

## The Brian Clarke CE Academy: The Cranmer Education Trust Formal Response to the Admissions Consultation for Entry 2026 into Year 7

### 1. Context

The subject of the consultation was the proposed removal to the oversubscription criteria of the sibling preference for the geographical zone places because it is becoming unworkable; there are not enough places for the number of siblings coming through. It is also unfair and inequitable and distorts the distribution of places across the geographical zones. The vision of the school as a school of the borough, which is a microcosm of the borough's rich diversity becomes potentially unachievable, because it is subject to chance and unpredictable variations of sibling numbers each year.

### 2. Summary of Outcome

The consultation to remove sibling priority from the Admissions Policy for entry September 2026 onwards ran from 7<sup>th</sup> November to 19<sup>th</sup> December 2024. Statutory guidance was followed and there were 29 responses.

Consultation responses varied between those who supported the proposal and understood the aim of seeking to level the admission arrangements and import fairness into the oversubscription criteria, and objections which primarily focussed on logistical complications, disruption to family routine, seeking continuity, parental preference and the additional cost of children living in the same household attending more than one school.

All objections raised were carefully considered and the interests of those wanting to retain a preference for an application with a sibling were balanced against the interests of the wider community and importing fairness to ensure equality of opportunity.

In addition, the committee had regard to the vision and values on which the school was founded, i.e. to be a multi-faith and multi-cultural school which is a microcosm of the rich diversity of the borough, which brings together children from different faiths and none, and children from the different communities in the borough, to create a school that is fully inclusive and which builds community cohesion through educational ambition, excellence and community.

The trust reflected on its reason for the consultation. At a practical level, the school is at serious risk of being unable to fulfil its own admissions policy due to an unpredictably high number of siblings, who are allocated preference places in the non-faith geographical categories after Children Looked After (CLA), previously looked after children and international applicants who appear to have been previously looked after by the state. In addition, the school must accommodate EHCP placements and fair access panel places. Additionally, the trust reflected that if the geographical zones policy was made unworkable by the unpredictably high number and unpredictable distribution of siblings, the school would not be able to offer residents across Oldham access to a place. In this way, the vision and values on which the school was founded would not be upheld.

The Admissions Committee, which is a trust committee made up of trustees, met to review consultation outcomes on 13<sup>th</sup> January 2025. Whilst respectfully noting the concerns raised and having taken legal advice to ensure compliance with the law including the Admissions Code 2021, trustees approved the proposed change to remove sibling priority as part of the oversubscription criteria for the Brian Clarke CE Academy. The trustees acknowledged the comfort that the sibling preference can bring, but the impact it was having was disproportionate in excluding applicants outside of this preference; and because it cannot be predicted which zone siblings will come from, the geographical zone criteria would become unworkable, meaning that the school could not realise its vision of being a school for the borough and a microcosm of its diversity.

The trustees identified that some responses appeared to suggest that the removal of the sibling preference would, in all cases, prevent siblings joining the school. That would not be the case, as all siblings would be entitled to make their applications and be subject, alongside others, to the remaining oversubscription criteria and be ranked accordingly. This would achieve the trustees' desire of levelling the playing field, and

preventing the disproportionate impact the sibling criteria was proving within the data in excluding a significant number of applicants because they could never make the preference.

The School Admissions Code 2021 places an obligation on admissions authorities, in this case the trust, to have an oversubscription criterion which is reasonable, clear, objective, procedurally fair and to comply with applicable legislation. The trustees remain concerned that inaction to address the current impact of the sibling preference would result in:

