



Office of
the Schools
Adjudicator

Determination

Case reference:	REF 4551
Referrer:	A parent
Admission authority:	Woking High School Academy Trust on behalf of Woking High School, Woking
Date of decision:	26 November 2025

Determination

I have considered the admission arrangements for September 2026 for Woking High School in accordance with section 88I(5) of the School Standards and Framework Act 1998 and find that the catchment area criterion contained in the admission arrangements does not conform with the requirements relating to admission arrangements.

I have also found that 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 28 February 2026.

The referral

1. An objection was referred to the Office of Schools Adjudicator (OSA) by a parent (the Referrer), about the admission arrangements (the Arrangements), for Woking High School (the School), determined for September 2026. The School is part of Woking High School Academy Trust (the Trust).
2. Although the Referrer's objection to the Arrangements is dated 12 May 2025, it was not received by the Office of the Schools Adjudicator (OSA) until 8 June 2025. The Referrer's

objection relates to the School's catchment area criterion (Oversubscription Criterion 6) in the Arrangements.

3. When the Arrangements were brought to my attention, I also considered the Arrangements as a whole and it appeared that there are aspects which did not, or might not, conform with the requirements for admission arrangements and I have also considered these as part of this determination.

4. The local authority for the area in which the school is located is Surrey County Council (the Local Authority). The parties to the case are the Local Authority, the Trust as the admission authority, the School, and the Referrer.

Jurisdiction

5. 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 academy school be in accordance with admissions law as it applies to maintained schools. The Arrangements were determined under section 88C of the Act by the Trust, as admission authority for the School, on that basis.

6. When the Arrangements were brought to my attention, I noted that the Arrangements had not been determined in accordance with paragraph 1.49 of the School Admissions Code (the Code) which provides, inter alia, that admission authorities must determine their admission arrangements by 28 February. After I raised this with the Trust, the Trust subsequently determined the Arrangements at a meeting of the Full Governing Board of the Trust on 8 July 2025.

7. As noted above, the Referrer's objection to the Arrangements was not received by the OSA until the 8 June 2025. The Code requires objections to admission arrangements for September 2026 to be made by 15 May 2025. As this deadline was missed, the case cannot be treated as an objection. However, as the Arrangements have been brought to my attention, I have decided to use the power conferred under section 88I(5) of the Act to consider whether the Arrangements conform with the requirements relating to admission arrangements and I am treating the objection as a referral.

8. The Referrer originally asked to have their identity kept from the other parties and this request had been agreed by the Chief Adjudicator. During the course of the consideration of this matter, the Referrer subsequently confirmed that they no longer wished that their anonymity were protected.

Procedure

9. In considering this matter I have had regard to all relevant legislation and the Code.

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

- a) the Referrer's email sent on the 8 June, the form of objection attached, and the further representations made;

- b) copies of the minutes of the meeting of the Trust at which the Arrangements were determined;
- c) a copy of the determined Arrangements;
- d) comments from the Trust on the matters raised supporting documents and subsequent correspondence;
- e) comments from the local authority on the matters raised, any supporting documents and subsequent correspondence;
- f) the Local Authority's "Information on secondary schools in Surrey 2025/26" and information on the School's admissions website;
- g) information on central government websites, particularly the 'Get Information About Schools' (GIAS) website and census information from the Office of National Statistics;
- h) maps of the area identifying catchment area boundaries, deprivation and population indices, and the location of relevant schools;
- i) information about the most recent consultation on the Arrangements; and
- j) Adjudicator Determination ADA1327 and 1417 dated 22 August 2008 in relation to the School.

The Referral

11. The Referrer asserts that the School's catchment area criterion (Oversubscription Criterion 6) contained in the Arrangements does not conform with the Code's requirements. Specifically, the Referrer states that the catchment area boundaries are "unfair, unreasonable, and potentially discriminatory" as they exclude parts of Woking Town, whilst extending disproportionately into rural or more affluent surrounding areas thereby prioritising pupils from certain demographics or locations unfairly.

12. The Referrer referenced paragraphs 1.8, 1.14 and 1.42 of the School Admissions Code ("the Code"). I have assumed that the reference to 1.42 is an error and the Referrer meant to reference paragraph 1.45. These paragraphs read as follows:

Paragraph 1.8: "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..."

Paragraph 1.14: “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.”

Paragraph 1.45: “When changes are proposed to admission arrangements, all admission authorities must consult on their admission arrangements (including any supplementary information form) that will apply for admission applications the following school year. Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities must consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period.”

13. I have also identified that the following paragraphs of the Code may be relevant to the referral:

Paragraph 12: “The purpose of the Code is to ensure that all school places for maintained schools and Academies are allocated and offered in an open and fair way.” and

Paragraph 14: “In drawing up their admission arrangements, admission authorities must ensure that the practices and the criteria used to decide the allocation of school places are fair, clear, and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated.”

Other Matters

14. Having considered the Arrangements as a whole there are other aspects which I identified as not or possibly not conforming with the requirements of the Code. These matters are set out in detail below at paragraph 78 along with any comments given by the parties and my decision as to whether there is conformity with the Code. In summary, my concerns relate to a lack of clarity in the Arrangements in contravention of paragraph 14 of the Code.

Background

The School

15. The School is a non-selective co-educational secondary school for children aged eleven to sixteen. It is situated in Woking in Surrey. GIAS reports that it has capacity for 1050 pupils.

16. Pupils are admitted into the School in Year 7 and the School has a Published Admission Number (PAN) of 240 pupils. The School reported expecting to have 1208 pupils on roll in September 2025 with the numbers in each year group as set out in Table 1 below.

Table 1: Expected numbers on roll and by year group at the School in September 2025

Year 7	Year 8	Year 9	Year 10	Year 11	TOTAL
241	246	239	241	241	1208

17. The School was subject to an ungraded inspection on 23 April 2025 and was described as having “taken effective action to maintain the standards identified at the previous inspection”. The School was previously judged as “Good” by a full inspection on 10-11 February 2016 and was described as “continues to be good” by a section 8 inspection on 3-4 December 2019.

