



Office of
the Schools
Adjudicator

Determination

Case reference: ADA4485

Objectors: A parent

Admission authority: The governing body for Horsforth School,
Horsforth

Date of decision: 24 October 2025

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I do not uphold the objection to the admission arrangements for September 2026 determined by Horsforth School (a single academy trust) for the school of the same name, situated in the local authority area of Leeds City Council.

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

By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements within two months of the date of the determination unless an alternative timescale is specified by the adjudicator. In this case I determine that the arrangements must be revised by 25 November 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 a parent (the objector), about the admission arrangements (the arrangements) for Horsforth School (the School, HS) for September 2026. HS is a secondary, academy converter school for children aged 11 to 18 years.

2. The objection concerns a catchment area that is used to prioritise applicants to the School when it is oversubscribed. The local authority for the area in which the School is located is Leeds City Council (the Local Authority or LA). The parties to the case are: the objector; the School and its admission authority Horsforth Trust (the admission authority, the Trust); the LA; and the three Councillors for the Bramley and Stanningley Ward (the Councillors), who support the objection.

Jurisdiction

3. The terms of the Academy agreement between the academy trust and the Secretary of State for Education require that the admissions policy and arrangements for the academy school are in accordance with admissions law as it applies to maintained schools. These arrangements were determined by the Trust, which is the admission authority for the School, on that basis.

4. The objector submitted her objection to these determined arrangements on 13 May 2025. The objector has asked to have her identity kept from the other parties and has 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 her name and address to me. I am satisfied the objection has been properly referred to me in accordance with section 88H of the Act and it is within my jurisdiction. I have also used my power under section 88I of the Act to consider the arrangements as a whole.

Procedure

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 at which the arrangements

- were determined;
- b. copies of the determined arrangements for 2026 and those for 2017;
 - c. the objector's form of objection dated 8 May 2025 and supporting documents, including a copy of a letter from the Councillors (the Councillors' letter); plus subsequent correspondence;
 - d. the School's response to the objection and supporting documents;
 - e. the LA's response to the objection and supporting documents;
 - f. a response from one of the Councillors to the objection;
 - g. the Equality Act 2010 (the Equality Act);
 - h. information available on the websites of the School, Ofsted, the LA and the Department for Education (DfE);
 - i. the DfE document "Travel to school for children of compulsory school age" (the DfE travel guidance); and
 - j. the Google Maps website and the government websites "Explore Education statistics" and "Get Information About Schools" (GIAS).

The Objection

7. The objection relates to children who attend Horsforth Newlaithes Primary School (HNPS), which is (according to GIAS, which measures straight line distances) 0.88 miles from HS. I make it clear that HNPS is not the subject of this objection and I have not considered its arrangements.

8. The catchment area of HNPS changed from 2024. The objection states that prior to this change, the catchment area of HNPS included the housing estate of Upper Reach, in the Horsforth suburb of Newlay, and consequently children from that estate were admitted to HNPS. Historically, most of those children have progressed to HS alongside their classmates.

9. The objector specified that she is concerned about the position of children who were admitted to HNPS prior to 2024 and live in Upper Reach, within the following postcode areas: LS13 1GE, LS13 1FE, LS13 1GH and LS13 1GA (the specified postcode areas).

10. The essence of the objection is that, prior to 2024, children within the specified postcodes had a high priority for HNPS due to residing within its catchment area and

tended to go that primary school. Many children attending HNPS progress to HS. However, children in the specified postcodes do not live within the catchment area specified in criterion 3 of the oversubscription criteria for HS and so may not gain a place at the School as it is heavily oversubscribed; the objector alleges that this disadvantages those children.

11. The specified postcode areas are no longer within the catchment area for HNPS. Consequently, in future children from those postcode areas will be less likely to attend HNPS and will, according to the objector, attend other primary schools and progress to other secondary schools. Those children will not, according to the objector, be disadvantaged by not attending HS when they reach secondary transfer age.

12. The effect of this is to set a time limit on the disadvantage the objector alleges arises for children from the specified postcodes, who may not gain a place at HS because they live outside the catchment area of the School.

13. The concern of the objector is that children admitted to HNPS, and their parents, have an expectation that they will progress to HS along with their classmates. The objector appears to consider it an anomaly that children living within the catchment area for HNPS at the time at which they were admitted to that school (those living within the specified postcodes) are not afforded a higher priority for admission to HS. The objector wishes HS to address this situation by introducing a further criterion in its oversubscription criteria naming HNPS as a feeder school.

