



Office of
the Schools
Adjudicator

Determination

Case references:	ADA4642
Objector:	A representative of Buckinghamshire Council
Admission authority:	E-ACT
School:	Denham Green E-ACT Primary Academy
Date of decision:	18 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 E-ACT for the Denham Green E-ACT Primary Academy 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 way 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, the admission authority is to revise its admission arrangements by the end of September 2026. This is so parents can take into account the revision during the current admissions round.

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 representative of Buckinghamshire Council (the Objector).

2. The objection is to two matters. The first relates to aspects of the consultation held prior to the determination of the 2027/28 admission arrangements (the Arrangements) for the Denham Green E-ACT Primary Academy, Buckinghamshire (the School or DGEPA) by E-ACT (the Trust). The second is that the removal of the catchment area from the oversubscription criteria is unfair to a specific group of children.

3. The School is located in the Buckinghamshire Council (BC) area and so as well as a representative of BC being the Objector, BC is also the local authority (LA) for the School.

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 25 February 2026.

6. I am satisfied the objection has been properly referred to me in accordance with section 88H of the Act and the concerns raised are within my jurisdiction.

7. As well as BC (as the Objector and LA), the other parties to the objection are the Trust and the School.

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

Procedure

9. In considering the objection, I have had regard to all relevant legislation and the School Admissions Code (the Code).

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

- a. the Objector's form of objection, dated 13 May 2026, and accompanying documentation;
- b. a copy of the determined Arrangements;
- c. the response of parties to the objection and additional information requests; and
- d. information available on the websites of the LA, the School, the Trust, and the gov.uk website, particularly the 'Get Information About Schools' (GIAS) and Ofsted sites.

11. The LA also provided relevant data in a format that I was able to use in a geographic information system called ArcGIS.

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

13. 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

14. According to GIAS, the School is a non-selective, co-educational primary academy for children aged between 4-11 years, with no designated religious character. The School has the capacity for 270 children.

15. To understand the changes the Trust made to the 2027/28 Arrangements, I looked at those for 2026/27. The 2026 admission arrangements set out the following oversubscription criteria, after the admission of children with education, health, and care (EHC) plans naming the School:

1. Looked after children and previously looked after children.
2. Children with exceptional and compelling medical, psychological, social, or special access reasons to attend the School.
3. Siblings.
4. Children living in the catchment area of the School.
5. Children eligible for Early Years Pupil Premium, Pupil Premium, or Service Pupil Premium.
6. Children whose parent / carer is a member of staff who has been continuously employed at the School for two or more years at the time of application or who has been recruited to fill a vacant post for which there is a demonstrable skill shortage.
7. Distance from the School.

Distance from home to School was to be used to prioritise admission within each criterion.

In situation of equal merit, random allocation was to be used as a tie breaker.

Any parent applying for a place under oversubscription criteria 5 or 6 was expected to complete a supplementary information form to provide details of qualification under those criteria.

16. Between Friday 19 December 2025 to 31 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 admission arrangements across a number of its schools, summarised as:

“The main changes to the reviewed and updated admission arrangements include:

- Simplifying and refining oversubscription criteria across E-ACT academies, to make them clearer and easier for parents and carers to understand and to support transparency and fairness in the allocation of school places.
- Reviewing published admission numbers (PANs) at some academies, working in partnership with local authorities where appropriate to support local place planning.
- Retaining academy-specific provisions only where necessary, for example where an academy operates across more than one campus.
- No changes are proposed to the application process or to the statutory admissions timetable.”

17. The changes to the School’s Arrangements resulted in the removal of the oversubscription criteria 2, 4, and 5, such that the criteria for prioritising admission in 2027, after the admission of children with EHC plans, are:

1. Looked after children and previously looked after children.
2. Siblings.
3. Children whose parent / carer is a member of staff who has been continuously employed at the School for two or more years at the time of application or who has been recruited to fill a vacant post for which there is a demonstrable skill shortage.
4. Distance from the School.

In situations of equal merit, random allocation will be used as a tie breaker.

