Variation for admissions to reception in September 2019

The Local Authority has now been granted a variation to the community school admissions arrangements 2019/20 by the schools adjudicator to reduce the published admission number at the following community schools:

- Derwentwater Primary School - reduction from 90 to 60
- Hobbayne Primary School - reduction from 90 to 60
- Stanhope Primary School - reduction from 90 to 60
- Willow Tree Primary School - reduction from 90 to 60
- Wolf Fields Primary School - reduction from 60 to 30

This change seeks to assist the school governing bodies to plan for long-term stability, a consistent structure and a sustainable financial position, providing a secure foundation for high quality educational outcomes for all pupils.

This is due to a larger than expected drop in the number of applications to reception in 2018 due to higher rates of out migration, which has contributed to a higher than necessary level of surplus places in some educational planning areas where supply is predicted to outstrip demand.

A substantial portion of funding received by schools is directly related to the number of pupils attending the school. Too many vacancies in a school means that it will not receive the maximum revenue possible. Schools running class sizes below 24 pupils may become financially unsustainable.

Full details of the Schools Adjudicator determination for each school is attached.
DETERMINATION

Case reference: VAR804

Admission Authority: Ealing Council for Derwentwater Primary School, Acton, Ealing

Date of decision: 6 March 2019

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements for 2019 determined by Ealing Council for Derwentwater Primary School, Acton, Ealing.

I determine that for admission in September 2019 the Published Admission Number will be 60.

The referral

1. Ealing Council (the local authority) has referred a variation to the Adjudicator about the admission arrangements at Derwentwater Primary School, Acton, Ealing (the school). The school is a maintained community primary school for 3 to 11 year olds in the Acton area of the Borough of Ealing. The referral requests a reduction in the Published Admission Number (PAN) from 90 to 60 for admissions in September 2019.

Jurisdiction

2. 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”.

3. I am satisfied that the proposed variation is within my jurisdiction.

Procedure

4. In considering this matter, I have had regard to all relevant legislation, guidance and the School Admissions Code.

5. The documents I have considered in reaching my decision include:

   a) the local authority’s referral of 17 December 2018 and subsequent correspondence;

   b) the determined arrangements for primary schools in the local authority;

   c) comments on the variation from the school;

   d) a copy of the local authority’s booklet for parents seeking admission to schools in the area in September 2019; and

   e) a copy of the letter consulting the relevant bodies about the proposed variation.

Background and consideration of factors

6. The school is a 3 to 11 local authority maintained school. It is in the Acton planning area within the London Borough of Ealing. The school is a community school so the admission authority is the local authority and the admission arrangements for admission in September 2019 were discussed and determined by the Cabinet of the local authority on 13 February 2018.

7. The referral states that a borough-wide review of reception age places took place in October 2018. The review coincided with the October census and therefore provided an accurate number of children across all the planning areas and within each school year in the local authority’s area. The local authority found that there are surplus places across four of the planning areas including the Acton Planning Area in which the school is situated; it considers this a major change in circumstance and the information prompted this request. The school reports that the area has a “highly mobile” population and the local authority wanted to plan for September 2019 using the most up to date figures.

8. There are eleven primary schools in the Acton Planning area. Currently the Published Admission Numbers (PANs) provide for 720 places in reception (YR). In September 2018 667 pupils were admitted to the YR of the schools. This is a surplus of 53 places which constitutes 7.4 per cent. The local authority seeks to reduce this surplus by reducing the PAN of one of the eleven schools.

9. The school currently has a PAN of 90. In September 2018 there were 45 first preference applications to the school and for September 2019 there have also been 45. In September 2018, 72 places were allocated to YR of the school. I asked the local authority where the additional twelve children
would have been placed if the PAN for the school had been 60 rather than 90. The local authority explained that all these twelve places were lower preference applications who would have been accommodated at nearby schools. The schools which they would have been allocated places each show that the intake in YR was below the PAN and therefore these pupils could have been accommodated.

