Office of the Schools Adjudicator

Determination

Case references	**ADA4408, ADA4425**
Objector:	**A member of the public**
Admission authority:	**The London Borough of Camden for Haverstock School and Hampstead School**
Date of decision:	**12 January 2026**

Determinations

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold most of the aspects of the objection to the admission arrangements for September 2026 determined by the London Borough of Camden for Haverstock School and for Hampstead School.

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

The referral

1. Under section 88H(2) of the School Standards and Framework Act 1998, (the Act), an objection has been referred to the adjudicator by a member of the public (the objector), about the admission arrangements for 2026 (the Arrangements) determined by the London Borough of Camden (the Local Authority) for those maintained schools for which it is the admission authority. The objector specifically names Haverstock School (Haverstock) and Hampstead School (Hampstead), both of which are mixed 11-18 community secondary schools located in the area of the Local Authority.

2. The Local Authority is a party to this objection. Other parties to the objection are the objector, Haverstock and Hampstead (the Schools).

3. The objection refers to those sections of the Arrangements that relate to admission to the sixth forms at Haverstock and at Hampstead. The objector contends that these

sections contain multiple breaches of the School Admissions Code (the Code). They also raise concerns about the determination and publication of the Arrangements as a whole.

Jurisdiction

4. These arrangements were determined under section 88C of the Act by the London Borough of Camden, which is the admission authority for both schools. The objector submitted their objection to these determined arrangements on 16 March 2025. The objector has asked to have their 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 their 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.

Procedure

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

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

   a. a copy of a letter dated 25 July 2025 from a senior official at the Local Authority explaining how the arrangements were determined;

   b. a copy of the determined arrangements;

   c. the objector's form of objection dated 10 January 2025 (and received on 16 March 2025) and supporting documents;

   d. the Local Authority's response to the objections, supporting documents and extensive subsequent correspondence, including responses that the Local Authority has elicited from Haverstock and Hampstead; and

   e. information available on the gov.uk website 'Get Information about Schools' (GIAS).

The Objection

7. A brief summary of the objection is as follows:

   a. that the 2026 arrangements were not determined and published before the deadlines required by the Code; and

   b. that there are other breaches of the Code in relation to:

      - the lack of a determined published admission number (PAN) for admission to Year 12 at both Schools;

- the wording of the oversubscription criteria for each School;
- aspects of the software package ("Applicaa"), used by the Schools for gathering applicants' data during the sixth form application process; and
- the subsequent use of some of that data by the Schools.

8. Since these matters are raised in some detail by the objector, I will describe them in more depth in my consideration of the case, together with those paragraph(s) of the Code highlighted by the objector and any others which I consider to be relevant to the case, in particular paragraphs 14 and 1.8 of the Code, which state respectively that:

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

Background

9. From correspondence with the Local Authority, it is apparent that considerable freedom is delegated to Camden's maintained schools to manage the sixth form admissions process. Indeed, in one letter to me, a senior official at Camden refers at one point to "our arrangements and then later to "their [the schools'] arrangements". Further evidence of this delegation can be seen in the different wordings for admission to Year 12 for Haverstock and for Hampstead, which are set out in paragraphs 11 and 12 below.

10. Section 88 of the Act provides that the admission authority in relation to a community school is the local authority unless the authority has delegated the responsibility for determining the admission arrangements for the school to the governing body. It is unclear what the position is in this case. The Local Authority has determined the admission arrangements but in previous years has largely left their administration and practical application to the Schools. It appears, therefore, that whilst delegation of the determination of the arrangements is permissible, there has been no such delegation in the case of these Schools. Even if the Local Authority had delegated the determination of the Schools' admission arrangements to the governing bodies of the Schools, the responsibility for ensuring that the Arrangements are lawful and compliant with the Code would remain with the Local Authority. The governing bodies of the Schools are separate legal entities. It follows from this that the mandatory provisions in the Code which are imposed on admission authorities apply to the Local Authority and not to the governing bodies of the Schools.

11. The section of the Arrangements relating to Year 12 admission at Haverstock states:

"Each year Haverstock School admits a maximum of 180 students into Year 12 of the Sixth Form. The number of places available to external students joining Haverstock School in Year 12 depends on the number of internal students continuing into the Sixth Form. In addition, 30 students will be put on the waiting list.