Any parent applying for a place under oversubscription criterion 3 will be expected to complete a supplementary information form to provide details of qualification under that criterion.

18. 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	YR ¹	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6
Number of children	28	30	32 ²	45 ³	29	29	30
PAN (at year of entry) ⁴	30	30	30	30	30	30	30

Key:

¹ Reception Year.

² This includes children awaiting placement at specialist provision.

³ Due to a 'bulge year'.

⁴ A standing arrangement is in place with the LA to accept additional children to support local capacity and place planning. The School is willing to accept above PAN.

19. The total number of children in the School in July 2026 was 223. The School is operating below capacity (as shown on GIAS) by 47 children, and is 13 above the total of PANs in Table 1.

Consideration of case

20. The objection is made up of the following two concerns:

- A. There were failings in the Trust's consultation process which was conducted prior to the determination of the Arrangements:
 - i. Not enough information was provided by the Trust to consultees such that they would not have realised the impact of the removal of the catchment area.
 - ii. There was no communication about the consultation with the LA.
- B. The removal of the catchment area in the Arrangements is unfair in that it will significantly disadvantage the residents of the New Denham area.

21. I offered parties the opportunity early in the process to suggest any amendments to the way I had set out the matters raised by the Objector. No party raised any issues.

22. I have determined that the following paragraphs of the Code are relevant to concern A.:

- 1.8 (part): "Admission authorities **must** ensure that their arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social [...] group [...]"
- 1.45 (part): "When changes are proposed to admission arrangements, all admission authorities **must** consult on their admission arrangements (including any supplementary information form) that will apply for admission applications the following school year.[...]"

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

[...]

d) whichever of the governing body and the local authority is not the admission authority;”

- 1.48 (part): “For the duration of the consultation period, the admission authority **must** publish a copy of their full proposed admission arrangements (including the proposed PAN) on the school’s website or its own website (in the case of a local authority) together with details of where comments may be sent and the areas on which comments are not sought. [...]”

23. Public consultation processes in the UK must be conducted fairly. Although it is not explicitly referred to in the Code, the Gunning Principles (*R v London Borough of Brent ex parte Gunning (1985) 84 LGR 168*) provide a helpful guiding framework to ensure consultation is transparent, fair, and both listens to and considers consultee responses. The four Gunning Principles are:

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

24. I am of the view that applying these Gunning Principles would have been helpful in ensuring the requirements of paragraph 1.45 of the Code were met.

25. I will consider the Objector’s concern under A.i. in the context of Gunning Principle b.

26. I have identified the following paragraph of the Code which is relevant to the Objector’s concern B.:

- 1.8 (part): “Admission authorities **must** ensure that their arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social [...] group [...]”

27. I will now set out my consideration of the matters 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. 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 previously considered the Trust's consultation process when determining case reference number ADA4641 for E-Act Bourne End Academy. Both E-Act Bourne End Academy and the School were part of the same consultation. The Objector has raised exactly the same concerns about the consultation process in this objection as was raised for case reference number ADA4641. After considering the consultation process again, my findings under concern A. are, therefore, largely the same as for case reference number ADA4641.

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

A. There were failings in the Trust's consultation process which was conducted prior to the determination of the Arrangements:

i. Not enough information was provided by the Trust to consultees such that they would not have realised the impact of the removal of the catchment area.

31. The Objector stated:

"We are concerned that parents/the local community did not realise the impact of their revised admissions arrangements. Although E-Act consulted on their changes, the new admissions arrangements of all their schools were simply listed and comments invited; no explanation was provided on the changes that were being made compared to the previous arrangements for each school nor that catchment areas were being removed."

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

"A full statutory consultation was undertaken from 19 December 2025 to 31 January 2026 (>6 calendar weeks) in line with the requirements of the School Admissions Code (Sep21).

On 19 December 2025 a letter was issued to all parents of every affected academy including E-ACT Denham Green Primary Academy [...].

On 19 December 2025 the consultation was advertised on the website of every affected academy within the Trust as well as on the Trust website for the duration of the consultation. [...]

