



Office of
the Schools
Adjudicator

Determination

Case references:	ADA4715
Objectors:	A member of the public
Admission authority:	Weald of Kent Grammar School Academy Trust
School:	Weald of Kent Grammar School, Tonbridge
Date of decision:	5 August 2026

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I do not uphold the objection to the admission arrangements determined by the Weald of Kent Grammar School Academy Trust for the Weald of Kent Grammar School, Tonbridge for September 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 member of the public (the Objector).
2. The objection is to the consultation held prior to the admission arrangements (the Arrangements) for 2027/28 that were determined for the Weald of Kent Grammar School in Tonbridge, Kent (the School) by the Weald of Kent Grammar School Academy Trust (the Trust).

3. The School is located in the Kent County Council area (the Local Authority (LA) or KCC).

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. The Arrangements were determined under section 88C of the Act by the Trust, which is the Admission Authority for the School, on 10 February 2026.

6. The Objector is concerned that the consultation conducted prior to the determination of the Arrangements did not conform to the School Admissions Code (the Code) in the following ways: the Trust did not consult with other local schools that would be affected by the addition of a second, alternative, entrance test; the Trust did not brief the media about the consultation process and it was therefore not apparent how the Trust met the requirement for it to consult with parents of 2-18 year olds; consultees had not been given the correct facts to enable them to meaningfully engage in the consultation process, in that the Trust did not tell consultees the reason why it was seeking to introduce a second, alternative, entrance test.

7. I am satisfied the objection has been properly referred to me in accordance with section 88H of the Act and the concerns raised (as set out in 'The objection' section below) are within my jurisdiction.

8. Three matters were raised which are not in my jurisdiction to consider:

- That which pertains to the non-disclosure of information requested by the Objector through a 'freedom of information' request to the Trust. That is a matter for the Information Commissioner.
- The additional commercial interests of the Trust's selected provider for the second, alternative, entrance test. This concern is a matter for the Trust.
- The allocation of children to either of its two campuses in Tonbridge or Sevenoaks after places are offered. This is an internal matter for the School.

9. I note here that the Objector expressed disappointment that the last of these areas was not in jurisdiction and asked that I include an explanation as to why; I record my response here for the purposes of transparency. Admission arrangements only have to include that information which sets out how children will be allocated places at the school. The two campuses are part of the same school. How children are allocated to each campus is a separate process which takes place after the allocation of places and is, therefore, an internal matter for the School. I do note, however, that this process is set out in section 1.5 of the Arrangements in any event.

10. The LA is a party to this objection. The other parties to the objection are the Objector and the Trust.

11. 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 these are covered in the sections of the determination under that heading.

Procedure

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

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

- a. the Objector's form of objection, dated 10 May 2026, and accompanying documentation;
- b. a copy of the determined Arrangements;
- c. the response of parties to the objection and additional information;
- d. the LA's online composite prospectus for admission to secondary schools; and
- e. information available on the websites of the LA, the School / Trust, relevant schools in the KCC area, Ofsted, and the gov.uk website, including the Department for Education (particularly the 'Get Information About Schools' (GIAS) site).

14. I have been provided with information / data by parties which I have considered. I refer only to that which has a bearing on my decision in this determination.

15. I would like to take the opportunity to give my thanks to all parties for their prompt responses to my requests for further information / data.

Background

16. According to GIAS, the School is a selective academy for girls aged between 11-18 and boys aged 16-18, with no designated religious character. It operates a satellite 'annexe' campus in Sevenoaks which opened in 2017. The School (comprising both the main and annexe sites) has the capacity for 2475 children.

17. To be admitted, girls have to pass an entrance test.

18. To understand the changes the Trust made to the 2027/28 Arrangements, I looked at the arrangements for 2026/27. Those arrangements set out that the oversubscription criteria, after the admission of children with education, health, and care (EHC) plans, will be:

1. Looked after children and previously looked after children.

2. Children who qualify for the Pupil Premium (limited to 40).
3. Current family association (siblings).
4. Health and special access reasons.
5. Children of permanent members of staff.
6. Distance of the child's home to school (within specified postcodes and named parishes).
7. Other postcodes.

The Arrangements state that distance from home to school will be used to prioritise arrangements. In situation of equal merit, random allocation will be used as a tie breaker.

Any parent applying for a place under oversubscription criterion 2 are expected to complete a supplementary information form to provide details of qualification for the Pupil Premium.

