



Office of
the Schools
Adjudicator

Determination

Case reference: ADA4624

Objector: A parent

Admission Authority: The Bishop Fraser Trust for Bury Church of England High School

Date of advice: 3 September 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 Bishop Fraser Trust for Bury Church of England High School for 2027/28.

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 by 31 October 2026.

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 2027/28 (the arrangements) for Bury Church of England High School (the School). The School is an academy for students aged between 11 and 16 years and has a Church of England religious character. The School is a member of the Bishop Fraser Trust (the Trust). The Diocese of Manchester is the religious authority for the School (the faith body). The School is located in Bury.

2. The local authority for the area in which the School is located is Bury Metropolitan Borough Council (the local authority). The parties to the objection are:

- a) the objector;
- b) the Trust;
- c) the local authority; and
- d) the faith body.

3. The aspects of the objection are, in summary:

- a) The consultation was not clear because the rationale for choosing the feeder schools was not stated.
- b) The oversubscription criteria that give priority to those attending a feeder school are not clear. This comprises the criterion for those attending another school in the Trust and the criterion which prioritises applicants who attend a Church of England school, as both criteria relate to feeder schools in this context.
- c) The oversubscription criteria are not reasonable or fair as children living outside the area will have priority over those living close to the School.
- d) The use of child benefit in determining which parent's address is the child's home is not reasonable or fair.
- e) There is no information in the arrangements on admission of children outside their normal age group.

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 foundation and voluntary aided schools. These arrangements were determined under section 88C of the Act by the Trust though it delegated responsibility for admissions matters to the governing body of the School, which was an interim executive board (IEB) when the arrangements were determined on 14 January 2026 by the IEB.

5. The objector submitted the objection to the determined arrangements on 28 April 2026. 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.

6. 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 the determination under the title of that name.

7. The Trust explained that an IEB was appointed to replace the governing body to ensure swift progress to address matters raised by Ofsted in 2023. In May 2026 Ofsted judged the School to at least meet expected standards in all areas and so the IEB has been disbanded and other governance arrangements put in place from September 2026. This means that at times there will, in this determination, be references to the Trust, the IEB and the governing body depending on which body was making decisions or responses at the relevant time. The Trust remains the admission authority whatever the scheme of delegation in place.

Procedure

8. In considering this matter I have had regard to all relevant legislation and the Code. The information I have considered in reaching my decision includes:

- a. the objection dated 28 April 2026;
- b. extracts of the minutes of the meeting of the IEB at which the arrangements were determined;
- c. the determined arrangements for 2026/27 (the 2026 arrangements) and 2027/28 (the 2027 arrangements);
- d. responses from the local authority, the School and the faith body to the objection, the other matters I have raised and to my requests for further information;
- e. the guidance provided by the faith body regarding admission arrangements;
- f. information available on the websites of gov.uk including:
 - a. 'Get Information About Schools' (GIAS);
 - b. 'Financial Benchmarking and Insights Tool' (FBIT);
 - c. 'Find and compare schools and colleges in England' (the DfE website); and
 - d. Ofsted;
- g. information on publicly available websites including:
 - a. the School;
 - b. the local authority;
 - c. the Church of England; and
 - d. Churches Together in Britain and Ireland (CTBI); and
- h. information I received during a meeting I convened on 28 August 2026 via Microsoft Teams attended by the objector, representatives of the Trust, the governing body and the faith body. The local authority was invited but did not attend. I will refer to this as the meeting.

Background

9. Ofsted inspected the School in 2023 and reported:

- “Quality of education: Requires Improvement
- Behaviour and attitudes: Good
- Personal development: Good
- Leadership and management: Requires Improvement”

10. Ofsted inspected the School again in May 2026 and reported:

- Personal development and wellbeing: strong standard
- Achievement: expected standard
- Attendance and behaviour: expected standard
- Curriculum and teaching: expected standard
- Inclusion: expected standard
- Leadership and governance: expected standard.

11. The published admission number (PAN) for the School for 2027/28 is 162, as it has been in previous years. A PAN is the minimum number of children to be admitted if there is sufficient demand in the year of entry, year 7 in this case.

