieved because Arbury is the school's only feeder school with a level of free school meal entitlement above the national average of 25.7 percent. Because some Arbury children do not rank the school highly enough, or live out of catchment area (16 children in current Year 6), or live in catchment but not close enough to the school, only around 41 per cent of a cohort of around 60 children from Arbury have been allocated places at Chesterton in 2025. This will have a limited impact on the pupil profile of Chesterton's intake of 180.

83. The less advantaged areas to the northeast of Chesterton such as the areas in which Chesterton Primary and Orchard Park and Kings Hedges are located were referenced by Chesterton as considerations it has taken into account in determining arrangements. However, these areas are some way from the school, and residences beyond more than half a mile in that direction may be out of catchment, being in the catchment for North Cambridge Academy instead. These are the areas correctly identified by Chesterton as of most disadvantage. Some children living in these areas may attend

feeder primary schools for Chesterton, but even if they reside close to the school, living outside its catchment means they will not be allocated a place at the school.

84. Chesterton stated in its response to the objection, and as part of the reasoning used in determining its arrangements, that “the 2023 'State of the City' report by Cambridge City Council confirms that the ten most deprived LSOAs in Cambridge are concentrated in the north and northeast of the city - including Arbury, Abbey, and East Chesterton. Maintaining feeder primary schools that serve the Arbury community is therefore essential to ensuring equitable access to our school.” While the first statement is true, Abbey and East Chesterton LSOAs are outside the catchment area for the school, and children living there are therefore highly unlikely to be admitted. The school is, therefore, relying on information which, whilst correct, is irrelevant in the sense that, whilst the admission arrangements purport to give priority to children who live in areas which are disadvantaged, they do not result in children from these areas being admitted.

85. Table 4 can further be used to address the second objective of the school that “full cohorts of students move on to their secondary schools together.” This was a goal which was also endorsed by the objector who stated that:

“Recent academic research supports the idea that a crucial element of successful primary to secondary transition is that children are able to transfer with some (but not necessarily all) of their primary school cohort to ensure smooth and happy transition for their pupils,”

86. Setting aside whether this argument has merit, Table 4 shows that this goal is also not achieved by the current arrangements either for Chesterton or for its closest two neighbours. The highest percentage of a cohort moving together to Chesterton has been 55 per cent from Milton Road, the most socially advantaged feeder, with St Lukes in one year registering only 14 percent of the cohort moving to the Chesterton. As can be seen, Chesterton is not alone in its feeders largely not acting to “feed” its Year 7 intake; the figures for Parkside and NCA are lower still. If a reason for having feeder schools, and the feeder schools chosen, is to ensure that large groups of children transition and stay together between Year 6 and Year 7, this has not been the experience in recent years, nor is it likely to be with the arrangements for 2026. This makes the arrangements unreasonable.

87. Overall, while reasons are given for the specific feeder schools having been adopted, the characteristics of those schools and the patterns of transfer from them has not, and is not likely to, achieve the stated goals. The reasonableness of the arrangements rests on both the intent of the school, and also on whether the criteria chosen will deliver what is a reasonable aim. In that regard, I view the arrangements regarding feeder schools as unreasonable. They are not securing the stated aim, and the 2026 arrangements appear unlikely to achieve this aim.

88. I therefore uphold the objection in so far as it relates to the reasonableness of the feeder school element of the arrangements.

The interplay between the arrangements of the school and neighbouring schools on children who live in the catchment area of Chesterton but who attend Park Street Primary

89. I need to also consider the operation of the arrangements in terms of fairness. Fairness is a concept that is used in the Code but is not defined. Fairness cannot be defined in universal terms as its requirements will depend on the circumstances. Fairness is focused on the effect of the arrangements on any relevant group. I re-state here that it is the purpose of oversubscription criteria to create advantage for some applicants and disadvantage to others.

90. Assessing the interplay of the school's arrangements with those of Parkside involves looking at the combined effect of those arrangements up to now and the expected effect in the future. I looked to consider the contention of the objector that the degree to which Park Street Primary families have their preferences for secondary schools met is markedly lower than that for Cambridgeshire overall and other local schools. The objection stated:

“Only 47% of Park Street Primary's Year 6 cohort this year (2025) were offered a place at their first preference school versus a county-wide figure of 87.9% in 2024 and 87.1% in 2023 (we do not have a figure for 2025 at the time of writing). This seems incontrovertibly unfair on Park Street Primary's children.”