1. Breach of the trust's obligations under the Equality Act 2010: on the current trajectory the number of applications achieving sibling preference will increase, limiting the pool of diverse applications and presenting a real risk of indirectly excluding different sexes, races and religions for the 50% non-faith designated places.
2. Public Sector Equality Duty: the admissions authority has a statutory duty to exercise its functions, including the determination of admission arrangements, with due regard to the need to eliminate unlawful discrimination, along with advancing equality of opportunity between those who share and those who do not share a protected characteristic. The trustees believe, on balance, the removal of the sibling preference furthers the admissions authority's public sector equality duty. Having completed as part of its consideration of the consultation responses an equality impact assessment, it is agreed that the advancement of equality between those with a protected characteristic and those without can be best served with this change. There is no exclusion of sibling applications, merely a levelling of treatment with others.
3. Unreasonable arrangements: the impact of continued use of the preference will result in an unreasonable position for those who do not have a sibling at the school, which creates an inherently unfair position and non-compliant admission arrangements which indirectly excludes sections of the community from having a fair opportunity to seek a place at the school.
4. The inability of the school to faithfully achieve its vision and values as a school which is a microcosm of the diversity of the borough, bringing together children of all faiths and no faith from across a 3-mile radius of the school, weighted (80% in the allocated geographical places to those children living within a 2 mile radius) to build community cohesion through education.

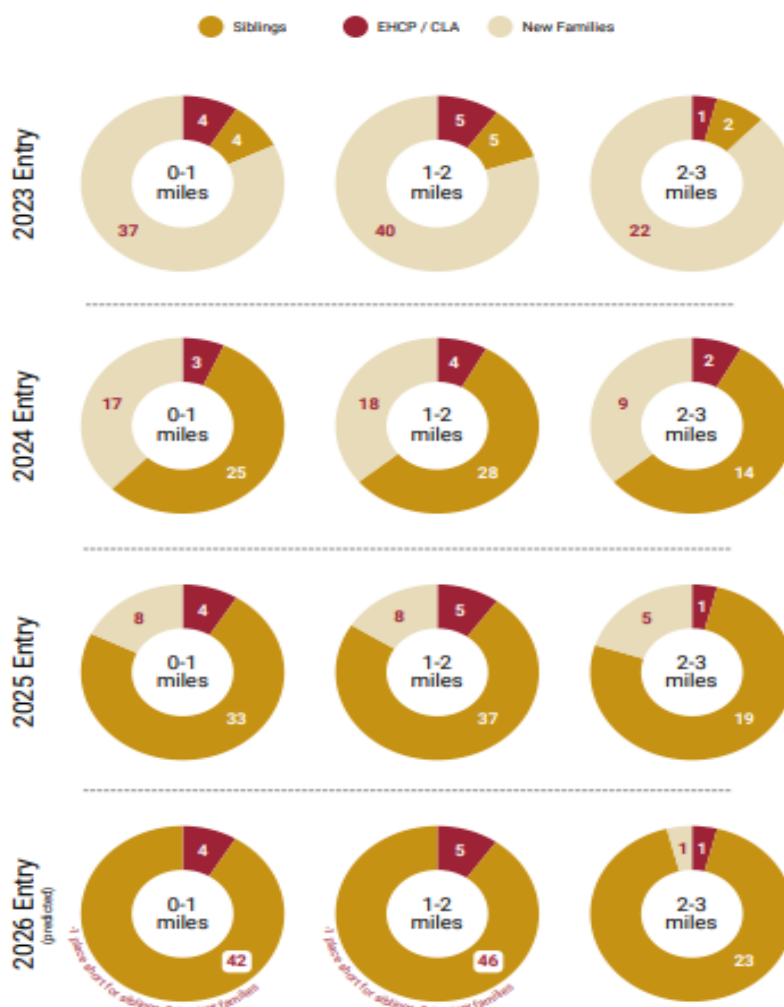
This means that in the event of oversubscription, for families applying for a place at the school from September 2026, with the exception of those with an EHCP or who are CLA, all children, both sibling and non-sibling, will receive a fair chance of being allocated a place under the policy's random allocation.

The responsibility to review the school's Admissions Policy is an important duty which trustees have undertaken with great care and diligence, requiring a committee to launch the consultation, taking legal advice, discussing the matter collectively, balancing the possible ways forward and reflecting deeply on the representations made. They have agreed that the decision to change the policy to remove the sibling preference is the right decision for the school and for the community and will preserve the vision and values of the school for generations to come. Trustees have now proceeded to determine the admission arrangements.

The policy and its impact will continue to be monitored on an annual basis in line with the requirements of the Admission Code 2021.