All applicants must have an academic reference from their current school stating their predicted grades in order to apply. Offers will be made on condition of the student meeting the entrance requirements for the courses chosen as per the entry requirement guidance in our current prospectus.

Places will be offered in the following order:

Looked after and previously looked after children

Looked after children or children who were previously looked after but immediately afterwards became subject to an adoption, residence, or special guardianship order. This also includes previously looked after children who were in state care outside of England and ceased to be in state care as a result of being adopted.

Applicants having a sibling living at the same address and already attending the school at the time of admission.

In cases where multiple siblings tie for the last place, then all will be offered a place, even if this exceeds the planned admission number.

Applicants who can provide evidence of an exceptional social or medical need that Haverstock is specifically able to meet.

Such applications will only be considered if the case is made known to the school and supported by appropriate evidence at the time of the original application. This will normally be in the form of a letter from a suitably qualified professional such as the applicant's doctor, consultant or social worker.

The remaining places will be allocated to those applicants meeting the entrance criteria who live closest to the school and for whom places on their chosen courses are available. Closeness to the school is measured in a straight line ('as the crow flies') from the centre of the school reception and the permanent address at which the applicant normally resides at the time of the application. The school will carefully verify the permanent address of the applicant.

Once applicants have been ranked according to distance, places will be allocated in order of closeness to the school, subject to the following procedures.

1. Once the places available for a particular course of study have been filled, any other applicant who has chosen that course will be not considered for admission,

regardless of whether places are available on other courses that the applicant has chosen.

2. In the unlikely event of more than one applicant being tied for entry under these criteria, the place will be randomly allocated. This process will be independently verified.

The furthest distance that successful applicants live from the school varies from year to year and depends upon the varying demand for individual courses.

The school reserves the right to withdraw courses that fail to recruit in sufficient numbers.

30 students will be put on the waiting list. As places become available they will be offered to the students on the list in distance order, provided that their courses are available.

Students who are not originally offered a place because they were not predicted the required grades or due to distance from the school, will be invited to attend a Supplementary Enrolment Session on the official Enrolment Day if (a) they do achieve the required grades (b) are still interested in a place."

12. The section of the Arrangements relating to Year 12 admission at Hampstead states:

"Hampstead School Sixth Form is open to all students who meet the specified entry criteria for the courses they wish to study. The Sixth Form is divided between Years 12 and 13. Some Year 12 courses reach their full capacity before others; we will continue to consider applications after our deadline (see oversubscription criteria below) if we have spaces on the applicant's chosen courses.

[Listing of entry requirements]

Process of application:

The Sixth Form Application Form will be published and made available at our Sixth Form events during the autumn term.

Application forms should be submitted by the published closing date (on the application form).

A conditional offer subject to the student's Level 2 GCSE and vocational results will be made. If a student is already fully qualified an unconditional offer may be made.

Applicants who apply after the closing date will be placed on our waiting list and contacted if suitable places become available in accordance with the oversubscription criteria outlined below.

Year 12 enrolment will take place on the same day as the GCSE results are published in August. It is important that all applicants attend in person to secure their place in the Sixth Form. Those that do not attend put their place at risk or risk courses becoming full.

Whilst we make every effort to offer applicants their preferred choice of subjects, this is not always possible due to constraints of classroom accommodation or staffing availability. We also reserve the right to withdraw courses that fail to recruit in sufficient numbers.

Oversubscription criteria:

- Applicants who are a looked after child or a child who was previously looked after but immediately after being looked after became subject to an adoption, residence or special guardianship order.

- Applicants who attend Hampstead School in Year 11 and meet the entry requirements.

- Applicants with a brother or sister* on roll at the same school who will still be on roll at the start of the new academic year.

  *For this criterion, 'brother or sister' includes any whole or half-brother or sister by blood or adoption and any step or foster brother or sister who lives with the applicant.

- Applicants who are judged to have an exceptional medical or social need that has a clear link between the exceptional need and the school. Parent/Carers will need to submit a case supported by appropriate professional evidence from a doctor, social worker or similar professional. That evidence will need to support the link between the needs of the applicant and the school. Supporting statements from Camden Local Authority staff should not be requested and, if supplied, will not be considered.

- The applicant's home address in proximity to the school, with priority given to those living closest to the school. The distance will be measured in a straight line 'as the crow flies' between the home and the main entrance of the school. (The address given must be the one at which the child normally resides)."

