



Office of
the Schools
Adjudicator

Determination

Case references: VAR2634, VAR2635

Admission Authority: The London Borough of Wandsworth for
Penwortham Primary School

Date of decision: 23 October 2025

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variations to the admission arrangements determined by the London Borough of Wandsworth for Penwortham Primary School, for September 2025 and September 2026.

I determine that, for admissions to the Reception Year in 2025 and 2026, the priority area will be as described in this determination.

The referral

1. The London Borough of Wandsworth (the Admission Authority; the Local Authority) has referred to the adjudicator proposals for variations to the admission arrangements for Penwortham Primary School (the School; Penwortham) for 2025 and 2026 (the Arrangements).
2. The School is a community school for children aged three to eleven. It is a co-educational school with no designated religious character. The School was judged to be 'Outstanding' by Ofsted at its last inspection in June 2024.
3. The proposed variations are for an extension and enlargement of the 'priority area' for the School in relation to the application of the published oversubscription criteria under the Arrangements, following the closure of Goldfinch Primary School (Goldfinch) on 31 August 2025. Goldfinch was situated approximately 430 metres to the east of Penwortham in the south-east corner of the borough, and Penwortham was then the next nearest school to Goldfinch in the borough.

Jurisdiction and procedure

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

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

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

5. The Arrangements for 2025 were determined by the Local Authority on 27 February 2024. The Arrangements for 2026 were determined by the Local Authority on 17 February 2025.
6. The Local Authority has provided me with confirmation that the appropriate bodies have been notified of the proposed variations in line with the Code, and that the governing body of the School has been consulted on the proposed variations. I find that the appropriate procedures were followed, and I am satisfied that the proposed variations are within my jurisdiction.
7. In considering the variation requests, I have had regard to all relevant legislation and the Code.
8. The information I have considered in reaching my decision includes:
 - the referral from the Local Authority dated 12 August 2025 and supporting documents;
 - the determined Arrangements for 2025 and 2026 and the proposed variations to those Arrangements;
 - responses from the Local Authority and the governing body of the School to my requests for further information;
 - maps, including Google Maps, such as those showing the respective location of Penwortham and Goldfinch, as well as the established priority area and its proposed extension being considered; and

- information available on gov.uk websites (including the ‘Get Information About Schools’ (GIAS) website), and the websites of the Local Authority, the School and Ofsted.
9. There is no formal consultation required for a variation and so parents and others do not have the opportunity to express their views. Clearly it is desirable that changes to arrangements are made via the process of determination following consultation as the consultation process allows those with an interest to express their views. It also allows for objections to the adjudicator. None of this is afforded by the variation process.
 10. I note here that the Arrangements for 2027 have not yet been determined. This means that if I decide to vary the Arrangements for 2026 as proposed, it will have the effect of forming the ‘baseline’ for subsequent years and no consultation is required for the arrangements to remain as I determine.
 11. In the interest of dealing speedily with this and other requests for variations for schools, I have not considered other aspects of the Arrangements. Therefore, nothing in this determination should be taken as indicating that other aspects of the Arrangements do or do not conform with the requirements relating to admissions.

Background

12. According to the Local Authority, the variations are in relation to “the decision of the Secretary of State in July 2025 to close Goldfinch Primary School (an academy) from 31 August 2025”.
13. The Local Authority showed me a letter dated 25 July 2025, issued by the Department for Education to the Director of Education at the Local Authority, recording the ministerial decision as below:

“To confirm, the Minister has reviewed our advice and agrees with the recommendation to terminate the funding agreement, thereby closing Goldfinch Primary School on 31 August 2025.”
14. In response to my request, the Local Authority stated the reason for this closure decision as follows:

“The request to close [Goldfinch] was from the school’s academy trust, The Dunraven Trust, who felt that that the school was unsustainable with current numbers.”
15. I have not studied the decision-making process which led to the closure of Goldfinch, as the Secretary of State for Education is the decision-maker assigned by statute to decide whether the funding agreement of an academy trust should be terminated and whether the relevant academy school should close.

