



Office of
the Schools
Adjudicator

Determination

Case reference: ADA4397, 4399-4402, 4407, 4421, 4422, 4426, 4427, 4429, 4431, 4444, 4445, 4448, 4449

Objector: 16 parents

Admission authority: The Gosforth Federated Academies Limited for Great Park Academy, Newcastle upon Tyne

Date of decision: 15 September 2025

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements for September 2026 determined by the Gosforth Federated Academies Limited for Great Park Academy, Newcastle upon Tyne.

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 unless an alternative timescale is specified by the adjudicator. In this case I determine that the arrangements must be revised by 30 September 2025.

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 sixteen objectors (the objectors) who are parents of children already attending the school, about the admission arrangements (the arrangements) for Great Park Academy (GPA, the school) for admissions to Year 5 in September 2026. The school is an academy school for children between the ages of 9 and 16. It is a middle school, deemed secondary.

2. The objections concern a change which the admission authority has made to the school's arrangements from those which applied to admissions in September 2025. Compared to the 2025 arrangements, those for 2026 give children attending feeder schools a higher priority than children who have an older sibling at the school. The objectors have (variously) stated their objections to this change in terms of the consultation which preceded the determination of the arrangements, the reasonableness of the oversubscription criteria which have been determined and the fairness of their effect and have also questioned whether the feeder schools named in the arrangements have been selected on reasonable grounds. I shall set the objections out more fully below.

3. The local authority (LA) for the area in which the school is located is Newcastle upon Tyne City Council. The LA is a party to this objection. The other parties to the objection are the objectors and the multi-academy trust which is the admission authority for the school.

Jurisdiction

4. 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 academy school are in accordance with admissions law as it applies to maintained schools. These arrangements were determined by the academy Board of Trustees, which is the admission authority for the school, on that basis on 13 February 2025.

5. The objectors submitted their objections to these determined arrangements between 4 March 2025 and 11 May 2025. Two of the objectors have asked to have their identity kept from the other parties and have met the requirements of Regulation 24 of the School Admissions (Admission Arrangements and Co-ordination of Admission Arrangements) (England) Regulations 2012 by providing details of their names and addresses to me. I am satisfied the objections have been properly referred to me in accordance with section 88H of the Act and they are within my jurisdiction. I have also used my power under section 88I of the Act to consider the arrangements as a whole.

Procedure

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

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

- a. a copy of the minutes of the meeting of the Board of Trustees at which the arrangements were determined;
- b. a copy of the determined arrangements and those which applied for Year 5 admissions to the school in September 2025 and 2024;
- c. the objectors' forms of objection dated 4 March to 11 May 2025;
- d. the trust's response to the objections;

- e. further information provided by the trust and the LA at my request;
- f. comments made by the parties, including some of the objectors, on material provided to me by the other parties;
- g. the local authority's composite prospectus for admissions to secondary schools;
- h. a map of the area identifying relevant schools;
- i. confirmation of when consultation on the arrangements last took place, details of the nature of the consultation and responses to it;
- j. previous determinations concerning the school's admission arrangements for September 2025 (ADA4307), those for Gosforth Academy (ADA4253 etc) and for Gosforth Junior High Academy (ADA4317) also for 2025;
- k. information available on the websites of the school, other schools in the area, the local authority and the Department for Education (DfE).

The Objections

8. Each of the 16 objectors submitted a form of objection and each indicated that their status was that of a parent. Nearly all also stated, or implied, that they were the parent of an older child who was already attending the school and that this child's younger sibling would be seeking a Year 5 place at the school in September 2026.

9. Many of the forms of objection used identical, or near identical, wording although some were also lengthy in expressing the reasons behind their objection. It is not possible for me to include here everything that each of the objectors has said, although I will cover the arguments that have been put forward in what follows. I am content that the objections as a whole can be summarised in the form in which I set them out when confirming my jurisdiction for the parties, which was as follows:

- (i) Whether the consultation carried out by the school's admission authority conformed with the requirements set out in paragraphs 1.45-1.48 of the Code and the relevant regulations.
- (ii) Whether the arrangements are in breach of paragraph 1.8 of the Code because they contain oversubscription criteria which are not reasonable and which unfairly discriminate against children from a particular social group. I also understand objections which have been made to be that the arrangements as a whole do not comply with paragraph 14 of the Code because the criteria which they employ to decide the allocation of school places fail to be fair in their effect.
- (iii) Whether the feeder schools named in the arrangements for Year 5 admissions have been selected on reasonable grounds and therefore whether they conform with paragraph 1.15 of the Code.

None of the objectors has responded to me suggesting that this was an inaccurate or incomplete description of their objection.

10. One objector, who submitted their form before the deadline of 15 May for objections to be made, made further objections to the arrangements, which were:

- (iv) that the tie-breaker which uses distance from the school to a child's home to distinguish between applications is unclear, and
- (v) that the arrangements (in which can be seen the arrangements for all the schools which are part of Gosforth Federated Academies Group) unfairly disadvantage children attending Brunton First School by naming it as a feeder school for both Great Park Academy and for another academy while the other first school located in the area known as Great Park, Havannah First school, is named as a feeder school only for Great Park Academy.

Other Matters

11. When I looked at the arrangements, it appeared that the following matters did not, or may not, conform with the requirements concerning them:

- (i) that the statement contained in the arrangements concerning the admission of children outside their normal age group does not conform with the requirement of paragraph 2.18 to make the process clear for parents, because no information is provided as to the appropriate professionals whose evidence might be considered relevant by the admission authority.
- (ii) that the term "sibling" is not adequately defined, making the oversubscription criterion which uses it unclear in breach of paragraph 1.8 of the Code, and the arrangements unclear in breach of paragraph 14 of the Code.

