



Office of
the Schools
Adjudicator

Determination

Case references:	VAR2599, VAR2600
Admission Authority:	The governing body for St Peter's Catholic Primary School, Waterlooville
Local Authority:	Hampshire County Council
Date of advice:	4 September 2025

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I do not approve the proposed variation to the admission arrangements determined by the governing body for St Peter's Catholic Primary School, Waterlooville for 2025.

In accordance with section 88E of the School Standards and Framework Act 1998, I do not approve the proposed variation to the admission arrangements determined by the governing body for St Peter's Catholic Primary School, Waterlooville for 2026.

The referral

1. The governing body (the Admission Authority) for St Peter's Catholic Primary School, Waterlooville (the School or SPCP) has referred to the adjudicator a proposal for variations to the admission arrangements of the School.
2. The proposed variations are to the arrangements for 2025 (the 2025 arrangements) and the arrangements for 2026 (the 2026 arrangements). Where in this document I refer to 'both sets of arrangements' this means the arrangements for 2025 and those for 2026.
3. The School is a voluntary aided school for children aged four to eleven years and is situated in Waterlooville, Hampshire. It is a co-educational, non-selective school with a Roman Catholic religious character. The faith body for SPCP is the Roman Catholic Diocese of Portsmouth (the Diocese). The local authority for the School is Hampshire County Council (the Local Authority or LA). SPCP was judged to be 'Good' by Ofsted at its last inspection in November 2019.

4. The proposed variations are to the oversubscription criteria which are used to prioritise applicants to the School in the event that the number of applications received exceeds the number of available places.
5. Parties to the variation requests are the School, the Local Authority and the Diocese.

Jurisdiction and procedure

6. Section 88E of the School Standards and Framework Act 1998 (the Act) makes provision for variations to determined arrangements. Paragraphs 3.6 and 3.7 of the School Admissions Code (the Code) say (insofar as is relevant here):

“3.6 Once admission arrangements have been determined for a particular school year, they cannot be revised by the admission authority unless such revision is necessary to give effect to a mandatory requirement of this Code, admissions law, a determination of the Adjudicator or any misprint in the admission arrangements. Admission authorities may propose other variations where they consider such changes to be necessary in view of a major change in circumstances. Such proposals **must** be referred to the Schools Adjudicator for approval, and the appropriate bodies notified. Where the local authority is the admission authority for a community or voluntary controlled school, it **must** consult the governing body of the school before making any reference.

3.7 Admission authorities **must** notify the appropriate bodies of all variations”.

7. The arrangements for 2025 were determined by the Admission Authority on 12 October 2023; those for 2026 were determined on 23 January 2025.
8. The School has provided me with confirmation that the appropriate bodies have been notified of the proposed variations in line with the Code. I find that the appropriate procedures were followed, and I am satisfied that the proposed variations are within my jurisdiction.
9. The School has provided to me a copy of an academy order and confirmed that it will join the Edith Stein Catholic Academy Trust (the Trust) no earlier than 1 January 2026. I proceeded with this case on the basis that I would complete my determination before that date; consequently my jurisdiction is unaffected by the School’s forthcoming change of status.
10. In the interests of dealing speedily with this and the many other requests for variations at this time, I have not considered other aspects of the admission arrangements. Therefore, nothing in this determination should be taken as indicating that other aspects of the arrangements do or do not conform with the requirements relating to admissions.

11. In considering the variation requests, I have had regard to all relevant legislation and the Code.
12. The information I have considered in reaching my decision includes:
 - the referral from the Admission Authority dated 23 June 2025 and supporting documents, including minutes of the governing body meeting of 19 June 2025 (the governing body minutes);
 - the determined arrangements for 2025 and 2026 and the proposed variations to those arrangements;
 - responses from the LA, the School and the Diocese to my requests for further information; and
 - information available on the websites of the DfE, 'Get Information About Schools' (GIAS), the LA, the School, the Trust and Ofsted.
13. There is no formal consultation required for a variation and so parents and others do not have the opportunity to express their views. Clearly it is desirable that changes to arrangements are made via the process of determination following consultation as the consultation process allows those with an interest to express their views. It also allows for objections to the adjudicator. None of this is afforded by the variation process.
14. The referral stated that "The variation. . . is proposed for the following years: 2025-2026 and 2026-2027 (already published) and thereafter for future policies". Variations may only be proposed to the arrangements that have been determined by the Admission Authority; that is, those for 2025 and 2026. Nevertheless, if I decide to vary the Arrangements for 2026 by revising the oversubscription criteria as proposed, then the arrangements for 2027 may contain those same criteria without any requirement for consultation.

