



## DETERMINATION

**Case references:** VAR 645,646,647 and 648

**Admission Authority:** Dorset County Council

**Date of decision:** 30 September 2014

### Determination

**In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements for September 2015, determined by Dorset County Council, the admissions authority for Christchurch Junior School, Mundeford Junior School, Upton Junior School and Wyke Regis Junior School; to include an oversubscription criterion to give priority to children living within each school's catchment area who attend the recognised feeder infant school during the year preceding transfer to the receiver junior school.**

### The referral

1. Dorset County Council, the local authority (the LA) requested on 18 August 2014 a variation to the admission arrangements (the arrangements) of four community junior schools, Christchurch Junior School, Mundeford Junior School, Upton Junior School and Wyke Regis Junior School, to introduce a new oversubscription criterion to the determined arrangements for September 2015 which would give priority to pupils who live in the catchment area of receiver junior schools and who attend the relevant feeder infant school.

### Jurisdiction

2. The referral was made to me in accordance with section 88E of the School Standards and Framework Act 1998 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 (the Code).
5. The documents I have considered in reaching my decision include:
  - the form requesting the variation from the LA, with supporting papers;
  - a copy of the minutes of a meeting of Dorset Admission Forum held on 29 September 2009 at which the issue of including feeder schools in the oversubscription criteria was discussed;
  - minutes of the Children's Services Overview Committee held on 18 March 2014 which recommended the adoption of the changes to the arrangements for 2015;
  - minutes of a meeting of the Cabinet Committee held on 9 April 2014 at which the arrangements for 2015 were determined;
  - the determined arrangements of the LA for the schools for 2015 and the proposed variation to those arrangements dated 18 August 2014;
  - the LA's composite prospectuses for 2014 and 2015; and
  - a copy of the consultation on the proposal dated 2 May 2014 and of the responses received.

## Background

6. The four junior schools that would be affected by the variation are community schools and therefore the admission authority in each case is the LA. The composite prospectus published by the LA explains to parents the relationship between certain schools and the terminology that is used to describe each school. It says, "*Some junior, middle, secondary and upper schools offer higher priority in their admission policy to children who have attended a particular first, infant, primary or middle school. The lower age range school is called a feeder school and the higher age range school is a receiver school.*"

7. Prior to the arrangements for admission in September 2010, the LA had the following oversubscription criteria for community and voluntary controlled infant, junior and primary schools:

- "children who live in the care of a local authority
- *children living within the school's catchment area and who will have a sibling(s) attending the school at the time of admission*
- *children living within the school's catchment area*
- *children living outside the school's catchment area who have sibling(s) attending the school at the time of admission*
- *children living outside the school's catchment area.*

*Where there are too few places available to satisfy all preferences in any of the above criteria, the following priority order will apply:-*

- *children who are attending one of the preferred school's recognised maintained feeder schools during the previous year*
- *children whose parents wish them to attend a CE Voluntary Controlled school on denominational grounds*
- *all other children*"

8. As part of a consultation process for the LA's arrangements for September 2011, Dorset Local Admissions Forum met on 29 September 2009 to consider the issue of using feeder school as a tie-breaker and after the consultation on arrangements that followed, a Cabinet meeting on 7 April 2010 recommended the following oversubscription criteria.

- *"children who are in the care of a local authority*
- *children living within the school's catchment area and who will have a sibling(s) attending the school at the time of admission*
- *children living within the school's catchment area*
- *children living outside the school's catchment area who have a sibling(s) attending the school at the time of admission*
- *children living outside the school's catchment area and who are attending one of the preferred school's recognised maintained feeder schools during the previous year*
- *children living outside the school's catchment area and whose parents wish to attend a CE Voluntary Controlled school on denominational grounds*
- *all other children living outside the schools catchment*

*If too few places are available to satisfy preferences expressed within any of the priority order categories above, places will be allocated on the basis of the child's closeness to the preferred school (defined by straight line measurement using Geographical Information based system which identifies an Easting and Northing for the home address and the school building and calculates the distance between the two locations)"*

9. Since that time there have been some minor changes to take account of guidance that has been issued but on the whole these oversubscription criteria have remained in place each year following the annual consultations and were used to determine the allocation of places for September 2014. After the annual consultation, the admission arrangements for September 2015 were presented at Children Services Overview Committee on the 18 March 2014 and agreed at the Cabinet meeting held on the 9 April 2014.

10. An analysis of each year's admissions round has indicated that in some areas, such as Christchurch where both infant and junior schools are oversubscribed, a pattern is developing in which children who attend the feeder infant school and live in the catchment area of the junior school are not

all managing to gain admission to the receiver junior school. During the academic year that has followed each admission round in the period from 2011 to 2014, some pupils who had moved into the catchment area found that their local school was already full and they were offered places at other primary schools. The majority of these families kept their children on roll at the school they were admitted to until the end of the infant phase; and then as part of the normal admissions round for entry into Year 3 at the junior schools, parents applied for places, with the intention of moving their children into their local catchment junior school. The LA says that over the past three years a significant number of these children happened to live close to the junior school. As a result some children in the infant school who also live in its catchment area and had expected to be admitted to the receiver junior school were not offered a place. This has caused considerable concern for schools and for parents in the affected areas.