Background

12. I am grateful to the LA for providing me with a description of the pattern of schooling in its area and the progression routes for children where this is not based on a primary/secondary, two-tier split. It told me that of the 89 mainstream schools in Newcastle, most are in a two-tier system, but that in the north of the city, in its Gosforth planning area, the system is three-tier. Part of this area is known as Great Park.

13. The three-tier system comprises:

- nine first schools (Years R to Year 4)
- three middle schools (Years 5 to Year 8)
- one high school (Years 9 to 13) (Gosforth Academy)
- one all through middle-high school (Years 5 to 11) (GPA)

The LA told me that there are at this time 540 Year R places in the first schools, 548 Year 5 places in the three middle schools and GPA combined (for 2026), and 600 Year 9 places in

Gosforth Academy and GPA combined (of which 120 progress from Year 8 to Year 9 within GPA). The LA told me that: “Students transition between each phase of education through the transfer process, with middle and high schools prioritising feeder schools in their oversubscription criteria.” I understand from this that the LA is of the view that schools in the three-tier system seek to provide children who enter it with the best opportunity to progress through the three tiers for the whole of their schooling.

14. The LA provided me with a map showing the location of the 14 schools in the three-tier system and of the area known as Great Park, which it defined as “the Great Park housing development (Postcodes:NE13 9 and NE3 5R)”. This area lies between the location of most of the first and middle schools and of Gosforth Academy, which are all in or near Gosforth itself, and the first school in Dinnington to the northwest. There are two first schools in Great Park, Havannah First School and Brunton First School. The LA’s map did not provide distances but my own assessment using Googlemaps is that the distance from Dinnington to Great Park is about 2 miles and that the same distance separates Great Park and the area of Gosforth where most of the schools in the three-tier system are located. Therefore, all the schools except Dinnington First School are either close together in Gosforth or on the Great Park development about two miles away.

15. GPA opened in September 2021 in response to the growing demand for school places in the Great Park area, which has experienced substantial housing development in recent years, admitting pupils to Year 5. It first admitted pupils to Year 9 in September 2024. Since its opening the school has been housed in what the trust has described as “a newly constructed, self-contained, purpose-built temporary facility located on the Gosforth Academy site.” (That is to say, in Gosforth and not in the Great Park development area). Both the trust and the LA have recently assured me that the school will relocate to its permanent home, within Great Park, in September 2025. The relocated GPA will therefore also be about 2 miles from its temporary site on the Gosforth Academy site.

16. The Gosforth Federated Academies Limited (the trust) comprises GPA, Gosforth Junior High Academy (one of the three middle schools in Gosforth) and Gosforth Academy, together with three secondary schools which are in the two-tier system: North Gosforth Academy (in neighbouring North Tyneside), Jesmond Park Academy and Callerton Academy. As far as the three-tier system of schools in Newcastle is concerned, the trust is therefore the body whose admission arrangements are relevant to admissions to Year 5 (at Gosforth Junior High Academy and at GPA) and to Year 9 (at GPA and at Gosforth Academy). All the other schools in the three-tier system are their own admission authority (one being voluntary aided, the remainder being foundation schools).

17. It is relevant background that the determined admission arrangements for GPA for admissions in 2025 use different oversubscription criteria for the two normal points of entry (Years 5 and 9). The oversubscription criteria for entry to Year 9 in these arrangements are the same as those used for Year 9 entry to Gosforth Academy. Essentially, the Year 5 oversubscription criteria for GPA gave priority to siblings of children already at the school, whereas the Year 9 oversubscription criteria do not. GPA’s arrangements for 2025 were the subject of a determination (ADA4307, September 2024) in which the adjudicator considered

a number of objections, one of which was that having different admission arrangements for the two points of entry “causes confusion and is illogical”. The adjudicator did not uphold this objection, saying that “there is nothing inherently unreasonable in such an approach”, but when referring to the trust’s stated wish to align the admission arrangements for Year 5 and Year 9 at GPA cautioned that “...any change must be carefully considered. If, for example, the Year 9 criteria were adopted for Year 5, then a parent who intended to apply for a Year 5 place on the basis that their child would be afforded sibling priority may be disadvantaged.”

18. Across the trust’s schools, the admission arrangements for 2025 give a priority to siblings in their oversubscription criteria for some schools, and for some years of entry. Where there is a sibling priority, it sits in different positions in the order of the school’s oversubscription criteria compared to the priority given to children attending feeder schools, as follows:

- Priority to siblings is below the feeder category - Gosforth Junior High (Year 5) and Jesmond Park (Year 7)
- Priority to siblings is above the feeder category – Callerton Academy (Year 7) and GPA (Year 5)
- No priority for siblings – Gosforth Academy, GPA (Year 9)

19. Following the consultation which it carried out, which I shall examine below, the trust determined admission arrangements for GPA for September 2026 on 13 February 2025. These were published as part of a document entitled “Gosforth Group Admissions Policy for September 2026”, which included a single set of oversubscription criteria relevant to all points of entry across the trust’s schools. These oversubscription criteria are, in summary:

- (i) Looked after and previously looked after children (as defined)
- (ii) Pupils with a specific medical need
- (iii) Attendance at a designated feeder school (as listed for each school)
- (iv) Children with a “brother or sister (a sibling)” (not further defined)
- (v) Pupils not attending a designated feeder school

20. The arrangements also said, in connection with the process which parents should follow to request that their child be admitted to an age group other than their normal age group, that parents should include with their request “any supporting evidence from appropriate professionals”, but no more. The tie-breaker used to separate otherwise equally qualified applicants which is described in the arrangements is the distance from their home to the school.

21. The arrangements give the PAN for Year 5 admissions to GPA in 2026 as 120. The number of first and other preferences which parents expressed for a Year 5 place at the

school in recent years is as shown in the following table (with those from parents living in the Great Park area shown in brackets):

School year	First preferences	Other preferences
2025/26 (PAN 120)	155 (107)	270 (52)
2024/25 (PAN60)	90 (80)	231 (46)
2023/24 (PAN 60)	88 (69)	213 (36)

That is to say, the school has been oversubscribed with first choice applications in each of the last three years (including from parents living in the Great Park area itself, until September 2025 when the PAN was doubled).