Consideration of the proposed variations

15. Paragraph 3.6 of the Code (as above) requires that admission arrangements, once determined, may only be revised, that is changed or varied, if there is a major change of circumstance or certain other limited and specified circumstances. I will consider below whether the proposed variations are justified by the change in circumstances.
16. Both sets of arrangements set out that in the event of oversubscription (after the admittance of children with an Education, Health and Care Plan (EHCP) which names the School), priority for places in the reception year (Year R) is determined by application of oversubscription criteria.

17. The 2025 arrangements set out the following oversubscription criteria, in summary:
 1. Catholic looked after and previously looked after children.
 2. Catholic children who will have a sibling on the roll of the school at the time of admission.
 3. Catholic children who are resident in the parishes of Sacred Heart, Waterloooville and St Edmund's, Horndean.
 4. Other looked after and previously looked after children.
 5. Other children who will have a sibling on the roll of the school at the time of admission.
 6. Catholic children from other parishes.
 7. Children who are members of an Eastern Orthodox Church.
 8. Children of other Christian traditions.
 9. Children of other faiths.
 10. Any other children.
18. The 2026 arrangements set out the following oversubscription criteria, in summary:
 1. Catholic looked after and previously looked after children.
 2. Catholic children who are resident in the parishes of Sacred Heart, Waterloooville and St Edmund's, Horndean.
 3. Other Catholic children.
 4. Other looked after and previously looked after children.
 5. Children who are members of an Eastern Christian Church.
 6. Children of other Christian denominations.
 7. Children of other faiths.
 8. Any other children.
19. In both sets of arrangements, the parishes of Sacred Heart, Waterloooville and St Edmund's, Horndean form a catchment area for the School, as defined by the Code. I will refer to these parishes as 'the named parishes'.

20. Both sets of arrangements state that where prioritisation of applicants is required within any one oversubscription criterion, this is achieved via distance measurements with those living closest to the School afforded greatest priority.
21. It is proposed that the oversubscription criteria in both sets of arrangements are varied so that they prioritise applicants as follows (with prioritisation within any one criterion on the basis of distance, as in the current arrangements):
 1. Catholic looked after and previously looked after children.
 2. Other Catholic children.
 3. Other looked after and previously looked after children.
 4. Children who will have a sibling on the roll of the School at the time of admission.
 5. Members of an Eastern Christian Church.
 6. Children of other Christian denominations.
 7. Children of other faiths.
 8. Any other children.
22. The School gave the major change of circumstance that has occurred since the arrangements were determined, making it necessary to request the variations, as follows:

“As part of a restructuring of pastoral areas in the Catholic Diocese of Portsmouth, local parishes are undergoing a renaming process. Whilst churches will retain their individual names, the name of the parish area to which they belong is changing. As a result of this name change we wish to amend our categories. In our current policy Catholic applicants are split into 4 categories – categories 1, 2, 3 and 6. We wish to simplify this to 2 Catholic categories in our new policy (Category 1 and a new Category 2).”
23. I asked the Diocese about the renaming of parishes. It told me:

“The diocese has issued a 10 year plan which aims for parishes merging into new parishes over a three year period. The school would have been aware at the start of the Summer Term that the parishes in their area were consulting on a new name for the parish. They have been given no concrete date yet for the new parish to be formed, this is owing to the timing of the various diocesan committees who have to give approval.”

24. The LA provided the following comment on the proposed variations:

“The LA is neutral on this proposal and is aware of the work that Portsmouth Diocese is undertaking around its future parishes.

However, the admission authority state that the variation request is being made “to clarify admission arrangements for parents and carers as a result of the name change of our parish area”.

The LA would like to understand why the admission authority has not just adjusted the policies to reflect the new parishes / pastoral areas, rather than removing reference to a parish area completely to provide that clarity? Whilst it is accepted that the distance tiebreaker should still ensure local children receive a degree of priority, category 3 currently directly refers to a parish area, which the proposed policies have completely removed. There may therefore be an implication for local children being able to access a local school, as Catholics from many miles away will now receive a significantly higher priority than they did before, however, the LA still believes there are sufficient local places to accommodate local children in other schools, so do not object to the variation.”

