



Office of  
the Schools  
Adjudicator

## Determination

**Case reference:** ADA4599

**Objector(s):** A Parent

**Admission Authority:** The Governing Body of Finchley Catholic High School  
on behalf of Finchley Catholic High School

**Date of advice:** 4 September 2026

## Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements determined by the Governing Body of Finchley Catholic High School for Finchley Catholic High School for 2027 / 2028.

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, unless an alternative timescale is specified by the schools adjudicator. In this case, I determine that the arrangements for 2027 / 2028 must be revised by 30 September 2026 in time for parents to consider the revised arrangements and make an application for a place in the normal admissions round by the statutory deadline of 31 October 2026. The School / the Admission Authority has indicated its readiness to do so.

## 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 Finchley Catholic High School

(Finchley, the School). The School is a voluntary aided Catholic secondary school for boys aged 11 to 18 located in Finchley, North London.

2. The Local Authority for the area in which the School is located is Barnet London Borough Council (Barnet, the LA).

3. The LA is a party to this objection. Other parties to the objection are:

- The School
- The Governing Body of the School (the Admission Authority)
- The Archdiocese of Westminster (the Archdiocese)

4. The objection is to the School's oversubscription criteria, specifically that there appears to be no sibling priority for children of other faiths or no faith background. In particular, the School affords priority to non-Catholic children of members of staff but does not provide any priority to non-Catholic children who already have a sibling at the School.

5. I would like to take the opportunity to give my thanks to the parties for the way in which they presented their views, their collaborative working, and for their prompt and helpful responses to my requests for further information / data.

## Jurisdiction

6. The Arrangements were determined under section 88C of the Act by the Governing Body of the School which is the Admission Authority for the School.

7. The Objector submitted their objection to the determined arrangements on 2 March 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.

8. I am satisfied the objection has been properly referred to me in accordance with section 88H of the Act and that it is within my jurisdiction.

9. 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.

10. Although the Governing Body of the School is the Admission Authority, it has been the Headteacher of the School who has responded to my requests for further information. I will, therefore, refer to the School in this determination when dealing with those responses.

## Procedure

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

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

- the objection dated 2 March 2026;
- a copy of the minutes of the meeting of the Admission Authority at which the Arrangements were determined;
- the determined Arrangements for 2027 / 2028;
- responses from the School, the Archdiocese and the LA to the objection and to my requests for further information;
- confirmation of when consultation on the Arrangements last took place and details of the nature of the consultation and responses to it;
- the draft admission arrangements for 2028 / 2029, drafted as a result of this objection; and,
- information available on the websites of gov.uk (including the “Get Information About Schools” (GIAS) website, and the websites of the LA, the School, the Archdiocese and Ofsted).

13. I have been provided with a substantial amount of information / data by the Objector, the School, the Archdiocese and the LA including a number of helpful and collaborative communications from the School and the Archdiocese. I have referred only to that which has a bearing on my determination.

## Background

14. According to GIAS, the School is a secondary, voluntary aided, school for boys aged 11 to 18 with a religious character of Roman Catholic.

15. The School was last inspected by Ofsted on 26 September 2023 with an overall rating of “Good”. Ofsted stopped issuing single-word overall judgements for state schools in September 2024, and a new report card system began rolling out from November 2025.

However, schools continue to carry the grade from their last inspection until they are reinspected.

16. The published admission number (PAN) of the School for 2027 / 2028 is 180 and the School's capacity (according to GIAS) is 1200 pupils.

17. The Admission Authority consulted on the Arrangements for 2027 / 2028 between 24 November 2025 and 2 January 2026 as it wished to add "Catechumens and members of an Eastern Christian Church" as a new oversubscription criterion for September 2027 entry. The following new definitions were also consulted on: "Catechumen" means a member of the catechumenate of a Catholic Church. This will normally be evidenced by a certificate of reception into the order of catechumens. "Eastern Christian Church" includes Orthodox Churches and is normally evidenced by a certificate of baptism or reception from the authorities of that church." These additions were agreed by the Governing Body on 20 January 2026, although the Arrangements were not formally determined until 16 April 2026.

