Office of the Schools Adjudicator

# Determination

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| **Case references:** | **ADA4462, ADA4463, ADA4464** |
| **Objectors:** | **Each objector is a parent** |
| **Admission authority:** | **Twynham Learning for Twynham School** |
| **Date of decision:** | **31 October 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 Twynham Learning for Twynham School, situated in the local authority area of Bournemouth, Christchurch and Poole. The single point upheld is that a statement in the "general principles" section of the admission arrangements is not compliant with the provisions of the School Admissions Code.**

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

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

## The referral

1. Under section 88H(2) of the School Standards and Framework Act 1998, (the 1998 Act), an objection has been referred to the adjudicator by three individual parents, (the Objectors), about the admission arrangements (the arrangements) for Twynham School (Twynham School, the School), an 11-19 non-selective academy converter school, for September 2026. The objection is to the inclusion in Twynham School's admission arrangements for 2026/27 of Stourfield Junior School as a new feeder school, that Stourfield Junior School is listed above Priory CE Primary School in those arrangements, and related issues.

2. The local authority for the area in which the school is located is Bournemouth, Christchurch and Poole (the LA, BCP). The LA is a party to this objection. Other parties to the objection are Twynham Learning (Twynham Learning, the Trust), the School and the three Objectors.

## 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 Governing Board of the Trust, which is the admission authority for the School, on 26 February 2026 on that basis. The Objectors submitted their respective objections to these determined arrangements on 11 May, 14 May and 15 May 2025. The Objectors have asked to have their identities kept from the other parties and have met the requirement 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 1998 Act and that they are within my jurisdiction. I have also used my power under section 88I of the 1998 Act to consider the arrangements as a whole.

## Procedure

4. In considering these matters I have had regard to all relevant legislation and the School Admissions Code (the Code).

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

a. a copy of the minutes of the meeting of the Trust's Governing Board at which the arrangements were determined, and the supporting documents the Board received prior to determination, including a detailed analysis of consultation responses;

b. a copy of the determined arrangements for 2026/2027;

c. the three Objectors' forms of objection dated 11 May, 14 May and 15 May 2025 respectively;

d. the School/Trust's responses to the objections and supporting documents including details and analysis of the responses to the consultation; and

e. the LA's responses to the objections and supporting documents including details of their response to the Trust's consultation and details of the meeting between the School and the LA prior to the LA submitting its consultation response.

6. I wish to express my thanks to the LA and the School for their timely responses and for providing clear responses and documentation to assist in considering the issues raised by the objections.

## The Objection

7. The objections are to the inclusion in Twynham School's admission arrangements for 2026/27 of Stourfield Junior School (Stourfield, Stourfield School) as a new feeder school, and the fact that Stourfield School is listed above Priory Church of England Primary School (Priory School, Priory CE School) in those arrangements. The detailed grounds of objection raised by each objector are as follows.

8. Objector 1 (ADA4462):

- Lack of clear, reasonable or adequate rationale for the inclusion of Stourfield School as a named feeder school and for affording a lower level of priority to children at Priory CE School as compared to pupils attending the other named feeder schools.
- The changes to the admission arrangements constituting a violation of the stated admissions principles in the admission authority's policy, specifically it is alleged that this will result in discrimination and disadvantage to children attending Priory CE School seeking a place at Twynham School.
- The consequential environmental impact of the potential distortion in admission preferences resulting in a significant increase in travel across the natural boundary of the Stour River exacerbating already severe traffic congestion in the local area.
- Breach of elements of the Code: in particular, the principle that admission arrangements must be fair, clear, and objective.
- Consultation concerns: The objector has also alleged that the consultation process which was conducted before the arrangements were determined was flawed.

9. Objector 2 (ADA4463):

- Lack of clear rationale behind the inclusion of Stourfield School as a priority in the admissions' criteria.
- Disruption to admissions for schools outside of Twynham Learning, particularly those not affiliated with Twynham Learning and the potential risk of diminished enrolment in other schools which could lead to fewer realistic school choices for local families.
- Concerns over compliance with the Code: in particular the requirement that all admission arrangements must be fair, clear, and objective (paragraph 14 of the Code).

10. Objector 3 (ADA4464):

- The impact on local children of the arrangements, including the potential that the arrangements will place some children at a significant disadvantage due to increased travel distances and other matters cited in the objection.

- Environmental concerns as a result of the change in arrangements leading to worsening congestion in an already busy area, making it harder for children to walk or cycle to school.

- The rationale for the change in arrangements and how the inclusion of Stourfield as a feeder school aligns with the admission authority's stated mission of serving the local community.

- The potential impact of the change on local primary schools, in particular, the Priory CE School.

## Other Matters

11. I raised a number of other matters where the arrangements did not, or appeared not to, comply with the requirements of the Code, including a lack of clarity of the arrangements in various ways: misleading general admissions principles; unclear arrangements relating to withdrawal of a place; random allocation; waiting lists; the admission/ transfer of children outside of their normal age group; and the separate PAN for Year 12 entry is not clearly displayed.

12. Full details of these matters and an analysis of the issues follow in my "Consideration of Case" below.

## Background

13. Twynham School is an 11-19 non-selective academy converter school, part of the Twynham Learning multi-academy trust. There are eight academies within the Trust, including Stourfield School, five of which are primary phase schools (two being 5-7 infant schools, two being 7-11 junior schools and one being an all through 4-11 primary), and three secondary schools. Following the determination of the arrangements for 2026/27 on 26 February 2025, the addition of Stourfield School as a feeder school means all three Twynham Learning junior and primary schools are now feeder schools for Twynham School.

