



Office of
the Schools
Adjudicator

Determination

Case reference: ADA4478

Objector: City of Bradford Metropolitan District Council

Admission authority: Carlton Academy Trust for Carlton Bolling.

Date of decision: 23 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 determined by Carlton Academy Trust for Carlton Bolling in Bradford. I do not uphold the objection to the introduction of fair banding.

By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code (the Code) requires the admission authority to revise its admission arrangements within two months of the date of the determination unless the Adjudicator specifies a different timescale. In this case, I require that the admission arrangements must be revised by 30 September so that the revised arrangements will be available to parents in good time before the closing date for applications on 31 October 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 City of Bradford Metropolitan District Council, (the Objector, the Local Authority, the LA), about the admission arrangements (the arrangements) for Carlton Bolling (the School) for September 2026 determined by Carlton Academy Trust (the Admission Authority, the Trust). The school is a co-educational, academy school for pupils aged 11 to 16.
2. The LA is a party to this objection. Other parties to the objection are the School and the Trust. The key element of the objection is the School's adoption of fair banding for 2026 as a form of selection for admission to year 7.

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 foundation and voluntary aided schools. These arrangements were determined by the Trust Board, on that basis.

4. The Objector submitted their objections to these determined arrangements on 12 May 2025. 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

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

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

- a. a copy of the minutes of the meeting of the Trust Board, dated 11 February 2025, at which the arrangements were determined;
- b. a copy of the determined arrangements, which include the supplementary information form;
- c. the Objector's form of objection dated 12 May 2025 and supporting documents including
 - i. the LA's response to the Trust's consultation on admission arrangements prior to their determination
 - ii. a statistical analysis of pupil admissions in the area of the School;
- d. the Trust's response to the objection and supporting documents;
- e. the Local Authority's online prospectus for admissions to secondary schools;
- f. maps of the area identifying relevant schools;
- g. confirmation of when consultation on the arrangements last took place and details of the nature of the consultation and responses to it; and
- h. information available on the websites of the Department of Education (DfE) (including "Get Information About Schools" (GIAS), and 'Financial Benchmarking and Insights Tool' (FBIT)); Ofsted; the LA, the School and the Trust.

The Objection and Other Matters

7. The matters raised in the objection are summarised below:

- a) The banding arrangements adopted by the School reflect the ability levels of those who apply, which may not necessarily reflect the ability range locally. It is feared that

the banding assessment will deter applicants from vulnerable groups from applying for a place at the School, including those with English as an additional language or living in challenging conditions. This is said to be unfair, in breach of paragraph 14 of the Code.

- b) Arrangements for how fair banding procedures are applied by the School are not clear and objective as required by paragraph 1.26 of the Code. For example, the Objector expresses concern that:
- Parents may not receive timely information to access the test.
 - It is not clear how late applications will be processed.
 - No information is made available to parents about the testing of in-year applicants.
- c) The Code (Paragraph 1.28) requires that looked after children and previously looked after children (LAC and PLAC) must be given top priority within each band, and then any oversubscription criteria applied within each of the bands. The admission arrangements appear to give looked after and previously looked after children the same level of priority as pupils with an Education, Health and Care Plan (EHCP) whereas a child with an EHCP which names the School must be admitted.
- d) The adoption of banding arrangements is said to “contradict the rationale for a priority area” as a catchment for the School. The Objector believes that the practical application of the banding process will disadvantage local children and have a negative impact on other local schools.
- e) It is claimed by the Objector that the naming of Trust primary schools as feeder schools is unreasonable and, therefore, in breach of paragraph 1.15 of the Code which states that feeder schools must be selected on reasonable grounds. The Objector says that this is because there is no “traditional feeder relationship”. Pupils attending the Trust primary schools named as feeders will be required to travel further distances to the School than pupils attending other primary schools that are not named feeder schools or travel further to secondary school having attended a feeder outside the agreed priority area (catchment).
- f) The Objector states that the School has admitted “330 pupils in every Yr7 for the last five years” and has publicly stated an intention to increase the PAN to 330. However, the published arrangements for 2026/27 state a PAN of 300.