Consideration of Case

<u>The determination of the Arrangements</u>

13. Paragraph 1.49 of the Code states:

"All admission authorities **must** determine their admission arrangements, including their PAN, every year, even if they have not changed from previous years and a consultation has not been required by **28 February** in the determination year."

14. Paragraph 1.50 of the Code states:

"Once admission authorities have determined their admission arrangements, they **must** notify the appropriate bodies and must publish a copy of the determined arrangements on the school's website or their own website (in the case of a local authority) by **15 March** in the determination year…"

15. The objector states:

"The date of this objection is 16th March 2025. I am objecting to the schools' September 2026 policies, but I am using the objection form for 2025 policy objections because the adjudicator's website hasn't yet published the form for 2026 objections.

Neither school has published its 2026 policy yet - they should have been published by 15th March. Nevertheless, as they didn't run a consultation, their determined 2026 policies are expected to be the same as their 2025 policies.

[…]

I will include a copy of Camden's determined admissions arrangements for 2025, which contains the sixth form arrangements for both schools. Haverstock School refers people to Camden's website for their sixth form admissions policy, but their link goes to the wrong page, so it is necessary to hunt around to find it. Hampstead School publish an undated pdf copy of their sixth form admissions arrangements on their school website at the bottom of this page: https://www.hampsteadschool.org.uk/sixth-form-applications."

16. On 26 March 2025, I wrote to the Head of School Admissions at the Local Authority, to establish that the Schools' Arrangements for 2026/27 had been determined as required by the Code. On 2 April I received a reply stating:

"I have attached the determined admission arrangements for 2025-26, as we have not determined the admission arrangements for 2026-27. The 2025-26 admission arrangements were not determined at meeting [sic] and therefore there are no minutes of a meeting."

17. Three further letters were written to the Local Authority on or around 9 April 2025, 16 May 2025 and 16 July 2025. Finally, on 25 July 2025, a senior official wrote back to say:

"Due to human error the Council is aware that it has breached its duty to determine admission arrangements for the relevant year. The admission arrangements 2026/27 attached were determined retrospectively by [TA], Executive Director, Children and Learning in accordance with Camden Councils' constitution on 24th July 2025. We

recognise a need to ensure that the governance arrangements are appropriately in place for the determination of 2027/28 arrangements and we have made changes to rectify this."

18. It is clear from the above that the Local Authority did not comply with the requirements of the Code to determine and publish the Arrangements by the specified deadlines. **I uphold this aspect of the objection.**

The oversubscription criteria and the PANs

19. The objector states:

"Both policies list internal students in their oversubscription criteria (in breach of clause 2.6) and neither specifies a PAN for external students (in breach of clause 1.2).

20. At this point, I consider it helpful to outline the implications of the Code for sixth form admissions. It is currently the case that for many schools, colleges and students, the transition from Key Stage 4 is viewed as another opportunity for a family to 'choose' (or, technically, to 'express a preference'), from a range of destinations for the next stage in their child's education. For many students, the experience of choosing and joining post-16 provision is similar to that of joining a secondary or primary school, even if they join the sixth form in their current school. However, whilst this experience is reinforced by schools' and colleges' marketing activities and application processes, there are statutory obligations on schools which do not apply to sixth form colleges. For schools, education law and the Code require that internal and external sixth form applicants be treated differently in certain respects (though the entry requirements for both must be the same), as I shall now explain.

21. Paragraph 2.6 of the Code states:

"Children and their parents applying for sixth form places may use the CAF [common application form], although if they are already on the roll, they are not required to do so in order to transfer into year 12. Admission authorities can, however, set academic entry criteria for their sixth forms, which **must** be the same for both external and internal places. School sixth form admission arrangements for external applicants **must** be consulted upon, determined, and published in accordance with the same timetable as for admission arrangements for other entry points. As with other points of entry to schools, highest priority in oversubscription criteria for sixth form places **must** be given to looked after children and previously looked after children who meet the academic entry criteria. As stated in paragraph 1.9 m) above, any meetings held to discuss options and courses **must not** form part of the decision process on whether to offer a place."