14. The published admission number (PAN) for Twynham School is 270 for 2026/2027, an increase from previous years. In each of the past three academic years (2022/23, 2023/24 and 2024/25), the School admitted 264 pupils, which reflecting the School's PAN of 264 for each of those three years. Therefore, the School's PAN was not exceeded for entry to Year 7 during the past three years.

15. As of 19 September 2025, the central government website "Get Information About Schools" (GIAS) records the School's capacity as 1650 and the number of pupils on roll as 1703.

16. Twynham had originally removed Priory School as a feeder school in its proposed 2026/2027 admission arrangements. The consultation responses to the draft arrangements showed significant opposition to this proposal and, as a result, the Trust changed its

arrangements to re-instate Priory School, albeit with a lower priority than Twynham Learning feeder schools.

17. The School's oversubscription criteria in its 2026/27 arrangements are as follows:

"Where a child has an Education Health and Care Plan which names the school, the Trust recognises a duty to admit the child to the school.

Where all parental preferences for places at the school can be satisfied all children seeking a place will be admitted. Where there are too few places available, as measured against the PAN, places will be allocated according to the following priority order. The order of the categories listed below determines the order of priority for admission. Applicants who qualify for more than one category will be placed in the highest one in which they appear.

1. Children who are/or who have previously been in the care of a local authority. This criterion specifically relates to children with either a care order (full or interim) or who are accommodated under Section 22 of the Children Act 1989.

2. Children living within the school's catchment area who at the time of application, have a sibling on roll of the school and will still have a sibling(s) attending the school at the time of admission.

3. Children living within the school's catchment area who are on roll in Year 6 at Christchurch Junior School, Twynham Primary School or Stourfield Junior School (being both named feeder schools and part of Twynham Learning).

4. Children living within the school's catchment area who are on roll in Year 6 at The Priory CE Primary School (being a named feeder school but not part of Twynham Learning).

5. Children who live in the catchment area but who don't attend a feeder school or have a sibling in school.

6. Children of members of permanent staff employed at the school.

7. Children living outside the school's catchment area who are on roll in Year 6 at Christchurch Junior School, Twynham Primary School or Stourfield Junior School (being both named feeder schools and part of Twynham Learning).

8. Children living outside the school's catchment area who are on roll in Year 6 at The Priory CE Primary School (being a named feeder school but not part of Twynham Learning).

9. Children living outside the school's catchment area who at the time of application, have a sibling on roll of the school and will still have a sibling(s) attending the school at the time of admission.

10. All other children living outside the school's catchment area based on distance.

Within each category, oversubscription criteria will be based on the shortest straight line measurement using the geographic information system (GIS) this will be used to determine distances from the Ordinance survey [sic] home address point, to the Ordinance survey point in the middle of the school.

If there are insufficient places to accommodate all applicants and after using all tie break criteria, applicants for the final place(s) cannot be split, the remaining place(s) will be allocated using a random allocation process. The process will be electronically administered through the IT providers in use at the time. At the time of setting this policy the providers are Synergy.

Where applications are received from families with multiple birth siblings and by adhering to PAN these siblings could not be offered the same school, the admission number will be exceeded to accommodate the multiple birth siblings. This recognises the exceptional nature of emotional bonds between multiple birth siblings. This is not an indication that schools can exceed the admission number other than under these exceptional circumstances."

18. There have been two previous objections to Twynham's admission arrangements.

19. ADA3384 was determined on 26 July 2018. In that case, the objection was that Twynham School had changed the order of its oversubscription criteria and moved children who attended a feeder school but who lived outside the catchment further down the priority list resulting in such children having lower priority than all children who live in the catchment area. This objection was not upheld. The adjudicator also considered the arrangements for September 2019 admission to Twynham School in accordance with section 88I(5) of the 1998 Act, determining that there were matters (as set out in the determination) that did not conform with the statutory requirements relating to admission arrangements.

20. ADA3760 was determined on 9 July 2021. The objection in that case was to the reasonableness of the School's catchment area. The catchment area was found to be reasonable, and the objection was not upheld. Further, the adjudicator in this case also found certain matters in the arrangements did not conform with the Code.

## Consideration of Case

### The Objection

21. The three objections are to the inclusion in Twynham School's admission arrangements for 2026/27 of Stourfield School as a new feeder school, and the fact that Stourfield School is listed above Priory CE School in those arrangements. The detailed grounds of objection raised by each objector are set out in full above. I will deal with each point raised in turn indicating which objector or objectors raised it. Where there is commonality between the facets of each objection, I will deal with them collectively indicating where I have done so.

22. The objections fall principally within three provisions of the Code, unless otherwise indicated in this determination. These are:

Paragraph 14: admission arrangements **must** be fair and clear for parents as to how places are allocated.

Paragraph 1.8: oversubscription criteria **must** be reasonable, clear, objective, procedurally fair, and comply with all relevant legislation, including equalities legislation.

Paragraph 1.15: selection of a feeder school or schools as an oversubscription criterion **must** be transparent and made on reasonable grounds.