91. In assessing the data provided by the LA, children attending Park Street Primary have a markedly lower rate of first and second preferences being met than most schools in central Cambridge, with a particularly low rate in 2025, when only 50% of first or second preferences were met. In terms of the Code however, this low rate of itself does not constitute unfairness.

92. At face value, it appears that the arrangements will not operate unfairly. The Code is clear that the use of catchment areas is legitimate. Looking at catchment areas alone, an applicant within Chesterton's catchment but too far from the school to be allocated a place might be expected to secure a place at North Cambridge Academy (NCA) which is relatively nearby and is a less oversubscribed school. In some fringe areas of Chesterton's catchment, Trumpington Community College (Trumpington) or Coleridge Community College (Coleridge) might be allocated, and both these schools have tended in recent years to be able to offer places to all children living in their catchment areas and often to children beyond that boundary. In terms of journey distance these are not unsuitable or unfair alternative schools. Applicants to the south living within Parkside's catchment have a high likelihood of being allocated a place at Parkside.

93. Chesterton has made limited written submissions on this issue but has been copied into all the information submitted to me or requested by me and has had full opportunity to comment. I was able to hear the oral submission of the school at our meeting on 9 July 2025.

94. I believe the view taken by Chesterton regarding possible unfairness resulting from the combination of the arrangements of Chesterton and Parkside to the alleged disadvantaged group could be described as sympathetic but not supportive of the claims

made. The school has stated “In relation to Park Street Primary School there is no question of their (sic) being any ambiguity that the school [Park Street Primary] was ever in the catchment area for Chesterton Community College”. Chesterton’s view appears to be that the potential adverse outcomes faced by this group in 2026 would be within the normal tolerances of the operation of any set of arrangements which ranks applicants against oversubscription criteria.

95. The objector has evidenced three families who say that they have moved their child out of Park Street Primary to a school in Chesterton’s catchment, aligning with their place of residence, to avoid being locked out of both Parkside and Chesterton.

96. In contrast, Chesterton has pointed out that families making choices to improve their ranking against local school criteria is not unusual, and it had this in mind when deciding not to give a high priority to distance from the school in its arrangements. The school was minded that giving high weight to distance from the school might lead to house price inflation where more affluent parents might progressively be able to secure an advantage in the admissions process.

97. Chesterton has stated that alternative arrangements would only achieve an outcome which would be equally adverse to applicants other than the alleged disadvantaged group, stating that “Removing the requirement to attend a feeder school would mean that all allocations would be made based on distance, disadvantaging those students who live further from the school, and those who live in the more disadvantaged areas of the city.”

98. I also considered the views of the United Learning Trust as the admission authority for Parkside as a party to this objection. Parkside stated of its arrangements:

“The catchment area (of Parkside) was determined by Cambridgeshire County Council before the school became an academy (initially as what became the Cambridge Academic Partnership, and then subsequently as part of United Learning) and has not been changed since. As United Learning, we are committed to running local schools which work with local authorities and other local schools to provide an easily navigable admissions system in a way which works fairly; when we take a school into the Group, we aim to continue to serve the same children, families and community that the school has always served and on this basis, prefer not to change admission arrangement unless there is a clear reason to do so to improve fairness. We also recognise the benefits of a stable and predictable admissions policy to provide clarity and consistency for local families. In this case, on the understanding that the existing admission arrangements were working in the way intended and that the catchment area approach was in line with that in the wider area in providing a fair and predictable basis for the allocation of places, we had continued with the pre-existing oversubscription criteria.

As far as we can see, the oversubscription criteria of Parkside School are lawful and appropriate. On the face of it, however, the interaction between the oversubscription criteria for Parkside and those for Chesterton may unintentionally be creating a problem for a group of parents and families.... we recognise that catchment areas

can have a valuable place in local admissions arrangements in giving clarity to parents. However, we would acknowledge that attending a local primary school which happens to lie across a catchment area line from the family home ought not to affect materially a child's odds of gaining admission to any local secondary school at all. If this is what is happening, then this is something that needs to be addressed. We look forward to engaging constructively with other parties to resolve this issue."