22. The trust has provided the following information showing the number of Year 5 places at the school which were allocated under each of the oversubscription criteria in these three years (figures for 2025 were those anticipated in May 2025):

Oversubscription criterion	September 2023 (PAN 60)	September 2024 (PAN 60)	September 2025 (PAN 120) (1 EHCP admission anticipated)
LAC/PLAC	0	1	2
Siblings	13	19	36
Children of staff	0	0	0
Feeder schools	47	40	81
Distance/other	0	0	0

23. The effect of the arrangements up to and including 2025, has been that all children who had an older sibling at the school have secured a place in each of the last three years. It can also be seen that oversubscription has occurred in each of these years for children who were attending one of the school's designated feeder schools, meaning that some children to whom this oversubscription criterion applied were not admitted because the school was full at that point. The arrangements for these years provided a tie-breaker of

random allocation, meaning that this process will have been applied to determine which children attending a feeder school were offered the remaining places up to the designated PAN.

24. I have also taken from the above data that, across the three most recent years there have been a total of 68 children admitted to Year 5 at the school who had an older sibling, which is an average of almost 23 per year. So I think it reasonable to assume that there would usually be 20-25 such children.

Consideration of Case

25. I shall consider the different matters which have been objected to, in the order set out above.

A. The consultation

26. When I wrote to the parties setting out my jurisdiction concerning the objections, I included an explanation about the limit to which an adjudicator has the power to overturn determined admission arrangements because of any failure on the part of an admission authority to carry out a Code compliant consultation prior to that determination. I said :

“Objectors have objected to a number of aspects of the admission arrangements, and have also alleged that the consultation process which was conducted before the arrangements were determined was flawed. It is open to an adjudicator to determine that there has been a failure to consult in accordance with the relevant legal requirements, and therefore a failure to comply with both the 2012 School Admissions Regulations and the School Admissions Code. 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 Regulations and the Code. Nor can the adjudicator require the admission authority to re-instate the previous year’s arrangements.”

27. Nevertheless, I have a duty under section 88H of the Act to consider the objections which have been made, and to decide whether the consultation was deficient. The requirements which must be met are, to a great extent, summarised in the Code in paragraphs 15, 1.3 and 1.45-1.48. I list here the main requirements of these paragraphs:

- (i) There **must** be an annual determination of admission arrangements by the admission authority and “Where changes are proposed to admission arrangements, the admission authority **must** first publicly consult on those arrangements.”
- (ii) Consultation **must** be for a minimum period of six weeks between 1 October and 31 January in the “determination year”.
- (iii) The parties who **must** be consulted are set out in paragraph 1.47, and these include “parents of children between the ages of two and eighteen”.

- (iv) For the duration of the consultation, the admission authority **must** publish a copy of their full proposed admission arrangements on the school's website together with details of where comments may be sent.

28. The trust has provided me with the details of the consultation which it carried out together with copies of relevant documents which were used. The consultation ran from 25 November 2024 to 20 January 2025, a period of eight weeks within the prescribed period. The trust has set out the means by which the required parties were consulted, including the communication sent to Headteachers and Principals which asked them to actively share information which the trust had provided with parents. Although no mention is made of seeking to reach the parents of the youngest children, for instance through pre-school organisations or GP surgeries, what was done is broadly acceptable. I have also seen the documentation which appeared on the school's website and the materials used to consult the LA and nearby North Tyneside Council. In respect of each of these matters, the consultation was carried out in accordance with the relevant requirements.

29. However, the complaint which objectors have made is that the change made to the oversubscription criteria, which gives a higher priority to children attending feeder schools than to children with older siblings at the school, was not consulted on. The consultation documents referred to above, which included a copy of the proposed admission arrangements, did not include this change and retained the priority for siblings as the third oversubscription criterion, with the priority for those attending feeder schools as the fourth oversubscription criterion, in a single set of arrangements covering all the schools in the trust located in the LA's area, and covering admissions to those schools at Year 5 and Year 9. The proposed arrangements included the use of distance between home and school as the tie-breaker, replacing the use of random allocation in the 2025 arrangements, although I can find no specific mention of this in the consultation documents other than as set out in the proposed arrangements. I shall refer to this again below.

30. The trust has told me that "Changes to the admission policy, including the adjustment to the sibling priority, were made directly in response to consultation feedback, after it became clear that pupils from designated feeder schools could be displaced." When the arrangements were determined, they were in the form given above, with the sibling priority below the feeder school priority. The LA had told me that "NCC was consulted appropriately and responded, some of the subsequent changes made in the policy reflect feedback made by the local authority." I therefore asked to see a copy of its consultation response. After further clarification from the LA as to which year of entry comments made in that feedback referred to, it is clear that the LA's view expressed in the consultation feedback that the proposed arrangements (which gave a higher priority to siblings than to those in feeder schools) would have the effect for other schools in the trust of "displacing children from feeder schools". By this I understand that the arrangements would mean that some applications from parents of children in Year 4 in a feeder school would be unsuccessful. The LA had not made a specific reference to the Year 5 admission arrangements at GPA in its response but nevertheless told me later that it was its view that having the sibling criterion above the feeder school criterion "as in the 2025 arrangements and as in the proposed arrangements" would have this same effect.

31. The purpose of consultation is to enable the admission authority to be aware of the views of those likely to be affected by a proposed change before it makes its decision. It is open to an admission authority to decide, following consultation, not to proceed with changes it had proposed, or to adopt some other approach provided this is lawful. In this case, because the trust was seeking to bring together disparate admission arrangements that applied to its schools, it was inevitable that whatever it decided about the relative priority given to the two groups of children (siblings and those attending feeder schools) would have adverse consequences for some children falling within the group which was afforded lower priority, as pointed out by the adjudicator in previous determinations and by the LA in its consultation response.