22. The School Attendance (Pupil Registration) (England) Regulations 2024 SI2024/208 provide so far as is relevant here:

"9 Deletions from Admission Register

(1) The proprietor of a school must ensure that the name of a pupil of compulsory school age is deleted from the school's admission register when

…. (l) the pupil will be over compulsory school age by the next time the school meets and—

(i) the proprietor does not have reasonable grounds to believe that the pupil will attend the school again; or

(ii) the pupil does not meet the academic entry requirements to be transferred to the school's sixth form;"

23. The implication of the above two paragraphs is that whilst internal students do not have an automatic right to continue at a school when their compulsory school education is completed, they cannot be deleted from the register if they intend to continue their studies at that school's sixth form and have met the academic entry requirements. Put another way, the only ground on which a school can refuse to allow a student who wishes to progress from Year 11 to Year 12 at the school is that they have not met the academic entry requirements. In summary, Year 12 is not actually a "normal point of entry" for internal students, even though, for the reasons outlined above in paragraph 20, it might feel like it. Internal students have already been admitted to the school and so are not subject to oversubscription criteria. Year 12 is, however, a normal point of entry for external applicants.

24. The Arrangements clearly imply that for both Haverstock and Hampstead, the oversubscription criteria apply to all candidates. The Arrangements, therefore, do not comply with the Code for the reasons set out above. They are incorrect in law, misleading and unclear, and will need to be revised. **I uphold this aspect of the objection.**

25. In relation to the PANs, paragraph 1.2 and footnote 11 of the Code state respectively:

"As part of determining their admission arrangements all admission authorities **must** set an admission number for each 'relevant age group'."

and

"[Relevant age group] is the age group at which pupils are or will normally be admitted to the school e.g. reception, year 7 and year 12 where the school admits external applicants to the sixth form"

26. The Arrangements do not comply with the Code because they do not specify a PAN for the admission of external applicants into Year 12 for either Haverstock or Hampstead, and they will need to be revised. **I uphold this aspect of the objection.**

27. Whilst it is for the Local Authority to decide how to revise the Arrangements in respect of the PANs, and how to do so in a manner which enables external applicants to

better understand their chances of admission, it may be helpful for me to point out that a PAN is a minimum number. A PAN does not restrict the number of external applicants that an admission authority may choose to admit if those applicants meet the entrance requirements and there is sufficient capacity in classes. For example, some schools use wording along the lines of:

> "We have 200 places in total in Y12 and expect 150 pupils to transfer to Y12 from our Y11. We have set our PAN for those seeking to join us from other schools at 50. If fewer than 150 pupils from Y11 join the sixth form then we will admit a correspondingly higher number over PAN."

Applicaa – some background

28. The objector states the following:

> "1. **Sixth Form Preference Ranking (both schools):**
>
> Applicaa is an EdTech company, set up by former teachers, providing online admissions software to schools. Many schools use it for sixth form admissions, including several in Camden. Schools tailor the admissions forms to their own individual requirements, so there is not a "Common Application Form", but many of the questions seem to be common to all forms.
>
> When students apply to a sixth form that uses Applicaa software for its application form, they have to create an ApplicaaOne account If they then apply to another sixth form which also uses Applicaa, using the same email address, their applications are linked, and they are mandated to rank them in preference order. Applicaa's notes for applicants say this information is used by schools for planning purposes. They explain how it is presented to schools on their website here:
>
> https://helpdesk.applicaa.com/how-does-student-preference-ranking-work.
>
> I fully empathise with schools' requirement for preference data to mitigate against the lack of formal coordination. However, the process seems to be in breach of clause 2.4 of the Code because preference data has no direct bearing on decisions about oversubscription criteria.
>
> Haverstock School and Hampstead School both use Applicaa application forms. Neither school mentions preference information in their admissions arrangements. Camden does not appear to operate a formal coordinated scheme for Sixth form admissions.
>
> **2. Other issues with the Applicaa application forms (both schools)**
>
> Both of the schools' tailored Applicaa application forms ask for many other pieces of information that aren't relevant to application decisions (in breach of clause 2.4), such as Photo ID, Ethnicity, Religion, Residency, Welfare and Medical information,

parental consents, career and hobby information. In addition, Hampstead's form asks for information about parents' education, a personal statement and a referee (see the appended screenshots).

Many of these questions are common to all Applicaa application forms that I have looked at, not just these two schools. The "Quick Apply" feature of the software allows applicants to transfer information between application forms so they can apply to multiple sixth forms easily.