<u>Lack of clear, reasonable or adequate rationale for the inclusion of Stourfield School as a named feeder school and consequently affording a lower level of priority to children at Priory CE School (all Objectors)</u>

23. Paragraph 1.15 of the Code states that: "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."

24. It was unclear from the initial information provided by the School, and from the minutes of the meeting of the Governing Board, what the Trust's rationale was for including Stourfield as a new named feeder School in the arrangements and why Priory School was to be removed as a feeder school. In its consultation document, the Trust stated that: "The intent is to create a seamless educational journey for students attending Twynham Learning schools, ensuring continuity in provision and enhanced academic outcomes. All Twynham Learning schools are committed to excellence in education. The inclusion of Stourfield Junior School as a named feeder school cements this partnership, strengthens our Twynham Learning community and provides a clear progression path for students and their families." However, it was not clear why Priory School was to be removed as a feeder school.

25. A consultation on the proposed revised arrangements was conducted over a period of 7 weeks, from 6 December 2024 to 31 January 2025. For clarity, I note that Priory School was not included as a feeder school in these proposed arrangements. The LA noted: "Historically, Twynham School has afforded priority to children living within their catchment area above those who do not, regardless of feeder school or sibling links." Further noting that "in recent years, this means in-area children seeking places at Twynham have received an offer of a place." Nevertheless, the LA expressed concern in its consultation response about the proposed arrangement having a potentially detrimental impact on pupils currently attending Priory School stating in its response that:

"Children attending The Priory do not have priority for, or proximity to another school where they could reasonably be expected to be offered a place. Their next nearest school, St Peter's School (1.2 miles away) is faith based and did not offer to any children without a sibling, who did not meet the faith criteria in the 2023 or 2024 intake.

Their next nearest school, The Grange School (1.3 miles away), although traditionally undersubscribed has a PAN of 90. The majority of children attending The Priory CE Primary School would not be in catchment nor have feeder school priority for The Grange and, should the school increase in popularity, the total number of children attending The Grange's feeder schools, alongside the number of children within the school's catchment area, could prevent children being offered a place at The Grange School.

After The Grange School, the next nearest schools are Avonbourne Boys' and Girls' Academies which are located three miles from The Priory CE Primary School. Although Avonbourne academies do not have a catchment, given the distance from the school, alongside their increasing popularity, children attending The Priory CE Primary School may be at risk of not being offered a place. This will require them to travel further than three miles to the nearest school which can offer them a place."

26. The LA also expressed concerns about a potential increase in eligibility for home to school transport assistance reflecting that children living in Christchurch who would have historically been offered a place at the School, would be required to travel further distances to alternative schools.

27. The LA was also concerned that Twynham School's proposed admission arrangements did not conform to the requirements of paragraphs 1.8 and 14 of the Code, set out in full above. The LA stated in relation to paragraph 14: "whilst we find the oversubscription criteria to be clear, we do not believe they are reasonable given the likely impact on families attending The Priory CE Primary School, and families who live within Twynham School's catchment area who do not have a sibling or Twynham Trust feeder link."

28. As a result, the LA recommended in its consultation response that:

"Twynham School consider amending their proposed policy to reflect the criteria set out below:

1. Children who are/or who have previously been in the care of a local authority. This criterion specifically relates to children with either a care order (full or interim) or who are accommodated under Section 22 of the Children Act 1989.
2. Children living within the school's catchment area who at the time of application, have a sibling on roll of the school and will still have a sibling(s) attending the school at the time of admission.
3. Children living within the school's catchment area who are on roll in Year 6 at Christchurch Junior School, Twynham Primary School or Stourfield Junior School (being both named feeder schools and part of Twynham Learning).
4. Children living within the school's catchment area who are on roll in Year 6 at The Priory CE Primary School (being a named feeder school but not part of Twynham Learning).
5. Children who live in the catchment area but who don't attend a feeder school or have a sibling in school.
6. Children of members of permanent staff employed at the school.

7. Children living outside the school's catchment area who at the time of application, have a sibling on roll of the school and will still have a sibling(s) attending the school at the time of admission.
8. Children living outside the school's catchment area who are on roll in Year 6 at Christchurch Junior School, Twynham Primary School or Stourfield Junior School (being both named feeder schools and part of Twynham Learning).
9. Children living outside the school's catchment area who are on roll in Year 6 at The Priory CE Primary School (being a named feeder school but not part of Twynham Learning).
10. All other children living outside the school's catchment area based on distance.

The proposed oversubscription criteria above afford priority to all children living within the school's catchment area, whilst still recognising Stourfield Junior School as a Twynham Trust feeder school."

29. As a result of the LA's concerns, and taking into account other responses to the consultation, the Trust amended its arrangements to reinstate Priory School as a feeder school, albeit at a lower criterion than Stourfield and the other Twynham Learning feeder schools.

30. In its response to my request for further information, the Trust told me that the initial rationale for the inclusion of Stourfield as a feeder school was two-fold. Firstly, it was part of "a strategic decision to strengthen the educational journey within the Twynham Learning family of schools." Secondly, that "the Trust Board considered the benefits of continuity, shared ethos and academic progression for pupils attending [Twynham Learning] schools. The historic data for [Stourfield] had demonstrated a consistent pattern of pupils transitioning to Twynham School." Further, the reason why the Trust changed the order of the feeder schools' priority post consultation rather than keeping all feeder schools as equal priority was to prioritise in-catchment Priory pupils above out-of-catchment Twynham Learning pupils to reflect the strength of opposition to the initial proposal. The School stated that: "While the consultation revealed opposition, particularly from stakeholders linked to The Priory CE Primary School, the Board sought to balance community concerns with strategic priorities. The revised oversubscription criteria, post consultation, reflect this, giving higher priority to in-catchment pupils from The Priory than to out-of-catchment pupils from [Twynham Learning] feeder schools."