14. The objection states that as the arrangements prioritise applicants on the basis of residence in a catchment area which does not include the specified postcode areas, some children residing in those areas and attending HNPS may be excluded from attending the School. The objector alleges that such children are consequently denied “the right to continue their education within their local Horsforth community”.

15. The objection can be summarised as follows:

The admission arrangements of Horsforth School are unlawful and discriminate against certain pupils in contravention of the Code and the Equality Act 2010.

The alleged discrimination is against children who were admitted to HNPS prior to the change of catchment area of that school and live in the specified postcode areas.

16. For the purposes of this determination, I have referred to the children described above as ‘HNPS Upper Reach children’.

17. Paragraph 1.14 of the Code requires that catchment areas are reasonable and clearly defined. That paragraph states:

“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.”

18. Paragraph 1.8 of the Code requires that oversubscription criteria are fair. That paragraph states:

“Oversubscription criteria **must** be reasonable, clear, objective, procedurally fair, and comply with all relevant legislation, including equalities legislation. Admission authorities **must** ensure that their arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs, and that other policies around school uniform or school trips do not discourage parents from applying for a place for their child. Admission arrangements **must** include an effective, clear, and fair tie-breaker to decide between two applications that cannot otherwise be separated.”

19. I do not have jurisdiction to consider allegations raised by the objector that the arrangements have been applied incorrectly, including that some parents have used addresses other than their permanent home address in applications for places at the School. Any complaint about the operation of the arrangements should be made to the DfE.

20. The objector submitted a document entitled “Objection signature support sheet”. This is a form containing twenty-six signatures from “Objectors: Upper Reach Community, whose children attend Horsforth Newlaithes Primary School”. As the signatories have not submitted an objection directly to the Office of the Schools Adjudicator (OSA), this has not been treated as a formal objection.

21. The Councillors’ letter supported, and largely repeated, the objection. That letter states:

“As the Councillors for Bramley and Stanningley ward, on behalf of parents, carers and guardians of young people who currently attend Horsforth Newlaithes Primary School, we are submitting an objection to the school's adjudicator as the Horsforth Admissions policy is unlawful and we do not feel that the school have applied the admissions policy correctly.”

22. As the Councillors have not submitted an objection directly to the OSA, their letter has not been treated as a formal objection. They have however been included as parties to the case.

23. For the avoidance of doubt, the number of objectors in any case has no effect on the outcome; the question for the adjudicator is solely whether or not arrangements conform with requirements. To put it another way, whether there is a high number of objectors or only one objector does not affect whether an objection is more or less likely to be upheld.

Background

24. HS is a co-educational, non-selective, secondary academy converter school which provides education for children aged 11 to 18 years. HS was most recently inspected by Ofsted in October 2023 when it was judged to be 'Good'.

25. The School is located in Horsforth, a town roughly to the northwest of Leeds in West Yorkshire. GIAS describes the location of the School as "Urban: Nearer to a major town or city".

26. The published admission number (PAN) of the School for admission to Year 7 in 2026 is 285. In the event of oversubscription, after the admittance any child with an Education, Health and Care Plan (EHCP) which names the School, priority for places in Year 7 is determined by application of the following criteria (in summary):

1. Looked after children (LAC) and previously looked after children (PLAC).
2. Children who will have siblings on roll at the School in Years 8-11 at the start of the 2026/2027 school year.
3. Children "living in Horsforth", with the catchment area defined as the LS18 postcode area.
4. Children for whom the School is "the nearest High School".
5. Any other children, with those living closest to the School afforded greatest priority for entry.

27. In the event of oversubscription within any one criterion, applicants are prioritised on the basis of distance, with those living closest to the School afforded greatest priority.

28. The arrangements include two catchment areas: oversubscription criterion 3 prioritises applicants within the LS18 postcode area, and criterion 4 those in the “nearest school area”. The nearest school area is shown as a map within the arrangements. A note in the arrangements provides the following explanation:

“Our nearest school area was created by drawing straight lines between our school and any other secondary school who offered this priority at the time it was created. This means it excluded any secondary school who at that time prioritised admission on faith grounds.”

29. The objection is to the LS18 postcode area set out in the third oversubscription criterion. For the purposes of this determination, the term ‘catchment area’ means this LS18 area and does not include the nearest school area.

30. HNPS is a community primary school for children aged four to eleven years; the LA is the admission authority for HNPS. The usual year of admission to HNPS is the reception year (Year R) and the PAN for 2026 is 60. GIAS describes the location of HNPS as “Urban: Nearer to a major town or city”.

