



Office of  
the Schools  
Adjudicator

## Determination

**Case reference:** ADA4724

**Objector:** Parent / Representative of a School

**Admission Authority:** Pennine Alliance Learning Trust for The Calder Learning Trust

**Date of advice:** 28 October 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 Pennine Alliance Learning Trust for The Calder Learning Trust.

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 within two weeks of the date of this determination for the reasons I have set out.

## 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 who is also a representative of a school (the Objector), about the admission arrangements (the Arrangements) for September 2027 for The Calder Learning Trust (Calder High, the School). The School is an all-through academy converter for children aged 4 to 16, located in Hebden Bridge, West Yorkshire.
2. The Local Authority for the area in which the School is located is Calderdale Council (the Local Authority, the LA).

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

- Pennine Alliance Learning Trust (the Admission Authority, the Trust).
- The School.

4. The objection is to the School's oversubscription criteria for secondary admission (Year 7), specifically that the criteria place local children living within the School's designated priority catchment area lower in the priority order than children currently on roll at a Pennine Alliance Learning Trust primary school.

5. I would like to take the opportunity to give my thanks to all parties for the way in which they presented their views, responded respectfully to each other's submissions, and for their prompt and collaborative responses to my requests for further information / data.

## Jurisdiction

6. 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.

7. These Arrangements were determined by the Admission Authority for the School on 20 May 2026 (after the statutory deadline for doing so) under section 88C of the Act. In practice, the Admission Authority delegates responsibility for admissions matters to the Governing Board of the School.

8. The Objector submitted their objection to the determined arrangements on 13 May 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.

9. 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.

10. 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.

## 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 13 May 2026;
- a copy of the minutes of the meeting of the Governing Board of the Admission Authority at which the Arrangements were determined;
- the determined Arrangements for 2027 / 2028;
- responses from the LA and the Trust / School 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; and,
- information available on the websites of gov.uk (including 'Get Information About Schools' (GIAS)) the LA, the School and Ofsted.

13. I have been provided with a substantial amount of information / data by the parties. I have referred only to that which has a bearing on my determination.

## Background

14. According to GIAS, the School is a mixed all-through academy converter school for children aged 4 to 16.

15. The School has not yet been inspected by Ofsted as it converted to an Academy on 1 January 2025. The predecessor school of the same name was last inspected by Ofsted on 5 February 2022 and had an overall rating of "Good".

16. The published admission number (PAN) of the School for 2027 / 2028 is 15 for Reception and 247 for Year 7 (with the 15 places already allocated for Year 6 Calder Primary pupils to move directly to Year 7, this makes a total number of Year 7 pupils of 262). The School's capacity according to GIAS is 1265 pupils.

17. The Arrangements set out that children with education, health and care (EHC) plans will be admitted first. Then, in times when oversubscribed, children will be prioritised according to the oversubscription criteria. The full oversubscription criteria for 2027 / 2028 admission are as follows:

“1. After the admission of students with an [EHC] plan where The Calder Learning Trust is named on the plan, the criteria will be applied in the order in which they are set out below:

2. Children who are in public care - ‘Looked After’ (as defined by section 22 of the Children Act 1989) or children who were previously looked after but ceased to be so because they were adopted or became subject to a child arrangements or special guardianship order within the regulations set out by the Admissions Code September 2021.

3. Specifically for admission to the primary phase, children living within the Cragg Vale defined priority (catchment) area. (Note this criterion is not relevant for secondary admission.)

4. Children who are on roll at any of the Pennine Alliance Learning Trust Primary Schools.

5. Children living within the defined priority (catchment) area who have a brother or sister (including step/half brothers and sisters) permanently resident in the same household and currently attending the school (excluding pupils in their final year).

6. Children living within the defined priority (catchment) area.

7. Children who have a brother or sister (including step/half brothers and sisters) permanently resident in the same household and currently attending the school (excluding pupils in their final year).

8. Children of staff employed at The Calder Learning Trust. ‘Staff’ for this purpose are defined as anyone employed by the Trust who has held a contract with the Trust for two or more years at the time of the application or the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.