12. The oversubscription criteria for admission in 2026/27, after the admission of children with education, health and care (EHC) plans which name the School, can be summarised as:

- 1) looked after and previously looked after children
- 2) children with a medical or social need to attend the School
- 3) children of staff
- 4) children who meet the faith based criteria
- 5) children with a sibling at the School
- 6) other children with those living closest to the School having priority.

13. The oversubscription criteria for 2027/28 changed, after consultation, and following the admission of children with EHC plans which name the School, can be summarised as:

- 1) looked after and previously looked after children
- 2) children with a medical or social need to attend the School
- 3) children of staff
- 4) children who meet the faith based criteria
- 5) children with a sibling at the School
- 6) children attending a school within the Trust
- 7) children attending a Church of England primary school
- 8) other children with those living closest to the School having priority.

14. The local authority told me that for admissions in September 2025, which had the same oversubscription criteria as for September 2026, there were 151 first preferences. A first preference is the school a parent would most like their child to attend. In this instance, 157 places were offered and ten refused, these ten were 'other children' and the decision was made on distance of the home from the School. The furthest distance for an offer made in this category was 5.929 miles. I have not been able to ascertain why ten were refused when the PAN of 162 had not been reached.

15. The local authority told me that for admissions in September 2026, there were 130 first preferences and 130 places were offered. There are some inconsistencies in the data on offers and admissions provided by the local authority. There are not, however, big differences so I have used the data as provided to avoid delay in making my determination.

Consideration of Case

16. I will consider the aspects of the objection in the order set out above.

The consultation was unclear

17. The first aspect of the objection was that the consultation was not clear because the rationale for choosing the feeder schools was not stated. The Code sets out requirements for consultation in paragraphs 1.45 to 1.48. The objector said that he had not seen the consultation, which I would have expected as he is a parent of a child seeking a secondary school place in September 2027. I therefore asked the Trust for information on its consultation.

18. Paragraph 1.46 of the Code says:

“Admission authorities **must** consult with:

- a) parents of children between the ages of two and eighteen;
- b) other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions;
- c) all other admission authorities within the relevant area (except that primary schools need not consult secondary schools);
- d) whichever of the governing body and the local authority is not the admission authority;
- e) any adjoining neighbouring local authorities where the admission authority is the local authority; and

- f) in the case of schools designated with a religious character, the body or person representing the religion or religious denomination.”

19. I asked how the Trust had consulted with “parents of children between the ages of two and eighteen”. The Trust said that it had asked the local authority to circulate the consultation letter to all schools in the local authority area and to the other parties required to be consulted. In response to my specific enquiries, the local authority explained that it sent the consultation letter:

“to all primary schools in Bury in Nov 2025 along with a covering stakeholder letter and a link to the full consultation document with a request that they cascade the information to parents by way of their normal method of parental communication”.

20. I am, therefore, assured that reasonable efforts were taken to consult parents, as required by the Code. A letter sent out as part of the consultation said:

“We are proposing three main changes to our admissions arrangements, which would take effect from the 2027/28 academic year:

1) Worship attendance Period (Faith-Based Criteria)

- Current requirement: Children must have regularly attended a place of worship for five years (criteria number 4 in the current Admissions Policy).
- Proposed Change: Reduce the requirement to a minimum of two years of regular attendance, up to a maximum of 26 attendances, by the child at a place of worship. For information, the word ‘regularly’ is defined as fortnightly attendance (*criteria 4 of the proposed changes to the Admissions Policy oversubscription criteria and note below).

2. Priority for children attending MAT Primary Schools

- Current requirement: this requirement is not in the current Admissions Policy.
- Proposed addition: Children currently attending a primary school within The Bishop Fraser Trust will receive additional consideration in the oversubscription process. (**see criteria 6 of the proposed changes to the Admission Policy oversubscription criteria below).

3. Priority for children attending a Church of England Primary School.

- Current requirement: this requirement is not in the current Admissions Policy.

- Proposed addition: Children currently attending a Church of England Primary School will receive additional consideration in the oversubscription process. (**see criteria 7 of the proposed changes to the Admissions Policy oversubscription criteria below). These proposed changes aim to support educational progression within the Trust and reflect more inclusive, accessible criteria for applicants with a faith commitment.”