25. I have noted the Local Authority’s concern that the removal of the catchment area may affect the likelihood of some children being able to gain admittance to SPCP. I set out below some effects of the proposed variations on the prioritisation of applicants to the School, noting here that Catholic applicants who are Looked After Children (LAC) and Previously Looked After Children (PLAC) are afforded the greatest priority for entry in both sets of arrangements and under the proposed variations, as required by the Code. As is also required, both the determined and proposed oversubscription criteria prioritise non-Catholic LAC and PLAC applicants above other non-Catholic applicants. I have not included the position of these children in my analysis.

26. The proposed variation for 2025 would have the following effect:

- 26.1. Catholic applicants with a sibling at the School are currently afforded greater priority than other Catholic children; the proposed variation removes this priority and affords equal priority to all Catholic applicants.
- 26.2. Catholic applicants resident in the named parishes are currently afforded greater priority than all other Catholic children except those with a sibling at the School; the proposed variation removes this priority and affords equal priority to all Catholic applicants.
- 26.3. Children who are not Catholic and have a sibling at the School are currently afforded greater priority than “Catholic children from other parishes”; the proposed variation removes this priority and affords priority to all Catholic applicants above those who are not Catholic.

27. The proposed variation for 2026 would have the following effect:
- 27.1. Catholic applicants resident in the named parishes are currently afforded greater priority than other Catholic children; the proposed variation removes this priority and affords equal priority to all Catholic applicants.
 - 27.2. The current arrangements afford no priority to applicants on the basis of sibling links; the proposed variation affords priority to non-Catholic applicants with a sibling at the School above other non-Catholic applicants.
28. The School has stated that the proposed variations are required due to the renaming of the parishes which form the School's catchment area. The proposed oversubscription criteria remove the catchment area entirely and have other effects, including on the prioritisation of applicants with a sibling at the School as set out above.
29. I asked SPCP to provide details of the change of circumstances that has led to the necessity to vary the priority afforded to siblings of children at the School. It stated:
- “the proposed variation is to ensure that our admissions policy aligns with that of other local Catholic Schools and especially that of Corpus Christi Catholic Primary which is already part of the Edith Stein Catholic Academy Trust which our school will be joining.”
30. There are currently two schools within the Trust, as shown on GIAS and on the Trust's website. Corpus Christi Catholic Primary School provides education for children aged five to eleven years. That school does not appear to have published arrangements for 2025 or 2026; SPCP provided the arrangements for 2024 which prioritise applicants on the same basis as that proposed. The second school, Oaklands Catholic School, is a secondary school for children aged 11 to 18 years. Although “Catholic students” form the second criterion in both its 2025 and 2026 arrangements, and no catchment area is in use, other oversubscription criteria differ from those proposed by SPCP, including in respect of the prioritisation of siblings.
31. According to GIAS, there are two other Roman Catholic schools within five miles of SPCP. St Thomas More's Catholic Primary School, Havant, is, according to GIAS (which measures straight line distances) 1.31 miles from SPCP. The 2025 arrangements for that school use specified parishes as a catchment area, as in SPCP's determined arrangements. The arrangements for 2026 do not appear to have been published. The remaining school, St Paul's Catholic Primary School, is 3.46 miles from SPCP. Both the 2025 and 2026 arrangements for that school prioritise applicants on the same basis as that which is proposed for SPCP.
32. In short, it seems that if I approve the proposed variations then this may bring the

arrangements of the School in line with the primary school within the Trust but not with the secondary school. The variations would align the arrangements of the School with those of at least one other local Catholic school. I find nothing inherently unreasonable in a school's desire to align its arrangements to other schools in its area or to those within a trust to which it belongs. However, the only relevant provision in the Code which permits variations after admission arrangements have been determined is the provision in paragraph 3.6 which allows variations to be made where necessary in view of a major change of circumstances. The School has not asserted that any major change of circumstances has occurred which necessitates, or would justify, the alignment of its arrangements with those of other schools.