Consideration of Case

31. I will first consider the allegation of discrimination under the Equality Act. The objector alleges that the catchment area discriminates against the HNPS Upper Reach children. The objection refers to HS as “Horsforth High” and states:

“By using a postcode to define the school’s catchment area in the admissions policy, has [sic] excluded a very small number of children. . . The Equality Act 2010 states that a school must not discriminate or victimise a pupil [sic] or potential pupils in relation to admissions. The Horsforth High admissions policy denies children living on our estate, who are in the Horsforth Newlaithes catchment area, the right to continue to grow and thrive within their community. In respect to the percentage figures (2%), one child has been denied a place for the 2025-2026 Horsforth High intake and this is reflective over the next couple of years.”

32. The Equality Act sets out the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. In order to establish discrimination under the Equality Act, it is necessary to identify a group or person with a protected characteristic that is the subject of discrimination, either directly or indirectly.

33. The objector has not alleged any discrimination on the basis of the protected characteristics set out in the Equality Act. I find that the arrangements do not prioritise applicants, or discriminate directly or indirectly against applicants, on the basis of any of those characteristics.

34. For the reasons set out above I find that the arrangements do not discriminate against applicants with any of the protected characteristics. Consequently, the arrangements do not contravene the Equality Act. Consequently, I do not uphold this aspect of the objection.

35. The objection states “the Horsforth Admissions policy is unlawful”. Other than the allegation regarding the Equality Act, the objection does not detail in what way the arrangements contravene the Code or the law but asserts that the effect of the catchment area is to exclude HNPS Upper Reach children. The objection states:

“By using [sic] a postcode to define the school’s catchment area in the admissions policy, has excluded a very small number of children. This has denied them the right to continue their education within their local Horsforth community, an area in which they have thrived and have a sense of belonging and are also very familiar with their surroundings.”

36. The objection makes a number of assertions which may amount to unfairness. That is, the objector asserts that the effect of the catchment area, in excluding the specified postcode areas, is unfair to HNPS Upper Reach children. These effects may be summarised as follows:

- 36.1. Community and peer links should be able to continue; placing the children concerned in a school other than HS denies them such continuation.
- 36.2. Being placed in a school in an “unfamiliar area” will affect the children’s health and social wellbeing.
- 36.3. Children will be unable to continue peer relationships from HNPS; this could cause greater anxiety on the part of children and parents in relation to safeguarding.
- 36.4. If not admitted to HS, children will be travelling to school on their own; this will cause distress and safeguarding concerns.
- 36.5. Travelling to any school other than HS on foot, or by cycling or scooting, is unfeasible or unsafe, and parents would have to drive their children to

school. This would result in loss of exercise for the children and in environmental impacts from increased vehicle use.

37. Catchment areas are commonly used in school admission arrangements, often with the purpose of ensuring that no child has an unreasonably long journey to school, or to ensure that the school in question serves the community local to it. However, there are other reasons why a catchment area may be in use and a variety of factors which may influence the design of such an area. Consequently, a child's catchment school may not necessarily be their closest school.

38. Parents may apply for a place for their child at any school of their choice; this does not have to be one for which they are in catchment or even one in the local authority area in which they live. Some schools will inevitably attract more applications than others; there are many reasons why a school may be popular and no child (except one with an EHCP which names a school) can be guaranteed a place at the school which their parents most want them to attend.

39. Before considering whether the catchment area is in any other way unlawful, I pause to address a suggestion made by the objector that the arrangements should be revised for a number of years hence. The objector stated:

"Is it possible for the adjudicator/HH [the School] to consider a temporary inclusion of the LS18 catchment area to include our 3 or 4 postcodes to address the abnormalities/unique situation that the combination of the change in school catchment area and the postcode criteria of [HS] has created? If this was in place for the next 6 years this would resolve this particular period of cause and effect.

This would be an average of just 2 children per school year and include siblings. This would be a minimum impact to HS and positive outcome for the children involved and support a community minded approach."

40. One of the Councillors made a similar suggestion:

"we believe it would be beneficial to introduce a transitional period, as siblings at the school work their way through school as their younger ones join."

41. I make it clear that an adjudicator can only consider arrangements that have already been determined by the admission authority. The arrangements for 2027 and subsequent years have not yet been determined. Consequently, my jurisdiction is to consider the arrangements for 2026 and only the arrangements for that year.

42. I will determine whether the catchment area is lawful by assessing whether it complies with the relevant requirements of paragraphs 1.14 and 1.8 of the Code. I will determine whether the catchment area is clearly defined; whether it is reasonable; and whether its use to prioritise applicants to the School results in unfairness as the objector alleges.

43. The Code requires that catchment areas are clearly defined. In order to fulfil this requirement, arrangements must set out which addresses do and do not belong to the catchment area, and this must be clear to all prospective parents including those who do not live in, or are not familiar with, the local area. The third oversubscription criterion states:

“Children living in Horsforth. Our catchment area is defined as the LS18 Postcode. Evidence of this may be required from Parents / Carers.”