9. Other Children.”

18. Criterion 4 is a new criterion for 2027 / 2028 admission.

## Consideration of Case

### The Objection

19. The Objector expressed concerns about the following matters:

- **No justification has been provided for the change in policy and admissions arrangements:** namely that the criteria now place local children living within the School’s designated priority catchment area lower in the priority order for secondary

phase admission than children currently on roll at any Pennine Alliance Learning Trust primary school.

- **The Code does not permit a Trust to be named as a feeder school:** the objection states that it is difficult to understand why a school within the Trust, potentially with no geographical connection, would be prioritised for admission over children who live locally.
- **There are remote areas within the catchment where some children have no reasonable alternative secondary school:** the objection asserts that these children should not be disadvantaged by the proposed change.
- **The naming of feeder schools should not take precedence over the needs of local children.**
- **No response to the Trust's consultation on this issue.**
- **Lack of clarity as to when the new Arrangements were agreed:** the objection sets out that the revised admissions policy was not published until after 15 March 2026 (and as noted above, was not formally determined until 20 May 2026, after the date of the objection).

20. I have determined that the following paragraphs of the Code are relevant to this objection (textual emphasis in the original):

**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 (so far as is relevant):** 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 1.15:** selection of a feeder school / schools as an oversubscription criterion **must** be transparent and made on reasonable grounds.

21. I will now set out my consideration of the matters raised by the Objector. Each of the aspects of the objection detailed above are intrinsically linked and consequently 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 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.

22. The following principles will apply in my consideration of the objection.

**Disadvantage:**

- All admission arrangements 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, provides that all schools must have oversubscription criteria. The purpose of oversubscription criteria is to make clear how admission will be prioritised when the number of applications is greater than the number of places available in a relevant age group (the “relevant age group” is defined in the Code as “the age group to which pupils are normally admitted to the school”). In situations of oversubscription, there will be applicants who are not admitted.
- Considerable freedom is given to Admission Authorities to determine their own arrangements so long as they comply with the Code. 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.

**Reasonableness:**

- 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.
- Where the Code requires that a particular criterion be “reasonable”, that means that the Adjudicator must consider whether or not the criterion is reasonable. However, that does not mean that it must be a criterion that the Adjudicator would have chosen. There may be a range of reasonable criteria that could be selected, or reasonable grounds for adopting a particular criterion. It is only if the criterion selected (or grounds adopted) fall outside that range that the Adjudicator should conclude that the requirements of the Code are not met.

**Fairness:**

- 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 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.
- Relevant to this objection is the distinct category of “procedural fairness”. Procedural fairness relates to the process by which a decision has been or will be made, rather than with the question of whether the outcome is fair or not.

23. It is relevant to note here that the Trust Board wrote to the Adjudicator on 12 June 2026 as follows:

“The Trust Board has carefully reconsidered the admissions arrangements in light of the objection, the representations made during the consultation process and the information requested through your enquiries. The Board confirms that it will not seek to defend and accepts the objection in relation to the oversubscription criterion providing priority for pupils attending Trust primary schools.

Having reviewed the matter afresh, the Board has concluded that the educational rationale supporting this criterion is insufficiently distinct to justify differential treatment between pupils attending Trust schools and those attending other local primary schools serving the community. Accordingly, the Trust is content for this element of the arrangements to be removed in full, should that be your determination.

In reaching this conclusion, the Board has reflected on the role of the secondary school as a community school serving children from a range of primary settings. The Board's view is that strong transition arrangements, collaborative working, and shared educational improvement should be secured through effective partnerships between schools rather than through admissions preferences.

The Trust is committed to ensuring that admissions arrangements are fair, transparent, compliant with the School Admissions Code and capable of commanding confidence across the wider community. Should amendments be required following your determination, the Trust will implement those changes promptly and in accordance with statutory requirements.”

24. Amendments to admission arrangements after they have been determined are permitted only in line with paragraph 3.6 of the Code which states, so far as material, that:

“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.”

25. As there is no relevant mandatory requirement to pin the proposed change to, and similarly there is no major change in circumstances, I am required to consider the case in full and make a determination in this matter. I informed the parties of this in my Jurisdiction and Information Paper (JFIP) of 22 July 2026. The LA’s and Trust’s responses to the JFIP were received on 17 August and 17 September 2026 respectively. Those responses are reflected in this determination.

