

Wembley High Technology College Statement

The legal background

Section 86(1) of the 1998 School Standards and Framework Act requires the school to make arrangements to enable parents to express a preference as to the school at which they wish education to be provided for their child and to give reasons.

Wembley High Technology College has a duty under the Act to comply with parental preference expressed in accordance with the co-ordinated admission arrangements, which was published by the London Borough of Brent in their Secondary School composite prospectus and also on the College's website. However, the duty imposed does not apply if compliance with the preference would prejudice the provision of efficient education and the efficient use of resources at the school.

The applications

In accordance with the Admission Authority's arrangements for secondary transfer parents/guardians were invited to complete a Common Application Form for their child transferring to secondary school in September 2024.

Wembley High Technology College had 1279 on time applicants listing the school as one of their preferences. As a consequence of following the school's published admission criteria set out below, the school was unable to offer them a place for September 2024 as other children, under the policy, were deemed to have a higher priority.

Criteria for Admission to Wembley High Technology College

All on time applications were considered by the Trust under the following oversubscription criteria:

All children with an Education, Health and Care Plan (formerly known as a Statement of Educational Needs) making the school are given the top priority.

1. Looked After Children, including previously Looked After Children.
2. Special medical or social reasons. These reasons must relate to the student and does not apply to family members. Parents applying under this criterion must provide supporting evidence from a professional e.g. a consultant, stating why Wembley High Technology College is the most suitable school and the difficulties caused if the child attends another school.
3. Children who have a sibling at Wembley High Technology College on the date of admission.
4. Priority will be given to children of staff in either of the following circumstances: a) where the member of staff has been employed at the school for two or more years at the time at which the application for admission to the school is made, and/or b) the member of staff is recruited to fill a vacant post for which there is a demonstrable skill shortage.
5. Feeder Schools: Wembley High has 5 feeder schools: East Lane Primary School, Barham Primary School, Byron Court Primary School, Lyon Park Primary School and Sudbury Primary School. First priority will be given to students who attend East Lane Primary School which is within the Wembley

Multi-Academy Trust. Places will then be allocated from the other 4 feeder schools. Where the number of applications arising from this criteria exceeds the number of places available, those living nearest the college will be accorded a higher priority.

6. Those living closest to the College. Distance will be measured in a straight line from the child's permanent home address to the College. Where applicants live in the same block of flats measurements will be taken from the door of each individual.

The college received **1279** interested applicants. Offers were allocated using the criteria above as follows:

- 3 Looked after (or previously Looked after) Children
- 113 Sibling Connections (6367.31m)
- 68 East Lane Feeder School (5168.21m)
- 41 Feeder School Applicants. The last person to be offered a place under this category lived 713.63 metres from the school gate.
- 0 Based on distance from the school

Prejudice to the provision of efficient education and the efficient use of resources

The Trustees of Wembley Multi-Academy Trust considers that it is relieved of its duty to comply with parental preference under Section 86(2) of the School Standard and Framework Act 1998 because to accept additional pupils would prejudice the provision of efficient education and the efficient use of resources under section 86(3)(a) of the Act for the reasons set out below.

Fundamental to the Trust's case is the fact that the admission of any more pupils to the school would prejudice the provision of efficient education and the efficient use of resources. This is exacerbated when some local schools are overcrowded while other schools' resources are under used.

Accommodation, Capacity and Intake Level

The number of students on Free School Meals and those that have Special Educational Needs (not just the Education Health Care Plan) is also high. The school has a higher number than average of children for whom English is an additional language.

Most classrooms are no larger than the 55 sq. m. recommended by the Department for Education's Building Bulletin 2014. Many are even smaller. Corridors are narrow and can be particularly dangerous if not properly supervised during lesson changeover time.

For health and safety reasons lessons taught in science labs and technology lessons have to be taught in classes of no more than 30. To add another child into these rooms could have an effect on the health and safety of pupils already on roll.

Our dining facilities are too small for a school of our size and our assembly hall is unable to accommodate all the students already on roll.

The school prides itself on the pastoral support it offers students. Any increase in the number of students would dilute the support teaching staff are able to offer.

An increase in the admission number would therefore put too much pressure on space and endanger health, safety and educational entitlement of pupils. It would also be detrimental to the effective and efficient use of College resources.

Previously parents have argued that as an appeal panel had accepted higher numbers in the past, this would be a positive reason for going over the published admission number again. The Trust would counter argue that this is not the case. We would refer the panel to a Judicial Review, *Havering v Kingsley* in 2007. Mr Justice Davis said "An ability to cope as best as one can in a class with too many pupils is not the same as saying there is no prejudice arising from the admission of one extra pupil". 30 pupils is the nationally accepted number of pupils in a class and we already have 30.

Conclusion

The school would argue most strongly, that to allow this appeal would be prejudicial to the provision of efficient education and the efficient use of resources under section 86(3)(a) of the School Standard and Framework Act 1998.

The success of Wembley High Technology College is dependent on our ability to deliver our vision to give young people the best possible education. This would be in serious jeopardy given our resource limitations and challenging environment if any additional students were admitted to the school.

Mr. T Best
Headteacher