16. As set out in the Arrangements for both 2025 and 2026, the oversubscription criteria for the School, which apply to admissions to reception year (Year R), are as follows (**my emphasis** added):

“Places will first be allocated to Children with an Education Health and Care Plan which names the school... These children will be included in the overall admission number of the school. In the event of oversubscription, the remaining places will then be offered in the following order of priority:

- (i) Looked after children and those who ceased to be looked after children because they were adopted [as defined].
- (ii) Children with a professionally supported exceptional medical need or exceptional social need for a place at a particular school, as decided by Wandsworth Local Authority [as defined].
- (iii) Brothers and sisters of children on the school roll on the date of admission [as defined].
- (iv) Children of staff employed directly at the school [as defined].
- (v) Children living **inside the priority area** in order of straight line distance from home to school, as measured by Wandsworth Council’s Geographical Information System.
- (vi) Other children living **outside the priority area** in order of straight line distance from home to school, as measured by Wandsworth Council’s Geographical Information System.”

17. Paragraph 1.8 of the Code, insofar as is relevant here, reads:

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

18. Paragraph 1.14 of the Code reads:

“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.”

19. Paragraph 2.33 of the Code reads:

“Where a maintained school or Academy is to be closed, the local authority **must** collaborate with all schools in their area to consider the best way to secure provision for children in other local schools.”

Consideration of proposed variations

20. Paragraph 3.6 of the Code (as above) requires that admission arrangements, once determined, may only be revised, that is changed or varied, if there is a major change of circumstance or certain other limited and specified circumstances. I will consider below whether the proposed variations are justified by the change in circumstances.

21. The Local Authority's variation proposals are summarised as follows:

"We are proposing to extend the current priority area to the east so that the south and east boundaries will now include Fallsbrook Road, Anvil Close, Besley Street and Eardley Road (odd numbers 1-169a). This largely follows the natural boundary of the railway line and also the borough boundary ... The change is being proposed as, following the closure of Goldfinch, Penwortham is now the nearest primary school in the borough for those living in the proposed extended area in the borough ... otherwise they may no longer be able to secure a place at their most local school."

22. If the proposed variations are approved, the revised boundaries of the priority area for Penwortham will be defined as follows:

- Nimrod Road (both sides);
- Thrale Road (odd numbers 1-73 (west side) and even numbers 4-62 (east side));
- West Drive;
- Tooting Bec Road (from junction with West Drive to junction with Aldrington Road);
- Aldrington Road (including all properties between eastside of Aldrington Road and railway line; that is, Shepley Court in the north to Fir Tree Close in the south);
- Carriage Place;
- Eardley Road (both sides odd numbers 1-169a, even numbers 2-108);
- Besley Street;
- Anvil Close;
- Fallsbrook Road; and
- Southcroft Road (odd numbers 225-313 and even numbers 250-444) and Swain Close.
- Note: Only the following properties in Moyser Road (odd numbers 1 & 1A-89 and even numbers 2 & 2A-94), Welham Road (odd numbers 1-131 and even numbers 18-34) and Mitcham Lane (even numbers 120-282, odd numbers 71-271) fall in the priority area.

23. The oversubscription criteria include the use of 'priority area', which plays a significant role in the allocation of places at Penwortham if the School were to be oversubscribed. The PAN of the School stands at 90. According to the Local Authority, the School admitted 90 children to Year R, i.e. up to the PAN, in 2024 and 2025 respectively.
24. I asked the Local Authority to assess whether the proposed extension of the 'priority area' would affect the sufficiency of Year R places at Penwortham to meet any increase in the demand for places from children living in the extended priority area. The Local Authority's response dated 3 October 2025 is as follows:

"Our view is that there are sufficient places in the area generally and there is no need to increase the PAN at Penwortham or other schools in the area. In recent years, Penwortham has been oversubscribed but it has been possible to offer all applicants living in the current priority area and offer a number of places to applicants living outside of the priority area on the basis of proximity to the school. Please see table below demonstrating the pattern of admissions at the school -

[Table: The Local Authority's data in relation to the application of the oversubscription criteria for admissions to Year R at the School]

-	2023	2024	2025
The PAN for the School	90	90	90
Looked After Children or Previously Looked After Children	2	2	3
Exceptional Social or Medical Priority	0	0	0
Children with Siblings at the School	42	40	39
Other Children living within School's Priority Area	16	27	25
Furthest Distance Offered under Proximity Criterion in April (in metres)	570 m	491 m	495 m
Furthest Distance Offered under Proximity Criterion in August (in metres)	625 m	926 m	618 m

With the closure of Goldfinch Primary School, there is now a concern that some pupils living in the borough to south and east of the current Penwortham priority area will not be able to access their local school (Penwortham). Historically many pupils living in this area have attended Goldfinch Primary School. The alternative local schools to Penwortham are to [the] west, and if it is it is not possible to offer Penwortham from families living [in the] proposed extended priority area in future, they are likely to have travel past the school.