### **No justification for the change in policy and admissions arrangements**

26. A change in policy and consequently the determined Arrangements has resulted in the oversubscription criteria now placing local children living within the School’s designated priority catchment area lower in the priority order for secondary phase admission than children currently on roll at a Trust primary school. The objection states that no justification has been given by the Trust for this change. This change to Arrangements giving pupils on roll at a Trust primary school higher priority than local children living within the School’s designated priority catchment area is newly determined for admission year 2027/ 2028.

27. The rationale recorded in the Governing Board minutes for the introduction of new criterion 4 (namely, children who are on roll at any of the Pennine Alliance Learning Trust Primary Schools) was that pupils attending Trust primary schools should have a defined route of progression to Calder High and that sufficient places were available to accommodate this due to changing local demographics. The minutes record: "All PALT [Pennine Alliance Learning Trust] schools have access to entry to CLT [Calder Learning Trust]. We have places as the demographic is changing." The Governing Board also considered and approved associated changes to the sibling oversubscription criterion before unanimously adopting the Arrangements.

28. The Trust has told me that it has not been able to locate any further reports, impact assessments or decision papers that provide additional detail regarding the rationale for the introduction of criterion 4. The Trust’s response also acknowledges that the consultation process did identify some concerns from respondents to that consultation, namely that the proposal could disadvantage some children living within the priority catchment area. These concerns were available to the Governing Board before the Arrangements were determined. The Trust also made clear it had not been able to identify any documentary evidence confirming whether the Governing Board undertook a specific assessment of the impact on

children living within the catchment area, children with protected characteristics, children with special educational needs and disabilities, or any other particular groups prior to determining the Arrangements. Having reviewed the matter afresh, the Trust Board concluded that the educational rationale supporting criterion 4 was insufficiently distinct to justify differential treatment between pupils attending Trust schools and those attending other local primary schools serving the community.

29. The Local Authority did not object to the proposal to add criterion 4 and noted that, based on its review of the previous three years' allocation data, a high proportion of pupils attending Pennine Alliance Learning Trust primary schools had been allocated places at Calder High School. The LA similarly did not identify any significant implications for school place sufficiency or for neighbouring schools. Further, the LA have told me that Calder High School is forecast to have sufficient capacity to accommodate demand up to September 2033.

30. **Table 1** below sets out how many applications for a Year 7 place listed Calder High School as one of their preferences in the last three admission years, and how many chose the School as their first preference.

**Table 1: the number of applications listing Calder High School as one of their preferences and the number of first preferences**

| Year           | Total Number of Preferences | Number of First Preferences |
|----------------|-----------------------------|-----------------------------|
| September 2026 | 231                         | 203                         |
| September 2025 | 257                         | 222                         |
| September 2024 | 250                         | 213                         |

31. The School's PAN for Year 7 entry is 247. As the School is an all-through school, 15 pupils attending Calder Primary School transfer automatically into Year 7 at Calder High School, making a total of 262 in Year 7. If fewer children transfer from Calder Primary School, additional places will be available to external applicants up to a total for Year 7 of 262. All preferences for Calder High were met in the last three admission years. Crucially, the LA has told me that the forecasts for the forthcoming secondary school National Offer Day (1 March 2027) indicate that all preferences for Calder High School should be met regardless of where a child falls within the oversubscription criteria.

32. The LA has indicated that any impact of reverting to the previous admission arrangements is as suggested in the Trust's letter of 12 June 2026, namely that "the Local

Authority considers that reverting to the previous admission arrangements would be unlikely to have an impact on pupil allocations. Given the current forecasts it is anticipated that the majority of applicants would continue to be offered places regardless of whether the current or previous arrangements were in operation.” As described above, Calder High School is also forecast to have sufficient capacity to meet pupil demand up to 2033, therefore, the Local Authority consider the Arrangements will not affect the provision of school places across the local area.

33. Consequently, it would appear that the impact of the admission arrangements, whether the School reverts to the previous arrangements or whether they stay the same, is not material for 2027 / 2028. That is, the outcome does not appear unreasonable either way, based on the current available information.

