



Office of
the Schools
Adjudicator

Determination

Case reference: ADA4612

Objector: A parent

Admission Authority: London Borough of Lewisham Council for Brindishe Manor School

Date of advice: 18 June 2026

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements determined by the London Borough of Lewisham Council for Brindishe Manor School for 2027.

I have also considered the arrangements under section 88I(5) and find that they do not comply with 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 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 for September 2027 (the Arrangements) for Brindishe Manor School (the School). The School is a community school for children aged three to eleven years, located in Lewisham, in southeast London.

2. The local authority for the area in which the School is located is the London Borough of Lewisham Council (the Local Authority, the LA). The LA is also the Admission Authority for the School and is a party to this objection. Other parties to the objection are the Objector and the School.

3. The objection concerns the matter of summer born children and the deferred admission of those children.

Jurisdiction

4. The Arrangements were determined under section 88C of the Act by the LA, which is the Admission Authority for the school

5. The Objector submitted their objection to the determined arrangements on 14 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.

6. 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.

7. The Objector raised an allegation of discrimination in respect of admissions to the School's nursery. As my jurisdiction is solely for the determined arrangements for 2027 for admission to the School, I do not consider that matter to be within my jurisdiction.

8. I have also used my power under section 88I of the Act to consider the Arrangements as a whole and to determine whether or not they conform with the requirements relating to admissions and, if not, in what ways they do not so conform. I will refer to these as 'other matters' and they are covered in the section of this determination under the title of that name.

Procedure

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

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

- the objection dated 14 April 2026;
- a copy of the minutes of the meeting of the Admission Authority at which the Arrangements were determined;
- the determined Arrangements for 2027, set out in the document "Admission arrangements 2027/28 for the London Borough of Lewisham's community schools";
- responses from the LA to the objection and to my requests for further information;

- information available on the websites of gov.uk (including the ‘Get Information About Schools’ (GIAS) website), the LA, the School and Ofsted; and
- the Department for Education (DfE) “Guidance on handling admission requests for summer-born children” (the Guidance).

11. The School chose not to comment on this case, save for in respect of the matter of admissions to the School’s nursery, which is not within my jurisdiction.

Background

12. According to GIAS, the School is a community primary school for children aged three to eleven years in Lewisham, southeast London. It is part of The Brindishe Federation, which comprises three schools. The School does not have a religious character, and was last inspected by Ofsted in May 2024, when it was judged to be Outstanding.

13. The published admission number (PAN) of the School, which applies to the reception year (Year R) is 60. In the event of oversubscription, after the admission of any child with an Education, Health and Care Plan which names the School, the criteria used to prioritise applicants are, in summary:

1. Looked after children and previously looked after children.
2. Children with an exceptional social or medical need.
3. Children with a sibling at the School.
4. Children of members of staff.
5. “Distance”.

14. I consider the fifth oversubscription criterion when I come to the other matters.

Consideration of Case

15. The Objector asserts that the Arrangements, and the website of the School, are contrary to requirements in respect of the “deferred admission” of summer born children. The objection states:

“On the admissions page for Brindishe Manor school there is a tab for “summer born” or deferred admission. Under which it states “In certain circumstances, Lewisham will consider a request for delayed admission for an older child. This is under the updated “summer born” guidance from the DfE.

- The application should be supported by the child’s nursery/primary headteacher and/or an educational psychologist confirming that the child has a learning delay or difficulty, and their social maturity is well below that of their peers.” [weblink provided]

This statement is also made in the “Admission arrangements 2027/28 for the London Borough of Lewisham’s community schools” –determined admission arrangements. [weblink provided]

This is contrary to the Department for Education Guidance on handling admission requests for summer-born children, Updated 28 November 2024, which states

“Admission authorities should not expect parents to get evidence they do not already have, and must still consider requests that are not accompanied by evidence from professionals. Authorities should not refuse a request solely because it is not accompanied by professional evidence.” and “There do not need to be exceptional circumstances, and a child does not need to have a medical need or SEND for it to be in their best interests to be admitted out of their normal age group.” ”

16. The objector alleges that the Arrangements do not follow the Guidance. This has been issued by the DfE to assist admission authorities in making decisions on whether a summer born child, whose parents choose to delay admission until after the child’s fifth birthday, should be able to begin school in Year R rather than in Year 1. The Guidance states:

“Children born from 1 April to 31 August – known as summer-born children – do not need to start school until the September after their fifth birthday, a year after they could first have started school.