19. Between Friday 19 December 2025 and Friday 30 January 2026 (I note this was in line with the requirement for a 6-week consultation period as set out under paragraph 1.46 of the Code), the Trust ran a consultation about a number of changes it proposed to make to the School's Arrangements:

- Inclusion of the 'Weald Grammar Assessment' as an alternative route to grammar assessment and admission into Year 7 at the School.
- Reducing the PAN to 270 after a temporary increase to 300 in the previous year.
- Removing the listing of specific postcodes under oversubscription criterion 6 to simplify the Arrangements.
- Providing clarity in respect of entry into the Sixth Form in that it would be based upon the average point score of eight full-course GCSE / iGCSEs.
- Adding information in respect of the 'Weald Grammar Assessment'.

20. The Objector's concerns focus on the consultation with regard to the introduction of the 'Weald Grammar Assessment', which can be taken in addition to or in place of the Kent Test as the entrance test for admission. About this, the Arrangements state that:

"Applicants may therefore qualify for admission by meeting the required standard in either the Kent Test or the Weald Grammar Assessment. Both tests hold equal weighting".

In the frequently asked questions document available on the School's website, it also stresses that:

“These are equal and alternative routes. Neither test has precedence over the other”.

21. The Arrangements have the same oversubscription criteria for Year 7 entry as for 2026/27 with oversubscription criterion 3 being retitled ‘Siblings’. Specified postcodes were not removed from oversubscription criterion 6 despite this being proposed and consulted upon. The Trust told me it had worked with the LA to ensure that priority postcode areas were retained to ensure fair access.

22. The School provided me with the number of children in each year group at the School (as of July 2026) and the PAN for each year group at the year of entry. I have put that data into Table 1.

Table 1: Number of children in each year group at the School (as of July 2026)

Year group	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12	Year 13
Number of children	260	296	281	279	302	250	238
PAN (at year of entry)	300	270	270	270	270	265	265

23. The total number of children in the School in July 2026 was 1906. The School is operating below capacity (as shown on GIAS).

Consideration of case

24. The concerns that the Objector has raised about the consultation process undertaken prior to the determination of the Arrangements were:

- A. The Trust did not consult with the other local schools that would be affected by the addition of a second, alternative, entrance test.
- B. The Trust did not brief the media about the consultation process, and it was therefore not apparent how the Trust met the requirement for it to consult with parents of 2-18 year olds.
- C. Consultees had not been given the correct facts to enable them to meaningfully engage in the consultation process, in that the Trust did not tell consultees the reason it was seeking to introduce a second, alternative, entrance test.

25. I offered parties the opportunity early in the process to suggest any amendments to the way I had set out the areas of the objection that are in my jurisdiction. No party raised any issues.

26. I have determined that the following paragraphs of the Code are relevant to the concerns raised:

- 1.47 (part): “Admission authorities must consult with:

a) parents of children between the ages of two and eighteen;

[...]

c) all other admission authorities within the relevant area (except that primary schools need not consult secondary schools);

[...].”

27. I will now set out my consideration of the three matters (A-C) 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.

28. In respect of making a determination on consultation processes, I only have jurisdiction to consider whether the Admission Authority followed the statutory process (specifically, in the areas raised by the Objector) when making changes to its Arrangements. I record here that if I was to find that those parts of the consultation process did not follow the statutory process in any way, it does not automatically follow that the changes made would not be concordant with the Code. It is also not in my gift to direct that the Admission Authority run a consultation process again if it has been found that it did not conform to the Code.

29. I will now take each of the concerns in turn.

A. The Trust did not consult with the other local schools that would be affected by the addition of a second, alternative, entrance test.

30. The Objector was concerned that:

“The number of Y7 age girls in any area is finite. Where a selective school lowers the standard of its admission test this negatively impacts neighbouring schools, either by further diluting their ability range or depressing pupil numbers. The Weald of Kent failure to properly consult with neighbouring schools impacted by this change in claiming that the standard would not be lowered in its consultation proposal.”

31. Paragraph 1.47 c) requires that, during a consultation, “all other admission authorities within the relevant area” must be consulted. The ‘relevant area’ is defined in the Glossary in the Code as:

“The area for a school (determined by its local authority and then reviewed every two years) within which the admission authority for that school must consult all other prescribed schools on its admission arrangements.”

32. KCC define a number of ‘relevant areas’ in the online composite prospectus for admission to secondary schools for 2027/28 and state that:

“Admission authorities for all maintained secondary schools within the relevant area must consult the admission authorities for all maintained primary, middle and secondary schools in the area.”