44. I am satisfied that it is clear, to any person reading the arrangements, which addresses do and do not fall within the catchment area of the School. Consequently, I find that the catchment area is clearly defined as required by the Code.

45. I will now consider whether the catchment area is reasonable. The Code uses the term ‘reasonable’ but does not define it. It is the requirement of public bodies, including admission authorities, that they must act reasonably in adopting any policy or making any decision. The common law test for ‘unreasonableness’ in this context is that, for a decision to be considered unreasonable, it would have to be a decision that no rational admission authority would have made having taken into account all relevant factors, placing sufficient weight upon each of those factors and disregarding any irrelevant factors.

46. The School provided a full rationale for the use and design of the catchment area. This included:

“Our oversubscription criteria are determined to follow LCC [Leeds City Council] procedures apart from LS18. This was determined in 2012 when we became an academy by the Trustees at the time. . . The clear goal was to ensure Horsforth remained a community school and it was decided that the LS18 criteria mirrored the old Horsforth Parish boundary well (to use the parish boundary would not have been clear) which is the community we serve: Horsforth.”

“The catchment [area]. . . is widely accepted and popular in the Horsforth community, we are a popular school and had over 1100 applications for 285 places last year. It was determined as the best, clear, description of the Horsforth

community and this has not changed since then. We have expanded by 60 places to meet the demand in 2022 so all LS18 parents would get the best chance of gaining a place and we attend a significant number of appeals every year of parents who would like their children to attend Horsforth.

“The community of Horsforth is linked to the village identity prior to the expansion of the suburbs. The best geographical description of this is LS18.”

47. I asked the School whether any consideration has been given to including the area of Newlay, or the specified postcode areas, in a catchment area for HS. The School told me:

“The clear goal was to ensure Horsforth remained a community school and it was decided that the LS18 criteria mirrored the old Horsforth Parish boundary well (to use the parish boundary would not have been clear) which is the community we serve: Horsforth. To change this would depart from that. Equally, the only rationale would linked to [sic] distance from the school which would encompass a number of areas before Newlay.

“As a result of the LS18 criteria many more students from Newlaithes (at the reaches of LS18) gain admission than if we had simply used straight line distance (a large number of LS16 postcodes are much closer) as they are part of Horsforth. The LS18 criteria benefits families at distant LS18 postcodes and to preference the postcodes listed would disadvantage much closer families with no clear rationale.

“Students who are admitted from further away are usually due to the sibling rule.”

48. The School has provided a clear rationale for the use and design of its catchment area. It has also explained why the specified postcode areas are not included within the catchment area. I find nothing unreasonable in the School’s rationale and nothing that might otherwise make it unreasonable so consequently I find that the catchment area of the School is reasonable.

49. I will now consider whether the catchment area is fair. Fairness is a concept which, like that of reasonableness, is used in the Code but is not defined. Fairness can be described as a ‘protean concept’ in that it cannot be defined in universal terms; its requirements will depend on the circumstances. Fairness is focussed on the effect of the arrangements on any relevant group.

50. Not being able to gain a place at a specific school does not in itself constitute unfairness. Data on the Explore Education Statistics website show that for entry to secondary school in England in 2025, 16.5 per cent of applicants were refused an offer

at their first preference school. The LA told me that in its area, approximately one thousand five hundred children were refused a place at their first preference school in 2025.

51. I stress here that all oversubscription criteria create advantage for some applicants and disadvantage to others; indeed, that is their purpose. I will undertake a balancing exercise, weighing the advantage which the arrangements afford to children who live within the catchment area of the School against any disadvantage they cause to HNPS Upper Reach children. Unfairness can be found when the disadvantage is considered to outweigh the advantage.

52. HS is a popular, oversubscribed school. The School provided the data below: table 1 sets out the total number of applicants and offers made for places at the School on National Offer Day in recent years, plus the number of first preference applicants for the School. Table 2 shows the number of children with EHCPs offered a place at the School and the numbers of children who were offered a place under each oversubscription criterion. The PAN of the School was 285 in each of the years shown.

Table 1: Total applications to the School, first preference applications, and offers made on National Offer Day, from 2023 to 2025.