31. The Code uses the term 'reasonable' but does not define it. An everyday definition is of having sound judgement; being sensible and rational. It is the requirement of public bodies, including admission authorities, that they must act reasonably in adopting any policy or making any decision. The test I will apply to reach a conclusion on this, therefore, is whether the determined arrangements are such that a reasonable admission authority acting rationally and taking into account all relevant factors and no irrelevant factors would determine. This is an objective test. It will be necessary to consider the rationale for the determination of the arrangements as they are and the effect of their practical operation.

32. Although a clear rationale was not necessarily obvious from the initial information available to me, when asked, the School clearly articulated the grounds upon which the

selection of a new feeder school was made (and which are reflected above). It makes logical sense for a Trust to want to prioritise schools within its Trust family, provided there is a local connection between the schools, and I consider it reasonable to do so. What was concerning, however, was the initial decision to remove Priory School as a feeder school without fully articulated reasons or an assessment of impact, particularly as Priory School is the nearest of all the feeder schools to Twynham School, at 0.245 miles. However, in response to significant opposition and the concerns elicited by the LA to the consultation, the Trust Board reflected on and re-considered its decision to remove Priory School as a feeder school, albeit affording it a lower category in the arrangements than Trust feeder schools.

33. The Code does not specifically prohibit the treating of feeder schools differently, but the underlying principle is whether there are reasonable grounds to do so. I find that there are. The LA prefers feeder schools to be given the same priority regardless of any schools' academy trust status, but, in my opinion, choosing to afford different levels of priority for different feeder schools stops short of being unreasonable in this case given that Priory School pupils in catchment are to be prioritised over out-of-catchment Twynham Learning pupils. The Trust/School could and should have been clearer in setting out its initial rationale for the decisions it made prior to consultation and ideally they would have discussed the impact of such a step on place planning and sufficiency with the LA first. However, the practical impact of the revised arrangements is minimal. The LA has confirmed that, as a result of the post-consultation revisions to the arrangements, all Priory School children living in catchment expressing a preference for Twynham School are expected to be offered a place at Twynham School for September 2026.

34. **I do not uphold the objection on the ground that there was a lack of a clear, reasonable or adequate rationale for the decisions made post consultation.**

The impact on pupils at Priory School and other local primary schools (particularly those **not** affiliated with Twynham Learning) including the potential risk of diminished enrolment in other primary schools which could lead to fewer realistic school choices for local families (Objectors 2 and 3)

35. The LA has been very helpful in assisting me by providing information to inform the potential impact on pupils at Priory School and other local primary schools, for which I am grateful. The information is reflected in the paragraphs below, together with information received from the School where indicated.

36. The numbers of children on roll at each feeder school for Twynham School are reflected below, starting with the number of children that were expected to be on roll at those four schools in September 2025 and, thereafter, showing the figures for the past three academic years.

**The expected number on roll for September 2025:**

| School | Yr R | Yr 1 | Yr 2 | Yr 3 | Yr 4 | Yr 5 | Yr 6 | Total |
|---|---|---|---|---|---|---|---|---|
| Christchurch Junior School | n/a | n/a | n/a | 111 | 125 | 128 | 124 | **488** |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| The Priory CE Primary School | 30 | 29 | 25 | 28 | 27 | 30 | 31 | **200** |
| Stourfield Junior School | n/a | n/a | n/a | 91 | 111 | 123 | 119 | **444** |
| Twynham Primary School | 30 | 30 | 30 | 30 | 32 | 30 | 32 | **214** |
| **Total** | **60** | **59** | **55** | **260** | **295** | **311** | **306** | **1346** |

**Number on roll at the end of the 2024/25 academic year:**

| School | Yr R | Yr 1 | Yr 2 | Yr 3 | Yr 4 | Yr 5 | Yr 6 | Total |
|---|---|---|---|---|---|---|---|---|
| Christchurch Junior School | n/a | n/a | n/a | 125 | 128 | 124 | 124 | **501** |
| The Priory CE Primary School | 29 | 25 | 28 | 27 | 30 | 31 | 29 | **199** |
| Stourfield Junior School | n/a | n/a | n/a | 111 | 123 | 119 | 119 | **472** |
| Twynham Primary School | 30 | 30 | 30 | 32 | 30 | 32 | 33 | **217** |
| **Total** | **59** | **55** | **58** | **295** | **311** | **306** | **305** | **1389** |

**Number on roll 2023/24 academic year:**

| School | Yr R | Yr 1 | Yr 2 | Yr 3 | Yr 4 | Yr 5 | Yr 6 | Total |
|---|---|---|---|---|---|---|---|---|
| Christchurch Junior School | n/a | n/a | n/a | 126 | 124 | 124 | 126 | **500** |
| The Priory CE Primary School | 25 | 29 | 30 | 30 | 30 | 30 | 30 | **204** |
| Stourfield Junior School | n/a | n/a | n/a | 121 | 119 | 113 | 120 | **473** |
| Twynham Primary School | 30 | 30 | 30 | 32 | 32 | 33 | 33 | **220** |
| **Total** | **55** | **59** | **60** | **309** | **305** | **300** | **309** | **1397** |