A parent may request their summer-born child is admitted out of their normal age group at this point – to reception rather than year 1...

The admission authority of each school must make a decision based on the circumstances of the case and in the child’s best interests. It should be rare for an authority to refuse a parent’s request...

The government believes it is rarely in a child’s best interests to miss a year of their education, for example, by beginning primary school in year 1 rather than reception...

[The] DfE supports the right of parents to decide their child will not start school until compulsory school age, but does not believe it should become the norm for summer-born children to begin reception at age 5...

Admission authorities should ensure parents:

- are aware of when and how they can make requests

- know what information they need to provide
- know the outcome of their request in time to make an informed decision about whether their child will start school before compulsory school age”.

17. Although the LA has told me that it followed the Guidance when determining the Arrangements, it seems to me that what is set out in the Arrangements does not align with the Guidance. It is my view that admission authorities should be complying with DfE guidance unless they have good reason to depart from it. I must be clear however that I have not based my findings on the Guidance, but rather on compliance or non-compliance with the provisions of the Code.

18. The objection concerns the matter of summer born children and the deferred admission of those children. It is the view of the Objector that the Arrangements fail to conform to requirements in two respects: the evidence that parents must submit when making “a request for delayed admission”; and in requiring “certain circumstances” for such a request to be considered.

19. When children can and must start school is relevant to the objection. Paragraph 2.17 of the Code states:

“Admission authorities **must** provide for the admission of all children in the September following their fourth birthday. The authority **must** make it clear in their arrangements that where they have offered a child a place at a school:

a) that child is entitled to a full-time place in the September following their fourth birthday;

b) the child’s parents can defer the date their child is admitted to the school until later in the school year but not beyond the point at which they reach compulsory school age and not beyond the beginning of the final term of the school year for which it was made; and

c) where the parents wish, children may attend part-time until later in the school year but not beyond the point at which they reach compulsory school age”.

20. Compulsory school age is defined in Footnote 56 to the Code:

“Compulsory school age is set out in Section 8 of the Education Act 1996 and the Education (Start of Compulsory School Age) Order 1998. A child reaches compulsory school age on the prescribed day following his or her fifth birthday (or on his or her fifth birthday if it falls on a prescribed day). The prescribed days are 31 December, 31 March, and 31 August.”

21. The objection is specifically concerned with ‘summer born’ children, a term defined in Footnote 57 to the Code:

“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). It is likely that most requests for summer born children to be admitted out of their normal age group will come from parents of children born in the later summer months or those born prematurely.”

22. The following paragraphs of the Code are also relevant to the objection:

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.

23. Paragraph 14 of the Code requires that arrangements are clear, and is also relevant:

“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.”

24. When I considered the Arrangements as a whole, it appeared to me that the Arrangements may not comply with paragraphs 2.17 to 2.19 of the Code in ways other than those asserted by the Objector. Consequently, I have considered compliance with those paragraphs in entirety.

25. Parents of all children due to start school for the first time, including children who were summer born, have the right to apply for a place in Year R and to defer taking up that place until later in the school year, provided they do not defer until a date which is after their child has reached compulsory school or after the beginning of the final term. They also have a right for their child to attend on a part-time basis until the child reaches compulsory school age.

26. The Code provides parents with the right to choose to delay the admission of a summer born child to the September following that child's fifth birthday. This is an entitlement which admission authorities cannot legally refuse. The Code also provides to parents, in paragraph 2.18, the right to request admission for their child out of that child's normal year group. Such admissions are not an entitlement but can be requested for any child, irrespective of whether or not they are summer born.

27. In short, parents of summer born children may choose that the child's admission be delayed for a year, and request that the child be admitted out of their normal year group into Year R, as opposed to Year 1. This means that although a summer born child may, for example, have the right to start full time education in September 2027, the parent can postpone the date at which the child starts school until September 2028. Such a child would join Year 1 in September 2028 unless the parent requests, and the admission authority agrees, that the child should be admitted out of their normal year group and join Year R.

