

DETERMINATION

Case reference: ADA/001631

Objector: Slough Admission Forum

Admission Authority: The Governing Body of Slough Grammar School

Date of decision: 19 August 2009

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection by Slough Admission Forum to the admission arrangements determined by the governing body of Slough Grammar School.

In addition to considering the objection, I have also considered the admission arrangements as a whole in accordance with section 88J of the School Standards and Framework Act 1998. I accept the changes made by the governors in accordance with the School Admissions Code and am not making any further changes under this section of the Act.

I determine that for September 2010, September 2011 and September 2012 admissions, the arrangements for Slough Grammar School shall be as set out in the annex to this determination.

The referral

1. Slough Admission Forum (the forum) has referred an objection to the Office of the Schools Adjudicator (OSA) about the admission arrangements (the arrangements) for Slough Grammar School (the school), a foundation, secondary, selective school, for September 2010. The objection is to the lack of clarity over the minimum score that applicants must achieve to be eligible for consideration for a place at the school.

Jurisdiction

2. These arrangements were determined under section 88C of the School Standards and Framework Act 1998 (the Act) by the governing body which is the admission authority for the school. The forum's objection to these determined arrangements was received on 22 June 2009. I am satisfied that this objection has been properly referred to me in accordance with section 88H(2) of the Act, and that it falls within my jurisdiction.

Procedure

3. In coming to my conclusions, I have had full regard to the Act, the School Admissions (Admission Arrangements) (England) Regulations 2008 (the Regulations), the School Admissions Code (the Code) and all the evidence presented so far as it is relevant to the objection. I have also had regard to the relevant provisions of the Sex Discrimination Act 1975; the Race Relations Act 1976; the Disability Discrimination Act 1995; and to the Human Rights Act 1998.
4. The documents I have considered in reaching my decision include:
 - a. the forum's form of objection received on 22 June 2009, supporting documents and subsequent correspondence;
 - b. the school's response to the objection, supporting documentation and subsequent correspondence; and
 - c. Slough Borough Council's, (the local authority [LA]) booklet for parents seeking admission to the schools in the area in September 2009 and correspondence from the LA.
5. I have also taken account of information received during a meeting I convened on Friday 17 July 2009 at the school. The forum and LA were invited to attend, but were unable to be represented at the meeting
6. In addition to investigating the matters raised by the objector I have also reviewed the admissions arrangements as a whole and considered whether I should use my power under section 88J(2)(b) of the Act. I am not using my powers under the Act to make further changes to the arrangements.

The Objection

7. The objection is to the lack of clarity over the minimum score that an applicant must achieve to be eligible for consideration for a place at the school. The arrangements say in paragraph 5 that a child must obtain a minimum score of 111 in the tests administered by the school to be eligible for a place, but later in the arrangements paragraph 8 implies that in the event of the school being undersubscribed it may admit pupils in rank order in the test. The objector says that the wording is not clear whether the school requires applicants to meet a minimum standard to qualify for a place in the event of the school being undersubscribed.

Other Matters

8. There are other matters that in my opinion mean the arrangements are not as clear as they should be, namely: the order in which information is given in the arrangements; how eligible looked after children will be of the allocated a place; how distance from home to school would be measured.

9. The school accepted the need for greater clarity and offered alternative wording to improve their arrangements. I am therefore not using my powers to make further changes.

Consideration of Factors

10. In advance of the meeting the school agreed that it would amend its arrangements by deleting paragraph 8 which gave rise to uncertainty over the score needed to be eligible for a place at the school. As an objection had been lodged I also looked at the arrangements as a whole and there were other areas that needed to be changed to comply fully with the law and the Code. This determination gives effect to the change agreed by the school in response to the objection and the other changes I raised with the school.
11. The LA had raised its concerns about the school's arrangements in a letter to the school dated 27 February 2009. The school was asked to amend its arrangements accordingly. The forum considered the arrangements at its meeting on 23 March 2009. The LA informed the forum it had given the school until 15 April 2009 to change its arrangements. The forum decided that if no response had been received by the LA by 20 April 2009 the matter should be referred to the adjudicator. The arrangements were duly referred to the OSA.
12. The school responded to the objection by saying it would make the change needed to meet the objector's concerns. The letter also referred to a previous determination and the school's view that the determined arrangements would stand for four years. Taking together the additional matters that I considered needed to be amended and the misunderstanding about the extent to which the previous arrangements were protected, I convened a meeting at the school.
13. We discussed the arrangements in their entirety and the school subsequently provided a revised version reflecting that discussion. I agree the paragraph that led to the objection was confusing. I am of the view that it lacked clarity. It could be read as implying the school might have so many places available candidates scoring less than 111 might gain a place. In reality the school is heavily oversubscribed and the mark of 111 is the mark to be eligible for a place, but there is no guarantee that reaching that score will result in an offer of a place. As places are offered in rank order, it is likely that a score higher than 111 would be necessary to gain a place.
14. The arrangements also needed to be re-ordered to give proper reference as the first oversubscription criterion to the admission of looked after children who are eligible for a place. Also the way the school allocates places in the event of a tie for the final place needed to be described more clearly.
15. I have also considered the supplementary information form for the school which is its registration form to sit the 11+ examination for entry to the school. The closing date for registration for taking the tests in

2010 was 26 June 2009. Therefore it is not possible to make any changes to that form. For future years the school should look carefully at the information it requests, for example why it asks for three telephone numbers, and check that it is essential for the purpose for which the form is required and that there is no information sought that breaches the Code.