Background

8. The School is an academy which opened in June 2019 following the conversion of its predecessor school. The School has a published admission number of 300 pupils for entry to Year 7 and it has around 1630 pupils on roll. The School is part of the Carlton Academy Trust which includes eight schools including primary, secondary and special schools.

9. The School was judged to be maintaining “Outstanding” standards when inspected by Ofsted in May 2023. School performance compares well to local and national standards, and the School is heavily oversubscribed, receiving well over 700 applications each year for 300 places.

10. The proportion of pupils entitled to free school meals (FSM) is over 40 per cent. This is significantly above the 2024/25 national average of 25.7 per cent. However, the School asserts that, based on information collated by the LA, the proportion of FSM in the School is lower than in the local community.

11. The GIAS website shows that there are 11 other schools offering secondary places within a three mile radius of the School.

12. The School’s admission arrangements state that;

“Carlton Bolling is committed to admitting students reflecting the range of abilities applying to the school.”

13. The decision of the Admission Authority to introduce fair banding in 2026/27 is justified on the basis that:

“Carlton Bolling wishes to admit students in a manner which is fully representative of the abilities of those applying to the school, which the school aims to achieve through Fair Banding assessments.”

This is a form of banding which is permitted by paragraph 1.25 of the Code.

14. All applicants who complete the school supplementary information form are invited to complete a non-verbal reasoning assessment. The results from the assessment are then placed into nine ability bands or stanines¹ from band 1 at the bottom to band 9 at the top.

15. The stanines are determined by a company specialising in assessment. If 20% of applicants fall within Band 1, then 20% of pupils (60) will be offered places from those who have applied and were placed within band 1. This means that if there are zero pupils who are placed in band 1, then no pupils from band 1 will be admitted. The same is true for each ability band. Therefore, the 300 places in the year group will be allocated so that they proportionally represent the total number of applicants in each band.

16. The admission arrangements state that children with an EHCP and those children meeting the definition of LAC or PLAC are not required to undertake the fair banding test.

¹ “Stanine” stands for “standard nine” and is used to simplify Standard Age Scores “SAS” by grouping them into nine broad bands that rank a student’s performance relative to a national sample of same-age peers.

17. After LAC/PLAC pupils or those with an EHCP naming the school are admitted, within each band, applications are prioritised according to the oversubscription criteria which can be summarised as follows:

- Children who have exceptional social or medical needs.
- Children of staff members currently employed by the School.
- Children who have siblings who currently attend the School (and promotion of multiple births within bands to ensure families are not separated).
- Children currently attending Trust primary schools.
- Children whose home address is in the School's priority admissions area.
- Children whose home address is outside the School's priority admissions area.
- All other applicants including those who have not been banded.

18. The arrangements state that priority for admission is given to those children who sit the assessment and who meet the criteria order set out above. The arrangements also state that children who do not sit the test will be classed as "non-banded" and ranked in lower priority order.

Consideration of Case

19. The Objector is strongly opposed to the adoption of fair banding in the School. The objection is that the fair banding arrangements adopted by the School reflect the ability levels of those who apply, which may not necessarily reflect the ability range locally. It is feared that the banding assessment will deter applicants from vulnerable groups from applying for a place at the School, including those with English as an additional language or living in challenging conditions. This is said to be in breach of paragraph 14 of the Code, which requires that 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.

20. The admission arrangements state that:

"The Bradford authority admissions systems previously applied to the school have prevented us from receiving admissions which are representative of all applications and the full diversity of our local community. As a heavily oversubscribed school with intense competition for places, this has led to perceptions of unfairness as certain groups who live close to the school gain places to the detriment of other under-represented groups. This has led to our intake not fully reflecting the socio economic, academic and cultural diversity of the community we serve. Therefore, a move to Fair Banding will address this inequity and help the school more closely align to its core values of inclusivity and fairness."