10. In a letter of the 8 February, the school states that there are currently 68 pupils in YR. The school explains that, in previous years, when the PAN was reached or nearly reached, they have organised YR over three class groups. With reduced numbers and the restriction in infant class size, the school is continuing to teach YR over three classes. As funding is dependent on pupil numbers the school says that three classes are simply not affordable and therefore a reduction in PAN would support financial planning and avoid a deficit budget. The school hopes that numbers will increase in the future and that they can then return to three forms of entry.

11. The local authority has undertaken a consultation process in preparation for setting the 2020 PANs across its schools. This consultation proposes the reduction in PAN for the school from 90 to 60. The local authority states that no negative responses were received during the consultation. The council has subsequently determined the arrangements for admission in 2020 and these arrangements incorporate the reduction in PAN as requested.

12. The variation request is therefore to reduce the PAN for September 2019 in anticipation of the previously determined reduction for September 2020.

13. I understand why the local authority waited until after the census in October 2018 in order to assess accurately the planned levels of surplus places. I am satisfied that there are sufficient places available in the area for all the children who are applying for a place in September 2019 and I agree that it is not financially viable to arrange YR of the school over three class groups. I therefore approve the variation requested by the school. The PAN for admission to the school in September 2019 will be 60.

Conclusion

14. In order to maintain a viable number of classes in the school I approve the variation request to reduce the PAN from 90 to 60 for September 2019.

Determination

16. I determine that for admission in September 2019 the Published Admission Number will be 60.

Dated: 6 March 2019

Signed: Ann Talboys

Schools Adjudicator: Ann Talboys
Case reference: VAR805
Admission Authority: Ealing Council for Hobbayne Primary School
Date of decision: 8 March 2019

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Ealing Council for Hobbayne primary school.

I determine that for admissions in September 2019 the published admission number (PAN) shall be 60.

The referral

1. Ealing Council has referred a variation to the Adjudicator about the admission arrangements for Hobbayne primary school (the school), a community school, for September 2019. The variation is a reduction to 60 from the determined PAN of 90 for September 2019.

Jurisdiction

2. 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”.

I am satisfied that the proposed variation is within my jurisdiction.

3. I am also using my power under section 88I (5) of the Act to consider the arrangements as a whole.
Procedure

4. In considering this matter I have had regard to all relevant legislation, guidance and the School Admissions Code.

5. The documents I have considered in reaching my decision include:

(i) the local authority’s email of referral dated 24 December 2018 and the attached form, together with subsequent correspondence;

(ii) the determined arrangements for September 2019 and the proposed variation to those arrangements;

(iii) evidence of determination of the arrangements;

(iv) a copy of the council’s booklet for parents seeking admission to schools in the area in September 2019;

(v) a copy of the notification which the local authority sent to appropriate bodies about the proposed variation, and

(vi) evidence that the local authority had consulted the governing body of the school before making the variation request.

Consideration of Factors

6. The local authority determined the admission arrangements for September 2019 for the school, and for the other community schools for which it is the admission authority, on 13 February 2018. When it did so, it set a PAN of 90 for the school.

7. In its form setting out the requested variation, the local authority stated that there had been a higher than expected drop in the number of parents seeking admission to Year R in the borough in 2018 and that this had resulted in there being “a higher than necessary level of surplus places in some planning areas”, and that it was therefore seeking to reduce the number of available places “at some of the undersubscribed schools”. I am aware that the local authority has made similar variation requests to reduce the PANs of other primary schools for September 2019.

8. In response to my request that it clarify the problems that the reduced intake had caused at the school, and that it set out how these would be addressed by the requested variation in its admission arrangements, the local authority explained that there was a general funding strain across schools in Ealing as a result of falling numbers in all age groups. In the case of Hobbayne primary school the year-on-year reduction to October 2018 had been from 627 to 603 pupils on roll. It told me that the requested variation would allow the school to reduce the number of reception classes from three to two from September 2019, with the consequent reduction in expenditure and reduction in pressure on the school budget.

9. The local authority notified the governing boards of all Ealing primary schools about the proposed variation to the school’s admission arrangements,
and received no adverse comments in reply. It has also provided me with evidence of its discussions with the school’s governing board. This consultation is required under section 88E of the Act. The governing board supported the proposal to reduce its PAN, and the school has also written to me following the formal variation request made by the local authority confirming this support.