21. The consultation did have some explanation of the reason for children currently attending a primary school within the Trust with the referral to supporting “educational progression”. Similarly there was some explanation of why those attending a Church of England school were prioritised. I do not uphold this aspect of the objection.

22. I note, however, that the Trust did not consult with its faith body before consulting. This means that the consultation did not meet the requirements of paragraph 1.38 of the Code which says:

“Church of England schools **must**, as required by the Diocesan Boards of Education Measure 199132, consult with their diocese about proposed admission arrangements before any public consultation.”

23. The Trust did not meet the requirements of the Code in this matter. The faith body was consulted as part of the full consultation but did not respond as it is normally consulted in advance which renders further responses unnecessary. The local authority did not respond to the consultation for reasons unknown.

Oversubscription criteria unclear

24. The objector said that the oversubscription criteria which give priority to those attending a feeder school are not clear and may not be reasonable. This means the criterion for those attending another school in the Trust and the criterion which prioritises applicants who attend a Church of England school, as both criteria relate to feeder schools in this context.

25. Paragraph 1.9b) of the Code says:

“It is for admission authorities to formulate their admission arrangements, but they **must not**:...b) take into account any previous schools attended, unless it is a named feeder school”.

26. Paragraph 1.15 of the Code says:

“Admission authorities may wish to name a primary or middle school as a feeder school. The selection of a feeder school or schools as an oversubscription criterion **must** be transparent and made on reasonable grounds.”

27. The Trust has not named the feeder schools in either criterion and so the arrangements do not comply with the Code. I uphold this aspect of the objection.

28. In addition, terms such as “additional consideration in the oversubscription process” are imprecise and therefore unclear and so do not comply with paragraphs 14 and 1.8 of the Code which require that arrangements and oversubscription criteria are clear. The arrangements do not comply with the Code in this regard.

The oversubscription criteria are unreasonable and unfair

29. The objection said that the oversubscription criteria are not reasonable or fair as children living outside the area will have priority over those living close to the School.

30. Paragraph 14 of the Code is relevant and says:

“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.”

31. Paragraph 1.8 of the Code also requires that oversubscription criteria are fair.

32. If a child is given priority in the oversubscription criteria for attending a particular school, that school is known as a feeder school. It is common for there to be well established links between a feeder school and the school it feeds. This might include joint activities and curriculum planning or training. There should also be evidence that children do move from one school to the other. A classic example is where most children from an infant school go onto a junior school, which names the infant school as a feeder school in its admission arrangements and the pupils attending the infant school get a high priority in the oversubscription criteria.

33. The relevant oversubscription criteria are as summarised above and prioritise a child attending a primary school within the Trust or attending a Church of England primary school, over other children who are prioritised on the distance of their homes from the School. I will first consider the sixth criterion, which relates to primary schools within the Trust. This says:

“6 Children attending a primary school within The Bishop Fraser Trust (see Note A: a.1 overleaf).”

Note A: a.1 is “ PRIORITY FOR PUPILS ATTENDING MAT PRIMARY SCHOOLS a.1 Children currently attending a primary school within The Bishop Fraser Trust will receive additional consideration in the oversubscription process.”

34. I asked why the Trust gave priority to those attending a primary school within the Trust. The response was:

“We included the Trust’s primary schools within the oversubscription criteria in recognition of the strong educational and pastoral links that exist across the Trust. These schools work collaboratively to provide continuity in ethos, values, safeguarding, and pastoral support, enabling pupils to experience a smoother and more consistent transition from primary to secondary education. The inclusion of Trust primary schools also reflects the significant investment made in developing aligned approaches to teaching, learning, and character development across the Trust family of schools. The admission authority considers it reasonable to recognise these established relationships within the admissions arrangements in order to support continuity and stability for pupils and families.”

35. These are rational reasons. The Trust provided the names of the primary schools within the Trust and the distances of the School to the primary schools. This is shown in table 1 together with other information on the primary schools.