“Fair Banding enables:

- Proportional representation and equitable access of all abilities.
- Fairer competition, with applicants considered in relation to their peers within the same ability banding, rather than primarily determined by proximity to the school.
- Fostering an inclusive environment through diverse student groups working together to affect much greater academic success, increased personal and social development and community integration”

21. Paragraph 1.25 of the Code states that:

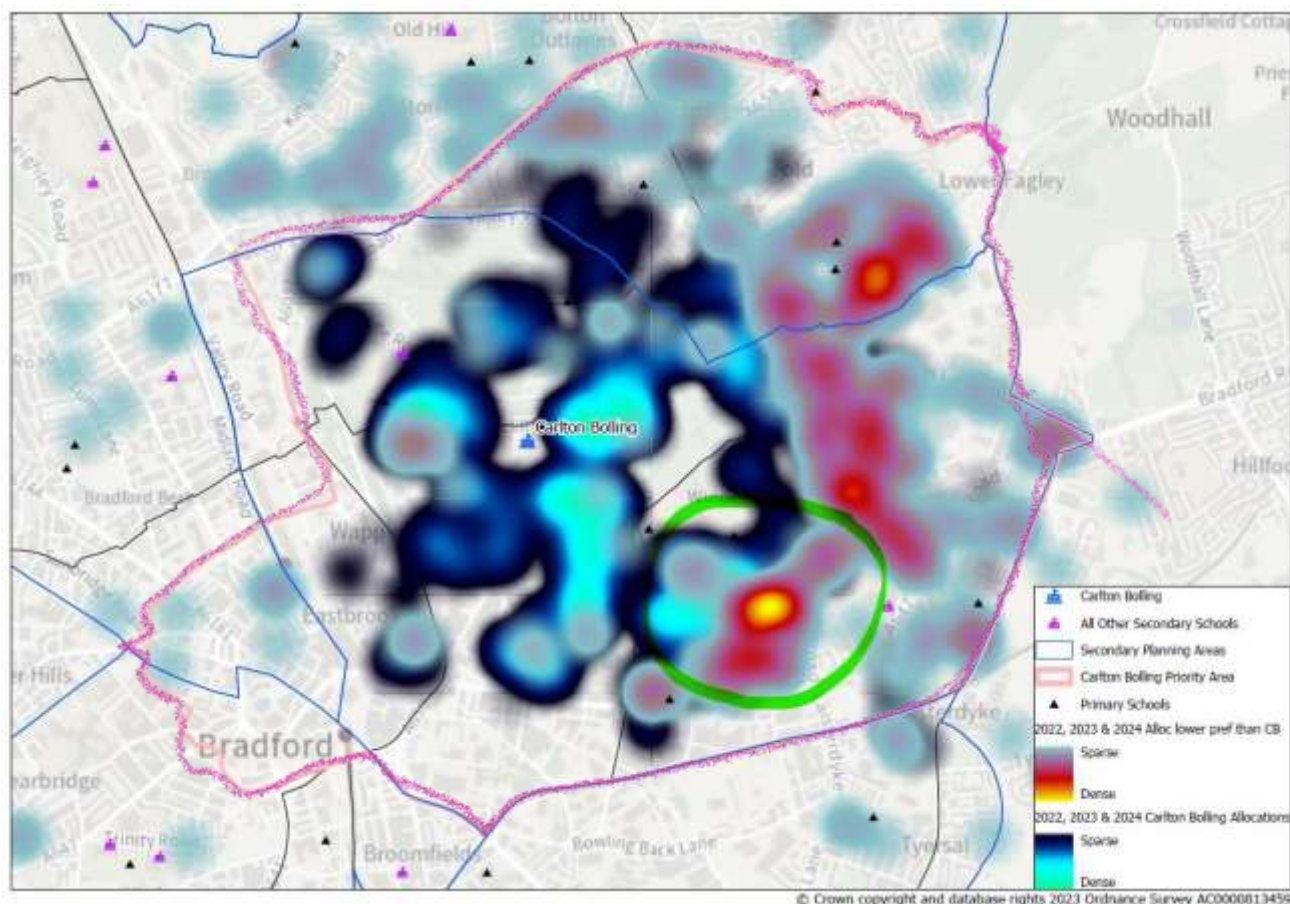
“Pupil ability banding is a permitted form of selection used by some admission authorities to ensure that the intake for a school includes a proportionate spread of children of different abilities. Banding can be used to produce an intake that is representative of:

- a) the full range of ability of applicants for the school.
- b) the range of ability of children in the local area; or
- c) the national ability range.”

The stated intent of the arrangements, as outlined in paragraph 12 above, aligns with part a) of paragraph 1.25 of the Code.

22. The Local Authority helpfully provided detailed maps of allocations to Carlton Bolling for admission years 2022, 2023 and 2024 that identify how pupils from the School’s priority area are allocated places and the significant number in each year that are allocated lower choices. The maps support the School’s assertion that a significant number of pupils within the priority area (catchment) are not offered places. The maps also illustrate that the density of pupils applying to the school from outside the priority area is “sparse”. These points are as illustrated by Map 1 below.

Map1: Applications and allocations to Carlton Bolling for 2022 to 2024.



23. Map 1 illustrates the areas where pupils who were allocated places at the School (turquoise, blue) lived, alongside areas where pupils were allocated a place at another, lower preference, schools (red, yellow) in 2022, 2023, 2024. The pink boundary illustrates the School's priority area. The green circle highlights a densely populated area where a high number of pupils apply for a place at the school but are allocated a place at one of their lower preferences. These pupils live outside the priority area for their allocated schools. It is significant that there are 11 secondary schools within a three-mile radius of the School which, at secondary level, is considered to be a reasonable travelling distance.

24. Additional information provided by the Local Authority illustrates that the substantial majority of Carlton Bolling's priority area and the area from which pupils apply to the School, fall within some of the most deprived neighbourhoods nationally. Based on the applications illustrated in map 1, the School does not receive high numbers of applications from other areas.

25. As already stated, the proportion of the School's pupils eligible for FSM is lower than that of the priority area community in which the School is located. The new admission arrangements seek to, in part, address this situation so that the school's intake is more representative of the area in which it is located.

26. There is a "fear" from the Objector that "the banding assessment will deter applications from vulnerable groups". No evidence has been provided to substantiate this. The School has sought to ensure that all primary schools in the area are well informed of

the changes and that there are multiple sources of information available, including online, in print and through face-to-face events such as open evenings. These sources are intended to ensure that prospective parents are well informed of the new arrangements.

27. The School has provided evidence that it has taken appropriate steps during consultation and subsequent implementation of the arrangements to inform parents and primary schools and provide relevant information and access to additional support if necessary to ensure information about the new arrangements is widely available and understood. The School says it has sought to make the arrangements clear, accessible, impartial and objective.

28. I accept the arguments of the School that it has taken steps to ensure the banding arrangements are accessible to all pupils. I find that there is no evidence to suggest that children within the catchment area will be disadvantaged. Therefore, I do not uphold this aspect of the objection.

29. I will now consider whether or not the banding arrangements are compliant with paragraph 1.26 of the Code which requires that:

“Admission authorities’ entry requirements for banding must be fair, clear, and objective.”

30. Within the arrangements, as outlined above, the School explains the rationale for using fair banding in its admission arrangements. On the first page of the admission arrangements, the School outlines “Procedure for admissions” which state the number of places available (300) and that:

“Applications must be made on both the

- Local Authority Common Application / Preference Form (CAF/CPF)
- and
- Carlton Bolling’s Supplementary Information Form (SIF).”