Oversubscription criteria

18. The oversubscription criteria for the School can be summarised, in order of priority, as follows:

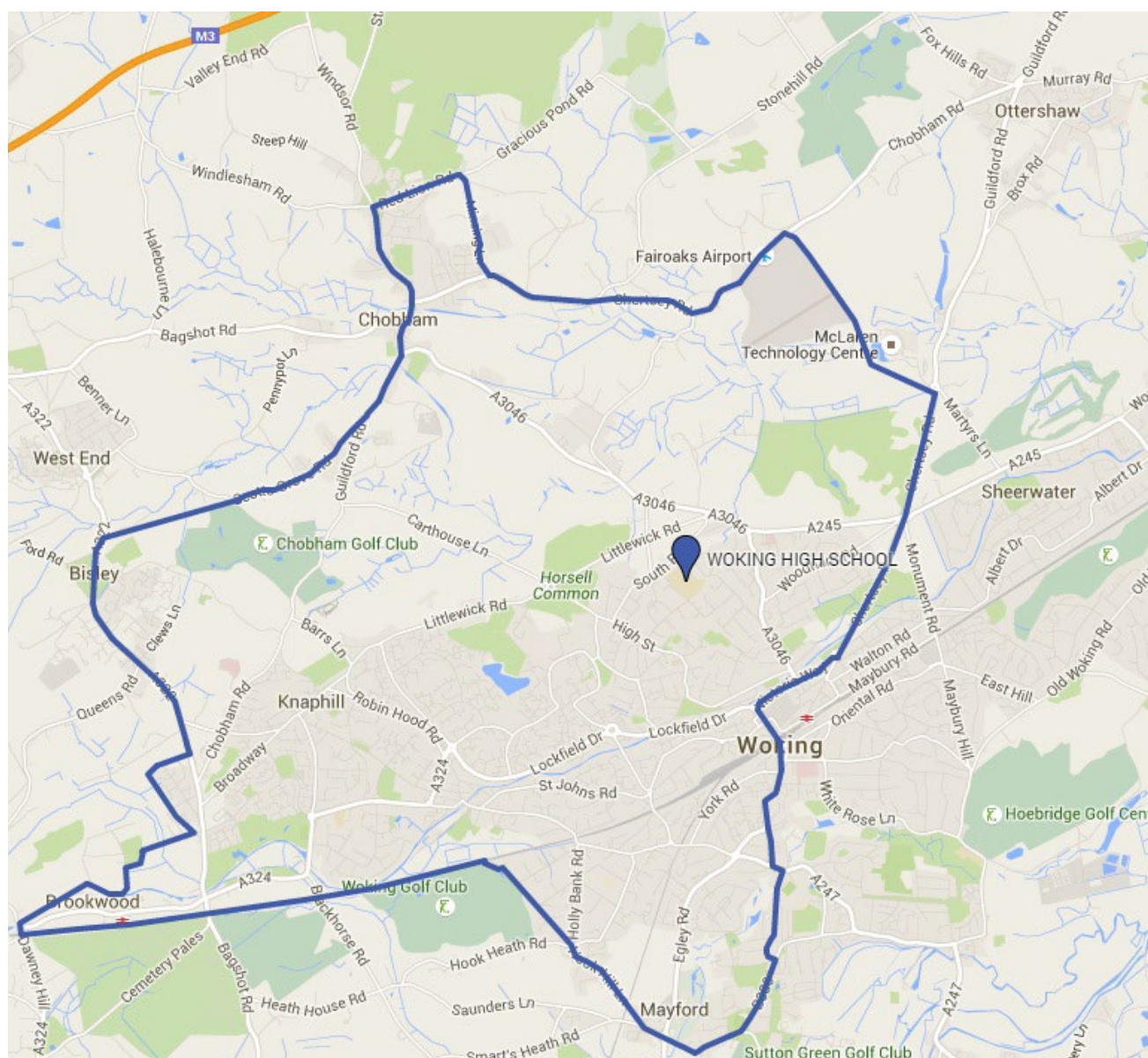
- 18.1. Looked after and previously looked after children;
- 18.2. Children with a sibling at the School;
- 18.3. Children of permanent staff employed at the School;
- 18.4. Children attending Horsell Church of England (Aided) Junior School;
- 18.5. Children with medical ground and other sensitive and compelling circumstances;
- 18.6. Children living within the catchment area of the School; and
- 18.7. Children living outside the catchment area of the School.

19. In the event of any over-subscription within any criterion, children living nearest the School are given higher priority. If applicants live equidistant from the School, random selection is employed as a final tiebreaker.

20. Oversubscription Criterion 6 relating to the catchment area, refers to “Children living within the catchment area as shown on a map.” The map in Figure 1 below is the map attached to the Arrangements showing the location of the School and the current catchment area of the School is edged in blue.

21. The catchment area currently extends north of Woking up towards Chobham, west of Woking to Bisley and Brookwood, and south of Woking to Mayford, but excludes Woking Town Centre and large parts of the Canalside ward, which contains some of the most deprived neighbourhoods in the borough.

Figure 1: Map showing the location of the School and the catchment area



22. The School also provided a breakdown of how places have been allocated according to the Oversubscription criteria over recent years and this set out below in Table 2. This indicates that the majority of places at the School are allocated pursuant to Oversubscription Criterion 2 (siblings), 4 (Horsell Primary feeder school), and 6 (catchment area). Oversubscription Criterion 6 is an important oversubscription criterion when gaining admission to the School with around forty per cent of pupils gaining admission via this criterion.

Table 2: Allocation of places at the School according to the Oversubscription criteria 2022-2025

No's admitted/offered (Year 7)	2022	2023	2024	2025
EHCP	8	2	0	7

No's admitted/offered (Year 7)	2022	2023	2024	2025
Oversubscription Criterion 1	3	1	3	0
Oversubscription Criterion 2	95	94	80	84
Oversubscription Criterion 3	4	4	2	2
Oversubscription Criterion 4	39	52	54	49
Oversubscription Criterion 5	1	0	0	0
Oversubscription Criterion 6	90	95	109	98
Oversubscription Criterion 7	0	0	0	0
TOTAL	248	248	248	240

Local context, demographics, and pupil place planning

23. Prior to the School becoming an academy, the School was under Local Authority control. Historically, the School was known as Horsell High School and the Local Authority had used catchment areas for the School and other schools in its area since at least 2007. The original rationale for the use of catchment areas is believed to be due to various school reorganisations in the Woking borough. The Local Authority wished to ensure that all areas in the borough were covered by catchment areas in order to populate the schools in Woking whilst also ensuring, as far as possible, that pupils could attend local schools.