Table 1: distances between the School and primary schools within the Trust

Trust primary schools	Distance from the School (direct)	Distance from the School (travelling)	PAN for admission to reception year	Date primary school joined the Trust
St Margaret's Church of England Primary School, Rochdale (St Margarets)	2.59 miles	3.5 to 4 miles	30	February 2026
Bolton St Catherine's Primary School, Bolton (an all through school for children aged three to sixteen years)	3.57 miles	5.5 to 6 miles	30	2018
Turton and Edgworth Church of England and Methodist Primary School, Blackburn with Darwen	5.41 miles	7.5 to 8 miles	30	April 2026
Walmsley Church of England Primary School, Bolton	6.17 miles	8 to 9 miles	30	January 2026
St Catherine's Church of England Primary School, Bolton	10.38 miles	14 to 16 miles	30	2023

36. The DfE website shows six primary schools within one mile of the School (measuring in a straight line), 42 within three miles and around 60 within five miles so it is likely that there are about 60 primary schools which are closer to the School than three of the Trust schools (setting aside travelling distances). While the Trust has given reasons for giving priority to children attending a school within the Trust, these reasons appear to have less substance when considering the distances of the primary schools in the Trust from the School. It took me a long time to find St Catherine's Church of England Primary School, Bolton on the DfE website as there are around 225 primary schools which are closer to the School. This may be the most extreme case but for all the schools within the Trust, there are many primary schools which are much closer.

37. However, in this urban area, there are also many secondary schools with around 20 within five miles of the School recorded on the DfE website. Therefore, parents are likely to select secondary schools for a range of reasons and may not prefer the nearest. The Trust

explained that currently children joining year 7 come from over 25 schools and some travel over five miles to attend.

38. I asked the Trust to provide the number of children who had attended a primary school within the Trust and been admitted to the School in September 2025, and were anticipated to be admitted in September 2026. The Trust told me that four children had been offered a place from St Margaret's in 2025/26 and nine children from St Margaret's were offered a place at the School for 2026/27. No children from any of the other primary schools in the Trust requested or were offered a place for September 2025 or 2026. I also note that some of the primary schools joined the Trust after the 2027 arrangements were determined.

39. The arrangements for 2025/26 and 2026/27 do not give priority to those attending a Trust school as the arrangements for 2027/28 were changed. My understanding is that feeder schools 'feed' into another school, like a tributary stream to a river. Then there is a rationale for joint working such as curriculum development. There is minimal evidence that the pupils in the feeder schools within the Trust go on to attend the School. In addition, one (Bolton St Catherine's Primary School) provides for children between the ages of five and sixteen as an all through school and so moving to another school for year 7 is not encouraged. It is an expectation that the pupils at Bolton St Catherine's Primary School will stay there for their secondary education. I asked the Trust if this school was included as a feeder school and the Trust said:

"When the admissions authority met to discuss they decided that all BFT primaries would fall into this category, so while we know it is very unlikely, it would be possible for a child at Bolton St Catherine Primary to transfer to Bury Church with the additional priority gained."

40. I asked at the meeting about the "strong educational and pastoral links that exist across the Trust". The Trust explained that these were in their infancy but examples were developing mathematics cross phase and personal development where there were joint theatre experiences and other activities.

41. As most of the Trust primary schools are a significant distance from the School and none of the pupils from all but one school have applied to be admitted to the School in either 2025 or 2026, there is limited justification to name the schools within the Trust as feeder schools. In other words, it seems unreasonable to do so. I can imagine, however, a view that by naming the schools in the arrangements, more children from the Trust primary schools would, their parents knowing that there were afforded high priority for entry, apply for the School. There is little evidence for demand at this stage as all those who applied for a place at the School for 2026/27 were admitted but this could change for the future.

42. The sum of the PANs for admission to reception year for the primary schools within the Trust is 150 (the five Trust primary schools all have a PAN of 30). Therefore, if all the parents of the pupils at the primary schools (assuming all are full) put the School as a first preference, then, hypothetically, 150 places out of the 162 available could be taken before those prioritised under lower criteria, such as distance, were considered. As there are five oversubscription criteria which have higher priority than that relating to the Trust primary schools, two other outcomes are possible. First, at least some of those attending a Trust school would not be able to gain admission to the School, as higher priorities have been admitted. Secondly, there would be few if any places for those who lived close to the School.