	2023 entry		2024 entry		2025 entry	
	Applied	Offers	Applied	Offers	Applied	Offers
Total applications and offers	1154	285	1186	285	1125	285
First preference applicants	336	282	348	284	329	277

Table 2: The number of children with EHCPs offered a place at the School, and the numbers offered a place under each oversubscription criterion, from 2023 to 2025

Criterion	2023	2024	2025
EHCP	1	4	2
LAC/PLAC	1	5	5
Siblings	98	99	115

Horsforth LS18 Postcode	173	165	163
Nearest Priority School	10	4	0
Any other child by distance	2	8	0

53. In my view a catchment area may be considered unfair if residence within it provides very little chance of gaining a place at the school concerned. It may also be unfair if only a small proportion of the total intake of pupils resides in the catchment area. The data does not indicate such unfairness. In each of the three years shown above, over half of children offered places at the School were prioritised under the catchment area criterion; and 2025 was the first year in which any child within the catchment area was refused a place at the School. The data support the School's rationale of being a community school, providing for children in the LS18 area.

54. The objector believes that children should be able to progress from primary school to secondary school alongside their classmates. I understand that families may prefer this, but the law does not require it. I note that a change in the catchment area to include the specified postcode areas may not guarantee such a path for HNPS Upper Reach children, due to the popularity of HS. In other words, even if the specific postcode areas were within the catchment area of the School this would not, and could not, guarantee admittance for HNPS Upper Reach children. It would, however, increase the likelihood that they would be admitted.

55. As I have said, in order to determine whether the arrangements cause unfairness it is necessary to conduct a balancing exercise. The inclusion of the specific postcode areas in the catchment area could result in children from other primary schools, who live within LS18, having less chance of progressing to HS with their peers.

56. The objector stated that one HNPS Upper Reach child was denied entry to the School in 2025 (a figure confirmed by LA data), with one or two such children expected to be denied entry in each subsequent year. It may be tempting to take the view that admitting the children in question to HS would make no substantial difference. However, according to GIAS there are 44 primary schools within three miles of the postcode of HS, sixteen of which are within two miles. If the catchment area was revised to include the specified postcode areas, HNPS Upper Reach children could displace applicants from other primary schools who may subsequently experience all the disadvantages which the objector alleges.

57. The objector asserts that HNPS Upper Reach children are in a unique position, and that unfairness has arisen because those children are within the catchment area for HNPS. Consequently, many of them attend HNPS and wish to progress to HS as has historically usually been the case. This issue, the objector asserts, will not arise for the new intake to HNPS as the specified postcodes are no longer within the catchment for HNPS because of the recent change in catchment area of that school. The objection stated:

“For over 10 years, our small estate has been included within the catchment area for Horsforth Newlaithes and children have then naturally moved to Horsforth High to commence Year 7. This means that all children attending Horsforth Newlaithes in previous years have attended Horsforth High, except for children with educational needs and religious beliefs or whose parents/carers chose to send their child to an alternative school.”

58. The objector also stated:

“I don’t believe HS appreciated the uniqueness of the situation within our objection. The few children this objection is concerned with, are unfortunately victims of the change in school boundaries and enforcement of school admissions criteria.”

59. The objector also believes that if, when Upper Reach children were admitted to Year R they were not within the catchment area of HNPS, they would not have been admitted to that school. Consequently, they would not be in the position of wishing to progress to HS alongside their peers. The objector stated:

“We are concerned about the children living in the [specified] postcodes who attend Horsforth Newlaithes Primary School as this was named as their first and closest school choice when applying.”

60. The objector’s point in respect of this matter is illustrated in the following statement:

“Due to the change in primary school catchment area on our estate that commenced from September 2024/2025, children are now included in a different catchment area, so would follow the new path away from Horsforth along with their siblings, fellow students and families, allowing them to experience a sense of community and social wellbeing. So for example, a number of families will be going to Whitecote Primary School and then to Leeds West Academy”.

61. The objector is not concerned about Upper Reach pupils admitted to primary school after the point at which the catchment area of HNPS changed. This is because, she states, those pupils were admitted to other primary schools from which they will progress to secondary school alongside their classmates.

62. In respect of the assertion that the arrangements result in unfairness for Upper Reach children because of the change of catchment area for HNPS, I make the following observations:

- 62.1. As no child (other than one with an EHCP which names a school) can be guaranteed admission at any school, there can be no expectation that a child will progress from any primary school to a given secondary school. In the example the objector gives above, it is possible that in future years the demand for places at Leeds West Academy may be such that not all pupils from Whitecote Primary School who wish to be admitted there are offered a place.
- 62.2. The Code requires that arrangements are determined annually and, subject to the requirements for consultation being met, allows admission authorities to change their arrangements on an annual basis. Consequently, it would not be reasonable to assume or expect that the arrangements of any school will remain unchanged.
- 62.3. The arrangements do not prioritise applicants on the basis of the catchment area of HNPS or attendance at that school. Neither have the arrangements done so previously; the oversubscription criteria and catchment area of HS have remained unchanged since at least 2017.
- 62.4. Consequently, it is not true that the inclusion of Upper Reach in the catchment area of HNPS in previous years “means that” children from HNPS then attended HS.
- 62.5. As the arrangements do not prioritise applicants based on the catchment area of HNPS or attendance at that school, it is incorrect to claim that any “change in school boundaries” has affected the likelihood of admission for HNPS Upper Reach children to HS. If these children are becoming less likely to be admitted to HS, this is not due to any change in the oversubscription criteria, but rather to an increase over time in the number of children admitted under higher priority criteria within those criteria.