Schools understandably like the efficiency of collecting all information required for application and registration in a single form, so they are using the Applicaa software to facilitate this. However, applicants and their parents often assume that the supplementary information is used to assess their application - I have seen several online discussion threads where parents and students are worrying about this.

It is each Admissions Authority's responsibility to make sure they are following the code, yet I can't find any evidence that Camden systematically check their schools' sixth form application forms for compliance or publish them for consultation as required by clause 1.45.

At application stage, admissions authorities should be making sure that Applicaa only provides schools with information that has a bearing on decision making. Information required for registration should only be made visible to them after provisional offers have been made and accepted. Unfortunately, that is not how the software works – all the collected information is visible to the schools at application stage."

29. In its correspondence with me, the Local Authority does not dispute any of the matters of fact about the use of Applicaa and the type of information collected. When I asked the Local Authority for a rationale for its use of Applicaa. It told me:

"The Applicaa Admissions+ platform is widely adopted[1] across the education sector, specifically schools and colleges in England. It is a well-recognised system for sixth form admissions, offering:

- Efficiency: Automates key tasks such as application tracking, reference collection, meeting scheduling, and enrolment workflows.
- Accuracy: Reduces manual data entry errors and ensures clean data transfer to school MIS systems.

[1]The objector disputes that Applicaa is "widely adopted", although they go on to tell me that there are over 800 active users.

- Personalisation: Customisable forms and communications tailored to internal and external applicants.
- Compliance: Supports statutory duties like destination tracking and census reporting.

Data Collected and Its Purpose

The system allows for the collection of data at different stages of the admissions process:

Application Phase

- Personal Information: Name, DOB, contact details, current school.
- Academic Data: Predicted grades, subject preferences, references.
- Support Needs: SEN status, medical conditions, safeguarding flags.
- Parental Information: Contact details, consent forms.

Purpose:

- Only to assess eligibility for courses in accordance with admission criteria.

Enrolment Phase

- Achieved Grades: Submitted securely under embargo or on results day
- Course Confirmations: Final subject choices and timetable preferences.
- Evidence Uploads: Grade certificates, ID documents.

Purpose:

- To confirm offers and enrol students.
- To allocate students to relevant classes.
- To manage waiting lists and communicate decisions.

How Schools Use the Data After Admission

Once students accept their sixth form places, schools also use Applicaa to import data into management information systems, specifically enabling integration with SIMS.

Comments From Schools within the current objection

- Applicaa is used as our sixth form admissions platform because it is widely recognised in the education sector as an industry standard, offering a streamlined and user-friendly application process across schools for students and staff. Collecting all required student data at the time of application, rather than a second process after an offer has been made, is simpler for students and reduces administrative workload by avoiding subsequent requests for information. This allows for a quicker, smoother enrolment process for students who accept and meet the conditions of their offer

- We only use the predicted or actual grades to make offer decisions[2]. We only use student profile data from the point of enrolment – it is not used beforehand.

- We also collect personal details necessary to create student profiles, demographic information required for statutory returns such as the school census, and details required in order to safely allow students on the school site, such as emergency contacts, medical information, and safeguarding data"

30. In considering how additional information supplied by applicants can be requested and used for the purposes of deciding on admission, paragraph 2.4 of the Code is relevant. It states:

> "In some cases, admission authorities will need to ask for supplementary information forms in order to process applications. If they do so, they **must** only use supplementary forms that request additional information when it has a direct bearing on decisions about oversubscription criteria or for the purpose of selection by aptitude or ability. Places **must** be allocated on the basis of the oversubscription criteria only. An applicant **must not** be given additional priority solely on the basis of having completed a supplementary form. Admission authorities **must not** ask, or use supplementary forms that ask, for any of the information prohibited by paragraph 1.9 above or for:
>
> a) any personal details about parents and families, such as maiden names, criminal convictions, marital, or financial status (including marriage certificates);
>
> b) the first language of parents or the child;
>
> c) details about parents' or a child's disabilities, special educational needs, or medical conditions;

[2] I note here that I consider this sentence to be unclear, and I will specifically address the matters of "offers" and "offer decisions" in a later section of this determination.

d) parents to agree to support the ethos of the school in a practical way;

e) both parents to sign the form, or for the child to complete the form."