32. It would have been possible for the trust to have anticipated these alternative possibilities when deciding to propose a unified set of admission arrangements across its schools and to have sought feedback on these different possibilities. Had it done so, this would have given the group of parents who have objected to the arrangements as determined the opportunity to express their views about the effect of this possible outcome (that is, that the trust decided not to determine arrangements in which siblings had higher priority than those attending feeder schools, but determined arrangements in which feeder schools were the highest priority) known to the trust as part of its consultation. However, the trust did not do this. This does not however mean that the consultation was flawed. The option of giving feeder school applicants higher priority than siblings was not an option which was being considered by the admission authority when it consulted on the proposed revisions to the school's arrangements. It is not for an admission authority to consult on different revisions which were not in contemplation at the time. There are a number of different options in terms of oversubscription criteria and priority levels for those criteria. The requirement in the Code is to consult on the changes proposed.

33. For all these reasons, I do not uphold the objections that it failed to conform with the necessary requirements.

The reasonableness of the oversubscription criteria and the fairness of the arrangements

34. Paragraph 1.8 of the Code says the following:

“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, and that other policies around school uniform or school trips do not discourage parents from applying for a place for their child. Admission arrangements **must** include an effective, clear, and fair tie-breaker to decide between two applications that cannot otherwise be separated.”

Paragraph 14 says:

“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.”

35. The reasons which objectors gave in support of their objections about the reasonableness of the oversubscription criteria, which I have understood to be objections also about the fairness of the arrangements (as explained above) were that these:

- (i) unfairly disadvantage families with siblings (implying that these form a social group)
- (ii) mean that siblings are likely to have to attend different schools, with younger siblings having to travel outside the Great Park area
- (iii) are unfair because families and older siblings have had to cope with the disadvantages of a new school operating from temporary premises in the belief that younger siblings would be able to attend the same school in due course
- (iv) do not take into account the benefit to children from the same family attending the same school.

I shall address these matters in what follows.

36. It was not until the end early July that both the trust and the LA provided me with their comments on these aspect of the objection. Surprisingly, both had not understood that this request had been made (although it was made in the standard terms used by OSA) and had to be reminded. The LA said that it did not consider that the arrangements were in breach of the Code and questioned the notion of there being a disadvantaged social group as referred to in paragraph 1.8 of the Code and as relied upon by many of the objectors. The trust simply said that it did not believe that its arrangements were in breach of either paragraph 1.8 or paragraph 14 of the Code.

37. I need here to provide some explanation of how the matters of reasonableness and fairness must be considered in relation to school admission arrangements. Neither “reasonable” nor “fair” is defined in the Code or elsewhere, and so each must be judged in context. There are however some guiding principles which help.

38. Public bodies, including admission authorities, must act reasonably in adopting any policy or making any decision. The bedrock of the legal understanding of unreasonableness is found in Associated Provincial Picture Houses Ltd v Wednesbury Corporation (1948) 1 KB 223. The test of “Wednesbury unreasonableness”, as it has become known, is whether a policy or decision is “so unreasonable that no reasonable authority acting reasonably could ever have come to it.”

39. It is only this sense of “reasonable/ reasonably” that adjudicators are concerned with. The Wednesbury definition sets a high bar for finding unreasonableness or perhaps, conversely, a low threshold for establishing that a policy or decision is reasonable.

Nevertheless, admission arrangements could be considered unreasonable if they can be seen to have a foreseeable effect which renders the rationale for adopting them untenable.

40. When considering the fairness of admission arrangements, which is a general requirement in paragraph 14 of the Code and a specific requirement relating to oversubscription criteria in paragraph 1.8, adjudicators focus on the effect of the arrangements on any relevant group. For there to be unfairness, it needs to be seen that there is an actual unfairness, such as a child not being able to access appropriate education within a reasonable travelling distance from their home, and for this not to be outweighed by the advantage which the same admission arrangements provide to other children. In other words, whether families feel a sense of having been treated unfairly for the reasons to do with the difficulties encountered by an older sibling in attending the school on its temporary site (as stated by many objectors) is not “unfairness” of this nature, and not something which can affect my decision. My focus is upon the effect of the arrangements for applicants to the school in September 2026.

41. I shall deal with the issue of whether the arrangements are likely to cause there to be an unfairness to some children at this point. I have described above the relatively compact geographical nature of the area in which the three-tier system operates, and the number of available places at the schools there. It is clear that there are enough Year 5 places in the three-tier system as a whole for all those transferring from Year 4 to obtain a place in Year 5 at one of the schools, even if it is not their preferred school. That means that it seems improbable that any child transferring from a first school anywhere in the three-tier system would not be able to secure a Year 5 place at one of the relevant schools or that this would not be within reasonable travelling distance of their home (under any reasonable expectation of what the admission arrangements of the schools involved might be). So, none are likely to suffer a disadvantage which would be considered to be unfair therefore the issue of relative advantage or disadvantage in relation to the question of fairness does not come into play. It is my view that the arrangements do not give rise to unfairness because any child not able to secure a Year 5 place at the school will in all probability secure one at one of the middle schools which will be within a reasonable distance of the child’s home.

42. I note here that it is also my view that when the Code refers to unfair disadvantage to “a child from a particular social or racial group”, it refers to socio-economic groups within society and (obviously) to racial groups. Families which have more than one child are spread across society and are prevalent in all socio-economic and racial groupings. I do not believe that they constitute a separate social group in themselves, and I do not therefore propose to consider further the objections which have been made on this basis.

43. Objectors have been clear in saying that they consider the oversubscription criteria in themselves not to be reasonable. It is therefore necessary, in order to address the objections about their reasonableness, for me to consider the probable effect which the admission arrangements will have, as well as the rationale which the trust employed in adopting them and matters such as whether the trust has taken all relevant matters into consideration before determining the arrangements.