99. This is supportive of the objector's view that arrangements are combining in an unintended and problematic way.

100. Data provided by the LA makes clear the recent pattern of successful applications to Parkside. This is set out in Table 5.

Table 5: Allocation of Year 7 places in Parkside, 2020-2025

Year	PAN	Number of places allocated	Criteria under which the final place was offered	Distance from Parkside of the final place offered
2020	120	120	Catchment	1.09 miles
2021	120	122	Catchment	1.37 miles
2022*	120	120	Out of catchment attending feeder in catchment	1.39 miles
2023	120	157	Out of catchment	0.86 miles
2024	120	120	Catchment	0.99 miles
2025	120	120	Out of catchment sibling	0.96 miles

*data as at National Offer Day. An additional 30 places were subsequently offered later in the admissions process.

101. By way of context, a reach of nearly a mile would cover all addresses in catchment to the north, east, and south of Parkside. It could cover the great majority of addresses to the west side of the catchment, as much of the remaining space in that direction is open land with no dwellings.

102. Table 5 shows that in only one year in the last five years, 2022, has Parkside been able to offer places within its PAN to children attending a feeder school in its catchment but living outside of catchment – the alleged disadvantaged group identified by the objector. In all other years where the school offered only to PAN, children in that group would not be allocated a place.

103. Unless Parkside becomes markedly less popular in the future, there is good reason to expect that it will continue to run out of places within the group of applicants who live in its catchment area, with no places available to applicants living out of catchment but attending Park Street Primary, a Parkside feeder school. The expected demand for places at Parkside in 2026 and 2027 remains steady at around 140 places.

Table 6: number of children admitted to Chesterton by oversubscription criteria. Figures in brackets indicate outcome if the school had only offered places up to PAN.

Oversubscription Criterion	2022/23	2023/24	2024/25	2025/26
EHCP	4	4	3	9
i) LAC / PLAC	1	5	3	1
ii) Child of member of staff	0	3	1	2
iii) live in catchment, attend feeder primary, sibling at school	53	40	47	57
iv) live in catchment, sibling at school	21	11	24	23
v) live in catchment, attend feeder primary,	91	100	102	109(88)
vi) live in catchment	40 (10)	75 (15)	10 (0)	0
vii) live outside of catchment, attend feeder primary, sibling at school	0	2 (0)	0	0
viii) live outside of catchment, sibling at school	0	0	0	0
ix) live outside of catchment, attend feeder primary	0	0	0	0
x) live outside of catchment, nearest to school	0	0	0	0
Total admitted*	210	240	190	201
PAN	180	180	180	180

* including additional places allocated over PAN with agreement of the admission authority

104. Table 6 shows that for 2022, 2023, and 2024 had Chesterton admitted only up to its PAN, ten, then fifteen, then zero children would have been admitted who had been living in catchment alone as their highest criteria met. A better outcome for such children was achieved by offering over PAN. In 2025, even offering 21 places over PAN, there were no children offered places who had been living in catchment as the highest oversubscription criterion met without some other advantaging trait. All successful applicants in 2025 lived in catchment and also attended a feeder school or had a sibling link.

105. In the case of the Chesterton, at no point in the last two years, has a child who had residing in catchment as their highest qualifying criteria been admitted to the school within the school's PAN.

106. The expected demand for places at Chesterton in 2026 and 2027 is on an upward trend. Unless Chesterton becomes markedly less popular in the future, there is good reason to expect that it will continue to run out of places within the group of applicants who live in its catchment area, with no places available to applicants living in catchment but attending Park Street Primary.

107. With both schools filling to their PANs before reaching a criterion which such children will meet, it is hard to see that such children will have any chance of securing a place at either school. This is the result of the combination of living in a catchment for Chesterton but attending a feeder school for Parkside. This is in spite of the two secondary schools both being only half a mile away from Park Street Primary.

108. This means that a number of children attending Park Street Primary, resident as they are in Chesterton's catchment area, are not prioritised highly in the oversubscription criteria for either of their closest secondary schools. As a result, they are systematically unlikely to gain a place at either of the two local secondary schools closest to where they live. Of the pupils in year 5 at Park Street Primary at this time, which is the cohort who will be applying for places under the 2026 arrangements, there are only 5 children likely to be offered a place at Chesterton. I am reminded that of the pupils on roll at Park Street Primary 51% of the families whose children are on roll live in Chesterton catchment area.