31. The admission arrangements include an “Admission Timeline” that outlines the steps that need to be taken, and the information available to support parents and children with their applications. The SIF is attached to the admission arrangements and is available from the school or online, along with guidelines on how it should be completed and returned.

32. It is my view that the Admission Authority has provided written information and sources of support to enable parents to understand and access the admission process. Therefore, the Admission Authority has taken reasonable steps to ensure that the application of its fair banding arrangements is fair, clear and objective.

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

34. I will now consider whether the arrangements meet the requirements the Code as it applies to looked after children and previously looked after children.

35. Paragraph 1.7 of the Code states that:

“highest priority must be given to looked after children and all previously looked after children”.

The arrangements state that:

“Looked after children and those that were previously looked after but ceased to be so due to adoption, children arrangement or special guardianship orders” will be admitted without a fair banding test.

They are, therefore, given the highest priority within the admission arrangements as required by paragraph 1.7 of the Code.

36. However, the definition of looked after children in arrangements does not mention “children who appear (to the admission authority) to have formerly been in state care outside England who have been adopted” as described in paragraph 1.7 of the Code.

37. Paragraph 1.28 (a) of the Code states “looked after children and previously looked after children must be given top priority within each band” implying that they would have to take the banding test in order that the number in each band (and, therefore, the number of places remaining in each band after they have been admitted) is known.

38. The arrangements are not clear about how LAC / PLAC will be allocated places within bands. For instance, if ten looked after children apply, does that mean banding applies to 290 of the 300 places being allocated or are the ten places allocated to LAC / PLAC from across the nine bands? If so, how are the children allocated to bands without testing? I note here that the Admission Authority has agreed to amend the wording in its arrangements to clarify these points.

39. I uphold this aspect of the objection. Although arrangements purport to give LAC and PLAC the highest level of priority as required by paragraph 1.7, they are unclear about how this will operate in conjunction with the fair banding. This is contrary to the requirement for clarity in paragraph 14 of the Code and does not fully address the requirements of paragraph 1.28 to give LAC/PLAC “top priority in each band”. Furthermore, the definition of LAC/PLAC is not in line with the definition as set out in the Code at paragraph 1.7

40. The Local Authority also object to the oversubscription criteria as they apply to children with exceptional social or medical needs, arguing that “children with exceptional social or medical needs should not be subjected to the testing”.

41. The School, within the “Supplementary Information Form”, provides parents with an opportunity to identify any additional needs that may require reasonable adjustments to be made for the tests. There is no reason why children with exceptional social or medical

needs should not be required to sit the test. They are then prioritised within each band using the identified oversubscription criteria.

42. I, therefore, do not uphold this aspect of the objection.

43. I will now consider whether or not the School's banding arrangements comply with paragraph 1.14 of the Code in relation to catchment area.

44. Paragraph 1.14 states that:

"Catchment areas must be designed so that they are reasonable and clearly defined. Catchment areas do not prevent parents who live outside the catchment of a particular school from expressing a preference for the school".

45. The catchment area (referred to locally as the priority area) for the School remains unchanged. The Local Authority suggests that the introduction of fair banding will reduce the likelihood of children who live within the catchment area securing a place at the School.

46. Map 1 illustrates that applications from outside the priority area are "sparse" and there is no evidence to suggest this will change. The number of applications from within the catchment exceeds the number of places available. There are 11 other secondary schools within three miles of the School. This suggests the impact, if any, of introducing fair banding will fall upon applicants living within the priority area, so that children from different parts of the catchment area may secure places.

47. The School's stated intent is that the introduction of fair banding will mean that applicants from the more disadvantaged areas within the catchment area will be more successful in securing a place at the School.

48. There is no evidence to suggest that the prospects of children living within the catchment area being offered places at the school will be reduced.