18. The Arrangements set out that children with education, health and care plans (EHC plans) 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. Baptised Catholic looked after boys and baptised Catholic boys who have been adopted (or made subject to a child arrangements order or special guardianship order) immediately following having been looked after (in the care of the local authority) as well as those boys who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted.
- b. Baptised Catholic siblings of current or past pupils of the school.
- c. Baptised Catholic children of members of staff who are employed by the Governing Body and have been in post for at least two years, at the time of application.
- d. Other baptised Catholic boys.
- e. Other looked after boys and boys who were adopted (or subject to child arrangements orders or special guardianship orders) immediately following having been 'looked after' (in the care of the local authority) as well as those children who appear (to the admission authority) to have been in state care outside of England and ceased to be in state care as a result of being adopted.
- f. Catechumens and members of an Eastern Christian Church.
- g. Non-Catholic children of members of staff who are employed by the Governing Body and have been in post for two years, at the time of application.

- h. Boys of other faiths or none.

For the purposes of the Arrangements, the term “Catholic” means a member of a church that is in full communion with the See of Rome, including the Eastern Catholic Churches.

[The Governing Body] will give top priority within a category to a boy whose exceptional medical, social or pastoral needs justify a place at this school. [The Governing Body] will require compelling written evidence from an appropriate professional e.g. doctor, priest or social worker. This evidence must be submitted by the closing date for applications.

## **Consideration of Case**

### **Background to schools designated with a religious character**

19. Schools designated by the Secretary of State as having a religious character are commonly known as faith schools. Finchley is a faith school. The religious character of the School is Roman Catholic. Without such designation, Finchley and other schools like it cannot operate as a faith school. Both maintained schools and academy schools can be designated with a religious character.

20. While faith schools are subject to many of the same legal requirements and obligations as non-faith schools, faith schools have certain freedoms which are not open to other schools. This is to ensure their religious ethos is reflected in the life of the school.

21. Different types of state funded faith school have varying levels of freedom and control. This may include freedoms in relation to: what they teach in religious studies; admissions criteria; staffing policies; and governance arrangements.

22. The Equality Act 2010 (EqA 2010) is the main vehicle for allowing faith schools to discriminate on the grounds of religion and to enjoy some of the differences / protections described above.

23. There are various exemptions in the EqA 2010 which apply to designated faith schools including an express exemption for a responsible body of a school with a religious character (paragraph 11(d) of Schedule 3 to the EqA 2010). This paragraph allows schools which have a religious character or ethos to discriminate because of religion or belief in relation to school admissions. It means that faith schools may have admissions criteria which give preference to members of their own religion and it allows them to conduct themselves in a way which is compatible with their religious character or ethos. It does not allow faith schools to discriminate because of any other of the protected characteristics, such as sex, race or sexual orientation. Nor does it allow them to discriminate because of religion in other respects, such as by excluding a pupil or subjecting them to any other detriment.

24. Voluntary aided schools (such as Finchley) can have 100 per cent faith-based admissions if the number of applicants with the relevant faith (in this case, Roman Catholic) is sufficient. The School Admissions Code (the Code) does not, however, allow a faith school to refuse to accept pupils of another or no religion unless it is oversubscribed (collectively the effect of paragraphs 1.36 and 2.9(b) of the Code, set out below).

