



Office of
the Schools
Adjudicator

Determination

Case reference: ADA4729

Objector: A parent

Admission Authority: Lion Academy Trust for Barclay Primary School

Date of advice: 4 August 2026

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements for 2027/28 determined by Lion Academy Trust for Barclay Primary 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 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 Barclay Primary School (the School). The School is a non-selective academy for children aged three to eleven years.
2. The local authority for the area in which the School is located is the London Borough of Waltham Forest (the Local Authority). The Local Authority is a party to this objection. Other parties to the objection are Lion Academy Trust (the Trust), the School, and the Objector.
3. The objection is to the tie-breaker in the oversubscription criteria, which requires measurement of the distance between an applicant's home and the School to decide between two applications that cannot otherwise be separated.

Jurisdiction

4. The terms of the academy agreement between the Trust and the Secretary of State for Education require that the admissions policy and arrangements for the School are in accordance with admissions law as it applies to maintained schools.

5. These Arrangements were determined under section 88C of the Act by the Trust, which is the Admission Authority for the School. The Arrangements were determined on 28 January 2026. According to the Trust, no response was received when the proposed Arrangements were put to consultation.

6. The Objector submitted their objection to the determined arrangements on 23 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.

7. 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.

8. I have read another Adjudicator's findings in another determination (case reference: ADA4495). That case was decided on 19 September 2025 with respect to a different set of matters on the School's previous admission arrangements. Previous determinations by other schools adjudicators may be relevant and informative. However, they do not set precedents and I have, therefore, considered the Arrangements in accordance with the requirements set out in legislation and the School Admissions Code (the Code) and in the light of the facts and circumstances as they are now. I noted that the Trust has substantially revised the Arrangements for 2027/28 with a view to complying with the Adjudicator's decision in ADA4495, including rectifying those other matters found then not to be conforming with the requirements relating to admission arrangements. In the circumstances of this objection and the interest of time, I do not see the need to consider the Arrangements for 2027/28 as a whole under section 88I of the Act, but the Admission Authority should not take the fact that I have not raised any other matters about the Arrangements as an endorsement of their compliance with the Code.

9. The Objector and the Trust have made suggestions as to how the Arrangements for 2027/28 for the School could be changed to make them, in their respective view, 'fairer' or compliant with the Code. As an adjudicator, my role is not to give advice. My jurisdiction is for the Arrangements determined and to decide whether they comply with all relevant legal requirements. It is not open to me to determine how the Arrangements should be. If I uphold this objection, it is for the Admission Authority to address any non-compliance issues within the required timeframe. I cannot, therefore, advise on the suggestions made.

Procedure

10. In considering this matter I have had regard to all relevant legislation and the Code.
11. The information I have considered in reaching my decision includes:
 - the objection dated 23 April 2026;
 - a copy of the minutes of the meeting of the Trust at which the arrangements were determined;
 - the determined Arrangements for 2027/28;
 - the responses from the Trust, the Objector, and the Local Authority to my requests for further information;
 - maps, including Google Maps, and those showing the locations of the School; and
 - information available on the websites of gov.uk (including 'Get Information About Schools' (GIAS)), the Local Authority, the School, and Ofsted.

Background

12. According to GIAS, the school is a co-educational primary school. It does not have a designated religious character. There are 12 state funded primary schools within one mile of the School.
13. The School was last inspected by Ofsted on 3 February 2026. The School was judged to be 'exceptional' in relation to its 'achievements', 'early years', and 'leadership and governance'.
14. The published admission number (PAN) of the School, which applies to admissions to the Reception year, for 2027/28 is 180. The School has the following two sites (with a walking distance of about 20 minutes between them), and both sites offer Year R classes –
 - 155 Canterbury Road, Leyton, London E10 6EJ; and
 - 398A Hoe Street, Walthamstow, London E17 9AA.
15. The Arrangements set out that children with education, health and care plans which name the School 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 and previously looked after children;
- (b) children who have an exceptional medical or social need to attend the School;
- (c) any sibling of a student on roll;
- (d) children of staff employed by the Trust; and
- (e) any other children.

16. The tie-breaker is set out in paragraphs 28 to 30 of the Arrangements, as below (in full):

“Tie Breaker

28. Where there are more children in any of the oversubscription categories above than there are places remaining, the order in which places will be allocated within that category is by distance, with those living closer to the Academy having higher priority.

29. Distance will be measured in a straight line from the centre of the child’s home address (a point that is determined by the Local Land and Property Gazetteer) to the designated main gate of the School using the Local Authority’s computerised mapping system.

30. Where the distance is equal for two or more applicant children, the final tie-breaker is a random allocation (a blind draw or drawing lots), conducted by an officer of the Local Authority or an independent person not involved in the admissions process.

31. Where applications are received for the admission of twins, triplets or siblings of a higher multiple birth to the same year group at the same time, but not all of them can be allocated a place where the tie breaker is needed, all of them will be allocated a place anyway even where this means exceeding the PAN or the normal pupil limit for the year group. In Reception Year, Year 1 and Year 2, these children are 'excepted pupils' and do not count for the purpose of the legal maximum infant class size, until it falls back to the maximum.”