49. I, therefore, do not uphold this aspect of the objection.

50. I will now consider the Objector's concerns about named feeder schools within the arrangements.

51. The Objector stated that "the primary schools listed in the policy provide hardly any transfers to Carlton Bolling due to the distances involved. Children from those schools tend to go to their local secondary schools. Therefore, having those schools as "feeder" schools when they are not feeding the school seems to be pointless. Their only purpose must be to encourage parents not to send their children to the local primary schools and travel across the City to the MAT primary schools to then transition back to the local primary schools."

52. Paragraph 1.15 of the Code states "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".

53. The named schools, Carlton Mills, Thorpe Primary School and Marshfield Primary School, have been named feeder schools in previous years' admission arrangements. The three schools are in the same multi-academy trust as the School and are within 2.25 miles of the School. There is nothing inherently unreasonable about a multi-academy trust naming its own primary schools as feeder schools for one of its secondary schools.

54. It is a matter for parents as to how they express their preferences for different schools, and presumably distance and the length of time taken to get to and from school each day are taken into consideration. There are approximately 60 primary schools within a 2.25-mile radius of the School. Therefore, not unusually for a densely populated urban area, parents have a substantial choice of primary and secondary schools.

55. I do not uphold this part of the objection. It is reasonable for the School to name three primary schools, within the same multi-academy trust, within 2.25 miles of the School as feeder schools.

56. I will now consider the Objector's concerns related to the School's Published Admission Number (PAN)

57. The Objector states "in-year admissions cannot be decreased to 300 per year group when the school have admitted 330 in every year 7 for the last 5 years and is publicly advising of its intent to increase its PAN to 330".

58. Paragraph 3.3 of the Code states that objections cannot be brought "about own authority admission's decision to increase or keep the same PAN".

59. In this case, although the School has in some years admitted above its PAN, the School's PAN has been set at 300 for a significant time. The 2026 arrangements do not seek to vary the published admission number. Therefore, there are no grounds for objection.

60. The Local Authority raised some additional points, namely about consultation, the SIF and a lack of clarity about how the arrangements operate for children who do not sit the banding test.

61. The Admission Authority determined the arrangements for 2026/27 in February 2025 following consultation in autumn 2024. The Local Authority recognise that the arrangements were determined following consultation. It was made clear by the Local Authority during the consultation that they objected to the introduction of fair banding. The Admission Authority has provided evidence of appropriate consultation and discussions at a Trust Board meeting, where responses to the consultation were considered.

62. Consultation undertaken prior to determining the admission arrangements complied with the requirements of paragraphs 1.45-1.48 of the Code and consultation responses were considered.

63. I consider the SIF required by the School to support its fair banding process to be compliant with paragraph 2.4 of the Code which requires that:

“they must only use supplementary forms that request information when it has a direct bearing on decisions about oversubscription criteria”.

Information requested on the SIF is appropriate to enable the School to administer the fair banding assessments and subsequently apply the oversubscription criteria in normal circumstances. However, the SIF only asks if the child is available on the first Saturday in October and implies that a “No” means that the child is then unavailable. There is a lack of clarity about arrangements if a child is unavailable because of, for example, illness.

64. Arrangements must also be clear about how children who do not take the banding test will be given priority for places. Arrangements state that: “Children who do not sit the test will be classed as “non-banded” and ranked in lower priority order”.

65. Non-banded children are then considered within the oversubscription criteria. In my view, this aspect of the arrangements is sufficiently clear to meet the requirement for clarity in paragraph 14 of the Code.

Determination

66. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements determined by Carlton Academy Trust for Carlton Bolling in Bradford.

67. By virtue of section 88K(2), the adjudicator’s decision is binding on the admission authority. The Code requires the admission authority to revise its admission arrangements within two months of the date of the determination unless the Adjudicator specifies a different timescale. **In this case, I require that the admission arrangements must be revised by 30 September so that the revised arrangements will be available to parents in good time before the closing date for applications on 31 October 2025.**

Dated: 23 September 2025

Signed:

Schools Adjudicator: Mr Philip Lloyd