44. The objectors have based their concerns on their belief that the arrangements are likely to result in a Year 5 child with an older sibling not being able to gain a place at the school. I asked the LA for its assessment as to whether this was likely, and if so if it could indicate the number of children for whom that would be the case. Its response was that it was difficult to quantify the likely effect in 2026 and future years, saying that since the feeder schools for GPA are also feeder schools for at least one other middle school, this would be dependent on parental preferences expressed by parents of Year 4 children (which have yet to be expressed). It pointed out that for admissions to GPA in September 2025, of the 36 Year 5 places offered on the basis of sibling priority on national offer day, 35 of these children also attended one of the feeder schools. I take from this that it is the LA's view that it is at least very likely that in any year a high proportion of children with older siblings at the school will also attend one of the feeder first schools.

45. As I have shown above, the previous admission arrangements have resulted in the situation that in recent years some children who attended feeder schools did not secure a place in Year 5 at GPA. So, for example, there were only 81 remaining places available to children from feeder schools for September 2025 in the most recent information which I have. As I have said, the LA's view is that this (that not all applicants from a designated feeder school would be admitted) would have continued to be the case in future years if the sibling priority had remained as the higher priority in the order of the oversubscription criteria.

46. Each of the nine first schools in the three-tier system is named as a designated feeder school for Year 5 admissions to GPA. The maximum total number of Year 4 children leaving these nine schools in any year is 540 (based on current PANs), of which 150 could potentially come from the two first schools on the Great Park development (Havannah First, PAN 60 and Brunton First, PAN 90). As objectors have pointed out, there are currently insufficient places in Year 5 at GPA to provide for this number of children. (I shall return to the issue of the named feeder schools and whether they have been named on reasonable grounds below).

47. For the moment my consideration is the likely effect of the arrangements as determined. It is also the case that the trust has previously indicated that it would wish to expand the number of Year 5 places at GPA, but when I asked whether it intended to seek a variation to the arrangements for 2026 to that effect its response in July 2025 was that it did not at that time intend to do this. The popularity of the school can be seen from the recent admissions figures shown above, and the LA told me that it has always been oversubscribed.

48. It is therefore almost certain, as objectors have told me, that the effect of the arrangements as determined will be that the 120 Year 5 places at GPA will be oversubscribed in 2026 in the feeder school category, and that since the tie-breaker in the arrangements is distance from the school (and no longer random allocation as in the 2025 arrangements) these places will be offered to those living on the Great Park development, where the school will now be located. I have noted that for admissions in 2025, there were a total of 159 expressed preferences from parents living in the Great Park area for the 120

available places. It seems likely to me that these preferences will have included all or nearly all those leaving Year 4 in the two feeder first schools located in Great Park.

49. Putting all this together, my view, notwithstanding the point about parental preference made by the LA which I accept, is that unless a child has been in attendance at one of the named feeder schools (and probably one of the two located on the Great Park development) a place at the school is unlikely to be available to it even if there is an older sibling at the school under the arrangements as determined (since all places will be filled before the sibling priority has any effect). There is, then, a real chance that some younger siblings may have to attend a school outside Great Park, as some objectors who live there have complained, but this does not in and by itself substantiate the objections about the reasonableness of the school's arrangements.

50. As the LA stated in its response to the consultation carried out by the trust, the recent determination concerning Gosforth Academy was "consistent with previous determinations made in relation to Gosforth middle school admissions policies in that it was reasonable to prioritise places for children in feeder schools within the three-tier system who otherwise would not have a place in Year 5 over children in primary schools who could remain in those schools if their application to a middle school was unsuccessful". The educational reasons here are obvious, and amount to a view that admission arrangements should be such that children who have started their education in the three-tier system will be able to continue to do so by securing a place in that system in Year 5 if that is what their parents wish, rather than such places being taken up by children transferring from a school in the two-tier system. I point out here that this does not mean that a blanket policy of giving priority to children in feeder schools over, say, siblings will in all conceivable circumstances be appropriate.

51. In order to consider whether the arrangements are reasonable, I must consider them and their effect. That is, while the trust may have reasons to adopt particular admission arrangements for its schools in general, the Code and other legislation refer to the admission arrangements of a school, not to the admission arrangements of an admission authority or group of schools. It is entirely possible for the arrangements for a given school to differ from others determined by the same admission authority.

52. Although any such differences would not need to be justified, it is nevertheless the case that GPA is unique within the three-tier system in being the only school which provides education for the seven years from Year 5 to Year 11. I think I am on safe ground in saying that because of this, there are more likely to be younger siblings of older children already at the school who could also attend, compared to the situation for the middle schools where children remain only until Year 9. That is, for any given Year 5 intake there are more likely to be older siblings in the case of GPA than for the Year 5 intake of the middle schools.

53. Given that it should properly be the intention to enable Year 4 children attending first schools to secure a Year 5 place in the three-tier system for the reasons I have stated, once the arrangements do that, the question remains as to which of the four schools with normal points of entry in Year 5 children are likely to be able to access.

54. I have said that:

- (i) it seems unlikely that in 2026 a sibling would gain admission to GPA in Year 5 unless also attending a feeder school, probably one of those in Great Park
- (ii) that it might be expected that there would be around 20-25 siblings in any year group based on previous admission data

55. As objectors have pointed out to me, there are also educational considerations, and of course practical ones, which argue in favour of younger and older siblings being able to go to the same school where this is possible. I hasten to point out that the Code makes no requirement that admission arrangements prioritise siblings, or indeed that they give priority to children attending named feeder schools. The absence of either would not be grounds for admission arrangements to be found wanting. The arrangements do in fact still provide a priority for siblings, and as such cannot be said not to take into account the benefits which accrue when children from the same family attend the same school, as some objectors have said.