62.6. The HNPS Upper Reach children were admitted to HNPS because their parents chose to apply to that school. The objector states that parents were encouraged by the LA to apply to their catchment school for Year R; this may have been the case, but parents could have chosen to apply to send their children to another school. According to GIAS there are thirty primary schools other than HNPS within two miles of the postcode LS13 1GE, for example. There may be parents who regret their choice of primary school; this does not amount to a fault in the arrangements for HS.

62.7. Although there could be no reasonable assumption that the arrangements of HS would remain unchanged, this is in fact the case. In other words, at the time at which Upper Reach parents applied for their children to be admitted to HNPS there was nothing to suggest that those children would be afforded high priority for entry to HS, and the priority which the arrangements afford to such children has remained unchanged.

63. For all the reasons above, I do not find that the arrangements result in unfairness for Upper Reach children.

64. Unfairness may exist if there were insufficient places in other schools within a reasonable distance of the homes of the HNPS Upper Reach children. The objector does not assert that there are insufficient places but has expressed concerns regarding the feasibility of children travelling to alternative schools.

65. According to GIAS, there are four secondary schools (including HS) within two miles of each of the specified postcodes, and ten schools within three miles. Table 3 sets out the straight-line distance (as shown on GIAS) from each postcode to HS and to Leeds West Academy (LWA), the school for which these areas are in catchment.

	Distance from HS (miles)	Distance from LWA (miles)
LS13 1GE	1.24	0.93
LS13 1FE	1.14	1.04
LS13 1GH	1.09	1.08
LS13 1GA	1.1	1.06

66. LWA is an academy school for children aged eleven to sixteen years. In its most recent inspection, in October 2024, Ofsted judged LWA to be 'Good'. GIAS describes the location of LWA as "Urban: Nearer to a major town or city". The LA provided data which show that in each of the last three years, all children in the catchment area of LWA who sought a place at that school were offered one; this is expected to continue for at least the next two years.

67. I am satisfied that there are suitable alternative schools for children living in the specified postcode areas, and that these are within a reasonable distance of the children's homes.

68. I will now consider the matter of travel to school. The objection stated:

"All children that attend Newlaithes Primary School travel by foot, bike or scooter. They would all be able to extend this to Horsforth High School with ease. This is due to the presence of safe, well lit, easy to traverse terrain covering the whole 1.1 mile (average), from the estate to Horsforth High School. The [sic] would also be inline [sic] with the High school supporting their pupils to walk to school.

"To walk, cycle or scoot to any other high school from the estate would either be unfeasible, or unsafe. The paths are either non-existent, unlit and very steep. They are also unfamiliar to the children who currently spend their social and educational time within the Horsforth Community. Parents would have to no choice but to drive their children to and from school if denied entry to Horsforth High School. Children would be travelling on their own due to the unfavourable cirteria [sic] towards our children set out in the current admissions policy."

69. The DfE travel guidance states:

"The statutory walking distances are used to determine whether a child is eligible for free travel to school. They are the distance beyond which a child who is attending their nearest suitable school is eligible for free travel arranged by their local authority. Where a child lives within the statutory walking distance (and is not eligible for free travel on any of the other grounds set out in this guidance) the parent is responsible for arranging their child's travel to school. There is no expectation that the child will walk. It is for the parent to determine what arrangements would be suitable for their child. . . A child aged 8 years or over is eligible for free travel to their nearest suitable school if it is more than 3 miles from their home."

“When a local authority assesses whether the distance between a child’s home and their school is further than the statutory walking distance, the route they measure must be the shortest route along which a child, accompanied as necessary, may walk in reasonable safety.”

“A child is eligible for free travel to school if:

- They attend their nearest suitable school, and
- it is within the statutory walking distance of their home, and
- the nature of the route means they could not be expected to walk there in reasonable safety even if accompanied by their parent, and
- there is no alternative route within the statutory walking distance that they would be able to walk in reasonable safety, even if accompanied by their parent.”