28. The parents of any child can apply for their child to be admitted to any year group outside the normal year of entry. This provision is not exclusive to applications to Year R for "summer born" children. Admission arrangements must make clear the process for requesting admission out of the normal age group.

29. Sections 12 and 13 of the Arrangements deal with starting school for the first time, and admissions outside of a child's normal age group:

"12. Applications for a starting school /Reception place

Timing of Admission – Lewisham will operate one point of entry for reception class. Children born between **1st September 2022** and **31st August 2023** will be expected to accept a full-time reception place starting in **September 2027**.

Parents of children who permanently live in Lewisham **must** apply for a reception class place (Year R) by participating in the coordinated reception scheme by making an online application by **15th January 2027**.

The application period for the reception co-ordinated scheme will commence on **1st September 2026** and close on **15th January 2027**.

Deferred admission to primary school - Lewisham offers early admission in reception class to children before they reach statutory school age. Parents/carers have the option of deferring their child's admission to reception class to a later term eg the start of the spring or summer term. However, the child must be admitted to school during the reception year and not beyond it. Alternatively, the parent may arrange for their child to be admitted on a part time basis up to the point they reach statutory school age. Parents may not defer their child's admission beyond the beginning of the final term of the school year or after the beginning of the term after their child's fifth birthday.

Children who attend a nursery class in a primary school frequently transfer to the main school; however, there is no automatic transfer and children attending the nursery are not given priority. Parents of nursery children who permanently live in Lewisham must apply for a reception place by participating in the coordinated reception scheme by making an online application. Applications from parents of children on the roll of the nursery will be considered with other applicants at the appropriate time."

"13. The admission of children outside of their chronological year group

Later admission: In certain circumstances Lewisham will consider a request for a delayed admission for an older child, this is under the updated "summer born" guidance from the DfE. The term summer born children relates to all children born from **1st April to 31st 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). It is likely that most requests for summer born children to be admitted out of their normal age group will come from parents of children born in the later summer months or those born prematurely.

- The application should be supported by the child's nursery/primary headteacher and/or an educational psychologist confirming that the child has learning delay or difficulty and their social maturity is well below that of their peers.
- The parent agrees that their child will transfer to primary/secondary school with the later cohort regardless of the outcome of their applications and had not participated in the transfer scheme the year before.

In cases described above parents must consider the implications of an earlier or later transfer as headteachers of primary/secondary schools are not required to continue to keep the child out of year group and may decide to later educate the child in the correct year.

This guidance should be read in conjunction with the statutory guidance, specifically the School Admissions Code 2021, which came into force on 1 September 2021.

The School Admissions Code 2021, issued under section 84 of the School Standards and Framework Act 1998, sets out the mandatory requirements for school admission

arrangements, including those for children admitted outside their normal age group. Paragraph 2.19 of the Code specifically addresses the admission of summer born children, allowing parents to request that their child be admitted outside their normal age group.”

30. I find that the Arrangements do not comply with paragraphs 2.17 to 2.19 of the Code, or with paragraph 14, for the reasons set out below.

30.1. Paragraph 2.17 of the Code states that admission authorities must make the provisions of that paragraph clear in their arrangements. The Arrangements do not do so.

30.2. The Arrangements refer, in section 12, to “one point of entry for reception class” and state that children “will be expected to accept a full-time reception place starting in September 2027.” This does not provide for the rights of parents to defer admission or to part-time attendance. Further, it could be said that the Arrangements discourage parents from exercising these rights.

30.3. The Arrangements fail to differentiate between the right to delay admission (that is, the right of a parent of a summer born child to choose not to send that child to school until the September following their fifth birthday) and the right to request admission out of the normal year group. Consequently, they are unclear.

30.4. The Arrangements do not make clear the rights of a parent of a summer born child to delay entry until the September following the child’s fifth birthday, when the child is the right age to join Year 1, and to apply for a place in that year group.

30.5. The Arrangements state, “In certain circumstances Lewisham will consider a request for a delayed admission for an older child, this is under the updated “summer born” guidance from the DfE”. In respect of this:

30.5.1 It is not clear what is meant by an “older child”; neither is it clear what is meant by “delayed admission”.

30.5.2 The Code provides the parents of all summer born children with the right to choose not to send their child to school until the September following their fifth birthday. Consequently, if the term “delayed admission” in the Arrangements is intended to refer to such admissions, the requirement for “certain circumstances” to be in place is contrary to the Code.