24. When the School became an academy, the Trust retained the catchment area criterion in its Arrangements. Paragraph 1.45 of the Code requires an admission authority to consult on their admission arrangements when changes are proposed, or at least once every seven years if there have been no changes during that period. The Trust consulted on their admission arrangements for admission in September 2019 and again for admission in September 2026.

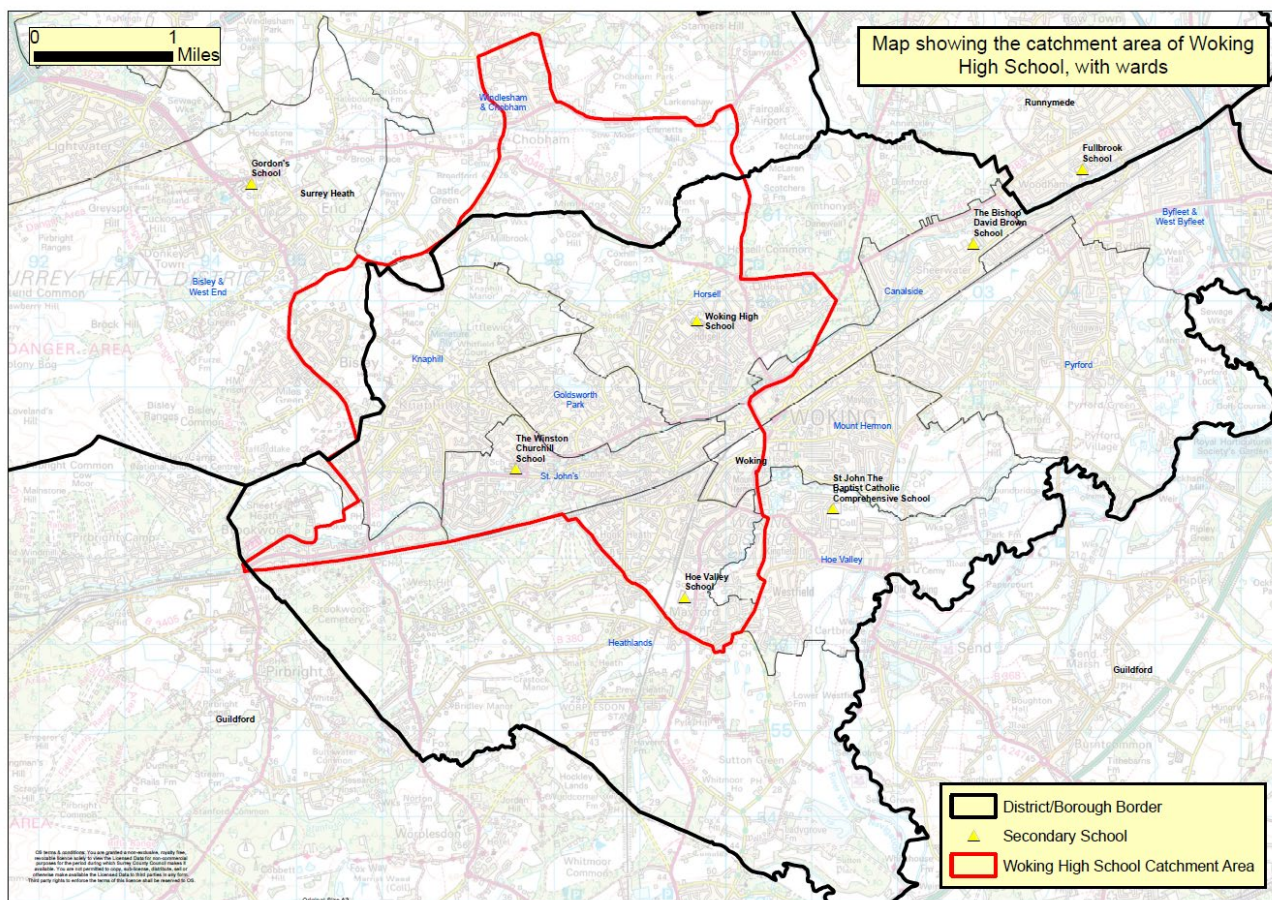
25. The Local Authority provided a map showing the School's catchment area (edged red), local authority wards (edged grey), and locations of other secondary schools in Woking borough and adjacent (identified by yellow triangles). This is set out in Figure 2 below.

26. As can be seen from Figure 2, the Schools in the Woking borough are located, as would be expected, in the more populated urban areas which run either side of the railway line. Upon looking at GIAS, the nearest secondary school, although it is over three kilometres away, to Chobham is still the School. This is not, however the case, for either Brookwood or Bisley where the Winston Churchill School ('WCS') is the closest school.

27. As also can be seen from the map, the School's catchment area extends across a number of different wards being Horsell, Goldsworth Park, Knaphill, Canalside, Mount

Hernon, Hoe Valley, Heathlands, Windlesham & Chobham, and Bisley & West End. The catchment area also extends outside of the Woking borough.

Figure 2: Map showing the Woking High School catchment area, with wards and locations of other secondary schools



28. I also asked for further details of the schools located in the secondary school planning area for the Woking borough and these are set out in Table 3 below.