34. However, I note that the Courts have increasingly recognised that the principle of reasonableness has both a “substantive dimension” (that is, the outcome is unreasonable) and a “process dimension” (that is, the process of reasoning that led to the outcome is deficient). In *R (Law Society v Lord Chancellor* [2018] EWHC 2094 (Admin), the Court described this second aspect of unreasonableness as being “*concerned with the process by which the decision was reached. A decision may be challenged on the basis that there is a demonstrable flaw in the reasoning which led to it – for example, that significant reliance was placed on an irrelevant consideration, or that there was no evidence to support an important step in the reasoning, or that the reasoning involved a serious logical or methodological error*”.

35. The Trust has not demonstrated any substantive evidence to support the decision it made to add criterion 4, nor has it been able to substantiate that the Governing Board considered the concerns and impacts raised in the consultation that introducing what is now criterion 4 could disadvantage some children in the priority catchment area. There is no evidence the Governing Board discussed potentially adverse impacts to some pupils before making its decision. Furthermore, although on current evidence the overall outcome would appear to be reasonable for now, the possibility that there could be other factors that might affect the position in future years was not discussed before making the decision. The Trust has since acknowledged that the rationale supporting criterion 4 is “insufficiently distinct to justify differential treatment between pupils attending Trust schools and those attending other local primary schools serving the community.”

36. I, therefore, find there was demonstrable flaw in the process and reasoning which led to the decision to include criterion 4, such that the process of reasoning that led to this outcome was deficient. In the circumstances I find that adding criterion 4 without evidence, or any consideration, of the impacts was outside of the range of reasonable decisions open to the Trust at the time of determining the Arrangements. The Trust Board, put simply, came to a conclusion that it could not properly reach on the (lack of) evidence of impact before it at the time of determining the Arrangements.

37. I further find that the decision to introduce criterion 4 was procedurally unfair for the same reason.

38. **I, therefore, uphold this part of the objection.** I commend the Trust for subsequently reviewing its policy and actively seeking to re-consider the potential impacts. It is of course open to the Trust to re-consult and retake the decision for a subsequent admission year. The Trust may wish to note the above factors should it choose to do so.

### **The Code does not permit a Trust to be named as a feeder school**

39. Paragraph 1.15 of the Code (emphasis in the original) requires that: “selection of a feeder school / schools as an oversubscription criterion **must** be transparent and made on reasonable grounds.” Although the Code doesn’t specifically preclude the collective naming of a Trust’s “primary schools” as a feeder school, it is quite clear that the intention of paragraph 1.15 is that it is an individual school or schools that should be named or selected. Not naming an individual school or schools also offends paragraph 14 of the Code which requires admission criteria to be “clear” enabling parents to “understand easily how places for that school will be allocated”, rather than requiring an additional layer of detective work by parents to ascertain which schools are captured in the Arrangements.

40. **I, therefore, uphold this part of the objection.**

### **There are remote areas within catchment where some children have no reasonable alternative secondary school**

41. The objection asserts that some children do not live within a reasonable distance of an alternative secondary school and these children should not be disadvantaged by the change to the Arrangements, namely the addition of criterion 4.

42. I asked the Local Authority for details (including their distances from Calder High) of any other suitable schools in the local area / planning area which are likely to have places available in September 2027 should parents / children falling within criteria 5 and 6 fail to secure a place at Calder High, including those more than three miles away. The LA told me that the only alternative school (within the same planning area) for such children is Todmorden High School, which is 5.544 miles from Calder High. This is clearly a significant distance to travel for those pupils who are local to Calder High but who do not receive a place at the School.

43. The Trust has told me that the impact on these children was not considered by the Governing Board in its deliberations before the Arrangements were determined. Evidence from the LA shows that children in the School’s priority catchment area are highly likely to get a place. However, there may still be children that will not get a place under the 2027 / 2028 Arrangements. The LA did not address this issue in its comments. In conclusion, there is

simply no evidence available to decisively determine this factor given the Trust has acknowledged it did not consider or obtain evidence of this issue. As there is simply no evidence available to decisively determine this factor given the Trust has acknowledged it did not consider or obtain evidence of this issue, **I am not able to reach a determination on this part of the objection.**

### **The naming of feeder schools should not take precedence over the needs of local children**

44. In principle, it makes logical sense for a Trust to want to prioritise schools within its Trust family, provided there is a local connection between the schools, and there are reasonable grounds and justification to do so.

