



Determination

Case reference: **ADA4439**

Objector: **Hampshire County Council**

Admission authority: **Bohun Education Trust for Bohun Farnborough**

Date of decision: **27 August 2025**

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements for September 2026 determined by the Bohun Education Trust for Bohun Farnborough in the local authority area of Hampshire County Council.

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

By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements within two months of the date of the determination.

The referral

1. Under section 88H(2) of the School Standards and Framework Act 1998 (the Act), an objection has been referred to the adjudicator by Hampshire County Council to the admission arrangements for September 2026 for Bohun Farnborough (the arrangements). Bohun Farnborough (the School) is a secondary school for children aged between 11 and 16.

2. Bohun Education Trust (the Trust) is the admission authority for the School. Hampshire County Council (the local authority) is the local authority for the area in which the School is located. The Trust and the local authority are the parties to this objection. The objection contains the following matters.

- 2.1. The consultation conducted prior to changes in the admissions arrangements did not meet the requirements of the School Admissions Code (the Code). Paragraphs 1.45 to 1.47 of the Code are pertinent.
- 2.2. The feeder schools named in the arrangements have not all been selected on transparent and reasonable grounds and could cause unfairness. Paragraphs 14 and 1.15 of the Code are pertinent.

Jurisdiction

3. The terms of the academy agreement between the 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 on that basis. The local authority submitted its objection to these determined arrangements on 17 April 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.

Procedure

4. In considering this matter I have had regard to all relevant legislation and the Code. The documents I have considered in reaching my decision include:

- a. a copy of the minutes of the meeting of the Trust at which the arrangements were determined and a copy of the determined arrangements;
- b. the form of objection completed by the local authority, supporting documents and further information provided at my request including maps of the area showing relevant schools and the home locations of students currently at the School;
- c. the Trust's comments on the objection and further information provided at my request.

The Objection

5. There were two elements in the local authority's objection. One related to the consultation. The other related to the selection of feeder schools named in the oversubscription criteria.

Consultation

6. The local authority said that the consultation did not meet the requirements of the Code as the information provided to the local authority did not provide information on changes to the feeder schools to be named in the arrangements. The relevant paragraphs of the Code are:

“1.45 When changes are proposed to admission arrangements, all admission authorities **must** consult on their admission arrangements (including any supplementary information form) that will apply for admission applications the following school year. Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities **must** consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period.

1.46 Consultation **must** last for a minimum of 6 weeks and must take place between **1 October** and **31 January** in the determination year.

1.47 Admission authorities **must** consult with:

- a) parents of children between the ages of two and eighteen;
- b) other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions;
- c) all other admission authorities within the relevant area (except that primary schools need not consult secondary schools);
- d) whichever of the governing body and the local authority is not the admission authority;
- e) any adjoining neighbouring local authorities where the admission authority is the local authority; and
- f) in the case of schools designated with a religious character, the body or person representing the religion or religious denomination.”

Feeder schools

7. The local authority said,

“The revised selection of linked/feeder schools has not been made on transparent or reasonable grounds as required by section 1.15 of the Code and creates unfairness for local families, breaching section 1.15 of the Code.”

8. Paragraph 1.15 of the Code says,

“Admission authorities may wish to name a primary or middle school as a feeder school. The selection of a feeder school or schools as an oversubscription criterion **must** be transparent and made on reasonable grounds.”

9. As the objection is to an oversubscription criterion, paragraph 1.8 of the Code is also relevant. Paragraph 1.8 says (as far as relevant here),

“Oversubscription criteria **must** be reasonable, clear, objective, procedurally fair, and comply with all relevant legislation, including equalities legislation. Admission

authorities **must** ensure that their arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs".

10. The local authority has also suggested that the arrangements may be unfair and so paragraph 14 of the Code is relevant:

"In drawing up their admission arrangements, admission authorities **must** ensure that the practices and the criteria used to decide the allocation of school places are fair, clear, and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated."

11. I have also considered other matters in the arrangements, which I thought may not meet the requirements of the Code, and which I brought to the attention of the Trust. I will consider these below under the heading, 'Other Matters.'

Background

12. The published admission number (PAN) for the School is 180, as it was in 2025. The PAN is the minimum number the admission authority will admit in the normal year of entry if there is sufficient demand, which is year 7 in the case of the School. The Trust told me that the School has not admitted to its PAN in recent years and therefore there has been no need to apply the oversubscription criteria.

13. The Trust said that "Bohun Farnborough joined the Trust in January 2024 as a school that had been RI (requires improvement) or inadequate for over 10 years. The Trust has spent the last year working to support the school with its improvement journey." There is no current Ofsted report for the School.