30.5.3 As a parent of a summer born child may choose not to send that child to school until the September following their fifth birthday, any requirement to “request” such an admission is clearly contrary to the Code.

30.6. The Arrangements do not make clear the process for requesting admission out of the normal age group for any child, whether summer born or not. The Arrangements state that parents should “include a written request with the application”. This provides no indication as to what should be included in such a request or what information will be taken into account when a decision is made.

30.7. The Arrangements state that requests for admission out of the normal year group, “should be supported by the child’s nursery/primary headteacher and/or an educational psychologist confirming that the child has learning delay or difficulty and their social maturity is well below that of their peers”. Paragraph 2.28 of the Code provides, as I have said, parents of all summer born children with the right to request such admission. As no special or particular circumstances are required to make a request, it follows that requiring certain evidence as specified in the Arrangements is contrary to the Code.

30.8. The Arrangements do not make it clear that, as required by paragraph 2.19 of the Code, decisions in respect of admission outside of a child’s normal year group will be taken in the best interests of the child concerned.

30.9. References to the Code and to the Guidance in section 13 of the Arrangements are unclear. I note that whilst an admission authority may wish to signpost parents to these documents, this cannot be in lieu of setting out, in admission arrangements, information which the Code requires.

31. In response to the objection, the LA stated:

“Item 12 of the determined arrangements does include a parent’s ability to defer their child’s attendance at school, see below:

Deferred admission to primary school - Lewisham offers early admission in reception class to children before they reach statutory school age. Parents/carers have the option of deferring their child’s admission to reception class to a later term eg the start of the spring or summer term. However, the child must be admitted to school during the reception year and not beyond it. Alternatively, the parent may arrange for their child to be admitted on a part time basis up to the point they reach statutory school age. Parents may not defer their child’s admission beyond the beginning of the final term of the school year or after the beginning of the term after their child’s fifth birthday.”

32. The Arrangements do, in the excerpt provided by the LA, recognise the rights of parents to defer entry, and to part-time admission. However, the inclusion of some correct information does not negate the other inaccuracies set out above.

33. The LA also set out section 13 of the Arrangements together with a suggested change of wording. I make it clear that as my jurisdiction is limited to the determined Arrangements, I am unable to provide any comment on wording that has been proposed.

34. For the reasons set out above, I uphold the objection.

35. The LA supplied me with copies of forms that are in use for parents to request admission out of the normal year group, and guidance it provides for parents in respect of such requests. If forms are in use and therefore form part of the Arrangements, they should be signposted or linked from those Arrangements. In other words, parents must be able to find all the information they require to apply for a place, including to request admission out of the normal year group, within the Arrangements.

36. I note here that the Objector made reference to the website of the School. I have based my determination on the document "Admission arrangements 2027/28 for the London Borough of Lewisham's community schools". Nevertheless, admissions information on the School website forms part of the Arrangements in the wider sense. I have consulted that website and it contains information in respect of summer born children and deferred admission that is contrary to the Code. The website should be revised to reflect the revised Arrangements.

Other matters

37. Having considered the Arrangements as a whole it appeared to me that there are other matters which do not conform with requirements of the Code and so I brought them to the attention of the Admission Authority. These matters are set out below, with paragraphs of the Code indicated where relevant.

38. The Admission Authority provided a full response to these matters, indicating a commitment to ensuring that the Arrangements comply with requirements. Although I am unable to comment on suggested revisions, I am grateful for the considered response. I would urge the Admission Authority to be mindful of the requirement for clarity when making its revisions.

39. Section 5 of the Arrangements states, "For the majority of Lewisham's community schools, the admission arrangements are set out in section 6 below." This is unclear and contrary to the Code, including to paragraph 14, as parents may not know to which schools section 6 applies and to which it does not. The LA has confirmed that the section in question

applies to all its community schools; the wording of the Arrangements must be adjusted accordingly.