## The Objection

25. The Objector expressed concerns about the following matters:

- **There is no sibling priority for children of other (non-Catholic) faiths or with no faith background:** The objection recognises the School's Catholic ethos and its right to prioritise baptised Catholic applicants but highlights that families who already have one non-Catholic child successfully studying at the School are placed at a significant disadvantage solely because of their religious background, or none.
- **The School's oversubscription criteria afford priority to non-Catholic children of members of staff but do not provide any priority to other non-Catholic children who already have a sibling at the school:** The objection states this is inconsistent and unfair. If non-Catholic children connected through staff employment are recognised, the objection states it is difficult to understand the reasons why non-Catholic sibling children connected through existing pupils at the School are excluded.
- **Sibling oversubscription criteria should be fair, transparent and proportionate:** The objection acknowledges that faith schools are permitted to prioritise applicants based on religion, but states that admission arrangements should be fair, transparent and proportionate. Once a non-Catholic student has been admitted and is contributing positively to school life, it seems inequitable that their non-Catholic sibling would not be considered a priority for a place.
- **Not affording sibling priority to non-Catholics is indirectly discriminatory:** The objection says that excluding sibling priority for non-Catholic children is indirectly discriminatory and further, is not aligned with the broader public interest in equitable access to state-funded education.
- **Not affording sibling priority to non-Catholics causes other adverse impacts on children and their families:** The objection states this creates unnecessary hardship for families including logistical difficulties, financial strain and emotional impact on children who may be separated from their siblings. Most schools, including faith-based institutions, recognise sibling priority as an important factor in promoting family stability and supports safeguarding. The absence of such consideration for non-Catholic families appears unfair and disproportionate. Families may face considerable logistical, emotional, and financial strain if children are required to attend different secondary schools. This can create transport challenges, scheduling conflicts and increased costs,

particularly for working parents. Separating siblings can also negatively affect emotional security and continuity of educational experience.

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

- **Paragraph 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.
- **Paragraph 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.
- **Paragraph 1.36:** faith schools are required to offer every child who applies, whether of the faith, another faith or no faith, a place at the school if there are places available. Schools designated by the Secretary of State as having a religious character (commonly known as faith schools) may use faith-based oversubscription criteria and allocate places by reference to faith where the school is oversubscribed.
- **Paragraph 2.9:** Admission authorities **must not** refuse to admit a child solely because: b) they are not of the faith of the school, in the case of a school designated with a religious character.

27. I will now set out my consideration of the matters raised by the Objector. Each of the five aspects of the objection are intrinsically linked and the issues and conclusions largely overlap. I will set out my analysis of the issues raised by each section in turn, and my reasons for the conclusions I have made on each aspect. 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 part of the Code or other legislative 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 and is in breach of the Code for the reasons I have given.

### **No sibling priority for children of other (non-Catholic) faiths or with no faith background**

28. As I have noted above, the School, as a faith school, has the legal authority to prioritise baptised Catholic applicants for admission to the School. The Objector acknowledges this in their objection.

29. All admission arrangements (whether a faith school or not) create advantage for some applicants and disadvantage to others; indeed, their purpose is to give higher priority to some applicants than to others. The Code, as set out under paragraph 1.7 sets out that “All schools must have oversubscription criteria for each ‘relevant age group’ [...]” Relevant age group means the age group to which pupils are normally admitted to the school, for example, Year 7. However, in doing so, paragraph 1.8 of the Code requires that: “Oversubscription criteria must be reasonable, clear, objective, procedurally fair, and comply with all relevant legislation, including equalities legislation [...]” In situations of oversubscription, there will be applicants who are not admitted. These requirements sit alongside the School’s legal authority, as a faith school, to prioritise Catholic applicants.

30. Not having a specific priority for applicants of other faiths (or indeed no faith) is, as described above, permitted within the legal framework applicable to a faith school, noting that a faith school cannot refuse to accept pupils of another or no religion unless it is oversubscribed. The School’s website states that places will be awarded primarily to applicants who are baptised Catholics, though the School / the Admission Authority does include “boys of other faiths or none” as its final oversubscription criterion, and the School does admit non-Catholics. It is in this context that the objection raises the issue that families who already have one non-Catholic child attending and successfully studying at the School are “placed at a significant disadvantage solely because of their religious background, or none.”

31. The majority of state schools in England do have sibling oversubscription priority and Finchley prioritises baptised Catholic siblings of current or past pupils of the School. The Arrangements do not, however, currently include a general sibling priority meaning that the siblings of non-Catholic or no faith pupils are not prioritised for admission and would only be able to secure a place at the School as part of the final category already described, namely, boys of other faiths or none. The question is whether not to do so in the context of these Arrangements – as distinct from faith admission arrangements more generally – is compliant with the requirements of the Code and is fair and reasonable.