33. The School is in the Tonbridge ‘relevant area’.

34. The Trust told me, in respect of this concern, that:

“The Trust did consult widely with local schools. The consultation document [...] was emailed directly to all local primary and secondary schools within 10 miles of Weald of Kent Grammar School. This is a greater scope than is required (a minimum 3 mile range for primary schools) showing the school’s action to consult widely across the region. The school also notified Kent County Council and adjoining local authorities.”

35. The Trust provided me with a list of the schools it emailed with the consultation document. That list included 82 primary schools, seven secondary schools, and five local authorities (KCC, East Sussex, Surrey, Bromley, and Bexley). I can see that not only did the Trust consult with the schools in the relevant area, but that it also consulted with schools beyond it.

36. It appeared to me that the Trust met, and could be considered to have exceeded, the requirements of paragraph 1.47 c).

37. I do not uphold this part of the objection.

B. The Trust did not brief the media about the consultation process, and it was therefore not apparent how the Trust met the requirement for it to consult with parents of 2-18 year olds.

38. About this, the Objector told me:

“Two local newspapers reported the outcome of the consultation after the event, demonstrating there is no problem getting the local media to cover this story. The school did not notify the press before or during the consultation which raises the question as to how they discharged their statutory duties to consult parents of children between the ages of two and eighteen.”

39. Paragraph 1.47 of the Code sets out the list of consultees that admission authorities must consult with. Whilst an admission authority could choose to utilise the media to bring a consultation to the attention of statutory consultees, the Code does not mandate that the media have to be informed of a consultation process. The Code only sets out who must be

consulted; it does not mandate how consultees have to be informed about a consultation process.

40. I asked the Trust how it had discharged its duty to consult parents of 2-18 year olds during the consultation period. It told me that:

“All local schools within ten miles, as well as local authorities, were directly notified of the consultation. It was also placed on our school website. It was sent directly to all parents and carers of current pupils of the school.”

41. It is apparent to me that the Trust met the requirements as set out under paragraph 1.47 a) in the Code.

42. I do not uphold this part of the objection.

C. Consultees had not been given the correct facts to enable them to meaningfully engage in the consultation process in that the Trust did not tell consultees the reason it was seeking to introduce a second, alternative, entrance test.

43. The Objector’s concern in this regard was:

“It is not clear from reading the arrangements why the Weald of Kent introduced a second test. However, the reason several other schools in Kent did this was because not enough children were passing the county test to fill the places they have available. That is also the only logical reason to introduce an alternative test.

Minutes from the school’s trustee board meetings may shed light on the reasons the school has introduced a second test (although this is not clear to parents, as required by the Schools Admissions Code [paragraph]14).

The Weald of Kent is unique in that the Education Secretary granted it permission to open an “annexe” in a different town to circumvent the School Standards and Framework Act 1998 which prevents the creation of new selective schools. The school’s trustee board meeting minutes show constant concerns over

- The additional costs of having to run a school in two different towns,
- Insufficient applicants to fill available places and
- Proposals to lower the test score to address these problems.

Of particular note are the minutes from the full trustee board held on 1 April 2025. [...] Item #8 explains birth rates were dropping and fewer girls were passing the county test. (The county test is calibrated to qualify 25% of children based on national standards so if fewer children sit the test it is elementary that fewer will qualify!) The expectation was admissions numbers would be down by a full form of 30 students. Trustees were told the funding per pupil was an average £6,407. To try to avoid such problems reoccurring in future years, the Head Teacher had, evidently

unsuccessfully, asked the West Kent Director of Education to discuss lowering the county test 11+ pass mark. The other option, recorded in these and other minutes was for the school to set its own test with a lower qualifying standard.”

and, in summary:

“The trustee meeting minutes confirm that the real reason for introducing a new test is to avoid a repeat situation in which the Weald of Kent fails to fill all its places, particularly those in its “annexe” in Sevenoaks which is hard to access. Instead of openly and transparently giving that as the reason for the new test, the school has claimed the standard will be the same as the county test.”

44. In its response, the Trust told me that:

“The Consultation was accompanied by a letter [...]. This clearly identified the changes proposed for the 2027-2028 policy and included a detailed commentary explaining what was being changed and explaining the reason/s for those proposed changes [...].”