40. Paragraph 1.7 of the Code requires that, after the admission of children with an Education, Health and Care Plan which names a school, admission arrangements give greatest priority to looked after and previously looked after children. Although the Arrangements appear to intend to afford this priority in the first oversubscription criterion, the definition of the children concerned differs from that in paragraph 1.7 and is not clear, including that previously looked after children appear under the definition of a looked after child. Consequently, the Arrangements are contrary to paragraphs 14 and 1.7 of the Code. The LA has recognised the need for greater clarity.

41. In respect of children from military families, the second oversubscription criterion states:

“Lewisham has a military covenant that enhances services offered by the Council to ex / serving military and their extended families, all applications for school places for the children of full-time service personnel are prioritised under the 'exceptional medical or social' criterion under for Lewisham’s community school. If the child is in Key Stage 1, where infant class size legislation applies, the child can be placed as an 'exception' as detailed in the School Admissions Code.”

42. Paragraph 2.16 of the Code deals with infant class size and the limited exceptional circumstances in which additional children can be admitted. These ‘excepted pupils’ include “children of UK service personnel admitted outside the normal admissions round”. As the Arrangements appear to treat children from military families as excepted pupils within the normal admissions round, they are contrary to the Code.

43. In response to this matter, the LA repeated the above excerpt from the second oversubscription criterion. To be clear, the LA is able to prioritise applications from children of service personnel, at the normal point of entry, under the second oversubscription criterion; that is not in doubt. However, the Code does not allow for such children to be classed as “excepted pupils” other than outside of the normal admissions round. The Arrangements must be revised to make this clear.

44. The Arrangements state, under the third criterion which prioritises siblings of current pupils:

“If the school is over-subscribed entirely with siblings, priority on the waiting list will be given to: i) children of staff ii) those who are permanently living nearest to the school”.

45. The reference to a waiting list is contrary to paragraph 2.15 of the Code, which requires that waiting lists follow the order of the published oversubscription criteria. Further, if

the practice described in the third criterion was followed, it would not prioritise looked after and previously looked after children, rendering the Arrangements contrary to paragraph 1.7 of the Code. I asked the LA about this matter; it confirmed that reference to a waiting list was not intended and the criterion will be revised.

46. In respect of applications for secondary school places for 11-16 schools which are prioritised under the third oversubscription criterion, the Arrangements state, "If the school is over-subscribed entirely with siblings, priority will be given (i) children of staff and (ii) to those living nearest the school." This appears to give equal priority to both groups stated. The LA has confirmed that this prioritisation should be hierarchal; the Arrangements must be revised to ensure the clarity required by paragraph 14 of the Code.

47. In respect of applications for secondary school places for 11-18 schools which are prioritised under the third oversubscription criterion, the Arrangements state, "If the school is over-subscribed entirely with siblings, priority will be given (i) to those children of staff and (ii) to those living nearest the school." This appears to give equal priority to both groups stated. The LA has confirmed that this prioritisation should be hierarchal; the Arrangements must be revised to ensure the clarity required by paragraph 14 of the Code.

48. The fourth oversubscription criterion states:

"Children of staff - Priority to children of staff will be given only where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made, and/or the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage."

49. The prioritisation of children of members of staff is provided by paragraph 1.39 of the Code. Paragraph 1.40 states "Admissions authorities must specify in their admission arrangements how this priority will be applied, for example, which groups of staff it will apply to." The Arrangements do not make clear how a member of staff would know whether or not their application would qualify for prioritisation on the basis of recruitment to a post for which there is demonstrable skill shortage, or how they should ascertain this. Consequently, the Arrangements are contrary to paragraphs 14 and 1.40 of the Code.

50. The fifth oversubscription criterion states:

"Fifth criterion: Distance

Remaining places will be measured to a central nodal point in the school premises, using digitised mapping software of the area, from a nodal point in the applicant's permanent home address. If more than one applicant lives in a multi-occupancy building (e.g. flats) priority will be given to the applicant whose door number is the lowest numerically and/or alphabetically."

51. It is my assumption that this criterion is intended to afford highest priority to children living closest to the School. However, that is not what the Arrangements say. Consequently they are unclear and are contrary to paragraphs 14 and 1.8 of the Code.

52. I also note that the use of the term “nodal point” in the Arrangements is contrary to the explanation of that term which appears in the glossary to the Code (my underlining for emphasis):

“Nodal Point

A fixed geographical point, other than the location of the school, from which children may be afforded priority for admission to a particular school, based on the distance from the child’s home to the nodal point. A nodal point is part of a school’s admission arrangements and must therefore be consulted upon, determined, and published in the same way as other admission arrangements. The selection of such a point must be clearly explained and made on reasonable grounds.”