45. The error the Trust made in this particular case was in the way it approached its decision making. Although the practical impact of the addition of criterion 4 to the Arrangements would appear to be minimal based on the data provided by the LA, the Governing Board did not properly consider or address the impact on children living locally to the School. For the reasons already given elsewhere in this determination, the Trust has not demonstrated any substantive evidence to support the decision it made and accordingly I have found its decision was demonstrably flawed.

46. **I uphold this part of the objection** on the facts in this particular case, noting that I am not doing so as a matter of general principle. The naming of feeder schools may be capable of taking precedence if there are reasonable grounds to do so and the balance of advantages and disadvantages is justified.

### **No response to the Trust's consultation on this issue**

47. In my JFIP I noted that: "When considering the matter raised by the Objector in respect of the consultation process, I have determined that I only have jurisdiction to consider whether the Admission Authority (on behalf of the School) followed the statutory process when making changes to its arrangements for 2027/ 2028. I do not have jurisdiction to consider whether the statutory process itself should or should not be different. I also record here that if I was to find that the consultation process did not follow the statutory process in any way, it would not automatically follow that the changes made would not be concordant with the Code. It is also not in the adjudicator's gift to direct an admission authority to run a consultation process again if it has been found that it did not conform to the Code."

48. The Trust ran its consultation prior to determining the Arrangements for the School between Friday 5 December 2025 and Friday 16 January 2026. This meets the requirements of paragraph 1.46 of the Code which requires that consultation must last for a minimum of six weeks and must take place between 1 October and 31 January in the determination year.

49. Three responses were received to the consultation. One respondent requested clarification regarding the rationale for the proposed change and did not object to the proposal. Two respondents objected to the proposal to prioritise children attending Pennine Alliance Learning Trust primary schools. Concerns raised included:

- the potential disadvantage to children living within the local catchment area and those attending existing feeder schools not within the Trust;
- increased complexity of local admission arrangements;
- the possibility of local children being displaced by applicants living further away;
- a perceived lack of sufficient justification within the consultation documentation;
- the view that the proposal was unnecessary and potentially designed to support Trust growth rather than meet the needs of the local community; and
- an inconsistency in the consultation documentation regarding the implementation date.

50. Together Learning Trust (another academy trust with schools in the local area) stated that it would not object in principle to Pennine Alliance Learning Trust schools being designated as feeder schools, provided this did not disadvantage children living within the defined catchment area. Whether it did or not disadvantage these children was not considered by the Trust's Governing Board.

51. These consultation responses were available to the Trust when determining the final admission arrangements. However, the Trust has not been able to confirm the conclusions it made in respect of the consultation responses, and whether a separate consultation response document was published and, if so, the date of publication. For that distinct reason alone, **I uphold this part of the objection.**

### **Lack of clarity as to when the new arrangements were agreed**

52. At the time when the objection was made (13 May 2026), the Arrangements had not been formally agreed or "determined". It became clear the Arrangements were subsequently determined on 20 May 2026.

53. Paragraph 1.49 of the Code requires that (emphasis in the original): "All admission authorities **must** determine their admission arrangements, including their PAN, every year, even if they have not changed from previous years and a consultation has not been required by **28 February** in the determination year." This was not done resulting in the lack of clarity highlighted by the objection.

54. Arrangements may be determined at any point in time to rectify such an omission and this is the case here. Nonetheless, there was a lack of clarity on this issue at the time the objection was made and, accordingly, **I uphold this part of the objection.**

## Other matters

55. 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 matters to the attention of the Admission Authority in my JFIP of 22 July 2026. These matters are as follows (paragraphs of the Code are indicated where relevant):

- **Paragraph 1, page 3 of the Arrangements (PAN):** the Arrangements should make clear that the intended number of admissions is the published admission number (PAN) of the School in accordance with paragraph 1.2 of the Code. That number should separately set out the number of external pupils and the number of Year 6 Calder Primary pupils to move directly to Year 7.