14. The oversubscription criteria for the School for 2025 were, in summary:

- 1) Looked after and previously looked after children
- 2) Children with a social and/or medical need to attend the School
- 3) Children of staff employed at the School
- 4) Children with a sibling attending the school and living in the catchment area
- 5) Children living in the catchment area
- 6) Children living outside the catchment area with a sibling at the School
- 7) Children living outside the catchment area attending one of the following named schools (in alphabetical order):
 - a. Cherrywood Community Primary School (Cherrywood)
 - b. Fernhill Primary School (Fernhill)

- c. Grange Community Junior School (Grange)
- d. Guillemont Junior School (Guillemont)
- e. Hawley Primary School (Hawley)
- f. Manor Junior School (Manor).

8) Other children.

15. The oversubscription criteria determined for 2026 are, in summary:

- 1) Looked after and previously looked after children
- 2) Children with a social or medical need to attend the School
- 3) Children of staff employed at the School
- 4) Children with a sibling attending the School
- 5) Children living the catchment area and attending one of the following named schools (in alphabetical order):
 - a. All Saints Junior School (All Saints)
 - b. Elvetham Heath Junior School (Elvetham Heath)
 - c. Grange
 - d. Guillemot
 - e. Hawley Primary School / South Farnborough Junior School
 - f. St Bernadettes Primary School (St Bernadettes)
 - g. St Peter's Church of England Junior School (St Peter's)
 - h. The Ferns Primary Academy (The Ferns)
 - i. Tower Hill Primary School (Tower Hill)
 - j. Velmead Junior School (Velmead)

6) Children living in the catchment area not attending one of the named schools

7) Children living outside the catchment area in the following order of priority:

- a. Those attending one of the named schools
- b. Children eligible for the service premium
- c. Children living closest to the School.

16. The headteacher for the School left at the end of December 2024 and a new headteacher took up the role from January 2025.

Consideration of Case

Consultation

17. I asked (via the case manager) the Trust to provide the details of its consultation for changes to the School's admission arrangements. I asked that this should include:

- a. "The dates of the consultation (commenced and closing date).
- b. What information was provided to who, how and how responses were to be made. This should take into account paragraph 1.47 of the Code and the parties listed there to be consulted.
- c. Any report made to the governing body or trust following the consultation and the minutes of the meeting where the responses to the consultation were considered."

18. The Trust told me that the changes in staffing while the consultation was in progress meant that not all information was available. The Trust said, "unfortunately the consultation was not fully carried out as the trust instructed. I have attached the letter that [was] sent out as part of the consultation".

19. This consultation letter is dated 'December 2024'. There were three responses to the consultation. One commented that the letter was received in the last days of the autumn term. It is not clear for how long the consultation was held, which should have been a minimum of six weeks (paragraph 1.46 of the Code).

20. The letter provided by the Trust that was sent out as part of the consultation (dated December 2024) says,

"The substantive changes are around how the School decides to offer places to students only where there are more applicants than places available. These are as follows: -

There is no change to the first three priorities:

- first priority looked after/Previously looked after children;
- second priority exceptional social/ medical needs (with evidence as set out in policy) and
- third priority children of staff (in skills shortages OR with at least 2 years service

- the fourth priority will become all siblings of children already on roll at the School, regardless of where the sibling lives (but they must live in the same household)

(currently, priority is given only to siblings of children already on roll who live in catchment after the first three categories)

- the fifth priority will become children in catchment who attend a linked school, namely:

- All Saints Junior School
- Cove Junior School
- Elvetham Heath Junior School
- Grange Community Junior School
- Guillemont Junior School
- Hawley Primary School
- South Farnborough Junior School
- St Bernadettes Primary School
- St Peters C of E Junior School
- The Ferns Primary Academy
- Tower Hill Primary School
- Velmead Junior School

- sixth priority will become all other children in catchment (currently sibling of children on roll but who live outside of catchment)

- seventh priority will become all children living out of catchment who, in order of priority, attend a linked school (no change to current priority); then who are eligible for the Service Premium (this is a new priority) and then all other children.

The rationale for these changes is that we consider, as a school, it is important to keep families together as this enables us to build strong home school relationships over time, and allows us and our families to feel part of a stronger community. It's therefore important to us that families with siblings can all attend the same school, where this is the choice of parents. Where we are linked to a primary School, this further strengthens our mutual commitment to the whole community we serve with our primary schools, community and enables primary Schools to benefit from a formal link in all areas of school activity, again allowing families with children at different phase of education to stay closer together. For the same reason we will prioritise children who live in our catchment to enable a sense of overall community. We have a tradition of armed service in families who live outside of catchment but who wish to send their children to our School, and we wish to recognise the needs of such children that we know we can effectively support through the introduction of a new priority in priority 7."

21. There is little information available regarding to which parties this letter was sent. The Trust provided the three responses to the consultation. These responses include comments from Cove, a school proposed as a feeder school and the comments said that it had heard about the consultation by chance. Cove asked not to be named. The local authority, one of the required consultees, told me that it did not receive a copy. I am given the impression that no parent was consulted on any of these matters and possibly only some secondary schools and some of the proposed feeder schools were consulted. It is a legal requirement that all those listed in paragraph 1.46 of the Code must be consulted and this did not occur. The consultation did not meet the requirements of the Code and I uphold this part of the objection.

