



Office of
the Schools
Adjudicator

Determination

Case reference:	ADA4616
Objector:	A parent
Admission Authority:	The Governing Board for Waddesdon Church of England School
Local Authority:	Buckinghamshire Council
Date of advice:	15 June 2026

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements determined by the Governing Board for Waddesdon Church of England School, for 2027/28.

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 this 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 parent (the Objector), about the admission arrangements (the Arrangements) for September 2027 for Waddesdon Church of England School (the School). The School is a non-selective academy for children aged 11-18. It is located in Aylesbury, Buckinghamshire.
2. The Local Authority (LA) for the area in which the School is located is Buckinghamshire Council.
3. The LA is a party to this objection. Other parties to the objection are:
 - the School;

- the Diocese of Oxford (the Diocese); and
- the Objector.

4. The objection is that the Arrangements do not meet the requirements set out in the School Admissions Code 2021 (the Code) in relation to the admission of children outside their normal age group.

5. As well as objecting to the Arrangements of the School, the Objector has objected to the arrangements of three other Buckinghamshire schools. As each of the schools involved has a different admission authority, I am considering each case independently and on its own merits. Each objection is, therefore, being determined separately.

6. I would like to take the opportunity to thank the School and the LA for their timely responses to my requests for further information. The Diocese did not respond to my requests for further information.

Jurisdiction

7. The School is a single-academy trust. The terms of the academy agreement between the Governing Board of the School and the Secretary of State for Education require that the admissions policy and arrangements for the School are in accordance with admissions law as it applies to maintained schools.

8. These arrangements were determined under section 88C of the Act by the Governing Board, which is the Admission Authority for the School. The Arrangements were determined on 17 December 2025.

9. The Objector submitted their objection to the determined arrangements on 27 April 2026. 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.

10. 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

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

12. The information I have considered in reaching my decision includes:

- the objection dated 27 April 2026;
- a copy of the minutes of the meeting of Admission Authority at which the arrangements were determined;
- the determined Arrangements for 2027/28;
- responses from the LA and the School to the objection and to my requests for further information;
- the LA's online school admissions pages;
- Department for Education (DfE) publication 'Guidance on handling admission requests for summer-born children'¹ (November 2024) (the DfE Guidance);
- DfE publications 'Summer-born children starting school: advice for parents' and 'Making a request for admission out of the normal age group' (April 2023) (the DfE Advice for Parents); and
- information available on the websites of gov.uk (including the 'Get Information About Schools' (GIAS) and Ofsted websites) and the websites of the LA, the School and the Diocese;

13. I have been provided with a substantial amount of information. I have referred only to that which has a bearing on my determination.

Background

14. According to GIAS, the school is a co-educational, academy converter with a Church of England religious character.

15. The School was last inspected by Ofsted in February 2026. The School was judged to be performing at the expected standard in achievement; curriculum and teaching; and leadership and governance. It was judged to be performing at a strong standard in attendance and behaviour; inclusion; personal development and wellbeing; and post-16 provision.

16. The published admission number (PAN) of the School for 2027/28 is 145.

¹ The term summer born children relates to all children born from 1 April to 31 August. These children reach compulsory school age on 31 August following their fifth birthday (or on their fifth birthday if it falls on 31 August).

17. The arrangements set out that children with Education, Health and Care Plans (EHCPs) will be admitted first. Then, in times when oversubscribed, children will be prioritised according to the oversubscription criteria. These can be summarised as follows:

- a. Looked after children and those who were previously looked after.
- b. Children who are resident in the catchment area.
- c. Children with a strong connection to the school. This is either children with a sibling on roll in Years 7-10 at the School or children of staff where the member of staff has been employed at the school for at least three years.
- d. Children where a parent has a strong commitment to the Church of England. Under this criterion, children with a sibling in Years 11 and 12 at the School will have priority over those without a sibling at the School.
- e. Children where a parent has a strong commitment to a church of another Christian denomination. Under this criterion, children with a sibling in Years 11 and 12 at the School will have priority over those without a sibling at the School.
- f. Children with exceptional circumstances.
- g. All other applications.

Where the number of eligible applicants within an over-subscription criterion exceeds the number of places available, places will be allocated based on the distance of the child's home address to the school entrance gate, measured in a straight line, with those living closer receiving higher priority.