10. The local authority has also informed me that it recently consulted in the school’s proposed admission arrangements for September 2020, which included a PAN of 60. No comments had been received concerning the proposed PAN, and the local authority has now determined the school’s admission arrangements for September 2020 on this basis.

11. Although the local authority’s action in setting a reduced PAN for admissions in 2020 has already been made, I have nevertheless been concerned in considering the requested variation for 2019 to satisfy myself that it will not result in there being too few available Year R places to meet local demand, both in 2019 itself and in the longer term. In its form of application, the local authority had provided the number of first preferences and the number of allocated places in each of the last four years at the school. This showed that the number of first preferences had fallen below the level of the current PAN of 90 in 2017, and that the number of places allocated had done so in 2018. In response to my request, it has informed me that the number of first preferences for September 2019 which it has received is below the level of the proposed PAN of 60.

12. The local authority forecasts the future demand for Year R places using planning areas, which are a geographical sub-division of the area of the local authority. Hobbayne primary school falls within the Ealing North planning area, as does one of the other primary school for which a variation to reduce the PAN for September 2019 has been made. This school is St Gregory’s Catholic primary school. The local authority has provided me with details of the methodology which it uses to forecast the need for Year R places within its planning areas. This seems to me to be detailed and sound in nature.

13. The existing total PAN of the primary schools in the Ealing North planning area for September 2019 is 600. If both variation requests are agreed, the total PAN will be reduced to 540. The total number of Year R places allocated in September 2018 in the planning area was 460, and the total of first preferences for places at schools there was 450. The local authority’s forecast for the need for Year R places in the planning area for September 2019 was 455, and 462 and 488 for each of the two subsequent years. I am satisfied that approval of the variation request will not result in a shortfall in available Year R places for the foreseeable future.

14. I have also considered whether the requested variation is likely to result in there being a decrease in the proportion of parental preferences that will be met in the area. Of the eight primary schools in the planning area, two were oversubscribed with first preferences in 2018 with 63 first preferences in total not being met. Even if both variation requests are agreed, only one school will be oversubscribed in September 2019 and 67 first preferences will not be met in the area. However, the reduction in PAN at Hobbayne primary school will
not have contributed to this increase, as it will still be undersubscribed with first preferences. I am satisfied that the proposed variation will not have a negative effect on the level of parental preferences being met in the area.

15. I approve the variation of the admission arrangements for September 2019 to provide that the PAN be set at 60.

**Conclusion**

16. I have set out in the preceding paragraphs the reasons why I approve a variation to the arrangements for the school for September 2019.

**Determination**

17. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Ealing Council for Hobbayne primary school.

18. I determine that for admissions in September 2019 the published admission number (PAN) shall be 60.

Dated: 8 March 2019

Signed: 

Schools Adjudicator: Dr Bryan Slater
DETERMINATION

Case reference: VAR806

Admission Authority: Ealing Council for Stanhope Primary School, Ealing

Date of decision: 25 March 2019

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements for 2019 determined by Ealing Council for Stanhope Primary School, Ealing.

I determine that for admission in September 2019 the Published Admission Number will be 60.

The referral

1. Ealing Council (the local authority) has referred a variation to the Adjudicator about the admission arrangements at Stanhope Primary School, Ealing (the school). The school is a maintained community primary school for 3 to 11 year olds in the London Borough of Ealing. The referral requests a reduction in the Published Admission Number (PAN) from 90 to 60 for admissions in September 2019.

Jurisdiction

2. 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.

3. I am satisfied that the proposed variation is within my jurisdiction.
Procedure

4. In considering this matter, I have had regard to all relevant legislation, guidance and the School Admissions Code.

5. The documents I have considered in reaching my decision include:

   a) the local authority’s referral of 17 December 2018 and subsequent correspondence;

   b) the determined arrangements for primary schools in the local authority;

   c) comments on the variation from the school;

   d) a copy of the local authority’s booklet for parents seeking admission to schools in the area in September 2019; and

   e) a copy of the letter consulting the relevant bodies about the proposed variation.

Background and consideration of factors

6. The school is a 3 to 11 local authority maintained school. It is in the local authority’s GNP Central planning area within the London Borough of Ealing. The school is a community school so the admission authority is the local authority and the admission arrangements for admission in September 2019 were discussed and determined by the Cabinet of the local authority on 13 February 2018.