43. There are, as explained above, around 20 secondary schools within five miles of the School. Information on the local authority's website provides information on offers for secondary school places for September 2026 as on 2 March 2026. The DfE website shows that there are eight secondary schools within three miles of the post code for the School (the DfE website shows the School as 0.41 miles from its post code so all distances are 'around'). I have selected three miles as a rational maximum distance for a child to live from their secondary school in an urban area. As the distances are all measured in a straight line, the distances travelled are likely to be further than three miles.

44. Parents choose schools for all sorts of reasons and some may decide it is appropriate for their child to travel many miles to a preferred school. However, over three miles is the distance at which a local authority would have to provide school transport if it were the nearest secondary school at which a place could be offered. Table 2 summarises information available on the DfE website and the local authority's website for offers of secondary school places in 2026/27.

Table 2: information on the DfE and local authority websites regarding offers for secondary schools for 2026/27 within three miles of the School

	Distance from the post code for the School using the DfE website (straight line)	2026/27 Number of offers made PAN Number refused places Vacant places
St Gabriel's Roman Catholic High School	0.41 miles	Offers: 196 PAN: 210 Refused: 0 Vacant places: 14
The School	0.52 miles	Offers: 132 PAN: 162 Refused: 0 Vacant places: 30
The Derby High School	0.78 miles	Offers: 182 PAN: 180 Refused: 46 Vacant places: 0
Hazel Wood High School	1.01 miles	Offers: 120 PAN: 120 Refused: 0 Vacant places: 0
The Elton High School	1.33 miles	Offers: 210 PAN: 210 Refused: 101 Vacant places: 0
Tottingham High School	2.07 miles	Offers: 123 PAN: 195 Refused: 0 Vacant places: 28
Star Radcliffe Academy	2.19 miles	Offers: 150 PAN: 150 Refused: 11 Vacant places: 0
Unsworth Academy	2.39 miles	Offers: 200 PAN: 200 Refused: 5 Vacant places: 0

45. The information in table 2 shows that five of these eight schools, based on offers, would be full. This means that there were spaces in three secondary schools, including the

School. The total number of vacant places was 72 in 2026 across the eight secondary schools. If all the 150 pupils potentially attending the Trust primary schools wished to attend the School in 2027, an unlikely scenario given the very low number of preferences for admission in 2026/27 (nine), then there may be insufficient places for those living very close to the School to gain a school place within three miles of their home.

46. There are variables which make it hard to assess the likely fairness or otherwise of the Trust primary schools being feeder schools. I am told that historically the School has been oversubscribed and its recent positive Ofsted inspection may have an effect. Three of the Trust primary schools joined the Trust after applications were made for this year. Parents make their school preferences depending on their circumstances. However, if the oversubscription criterion had the desired effect, in that pupils attending the Trust primary schools did, in numbers, gain admission to the School, there are likely to be insufficient places for those living closely to the School to gain admission to a local school. Those displaced may have to travel over three miles to secure a school place. It therefore appears that either of the following may occur:

- a) Pupils from the Trust primary schools apply and are offered places at the School and there are insufficient local places for children living close to the School and at least some will have to travel an unreasonable distance (in the local context) and this would be unfair; or
- b) Pupils from the Trust primary schools do not seek a place at the School and it could be deemed unreasonable to have them as feeder schools.

47. On balance, therefore, I uphold this aspect of the objection that to have all the Trust primary schools as feeder schools in the oversubscription criteria is unreasonable and unfair.

48. The seventh criterion is: "Children attending a Church of England Primary School". The Trust gave its reasons for the seventh oversubscription criterion as:

"the inclusion of wider Church of England primary schools reflects the school's distinct Christian foundation and designation as a Church of England secondary school. The oversubscription criteria seek to preserve and promote the school's religious character by supporting progression for pupils who have been educated within a Church of England environment and who are already familiar with Christian worship, values, and ethos as part of their educational experience. The admission authority considers that this helps sustain the school's Anglican identity and mission, whilst also supporting continuity in faith-based education for families who have specifically chosen Church of England schooling throughout their child's education. We accept there could be greater clarity about which schools fall within this category, this relates to primary

schools officially designated as having a Church of England religious character by the Department for Education.