32. The Code sets out under paragraph 1.8 that “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 [...]”. To be contrary to paragraph 1.8 of the Code, therefore, any disadvantage arising from an oversubscription criterion would have to be unfair to one or more identified groups. This is in contrast to unfairness in paragraph 14 of the Code, which is unfairness of a more general nature. By not prioritising the siblings of all children already at the School, there is an

identifiable disadvantage to the families of non-Catholics and those of no faith where those families already have at least one other child already attending the School.

33. The Code uses the term “reasonable” but does not define it. An everyday definition is of having sound judgement; being sensible and rational. It is the requirement of public bodies, including admission authorities, that they must act reasonably in adopting any policy or making any decision. To determine whether a part of the Arrangements identified within the objection is reasonable or not, I will apply what I will refer to as the “reasonableness test”. This is a two-stage objective test in which the first stage is the consideration of the rationale for adopting the policy which is the focus of the objection. The second is the effect of its practical operation.

34. The School has not put forward a rationale for adopting a policy of not prioritising for admission the siblings of all children, whether Catholic, non-Catholic or no faith, at the School. Indeed, the School has told me that the issues brought to light by this objection stem from historical decisions before the new Headteacher took up post in January 2026, post consultation for the 2027 / 2028 admission arrangements and before a new admissions team had been put in place to consider the issue. Further, the School has indicated that the Governing Body (and the relevant members of the admissions subcommittee of the Governing Body) and the Headteacher have discussed the issues raised by the objection with the Archdiocese and agreed that there should be parity for all sibling applicants within the existing admissions criteria. Both the School and the Archdiocese have confirmed that the Headteacher and Governing Body are keen to remedy this matter so that the admission arrangements reflect the inclusive and welcoming ethos of the School by extending sibling priority to non-Catholic siblings. The School, Archdiocese and, similarly, the LA have all indicated that extending priority to non-faith siblings above other non-faith applicants would represent a fairer and more equitable approach. The School’s intention is to consult on that change this Autumn for admission to the School in 2028 / 2029.

35. The practical effect of the policy is that the siblings of non-Catholic children at the School are far less likely to get a place at the School than the siblings of Catholic pupils and the non-Catholic children of staff members, falling only in the final catch all criterion in the Arrangements, boys of other faiths or none. Given the School has non-Catholic and no faith children on roll and prioritises this group in its oversubscription criteria, despite its ability to lawfully prioritise applicants of the School’s faith, I consider it unreasonable in the circumstances not to prioritise all siblings, irrespective of faith.

36. Fairness is a concept, not unlike being “reasonable”, that is used in the Code but is, again, not defined. Fairness can be described as a ‘protean concept’, in that it cannot be defined in universal terms, but its requirements will depend on the circumstances. Fairness is focussed on the effect of the arrangements on any relevant group. A factor which is relevant in the consideration of substantive unfairness is the reasons (or justification) for adopting a particular oversubscription criterion. These reasons must be considered in context. It may be

the case that the justification for the adoption of a particular set of oversubscription criteria could override any unfairness. I should also add that where the available evidence does not establish disadvantage, there cannot be any unfairness.

37. As I have already set out above, I consider there is an identifiable disadvantage to the families of non-Catholics and those of no faith where those families already have at least one other child already attending the School. The School / the Admission Authority has not sought to justify its Arrangements as they currently stand, rather the School has actively stated it agrees that the Arrangements in this respect are unfair and it wishes to rectify it. Even if the School were to introduce an oversubscription criterion prioritising non-Catholic siblings, it is not a guarantee of a place. However, doing so would create a fairness in the Arrangements that does not currently exist.

### **The oversubscription criteria afford priority to non-Catholic children of members of staff but do not provide any priority to other non-Catholic children who already have a sibling at the school**

38. The objection states that affording priority to non-Catholic children of members of staff but not to other non-Catholic children who have a sibling is inconsistent and unfair.