In addition, the Trust told me:

- a) “The Trust believes it has met all requirements in the Schools Admissions Code in terms of the conduct of the policy consultation. Furthermore, the local authority has not objected to the way in which the consultation was conducted.
- b) The Trust has also chosen to go further, given the additions to the policy for this year, by requesting a meeting with the local authority ([9 February] 2026) to discuss their response to the consultation. This helped to inform the Trust’s final decisions on determining the policy in light of the responses.
- c) The Trust also took the additional step of taking legal advice from Stone King Solicitors, who reviewed the draft admissions policy and found nothing they believed to be unlawful. A set of suggested amendments were provided moving forward with future policies.
- d) The Trust spent considerable time analysing and deliberating the responses to the consultation, and sought further information and guidance from both solicitors and the local authority. This enabled the trustees to make a robust decision that ratified a policy that was (i) clear, (ii) objective, (iii) procedurally fair, and (iv) complied with the Schools Admissions Code.”

45. The Trust provided me with a copy of its consultation materials. The letter sent by the Trust to consultees, included the following rationale in respect of the proposed introduction of a second, additional, entrance test:

“Explanation: the school are proposing to administer their own admissions test. This will be delivered by Quest Assessments, a leading UK exam provider. The Kent Test and the Weald Grammar Assessment will be treated exactly the same for admissions

purposes. Passing both tests does not give any additional advantage or priority. Once a child is deemed “grammar-assessed” through either route, the same oversubscription criteria apply to everyone. Thus, pupils can take either test, or both, but only need to be deemed grammar-assessed in one.

The standard required to be deemed grammar-assessed by the Weald Grammar Assessment will be of an equivalent standard to the Kent Test.

The addition of a new test follows a thorough review of our admissions process. We are committed to providing a fair admissions process to all pupils. Quest’s assessments are designed to be accessible, academically rigorous and to identify pupils with the potential to thrive in a grammar school environment.

We are dedicated to widening access whilst maintaining the standard required for grammar assessment. We believe that the addition of a new assessment, from a different provider, will ensure our admissions process is fair, inclusive, and forward-thinking.

The assessment will focus on a child’s understanding and use of core skills rather than familiarity with specific question formats so as not to provide unnecessary advantages to certain cohorts of children over others. We will not test topics beyond the Year 5 National Curriculum.

The Weald Grammar Assessment will be a set of questions based on English and Mathematics. There will also be some Verbal and Non-verbal Reasoning questions.”

46. The Code does not set out any requirements in respect of the contents of consultation materials. I have, therefore, turned to the Gunning Principles (*R v London Borough of Brent ex parte Gunning* (1985) 84 LGR 168), a de facto framework for public consultation in the UK, in my consideration of this part of the objection. The four principles are:

1. consultation must take place when the proposal is still at a formative stage;
2. sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response;
3. adequate time must be given for consideration and response; and
4. the results of consultation must be conscientiously taken into account.

47. I believe principle 2 to be relevant to this part of the objection.

48. The Trust set out in the consultation letter why the change had been proposed, that the proposal to implement a second, alternative, entrance test was to ensure a ‘fair, inclusive, and forward-thinking’ admissions process through ‘widening access’, how the proposed test would work with the current Kent Test, and who the proposed provider of the test would be if adopted.

49. As well as putting forward its rationale for the proposed change to the Arrangements, the Trust provided additional information for context and to promote understanding in how the proposed test would work in practice. It would be apparent through the point made about 'widening access' that the Trust intended for more girls to be admitted to the School to address the fact that PAN had not been reached in 2025/26 or 2026/27 (the LA confirmed that PAN would not be reached again for admission in September 2026).

50. I have seen the consultation responses (of which there were 14). There were no queries about the rationale in any responses from schools, parents, or the public. A range of views were expressed, indicating that a constructive debate about the proposals had taken place. The LA requested in its response to the consultation that the Trust further expand on the rationale. The Trust's response was:

"The Board's over-riding sense is that the school must (1) introduce an admissions test that offers a route that reduces disadvantage, (2) encourage more local girls to take the test (3) provide a genuine assessment of grammar ability."

51. In my view, the Trust provided sufficient information to allow for intelligent consideration and response to its proposals through the consultation letter and through its response to the LA's query.

52. I do not uphold this part of the objection.

Other matters

53. Having considered the arrangements as a whole it appeared to me that the following matters do not conform with the requirements of the Code and so I brought them to the attention of the Trust. Most of the matters raised concerns about compliance with paragraph 14 of the Code which states:

"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."