We believe that the oversubscription criteria are fair because the School has a Church of England faith designation. It is therefore reasonable and appropriate for the admissions policy to give priority based on faith criteria, even where some children may live outside the immediate local area. Faith schools are established to serve their faith community, and the oversubscription arrangements reflect this purpose while remaining consistent with the School's religious character."

49. The objector commented at the meeting that attending a faith school is not an indication of a commitment to a faith and the criterion was open-ended.

50. I asked the faith body for comments on the objection and the advice it had provided to the Trust on admissions. The faith body said:

"Guidance from the diocese includes training sessions online and in person in the summer and autumn terms. We have no record of the admissions authority attending this training. The diocese then provides bespoke guidance as admission authorities contact the diocese before consultation."

51. As noted above, the Trust did not consult with the faith body before consultation.

52. The DfE website shows 13 primary schools with a Church of England character within three miles of the School (as a straight line distance). There are more schools if primary schools with a joint faith character (such as Church of England and Methodist) are included. Within five miles there are over 40 primary schools which have a Church of England character, possibly shared with another Christian faith. It is not clear in the arrangements which schools would be included as feeder schools and which would not, and therefore the arrangements do not meet the requirements of paragraphs 14 and 1.8 of the Code as above.

53. In addition, including distant schools because they have a Church of England religious character of some sort could lead to unfairness. As described above for Trust schools, those living a long distance from the School would have priority over those living close to the School who may have to travel an unreasonable distance to another secondary school as a result. There is no limit on what that distance could be. I therefore uphold this part of the objection regarding feeder schools because it could lead to unfair outcomes.

Child benefit and identification of the home address

54. The objector said that the use of child benefit in determining which parent's address is the child's home where parents have separated is not reasonable or fair. Paragraph 1.13 of the Code is pertinent and says, as far as relevant here:

“Admission authorities **must** clearly set out how distance from home to the school... 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...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.”

55. The arrangements say: “Where parenting is shared, the normal residence will be taken as that to which Child Benefit is paid.” In response to my enquiries the Trust said:

“The reference to child benefit was historically included as a commonly used measure for determining a child’s main place of residence. However, we accept that this is no longer an ideal or reliable indicator, particularly as many families may not claim child benefit. We acknowledge that the wording could therefore give rise to unfairness or confusion.”

56. The Chief Adjudicator’s annual report to the Secretary of State for Education published in 2019 explained the difficulties of relying entirely on the receipt of child benefit in order to define the home address. She said:

“In the first place, in some families, child benefit is not received. Secondly, there is no requirement that child benefit be paid to the parent with whom the child lives during the school week, term or year or with whom the child lives for most of the time. It is perfectly possible for child benefit to be paid to a parent with whom the child lives only during the school holidays or weekends. The use of the address of the parent who receives child benefit as the sole permitted indicator of a child’s address where parents live apart is not suitable for school admissions. It is not a reliable indicator of where a child actually lives for most of the time Monday to Friday during school terms which is a key factor in considering the most appropriate address for the purposes of school admissions. Its use with no scope for other indicators to be used to establish the address of a child of parents who do not live together is likely to be found to be unreasonable and unfair and not in conformity with the Code.”

57. I concur with the Chief Adjudicator’s views in this matter and uphold this aspect of the objection.

Admission of children outside their normal age group

58. The objector said that there is no information in the arrangements on the admission of children outside their normal age group. Paragraphs 2.18 to 2.20 set out the requirements in this matter. Paragraph 2.18 says:

“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.”

59. There is no information on the admission of children outside their normal age group in the arrangements and so the arrangements do not comply with the Code in this regard and this must be addressed. I uphold this aspect of the objection.

Other matters

60. 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 Trust. The Trust acknowledged that corrections needed to be made in order to ensure that the arrangements complied with the requirements of the Code. I ask the Trust to note that paragraph 3.6 of the Code says, as far as relevant here:

“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.”

61. There is therefore no need to consult on changing the arrangements so that they comply with the law. The Trust will need to amend the arrangements and then determine them so that they comply with the Code.