### 3. Impact of Sibling Numbers

The following graphs show how the impact of siblings affects the distribution of the geographical places. The school is now in its third academic year and sibling patterns are emerging which, unless addressed, risk the school being unable to fulfil its own admissions policy:



### 4. Equality Impact Assessment

The trust has conducted an Equality Impact Assessment to check that there would be no adverse impact on children with protected characteristics, following the suggested changes to The Brian Clarke CE Academy Admissions Policy for Entry September 2026. (See Appendix 1).

### 5. Individual Responses

In addition to the Summary of Outcome response, trustees will also respond to the specifics raised by people who responded directly to the consultation.

### 6. Conclusion

The trustees of the Cranmer Education Trust would like to thank all stakeholders for their interest and responses.

### 7. Appeal

If you wish to appeal this decision, you may write to the Schools Adjudicator no later than 15<sup>th</sup> May 2025 on the form available at: [School admission arrangements - GOV.UK](https://www.gov.uk/school-admission-arrangements)

## Appendix 1- EQUALITY IMPACT ASSESSMENT January 2025

<b>1. Name of Policy</b>	The Brian Clarke CE Academy Admissions – Entry September 2026
<b>2. Summary of aims and objectives</b>	To ensure a fair, equitable and workable admissions policy which reflects the vision and values of the school, and which is fully compliant with the statutory Admissions Code (September 2021).
<b>3. What involvement and consultation has been done in relation to the policy?</b>	Full consultation with all stakeholders including parents of pupils attending the school, primary and secondary schools in the area, Manchester Diocese Board of Education, the Local Authority, Elected Members, and the wider community through notification in the local press across Oldham, Rochdale, and Tameside
<b>4. Who is affected by the policy?</b>	Parents of children in current Year 5 and below applying for admissions to The Brian Clarke CE Academy, including future applicants on the assumption the removal of sibling criteria remains in future policies.
<b>5. What are the arrangements for monitoring and reviewing the actual impact of the policy?</b>	The Admissions Authority is the Trust Board of the Cranmer Education Trust. The Admissions Committee has delegated authority and determines the school's admissions policy annually. It ensures that it is compliant with the Admissions Code September 2021, is fair to all and does not create inequalities, and that it works in practice. Changes are recommended to the trust board for approval. The operation of the policy is delegated to the school and implemented by trained business support staff. The Local Governing Committee receives a detailed report annually on admissions and on how the policy enables the school to fulfil its vision and mission as a multi-faith and multi-cultural community which is a microcosm of the rich diversity of the borough.

### Impact of Policy on Protected Characteristic/Group

Protected Characteristic/Group	Potential for Positive or Negative Impact	Examples of any evidence/data used	Action to address negative impact/adjustments to the policy
<b>Disability</b>	No negative impact	<ul style="list-style-type: none"> <li>In line with Admissions Law, children with an EHCP which names the school are admitted before any other allocation of places.</li> <li>The school is a new build and is fully Equality Act compliant.</li> <li>The school's educational ethos is fully inclusive. Teachers are trained in adaptive teaching strategies to ensure all children can access the full rich curriculum and progress through it.</li> <li>Currently 3% of the school's population have an EHCP (Oldham and National state-funded secondaries comparison is 2.7% EHCPs).</li> </ul>	No action required; children with special educational needs and disabilities will continue to receive the high-quality provision they currently experience. The proposed policy change will not impact the legal duty to admit if named in section I of an EHCP.
<b>Gender Re-assignment</b>	No negative impact	<ul style="list-style-type: none"> <li>The policy, application form and supplementary information form do not ask for any information about gender reassignment.</li> <li>Transgender children who attend the school are supported and safeguarded by the trust's equality policy and the school's policies on gender reassignment, child protection, inclusion, anti-bullying.</li> </ul>	No action required.