7. The referral states that a borough-wide review of reception age places took place in October 2018. The review coincided with the October census and therefore provided an accurate number of children across all the planning areas and within each school year in the local authority’s area. The local authority found that there are surplus places across four of the planning areas including the GNP Central Planning Area in which the school is situated; it considers this a major change in circumstance and the information prompted this request. The school reports that the area has a “highly mobile” population and the local authority wanted to plan for September 2019 using the most up to date figures.

8. There are seven primary schools in the GNP Central Planning area. Currently the Published Admission Numbers (PANs) provide for 540 places in reception (YR). In October 2018 487 pupils were admitted to the YR of the schools. This is a surplus of 53 places which constitutes a surplus of 10 per cent. The local authority seeks to reduce this surplus by reducing the PAN of one of the seven schools.

9. The school currently has a PAN of 90. In September 2018 there were 34 first preference applications to the school and for September 2019 there were 32. In September 2018, 36 places were allocated to YR of the school and the number admitted by October 2018 had risen to 47. This is well below both the current PAN of 90 and the proposed PAN of 60. Across the school
the number on roll has reduced from 495 in October 2017 to 433 in October 2018. I am satisfied that no pupils seeking a place at the school will be displaced if the reduced PAN of 60 is approved.

10. In a letter of 1 February 2019, the school states that there were 47 pupils in YR in October 2018. In order to maintain the required teacher/pupil ratio in infant classes the school are currently providing two classes with two qualified teachers. If the school receive in future applications, for pupils who would have to be admitted given the current PAN of 90, and so more than 60 pupils are admitted to the two infant classes, it would have to employ an additional teacher. In an email of 8 February 2019 the school have indicated that its governing board are in agreement with the proposed reduction of PAN.

11. The local authority has undertaken a consultation process in preparation for setting the 2020 PANs across its schools. This consultation proposes the reduction in PAN for the school from 90 to 60. The local authority states that no negative responses were received during the consultation. The council has subsequently determined the arrangements for admission in 2020 and these arrangements incorporate the reduction in PAN as requested.

12. The variation request is therefore to reduce the PAN for September 2019 in anticipation of the previously determined reduction for September 2020.

13. I am satisfied that there are sufficient places available in the area for all the children who are applying for a place in September 2019 and I agree that it is not financially viable to employ an additional teacher should numbers exceed 60 in an infant class year. I therefore approve the variation requested by the school. The PAN for admission to the school in September 2019 will be 60.

**Conclusion**

14. In order to maintain a viable number of classes in the school I approve the variation request to reduce the PAN from 90 to 60 for September 2019.

**Determination**


16. I determine that for admission in September 2019 the Published Admission Number will be 60.
Dated: 25 March 2019

Signed: [Signature]

Schools Adjudicator: Tom Brooke
Determination

Case reference:                VAR807
Admission authority:       Ealing Council for Willow Tree Primary School
Date of decision: 20 March 2019

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 Ealing
Council for Willow Tree Primary School for September 2019.

I determine that for admissions in September 2019 only the Published Admission
Number shall be 60.

The referral

1. Ealing Council (the local authority) has referred a proposal for a variation to the
admission arrangements for Willow Tree Primary School (the school), for September 2019
to the Office of the Schools Adjudicator. The school is a community school for children aged
3 to 11.

2. The proposed variation is to reduce the Published Admission Number (PAN) from 90
to 60.

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 am satisfied that the proposed variation is within my jurisdiction.
Procedure

5. In considering this matter I have had regard to all relevant legislation, and the School Admissions Code (the Code).

6. The documents I have considered in reaching my decision include:
   - the referral from the local authority received on 24 December 2018, supporting documents and further information;
   - the determined arrangements for 2019 and the proposed variation to those arrangements;
   - a copy of the local authority’s booklet for parents seeking admission to schools in the area in September 2019;
   - a copy of the letter consulting the governing board of the school and the governing board’s comments;
   - a copy of the emails of 19 November 2018 and 1 February 2019 notifying the appropriate bodies about the proposed variation; and
   - the letter from the headteacher of the school copied to the chair of governors and the local authority with comments on the application for a variation.

