



Office of  
the Schools  
Adjudicator

## Determination

### Case references:

**VAR1480: Abbotts Ann Church of England Primary School**

**VAR1485: Bramley Church of England Primary School**

**VAR1486: Breamore Church of England Primary School**

**VAR1488: Chawton Church of England Primary School**

**VAR1492: Ecchinswell and Sydmonton Church of England Primary School**

**VAR1493: Four Marks Church of England Primary School**

**VAR1494: Froxfield Church of England Primary and Pre-School**

**VAR1496: Hyde Church of England Primary School**

**VAR1498: King's Somborne Church of England Primary School**

**VAR1499: Leesland Church of England Controlled Infant School**

**VAR1500: Leesland Church of England Controlled Junior School**

**VAR1502: Long Sutton Church of England Primary School**

**VAR1503: Manor Church of England Infant School**

**VAR1504: Nursling Church of England Primary School**

**VAR1505: Overton Church of England Primary School**

**VAR1506: Pennington Church of England Junior School**

**VAR1507: Rowlands Castle St John's Church of England Controlled Primary School**

**VAR1508: Rownhams St John's Church of England Primary School**

**VAR1509: Sarisbury Church of England Junior School**

**VAR1511: Sparsholt Church of England Primary School**

**VAR1513: St John the Baptist Church of England Primary School, Waltham Chase**

**VAR1521: Vernham Dean Gilham's Church of England Primary School**

**VAR1523: West Meon Church of England Voluntary Controlled Primary School**

**VAR1524: Whitewater Church of England Primary School**

**VAR1750: Andover Church of England Primary School**

**VAR1752: Binstead Church of England Primary School**

**VAR1753: Botley Church of England Controlled Primary School**

**VAR1757: Catherington Church of England Infant School**

**VAR1758: Cranford Park Primary School**

**VAR1761: Newton Church of England Voluntary Controlled Primary School**

**VAR1762: Ringwood Church of England Infant School**

**VAR1766: St Thomas' Church of England Infant School**

**VAR1767: Steep Church of England Voluntary Controlled Primary School**

**VAR1768: West Tytherley Church of England Primary School**

**Admission authority: Hampshire County Council for the 34 primary schools named above**

**Date of decision: 3 September 2020**

## **Determination**

**In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Hampshire County Council for the 34 primary schools named above for September 2021.**

**I determine that for admission in September 2021 the faith-based oversubscription criteria will be as described in this determination.**

## **The referral**

1. Hampshire County Council (the Council) is the admission authority for the 34 voluntary controlled schools named above. The Council has referred, via the Dioceses of Winchester and Portsmouth, a proposal for a variation to the admission arrangements for September 2021 for the schools, to the Office of the Schools Adjudicator. Each of the schools has a Church of England religious character. The elements of the oversubscription criteria which give priority on the basis of faith are common to all of the schools.

2. The proposed variation makes changes to the faith-based oversubscription criteria and is made in the light of the Covid-19 pandemic. In the interests of dealing speedily with this and the many other requests for variations along the same or similar lines as a result of Covid-19 I have not considered other aspects of the admission arrangements. Therefore, nothing in this determination should be taken as indicating that other aspects of the arrangements do or do not conform with the requirements relating to admissions.

## **Jurisdiction**

3. 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”*.

4. I have been informed that the required notification has taken place and I am satisfied that the proposed variation is within my jurisdiction.

## **The proposed variation and consideration of the proposed variation**

5. Where the schools are oversubscribed priority may be given on the basis of faith. The schools’ arrangements take account of attendance at places of worship. During the Covid-19 pandemic places of public worship have at some times been closed altogether and at other times not available for public worship or access to such worship has been restricted in the interests of public health. It is against that background that the request for a variation is made. The schools’ faith-based oversubscription criteria require attendance at worship at a Church of England church at least twice a month for the previous two years

before the date of application. Because of church closures, parents and their children are unable to meet this requirement. The proposed variation provides that attendance will only have been required at times when places of public worship are open for such public worship.

6. It is beyond question that the Covid-19 pandemic represents a major change of circumstances. I am satisfied that the proposed variation is a pragmatic and appropriate response. I approve the variation.

Dated: 3 September 2020

Signed:

A handwritten signature in blue ink, appearing to read 'P. Whiffing', is centered below the 'Signed:' text. The signature is written in a cursive style with a horizontal line underneath.

Schools Adjudicator: Phil Whiffing