**Number on roll 2022/23 academic year**

| School | Yr R | Yr 1 | Yr 2 | Yr 3 | Yr 4 | Yr 5 | Yr 6 | Total |
|---|---|---|---|---|---|---|---|---|
| Christchurch Junior School | n/a | n/a | n/a | 124 | 124 | 126 | 124 | **498** |
| The Priory CE Primary School | 30 | 30 | 30 | 30 | 31 | 30 | 30 | **211** |
| Stourfield Junior School | n/a | n/a | n/a | 100 | 114 | 120 | 120 | **454** |
| Twynham Primary School | 30 | 30 | 30 | 32 | 33 | 32 | 33 | **220** |
| **Total** | **60** | **60** | **60** | **286** | **302** | **308** | **307** | **1383** |

37. The figures show a stable number of Year 6 children for Priory School (29 to 31) for the past three years, and an overall reducing number of children in all years since 2022. The overall number of children (Yr R to Yr 6) across all four feeder schools reduced by 8 pupils between the academic years 2023/2024 and 2024/2025, and was expected to reduce by a further 43 for September 2025 entry.

38. Objector 1 stated in their objection that: “It is interesting to note that Stourfield has struggled to fill their reception classes for the past two years following poor Ofsted results. Within this context, the current proposal looks suspiciously like an attempt to strengthen the position of a school within the academy at the expense of a school outside of the academy, with obvious financial rewards on offer to the academy if it can attract more children to its primary schools. This leads me to question whether the true motives are financially driven as they clearly violate the principles of fairness and serving the local community.” I have found no evidence of this principally because the newly named feeder school in the

arrangements, Stourfield School, is a junior school and has no Reception, Yr 1 or Yr 2 classes. The Ofsted Report for Stourfeld (Junior) School was good prior to 2024 and an inspection on 28 and 29 January 2025 confirmed the previously assessed standards had been maintained.

39. The data below shows the number of preferences for Twynham School for the past there academic years, based on the number of on time applications received (that is, received on or before 31 October the year before entry to the School):

| **Academic Year** | **First preference** | **Second preference** | **Third preference** | Fourth preference | Total |
|---|---|---|---|---|---|
| 2025/26 | 248 | 225 | 125 | 23 | 621 |
| 2024/25 | 283 | 270 | 152 | 40 | 745 |
| 2023/24 | 258 | 222 | 144 | 36 | 660 |

40. The LA informed me that in 2023/24, there were a total of 50 applicants who were not offered a place at the school, known as “refusals”. All 50 were for out-of-catchment children. In 2024/25, there were a total of 68 refusals. All 68 were for out-of-catchment children. For 2025/26, there were no refusals.

41. The LA have informed me that children attending the Priory School who live within the catchment area for Twynham School are all expected to be offered a place at Twynham School in September 2026, subject to the school being listed as one of their four preferences and the application being submitted by the national closing date of 31 October 2025.

42. There are 31 children on roll in Year 6 at the Priory School in the 2025/26 academic year. Of these 31 children, 18 live within the Twynham School catchment area. The remaining 13 children live within the catchment areas of the Grange School, Highcliffe School or Avonbourne Boys and Girls Academies. These children live between 0.6 miles and 2.2 miles from their nearest secondary school. This is within the statutory walking distance (three miles) for secondary age children.

43. In the last three years, the Grange School, Avonbourne Boys Academy and Avonbourne Girls Academy have not refused places to children. Highcliffe School has not refused places for children for the last two years.

44. The LA does not anticipate that children living within the school’s catchment area who are on roll in Year 6 at The Priory School (oversubscription criterion 4) will be refused places at Twynham School should they apply on-time for the 2026/2027 academic year. This view takes into account previous allocations and the increase in PAN from 264 to 270 for admissions in 2026/27.

45. The School has told me that their Governing Board made a commitment to prioritising children living within Twynham School's catchment area, which includes oversubscription criteria 4 and 5 described in paragraph 28 above. These categories give higher priority to all in-catchment children than to all out-of-catchment children, including those who attend Twynham Learning schools.

46. The LA has informed me that should any current Year 6 children who attend the Priory School, but who live outside of Twynham's catchment area, not be offered a place at Twynham School, all of them can be offered a place at their catchment school. The LA is also not concerned about the impact of the School's arrangements on its home to school transport budget given the walking distance each child lives from their catchment school.

47. As far as the impact of the arrangements on children attending other primary schools, for example St Katharine's Primary School, is concerned, the LA accepts that Twynham School's 2026/27 admission arrangements in their current form could impact on the probability of a child being offered a place at Twynham, The LA said that the extent of the impact on children at St Katharine's who live outside of Twynham School's catchment area is currently unknown.