The proposed variation

7. The local authority determined the arrangements, including the PAN, for September 2019 for the community schools in the borough on 13 February 2018. The PAN for Willow Tree Primary School was set at 90.

8. The local authority said that there was “a larger than expected drop in the number of applications to reception in 2018 due to higher rates of out migration. This has contributed to a higher than necessary level of surplus places in some educational planning areas where supply is predicted to outstrip demand.”

9. The local authority applied for a reduction in the PAN for five community schools, including Willow Tree Primary School, and supported the applications for a reduction in the PAN at two schools which determined their own admission arrangements. The local authority said “we are proposing to reduce the number of available places at some of the undersubscribed schools. This change seeks to assist the school governing bodies to plan for long-term stability, a consistent structure and a sustainable financial position, providing a secure foundation for high quality educational outcomes for all pupils.”

Consideration of the case

10. The school is located in the north of the borough and is one of five schools in the GNP North planning area which admit to Reception Year (YR). The nearest schools are in not only Ealing but also Harrow and Hillingdon. I shall first consider whether the impact of the reduction of places at the school affects the local authority’s duty to provide sufficient school places in the area. The total of the PANs for YR at the five schools is currently 450 and the local authority sent me the following information on 1 February 2019 about preferences and allocations.
<table>
<thead>
<tr>
<th>School</th>
<th>PAN</th>
<th>PAN</th>
<th>1st preferences</th>
<th>1st preferences</th>
<th>Number allocated in 2018</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2018</td>
<td>2019</td>
<td>2018</td>
<td>2019</td>
<td></td>
</tr>
<tr>
<td>Greenwood Primary School</td>
<td>90</td>
<td>90</td>
<td>60</td>
<td>67</td>
<td>71</td>
</tr>
<tr>
<td>Horsenden Primary School</td>
<td>120</td>
<td>120</td>
<td>93</td>
<td>106</td>
<td>110</td>
</tr>
<tr>
<td>Petts Hill Primary School</td>
<td>30</td>
<td>30</td>
<td>41</td>
<td>59</td>
<td>30</td>
</tr>
<tr>
<td>Willow Tree Primary School</td>
<td>90</td>
<td>90</td>
<td>39</td>
<td>50</td>
<td>56</td>
</tr>
<tr>
<td>Wood End Infant School</td>
<td>120</td>
<td>120</td>
<td>47</td>
<td>44</td>
<td>57</td>
</tr>
<tr>
<td>TOTAL</td>
<td>450</td>
<td>450</td>
<td>380</td>
<td>326</td>
<td>324</td>
</tr>
</tbody>
</table>

11. The figures above show a surplus of 126 places in October 2018, which is 28 per cent of the total available. However, the referral form received on 24 December 2018 said that there were 346 pupils in YR in the GNP North planning area, which would represent a surplus of 23 per cent. I appreciate that numbers on roll can change over time but both figures show a surplus of over 20 per cent in the planning area.

12. I now turn to the information about applications to the school over the last four years:

<table>
<thead>
<tr>
<th>September</th>
<th>PAN</th>
<th>Number of first preferences</th>
<th>Number of places allocated</th>
<th>Number of children admitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>90</td>
<td>39</td>
<td>52</td>
<td>67 (NOR January 2019 = 63)</td>
</tr>
<tr>
<td>2017</td>
<td>90</td>
<td>68</td>
<td>79</td>
<td>87</td>
</tr>
<tr>
<td>2016</td>
<td>90</td>
<td>76</td>
<td>90</td>
<td>90</td>
</tr>
<tr>
<td>2015</td>
<td>90</td>
<td>89</td>
<td>100</td>
<td>(bulge class)</td>
</tr>
</tbody>
</table>

13. The local authority reported that the school had 67 pupils on roll in YR at the October 2018 census and are currently operating with three classes with qualified teachers although they did not receive funding to support the number of teaching staff. "Across the school their number of children on roll from reception to year 6 has gone down from 625 in October 2017 to 589 in October 2018."
14. The school sent me detailed information about the high level of mobility in the area and the impact on pupil numbers. “Since July 2017 there have been 74 children join the school and 104 leave from year groups outside of Reception and Year 6. Of the 104 leavers 74 have either moved abroad (21 pupils) or out of the borough (53 pupils).” The school reports that “local intelligence” suggests two significant factors in this mobility and consequent drop in pupil numbers: changes resulting from a cap on housing benefits where a large number of families have been placed in housing outside the local authority; and the move of some families leaving the UK as a result of Brexit which has affected current and future pupil numbers. The school reported slightly different numbers to those submitted by the local authority telling me that the numbers on roll at the school dropped from 666 in 2017 to 632 in October 2018.