Protection of Arrangements

16. I have decided to protect the changes to the arrangements for admission in September 2010 as provided for by the Act and regulations for admissions in September 2011 and September 2012. The reordered and revised paragraphs will be as shown in the annex to this determination. I am protecting the arrangements to secure stability for the next three years.

Conclusion

17. I have concluded for the reasons given above the arrangements lack clarity. One consequence of the lack of clarity may be that applicants would be unable to make a realistic assessment of their child's likelihood of being eligible for a place at the school.

Determination

18. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I uphold the objection lodged by Slough Admission Forum to the admission arrangements determined the governing body of Slough Grammar School.
19. In addition to considering the objection, I have also considered the admission arrangements as a whole in accordance with section 88J of the School Standards and Framework Act 1998. I accept the changes made by the governors in accordance with the School Admissions Code and am not making any further changes under the Act.
20. I determine that for September 2010, September 2011 and September 2012 admissions, the arrangements for shall be as set out in the annex to this determination.

Dated: 19 August 2009

Signed:

Schools Adjudicator:

Slough Grammar School Admissions Policy 2010-2011

1. The school's planned admission number for September 2010 is 145.
2. As a Grammar School, the school is not required to fill all the places if pupils do not meet the admissions criteria. Pupils will be admitted to the school at the age of 11 by reference to their ability and aptitude, which will be determined by their performance in entrance examinations consisting of Verbal Reasoning, Non Verbal Reasoning and Mathematics tests set by the National Foundation for Educational Research.
3. The Governors will buy, supply and run a corresponding test to that run by the three consortium Grammar Schools, having regard to the statuses of Slough Grammar School, i.e. Language College and Science College. The test will be run on an appropriate Saturday (or Saturdays) in September 2009. Candidates can expect to receive notification of their eligibility within 2 weeks of the last test date.
4. The required minimum score in the tests to be eligible for a place is 111.
5. Section 324 of the Education Act 1996 requires the school to admit a child with a Statement of Special Education Needs which names the school. In cases where pupils have written evidence of special educational needs (from a recognised professional in an appropriate discipline) the governors may take account of the pupil's circumstances in deciding; (i) the appropriate arrangements to be made to enable such pupils to take the test and; (ii) whether to offer the pupil a place should they have failed to reach 111 on the entrance examination. In all such cases, the school will seek to make arrangements in conjunction with the Local Authority.
6. Where the number of pupils gaining 111 or more in the tests exceeds the number of places available, places will be allocated according to the following oversubscription criteria:
 - (i) children in public care who have scored 111 or more in the tests. These children will be allocated places in accordance with the school's mandatory duty under paragraph 2.9 of the School Admissions Code;
 - (ii) children who scored 111 or higher in descending rank order of performance in the admission tests.

In the event of one or more eligible pupils being tied for the final place or places at the school, priority will be decided by proximity to the

school, nearest first, measured 'as the crow flies' from the main entrance of the school to the front door of the child's home address (house or flat). The 'home address' is defined as the address where the child is normally resident. Where there is shared custody of the child or the child lives at more than one address in any given week, it is the address of the parent or carer who receives child benefit for that child.

In the event of a tie between two or more children with equal proximity to the school, lots will be drawn.

7. Admissions after the initial year of entry will depend upon the availability of a place and suitability of the pupil for a grammar school education as determined by admission tests. This includes admission to the Sixth Form where the relevant admission test will be performance in GCSE examination or NARIC verified equivalent. Applications must be made through the Local Authority.
8. In relation to the Sixth Form, the school gives priority to pupils who are already pupils at the school. As with all applicants, they must meet the entry requirements specified by the school for their preferred courses. The planned admission number for Year 12 for applicants who are not existing pupils is 150. There are a variety of Sixth Form courses on offer, each with different entry requirements. Full details of these are published annually in the Sixth Form Prospectus and the school website. Applicants should contact the school for further information. Academic references will be taken up from the current school.
9. The school will establish arrangements for appeals against non-admission, which will be independent of the School and will follow local Admissions Forum guidance and the School Admission Appeals Code 2009.
10. Details of admissions and appeals arrangements will be published by the school every year by 15th April.
11. The Admissions Committee for the Governing Body will publish decisions about admissions and non-admissions to Slough Grammar School annually.