70. The DfE travel guidance makes it clear that it is for parents to determine suitable travel arrangements. Although it may be preferable for children to be able to walk to school, this is not a legal right nor could it be; many children live in rural areas without safe walking routes to any school.

71. I asked the LA whether there is a safe walking route from each specified postcode area to LWA. The LA responded:

“There are two safe walking routes which would be considered safe (accompanied as necessary) to LWA, one is a tow path and the other a road. (Pollard Lane). . .

“There is also Abbey Grange C of E school which has a safe walking route. . .

“If there no safe walking routes, the children would get bus passes.”

72. The objector disagreed with the LA’s view, stating:

“I am quite concerned how the local authority can suggest the canal path and Pollard Lane are safe for a year 7 child to walk on alone. We’d challenge any parent to be comfortable sending their child off along the canal/tow path, without any lighting in the depths of winter when it barely gets light. Pollard lane [sic] is not particularly safe either with the narrow paths, poor lighting and traffic driving too quickly up and down a narrow road, there is also quite a long stretch of path which passes by a very large area of woodland with no homes of building [sic] but dense woodland on either side. Both of these suggested ‘safe’ walking routes

to Leeds West academy have seasonal difficulties from autumn onwards when there's lots of leaves making it slippery and later on making it icy, as the path is so narrow and with poor lighting. The route to Horsforth High will ensure they have a safer route as they will be able to walk with other children who attend Horsforth High and with families that have children at Horsforth Newlaithes. On page 15, of the 'Travel to school for children of compulsory school age Statutory guidance for local authorities January 2024', it suggests that these types of risk should be considered. I think it's important to note that some of the children included as part of this objection do have SEND needs."

73. One of the Councillors also expressed concerns, stating:

"In regard to lighting on Pollard Lane, this has been a historic problem for residents, and it can prove difficult for them to use the route in particularly icy and wintery conditions."

74. As set out above, the DfE travel guidance states that a child may need to be accompanied by a parent in order to walk to school safely, and that it is for individual parents to make decisions regarding their children. The responsibility of the LA, to provide free travel in the circumstances described in that guidance, is clear. If any individual parent disagrees with the LA's assessment in respect of whether or not funded travel would be provided for their child, they have the recourse of appealing to the LA, as is required by the DfE travel guidance. The LA website states:

"12.1 Parents have the right of appeal if:

(a) support with the cost of home to school transport is refused and they believe the policy has been wrongly applied; or

(b) they feel their child's circumstances are exceptional and warrant support from the council on a discretionary basis; or

(c) they consider the support offered to be unsuitable.

12.2 The appeal process has been revised in accordance with government guidance issued in January 2024.

12.3 Transport appeals will normally be considered by a panel of senior council officers who are unconnected with the administration or management of the transport team and have no prior involvement in the original decision."

75. It is likely that most children of secondary school age will be able to walk to school unaccompanied by their parents. I recognise that where this is not possible this causes inconvenience for parents. As I have discussed above, if HNPS Upper Reach children are admitted to HS they may displace applicants from other areas; those applicants may face similar inconvenience.

76. For the reasons set out above, I do not find that the matter of safe travel to school is such that the catchment area of HS should be revised to include the specified postcode areas.

77. The objector has made a number of statements regarding the unfairness which she alleges the arrangements cause to HNPS Upper Reach children; I summarised these earlier in this determination. I do not accept that progressing to LWA, a secondary school just over a mile away from each specified postcode area, in an urban environment, or to one of the many other secondary schools within three miles of those postcodes, is likely to cause the safeguarding concerns or the distress that the objector alleges. Thousands of children across the country make similar moves, from primary school to secondary school, each year.

78. It is incumbent upon me to consider fairness for all potential applicants to the School. I stress that the effects of the arrangements which the objector alleges, seem as likely to occur to a child from HNPS as to one from any other primary school, who may be displaced from HS if the arrangements were revised to afford greater priority to HNPS Upper Reach children. No evidence has been provided to show that HNPS Upper Reach children are more in need of places at HS than those from any other school. In short, I have seen no evidence that the arrangements cause HNPS Upper Reach applicants the unfairness the objector alleges.

79. I stress that the catchment area of HNPS, and changes to that area, have in no way affected the likelihood of any child gaining a place at HS.

80. For all the reasons above, I do not find that the catchment area of the School is unlawful or unfair and do not uphold this part of the objection.

81. As a final point, I note the suggestion made by the objector that HNPS should be named in the arrangements as a feeder school for HS. The objection states:

“As per the schools admissions code, Horsforth High should amend the admissions policy (under criteria 3) in respect to feeder schools, to allow for children who currently attend Horsforth Newlaithes from our estate, (previous to the reception intake of 2025-2026) to attend Horsforth High. This would then be

in-line with the change in catchment area for Horsforth Newlaithes by the education authority, ensuring no child is being victimised owing to system changes.”