The published information contained:

- A summary of the key changes for the 2027-2028 academic year
- Dates of the consultation period
- A link to review the individual proposed documents for every affected academy
- Details of how to respond (via MS Form)
- Information on what would happen following the consultation process

In addition to a letter to all parents and website publication, on 19 December 2025 email notification of the consultation was sent to all known contacts in the relevant local authorities [...].

In all communications it was made clear that ‘the Trust has simplified and standardised oversubscription criteria to reflect current best practice, reviewed published admission numbers at some academies in collaboration with local authorities to support place planning, and made minor clarifying amendments to improve transparency and accessibility. Limited academy-specific provisions have been retained only where operationally necessary’. As catchment areas are a feature of the oversubscription criteria which would not ordinarily be retained as part of the Trust’s approach to standardisation and it was stated that limited academy-specific provisions had only been retained where operationally necessary, it is our belief that the information provided was sufficient for consultees to be aware of the changes and duly consider any impact.”

33. The Code (paragraphs 1.45 to 1.48) sets out the requirements that admission authorities must follow when conducting consultations. The requirements set out why consultations are required, when they must take place, who must be consulted, and that admission authorities must publish a copy of their proposed arrangements on their website.

34. I said earlier that I would consider Principle b. of the Gunning Principles when considering this part of the objection. Public bodies undertaking a consultation should provide ‘sufficient reasons’ for the changes proposed ‘to allow for intelligent consideration and response’. The Trust told me:

“Consultees were provided with:

- The full proposed admission arrangements;
- a summary of the key changes (including standardisation of oversubscription criteria);
- clear explanations of the intent behind those changes.

Taken together, this information was sufficient to allow consultees to understand the nature and potential implications of the proposals and to respond meaningfully.”

35. The Objector is specifically concerned that not enough information was provided such that consultees would have realised the impact of the proposed changes to the Arrangements.

36. I looked at the information provided by the Trust during the consultation.

37. The consultation page on the Trust website contained information for all of the Trust's schools (that were part of the consultation). This included an explanation of the reason for the proposed changes, a generic summary of all of the key changes to the included schools' admission arrangements, the dates of the consultation period, links to view the proposed arrangements, how to respond to the consultation, and a section on 'what happens next'.

38. On the School website, the consultation page stated that:

"E-ACT is consulting on the proposed admission arrangements that will apply to this academy for entry in the 2027-2028 academic year.

The proposed arrangements reflect a Trust-wide review to simplify oversubscription criteria and reflect current best practice, while ensuring information is clear and accessible for parents and carers.

The consultation runs from 19 December 2025 to 31 January 2026.

Full details, including a summary of the proposed changes and how to respond, are available on the E-ACT website: <https://www.e-act.org.uk/admission-arrangements-consultation/>".

39. The Trust provided a copy of the letter sent to parents at the School. This letter stated:

"E-ACT is consulting on the proposed admission arrangements that will apply for new pupils to join the academy in the 2027-2028 academic year.

Admission arrangements explain how children get a place at an academy. They include how many places are available and what happens if more children apply than there are places. We have updated the proposed arrangements to reflect current best practice and to make them clearer and easier for parents and carers to understand.

The consultation will run from Friday 19 December 2025 to Friday 31 January 2026.

The full draft admission arrangements for this academy, together with details of how to respond to the consultation, are available on the E-ACT website: <https://www.e-act.org.uk/admission-arrangements-consultation/>.

If you wish to comment on the proposed arrangements, please submit your response via the online consultation form by 31 January 2026. The form can be accessed by clicking the link below:

<https://forms.office.com/e/SvM5E8wXzh>".

40. I asked the Trust if any impact assessment had been undertaken. It told me that no impact assessment had been undertaken and went on to state that:

"However, the potential impact of the proposed changes was considered as part of the wider review and consultation process. This included consideration of:

- the effect of catchment-based criteria potentially prioritising pupils living further from the academy;
- the benefits of a distance-based criterion in prioritising those living closest; and
- whether any local exceptions to standardisation were required.