109. To be unfair in terms of the Code it is necessary to establish where such children would eventually be allocated a place if unable to secure a place at Chesterton; to establish that the allocation involves an unreasonable journey to school; and to establish that those who would be affected or displaced by the process of revising the arrangements in order to resolve any potential unfairness to children at Park Side Primary would face a much more limited detriment.

110. In our meeting on 9 July, I was told that applicants in the group of Park Street Primary children who did not secure a high preference were still allocated a place at a school which might be objectively viewed as suitable in terms of distance, such as NCA or Coleridge. I note that the objector does not see such placements as suitable, stating "This year the children of Park Street Primary have been split between five schools (ordinarily, they are spread between Chesterton, Parkside and St Bede's, a faith school in the south of Cambridge)... This has left 25% of this cohort, living in catchment, (within 10 minutes' walk from Chesterton) but allocated to two different schools a 30-minute bus ride away."

111. This outcome was only secured in 2025 by Chesterton admitting 21 children over PAN, which along with similar practice in other schools concealed the potential unfair impact of arrangements. In previous years, the prospects of children attending Park Street Primary but living in the Chesterton catchment securing none of their preferences was reduced solely by schools in the city offering variously 163 places over PAN in 2023, 107 over PAN in 2024, and 96 over PAN in 2025.

112. That the unfairness has been mitigated in the last four years by Parkside and other schools, also offering places above their PANs, does not make the arrangements for

Chesterton 2026 fair. I have to consider the arrangements as they stand, including the PAN of 180 determined by the school and the PANs determined at other schools.

113. I cannot rely on the outcome secured in 2025 persisting in 2026, resting as it did on Chesterton and other schools voluntarily admitting over PAN.

114. Modelled on the basis of schools admitting to PAN, it is my view that the alleged disadvantaged group of children would only secure a place at schools much further from their homes.

115. They might possibly be offered a place at NCA. However, there is a substantial risk that they will not be, and then the other nearest schools would not be likely to be able to offer a place. To the North, in 2025 Impington Village College (Impington) would have made offers to children living beyond catchment only out to 1.7 miles distance had it not agreed to admit above its PAN. This only just reaches the north of the Chesterton catchment, while Park Street Primary families are largely resident in the south of that catchment. On the same terms, to the South, if Coleridge had not agreed to increase its PAN it would not have made offers beyond 1.84 miles, which would only include a very small corner of Chesterton's southeast catchment. Trumpington and The Netherhall School (Netherhall) would not have offered beyond a mile. The alleged disadvantaged group would be unlikely to be offered places at these schools in the absence of PAN increases.

116. Other Park Street Primary pupils who lived outside the Parkside catchment would be affected differently. Park Street Primary children who lived in catchment for NCA or Impington or Coleridge would have been offered places at those schools. They would not have suffered the double detriment of failing to be allocated to either their catchment school or the school which Park Street Primary feeds into. They would have secured a place at a school near where they lived.

117. By way of testing my hypothesis of unfairness to the alleged disadvantaged group, I considered an imaginary child, Darren, living in the extreme south of the catchment for Chesterton, but attending Park Street Primary, a feeder for Parkside. He is the eldest child in his family with no other trait which would advantage him in terms of the oversubscription criteria. He lives 0.36 miles metres from Park Street Primary, with a pedestrian walking route to that school. It is his closest primary school.

118. Darren lives 0.4 miles south of Chesterton. On historic patterns of application and allocation of places, and projected demand going forward, he has no chance of being allocated a place at that school, as the final offered place will be to a child who lives in catchment and attends a primary school in catchment.

119. He lives 0.62 miles from Parkside, his second closest school. On historic patterns of application and allocation of places, and projected demand going forward, he has no chance of being allocated a place at that school, because it will fill with children who live in catchment.

120. If he were to satisfy the faith criteria for St Bede's Inter-Church School (St. Bede's), he is 2.23 miles from that school – not sufficiently close to be allocated a place in 2023, 2024, or 2025 if that school offered only to PAN.