48. The LA informed me on 4 September 2025 that for September 2025 entry, Twynham School was expecting the following number of children to start Year 7:

| **Previous School** | **School Location** | **Number of children** |
|---|---|---|
| Christchurch Junior School | Bournemouth | 105 |
| The Priory CE Primary School | Christchurch | 24 |
| Stourfield Junior School | Bournemouth | 37 |
| Twynham Primary School | Christchurch | 24 |
| Other Bournemouth Schools (12) | Bournemouth | 39 |
| Other Christchurch Schools (3) | Christchurch | 11 |
| Independent School | n/a | 5 |
| Out Of B.C.P. Area | n/a | 9 |
| **Total** | | **254** |

49. As of 4 September 2025, the LA informed me that there were sixteen vacancies in Year 7 at Twynham School. Therefore, the position is that all children who expressed a preference for Twynham School have been accommodated and some vacancies remain.

50. I, therefore, find that the impact on pupils at Priory School and other local primary schools (particularly those not affiliated with Twynham Learning) is currently minimal for 2026/2027 entry and, further, that all Priory School children in catchment are likely to be offered a place at Twynham School for September 2026. As described above, Priory School children within catchment are prioritised over non-catchment Twynham feeder school children. Based on the information the LA has provided about the impact on children from other schools, there is no evidence of potential diminished enrolment in other primary schools as a consequence of the Twynham 2026/2027 admissions policy.

51. **I do not uphold this part of the objection.**

The changes to the admission arrangements constituting a violation of the admission authority's stated admissions principles, resulting in discrimination and disadvantage to those children attending Priory CE Primary School and seeking a place at Twynham School (Objectors 1 and 3)

52. In the process of considering the arrangements as a whole (see "section 88I consideration" below), I found the admission general principles (paragraph 2 of the arrangements) to be actively misleading by specifying that the feeder school system offers continuity of education for all feeder schools. Based on the evidence and information I have been provided with; this statement would appear to be true for pupils at a feeder school living in catchment but not otherwise. I find the misleading nature of this assertion gives rise to a lack of clarity breaching the legal requirements in paragraph 14 of the Code. **I therefore uphold the objection on this particular point.**

53. It is a separate point as to whether or not the inclusion of Priory CE School as a feeder school but below other feeder schools in the order of the oversubscription criteria results in unlawful discrimination for children attending the Priory School and seeking a place at Twynham School. Objector 1 asserted that the arrangements "may be in violation of the E[quality] A[ct] 2010. As the only faith-based primary school within the feeder system and geographical catchment area of Twynham School, the current proposal to deprioritise children leaving Priory CE School appears to discriminate against children whose parents have chosen this school on the basis of their religious beliefs."

54. Paragraph 1.8 of the Code requires that oversubscription criteria must be, amongst other things, compliant with equalities legislation. Unlawful indirect discrimination occurs where a body or person operates an ostensibly neutral provision, criterion or practice that places an identifiable group with a particular protected characteristic at a particular disadvantage as compared to groups who do not share that characteristic.

55. In order to consider indirect discrimination, it is necessary to identify a group with a particular protected characteristic. It is asserted by Objector 1 that the protected characteristic is that of religion or belief. There is no suggestion that any other protected

characteristic is engaged. Priory School is classified as having a religious character of Church of England. However, Twynham School has no faith-based admissions criteria and does not select any of its pupils on the basis of faith. It is my understanding that parents choose a Church of England school for a range of reasons, such as the school's academic reputation, record on pastoral support, Ofsted rating and so on. Often this will not be connected to an affiliation with the Church of England. None of the Objectors, including Objector 1, have asserted that their children attend the Priory School because of their faith. Twynham School has no religious character. I am, therefore, concerned with those parents wishing their children to attend a non-faith secondary school. I do not find on the evidence before me that there is any identifiable group of parents who have sent their children to the Priory School on religious grounds who now wish to send their children to a non-faith secondary school.

56. Consequently, I find that there is no identifiable group who share a particular protected characteristic and so I find no indirect discrimination arising from the level of priority afforded to the Priory School.

57. Finally, I note that there is unlikely to be any disadvantage to Priory School pupils in catchment for 2026 as all pupils within catchment expressing a preference for Twynham School are likely to receive a place at Twynham for September 2026.

58. **I do not uphold this part of the objection.**

<u>Environmental concerns resulting from the change in arrangements (Objectors 1 and 3)</u>

59. Objector 1 has asserted as follows:

"This proposed change makes it theoretically possible for up to 120 pupils attending an out-of-catchment school to be placed above the up to 30 students leaving Priory CE School each year for admission to Twynham School. This has the potential to lead to significant numbers of parents of children living within Priory CE School and Twynham catchment area to seek to have their children admitted to Stourfield Junior School, which is out of their catchment area, in order to advantage their children when subsequently seeking admission to Twynham School.

If even a small number of parents seek to take advantage of this distortion in admission preferences, then it will lead to a significant increase in travel across the natural boundary of the Stour River, which will exacerbate already severe traffic congestion in the local area. The bridges crossing the River Stour are already congested and this proposal stands to increase the numbers of vehicles crossing, creating further congestion and environmental damage.

In addition, if children living within the traditional catchment but attending Priory CE School not be able [sic] to secure a place in Twynham School due to being de-prioritised in the oversubscription criteria, they may be forced to also travel outside of their catchment to alternative schools, further adding to traffic congestion and environmental damage.

In 2019, Bournemouth, Christchurch, and Poole (BCP) Council declared a Climate Emergency, recognising the extent of human-caused climate change. BCP stated that it aims to support residents to reduce their carbon footprint. This initiative is part of a community-wide effort to tackle climate change and as part of that effort they have stated that "reducing the amount of cars on the road will be part of the zero-carbon plan".