56. The arrangements have changed from giving a higher level of priority to siblings to giving higher priority to those attending feeder schools, and at the same time have changed from using random allocation as the tie-breaker when oversubscription occurs within an oversubscription criterion, to using the distance between the child's home and the school. The probable combined effect on the two groups of these changes can be seen in the following table:

Group of children	2025 arrangements	2026 arrangements
Siblings	All admitted under priority for siblings	Only likely to be admitted if also in a feeder school and living locally
Children attending feeder school	Take up remaining places Random allocation of places	Take all places Nearest to school admitted

57. As I have said, "displaced" children in either category are more than likely to secure a Year 5 place at one of the middle schools if not admitted to GPA. The difference that has been introduced by the arrangements is, for children with older siblings, that there is no longer certainty that a Year 5 place at the same school as their older sibling will be available, with this being most unlikely if the family lives outside the Great Park area. For children attending feeder schools, the difference which has been introduced is that more places will be available, but that it is unlikely that there will be enough to satisfy demand from the Great Park area. The likelihood of a child living there securing a place will however be increased, since children living near the new location of the school will be prioritised. My view therefore is that there can be seen to be disadvantage to some families with older

siblings, but also advantage to families, with or without siblings, living near the new location of the school if they attend one of the local feeder first schools.

58. All oversubscription criteria create advantage for some groups and disadvantage for other groups of children: that is their purpose. What the Code provides is that any disadvantage should not result in unfairness, and that the means for allocating places when a school is oversubscribed should not be unreasonable. In order for the effect of an admission criterion to be considered unreasonable, it must have a foreseeable effect which renders the logic of having the criterion untenable.

59. I have reviewed the record of the discussion which took place when the arrangements were determined, and these show that the principal driving force was the desire on the part of the trust that children from the “Gosforth pyramid” should not be “displaced” (which I understand to be bound up with the reaction of the LA to the proposed arrangements across all the trust’s schools, as consulted upon, which did give priority to siblings), and for there to be a common set of arrangements across the schools. It was of course the case that the Year 5 arrangements for GPA (those for 2025) were already providing a higher priority to siblings.

60. The minutes of the trust’s meeting say that the sibling/feeder priority had been “grappled with” (without explaining in what way), but I can see in this record no specific consideration of the effect of the arrangements as determined on Year 5 admissions at GPA of the type I have carried out above, or of there being any recognition of the fact that GPA is likely to have more Year 5 children with older children at the school than the middle schools (which might argue for it not having the same admission arrangements as them). Neither does the LA’s suggestion in its consultation feedback of a priority for siblings within the feeder school criterion seem to have been entertained (the effect of which would be that families with siblings living further away would be likely to secure a place for their younger child). This might well have been thought appropriate, possibly for a limited number of years, in the light of the history of the school’s location since it was established, and also in view of the manner in which the change, which was clearly unexpected by the objectors, came about.

61. In conclusion, I am mindful of the “high bar” which applies to the matter of reasonableness, and to the need for the admission authority to be seen to have made a decision the rationale for which is untenable if I am to find the arrangements unreasonable. Although I do not think that the trust gave sufficient thought to the effect which the change to the Year 5 arrangements at GPA would have or gave serious consideration to possible alternative arrangements in its case. I can also see that there was a rationale behind the change that was made in giving a higher priority to children in feeder schools than to siblings, and that the arrangements as determined are reasonable in terms of the benefit they provide to local children. Although I shall have more to say about this below, on balance I do not conclude that the arrangements contain unreasonable oversubscription criteria, neither do I consider the priority order of the oversubscription criteria to be unreasonable and do not uphold this aspect of the objections. I find that the arrangements

are not unreasonable. Neither do they confer a disadvantage to younger siblings which I would judge to be unfair.

Whether the feeder schools have been named on reasonable grounds

62. As I have said, all nine first schools in the three-tier system in this part of Newcastle are named as designated feeder schools for Year 5 admissions to GPA in the 2026 arrangements. Objectors have said that this means that the oversubscription criterion in the arrangements for children attending feeder schools will automatically be oversubscribed (assuming there are sufficient applications, which is almost certain), and I have described what I consider the effect of that will be above.

63. Paragraph 1.15 of the Code says:

“The selection of a feeder school or schools as an oversubscription criterion **must** be transparent and made on reasonable grounds.”

The same considerations described above concerning what is “reasonable” therefore also apply here.

64. When it responded to the objections, the trust said that “These schools were already designated as feeders for one or more of the existing middle schools within the Gosforth three-tier system prior to the establishment of Great Park Academy. Their inclusion supports continuity of education and reflects the established educational and geographical links within the area.....The feeder structure was designed to ensure that children attending first and middle schools within the three-tier system have clear and consistent pathways of progression.”

65. The LA responded in general terms, saying that “prior to GPA being established, all of the first schools were already designated feeder schools for at least two of the three existing middle schools, two of which have ‘feeder A’ and ‘feeder B’ categories.” This refers to the existence in the admission arrangements of the two middle schools which have foundation status. Each gives higher priority to some named feeder schools, followed by “other Gosforth first schools”, followed by siblings. The LA went on to say that it is “unable the comment on the factors considered by Gosforth Group [the trust] when determining the admissions policy for GPA, the inclusion of all the first schools and middle schools as feeder schools has ensured that there are sufficient places in the three-tier system for all first and middle school pupils to transfer to their next phase of education.” I understand this last statement to mean that because all first schools are named by middle schools across the system as feeder schools and then given priority in their admission arrangements, parents of children leaving the first schools will be sure to obtain a place at one of the middle schools, which is not quite what the LA said, since the naming of feeder schools does not create school places.