121. At 1.8 miles from Coleridge, he would be right on the line of where the final place in 2025 might have been offered had all schools offered only up to their PAN. At 2.4 miles from Impington, he is well beyond the point at which that school would have offered its final allocation in 2025 had schools held to PAN.

122. That leaves NCA at 0.8 miles from his home. On 2025 data, had schools held to PAN, he would have been just within the range of places the school would have allocated, at 0.98 miles.

123. However, the LA projects a need for 1072 places in 2026, compared to combined PAN of 990, and the number of places allocated in 2025 was 1024. Consequently, competition for places is likely to be higher in 2026 than 2025.

124. My conclusion is that in 2026, Darren or children like him would be very likely to face a lengthy journey to their allocated school. For Darren that might be over 5 miles to Cottenham Village College (Cottenham), or nearly 6 miles to Bottisham Community College (Bottisham).

125. Although this is irrelevant to my finding of unfairness in this case, I note as an additional point that, if parents of those in the alleged disadvantaged group did as encouraged in the published arrangements, and included Chesterton as a preference because it is their catchment school, and in spite of having no chance of admission there, the LA would be liable for the cost of his transport to and from the allocated school, adding to the £10.7 million school transport budget projected for 2025/26. If, on the other hand, these parents did not express preference for Chesterton, and tried to focus on the nearest schools where they had some possible chance of admission, such as NCA, Impington, Coleridge or St. Bede's, then the LA School Transport Policy states that subsequent transport for their child would be at their own expense.

126. Overall, I concur with the objector that the effect of the combination of the arrangements for Chesterton and those of other schools is to create an unfairness to the alleged disadvantaged group. The evidence is that on the arrangements as determined by Chesterton and Parkside, such children have a very high chance of facing unfair outcomes in 2026, having no chance of admission to either of their closest secondary schools, and a limited chance of being allocated a local alternative school at a reasonable distance from home.

127. I have to consider the detriment to those children compared to the detriment to other applicants which would result were the arrangements to be set differently to resolve unfairness to the alleged disadvantaged group. My assessment is that such children who might not be allocated a place at Chesterton if arrangements were changed would be likely to be a group of students living in Chesterton's catchment, attending a feeder primary, and living a mile or so from the school. In the north part of catchment, such children would be

likely to be allocated a place at Impington. In the east part they would be likely to be allocated a place at NCA. These schools would be a mile or so from their residence and may even be their closest secondary school. These are not necessarily unfair outcomes.

128. It is therefore clear to me that there is an unfair disadvantage to the group identified by the objector; and that the detriment which would result from addressing that disadvantage would not be unfair on those affected by that change.

129. I cannot know what allocations above PAN schools might make in 2026. I make this determination on the published arrangements for Chesterton and the other local schools I have referred to, including their PANs.

130. I find that there is a lack of alignment between the arrangements of Chesterton and Parkside which leads to Chesterton's arrangements being unfair in their effect.

131. I find that Chesterton's arrangements are not fair and consequently are in breach of paragraph 14 of the Code.

132. I draw the parties' attention to a related determination of an objection to the admission arrangements of Parkside Community College, ADA4492.

133. It is not the role of the Adjudicator to advise on, nor is it the role of the Adjudicator to propose, admission arrangements which they consider to be the best or most appropriate for a school. It is the role of the Adjudicator to consider whether existing arrangements comply with the Code and the law as it relates to admissions.

134. I was heartened by the willingness of parties attending our meeting to look at this in a constructive way. The intent of all parties to work to meet the needs of families and children in Cambridge was evident.

Other Matters

135. I will now consider each of the other matters identified during my review of the admissions arrangements to determine whether these matters conform with the Code. In the areas considered, the school has made some changes to its arrangements from those for 2025 which were the subject of a previous determination (ADA4351).

136. The school's arrangements suggested to me that the school will not offer places in-year throughout the school year, only at the start of the year for Years 8 to 11 and until Christmas of Year 7 for that cohort. The school's arrangements suggest that it will not offer places for any cohort unless there are fewer than 180 students on roll in that cohort, even though the PAN for the school only applies to Year 7, and even though the school has offered many places above PAN in the last three years. The Code states "The PAN only applies to the relevant age group. This means that admission authorities may not refuse admission to other age groups on the grounds that they have already reached their PAN."