Table 3: Schools in the secondary school planning area with Published Admission Numbers (PAN), numbers admitted/forecast with resultant deficit or surplus places

Entry to Yr 7		2023	2024	2025	2026	2027	2028
Hoe Valley School	PAN	180	150	150	150	150	150
	No. admitted/forecasted	180	150	150	156	154	149
	Deficit/surplus	0	0	0	-6	-4	1
St John the Baptist School	PAN	240	240	240	240	240	240
	No. admitted/forecasted	245	240	240	252	247	240

Entry to Yr 7		2023	2024	2025	2026	2027	2028
	Deficit/surplus	-5	0	0	-12	-7	0
The Bishop David Brown School	PAN	210	150	150	150	150	150
	No. admitted/forecasted	207	175	150	186	178	179
	Deficit/surplus	3	-25	0	-36	-28	-29
The Winston Churchill School	PAN	300	300	300	300	300	300
	No. admitted/forecasted	306	262	300	295	299	298
	Deficit/surplus	-6	38	0	5	1	2
Woking High School	PAN	240	240	240	240	240	240
	No. admitted/forecasted	240	248	240	259	246	242
	Deficit/surplus	0	-8	0	-19	-6	-2
Planning Area Total	PAN	1,170	1,080	1,080	1,080	1,080	1,080
	No. admitted/forecasted	1,178	1,075	1,080	1,148	1,124	1,108
	Deficit/surplus	-8	5	0	-68	-44	-28

29. Of the schools mentioned above, the School and WCS have a catchment area criterion as part of their oversubscription criteria. In some geographical areas, these catchment areas overlap. St John the Baptist Catholic Comprehensive School ('SJB'), is a faith designated school and prioritises pupils of the Catholic faith. Finally, Bishop David Brown School ('BDB') and Hoe Valley School ('HVS') give priority in the following order:

- 29.1. Looked after and previously looked after children;
- 29.2. Children with exceptional social or medical need;
- 29.3. Children of a member of staff;
- 29.4. Children with a sibling at the school; and
- 29.5. By distance to the school.

30. Table 3 shows that peak demand for places in the planning area is forecast in September 2026 with all schools in the planning area close to, at or above capacity in

September 2026. Demand is then forecast to decline in 2027 and 2028 but with undercapacity in the planning area still forecast for those years of entry.

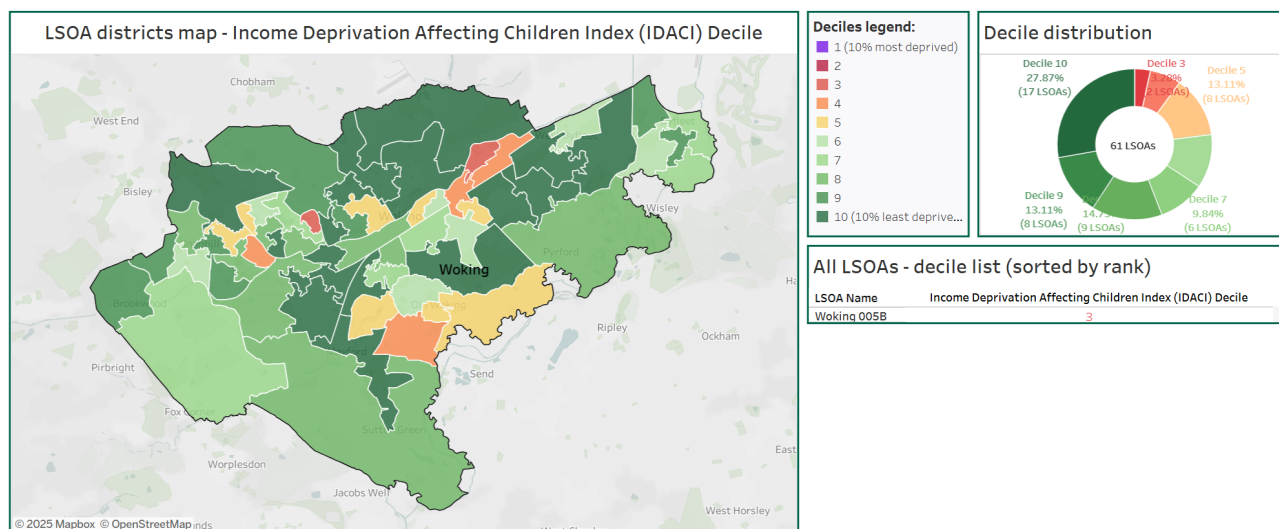
31. In addition, the Local Authority provided information in respect of the respective deprivation levels within the Woking borough. Specifically, I was provided with information from the Index of Multiple Deprivation 2019 (IMD) which is the official measure of relative deprivation for small areas (or neighbourhoods) in England. The small areas used are called Lower-layer Super Output Areas (LSOAs), of which there are 32,844 in England. They are designed to be of a similar population size with an average of 1,500 residents each (in 2011) and are a standard way of dividing up the country. The IMD ranks every small area in England from 1 (most deprived area) to 32,844 (least deprived area).

32. It is common to describe how relatively deprived a small area is by saying whether it falls among the most deprived 10 per cent, 20 per cent or 30 per cent of small areas in England (although there is no definitive cut-off at which an area is described as 'deprived'). Deciles are calculated by ranking the 32,844 small areas in England from most deprived to least deprived and dividing them into 10 equal groups. These range from the most deprived 10 per cent of small areas nationally (ranked from 1 to 3,284) to the least deprived 10 per cent of small areas nationally.

33. The map in Figure 3 below shows the most deprived deciles in Woking borough using the Income Deprivation affecting children index (IDACI) decile. The IDACI is a measure of income related deprivation affecting children aged 0-15 and is a sub-domain of the IMD.

34. The most deprived LSOAs in the Woking district according to IDACI are Woking 004F (with an IDACI decile of 3, that means falling within the most deprived 30 per cent of small areas nationally) and this is located in the Canalside ward; Woking 005B (with an IDACI decile of 3) and this is located in the Goldsworth Park ward; and Woking 009C (with an IDACI decile of 4) and this is located in the Knaphill ward.

Figure 3: Most deprived neighbourhoods in Woking borough



Consideration of Case

35. The Referrer, who resides in an area which sits adjacent to the catchment area, asserts that the School's catchment area criterion (Oversubscription Criterion 6) contained in the Arrangements does not conform with the Code's requirements. Specifically, the Referrer states that the catchment area boundaries are "unfair, unreasonable, and potentially discriminatory."

36. My role as an adjudicator is to determine whether the Arrangements comply with the requirements of the Code. Paragraph 1.10 of the Code makes it clear that the "Code does not give a definitive list of acceptable oversubscription criteria" and that it "is for admission authorities to decide which criteria would be most suitable to the school according to local circumstances."

37. Paragraph 14 of the Code also requires, amongst other things, that Arrangements must be clear and fair and paragraph 1.8 requires that oversubscription criteria be reasonable. In respect of being 'reasonable' and 'fair', these are matters raised by the Referrer. In addition, the Referrer has raised the issue of potential indirect discrimination in that the Referrer asserts that the catchment area criterion puts people of a particular race, ethnicity, or ethnic background at a particular disadvantage and this cannot be justified as a proportionate means of achieving a legitimate aim.