17. The relevant paragraphs of the Code read:

“Overall principles behind setting arrangements

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.

Oversubscription criteria

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

Distance from the school or nodal points

1.13 Admission authorities **must** clearly set out how distance from home to the school and/or any nodal points used in the arrangements will be measured. This must include making clear how the 'home' address will be determined and the point(s) in the school or nodal points from which all distances will be measured. This should include provision for cases where parents have shared responsibility for a child following the breakdown of their relationship and the child lives for part of the week with each parent. The selection of a nodal point **must** be clearly explained and made on reasonable grounds."

Consideration of Case

18. The Objector stated:

"This is a school split over two sites. It is not split by age but in the sense that children attend one site or the other for the entirety of their time in primary school. Parents whose children are admitted and are nearer the Walthamstow site are prioritised for that site, and ditto the Leyton site.

But the admission arrangements are unclear as to how this operates and potentially unfair. Nowhere does it explain which of the two school gates is the 'designated main gate'. This fails paras 14/1.8/1.13 of the Code in that it is not clear.

That lack of clarity also masks a potential source of unfairness (also paras 14/1.8). Imagine if they just use one of the two sites as the 'main gate' and not both – say, the Walthamstow site. Then how would it be fair for children living near the Leyton site (say) to lose out to those who live nearer the Walthamstow site but further from either site? Or vice versa. Or if they use both gates as the main one, then how does that

operate and how does it fit in with the respective capacity of both sites? That is also not made clear in the oversubscription criteria.”

19. The Objector further added:

“A related issue is the need for certainty for parents before the application stage as to how places will be allocated across the sites, so that parents can know if the school is the right choice for them.”

20. I asked the Trust how the Admission Authority would operate the tie-breaker without specifying the point(s) in the School from which all distances should be measured. The School responded in its reply of 24 July 2026:

“We accept that the tie breaker in the determined 2027 Admission Policy says that distance will be measured from the designated main gate of Barclay Primary School (the Academy), which is confusing for parents when the Academy has two sites, and does not reflect what happens in practice.

We accept that the Academy’s policy must clearly set out what will happen, and that parents should not be expected to look at information on the Local Authority’s website to find this out. However, we would refer the Adjudicator to London Borough of Waltham Forest’s admission information which says: ‘Where an application to a split site school is being determined with reference to the ‘distance’ criteria distance will be measured between where a child lives and the nearest school site, irrespective of whether this is the school’s main site or not.’

The School has two sites - Canterbury Road and Hoe Street. The main gates for these sites are on Canterbury Road and Hoe Street respectively.

The Academy is a single school that happens to have two sites. Admission is to the single school, not to a particular site. This remains the case even when distance is measured to the nearest site in order to apply the tie breaker – that does not in and of itself result in the allocation of a place at that site, it simply results in the allocation of a place at the Academy within the determined PAN which reflects the total number of places across both sites.”

21. Although it is not specified within the Arrangements, the Local Authority said that the Trust used to take the School’s main gates at the two sites as the points from which all distances should be measured. The Local Authority, in its reply of 28 July 2026, referred me to a paragraph in the ‘Starting Primary School 2026’ brochure (available on the Local Authority’s website) which spelt out how this was measured for admissions in 2026 –

“Schools with two sites

The following schools have two sites: Barclay Primary School [and two other schools]. This means that the schools operate across two separate sites, but each school is still managed by the same Headteacher and Governing Body. It is for the school to determine which site your child is educated at when they start the school. Once allocations are made, the school may contact you to decide the most appropriate site for your child. When allocating places for these three split site schools, the distance is measured with respect to the site that is closest to the home address. Details of the site addresses for all three schools are given ... However, as set out above any decision as to which site a child attends is the schools’ decision and so you should take this into account when making your selections.”

22. As the Trust helpfully accepts that the Arrangements will need to be reviewed and revised to ensure compliance with the Code, I will simply uphold the objection by finding that:

- (a) the tie-breaker in paragraphs 28 and 29 of the Arrangements is not effective and clear as it fails to tell clearly how the distance from an applicant’s home to the School (with two sites) will be measured. In particular, no mention is made to the exact location of the designated main gate(s) of the School, or the point(s) in the School from which all distances will be measured; and
- (b) the Arrangements, therefore, do not comply with paragraphs 14, 1.8, and 1.13 of the Code.

23. For the avoidance of doubt, I make no finding here about the ‘fairness’ question of how the Trust or the Local Authority will want this tie-breaker, measurement of distance, or allocation to work in practice for the School with Year R provision at each of these two sites, as outlined in their responses in paragraphs 20 to 21 above. As I stated, my jurisdiction is for the Arrangements determined and to decide whether they comply with all relevant legal requirements. None of these practices, responses, or the Local Authority’s brochure is part of the determined Arrangements of the School.

24. While I offer no further analysis, the Trust may wish to take the Objector’s view into account when revising the Arrangements to ensure their compliance with the Code.

Determination

25. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements determined by Lion Academy Trust for Barclay Primary School, for 2027/28.

26. 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: 4 August 2026

Signed:

Schools Adjudicator: Jackie Liu