31. Paragraph 1.9 of the Code states, in so far as is relevant here:

"…admission arrangements **must not**:

a) place any conditions on the consideration of any application other than those in the oversubscription criteria published in their admission arrangements;

b) take into account any previous schools attended, unless it is a named feeder school;

c) give extra priority to children whose parents rank preferred schools in a particular order…

[…]

g) take account of reports from previous schools about children's past behaviour, attendance, attitude, or achievement, or that of any other children in the family.

[…]

m) …In the case of sixth form applications, a meeting may be held to discuss options and academic entry requirements for particular courses, but this meeting cannot form part of the decision making process on whether to offer a place."

32. I stress here that these aspects of the Code are only relevant in this case to the admission of external applicants to the Schools. For these applicants, paragraph 2.4 of the Code is quite clear that, if a set of arrangements requires that a supplementary information form (SIF) is used for the purpose of processing external applications, then there are limits on the information which can be requested. In this case, I will need to decide whether or not the Arrangements determined by the Local Authority are relying on Applicaa to serve as the SIF for external applicants, and if so, whether or not that SIF requests information which is prohibited by paragraphs 2.4 and 1.9 of the Code.

<u>Does Applicaa serve as a SIF for the Schools, and if so, does it comply with the Code?</u>

33. I repeat here the earlier point that the Arrangements do not comply with the Code in relation to the treatment of internal applicants who are on roll and are therefore not subject to the oversubscription criteria. I highlight this because I provide below several comments supplied to me by the Local Authority which are erroneous in this respect, but I will make no further comment on this matter and my judgements in this section are, therefore, in relation to the treatment of external applicants only.

34. The Arrangements determined for Haverstock say:

"**All applicants** must have an academic reference from their current school stating their predicted grades in order to apply"

and

"Students who are not originally offered a place because they were not predicted the required grades or due to distance from the school, will be invited to attend a Supplementary Enrolment Session on the official Enrolment Day if (a) they do achieve the required grades (b) are still interested in a place."

35. Correspondence from the Local Authority suggests that, in practice, places at Haverstock are not awarded in line with these two statements. However, the matter of how the Arrangements are applied is not within my jurisdiction. My function is to determine whether the admission arrangements, including any SIF, are in accordance with the Code. As written, the Arrangements for Haverstock state that an applicant cannot apply without predicted grades and references being supplied. As this information is supplied via Applicaa, it follows that Applicaa functions as the SIF for Haverstock. Since the SIF requests information which an admission authority is prohibited from requesting by paragraphs 2.4 and 1.9g of the Code, it is in breach of the Code.

36. The arrangements determined by the Local Authority for Hampstead refer to conditional offers, dependent on the entry requirements being met. Whilst the Arrangements refer to an application form, there is no mention of Applicaa nor of any requirement for predicted grades or references. Consequently, it is not possible to conclude from the Arrangements as written, that a SIF is in existence for application to Hampstead. However, it has emerged from correspondence that places at Hampstead are actually awarded in a different manner to that set out in the Arrangements determined by the Local Authority.

37. It transpires that applicants are given 'provisional offers'. The purpose of these is described as follows:

"Provisional offers provide applicants with an early indication of whether they are likely to meet the entry requirements for their chosen courses and a reserved place on the course if they do meet requirements. This helps students make informed decisions about their post-16 education.

The process supports strategic planning by allowing the school to:

- Forecast student numbers and course demand.
- Make informed decisions about staffing, timetabling, and resource allocation.
- Begin preparations for the academic year earlier, ensuring readiness to meet student needs.
- Remain competitive with other institutions that also issue provisional offers.

Additionally, provisional offers streamline the enrolment process on results day, enabling faster confirmation and placement of students who hold offers and meet the criteria.

A student who is refused a provisional offer is not barred from enrolling. If they later meet the entry requirements on results day, they are eligible to apply and may be admitted, subject to course availability. The refusal of a provisional offer does not constitute a final decision and should not discourage the student from pursuing a place."

38. However, an applicant for Hampstead who is not given a provisional offer, but who later achieves the grades necessary for entry and applies for a sixth form place on GCSE results day is effectively a lower priority in the order in which places are offered than one who has been made such an offer. I am told:

"Such a student will be eligible to enrol, provided there is space available in their chosen courses. The school will assess their application on results day and offer a place if the entry criteria are met and capacity allows."