The consultation process also provided an opportunity for stakeholders to identify any adverse impacts.

Feedback received across the Trust resulted in changes at a number of academies, demonstrating that impacts were considered and acted upon where evidenced."

41. I found that the consultation materials in respect of the School referred consultees to the wider Trust process, in that they set out that there was a consultation and provided links to the consultation page on the Trust website. On that page, a link to the proposed Arrangements was found. The proposed Arrangements included a generic 'Consultation Notice' and a watermark on each page stating, 'UNDER CONSULTATION'. However, I could find no mark-up of the changes being proposed or any explanation of them that were specific to the School's Arrangements, how the reasons provided for the Trust's wider consultation applied to the proposed changes to the School's Arrangements, or the potential impact of the changes, to assist consultees. Additionally, there was no information on what the Trust was asking for comments about or, taking into account the Trust's response above, no direct invitation for any comments on the impact of the proposals.

42. Whilst the Trust provided materials that clearly set out the proper process by which the consultation was conducted and the channel through which consultees could engage, I find that not enough information was provided in respect of the changes proposed in the School's Arrangements. Consultees were, therefore, not told what the changes specific to the School's Arrangements were, why they were needed in the specific context of the School, or the expected impact.

43. It is also the case that the Trust did not ask direct questions of consultees about the proposed changes to the School's Arrangements. Asking only for "Comments on the proposed admission arrangements" (as on the Trust's consultation web page) was so open ended as to be unhelpful given that the page contained the proposed admission

arrangements for 39 of the Trust's schools and the information was generic to all of them. The Trust could, for example, have ensured that the proposed changes specific to the School's Arrangements were set out on the School's own consultation web page. However, without this, and with no indication of what the specific proposed changes to the School's Arrangements were or what the Trust wanted responses about, I find that the consultation did not satisfy this basic requirement of a public consultation.

44. Consequently, the requirements set out in paragraph 1.45 of the Code were not met. I, therefore, uphold this part of the objection.

A. There were failings of the Trust's consultation process which was conducted prior to the determination of the Arrangements:

ii. There was no communication about the consultation with the LA.

45. About this, the Objector raised the concern that BC, "were [sic] not initially aware of the consultation so did not respond". However, when asked for more information about this, the Objector told me:

"[...] in fairness to the Trust, I must clarify that they did try and inform the local authority. Unfortunately, they sent the e-mail to an individual they mistakenly thought was their key contact in the admissions team, when she had actually only assisted with one particular project and was no longer part of the admissions team at the time the e-mail was sent. E-ACT did copy the general Admissions Inbox in on the e-mail, but we can find no record of that e-mail in the inbox. There may have been a technical problem."

46. About this issue, the Trust told me that:

"[An] email [was] sent to the objecting local authority. The email was sent to two addresses – a named person [name redacted] and the general admissions mailbox. The local authority has since advised that [name redacted] no longer works in admissions but remains in the employment of the local authority and have confirmed that the admissions address is the correct one. They have been unable to account for why neither email was received. [...] a copy of the acknowledgement receipt received from the objecting local authority in response to the email sent to admissions@buckinghamshire.gov.uk [is provided]."

47. The Trust provided me with copies of the email sent to the LA and the email from the LA acknowledging receipt. The email informing the LA of the consultation was sent on the 19 December 2025, to the email address of the named person in admissions and the general admissions mailbox, at 14:07. The acknowledgement that it had arrived at the generic admissions email inbox was received by the Trust a minute later.

48. I can find no evidence that the Trust did not inform the LA of the consultation or that it breached the requirements of paragraph 1.47 c) of the Code as asserted by the Objector.

49. I, therefore, do not uphold this part of the objection.

B. The removal of the catchment area in the Arrangements is unfair in that it will significantly disadvantage the residents of the New Denham area.

50. The Objector told me that:

“While not all schools in Buckinghamshire have catchment areas (largely new free schools and church schools), all parts of Buckinghamshire currently have a catchment school. As a partly rural authority we have found them a necessary tool to ensure that families living in certain areas are not unfairly disadvantaged and face having to travel an excessive distance in order to access a school place. In this particular case, we believe that the removal of the catchment area makes the admissions arrangements unfair as it significantly disadvantages the residents living in the New Denham area, in the south of the catchment area.