82. It is for the Trust to determine the arrangements for the School, and it is not within the jurisdiction of the adjudicator to determine that any admission authority must introduce feeder schools into its arrangements. In any case, no evidence has been provided to show that children from HNPS are more in need of places at HS than those from any other school. Consequently, there is no evidence to suggest that if the Trust did choose to use feeder schools in its oversubscription criteria then HNPS should be named ahead of any other school.

Other Matters

83. As I considered the arrangements other matters came to my attention which appeared not to comply with the Code. These are listed below. When I raised these matters with the School it provided a helpful response and resolved to revise the arrangements to comply with the Code; I am grateful for its attention to these matters.

84. The arrangements refer to the “published admissions limit”. As the Code uses the term “Published Admission Number”, which is not a limit but a minimum number of children that must be offered places if sufficient applications are received, this lacks the clarity required by paragraph 14 of the Code.

85. The arrangements state, “An Academy can be directed to take children in care by the Local Authority or the School Adjudicator [sic] even when the School is full”. As set out in paragraph 3.29 of the Code, it is the Secretary of State who has the power under an Academy’s Funding Agreement to direct an Academy to admit a child. The arrangements are therefore contrary to this paragraph.

86. The first oversubscription criterion for admission to Year 7 states (in its entirety):

“a) Children in public care or fostered under an arrangement made by the local authority or children previously looked after by a Local Authority. (see Note 1)

a) Pupils without an EHCP but who have special educational needs, or with exceptional medical or mobility needs, which can only reasonably be met at Horsforth School. (see Note 2)

b) ”.

87. This appears to afford children with special education needs, but without an EHCP, equal priority for admission to that afforded to LAC and PLAC. This is contrary to paragraph 1.7 of the Code, which requires that:

“All schools **must** have oversubscription criteria for each ‘relevant age group’ and the highest priority must be given, unless otherwise provided in this Code, to looked after children and all previously looked after children, including those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted”.

88. In respect of this, the School stated:

“Our first oversubscription criterion is 1a which is higher than 1b and any child ranked as 1b always comes second within the criteria hierarchy. Again, the Trust are more than happy to change this to criteria 2 to be clearer.”

89. The criterion in question is not divided into “1a” and “1b” and must be revised in order to comply with paragraph 1.7 of the Code.

90. The first oversubscription criterion (for entry to Year 7 and Year 12) includes the prioritisation of “Children in public care or fostered under an arrangement made by the local authority or children previously looked after by a Local Authority.” These definitions of LAC and PLAC differ from those in paragraph 1.7 of the Code; the arrangements are therefore contrary to that paragraph.

91. In respect of this the School stated:

“We always determine our arrangements in collaboration & consultation with Leeds City Council (LCC) who have the information on young people who qualify under paragraph 1.7. We have always taken the LCC Admissions Teams view on our policy and have done this year but will happily change this to clarify and match the codes definition.”

92. I make it clear that as the Trust is the admission authority for the School, it is the responsibility of the Trust to ensure that the arrangements comply with the requirements of the Code.

93. The arrangements state, “If you are moving home after the submission of your application form, you are entitled to appeal for a school place”. The weblink provided takes users to a Local Authority page where parents can submit evidence of a change in circumstances such as a change of address, including in advance of National Offer

Day. This is not an “appeal” and the arrangements therefore lack the clarity required by paragraph 14 of the Code. In respect of this the School stated:

“As this section is about change of address not an appeal, the Trust would be happy to amend the arrangements to remove the sentence that reads “If you are refused a place, you are entitled to appeal for a school place” to prevent any confusion as we cover appeals above.”

94. Oversubscription criterion 4 prioritises applicants on the basis of residence in the “nearest school area,” shown as a map in the arrangements. That map does not make it clear which properties do or do not belong to the nearest school area; the arrangements are therefore contrary to paragraph 1.14 of the Code which requires that catchment areas are clearly defined.

Determination

95. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I do not uphold the objection to the admission arrangements for September 2026 determined by Horsforth School (a single academy trust) for the school of the same name, situated in the local authority area of Leeds City Council.

96. 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.

97. By virtue of section 88K(2) the adjudicator’s decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements within two months of the date of the determination unless an alternative timescale is specified by the adjudicator. In this case I determine that the arrangements must be revised by 25 November 2025.

Dated: 24 October 2025

Signed:

Schools Adjudicator: Jennifer Gamble