The proposed changes to Twynham School's admission policy directly contradicts BCP's climate strategy. By proposing to admit children who live further from the school, the policy discourages walking and cycling, which are key transport options for reducing carbon emissions.

In a time when government bodies and industries are being held accountable for decisions that impact the environment, Twynham School has made no publicly available attempt to assess or disclose the environmental consequences of it's proposed changes to its admissions policy."

60. Objector 3 asserted that: "As you are aware, in 2019 BCP Council declared a climate emergency with the goal of reducing the carbon footprint of local residents. A key part of this initiative is reducing the number of cars on the road to help meet the zero-carbon target. Adding 120 more children from outside the local area would inevitably result in more cars on the road, worsening congestion in an already busy area. This would undermine efforts to reduce traffic and emissions, making it harder for children to walk or cycle to school, which is a critical part of encouraging a healthier and more sustainable community."

61. Given children living in catchment are prioritised over those living outside of catchment (whether in a Twynham Learning feeder school or not), and that children living in catchment and expressing a preference for Twynham School are expected to receive a place for September 2026, the identified risk is theoretical only. Consequently, there is no hard evidence that the change in Twynham School's admission arrangements will have an impact on the environment. **Therefore, I do not uphold this part of the objection.**

<u>Breach of the Code: in particular, the principle that admission arrangements must be fair, clear, and objective (Objectors 1 and 2)</u>

62. I have set out elsewhere in my determination ways in which the arrangements are unclear or misleading and the extent to which they do not conform with the Code. I have also set out in each place whether or not I uphold the objection.

63. Otherwise, I find the arrangements are fair and objective for the reasons set out elsewhere in my determination.

<u>The consultation process conducted before the arrangements were determined was flawed (Objector 1)</u>

64. Objector 1 raised the following issues on consultation:

"Paragraph 1.43 of the School Admissions Code says that "failure to consult effectively may be grounds for subsequent complaints and appeals". While the current consultation ran

from 6th December 2024 to 24th January 2025, it was only brought to the attention of parents from our school via an email from the school headteacher on 7th January 2025. This has not allowed sufficient time for parents or the local community to consider the proposal. I am not aware of any specific actions taken by Twynham School or BCP to consult with or seek the views of local families. If efforts have been made, they would appear to have been inadequate or ineffective. I saw no evidence of attempts to notify local families of this consultation in the press, local GP practices, notice boards, libraries or other means of alerting people to this important consultation.

In addition, there is some confusion about the ending of the consultation with BCP Council stating the consultation runs until 24th January 2025 and Twynham School's website stating the consultation runs until 31st January 2025. This has led to myself and other families rushing to submit an objection prior to the 24th of January to ensure it is registered, rather than being able to take the time until 31st of January to consider my objections more clearly.

Finally, the website form used by Twynham School to allow people to submit objections or comments on the proposed changes to it's admission policy was inadequate. It had an unreasonable character limit imposed that made it impossible to submit my proposal directly to the school. I therefore felt forced to submit my objection to BCP rather than directly to Twynham School. BCP had the 24th of January listed as the end date for the consultation, which gave me no confidence that I could submit my objection up until 31st of January as stated by Twynham School. This caused further concern, distress and confusion for me and likely other local families wanting to register their objections."

65. I made clear in my jurisdiction and information paper that whilst 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 Code, the adjudicator cannot impose a requirement upon an admission authority to re-consult after it has determined the arrangements. This would be the case even if the consultation had 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.

66. The LA supported schools by coordinating the consultations for BCP schools' 2026/27 admission arrangements. This included:

- providing a dedicated webpage including links to all consulting school's webpages
- emailing all schools in the LA's area directly (all BCP schools plus primary schools within 1 mile and secondary schools within 3 miles of the outside of the local authority boundary)
- emailing dioceses and neighbouring local authorities
- ensuring early years providers were advised through their newsletter
- promoting the consultations on the LA's family information social media channels, Facebook and Instagram (receiving approximately 3.5k views)
- articles in BCP Council newsletters which have a reach of approximately 25k subscribers (the LA stated it was included in three newsletters)
- forwarding consultation responses received directly to schools.

67. It was stated on the LA's dedicated website that consultations, unless otherwise stated next to the relevant schools, would run from Friday 6 December 2024 until Friday 24 January 2025. Twynham Learning extended their consultation period until 31 January 2025. The LA were unable to update BCP's webpage to reflect the extension at the time. The LA told me that they advised any enquirers of the extension and the webpage remained available to view.

68. Paragraph 1.46 of the Code requires that consultation must last for a minimum of 6 weeks and must take place between 1 October and 31 January in the determination year. The consultation for the 2026-27 Admissions Policy ran from 6th December 2024 to 31st January 2025, a period of 7 weeks.

69. Paragraph 1.47 of the Code sets out who admission authorities must consult with. The School have stated that:

> "All reasonable endeavours were made to make the parties listed in 1.47 aware of the proposed changes. Some respondents to the consultation referred to "not being made aware until 7th January" which is likely when their school returned from the Christmas Break and shared the communication with parents of children attending their school. However, a number of vehicles were used to publicise the proposed changes, including it being published on the school and Twynham Learning website for the duration of the consultation. Moreover, the proposed admission arrangements and how to respond to the consultation were included on the BCP website, despite administering our own consultation. All responses received, whether to BCP or to Twynham have been included."