The Trust has accepted that the wording of the Arrangements could have been clearer in distinguishing between the overall PAN and the places available to external applicants. The School's Year 7 PAN is 247. As Calder High School is an all-through school, 15 pupils attending Calder Primary School transfer automatically into Year 7, with the number of places available to external applicants then varying according to the number of pupils transferring from Year 6. The Trust has accepted that this could have been more clearly expressed.

- **Paragraph 3, page 3 of the Arrangements (admission of children outside of their normal age group):** It would appear the arrangements do not or may not fully comply with the requirements of the Code relating to the admission of children outside of their normal age group (including, but not limited to, summer born children). This is the case for both the primary phase (Reception Year) of admission and the secondary transition / admission to Year 7. Paragraphs 2.18 to 2.20 (Admission of children outside their normal age group) of the Code state that:

“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.

Footnote 56: "Compulsory school age" is defined in Section 8 of the Education Act 1996 and the Education (Start of Compulsory School Age) Order 1998. A child reaches compulsory school age on the prescribed day following his or her fifth birthday (or on his or her fifth birthday if it falls on a prescribed day). The prescribed days are 31 December, 31 March, and 31 August.

Footnote 57: The term "summer born children" relates to all children born from 1 April to 31 August. These children reach compulsory school age on 31 August following their fifth birthday (or on their fifth birthday if it falls on 31 August). It is likely that most requests for 5 summer born children to be admitted out of their normal age group will come from parents of children born in the later summer months or those born prematurely."

The Trust has acknowledged that the Arrangements do not contain the level of detail required by paragraphs 2.18 to 2.20 of the Code in relation to requests for admission outside a child's normal age group, including requests relating to summer-born children. The Trust has accepted that this section would benefit from amendment to

ensure full compliance with the Code and will ensure this is revised for the 2028-2029 admission arrangements.

- **Paragraph 5, page 4 of the Arrangements (waiting list):** It should be clear that the waiting list is maintained until 31 December and that each added child will require the list to be ranked again in line with the published oversubscription criteria in accordance with paragraph 2.15 of the Code.

The Trust has accepted that the waiting list provisions could be clearer. The intention is that the waiting list should be maintained until 31 December and that positions on the waiting list should be determined solely in accordance with the published oversubscription criteria, with the list being re-ranked whenever a child is added.

- **Paragraph 7, page 5 of the Arrangements (in-year admissions):** it is acceptable to provide an email contact address to enable an interested party to request more information but the process for in-year admissions, described as “mid-year admissions” in the Arrangements (namely an application or the admission of a child to a relevant age group submitted on or after the first day of the first school term of the admission year, or for the admission of a child to an age group other than a relevant age group) should be set out in full in the Arrangements for clarity (paragraph 14 of the Code).

The Trust has accepted that the Arrangements do not set out the in-year admissions process in sufficient detail. The Arrangements currently provide a contact point but do not fully explain the application process. The Trust acknowledges that additional information should be included in future arrangements to ensure compliance with paragraph 14 of the Code and to provide greater clarity for parents.

56. The Admission Authority has told me that it will address these matters: “in light of the issues identified, the Trust is grateful for the Adjudicator’s observations and will ensure that any required amendments are reflected in future versions of the admission arrangements.” This is welcomed. As the Admission Authority / 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 above. Such amendments are permitted in line with paragraph 3.6 of the Code (as set out in paragraph 24 of this determination).

57. Although the statutory deadline to make an application for a place in the normal admissions round for September 2027 entry is 31 October 2026, it is clear from the evidence of the Local Authority that all preferences for the School will be met regardless of the criterion under which the application is made, meaning there is no prejudice to parents applying to the

School as part of the normal round under either the existing or the soon to be revised admission arrangements. Nevertheless, the Trust must make the required changes to the School's Arrangements within two weeks of the date of this determination so the Arrangements are clear for all late applications. The Trust has indicated its readiness to do so.

## **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 Pennine Alliance Learning Trust for The Calder Learning Trust.**

**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 within two weeks of the date of this determination for the reasons I have set out.**

**Dated: 28 October 2026**

**Signed:**

**Schools Adjudicator: Emma Harrison**