137. In response the school has stated, “This is not the case. Clauses 8.1 and 8.2 of the Admissions Policy outline how admissions will be managed for within-year application throughout the academic year. 8.1 clearly includes ‘all other year groups’”.

138. I do not believe the determined arrangements make adequately clear that a place for within-year entry can and will be offered at any point in the year so long as this is not prejudicial to the provision of efficient education or the efficient use of resources, taking into account the factors listed in paragraph 8.2. In my view the arrangements are in breach of paragraph 2.28 of the Code and need to be revised.

139. The school’s arrangements refer to an “admissions meeting”, the status of which is unclear and could be a breach of paragraph 1.9(m) regarding interviewing applicants. The school has responded, “It is not stated that applicants will be interviewed, and this is inaccurate. Following a place being accepted by an applicant, an admissions meeting is scheduled to ensure they have had a tour, are aware of the school policies and procedures, to allow staff to pair them with a relevant buddy for induction and to ensure they have a smooth start in their new school.”

140. This sounds like good practice. However, I require that the arrangements be reworded to be clear that the meeting is not an interview to determine whether a place will be offered, and will take place after a place has been offered and accepted.

141. The arrangements suggest an in-year applicant offered a place has four weeks to accept it but it they do not provide for a second communication repeating the offer as required by the Code. This appears to be a breach of paragraph 2.13 of the Code which states “Where the parent has not responded to the offer, the admission authority **must** give the parent a further opportunity to respond and explain that the offer may be withdrawn if they do not.”

142. In response the school has stated, “While it is not explicit, parents are always chased if they have not responded to the offer of a place. Parents can be sent up to three communications before a place will be withdrawn but are always sent at least a second communication.” Although the Code imposes requirements about the circumstances in which a place may be withdrawn, it does not state explicitly that these must be set out in the admission arrangements. However, if an admission authority chooses to set out when places can be withdrawn in its admission arrangements, what is said must be consistent with the provisions in the Code. I require that the arrangements be reworded to embody the good practice being followed by the school.

143. As mentioned above, the arrangements state, “Information from previous schools will be requested for all applicants. Should this information cause concern to the Head of School, they will present the case to the Local Governing Body Admissions Sub-Committee. Where the Local Governing Body Admissions Committee does not wish to admit a child with challenging behaviour outside the normal admissions round, even though places are available, it will refer the case to the local authority for action under the Fair Access Protocol. A letter will be sent withdrawing the place and offering the opportunity to appeal against this decision. This will not apply to a looked after child, a previously looked after

child or a child with a statement of special educational needs naming the school in question, as these children must be admitted.” Two points arise. First, whether it is legitimate to ask for such information for all applicants. Second, whether the admission authority is able to withdraw a place on the grounds that the child in question has challenging behaviour.

144. Dealing with the first point. Paragraph 1.9 of the Code says:

“It is for admission authorities to formulate their admission arrangements, but they must not:

- a) place any conditions on the consideration of any application other than those in the oversubscription criteria published in their admission arrangements;
- b) take into account any previous schools attended, unless it is a named feeder school;
- c) give extra priority to children whose parents rank preferred schools in a particular order, including ‘first preference first’ arrangements;
- d) introduce any new selection by ability;
- e) give priority to children on the basis of any practical or financial support parents may give to the school or any associated organisation, including any religious authority. The exception to this is where parents pay optional nursery fees to the school or school-run nursery, for additional hours on top of their 15-hour funded early education, where children from the school nursery class or school-run nursery are given priority for admission to Reception;
- f) give priority to children according to the occupational, marital, financial, or educational status of parents applying. The exceptions to this are children of staff at the school and those eligible for the early years pupil premium, the pupil premium and the service premium who may be prioritised in the arrangements in accordance with paragraphs 1.39 – 1.42;
- g) take account of reports from previous schools about children’s past behaviour, attendance, attitude, or achievement, or that of any other children in the family;
- h) discriminate against or disadvantage disabled children, those with special educational needs, or those applying for admission outside their normal age group where an admission authority has agreed to this under paragraphs 2.18 to 2.20;
- i) prioritise children on the basis of their own or their parents’ past or current hobbies or activities (schools which have been designated as having a religious character may take account of religious activities, as laid out by the body or person representing the religion or religious denomination);
- j) in designated grammar schools that rank all children according to a pre-determined pass mark and then allocate places to those who score highest, give priority to siblings of current or former pupils;