Is the catchment area criterion reasonable?

38. Catchment areas are commonly used in school admission arrangements and often the purpose is to ensure that no child has an unreasonably long journey to school, although a catchment area does not necessarily guarantee a place at a school, and a catchment school may not necessarily be a child's closest school.

39. The Code defines a catchment area as a "geographical area, from which children may be afforded priority for admission to a particular school." The Code requires at paragraph 1.14 that "Catchment areas must be designed so that they are reasonable and clearly defined."

40. Upon looking at the Arrangements, the catchment area is defined solely by reference to "a map" which is annexed to the Arrangements (see Figure 1 above). The boundaries of the catchment area for the School are identified on the map with a blue line and largely track the path of main roads or the railway line leading into Woking.

41. Although the wording in the Arrangements could be improved, it is unlikely that a parent would look at them and conclude that there was a subjective element of judgement that would need to be exercised for the boundaries to be identified and for the oversubscription criteria to be applied. I therefore find the description of the catchment area conforms with the requirement under paragraph 1.14 of the Code to be "clearly defined." Indeed, there has been no suggestion by the Referrer that this is not the case and I therefore conclude that in this respect the Arrangements are compliant with the Code.

42. In addition, the Code requires that “Catchment areas do not prevent parents who live outside the catchment of a particular school from expressing a preference for the school” and again the Arrangements satisfy this requirement.

43. In terms of the reasonableness of the catchment area design, 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. In terms of the reasonableness of a catchment area, this would include considering whether the catchment area boundary makes sense in the local context taking into account all relevant factors. So, in other words, does the catchment area appear sensible and rationale, aligning with the demand for places in the local area whilst not creating any unfair consequences.

44. To determine whether the catchment area criterion in the Arrangements is reasonable or not, I will apply a ‘reasonableness test’. This is a two-stage objective test in which the first stage is the consideration of the rationale for adopting the catchment area criterion and whether this is valid. The second is the effect of its practical operation. The second part of the test, its effects, is also relevant to whether the catchment area criterion is fair and/or leads to any indirect discrimination.

45. I asked the Trust to give the rationale for the catchment area criterion in the Arrangements. The Trust responded as follows:

“The history of secondary education in Woking has influenced catchment areas. The Newsome Report of 1962 led to national and local reorganisation which in Woking saw the closure of both Chobham and Goldsworth schools and the building of a new school in Morton Road.

In 1970 Horsell Secondary school opened to serve Horsell/Goldsworth and extending to Chobham. The Winston Churchill school had opened in 1967 to serve Knaphill covering the Hermitage and Goldsworth Park Estates.

Between 1976 and 1985 secondary school numbers were forecast to decline. Surrey’s response was to close/amalgamate. The first school to close was the Queen Elizabeth II in south east Woking to make better use of Sheerwater Secondary School. The school name was changed to Bishop David Brown School to reflect the fact that the intake would be from a wider area e.g. Maybury and not just Sheerwater estate. Surrey County Council had hoped that this would solve the issue of the declining rolls.

As this did not solve the problem, two further schools were merged. Highlands School to the west of the town was closed as was Horsell Secondary School and in 1985 Horsell High School was opened on the Morton Road site. It was a difficult amalgamation as the families from the west of Woking resented the move and distance they had to travel.

To reflect the fact that the school served a wider area than the village of Horsell, supported by the borough council, the name changed to Woking High School in September 1997.

In order to populate the schools, and as far as possible enable the children to attend their local school, the catchment areas were drawn up and agreed by the Woking schools. Woking High School was a Local Authority School at the time and according to the LA records it seems that the school has had a catchment since 2007 admission.

Prior to 2007, a catchment existed but it was called an Admission Priority Area (APA) and, although this was way before my time, I believe in those days the APA was tweaked each year by SCC depending on demand.”

46. Although the original rationale for the catchment area boundaries appear sound, it is important to consider when determining if the catchment area design is reasonable whether the catchment area and its boundaries still remain relevant to the local circumstances. As the School states the catchment area criterion has remained unchanged since at least 2007.

47. The original rationale for the catchment area criteria was in the context of school reorganisation and closure due to declining pupil numbers. As the Trust notes in its response, catchment areas were being used as a tool to populate schools across Woking borough to “ensure that all areas of Woking....were covered by the catchment areas.”

48. The local context now is that there is high demand for places at all schools in Woking borough with only the School and WCS currently having a catchment area criterion. The catchment area covered by WCS is largely to the west of Woking. The School and WCS, particularly in the St. Johns and Knaphill wards and out towards Brookwood and Bisley, have overlapping catchment areas. The Trust noted in its response to my requests for further information that WCS had consulted on and extended its catchment area boundaries into the School’s catchment area in 2022.

49. In addition, since the original catchment area boundaries were established, HVS has opened (in September 2015) pursuant to the Free Schools programme and several schools have been expanded to accommodate the number of children in the area needing secondary school places.