62. As I have said above, paragraph 14 of the Code requires arrangements to be clear and this is pertinent to several of the matters raised below.

Confusion of arrangements with an application form

63. The arrangements state that they are also the application form. This makes the arrangements unclear as they are serving two purposes with practical matters, such as stapling of documents, being mixed in with the admission arrangements. In addition, the actual application form which must be used is the common application form or CAF which must be sent to the local authority. The arrangements are unclear in this regard and so do not meet the requirements of paragraph 14 of the Code.

References to a Code not in force

64. The arrangements refer to the School Admissions Code 2012. The Code in force is dated 2021. As a Code is referenced that is not in force, this could lead to misunderstandings and confusion so the arrangements are unclear.

Confusing dates

65. The arrangements state that they were ratified, by which I understand determined, on 13 October 2014. There are other references to 2014. As arrangements must be determined annually, and the arrangements were determined on 14 January 2026, these references are misleading and make the arrangements unclear.

References to statements of educational need

66. The arrangements refer to statements of educational need; these no longer exist and references to them make the arrangements unclear.

Use of a letter in the arrangements

67. The arrangements include a letter which is intended to describe the process of application and other matters. This section is unclear for the following reasons:

- a) The letter describes the process of application but not in a manner that is easy to follow. It refers, for example, to the arrangements as a “package of information” and has sentences such as “The Admissions Policy and Criteria for Admission for the school are shown on page 5 of this document, Form BCE2027” which are not accurate and do not make sense.
- b) The letter also contains information regarding the oversubscription criteria which is not reflected in the oversubscription criteria themselves such as “you and your child have attended public worship at more than one church” when the faith based oversubscription criterion only refers to the child attending worship.
- c) The terminology refers to making applications under certain criteria, as if a child could not be considered under other criteria. This makes the arrangements unclear.

Faith based criteria

68. Paragraph 1.36 of the Code says;

“Admission authorities **must** ensure that parents can easily understand how any faith-based criteria will be reasonably satisfied.”

69. Criterion 4 of the oversubscription criteria is:

“Children who have regularly attended public worship at a Church belonging to Churches Together in Britain and Ireland (CTBI: <http://ctbi.org.uk>) or a local grouping of Churches Together that subscribe to the principles of CTBI for a minimum of two years immediately prior to application. Points will be given based on information supplied by parents and confirmed by the church minister/official to enable prioritisation with priority being given to those having the higher attendance.”

70. The criterion includes a web link to that of the CTBI and the CTBI website says:

“Church schools can have church commitment as a criterion. This always refers to the parent(s)/guardian(s) not the child – so Sunday school membership, for example, is not pertinent...We...ask Governing Bodies to desist from referring to Churches Together in Britain and Ireland or Churches Together in England in their admissions policies.”

71. I therefore note that oversubscription criterion 4 is contrary to the advice given by the CTBI on the website provided to parents by a link in the arrangements and the situation may be unclear to parents.

72. The SIF provides further information on the points allocated for criterion 4 and says:

“How frequently has this child attended public worship at Church, Sunday School or with Uniformed Organisations over the past 2 school years (1 September to 31 August). Please indicate attendance by initialling in the appropriate box on each scale.”

73. Boxes are provided as described with points allocated between 0 and 30 depending on attendance for those in years 4 and 5. Paragraph 1.9i of the Code says:

“It is for admission authorities to formulate their admission arrangements, but they **must not**... prioritise children on the basis of their own or their parents’ past or current hobbies or activities (schools which have been designated as having a religious character may take account of religious activities, as laid out by the body or person representing the religion or religious denomination)”.

74. The phrase “laid out” means specifically ‘laid out’ in schools admissions guidance published by the religious authority. The admissions guidance provided to me by the faith body regarding this aspect says:

“The Manchester Diocese Board of Education recognises the missional opportunities and community benefits of church attendance within admissions policy. Church

attendance ensures an integration of families into the life of the school, church and wider community, and therefore enhances relationships and eases transition through the stages of spiritual, personal and educational development.