Consideration of Case

18. I will now set out my consideration of the matters raised by the Objector. I will conclude each section with a statement as to whether or not I uphold that particular aspect of the objection, preceded by my reasons for that conclusion. Where I state that I uphold an aspect of the objection, that does not necessarily imply that I fully endorse the reasoning expressed by the Objector, nor that the Objector has necessarily correctly interpreted which Code provision applies. Rather, it means that I have found that the particular aspect of the Arrangements drawn to my attention by the Objector does not conform with a requirement of the Code identified by me, and is in breach of the Code for the reasons I have given.

19. The Objector expressed concerns about the section in the Arrangements relating to the admission of children outside their normal age group. The Objector identified four specific concerns. These related to "a lack of clarity on "Best Interests"; a misleading focus on medical evidence; a failure to respect the DfE Guidance; and procedural uncertainty".

20. I have determined that the following paragraphs of the Code are relevant to this objection:

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.

2.18 Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented or has experienced problems such as ill health. In addition, the parents of a summer born child may choose not to send that child to school until the September following their fifth birthday and may request that they are admitted out of their normal age group – to reception rather than year 1. Admission authorities **must** make clear in their admission arrangements the process for requesting admission out of the normal age group.

2.19 Admission authorities **must** make decisions on the basis of the circumstances of each case and in the best interests of the child concerned. This will include taking account of the parent's views; information about the child's academic, social, and emotional development; where relevant, their medical history and the views of a medical professional; whether they have previously been educated out of their normal age group; and whether they may naturally have fallen into a lower age group if it were not for being born prematurely. They **must** also take into account the views of the head teacher of the school concerned. When informing a parent of their decision on the year group the child should be admitted to, the admission authority **must** set out clearly the reasons for their decision.

2.20 Where an admission authority agrees to a parent's request for their child to be admitted out of their normal age group and, as a consequence of that decision, the child will be admitted to a relevant age group (i.e. the age group to which pupils are normally admitted to the school) the local authority and admission authority **must** process the application as part of the main admissions round, unless the parental request is made too late for this to be possible, and on the basis of their determined admission arrangements only, including the application of oversubscription criteria where applicable. They **must** not give the application lower priority on the basis that the child is being admitted out of their normal age group. Parents have a statutory right to appeal against the refusal of a place at a school for which they have applied. This right does not apply if they are offered a place at the school, but it is not in their preferred age group.

21. The Arrangements make the following references to the admission of children outside their normal age group:

“Parents may seek a place for their child outside of their normal age group, for example, if the child is gifted and talented, has experienced problems such as ill health, or is a summer born child who has previously been educated outside their normal age group. Requests for admission outside of the normal age group must be made to the Governance Professional [contact details provided] together with all relevant information as soon as possible so that a decision in principle can be reached before any deadlines. PLEASE NOTE that such a request is not an application for admission, which should be submitted in the normal way.

The Governing Board will make decisions on these applications based on the circumstances of each case and in the best interests of the child concerned. This will include having regard to the parents’ views; information about the child’s academic, social and emotional development; relevant medical history and the views of medical professionals; whether previously educated out of their normal age group; and whether the child may naturally have fallen into a lower age group if it were not for being born prematurely. The Headteacher’s views must be taken into account. If a place in the requested age group is refused, but one in the normal age group is offered, then there is no right of appeal.”

22. I will now consider each of the Objector’s concerns in turn.

Lack of clarity on "Best Interests"

23. The Objector wrote:

“Section 4.4 [of the Arrangements] mentions the "best interests of the child" but fails to explain how the school weighs the fact that a child has already spent seven years being educated in a lower year group. The Code requires decisions to be based on the individual circumstances of each case. For a child moving to secondary school, the best interest is almost always to remain with their established peer group. By failing to acknowledge the importance of educational continuity, the policy allows for arbitrary decisions that could force a child to skip a year of education.”

24. The School wrote:

“We consider that the Arrangements are fair, clear, and objective as drafted. It is not appropriate to insert an opinion as to what may be in the best interests of a child into the Arrangements, and if we were to try to include a narrative to cover any and every request, the Arrangements would become ambiguous and uncertain. It is for the Admission Authority to weigh the information before it as to the best interests of the child when considering any request for admission outside the normal age group. When considering a request, we heed the advice in the DfE Guidance on Handling Admission Requests for Summer-born Children: Unless there are good educational

reasons for a child to join their normal year group (meaning they would miss a year of school), they should remain with their adopted year group.