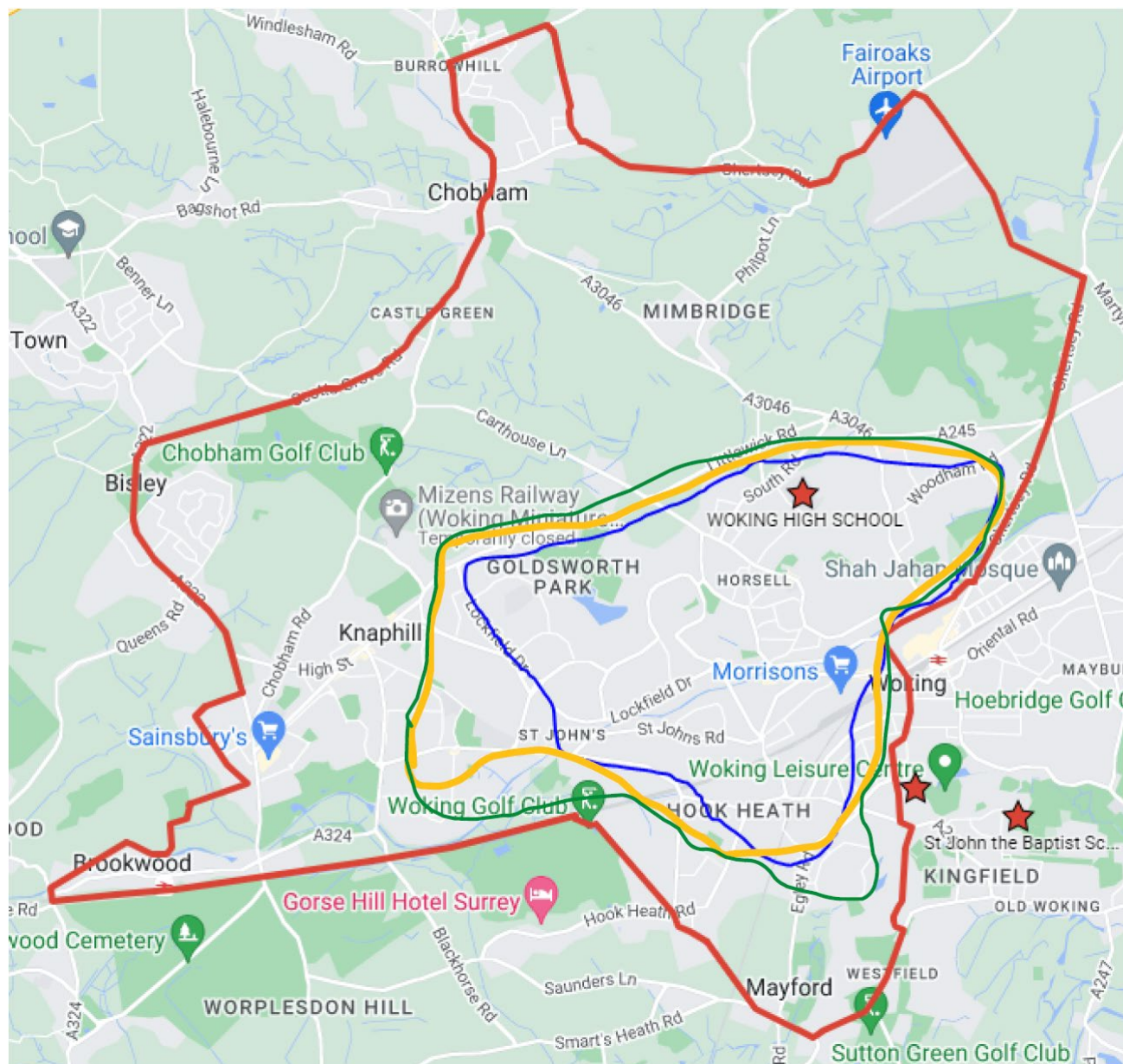
50. The Trust provided me with a map (see below in Figure 4) showing the School’s catchment area (red line) and the places offered to pupils for admission to the School in September 2023 (blue line), September 2024 (yellow line), and September 2025 (green line) pursuant to the catchment area criterion.

51. As can be seen from the map, the pattern of admission into the School via the catchment area criterion is for pupils who reside in close proximity to the School with no admission of pupils via the catchment area criterion from Brookwood, Bisley, Chobham, Knaphill, Mayford and Mimbridge. This situation is happening year after year with pupils being admitted from a much smaller radius than the catchment area boundaries, based on distance to the School.

52. Local Authority records indicate that the furthest distance from the School that a pupil resided who was admitted to the School in September 2025 was 2.588km. Clearly, children in some parts of the catchment area have no realistic chance of being admitted and the

current catchment area boundaries are therefore too large. This is coupled with the fact that in a number of these areas, where there is currently no realistic chance of being admitted, applicants are much closer to WCS and are also within its catchment area boundary.

Figure 4: School catchment area and proximity of admission pursuant to the catchment area criterion



53. On the basis of the above, it is clear that there have been considerable changes since 2007 in the local area and the current boundaries of the catchment area have failed to keep pace with that change. I therefore find that they are irrational in the context of admissions to the School and consequently do not comply with the Code.

54. I will now turn my attention to the effects of the catchment area criterion and whether they are fair. I will also consider whether the Arrangements indirectly discriminate.

55. The Referrer believes that as areas of Woking borough, which are closer to the School than those which are within the catchment area boundary, are excluded that this unfairly

disadvantages local families in an area of socio economic deprivation. In addition, as these areas have a significantly higher proportion of ethnic minority families, the catchment area criterion may have a disproportionate adverse effect on a protected group pursuant to the Equality Act 2010.

Is the catchment area criterion fair?

56. Fairness is a concept, not unlike being 'reasonable', that is used in the Code but is, again, not defined. Fairness cannot be defined in universal terms, but its requirements will depend on the circumstances. Fairness is focussed on the effect of the arrangements on any relevant group.

57. All admission arrangements by their nature, create advantage for some applicants and disadvantage to others; indeed, that is their purpose. Oversubscription criteria must be included in admission arrangements to make clear how admission will be prioritised when the number of applications is greater than the number of places available in the relevant age group (the 'relevant age group' is defined in the Code as "the age group to which pupils are normally admitted to the school"). In situations of oversubscription, there will be applicants who are not admitted.

58. The Code sets out under paragraph 1.8 that "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 [...]."

59. To be contrary to the Code, therefore, any disadvantage would have to be unfair to one or more identified groups.

60. In relation to admission arrangements, fairness is often best evaluated by undertaking a balancing exercise, weighing the advantage said to accrue to children who would be offered places (or afforded a high priority for places) at the school in consequence of the arrangements, against any disadvantage caused to any other relevant group of children who would not be offered places (or would not be afforded a high priority for places). Unfairness can be found when the disadvantage is considered to outweigh the advantage.

Indirect discrimination

61. This type of discrimination is defined under the Equality Act 2010 (EA2010).

62. In very general terms, indirect discrimination applies where a provision, criterion, practice, policy, or rule – which applies to everybody in the same way – places a person with a protected characteristic at a disadvantage. Indirect discrimination does not need to be intentional or a conscious decision. If the unfavourable treatment is justified, it is not discriminatory. However, the justification must be that the policy or rule is a proportionate means of achieving a legitimate aim.