For reference for Reception 2025 admissions, 46 applicants lived within the proposed extended [zone to be incorporated in Penwortham's] priority area, 38 of whom made an application for Penwortham. It was possible to offer 27 of these on basis of sibling or distance criteria. 7 were offered [other schools for which they expressed] a higher preference, with 4 remaining on the waiting list [of Penwortham]. The number of applicants for Penwortham from this area is expected to increase following the closure of Goldfinch."

25. I will now consider any potential frustration of parental preference, should the variations be approved:

- It is possible to say that some children within the current priority area who would otherwise gain a Year R place at the School might be displaced due to the additional demand from a larger priority area. However, such detriment is likely to be mitigated by the local demographics which have enabled the School to admit in recent years children from both within and outside its existing priority area.
- The data above shows that, in September 2025, after allocations to looked after children (or previously looked after children) and those children with siblings at the School, Penwortham admitted some 25 children from within its existing priority area, and 23 from outside that priority area (including many living to the south or east of the School and whose home will fall within the new zone proposed to be added into the School's priority area), on the basis of their distance from home to the School. If this generally reflects the distribution of children across the borough, the possibility for any frustration of parental preference (particularly in relation to those parents who live within the existing priority area and express a preference for the School) will likely be small in future.
- The revisions to the boundaries of Penwortham's priority area are likely to lead to fairer outcomes for children living in proximity to the School, particularly given that the locality to the south or east of Penwortham (previously served by Goldfinch) is not covered by the current catchment of any primary school within the Local Authority's area but for the variations sought.

26. I noticed that the Local Authority has, as outlined in its notification for appropriate bodies, considered the following alternative to the proposed variations:

"Consideration was initially given to abolishing the priority areas for Penwortham, Furzedown and Sellincourt Primary School but this has not been pursued owing to concerns this may lead to insufficient places being available to Wandsworth residents at schools in the area."

27. The governing body of Penwortham has confirmed that the School is supportive of the proposed variations as it stated in its response dated 7 October 2025:

"I can confirm the Penwortham Governing Board supports the proposed amendment to the school priority zone and admission arrangements. Following the closure of

Goldfinch Primary School, the Board recognises the necessity of extending the zone to ensure residents within the expanded area have equitable access to their nearest local school.”

28. Having considered all the matters above, my reasoning can be summarised as follows:

- As far as the Arrangements for 2025 are concerned, those children in the local area seeking Year R places would have been admitted to the School, or other schools for which their parents expressed a preference, in September 2025. As mentioned, the School has admitted 90 children to Year R, i.e. up to the PAN, for 2025/26. If the variation is approved, and whenever a Year R vacancy arises, the revised boundaries of the ‘priority area’ is relevant to determining the outcome of any in-year application, and to the ranking or re-ranking of children on the waiting list with reference to the published oversubscription criteria and in accordance with paragraph 2.15 of the Code.
- As for the Arrangements for 2026, if the variation is approved, the revised boundaries of the ‘priority area’ will enable children living in the borough to the south and east of the School, i.e. the locality surrounding Goldfinch before its closure, to have the same advantage as being enjoyed by their counterparts living in the priority area set currently for Penwortham under the Arrangements. Within the expanded priority area being proposed for Penwortham, the straight-line distance between the home of a child and the School continues to be critical in the allocation of Year R places as and when the oversubscription criterion (v) is to be applied (see paragraph 16 above).
- If the variations are not approved, some children who live in the local area around Goldfinch might be ranked in a lower priority, for admissions to Penwortham, than other applicants living within the current priority area, even though Penwortham will now become their nearest local school.

29. This being the case, I concur that the expansion of the priority area for Penwortham under the Arrangements, following the recent closure of Goldfinch, is clear, reasonable, and objective. The revisions to the boundaries of the priority area for Penwortham, as clearly defined, do not prevent parents who live outside of the priority area of the School from expressing a preference for the School. I am satisfied that the proposed variations are consistent with the requirements under paragraphs 1.8 and 1.14 of the Code (as above).

30. I find that the variations for 2025 and 2026 are justified by the circumstances, and approve the proposed variations to the Arrangements for both years.

Determination

31. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variations to the admission arrangements determined by the

London Borough of Wandsworth for Penwortham Primary School, for September 2025 and September 2026.

32. I determine that, for admissions to the Reception Year in 2025 and 2026, the priority area will be as described in this determination.

Dated: 23 October 2025

Signed:

Schools Adjudicator: Jackie Liu