Protected Characteristic/Group	Potential for Positive or Negative Impact	Examples of any evidence/data used	Action to address negative impact/adjustments to the policy
		<ul style="list-style-type: none"> <li>Removal of the sibling preference has no identifiable prejudicial impact to this group which would result in disadvantage.</li> </ul>	
<b>Marriage or Civil Partnership</b>	No negative impact	<ul style="list-style-type: none"> <li>The Admissions Policy is not concerned with the marital or other partnership status of parents. The application and supplementary information forms ask for no information on the marital status or otherwise of the child's parents/carers.</li> <li>It is also outside of the scope of Part 6 Equality Act 2010 (schools)</li> </ul>	No action required.
<b>Pregnancy or Maternity</b>	No negative impact	<ul style="list-style-type: none"> <li>The rights of pupils who are pregnant or who have recently had a baby are unaffected by the Admissions Policy and are upheld by the Trust's Equality Policy.</li> </ul>	No action required.
<b>Race</b>	No negative impact but potential for positive impact.	<ul style="list-style-type: none"> <li>The Admissions Policy, application form and supplementary information form do not include race or ethnicity. All applicants are considered equally within the policy. The Trust's Equality Policy, the school's ethos of celebrating the diversity of Oldham, inclusion and community cohesion, reflected in the school's suite of policies all ensure that the rights of all pupils of all races and ethnicities are upheld, and that outcomes, progress, behaviour, inclusion of all groups are all closely monitored in line with trust policy.</li> <li>The diversity of the school population is reflected in the school census 2024.</li> <li>Without taking the necessary steps, the data suggests that, over time, the siblings' preference will create inequality as the school becomes more established with a history of sibling attendance. The policy change serves to prevent this indirect impact and to create greater equality of opportunity for all applicants regardless of ethnicity or race.</li> </ul>	No action required.
<b>Religion or Belief</b>	No negative impact	<ul style="list-style-type: none"> <li>The fundamental principles of the policy remain unchanged. As a designated CE school, The Brian Clarke CE Academy's Admissions Policy allocates: <ul style="list-style-type: none"> <li><b>50% of its places on a faith basis</b> - 25% to children of all Christian denominations within Churches Together in Britain and Ireland based on attendance at worship in line with the National Society Guidance, and 25% to children of the other 5 world faiths, i.e. Buddhism, Hinduism, Islam, Judaism, Sikhism based on random allocation. Currently, all but 2 of those places across 3 years' intake have been allocated to Muslim children, which reflects the demography of the borough.</li> </ul> </li> </ul>	<p>The proposed adjustment to the policy affects the prioritization given to siblings in the allocation of places in the geographical zones.</p> <p>Experience of the 2<sup>nd</sup> and 3<sup>rd</sup> year of admissions has shown an unexpectedly high number of siblings who are unpredictably distributed across the 3 zones. If the trend continues, the admissions policy will become unworkable because there are not</p>

Protected Characteristic/Group	Potential for Positive or Negative Impact	Examples of any evidence/data used	Action to address negative impact/adjustments to the policy
		<ul style="list-style-type: none"> <li>• <b>50% of its places on a non-faith basis</b>, first to children with an EHCP or who are in the care of the LA or who are previously Looked After Children including international applicants who appear to have been looked after by the state, and then on a geographical basis across 3 zones of: no more than 1 mile, more than 1 mile but less than 2 miles, more than 2 miles but less than 3 miles from the school in a ratio of 9:10:5 which reflects the distribution of the population in the 3 zones, as agreed with the LA/Council, prior to the opening of the school. These places are randomly allocated.</li> <li>• In this way, the policy enables children of all the great world faiths, including Christianity, to attend a designated faith school, and enables children of no faith from across most of the borough (i.e. up to 3 miles of the school) to attend the school.</li> <li>• The school is therefore able to fulfil its vision and values of being multi-faith, multi-ethnic and multi-cultural and a microcosm of the diversity of borough which is fully inclusive and socially cohesive.</li> <li>• The allocation of 50% of available places in preference for faith applicants is lawfully permitted by the Equality Act 2010 Schedule 11.</li> </ul>	<p>enough places in the geographical zones to accommodate them all.</p> <p>The unpredictability of where siblings will come from makes the ratio unworkable in ways that cannot be anticipated with the potential to distort the faith and no faith balance.</p>
<b>Sexual Orientation</b>	No negative impact	<ul style="list-style-type: none"> <li>• The admissions policy does not ask about sexual orientation.</li> <li>• The rights and protection of gay, lesbian, or bisexual pupils and the children of gay, lesbian, and bisexual parents are upheld in the Trust's Equality Policy, which applies to all trust schools; and in The Brian Clarke CE Academy's policies on Behaviour, Anti-Bullying, Safeguarding and Child Protection. The school's policies on curriculum and teaching, on Social, Moral, Spiritual and Cultural Education, and on Wellbeing all emphasise inclusion, equity, and respect for others. The school's policy on Relationships and Sex Education (which includes reference to sexual orientation, marriage, and civil partnership) has full regard to the Secretary of State's guidance and has been consulted on with parents.</li> </ul>	No action required
<b>Sex (Gender)</b>	No negative impact	<ul style="list-style-type: none"> <li>• The school is a co-educational comprehensive. Allocation of places is irrespective of gender, based on faith (50%) or random allocation within the geographical zones (50%). All pupils are taught the same curriculum and supported according to need. There are some slight differences in the PE curriculum. All pupils take part in football, rugby, badminton,</li> </ul>	No action required