25. I find that the Arrangements do make it clear that the Governing Board, as the Admission Authority, will make decisions based on the circumstances of each case and in the best interests of the child concerned. The Arrangements list the factors that will be taken into consideration when coming to a decision. These factors are in line with those listed in paragraph 2.19 of the Code. The Arrangements do acknowledge the need to consider educational continuity as they specifically mention that the Governing Board will take into consideration whether the child has previously been educated outside of their normal age group. I, therefore, do not uphold this aspect of the objection.

Misleading focus on medical evidence

26. The Objector wrote:

“The policy focuses heavily on "medical history" and the "views of medical professionals." Paragraph 2.19 of the Code is clear that admission authorities must not request medical evidence as a condition of a request being considered. This policy suggests that a summer born child who was deferred for developmental reasons, rather than a medical condition, must provide clinical proof to stay in their current year group. This creates an unfair hurdle for parents and misinterprets the requirements of the Code.”

27. The School wrote:

“We do not consider that this is a possible interpretation of our Admission Arrangements. The Arrangements state that requests must be made ... together with all relevant information. They do not say what that information might be, or that clinical proof must be provided: it is for applicants to put forward the evidence that they consider supports their request.”

28. I find that the Arrangements are not overly focused on medical history and the views of medical professionals. The arrangements state that “relevant medical history and the views of medical professionals” (my emphasis) are factors to be taken into consideration. The Arrangements do not require medical information or ‘clinical proof’ to be submitted. The Arrangements are in line with the requirements the Code. I do not uphold this aspect of the objection.

Failure to respect Summer Born Guidance

29. The Objector wrote:

“Government guidance on summer born pupils specifically addresses the transition to secondary school. It states that it is generally not in a child’s best interests to be forced to miss a year of school or to be moved back into their chronological year group after they have been successfully educated out of year throughout primary school. This policy ignores that guidance. It treats these requests as brand new applications rather than a continuation of a settled educational path.”

30. In its response to me, the School quoted advice contained in the ‘changing schools’ section of the DfE Advice for Parents. The section states:

“If you want your child to remain out of their normal age group when they transfer to a new school, for example if you move house or when they transfer to secondary school, you will need to submit another request for admission out of the normal age group.

The admission authority of the new school will decide whether it is in your child’s best interests to continue to be educated out of their normal age group. Unless there are good educational reasons for a child to join their normal year group (meaning they would miss a year of school), they should remain with their adopted year group.”

31. The School went onto state:

“We do not agree with the Objector that the Arrangements do not take account of this DfE guidance or that it would be appropriate to include their interpretation in the Admission Arrangements, and we refer to our response to [Lack of clarity on "Best Interests"] above. The DfE guidance also makes it clear that a new application has to be made upon changing schools.”

32. As the DfE Guidance and the DfE Advice for Parents have been referred to by the Objector and the School, I would like to make a comment about these publications. Both of these documents provide non-statutory guidance to help parents, local authorities and other school admission authorities with requests for summer-born children to be admitted outside of their normal age group. As guidance, it does not have the force of law, and the Code does not require admission authorities to follow it. My function under the Act is to determine the objection before me and, in so doing, I must determine whether the admission arrangements comply with the Code, rather than non-statutory guidance. However, having said that, there is a general requirement that admission arrangements must be reasonable and admission authorities are expected to follow government guidance which applies to them unless they have a good reason to depart from it. In this case, I find that the Arrangements describe a process which is in line with the guidance and that the Arrangements in this aspect are reasonable. Furthermore, I find that the process for requesting admission out of the normal age group is clear, as required by the Code. I do not uphold this aspect of the objection.

Procedural uncertainty

33. The Objector wrote:

“The policy mentions a "decision in principle" but provides no clear timeline or transparent process for how these decisions are reached. Under Paragraph 14 of the Code, admissions authorities must ensure that their practices are fair, clear, and objective. As written, Section 4.4 is too vague to give parents any certainty that their child's prior educational history will be the primary factor in the decision.”