39. I am also told that during the acceptance and enrolment process, applicants without a provisional offer are treated differently to those who have one:

"On results day, students holding provisional offers are enrolled first. After this, the school operates a first-come, first-served basis for remaining places, until courses or pathways reach capacity. This approach ensures fairness while also recognising the commitment of students who engaged with the provisional offer process."

40. In response to a question as to the basis on which it was considered lawful to make a provisional offer to some applicants but not others, I was told:

"Provisional offers are not formal admissions decisions. They are non-binding indications **based on predicted performance and available information [my emphasis]** at the time of application. As such, they do not confer any legal entitlement or exclusion. The process is designed to support planning and transparency, and all students retain the right to apply and be considered on results day.

The provisional offer process is applied consistently to both internal and external applicants. All students are assessed against the same criteria, ensuring fairness and equity in the admissions process."

41. I have set out the process that appears to be in operation, because it is of utmost importance that the Arrangements are clear in setting out how students are admitted to the sixth form. At the moment, what happens in practice is not what is set out in the Arrangements; for example, an applicant to Hampstead who has received an offer is given a higher priority for admission than one who has not. This means that a hidden criterion is

operating that is not described in the Arrangements, rendering the oversubscription criteria unclear and so in breach of paragraphs 14 and 1.8 of the Code.

42. However, were the Local Authority merely to revise the arrangements to incorporate the process as described above, there would still be a breach of the Code. The receipt of an offer, which confers a higher priority for admissions, would depend on "predicted performance and available information". This information would come via Applicaa, and so Applicaa would, therefore, now be functioning as the SIF for admission to Hampstead. Consequently there would a breach of the Code because priority for admission would depend on information in the SIF, for which the SIF should not have asked.

43. There would be a further breach of the Code, for the following reasons.

44. I have considered the position of two hypothetical applicants, A and B, where A received a provisional offer on the grounds of their "predicted grades" and "available information", but B did not. Following GCSE results day, both A and B have met the entry requirements for Hampstead sixth form with identical GCSE grades. However, because of the priority given to provisional offer holders, A is admitted (along with others in a similar position) before B is considered, and it is possible that B may not be admitted because courses are at capacity. I consider this to be unfair, since B is just as deserving of a place on academic grounds as A. Furthermore, this unfairness arises from the basis of predicted grades and/or references which are produced by third parties and which are subjective rather than objective matters. It would be neither fair nor objective for one applicant to be prioritised over another for admission for no reason other than a necessarily subjective third party prediction and/or reference.

45. In summary, to the extent that the objector expresses concerns that the Arrangements do not comply with paragraph 2.4 of the Code, **I uphold this aspect of the objection** for the reasons set out above**.**

46. The Arrangements will now need to be revised. This is a matter for the Local Authority who may wish to seek their own legal advice as to how best to ensure the lawfulness and compliance of admission arrangements for those schools with sixth forms for whom they are the admission authority.

47. The arrangements must set out clearly the practices and criteria which are in place to determine which applicants are admitted to the Schools' sixth forms. That process must be a lawful one. If a SIF is used, it must comply with the requirements of paragraph 2.4 of the Code – the admission authority must not request information which it is prohibited from requesting at the application stage. The arrangements must then be administered as set out in the arrangements. If either of the Schools or the Local Authority were operating admission arrangements which were not those which had been determined or which involved the collection of information prohibited from being requested by the Code, the admission authority would be susceptible to a complaint of maladministration. Such a complaint is not within the jurisdiction of the Schools Adjudicator; it would fall within the remit of the Local Government and Social Care Ombudsman. It is possible that the actions

of the Schools' governing bodies may also be scrutinised in the same way by the Ombudsman, but this is not for me to say.

Summary of Findings

48. The Local Authority did not comply with the requirements of the Code to determine and publish the Arrangements by the specified deadlines.

49. The Arrangements determined by the Local Authority do not comply with the Code because they imply that for both Haverstock and Hampstead, the oversubscription criteria apply to internal applicants.

50. The Arrangements do not comply with the Code because they do not specify a PAN for the admission of external applicants into Year 12 for either Haverstock or Hampstead,

51. The Arrangements do not comply with paragraphs 14, 1.8 and 2.4 of the Code for the reasons set out in detail above.

Determination

52. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold most of the aspects of the objection to the admission arrangements for September 2026 determined by the London Borough of Camden for Haverstock School and for Hampstead School.

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

Dated: 12 January 2026

Signed:

Schools Adjudicator: Clive Sentance