54. The matters I raised are (paragraphs of the Code other than 14 are indicated where relevant):

- In the section entitled "1. Admission of children into Year 7", section 1.1 contradicts 1.1A by implying that all applicants must have taken the 'Kent Test' to gain a selective place. Regardless of the fact that 1.1A goes on to give an alternative route, that is directly contradictory to 1.1 and is likely not to be clear for parents.
- Oversubscription criterion 3 'Siblings' is unclear for parents. The School is a girls' school into which the Trust admits boys only to the Sixth Form. The oversubscription criteria here are for entry in Year 7 (as there is a separate

section later setting out Sixth Form admission arrangements) and, therefore, only apply to girls, though it might be that the Trust is indicating that if there is a male sibling in the Sixth Form at the time of admission, then the admission of a sister can be prioritised under this criterion.

In any event, without this qualification, this definition of sibling is unclear for parents in the context of single-sex admission. It is also not clear if this definition also applies to Sixth Form admission in which case the Trust should consider if this definition is clear for parents where it is currently in the Arrangements. (Paragraph 1.11)

- Oversubscription criteria 6 and 7 are not clear for parents. Criterion 6 is entitled 'Distance of the child's home to school'. It is then stated: "Places will be allocated to those living closest to the school". The Arrangements then state: "Places will be allocated to students whose permanent home address has the following postcodes or falls within the following parishes".

It is not clear why the specified postcodes and parishes do not form the basis for oversubscription criteria 6 and 7. It is likely not clear to parents why the Trust is applying distance as a criterion in its own right when the priority actually relates to something else and when the Trust is already applying distance as the main method of prioritisation for all criteria (as set out in section 1.4).

- Oversubscription criterion 7 only states that it will prioritise those within the specified postcodes; it says nothing about the specified parishes. It is, therefore, not clear for parents.
- In section 1.5, the Arrangements state that a 'Campus Supplementary Information Form' will be sent with the welcome letter to those who have been offered places. However, in the FAQ document, this is referred to as a 'campus preference form'. Parents may not be clear that this is the same form.
- In section 1.6, the Arrangements state that 'random allocation' will be used in the event that there is a tie break. Paragraph 1.34 of the Code states that:

"Admission authorities that decide to use random allocation when schools are oversubscribed **must** set out clearly how this will operate, ensuring that arrangements are transparent, and that looked after children and previously looked after children are prioritised."

The Arrangements do not set out how random allocation will operate and section 1.6 is, therefore, in breach of the Code in this regard.

- In respect of the part of the Arrangements dealing with entry into the Sixth Form (section 2.5):

- The same issue as set out above in respect of the tie-break for Year 7 entry, is also the case for the tie break as set out in oversubscription criterion 7. (Paragraph 1.11)
- It was not clear why the tie break is listed as an oversubscription criterion when it is not a criterion but a method of deciding between two or more applications that have equal merit under any of the criteria. This is unclear for parents.
- Appendix 1 uses the same section numbers as the Arrangements. It will be unclear for parents that, when referred to a particular section of the Arrangements, they are not being referred to a distinct section. Additionally, parents may think that section 1.1 of the Appendix applies to section 1.1 of the Arrangements.
- Appendix 1, section 1.2 d. provides information on the reasons why late testing would be permitted. It is unclear to parents up to what point in the application process 'late testing' can take place.
- Appendix 1, section 1.4 deals with 'Waiting list procedures'. This refers to "first and second offer days" which contradicts part f) of section 1.2 of Appendix 1 which states "All children are sent one offer of a place on National Offer Day" (underlining is my emphasis). A parent will not be clear why the School are referring to a 'second offer' process as this has not been explained.

55. I find in each case that the provision set out above does not comply with the requirements of the Code. The Trust has told me that it will address these matters, which is welcomed.

56. In its response to me, the Trust suggested amendments that it intended to put in place to address these matters. I make no comment about those suggestions. It is not my role to give advice or to suggest the wording that should be included in arrangements; the Trust's Arrangements for the School are its own.

57. I will not discuss these other matters 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 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."

58. The Code requires that the arrangements be amended to address the points I have raised within the timescale set out in this determination.

Determination

59. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I do not uphold the objection to the admission arrangements determined by the Weald of Kent Grammar School Academy Trust for the Weald of Kent Grammar School, Tonbridge for September 2027.

60. 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.

61. 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: 5 August 2026

Signed:

Schools Adjudicator: Dr Robert Cawley