66. The two foundation middle schools each give the highest priority in their admission arrangements (after looked after and previously looked after children) to children attending three of the nine first schools (“Category A” feeder schools), and then a next priority to

children attending each of the six remaining first schools in the three-tier system (“Category B” feeder schools). The three highest priority feeder schools are different in each case. The three remaining first schools not named as Category A feeder schools by the two foundation schools are the three first schools which are the named feeder schools for admissions to Year 5 at Gosforth Junior High School.

67. So, it is not just the case that each first school is a named feeder school for at least one middle school (other than GPA), but that each is a named feeder school with the highest priority in one middle school’s admission arrangements, and that those admission arrangements effectively give the highest priority to children from feeder schools.

Middle School	Named feeder schools with highest priority in admission arrangements
Gosforth Central Middle (Foundation)	Archbishop Runcie, Grange, South Gosforth
Gosforth East Middle (Foundation)	Havannah, Dinnington, Gosforth Park
Gosforth Junior High (Gosforth Group)	Archibald, Regent Park, Brunton

Three first schools have Category B feeder status at each of the two Foundation Middle schools (Archibald, Regents Farm and Brunton), and the remaining six at one of them.

68. These aspects of the admission arrangements have been in place since admissions in 2024 at least and remain in the determined admission arrangements of these schools for admissions in September 2026, and so the trust must have been fully aware of them. Unsurprisingly, the admissions data helpfully given in the LA’s published document for parents shows that across the four schools which admit to Year 5, the overwhelming majority of Year 5 offers for places in 2024 (the most recent information which I have) were made to children transferring from a feeder primary school into one of these “prioritised” feeder school places.

Total Year 5 places offered 2024	Places offered to children from “priority” feeder schools	Places offered to children from other feeder schools	Total places offered to children from feeder schools	Other offers
488 *Gosforth Central Middle offered above PAN	394	58 (18 to Category B feeders at the foundation middle schools, 40 at GPA)	452	EHCP 5 LAC/PLAC 10 Staff 1 Siblings 20 (19 siblings at GPA) Total 36

69. There was a similar picture for admission in 2022 and 2024. What this shows is that a parent of a Year 4 child leaving any one of the nine first schools has had an almost guaranteed place at one of the three other schools admitting to Year 5, and therefore not including Year 5 places at GPA, and that this has been the case for some time. Most remaining places went to Category B feeder schools at the Foundation First Schools, or the feeder school places at GPA, presumably as a result of parental preference. I showed the 2024 admission figures, by oversubscription criterion, for GPA above. Of the 20 Year 5 places offered on the basis of sibling priority in 2024 across all schools, 19 were at GPA.

70. The trust’s rationale for naming all nine first schools as feeder schools for GPA in 2026 is that they have been so named since GPA was created, and that the naming of them supports continuity. However, admission arrangements are determined annually, and so simply citing what has happened in previous years is not a sufficient rationale. I am also of the view that it can be seen from the above that continuity within the three-tier system is already available for parents, together with a degree of parental preference which is likely to be successful, irrespective of the schools named as feeders for GPA.

71. What the naming of nine feeder schools for GPA does, in and of itself, is to add a further level of parental preference for those attending first schools. This, of course, is generally to be welcomed, and this was already the effect of all of the nine feeders being named in previous arrangements for admissions to Year 5 at GPA. However, the further factor here is that the feeder schools have been named as part of admission arrangements which make them effectively the highest priority in the school’s oversubscription criteria, and I have described above what I understand the effect of this to be as far as admissions to GPA are concerned.

72. I have seen no evidence that the trust has taken the effect of the combination of the changed order of priority within the oversubscription criteria and the retention of the naming

of nine feeder schools into account, even though they had been cautioned to do so in previous determinations. I am also mindful that if the trust's rationale for naming all nine first schools as feeder schools in the case of GPA is reasonable in a situation where feeder schools are given the highest priority in oversubscription criteria, then it should also be relevant to the arrangements which it has determined for admissions to Gosforth Junior High. But the arrangements for Gosforth Junior High only name the three feeder schools shown above. This seems to me to be irrational in the light of the rationale which the trust has for the naming of feeder schools at GPA, and it undermines that rationale.

73. The effect of retaining all nine feeder schools, while making the oversubscription criterion that gives priority to children attending them the effective first priority, was entirely foreseeable. While I have said that giving a higher priority to those in feeder schools as a general principle has a rationale, in the context into which it has been introduced, retaining priority for children from all nine schools at GPA does not, for the following reasons:

- (i) There is a foreseeable detriment to families with older siblings at the school which need not occur if the feeder schools adopted had been different or if other options which the trust does not seem to have considered had been adopted.
- (ii) It would be rational to at least consider giving a level of priority to siblings in the case of GPA such that some may have a realistic prospect of securing a place at the school compared with the other schools that admit at Year 5 for which the trust is the admission authority (because there will normally be more siblings).
- (iii) The objective given for listing all nine feeder schools can be seen to be unnecessary, in that it has already effectively been achieved, because of the combined effect of the numbers of places in the three-tier system and the admission arrangements of the middle schools.
- (iv) The stated objective has been achieved without the need for any of the other schools that admit at Year 5 to give a first priority to children from all nine feeder schools.

74. I am left with the conclusion that the naming of the nine feeder schools, as part of the arrangements which the trust has determined, has not been made on reasonable grounds, and I therefore uphold this aspect of the objections.

The clarity of the tie-breaker

75. The objector who said that the use of distance as a tie-breaker was unclear made the case on the grounds that this implied that "the sibling link would never be considered as an oversubscription criteria [sic] if the school was oversubscribed at feeder school level and the admission decision would defer to a distance tie-break."

76. Paragraph 1.8 of the Code says: "Admission arrangements **must** include an effective, clear and fair tie-breaker to decide between two applications that cannot otherwise be separated." The arrangements say that distance from a child's home to the

school is used as a tie-breaker and state that distances are measured in a straight-line “crow flies” manner, and how the fixed points at the school and at each home are determined. I should point out that, strictly speaking, distance used in this context cannot be an effective tie-breaker since distances can be equal. The trust has recognised this, and the arrangements say that if this is the case, random allocation would then be used. The arrangements might more helpfully refer to applications being prioritised on the basis of distance, with random allocation as the tie-breaker, therefore.