53. It is not clear how applicants will be prioritised within any one oversubscription criterion and they are therefore contrary to paragraph 14 of the Code. In respect of this matter, the LA told me, “When a school is oversubscribed with applicants within any criterion then, the distance criterion will be applied.” The Arrangements must be revised to make this clear.

54. Paragraph 2.15 of the Code states:

“Each admission authority **must** maintain a clear, fair, and objective waiting list until at least 31 December of each school year of admission, stating in their arrangements that each added child will require the list to be ranked again in line with the published oversubscription criteria. Priority **must not** be given to children based on the date their application was received, or their name was added to the list. Looked after children or previously looked after children allocated a place at the school in accordance with a Fair Access Protocol must take precedence over those on a waiting list.”

55. Section 9 of the Arrangements deals with the matter of waiting lists. The Arrangements do not contain a statement that each added child will require the lists to be ranked again in line with the published oversubscription criteria. Neither do they make clear the date until which the waiting lists are maintained, stating, “Waiting lists will be held for the first term of the reception year only”. This is likely to be understood by parents to mean until the date at which children break-up from school at the end of the autumn term, rather than 31 December as required by the Code. Consequently, the Arrangements are contrary to paragraphs 14 and 2.15 of the Code.

56. The Arrangements reference waiting lists only in respect of the Year R; they do not contain any information regarding waiting lists for other normal years of entry (including Year

3 for junior schools and Year 7 for secondary schools). The Arrangements are therefore contrary to paragraph 2.15 of the Code.

57. Section 17 of the Arrangements states, “Shared care arrangements: Lewisham is aware that some parents share the care of their child. Lewisham will normally accept that the child lives with the parent who has parental responsibility and where the child resides for the majority of time during term time. Documentary evidence, for example a residence order or other court order, may be required.”

58. As the Arrangements do not provide for cases where two parents, both with parental responsibility, share care equally, they do not comply with paragraph 1.13 of the Code.

59. 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.” In other words, where children continue at the same school from Year 11 to Year 12 they are not required to apply for a place, only to meet academic entry criteria.

60. The Arrangements in respect of entry to sixth form state, as the third oversubscription criterion:

“Applicants who at the time of application are on roll of Forest Hill or Sydenham schools will be given priority at Sydenham and Forest Hill Sixth Form (SFH6).”

61. It was not clear to me whether SFH6 is a separate school to Forest Hill School and Sydenham School and I asked the LA for clarification of this matter. The LA responded:

“Lewisham was already in the process of changing the criteria for 28/29 in light of the Camden adjudication ADA4408, ADA4425. Lewisham will be amending the wording of our sixth form oversubscription criteria next year to remove point 3 as it is not relevant.

It states: Applicants who at the time of application are on roll of Forest Hill or Sydenham schools will be given priority at Sydenham and Forest Hill Sixth Form (SFH6). As these children are already on roll of the schools the oversubscription criteria will not apply to them, as SFH6 is a merged sixth form.”

62. I make it clear that children already on the roll of any school in Year 11 cannot be required to apply for a place at that school in Year 12, and prioritisation of such children is neither required nor allowed. As SFH6 is not a separate school to Forest Hill School and Sydenham School, the Arrangements are contrary to paragraph 2.6 of the Code. The Arrangements must be revised and, for the avoidance of doubt, this must be the Arrangements for 2027.

63. Appendix A of the Arrangements sets out the PANs of the schools to which the Arrangements relate. This appendix is entitled, “Admissions Limits 2027/28 for Community Schools in Lewisham”. As a PAN is not a limit but a minimum number of children who must be admitted if sufficient applications are received, this is unclear and contrary to paragraph 14 of the Code.

Determination

64. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements determined by the London Borough of Lewisham Council for Brindishe Manor School for 2027.

65. I have also considered the arrangements under section 88I(5) and find that they do not comply with requirements relating to admission arrangements in the ways set out in this determination.

66. 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: 18 June 2026

Signed:

Schools Adjudicator: Jennifer Gamble