63. The nine protected characteristics under the EA2010 are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or

belief; sex; and sexual orientation. A 'legitimate aim' must represent a real and objective 'business need' and be legal and non-discriminatory.

64. To determine whether the operation of the School's catchment operates in a manner which is indirectly discriminatory, I compare the impact between persons with the protected characteristics and those without. If a group is disadvantaged then I will consider whether that disadvantage is the consequence of a legitimate aim and whether the disadvantage is necessary and proportionate to that aim.

65. The Referrer believes the catchment area criterion to be unfair and discriminatory as it "excludes certain parts of Woking town itself, despite Woking High being the designated high school for the area." They assert that families "living geographically closer to Woking High School... are denied fair access." The geographical area referred to by the Referrer is the Maybury area of Woking which is comprised partly within the Canalside and Mount Hermon wards.

66. As can be seen from Figure 3 above, areas of the Canalside and Mount Hermon wards include neighbourhoods of deprivation according to IDACI. These are also areas where there is a high proportion of ethnic minority residents (in some areas between 40 and 50%).

67. There is no specific catchment area which covers these wards and the School is the closest school to some neighbourhoods in these wards. There are therefore children who live much closer to the School, who live outside the catchment area boundary, as opposed to those who are within the School's catchment boundary (and who may also be covered by the WCS catchment area).

68. For example, children who live in Bisley and Brookwood, which is at least twice the distance to the School than those children who live in the Maybury district of Woking, would have priority under the catchment area criterion. This therefore leads to the conclusion that there is at least the risk that pupils from deprived neighbourhoods and/or ethnic minority backgrounds may be disadvantaged by the catchment area criterion in the Arrangements.

69. I asked both the Trust and the Local Authority to comment on this. The Local Authority commented as follows:

"The objector asserts that Woking High is the 'designated high school for the area'. However, this is not an accurate assessment as other schools also serve the Woking area, such as The Winston Churchill, Bishop David Brown, and St John the Baptist. As such, there is no requirement for the catchment for Woking High to cover the whole of Woking town. Indeed, if the catchment for Woking High were altered, it would likely mean that some children who currently live within catchment would be displaced. Whilst the objector may find themselves on the wrong side of the catchment boundary, this does not mean that the catchment is not a legitimate way of determining priority for a school as provided for within the Code, and the local authority does not agree with the objector's suggestion that this denies fair access to the school."

70. The Local Authority also considers “the catchment to be reasonable as it serves an area surrounding the school” and argues that whilst “the majority of the borough's most deprived ward, Canalside, falls outside the school's catchment area, this ward is served by other schools such as The Bishop David Brown School, Hoe Valley School, and The Winston Churchill School. The ward of Goldsworth Park, which has the next level of deprivation, is included within the school's catchment. Looking at the areas of deprivation, there is no evidence that the school has favoured areas within its catchment because they have low levels of deprivation.”

71. As mentioned above, fairness and indirect discrimination is about comparative disadvantage, not absolute access. In addition, there could be legitimate reasons why some areas which are further away from the School are included whilst other areas which are nearer are excluded. For example, although Chobham is a further distance away than some of the excluded areas, the School still remains the closest school to Chobham, although as noted above, there does not actually appear to be any admission of pupils from Chobham pursuant to the catchment area criterion due to its lack of proximity to the School.

72. I have considered the factors outlined by the Local Authority and have balanced this against any potential disadvantage. The Local Authority and the Trust justify the exclusion of the areas closer to the School on the basis that inclusion of the area may then have an adverse impact on admissions from other deprived areas within Woking borough (the Goldsworth Park ward) and that the pupils in the excluded areas still have a realistic chance of a local school place that is not materially worse than a place at the School.

73. I have therefore considered the provision in the local area and whether there are other schools which are within reasonable travel distances. I am satisfied that there are other schools without catchment area criteria, which are good or outstanding schools locally, and which pupils can access without the need for unreasonable travel distances. Therefore, on balance, and taking this and the current pattern of admissions to the School (including the Local Authority's concerns about potential adverse effects on admissions to the School from the Goldsworth Park ward) into account, I do not find the Arrangements to be unfair or discriminatory.

74. Whilst the Local Authority was satisfied that the existing catchment meets the requirements of the Code, it did state that “if it is determined that the school should review its catchment, given the sensitive nature of catchments and the impact this would have on other applicants and other schools, we would suggest that this should be done as part of the statutory consultation process for 2027, to ensure all parties have an opportunity to comment.”

75. I agree with the Local Authority's sentiment that catchment areas are sensitive and need proper thought and consideration when designing them. The Trust need to give careful consideration as to the extent of the catchment area boundary to ensure it complies with the Code. However, I am reviewing the Arrangements for September 2026 in the context of their compliance with the Code and I have found that the Arrangements do not comply with the Code in the ways outlined in this determination. The Arrangements, therefore, must be

revised. As the deadline of 31st October for applications to secondary schools has now passed the allocation of places for September 2026 will proceed on the basis of the existing Arrangements. However, the Arrangements must be revised by 28 February 2026 which will allow time for appropriate consultation on the revised arrangements. The revised arrangements, once determined, will then apply to any late and in-year admission to the School for 2026 and would be determined for September 2027 unless the Trust chose to consult further on any proposed changes for 2027.

Consideration of other matters

76. I now turn my attention to considering the Arrangements as a whole. There are matters which I have found do not comply with the requirements set out in the Code. Where I refer to parts of the Arrangements not being clear for parents, that is in respect of paragraph 14 of the Code. Other parts of the Code are specified where relevant.

77. I asked both the Trust and the Local Authority to comment on the other matters raised. and I have included their comments below where relevant.

78. The matters in the Arrangements I raised are as follows:

- 78.1. The Arrangements do not include a date by which applications for places must be submitted and may therefore fail to provide the necessary clarity for parents. The Trust commented as follows:

“In our Admissions Criteria the late applications paragraph states that applications received after 31st October 2025 will be classed as late applications. Other schools also only reference a date within this section and not elsewhere on the arrangements. (Document attached and the relevant line highlighted). The website also contains this information although some of the information is currently being updated.”

The Local Authority stated that it would be “helpful for the school to include a date by which applications should be made.”