Feeder schools

22. The local authority said in its objection,

“Hampshire County Council objects to the addition of the all the new feeder schools as they do not believe that they have been made on transparent or reasonable grounds. There does not appear to be a clear rationale for their inclusion nor has any active co-operation and links between the schools been demonstrated. Very few children ‘feed’ from these schools to Bohunt Farnborough.”

23. The Trust said in response to my enquiries, “I am unable to find any clear explanation as to the reasoning...used for all the schools to be added as linked... schools as you have requested.”

24. I note that two local secondary schools that did receive the consultation letter, objected to the additional feeder schools in their responses. The reasons given are similar to those made by the local authority which are that:

- 24.1. The removal of two local schools as feeder schools will disadvantage children living locally; and
- 24.2. The newly added feeder schools are some distance from the School and adding them may disadvantage children living locally.

25. In addition, one secondary school said,

“Fairness and Equity: The proposed increase may inadvertently favour certain groups over others, leading to potential inequities in the admissions process. It’s essential to ensure that all applicants have an equal opportunity for admission. In addition, this acts outside the spirit of traditional patterns with other local schools and lead to confusion for parent[s], and could have significant financial implications to other local schools.”

26. The local authority particularly brought to my attention that two local schools, less than a mile from the School, that had been feeder schools to the School had been removed as feeder schools and six distant schools added. The six schools added as feeder schools

have minimal history of children going to the School; the local authority provided evidence of the handful of children joining year 7 at the School in 2025 from the six schools.

27. The Trust has been very honest in its own concerns regarding the matters raised in this objection and cannot provide any rationale for the addition of the six schools. This honesty is helpful as it indicates clearly that the six schools were not named as feeder schools on transparent and reasonable grounds. The arrangements therefore do not meet the requirements of paragraph 1.15 of the Code.

28. The removal of Cherrywood Primary School and Manor Junior School as feeder schools also does not have any rationale that the Trust can offer. In addition, the removal of two schools located less than a mile away from the School and the addition of six schools up to four miles from the School is likely to create unfairness as it could mean that (if the School becomes oversubscribed and children at these former feeder schools are unable to secure places), children living very locally to the School would have long journeys to go to other schools as a result.

29. The Trust explained that the School has not been oversubscribed and so these changes are unlikely to have any effect in the near future on admissions. However, the naming of feeder schools has not occurred on transparent or reasonable grounds and could (as I have said) lead to unfairness if the School becomes oversubscribed. I therefore uphold this aspect of the objection.

Other matters

30. The arrangements say,

“In the case of multiple births, where children are ranked consecutively in their order of priority for a place and there are not sufficient vacancies remaining for each of them, wherever it is logically possible, each child will be offered a place. Where it is not logically possible to offer each child a place the child(ren) to be offered the last remaining place (s) will be determined by the drawing of lots. The remaining sibling(s) will be placed at the top of the waiting list, after any looked after or previously looked after child.”

31. This could imply that a child or children from a multiple birth whose sibling or siblings have been offered a place at the School is second priority in the oversubscription criteria. This is not consistent with the oversubscription criteria and so does not comply with paragraphs 14 and 1.8 of the Code to be clear.

32. Paragraph 2.15 of the Code which says, “Each admission authority **must** maintain a clear, fair, and objective waiting list until at least 31 December of each school year of admission, stating in their arrangements that each added child will require the list to be ranked again in line with the published oversubscription criteria.” My emphasis is added through underlining. The arrangements do not include such a statement as underlined above and so do not comply with paragraph 2.15 of the Code in this regard.

33. Paragraph 2.18 of the Code says, “Admission authorities **must** make clear in their admission arrangements the process for requesting admission out of the normal age group.” It is not clear in the arrangements how a parent should make such a request, for example, to what body or person the request should be made. This must be made clear.

34. The Trust must amend the admission arrangements to address these other matters within two months of the date of this determination.

Summary of Findings

35. I find:

- 35.1. The consultation held regarding changes to the admission arrangements for 2026 did not comply with the requirements of the Code.
- 35.2. Some of the feeder schools named in the arrangements have not been named on transparent or reasonable grounds. The arrangements do not comply with the Code in this respect.
- 35.3. Two previous feeder schools have been removed from the arrangements without justification and the removal may lead to unfairness if the School becomes oversubscribed. The Code requires arrangements to be fair.

36. I have raised other matters as described above, which must also be addressed.

Determination

37. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements for September 2026 determined by the Bohunt Education Trust for Bohunt Farnborough in the local authority area of Hampshire County Council.

38. 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.

39. By virtue of section 88K(2) the adjudicator’s decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements within two months of the date of the determination.

Dated: 27 August 2025

Signed:

Schools Adjudicator: Deborah Pritchard