The New Denham area has historically been served by [DGEPA] and its predecessor school, Tilehouse Combined School. The nearest school to the area is actually Denham Village School (DVS). This was originally an infant school that just served the village of Denham and fed into Tilehouse School (as it was then) at junior transfer. When DVS became a combined school in September 2018, BC expanded the catchment area of DVS to include the New Denham area. However, there have been several new housing developments in the area; we have experienced oversubscription issues in some years (which led to BC creating a bulge class in [DGEPA] in September 2022) and DVS remains a very small school (PAN 15). For this reason, with E-Act’s agreement and support, New Denham also remained in [DGEPA]’s catchment and the catchment area of [DGEPA] was adjusted to cover all of DVS’s new catchment at Reception intake. BC hoped this could ensure that, as far as possible, all Denham children would be able to be educated within their community even if they were unable to get a place at their first choice/nearest school.

BC are concerned that the removal of the catchment area puts this at risk. If [DGEPA] only uses a distance criteria within its admissions arrangements, there are many other areas that are closer to [DGEPA] than New Denham (e.g. parts of Gerrards Cross and Harefield), and children in those areas could displace children from New Denham from [DGEPA]. However, there are primary schools in both Gerrards Cross and Harefield, so children in these areas have easy access to alternative schools. But if children in New Denham cannot obtain a place at either DVS or [DGEPA] the nearest Buckinghamshire schools are:

- Iver Heath Infant and Junior Schools (c. 3 miles)
- Fulmer Infant Schools (c.4 miles and a child from Denham might struggle to obtain a suitable place at Junior transfer as the normal feeder schools are even further away)

- Gerrards Cross (c. 7 miles and as it's a popular school a child from New Denham would be unlikely to get a place).

We are aware that E-ACT has a strong desire for its schools to serve their local communities, and sees catchment areas as detrimental to that ambition as they can allow children living at a greater distance from the school to displace those living nearer. BC also support this ambition in principle (hence why most of our catchment area are based on the area where the school in question is the nearest Buckinghamshire school), but BC believes that, in this case, a catchment area is desirable to ensure that families in New Denham have sufficient confidence in being able to access a local school place and avoid any unnecessary stress/anxiety with the application process.”

51. I want to be clear from the outset that no admission authority is required to have a catchment area as part of their oversubscription criteria. All admission authorities, under paragraph 1.10 of the Code, are able to decide “which oversubscription criteria would be the most suitable to the school according to the local circumstances”. Paragraph 1.14 makes provision for an admission authority to prioritise admission using a catchment area should it choose to do so. Should I find that the removal of the School’s catchment area creates significant disadvantage, then it does not follow that the Trust would be required to reinstate the catchment area; it would be the Trust’s responsibility to ensure its Arrangements did not create such significant disadvantage. How it chooses to do that is its own responsibility, providing it is concordant with the law, the Code, and where any variation made does not in and of itself create any unfairness.

52. The Objector refers to ‘significant disadvantage’ in the objection; paragraph 1.8 of the Code to ‘disadvantaging unfairly’. Fairness is a concept that is used in the Code but is not defined. I understand that ‘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. In this circumstance, I identify the potentially significantly disadvantaged group (which I will refer to, reflecting the terminology used in paragraph 1.8, as the ‘particular social group’) as being those children who live in Denham who, after not being able to get into the local school (DVS), would not be admitted to DGEPA as a result of the removal of the catchment area from the School’s oversubscription criteria.

53. I state here that it is the purpose of oversubscription criteria to create advantage for some applicants and disadvantage to others. A factor which is relevant in the consideration of substantive unfairness is the rationale (or justification) for adopting or removing a particular oversubscription criterion. This must be considered in context. It may be the case that the justification for the adoption or removal of a particular oversubscription criterion could override any unfairness. I should also add that where the available evidence does not establish disadvantage, there cannot be any unfairness.

