

## **DETERMINATION**

**Case reference:** VAR/000531

**Admission Authority:** The Governing Body of Impington Village College

**Date of Decision:** 26 August 2011

### **Determination**

**In accordance with section 88E of the School Standards and Framework Act 1998 I approve the variation to the admission arrangements of Impington Village College, a foundation secondary school, for 2012/13.**

### **The referral**

1. The Governing Body of Impington Village College (“the School”) has submitted a request for an in-year variation to its admission arrangements (“the arrangements”) for the school year 2012/13 to the Office of the Schools Adjudicator. The School seeks to amend its arrangements in order to provide greater clarity for parents in relation to the admission of siblings of students about to enter the sixth form.

### **Jurisdiction**

2. The referral was made to me in accordance with section 88E of the School Standards and Framework Act 1998 (“the Act”) which states that:  
  
“where an admission authority (a) have in accordance with section 88C determined the admission arrangements which are to apply for a particular school year, but (b) at any time before the end of that year consider that the arrangements should be varied in view of a major change in circumstances occurring since they were so determined, the authority must [except in a case where the authority’s proposed variations fall within any description of variations prescribed for the purposes of this section] (a) refer their proposed variations to the adjudicator, and (b) notify the appropriate bodies of the proposed variations”.
3. I am satisfied that the proposed variation is within my jurisdiction.

### **Procedure**

4. In considering this matter I have had regard to all relevant legislation, guidance and the School Admissions Code.

5. The documents I have considered in reaching my decision include:
- the referral dated 29 July and consultation documents from the governing body of the School
  - maps of primary schools within a 3 mile radius and of secondary schools within a five mile radius of the School
  - the net capacity assessments for the School dated January 2011
  - booklet 'Next Steps; Admission to Secondary Schools – a guide for parents
  - minutes of the governing body meeting on 19 July 2011
  - School website: Admissions to Year 12 Impington International Sixth Form

### **Background and Consideration of Factors**

6. Impington Village College is an 11-18 foundation school with language college status. It has a published admission number of 210 and at the time of this referral had 1116 pupils on roll plus an additional 261 students in the sixth form. Following the determination of arrangements for September 2012/13 on 15<sup>th</sup> April 2011, the governing body of the School is now seeking a variation to those arrangements.
7. The current arrangements for the School include a catchment area for the School that covers children living in the areas of Dry Drayton, Girton, Histon & Impington, Milton and Oakington. When the number of applications received exceeds the number of places available, places are allocated according to the following oversubscription criteria:
1. Looked After Children (LAC);
  2. Children who live in the catchment area, attending feeder primary schools, with a sibling attending the college at the time of admission;
  3. Children who live in the catchment area with a sibling at the college at the time of admission;
  4. Children who live in the catchment area attending a feeder primary school;
  5. Children who live in the catchment area;
  6. Children who live outside the catchment area, attending a feeder primary school, with a sibling at the college at the time of admission;
  7. Children who live outside the catchment area with a sibling at the college at the time of admission;
  8. Children who live outside the catchment area attending a feeder primary school;
  9. Children who live outside the catchment area, but nearest the college as measured by a straight line.

In cases of equal merit, priority is given to children living nearest the college according to the shortest straight line distance.

8. During the last admissions round for entry in September 2011 the Principal of the College became aware, through the appeals process that the current wording of the oversubscription criteria had inadvertently resulted in the refusal of places to siblings of students about to enter the sixth form. The present policy states that children living in or outside of the catchment area with a sibling attending the College **at the time of admission** are to be given preference over other children.
9. However, students in Year 11 who are due to attend the Sixth Form are excluded from this criterion as they are not notionally members of the Sixth Form until September when the intake is formalised. This clearly causes issues for siblings of Year 11 students' who are due to stay on to the Sixth Form, particularly those who reside outside the catchment area.
10. In the view of the governing body, which is the admissions authority for the School, this was completely unexpected and did not reflect the true nature of their intentions in relation to their admissions policy and oversubscription criteria. This unintended consequence of the wording of two criteria relating to siblings has caused uncertainty for families with youngsters applying for a place in the sixth form at the School. It has also resulted in admission appeals and is cited as the major change in circumstances which in the view of the governing body, necessitates urgent action and has led to this request for an in-year variation to the School's admission arrangements.
11. The governing body have therefore proposed an amendment to wording of oversubscription criteria 3 and 7 to read:
  3. Children living in the catchment area with a sibling attending the College **at the time of application**
  7. Children living outside the catchment area with a sibling attending the College **at the time of application**

Also, on page 4 of the admissions policy under the heading of 'Sibling' the last words "**intended admission**" to be replaced with the word "**application**".

12. Where an admission authority considers that the arrangements should be varied because of a major change in circumstances, that authority must refer the proposed variations to the adjudicator, notifying all the bodies which were or should have been consulted before the arrangements were determined. The School has consulted all local primary schools within a 3 mile radius and all secondary schools within a five mile radius as well as the Local Authority as required and has received no objections to the proposal to amend the wording of the oversubscription criteria.

13. The governing body is of the view that making these alterations to the admissions policy will ensure that the oversubscription criteria reflect the true nature of what was always intended but which has only recently come to light recently during the appeals stage of the current round of admissions.
14. The Local Authority has no objection to the variation being requested and states that the changes suggested will ensure that there is no ambiguity between the published over-subscription criteria and the definition of sibling used by the school in their policy. This will result in the published admission arrangements for the school being clearer and easier to understand for parents when applying for a place.

### **Conclusion**

15. Consultations have been undertaken and I note that no responses from the relevant bodies have been received to the proposal.
16. The effect of these changes will be to clarify arrangements for the admission of siblings and thus increase the likelihood that children will be offered places in schools of their parents' choice without having to appeal.
17. I am persuaded therefore that the proposed variations represent the most appropriate response and I therefore uphold the variation.

### **Determination**

18. In accordance with section 88E of the School Standards and Framework Act 1998 I approve the variation to the admission arrangements of Impington Village College, a foundation secondary school, for 2012/13.

Dated: 26 August 2011

Signed:

Schools Adjudicator: Carol Parsons