11. The LA believes that in the light of the projections of pupil numbers this pressure on places is likely to continue in the coming years. Responding to increasing parental concerns it has requested a variation to its arrangements, in order to afford a higher priority within the oversubscription criteria to pupils who live in the catchment for a junior school and attend the feeder infant school. This would ensure that children who are settled in their peer group and who have been on roll at the feeder infant school for at least a full year before transfer to the receiver junior school, receive a higher priority than children who attend other primary schools but who seek to transfer to the junior school at the end of the infant phase.

12. The proposed criterion states, "*Children living within the school's catchment area who are attending the preferred school's recognised maintained feeder school during the previous year at the time of application. (Applicable to Infant to Junior transfer only).*" The LA wishes to introduce the change to its determined arrangements for 2015 and in the years ahead from 2016 onwards. However, I am only able to consider a variation to the arrangements that have been determined for 2015. It will be for the LA to consider its arrangements and to determine appropriate arrangements for 2016 and for each subsequent year.

13. For a variation the admission authority has to notify the relevant parties but in this case the LA consulted head teachers in the areas that would be affected and exceeded the requirement to notify the relevant parties before seeking a variation.

### **Consideration of Factors**

14. The LA has provided data on the pattern of parental preferences, the outcome of the 2014 admission round and projections of pupil numbers for the next few years. Analysis indicates that three of the four junior schools are oversubscribed from families living within the relevant catchment area who have expressed a first preference for the schools. Christchurch Infant School which has a published admission number of 120 and in the last admissions round for 2014 there were 247 applications of which 161 were first

preferences. It is the feeder school for Christchurch Junior which has a PAN of 124 and was also oversubscribed with 161 preferences of which 139 were first preferences. Mundeford Infant and Junior Schools, also located in Christchurch, are experiencing slightly lower levels of oversubscription. At the infant school which has a PAN of 60 there were 228 applications, of which 78 were first preferences. Children generally transfer to the receiver school, Mundeford Junior School which had 109 applications, 78 of which were first preferences, for 60 places. Projections of pupil numbers for the Christchurch area indicate that the current pressure on places will continue for the next few years.

15. Upton Infant School and Junior School are located in Poole. The infant school has a PAN of 90 and received 156 applications for the 90 available places, 106 of which were first preferences. The receiver school, Upton Junior School has a PAN of 96 and received 125 applications, 108 of which were first preferences. Future projections indicate a consistent pressure on places around the current level.

16. Wyke Regis Infant, with a PAN of 90 and Wyke Regis Junior School with a PAN of 96 form the Wyke Regis Primary Federation in Weymouth. The federation operates with a single head teacher and governing body. The infant school admitted received 167 applications, of which 82 were first preferences and 88 of the 90 places were offered. At the junior school 89 of the 90 places were offered. The LA's data indicate that pupil numbers will remain around this level for the next few years.

17. In the light of its own analysis of admissions over the past three years the LA anticipates positive outcomes for pupils and schools in these areas. It is more likely that children living in the catchment area of the schools and attending the infant school will transfer smoothly to the receiver junior school that is situated in the same catchment area. Pupils will benefit from the co-operative work between each pair of infant and junior schools and will have a similar level of continuity of educational provision to that enjoyed by pupils in primary schools.

18. A further benefit will be a reduction in overall pupil mobility in the area. The proposed oversubscription criterion is also expected to have a positive impact on those primary schools which have been affected by an outflow of pupils at the end of year 2 and an influx of new pupils into year 3, who had been displaced from their catchment area junior school. This 'exchange' of pupils has affected several primary schools for admissions in 2014 and the LA anticipates that with the increasing inward migration of families into the LA area, the disruptive pattern of transfers will continue unless a variation is made to the determined arrangements.

19. The final stage of the LA's analysis was only completed after allocations were made for admissions to primary schools in September 2014 and full information was therefore not available when the LA consulted on its arrangements for 2015. The variation is required to deal with the changing

pattern of applications and the effect of this on the provision of places in the four junior schools.

### **Conclusion**

20. The LA has consulted head teachers in the areas concerned and has received a positive response overall. The proposed variation would bring benefits not only to the pupils in the infant and junior schools that will be most directly affected by the change, but also to a number of other local primary schools where pupils will benefit from a more stable period of primary provision.

21. In my view the proposed variation it is a pragmatic and reasonable solution and one that will respond to the changing circumstances and to growing concern expressed by parents and for this reasons I approve the variation.

### **Determination**

22. In accordance with section 88E of the School Standards and Framework Act 1998 I approve the proposed variation to the admission arrangements for September 2015, determined by Dorset County Council, the admissions authority for Christchurch Junior School, Mundeford Junior School, Upton Junior School and Wyke Regis Junior School; to include an oversubscription criterion to give priority to children living within each school's catchment area who attend the recognised feeder infant school during the year preceding transfer to the receiver junior school.

Date: 30 September 2014

Signed:

Adjudicator: Mrs Carol Parsons