k) in the case of schools with boarding places, rank children on the basis of a child's suitability for boarding – more information on boarding schools is set out at paragraphs 1.43 - 1.44 below;

l) name fee-paying independent schools as feeder schools;

m) interview children or parents. In the case of sixth form applications, a meeting may be held to discuss options and academic entry requirements for particular courses, but this meeting cannot form part of the decision making process on whether to offer a place. Boarding schools may interview children to assess their suitability for boarding;

n) request financial contributions (either in the form of voluntary contributions, donations, or deposits (even if refundable)) as any part of the admissions process – including for tests; or

o) request photographs of a child for any part of the admissions process, other than as proof of identity when sitting a selection test".

145. Paragraph 3.10 says:

"Where an admission authority receives an in-year application for a year group that is not the normal point of entry and it does not wish to admit the child because it has good reason to believe that the child may display challenging behaviour, it may refuse admission and refer the child to the Fair Access Protocol.

Paragraph 3.11 then says: "An admission authority should only rely on the provision in paragraph 3.10 if it has a particularly high proportion of either children with challenging behaviour or previously permanently excluded pupils on roll compared to other local schools and it considers that admitting another child with challenging behaviour would prejudice the provision of efficient education or the efficient use of resources".

Paragraph 3.12 says: "The provision in paragraph 3.10 cannot be used to refuse admission to looked after children, previously looked after children; and children who have Education, Health and Care Plans naming the school in question".

146. In summary then, an admission authority may ask for reports from previous schools about children's past behaviour, attendance, attitude, or achievement, but only where the school has a particularly high proportion of either children with challenging behaviour or previously permanently excluded pupils on roll compared to other local schools and it considers that admitting another child with challenging behaviour would prejudice the provision of efficient education or the efficient use of resources. Unless these circumstances apply, admission to the school is determined in accordance with the oversubscription criteria. It should be noted that footnote 78 only relates to the information specified in paragraph 1.9g. It does not refer to any of the other information in paragraph 1.9.

Footnote 76 says:

“For the purposes of this Code, behaviour can be described as challenging where it would be unlikely to be responsive to the usual range of interventions to help prevent and address pupil misbehaviour or it is of such severity, frequency, or duration that it is beyond the normal range that schools can tolerate. We would expect this behaviour to significantly interfere with the pupil's/other pupils' education or jeopardise the right of staff and pupils to a safe and orderly environment.

Paragraph 3.12 says:

“The provision in paragraph 3.10 cannot be used to refuse admission to looked after children, previously looked after children; and children who have Education, Health and Care Plans naming the school in question”.

Footnote 77 says:

“A child with challenging behaviour may also be disabled as defined in the Equality Act 2010. When considering refusing admission on these grounds, admission authorities must consider their duties under that Act. Admission authorities should also consider the effect of the decision of the Upper Tribunal in *C & C v The Governing Body of a School, The Secretary of State for Education (First Interested Party) and The National Autistic Society (Second Interested Party) (SEN)* [2018] UKUT 269 (AAC) about the implications of the Equality Act 2010 when a pupil exhibits a tendency to physical abuse of other persons as a consequence of a disability.

Footnote 78 says:

“Paragraph 1.9(g) does not apply where an admission authority takes account of past behaviour as evidence for concerns about challenging behaviour, solely for the purpose of making a decision on whether it would be appropriate to refuse admission on the basis described in paragraph 3.10”.

147. In summary then, an admission authority may ask for reports from previous schools about children's past behaviour, attendance, attitude, or achievement, but only where the school has a particularly high proportion of either children with challenging behaviour or previously permanently excluded pupils on roll compared to other local schools and it considers that admitting another child with challenging behaviour would prejudice the provision of efficient education or the efficient use of resources. Footnote 78 only relates to the information specified in paragraph 1.9g. It does not refer to any of the other information in paragraph 1.9.