39. I have already determined that having no sibling priority for children of other (non-Catholic) faiths or with no faith background has created an identifiable disadvantage and is unfair to the families of non-Catholics and those of no faith where those families already have at least one other child attending the School. The existence of an oversubscription criterion which affords priority to the non-Catholic children of staff members is inconsistent with the approach taken to the siblings of other non-Catholic children and serves to cement the unfairness I have already identified.

40. The School and the Archdiocese have agreed this arrangement is unfair and the School has indicated its willingness to rectify it.

### **Sibling oversubscription criteria should be fair, transparent and proportionate**

41. Paragraph 1.8 of the Code states, so far as is relevant that: "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 [...]". Paragraph 14 of the Code also requires that: "admission authorities must ensure that the

practices and the criteria used to decide the allocation of school places are fair, clear, and objective.”

42. The objection acknowledges that faith schools are permitted to prioritise applicants based on religion, but states that admission arrangements should be fair, transparent and proportionate so that once a non-Catholic student has been admitted and is contributing positively to school life, it is inequitable that their non-Catholic sibling would not be considered a priority for a place.

43. For the reasons given in the sections above, the Arrangements as they currently stand unfairly disadvantage the families of non-Catholics and those of no faith where those families already have at least one other child already attending the School. The Archdiocese indicated in its response to the objection that it “cannot disagree with this and have advised the [S]chool accordingly.” The School has agreed that extending priority to non-faith siblings above other non-faith applicants would represent a fairer and more equitable approach and has committed to changing its admission arrangements to reflect this at the earliest opportunity.

### **Not affording sibling priority to non-Catholics is indirectly discriminatory**

44. The Objector raises a concern that the arrangements are “indirectly discriminatory”. Indirect discrimination is defined under the EqA 2010. As I have set out in the section “Background to schools designated with a religious character”, such a school is legally entitled to discriminate because of religion or belief in relation to school admission arrangements, meaning that Finchley may have admissions criteria which give preference to members of its own religion. The Objector has acknowledged this entitlement. In the context of the overarching legal authority allowing faith schools to discriminate in the ways already described in this determination, I have not been able to find anything in the objection which qualifies the nature of the discrimination in respect of any groups with “protected characteristics” as defined in the EqA 2010. Taking into account the entirety of the information provided on the form of objection, I have interpreted that the meaning of the objection is that the arrangements are “unfair” and / or “cause disadvantage”, as opposed to discriminating unlawfully contrary to the requirements of the EqA 2010.

45. I have already determined that the Arrangements (as opposed to faith arrangements in general) create an identifiable disadvantage to the families of non-Catholics and those of no faith where those families already have at least one other child already attending the School.

### **Not affording sibling priority to non-Catholics causes other adverse impacts on children and their families**

46. It is acknowledged by the School that the impact of the current Arrangements could, as a result of the lack of sibling priority for non-Catholics, cause other adverse impacts on

non-Catholic children and families. The impact of the potential range of factors cited in the objection including logistical and transport difficulties, financial strain, family stability and the emotional impact on children of having to attend different secondary schools from their siblings is acknowledged as potentially significant when considering whether the Arrangements are fair and reasonable. I have already determined that not affording sibling priority in the context of the School's Arrangements has created a disadvantage and is unfair.

**47. Having considered the five aspects of the objection and for the reasons given in each section above, I uphold the objection. I have not, however, found that the Arrangements discriminate unlawfully contrary to the requirements of the EqA 2010.**

48. It is not within my jurisdiction to advise the School / the Admission Authority as to how it should revise its admission arrangements. The LA and the Archdiocese have indicated their willingness to assist the School, the Archdiocese indicating the following: "it would be preferable to give sibling priority within each oversubscription criteria and since this matter has been highlighted, [the Archdiocese] have worked with the school to revise the arrangements in preparation for 2028 / 29 [...]". This assistance is welcomed. My determination will provide the legal authority for the School / the Admission Authority to change its admission arrangements for 2027 / 2028 entry. Unless there are other reasons to consult on the arrangements still to be determined for 2028 / 2029, once the School has changed its Arrangements consequent to this determination, there will be no need for it to re-consult on the matter at issue here.