54. I asked the Objector (as the LA) for data and information on past and projected admissions and locations, and have used GIAS to help me to understand the provision of primary education in and around the Denham area.

55. I note that the location of Denham is in the rural area to the south-east of Buckinghamshire between Gerard's Cross and Ruislip and south-west of Harefield. It is close to the county border with Hertfordshire and the Greater London area. DVS is located in Denham itself. DGEPA is located north of Denham in Denham Garden Village. Between the schools is Denham Green.

56. Parents are not bound by county boundaries when expressing preferences for schools for their children. In order to assess the choice of schools available to parents in Denham, I looked at the primary schools that are located up to three miles from the postcode on which DVS (which is the school in the area that the Objector is concerned will be affected by the loss of the catchment area at DGEPA) is located. Ordinarily, I would look at schools within two miles (which is the safe walking limit for children under 8 years old as set out in the document 'Travel to school for children of compulsory school age: Statutory guidance for local authorities'). However, I chose a 3-mile limit as the school is in a rural area and I assume that parents are more likely to be willing / have to look further afield for school places than in an urban area where there will be more choice in closer proximity.

57. Including DVS, GIAS listed 17 primary schools which admit to YR within that distance. I have put the information from GIAS into Table 2.

Table 2: Primary schools admitting to YR within three miles of the postcode on which DVS is located

School name	Straight line distance from the postcode of DVS (in miles)	LA Area	Capacity	No. on roll ⁵	Ofsted Grade ⁶
DVS	-	BC	105	100	Good
DGEPA	1.07	BC	270	223	Good
Hermitage Primary School	1.76	Hillingdon	472	426	Good
St Mary's Catholic Primary School	1.81	Hillingdon	250	235	Good
St Andrew's C of E Primary School	2.11	Hillingdon	236	197	Good
The Breakspear School	2.15	Hillingdon	720	680	Outstanding
Whitehall School	2.17	Hillingdon	630	408	Good
John Locke Academy	2.28	Hillingdon	630	674	Strong Standard (A, F) / Expected Standard (B, C, D, E, G)
The Gerrards Cross CofE School	2.28	BC	436	434	Good (A, D, E) / Outstanding (B, C)
Iver Heath Infant School and Nursery	2.37	BC	220	207	Good
Fulmer Infant School	2.5	BC	75	62	Good (A, B, C, E) / Outstanding (D)
Harefield Infant and Junior School	2.59	Hillingdon	444	207	Good
Whiteheath Infant and Nursery School	2.75	Hillingdon	270	235	Strong Standard (all inspection areas)
Oak Farm Primary School	2.86	Hillingdon	630	? ⁷	(Requires Improvement)
Glebe Primary School	2.88	Hillingdon	690	619	Good
St Bernadette Catholic Primary School	2.92	Hillingdon	472	414	(Good)
Bishop Winnington-Ingram CofE Primary School	2.96	Hillingdon	230	236	Good

Key:

⁵ The number on roll for DGEPA is from the data on Table 2. All other figures are from GIAS.

⁶ Over the period that the schools in this table have been inspected, Ofsted has changed the inspection framework twice:

- Those with a single grade (Outstanding, Good, or Requires Improvement) were inspected up to September 2024. Those grades recorded in brackets for Oak Farm Primary School and St Bernadette Catholic Primary School are for their predecessor schools before converting to academy status. They do not have current inspection grades.
- Individual grades (Outstanding or Good) were given for each area inspected between September 2024 and November 2025. The inspection areas were:
 - A Quality of education
 - B Behaviour and attitudes
 - C Personal development
 - D Leadership and management
 - E Early years provision
- From November 2025, seven areas (relevant to primary schools) are inspected using new grades (Exceptional, Strong Standard, Expected Standard, Needs Attention, and Urgent Improvement):
 - A Inclusion
 - B Curriculum and teaching
 - C Achievement
 - D Attendance and behaviour
 - E Personal development and wellbeing
 - F Early years (where applicable)
 - G Leadership and governance

⁷ The number on roll was not recorded on GIAS for this school.