77. However, since the arrangements and the objector both refer to the use of distance in the arrangements as a “tie-breaker”, I shall continue to do so here. The trust did not accept that the “tie-breaker” was unclear, referring to the above content of the arrangements and saying that this was a commonly adopted approach. It is evident to me that the arrangements meet the requirements of the Code in terms of the clarity of their description in terms of how distance is measured. The objection appears to be more an expression of dissatisfaction that, in the way the objector described, the decision as to which children would gain a place at the school would rest with a calculation of distance and that matters such as the relevance of sibling links would not be involved.

78. Paragraph 1.8 of the Code makes it clear that the oversubscription criteria set out in a school’s admission arrangements are to be applied “in the order set out in the arrangements”. This means that the next oversubscription criterion (or subsequent ones) does not come into consideration until the applications of all those to whom the oversubscription criterion in question applies have been considered. As the objector describes, if there are not enough places available to satisfy this number of applications, it is distance which determines the allocation of place. This is how the Code works. This aspect of the arrangements is not unclear, and I have already explained my reasons for concluding that giving a higher level of priority to children attending feeder schools than the level of priority afforded to siblings is neither unreasonable nor unfair.

79. I do not uphold this aspect of the objection.

Whether the naming of Brunton First School as a feeder school for GPA unfairly disadvantages children who attend it

80. As I have set out above, because the arrangements determined by the trust are for all its schools, they give the names of the first schools which are named as feeder schools for each of the schools. The objector complains that because the arrangements for Gosforth Junior High show that one of its named feeder schools is Brunton First school, its naming also as a feeder school in these arrangements (those for GPA) is unfair, compared to the naming of Havannah first school only in the arrangements of GPA.

81. The LA responded by giving the background and by saying that the priority for admissions which is given to applicants from parents at the school in GPA’s arrangements would be an advantage in them securing a place at the school, and that this was difficult to perceive this as a disadvantage. The trust made essentially the same point.

82. Again, I think the objection is based on a misunderstanding of how school admissions work. If a school is named as a feeder school for two (or more) schools, this does not somehow dilute any application parents may make for one of the schools. Each application is considered on its own merits, and as stated in paragraph 2.7 of the Code, “Admission authorities **must** allocate places on the basis of their determined admission arrangements only.” I am clear that this means the admission arrangements for the school for which the parent has expressed a preference, and so the admission authority must not take into account the admission arrangements of another school when considering such an application. So, there is no unfair disadvantage in the naming of Brunton First School as a feeder school for two middle schools, and I do not uphold this aspect of the objection.

Other matters

83. Paragraph 2.18 of the Code says that : “Admission authorities **must** make clear in their admission arrangements the process for requesting admission out of the normal age group.” The arrangement state that “...requests must be submitted, in writing, to the local authority and include any supporting evidence from appropriate professionals.”

84. The trust said that it thought that this was a clear statement but conceded that it could “enhance transparency for parents” by giving examples of relevant professionals. My view is that without such information many parents would not know how to proceed in making their request, and that as set out in the arrangements the statement does not give a clear description of the process which the trust is asking them to follow and so does not comply with what the Code requires.

85. Paragraph 14 of the Code requires that admission arrangements are clear and paragraph 1.8 that oversubscription criteria are similarly clear. The arrangements say that priority will be given to “a brother or sister (a sibling)” but do not give the term further definition. The trust told me that a full definition of those who can be considered a sibling for the purposes of applying the oversubscription criterion in its arrangements had been present in an early draft of its proposed arrangements but had been omitted from the final draft and the subsequently from the determined arrangements as a result of an oversight.

86. However, the arrangements as determined, fail to comply with paragraphs 14 and 1.8 of the Code, because the term “sibling” contained within them is not clear.

Summary of Findings

87. I have explained above why I have found that:

- (i) the trust’s consultation did not fail to conform with the relevant requirements;
- (ii) the arrangements do not contain unreasonable oversubscription criteria and the priority order of those oversubscription criteria is not unreasonable;
- (iii) the arrangements for measuring the distance between home and school are not unclear, and

- (iv) there is no unfairness to parents of children attending Brunton First School as a result of the arrangements.

88. I have also found that:

- (i) The feeder schools named in the arrangements have not been named on reasonable grounds;
- (ii) The arrangements fail to comply with the requirements of paragraph 2.18 of the Code concerning the description of the process for parents to ask that their child is admitted out of their normal age group, and
- (iii) The arrangements fail to contain the necessary definition of the term 'sibling'.

89. It is now incumbent upon the trust to revise its arrangements. In order to assist it in doing so, I point out that my finding concerning the named feeder schools was that these were not named on reasonable grounds in the context of the 2026 arrangements as a whole, and in particular in combination with the straightforward high priority afforded in the arrangements to all children attending named feeder schools. The trust has simply adopted the nine feeder schools which had been adopted in the 2025 arrangements. It will now need to consider whether there remain reasonable grounds for the naming of all nine schools.

90. I am aware that the school is deemed a secondary school, and I have confirmed with the LA that the closing date for applications for Year 5 places will be 31 October 2025 in line with the standard procedure for secondary school applications. I will therefore require that the trust amends the arrangements no later than 30 September 2025.

Determination

91. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements for September 2026 determined by the Gosforth Federated Academies Limited for Great Park Academy, Newcastle upon Tyne.

92. 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.

93. 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 unless an alternative timescale is specified by the adjudicator. In this case I determine that the arrangements must be revised by 30 September 2025.

Signed:

Schools Adjudicator: Dr Bryan Slater

Date: 15 September 2025