33. The variation request form asks: "What problems have arisen, or are foreseen, as a result of this change in circumstances?". In response the School stated:

"To clarify admission arrangements for parents and carers as a result of the name change of our parish area."

34. Both sets of arrangements set out the oversubscription criteria clearly and succinctly. There will be a need to revise the arrangements in some regard to account for the renaming of parishes. This is recognised by the Diocese, which expressed the following view of the proposed variations:

"We are fully supportive of the requested variation. As part of the diocese 10 year plan parishes are combining to form one larger parish sharing resources. This means that schools who have previously stated a parish in their admissions policy will need to revise their policy to incorporate the new name or find a new way to express the local Catholic geographical area."

35. The proposed variations go far beyond the need stated by the Diocese to include the new names of parishes or redefine the geographical, or catchment area which is used to prioritise applicants. The School has expressed a need for clarity. I do not find that, say, removing the prioritisation of Catholic siblings from the 2025 arrangements or introducing sibling priority for non-Catholic children to the 2026 arrangements, are simply matters of clarity.

36. SPCS provided data which show that in 2025, children were admitted under seven of the ten oversubscription criteria with a similar picture in previous years. As the prioritisation of applicants is proposed to change significantly, interested parties are likely to have a view. Parents may have concerns that, say, the likelihood of their children gaining a place at SPCP will be affected. However, as stated above, when arrangements are revised via variation there is no requirement for consultation.

37. The governing body minutes recorded:

“Admissions Policies – it is necessary to go back out to consultation for the 2025/26 and 2026/27 policies, due to the renaming of the parishes. The consultation needs to be for a minimum of 6 weeks. It was agreed that this will be arranged shortly, with a view to the revised policies being brought to the September meeting; along with the 2027/28 policy.

This change will affect, and be in line with, all local Catholic schools.”

38. I must be clear that if I approve the variations then the oversubscription criteria will be revised as proposed, with revisions limited to the proposals which I have approved. Although the School has indicated its intention to consult, this would have little or no effect. The arrangements would have already been revised, irrespective of the views of parents and other interested parties.
39. I have considered whether the proposed variations are justified by the major change in circumstances identified by the Admission Authority. The Admission Authority has stated that the major change of circumstances which caused it to require the variations is the renaming of parishes. The proposed variations have effects beyond that change. I am not persuaded that varying the arrangements as proposed, without any meaningful consultation, is a proportionate response to, or justified by the change of circumstances.
40. The Admission Authority has not presented a compelling argument for the variations it proposes. I therefore do not approve the proposed variation for 2025 or the proposed variation for 2026.
41. Revising the arrangements to include the new names of the parishes that form the catchment area of the School is a matter that could be achieved via variation. If the School wishes to submit a variation request on this basis, then it is most welcome to do so.
42. For the sake of completeness I note that the Diocese posed the following queries:

“Where schools need to alter the parish name in their admissions policy is the route of the schools adjudicator the right one? Is there anything that the diocese can produce for your office to aid these requests, as over the next few years there are likely to be more.”
43. As stated in paragraph 3.6 of the Code, once admission arrangements have been determined for a particular school year they cannot be revised by the admission authority unless such revision is necessary to give effect to a mandatory requirement of this Code, admissions law, a determination of the Schools Adjudicator or any misprint in the admission arrangements. This means that arrangements cannot be revised to alter parish names unless a variation is agreed by the adjudicator or by the Secretary of

State if the school is an academy. I appreciate the willingness of the Diocese to assist the OSA on this matter. I suggest that it would be most helpful if the Diocese could work with its schools to ensure that requests for such variations follow a consistent, simple format and are limited to the requirement for parish names to be amended. Individual application forms will need to be submitted to the OSA for each maintained school variation. However the variations for all schools might be able to be done in the form of a single determination if the applications are all submitted at the same time.

Determination

44. In accordance with section 88E of the School Standards and Framework Act 1998, I do not approve the proposed variation to the admission arrangements determined by the governing body for St Peter's Catholic Primary School, Waterloooville for 2025.
45. In accordance with section 88E of the School Standards and Framework Act 1998, I do not approve the proposed variation to the admission arrangements determined by the governing body for St Peter's Catholic Primary School, Waterloooville for 2026.

Dated: 4 September 2025

Signed:

Schools Adjudicator: Jennifer Gamble