## Other matters

49. 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. I brought these to the attention of the School / the Admission Authority in my Jurisdiction and Information Paper of 29 May 2026. These matters are as follows (paragraphs of the Code are indicated where relevant):

- The first oversubscription criterion (referred to as a) in this determination) refers to being adopted rather than being previously looked after and being adopted, in line with the Code, paragraph 1.7. Given the inclusion of a definition of "previously looked after children" in section 3 (definitions) in the Arrangements which is not then subsequently referred to, it would appear the intention was to refer to previously looked after children in oversubscription criterion a).
- The second oversubscription criterion (referred to as b) in this determination) refers to siblings of past pupils. No definition of "past pupils" appears to be included in the Arrangements. Paragraph 1.11 of the Code states that: "If an admission authority wishes to give some priority to siblings of former pupils, it must set out a clear and

simple definition of such former pupils and how their siblings will be treated in the oversubscription criteria (bearing in mind the restrictions set out in paragraph 1.9)."

- The subsequent paragraphs to the oversubscription criteria listed on page 5 of the Arrangements state that: "Governors will give top priority within a category to a boy whose exceptional medical, social or pastoral needs justify a place at this school. Governors will require compelling written evidence from an appropriate professional e.g. doctor, priest or social worker. This evidence must be submitted by the closing date." Paragraph 1.16 of the Code specifies that: "If admission authorities decide to use social and medical need as an oversubscription criterion, they must set out in their arrangements how they will define this need and give clear details about what supporting evidence will be required (e.g. a letter from a doctor or social worker) and then make consistent decisions based on the evidence provided." It would appear that no definition of medical, social or, indeed pastoral, needs is included in the Arrangements.
- The subsequent paragraphs to the oversubscription criteria listed on page 5 of the Arrangements additionally state that: "Admission authorities must make decisions on requests for children to be educated outside their chronological age group on the basis of the circumstances of each case and in the best interests of the child." The Arrangements do not appear to fully comply with the requirements of paragraphs 2.18 to 2.20 of the Code, as set out in full below:

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

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

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

- The Arrangements do not appear to include a definition of a "late application" (as defined in footnote 58 of the Code (page 27)). This is required for clarity in accordance with paragraph 14 of the Code. The School has commented that the arrangements for late applicants are difficult to define as children have historically come to the School from a wide range of local authorities and in the past the deadlines for the common application forms have varied from local authority to local authority. Local authorities now work closely together and define late application dates in line with their published deadlines so there is a common understanding of that date. The purpose of this is to safeguard applicants who may have put in an application on time in their home local authority but which is not in time according to the local authority area (Barnet) in which the School is situated.

50. The Headteacher of the School, on behalf of the Admission Authority, has indicated the School's willingness to address these matters, with the help of the LA, as permitted by paragraph 3.6 of the Code. This is welcomed. As the School / the Admission Authority has accepted that changes are required, I will not discuss them further other than to make clear that the Code permits the Arrangements to be amended to address the points set out above. Such amendments are permitted in line with paragraph 3.6 of the Code which states, so far as is relevant:

"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."

51. The Admission Authority must address these matters, as permitted by paragraph 3.6 of the Code, **by 30 September 2026**.

## Determination

**In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection to the admission arrangements determined by the Governing Body of Finchley Catholic High School for Finchley Catholic High School for 2027 / 2028.**

**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, unless an alternative timescale is specified by the schools adjudicator. In this case, I determine that the arrangements for 2027 / 2028 must be revised by 30 September 2026 in time for parents to consider the revised arrangements and make an application for a place in the normal admissions round by the statutory deadline of 31 October 2026. The School / the Admission Authority has indicated its readiness to do so.**

Dated: 4 September 2026

Signed:

Schools Adjudicator: Emma Harrison