Determination

Case reference: VAR1600

Admission authority: The governing board for Holy Trinity Church of England Primary School, Wimbledon, Merton.

Date of decision: 23 December 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 the governing board for Holy Trinity Church of England Primary School, 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.   The Diocese of Southwark on behalf of Holy Trinity C of E Primary School has referred a proposal for a variation to the admission arrangements for September 2021 to the Office of the Schools Adjudicator. The school is a voluntary aided school for children aged 3 to 11 in Wimbledon, Merton with a Church of England religious character.

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 school is oversubscribed priority may be given on the basis of faith. The school's 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. Since the school's oversubscription criteria include attendance at public worship at least twice a month for at least two years prior to application, parents and their children are unable to meet this criterion under the terms of the school's current admissions arrangements. In consequence 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.   The admission arrangements will be varied to contain the following note; "In the event that during the period specified for attendance at worship the churches have been closed for public worship and have not provided alternative premises for that worship, the requirements of these admissions arrangements in relation to attendance will only apply to the period when the churches have been available for public worship."

7.   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: 23 December 2020

Signed:

Schools Adjudicator: Ann Talboys