Protected Characteristic/Group	Potential for Positive or Negative Impact	Examples of any evidence/data used	Action to address negative impact/adjustments to the policy
		rounders, cricket, athletics, gymnastics, and dance. Girls take netball, boys take basketball.	
Age	N/A	<ul style="list-style-type: none"> <li>Does not apply under Part 6 Equality Act 2010.</li> </ul>	No action required

### Is it possible that the proposed policy could discriminate or unfairly disadvantage people?

No – for reasons below:

1. The proposed change to the policy makes it fairer, in that children who have a sibling at the school are at a significant advantage in accessing a very popular school, irrespective of where they live and/or any faith affiliation. Removing the sibling priority does not bar or prevent siblings from applying for a place at the school; they have as much chance as other applicants but will not have an inbuilt advantage which then disadvantages others since the number of places is finite.
2. The policy on geographical zones prioritises (80% places) most of the most disadvantaged areas of the borough, i.e. those within 2 miles of the town centre where the school is located. Currently 45% of pupils are in receipt of Pupil Premium, significantly above national averages and amongst the highest in secondary schools in the borough. Faithfully maintaining the geographical zones criteria will ensure that the school continues to be a resource open to the most disadvantaged.
3. Whilst the Admissions Authority recognises that being able to have all children of the family at the same school is much more convenient for parents and provides continuity, the data shows that this will become unsustainable in that the number of siblings is likely to exceed the number of places available. The school cannot increase the PAN, it was built for 8 forms of entry according to the DfE model and has limited outdoor and social space which is already presenting challenges. The building is already on 4 stories and is not extendable.

### Final Decision

Based on the Equality Impact Statement the Admissions Committee recommends to the trust board that the amended admissions policy for The Brian Clarke CE Academy is APPROVED for implementation for entry in September 2026.

The consultation has engaged stakeholders and the main causes of concern have been identified which are mainly in relation to the convenience of having siblings at the same school and the continuity this provides. As parents and grandparents, themselves, trustees understand these concerns and are sympathetic. But as a public body they have a Public Sector Equality Duty and the current policy is in one respect (the siblings clause) inherently unequitable, The proposed amendment to the policy will not prevent siblings gaining places at the school, but rather put them on an equal footing with all other applicants to a very popular and heavily oversubscribed school.

- (i) The automatic right of siblings to attend the school cannot be guaranteed because the numbers are growing in excess of the places available.
- (ii) Siblings are not prevented from applying and gaining places at the school. They have the same entitlement as all other applicants under the policy.
- (iii) There is no discrimination or unfair disadvantage on any equality grounds in the proposed changes, though there is inequality in the existing arrangements. Moreover, the current siblings' preference has the potential to make the school less accessible for the more disadvantaged families in the borough.
- (iv) There is no other proportionate way to achieve the intention of the policy, i.e. to create a school which is multi-cultural and multi-faith and is a microcosm of the diversity of the borough in a way that is fair and equitable.

The Admissions Committee will continue, with the Local Governing Committee, to monitor the admissions data, patterns of entry and the culture, policies, and provisions of the school, as it is legally required to do through annual determination.