70. The School received 321 responses to the consultation – 248 responses on Twynham Learning website forms (duplicate responses to BCP were removed), 6 responses by letter/email and 67 responses via BCP's website. This included responses from some local councillors, some local headteachers, the Diocese of Winchester and the local Member of Parliament.

71. The number of responses received suggests to me that the consultation was extensive. It is also clear that Twynham Learning's Governing Board took the consultation feedback seriously and altered the proposed admission arrangements to reflect the significant concerns raised. However, the rationale for dropping Priory School altogether should have been made clearer in the consultation. **Overall, I do not uphold the objection that the consultation was flawed.**

**Section 88I consideration**

72. As stated earlier in the determination, I have used my section 88I jurisdiction to consider the arrangements as a whole and make the following conclusions. I raised the issues described below in my jurisdiction and information paper. No comments were received from the School and the LA on these matters.

73. Paragraph 14 of the Code requires that arrangements must be fair and clear for parents as to how places are allocated. The issues listed below apply to that paragraph of the Code unless otherwise specified.

74. Admission general principles (paragraph 2 of the arrangements): The admission general principles appear to be actively misleading by specifying that the feeder school system offers continuity of education for all feeder schools. This statement would appear to be true for pupils attending a feeder school and living in the School's catchment area but not otherwise.

75. Withdrawal of a place (paragraph 2 of the arrangements): The full requirements of paragraph 2.13 of the Code (withdrawing an offer or a place) should be reflected in the policy, namely that where a parent has not responded to the offer, the admission authority must give the parent a further opportunity to respond and explain that the offer may be withdrawn if they do not. Where an offer is withdrawn on the basis of misleading information, the application must be considered afresh, and a right of appeal offered if an offer is refused.

76. PAN (paragraph 5 of the arrangements): The arrangements must indicate at the outset that there is a separate PAN for Year 12 (paragraph 1.2 of the Code).

77. Random allocation (paragraph 6 of the arrangements): If there are insufficient places to accommodate all applicants after using all tie break criteria, remaining place(s) will be allocated using a random allocation process. Paragraphs 1.34 and 1.35 of the Code state that admission authorities who decide to use random allocation when schools are oversubscribed must set out clearly how this will operate, ensuring that arrangements are transparent, and that looked after children and previously looked after children are prioritised. Further, that the random allocation process must be supervised by someone independent of the school, and a fresh round of random allocation must be used each time a child is to be offered a place from a waiting list. This is not described with sufficient clarity in the arrangements.

78. Waiting lists (paragraph 7 of the arrangements): This section should make clear that looked after children or previously looked after children allocated a place at the school in accordance with a Fair Access Protocol will take precedence over those on a waiting list. The term "school days" should be defined for this purpose and for other purposes in the arrangements (for example, in-year admissions). It is also not clear how the 1 June date interacts with the 31 August cut off. It would be clearer to say that if parents wish to keep a child on a waiting list beyond 31 August, they will need to reapply for a school place from 1 September each year.

79. Admission/transfer of children outside of their normal age group (paragraph 10 of the arrangements):

- there is no mention of summer born children contrary to paragraph 2.18 of the Code. The parents of a summer born child may have chosen not to send that child to school until the September following their fifth birthday and the child may have been

admitted out of their normal age group – to reception rather than year 1. Parents may, therefore, wish to make an out of year group application at secondary transfer level or as an in-year application. Paragraph 2.18 stipulates that "admission authorities **must** make clear in their admission arrangements the process for requesting admission out of the normal age group" which includes summer born children.

- The arrangements do not reflect some of the mandatory requirements of paragraph 2.19 of the Code including the fact that admission authorities must make decisions about admissions outside the normal year group on the basis of the circumstances of each case and in the best interests of the child concerned.

- The mandatory requirements of paragraph 2.20 of the Code are also not fully reflected, including that where an admission authority agrees to a parent's request for their child to be admitted out of their normal age group and, as a consequence of that decision, the child will be admitted to a relevant age group, the local authority and admission authority must process the application as part of the main admissions round, unless the parental request is made too late for this to be possible.

- There is also a right of appeal in certain circumstances which is not referred to.

- It is unclear what the "Hearings Panel" is and who this panel is made up of.

- The final paragraph of this section of the arrangements states: "If the application is approved, any existing applications will be cancelled, and the parents will need to re-apply the following year (for delayed entry) or make an in-year application (for accelerated entry) within the published timeframes. At no point will offers be held in two year groups. Any applications made following this approval will not be given special priority over other applications in that year as the usual oversubscription criteria will apply. If the application is not approved, parents should note that although they have a statutory right to appeal the general admission decision, this right does not extend to the decision on whether to admit a child outside their normal age group." This is confusing and does not appear to reflect or follow Code requirements. There is also no power for an admission authority to "cancel" an application. Instead, it should be made clear that the parent should be asked to withdraw the application that they no longer require.

## Determination

80. 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 Twynham Learning for Twynham School, situated in the local authority area of Bournemouth, Christchurch and Poole. The single point upheld is that a statement in the "general principles" section of the admission arrangements is not compliant with the provisions of the School Admissions Code.

81. 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.

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

Dated: 31 October 2025

Signed:

Schools Adjudicator: Emma Harrison