58. According to the capacity and number on roll data in Table 2, 13 of the schools are not operating at capacity and there are 838 surplus places. This, of course, is the surplus in every year group combined. I do not have access to the numbers in each year group in each of those schools. Therefore, to calculate what the surplus might look like in YR across these schools, I divided the surplus in each of those schools by the number of year groups across all of the schools (there are three year groups in infant schools and seven in primary schools, making a total of around 79 year groups across the 13 schools). Whilst a rough calculation, it indicates that there could be approximately 138 places in YR across those 13 primary schools. There may be more if there is a surplus of places at Oak Farm Primary School.

59. The Objector, in its capacity as the LA, told me that the projected demand for YR places from children in Denham in 2027/28 is likely to exceed the combined PANs for DVS and DGEPA by two. The Objector is concerned that prioritising places by distance at

DGEPA will disadvantage children in Denham who are not able to be allocated places at DVS. It is evident from Table 2 that DGEPA is the closest school to DVS by straight line distance. Therefore, in respect of oversubscription criterion 4, after those applying for places from the immediate proximity of the School (Denham Garden Village and Denham Green), children from Denham would likely be prioritised next for admission (particularly as there is very little settlement to the north and east of the School (the east of the School is dominated by the River Colne and a number of lakes). Parts of the south of the village of Harefield, which is situated to the north-east of DGEPA, are roughly the same straight line distance from the School as from DVS. However, with the river and lakes between that area and the School, the distance to travel is longer on foot / by road. Additionally, as can be seen from Table 2, GIAS recorded Harefield Infant and Junior School having a considerable surplus of 237 places across the school (potentially, therefore, 34 places in YR).

60. I have also drawn the following conclusions from my consideration of the data in Table 2 and from the information provided by parties:

- It appears to me that there will be more than enough places in schools admitting to YR within three miles of DVS should the number of surplus places in 2027/28 be similar to 2025/26. Parents of any children who would not be allocated places at DVS and DGEPA will not be disadvantaged as they can be allocated places at other schools local to Denham.
- All schools listed in Table 2 with a surplus of places are graded Good or Outstanding or a combination of both on the previous Ofsted inspection frameworks, or are at least at Expected Standard on the new framework. This means that children who are not allocated places at DGEPA (or DVS) in 2027/28 would not be disadvantaged by any deficiencies in the quality of educational provision if admitted to any of those schools.
- The Trust told me there is a standing arrangement in place with the LA to accept additional children to support local capacity and place planning. This means that should the LA request it, the Trust would more likely than not offer its support for admitting above the PAN at the School.

61. Consequently, I do not find that the removal of the catchment area at DGEPA will disadvantage unfairly the particular social group identified earlier in the determination.

62. I do not find that paragraph 1.8 has been breached and therefore, do not uphold this part of the objection.

Other matter

63. Having considered the Arrangements as a whole it appeared to me that the following matter does not conform with the requirements of the Code and so I brought it to the attention of the Trust. The matter I raised was that:

- In the section entitled “2. Legislation and statutory requirements”, it is stated that the Arrangements are “based on the following advice from the Department for Education (DfE)”. Then two documents are listed (the Code and the School Admissions Appeal Code).

These two documents are ‘statutory guidance’ and not ‘advice’. Characterising these documents as such is inaccurate and, therefore, unclear for parents. (Paragraph 14 of the Code).

64. I find that the provision set out above does not comply with the requirements of the Code. The Trust has told me that it will address this matter, which is welcomed.

65. I will not discuss this matter further, other than to make clear that the Code requires that the Arrangements be amended to address the point 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.”

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

Determination

67. 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 E-ACT for the Denham Green E-ACT Primary Academy for September 2027.

68. 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 way set out in this determination.

69. 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, the admission authority is to revise its admission arrangements by the end of September 2026. This is so parents can take into account the revision during the current admissions round.

Dated: 18 September 2026

Signed:

Schools Adjudicator: Dr Robert Cawley