The board therefore expects to see church attendance within oversubscription criteria. Regular worship in the Church of England is recognised as monthly. With this in mind, it is advised that a minimum expectation should be based on twelve attendances for each twelve month period. Should an admissions authority choose not to include this measure, they should be prepared to justify why they have gone against the position of the Diocesan Board of Education.”

75. The Trust had not had sight of this document and has not followed its advice. At the meeting the faith body clarified that attending public worship at “Sunday School or with Uniformed Organisations” would not be acceptable to it. The faith based criterion does not meet the requirements of the Code.

Tie breaker

76. The arrangements say:

“If there are a number of applications with equal point scores under Criterion 4, places will be offered using a straight line distance measurement from home to school. The distance will be measured using the Local Authority’s computerised mapping system which measures from the address point of the home property to the address point of the school as defined by Bury Council’s LLPG (Local Land and Property Gazetteer), with nearer addresses having priority over the more distant ones. **Tie-breaker** – Where two (or more) applicants have equal priority for the remaining place(s) available at the school after the application of the over-subscription criteria, random allocation will be used as the tie-breaker by names being drawn supervised by the Area Dean for the Bury Deanery or other person who is independent of the school.”

77. Paragraph 1.8 of the Code says, “Admission arrangements **must** include an effective, clear, and fair tie-breaker to decide between two applications that cannot otherwise be separated.” The arrangements do have a tiebreaker but it appears to only be for criterion 4. The arrangements are either unclear, in that the tie-breaker does apply to all the oversubscription criteria, or do not meet the requirements of paragraph 1.8 of the Code.

78. I also asked about “the Area Dean for the Bury Deanery” and the independence of such a role. The faith body said:

“The board of education are not aware of any role held by the Area Dean in the leadership of the school. The Area Dean does not hold office in the Board of Education. However, as roles may change and persons may have connection to those

participating in the process, the board would not advise [sic] schools to name a person in this aspect of the admissions policy but to simply highlight that a person independent of the process would be appointed to support the process.”

79. It is inevitable that a system of random allocation will be used for two or more applications that cannot otherwise be separated. It is not clear in the arrangements that the arrangements are fair in this matter.

Supplementary information form (SIF)

80. The letter says that the SIF is for those applying under oversubscription criteria 2 and 4 (criterion 2 is for children with a social and medical need to attend the School and criterion 4 is faith based). As paragraph 2.4 explains (provided again for ease of reference) an admission authority “**must** only use supplementary forms that request additional information when it has a direct bearing on decisions about oversubscription criteria”. Part A of the SIF expects the following:

- a) The gender of the child; this is not relevant to applying the oversubscription criteria.
- b) Both parents to sign, which does not meet the requirement of paragraph 2.4e).
- c) Asks about whether the parent is a member of staff at the School, which is not relevant to criteria 2 or 4 although it would be relevant to criterion 3.
- d) The SIF asks if the child attends a school within the Trust and to name it, this is not relevant to criteria 2 or 4 although such attendance would be relevant to criterion 6.
- e) The SIF asks if the child attends a Church of England primary school which is not relevant to criteria 2 or 4. The SIF does not ask for the name of the school attended so it is not clear how criterion 7, to which I assume this could relate, is applied.
- f) The information then refers to completing part B and returning both parts but I struggle to understand what the applicant is meant to do. I understand it to mean that every applicant must return both parts but it may be that I misunderstand and the arrangements are not clear. This section does not appear to be consistent with the letter.

81. The SIF is unclear, not consistent with the oversubscription criteria and does not meet the requirements of the Code as explained above.

Amending the arrangements so that they comply with the Code

82. The Trust has told me that it will address these matters, as permitted by paragraph 3.6 of the Code, which is welcomed. As the Trust has accepted that changes are required, 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 by 31 October 2026. I have set this date as the closing date for applications for year 7 for 2027/28 and so the arrangements should be clear for parents. I do this in the knowledge that the Trust has already considered its revisions to the arrangements.

Determination

83. 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 Bishop Fraser Trust for Bury Church of England High School for 2027/28.

84. 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.

85. 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 by 31 October 2026.

Dated: 3 September 2026

Signed:

Schools Adjudicator: Deborah Pritchard