148. It is clear, therefore, that admission authorities should not routinely be asking for information other than that which is necessary to establish whether an in-year applicant meets the oversubscription criteria unless that school can establish that it meets the criteria under paragraph 3.11 because only in those circumstances could the possibility of a referral to the Fair Access Protocol arise. I will leave the school to reflect on this point. It may be that the school has a particularly high proportion of either children with challenging behaviour or previously permanently excluded pupils on roll compared to other local

schools, and therefore it is legitimate to ask for reports from a child's previous school where there is evidence suggesting that the child may display challenging behaviour. However, I am sure the school will be mindful of their data protection obligations not to ask for children's personal data unless it is legitimate to do so, and to make clear the purposes for which such data are being requested. There is a requirement for admission arrangements to be clear and it is entirely appropriate for the school to signal in its arrangements that the information in question will be requested should the admission authority consider it legitimate to ask for it, but the arrangements should also make clear the purpose of requesting this information in order to meet the threshold for clarity required by paragraph 14 of the Code. Parents should be able to look at the arrangements and understand how the information in question may affect their application.

149. The second question is whether it is legitimate to withdraw a place should it be established the child has challenging behaviour and the school that has a particularly high proportion of either children with challenging behaviour or previously permanently excluded pupils on roll compared to other local schools and has concluded that admitting another child with challenging behaviour would prejudice the provision of efficient education or the efficient use of resources. Paragraph 3.10 states that an admission authority may refuse admission in these circumstances and refer the child to the Fair Access Protocol. It does not provide that a place may be withdrawn under these circumstances. As mentioned above, paragraph 2.13 of the Code provides that "An admission authority **must not** withdraw an offer unless it has been offered in error, a parent has not responded within a reasonable period of time, or it is established that the offer was obtained through a fraudulent or intentionally misleading application

150. In a lengthy response the Trust has made clear its commitment to good practice and compliance with the Code and local arrangements regarding the fair access protocol. The issue here, therefore, appears to be one of timing and sequencing. Where the school considers that the grounds for refusal of a place and referral to the Fair Access Protocol are met under paragraph 3.10, the proper route is to then refer the application to the Fair Access Protocol. What the Trust cannot do is offer a place and withdraw that place. The Trust appears to accept this, stating "By the point at which a student file is received by the school, they have already been offered a school place. This cannot be withdrawn." Its published arrangements need to be changed to reflect the provisions in the Code to which I have referred.

151. The reference to statements of special educational needs to be replaced by a reference to Education, Health and Care Plans.

Summary of findings

152. I have found that consultation was not completed in compliance with the Code.

153. I have found that the catchment element of the arrangements is clear and reasonable; any unfairness which might arise from the LA advice on applying to catchment schools does not sit within matters I am able to determine.

154. I have found that the feeder school elements of the arrangements are clear but they are not reasonable because they do not have the intended effect.

155. I have found that the interplay of the arrangements of the school and neighbouring schools is unfair in its effect. There is a lack of alignment between the arrangements of Chesterton and Parkside which leads to the arrangements of both schools causing an unfairness to the alleged disadvantaged group. In short, admission arrangements do not operate in isolation. Therefore, in order to ensure that the admission arrangements for Parkside operate fairly the admission authorities for Parkside and Chesterton will need to remedy the unfair effect by making the necessary amendments to their arrangements to ensure that a child who has priority by virtue of attending Park Street Primary but resides in the Chesterton catchment area will be able to attend a secondary school within an acceptable distance of their home. This process may well need input and modelling expertise from the LA.

156. I have found that the interplay between the arrangements of the school and neighbouring schools is unfair in effect. There is a lack of alignment between the arrangements of Chesterton and Parkside which leads to Parkside's arrangements operating to create an effect which is unfair to the group of children I have identified as the alleged disadvantaged group.

157. I have found that revisions need to be made to several other elements of the school's arrangements which I considered under section 88I(5).

Determination

158. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partly uphold the objection to the admission arrangements for September 2026 determined by Eastern Learning Alliance for Chesterton Community College, Cambridgeshire.

159. 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.

160. By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority.

161. In this case I determine that admissions authority must revise its arrangements by 30 September 2025.

162. This deadline will ensure arrangements for 2026 are clear and transparent in time for the applications process for 2026 entry.

Dated: 3 September 2025

Signed:

Schools Adjudicator: Patrick Storrie