34. The School wrote:

“A request for admission outside normal age group is a precursor to an application for admission, for which the Code sets out strict timescales. Requests for admission outside normal age group are therefore processed within the same timelines.”

35. The Arrangements make it clear that a request for admission outside of the normal age group is not an application for admission. This is because a request could be made, and granted, up to 12 months ahead of an application for admission. For example, the parent of a child who is being educated in Year 5 but is chronologically the age of a Year 6 child may make such a request the year before an application for a school place is required in order to confirm the child would be admitted to the relevant age group. It is important to note, an admission authority agreeing to a request for a place outside of the normal age group does not guarantee that the child will be offered a place at the school when they do apply. A place will only be offered after the application of the school's oversubscription criteria.

36. I note that the Arrangements state that ‘requests for admission outside of the normal age group must be made ... as soon as possible so that a decision in principle can be reached before any deadlines’. While the Admission Authority must follow the prescribed timetable relating to admission to Year 7, requests for admission of children outside their normal age group may happen at any time, such as in-year transfers or children moving into the area from abroad. I do not think it is reasonable to expect the Arrangements to include details of every possible eventuality. I find that the wording in the Arrangements is in line with the requirements of the Code and I do not uphold this part of the objection.

37. The School went on to state:

“It should be noted that our experience is that parents do not submit a request for admission out of the normal age group on transfer to secondary school: only an application for admission is received as part of the co-ordinated admissions process administered by the local authority (Buckinghamshire Council). If there is a child outside their normal age group on our list of applications for transfer to secondary school, we make enquiries of the local authority and the primary school to establish that the child is currently educated outside of their normal age group, and if they are,

and there is no indication that the child should not progress with their year group, we process the application as if a request for admission out of the normal age group has been made. We understand this to be in line with the practice of our local authority.”

38. The LA made similar remarks in their response to me:

“We are of the belief that once a child is offset² then they should be allowed to remain offset as they move through their education. It is my understanding that the school is of a similar mind and their normal practice is that once a child has been offset in primary school that they are happy to continue to maintain that child as offset as they join the school. Also, if the child is joining the school at a later point the school will consider whether (for example, if a child is joining from abroad or joining an exam year after a period of absence from school) [sic]. I have noted the school being prepared to offset a child where to do so would be a sensible decision to support the child.”

39. While I welcome the approach to ensuring continuity of education for children being educated outside of their normal age group on transition to secondary school, it would appear that the actual process does not match the process set out in the Arrangements. In other words, the Arrangements state that “requests for admission outside of the normal age group must be made ... as soon as possible” but the School has stated that, in reality, “parents do not submit a request for admission out of the normal age group on transfer to secondary school ... [and] we process the application as if a request for admission out of the normal age group has been made.”

40. I have been unable to find anything in the School’s Arrangements, or, indeed, on the LA’s website, to indicate that parents applying for a Y7 place at the School do not need to submit a specific request for their child to be admitted to Year 7 outside of their normal year group. As such, I find that the process is unclear and may be confusing for parents. I find this aspect to be in breach of paragraph 14 of the Code which states that parents “should be able to look at a set of arrangements and understand easily how places for that school will be allocated”.

41. The School has stated that its “intention when determining our Admissions Arrangements is that the criteria used to decide the allocation of school places are fair, clear, and objective; that they are accessible, readable and understandable; and that they comply with the Code”.

42. I am grateful to the School for acknowledging that the Admission Authority will be happy to make any necessary changes to the Arrangements. As a result, I will not discuss them further other than to make clear that the Code requires that the Arrangements be amended to address the points set out here. Such amendments are permitted in line with paragraph 3.6 of the Code which states, in part: “Once admission arrangements have been

² This is the term used by the LA to refer to the admission of children outside their normal age group.

determined for a particular school year, they cannot be revised by the admission authority unless such revision is necessary to give effect to a mandatory requirement of this Code, admissions law, a determination of the Schools Adjudicator or any misprint in the admission arrangements.”

Determination

43. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I partially uphold the objection to the admission arrangements determined by the Governing Board for Waddesdon Church of England School, for 2027/28.

44. 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 this determination.

Dated: 15 June 2026

Signed:

Schools Adjudicator: Catherine Crooks