Despite the Trust’s comments, the Arrangements do not include a date by which applications for places must be submitted and therefore fail to comply with the clarity requirements of the Code.

- 78.2. The Arrangements refer to the drawing of lots where two or more children share a priority for a place to determine which child should be given priority. Paragraph 1.35 of the Code provides that a “random allocation process must be supervised by someone independent of the school.” This is not made clear in the Arrangements and therefore fails to comply with the requirements of the Code. The Trust responded as follows:

“Although we state the process is random by drawing lots, we do not state that this process will be supervised by someone independent of the school or how

this would be achieved. We have never had to draw random lots; however, if we were we would get one of the schools within the Arete Partnership to witness it. We can add this to our documentation; however, it seems an unreasonable and unnecessary request considering other schools do not state that it should be done by someone independent or indeed how it should be done.”

The Local Authority agreed that the Arrangements need to make clear how random allocation will be applied and that this will be supervised by someone independent of the School.

As stated above, the Code is clear that the “random allocation process must be supervised by someone independent of the school.” This is not an “unreasonable and unnecessary” request as the Trust characterises it. It is a requirement in order for admission authorities to comply with the Code. Currently the Arrangements fail to comply with the Code in this regard.

- 78.3. The section of the Arrangements entitled “Waiting Lists” refers to a “written request” for a “child’s name to be placed on a waiting list” and the waiting list continuing to “until the end of the academic year.” The Arrangements may therefore be unclear to parents in that:

78.3.1 it may not be clear to parents that the end of the academic year is at the end of August in any year and not in mid-July at the end of term.

The Trust responded as follows:

“We state end of the Academic Year but class this as mid-July as the school is closed throughout August and unable to maintain a waiting list during this time. All applicants on the waiting list receive a letter with their positioning and this letter also states the date that the waiting list will be terminated. Therefore, all applicants are fully aware of the date.”

The Local Authority agreed that the Trust needs to be clearer on the date that waiting lists will be cancelled each year. It stated that whilst “the school currently refers to the ‘end of the academic year for which they have applied’, it is likely that they mean the end of the summer term. Either way, the school needs to specify the date to make this clear to parents.”

Currently the Arrangements are unclear as they fail to specify a date and therefore do not comply with the requirements of the Code.

- 78.3.2 a waiting list, to all intents and purposes, is created automatically where there is oversubscription; the children who were not admitted are on the waiting list. The Code does not set out that a further process needs to take place at the point of oversubscription such that parents must request being on the waiting list. The Trust commented as follows:

“If Surrey were to hold our waiting list, this would be the case but as we hold our own waiting list, it is not automatically generated from those who did not get a place and we therefore require this further process to ensure that when we have a place, we are more likely to be contacting parents/carers who still want a place. There are cases where families do not wish their child's name to be added to a waiting list and so, by adding names automatically, it lengthens the time it takes for us to fill any vacant places as we work through the waiting list.

Furthermore, the Code does not prescribe the process by which a child's name should be added to the waiting list. The only requirement of the Code is that each admission authority maintains 'a clear, fair, and objective waiting list until at least 31st December of each school year of admission'. Anyone who wants to be added to the waiting list is added according to the oversubscription criteria. Therefore, there seems to be no breach of the Code by us requiring parents/carers to request that their child's name is added to the waiting list, rather than to add them automatically.”

The Local Authority commented that “whilst most schools in Surrey add a child's name to the waiting list automatically (if they cannot be offered a place), the Code does not prescribe the process by which a child's name should be added to the waiting list. The only requirement of the Code is that each admission authority maintains 'a clear, fair, and objective waiting list until at least 31 December of each school year of admission'. Thereby, it does not seem to be a breach of the Code for a school to require parents to request that their child's name is added to the waiting list, rather than to add them automatically. For reasons of fairness, clarity and objectivity, the local authority advocates that schools should add children to a waiting list automatically, although leaves it to own admission authority schools to make their own decision on this. However, the local authority also recognises that there may be cases where a family will not wish their child's name to be added to a waiting list and so, by adding names automatically, it may lengthen the time it takes for a school to fill any vacant places as they work their way through the waiting list.”

Paragraph 2.15 of the Code specifies that admission authorities must maintain a waiting list until at least the 31 December in the admission year. A waiting list, to all intents and purposes, is created automatically where there is oversubscription; the children who were not admitted are the waiting list. As the Trust and Local Authority acknowledge, the Code does not set out that any further process needs to take place at the point of oversubscription such that parents must request being on a list. The Trust cannot, therefore, require parents to request to be on the waiting

list, although it can enquire if a parent wishes for their child's / children's name(s) to remain on it. Currently the Arrangements do not comply with the Code in this regard.

- 78.4. Paragraph 2.18 of the Code provides that "Admission authorities must make clear in their admission arrangements the process for requesting admission out of the normal age group." The "Outside chronological year" section of the Arrangements does not contain details as to the process and the website link provided does not produce immediately accessible information to parents on the process. The School commented as follows:

"Our section states the same information as other schools; we all reference Surrey admissions website and none of us has the actual process.

Surrey Admissions Arrangements Team reviews all relevant school admissions arrangements prior to finalisation to ensure they comply with the standard. Changes are made at this time if they are required. Other local schools' admission arrangements are in line with ours. If Surrey want to guide schools in the local area to update this aspect, we will update ours in line with that."

The Local Authority agreed that the School should include more detail on the process for requesting admission out of year group as is required by the Code and offered to share its recommended wording to the Trust so that they might improve on the wording within the Arrangements. I am grateful to the Local Authority for this.

In terms of the Trust's comments, it is the Trust, as the admission authority, who is responsible for ensuring compliance with the Code. Currently the Arrangements do not comply with the Code in this regard.

79. The Code requires that the Arrangements be revised to address the points I have raised within the timescale set out in this determination.

Determination

80. I have considered the admission arrangements for September 2026 for Woking High School in accordance with section 88I(5) of the School Standards and Framework Act 1998 and find that the catchment area criterion contained in the admission arrangements does not conform with the requirements relating to admission arrangements.

81. I have also found that 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 unless an

alternative timescale is specified by the adjudicator. In this case I determine that the arrangements must be revised by 28 February 2026.

Dated: 26 November 2025

Signed:

Schools Adjudicator: David Holland