15. The school said that this reduction in pupil numbers led to a reduction in funding of approximately £165,000 which “has significant implications for staffing levels and governors need to be able to plan for this with as much certainty as possible and wish to avoid another year where we have to provide 3 teachers for under 70 children.” The school reported on 30 January 2019 that there were indications that there have been 50 first preference applications for YR in September 2019.

16. I am aware that the school is in the same planning area as Wood End Infant School which recently had its application to reduce its PAN turned down (VAR810 Office of the Schools Adjudicator). The first point I want to make is that each case is considered on its own merits in the light of the information provided to the adjudicator in that case. A determination on one case does not affect another, even if there may appear at first glance to be similarities. My second point is that Willow Tree is a community school where the local authority is the admission authority. The local authority can therefore raise the PAN, or admit over it at any time if it needs to. As a foundation school, the governing board of Wood End is responsible for its own admission arrangements. If the governors’ application to reduce its PAN by 60 places for 2019 had been approved, the local authority would have no power to make the governing board of Wood End raise its PAN, or admit over it in the future if necessary to meet local need. By contrast, the proposed variation at Willow Tree Primary School is for the PAN to be reduced to 60 for admissions to YR in September 2019, and for it to revert to 90 in September 2020.

Summary

17. It is clear that pupil numbers have dropped in the local authority and not only has it applied for a reduction in PAN across a number of its schools but also undertaken a statutory consultation to reduce the PANs from September 2020. Willow Tree has requested the reduction in PAN for 2019 only and will therefore revert to a PAN of 90 in 2020. I approve the application to reduce the PAN at this school from 90 to 60.

Determination

19. I determine that for admissions in September 2019 only the Published Admission Number shall be 60.

Dated: 20 March 2019

Signed: L. J. Chapman

Schools Adjudicator: Lorraine Chapman
DETERMINATION

Case reference: VAR808
Admission Authority: Ealing Council for Wolf Fields Primary School, Southall, Middlesex
Date of decision: 4 March 2019

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 Ealing Council for Wolf Fields Primary School for September 2019.

I determine that for admissions for the academic year commencing September 2019 the published admission number shall be 30.

The referral

1. Ealing Council (the local authority) has referred a proposal for a variation to the admission arrangements for Wolf Fields Primary School (the school), for September 2019 to the Office of the Schools Adjudicator. The school is a community primary school for children aged 3 to 11 years.

2. The proposed variation is that the published admission number (PAN) should be reduced from 60 to 30 for admissions in 2019.

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 am satisfied that the proposed variation is within my jurisdiction.

Procedure

5. In considering this matter I have had regard to all relevant legislation, and the School Admissions Code (the Code).

6. The documents and information I have considered in reaching my decision include:

   a) the referral from the local authority received 24 December 2018, supporting documents and responses to my questions;
   
   b) the determined arrangements for 2019 and the proposed variation to those arrangements;
   
   c) a copy of the local authority’s booklet for parents seeking admission to schools in the area in September 2019;
   
   d) a copy of the communications consulting the governing board of the school and the governing board’s comments on the consultation;
   
   e) a map showing the location of the school and other relevant schools; and
   
   f) a copy of the letter notifying the appropriate bodies about the proposed variation and the comments received in response to the notification.

The proposed variation

7. There are 12 other state-funded primary schools within one mile of the school also admitting children into reception year (YR). The local authority describes the area as having a “very mobile population.”

8. This request for a variation in the admission arrangements is one of five similar ones being made for community primary schools spread across the local authority area. The local authority explained that the major change in circumstances that has occurred since the arrangements were determined is “a larger than expected drop in the number of applications for reception in 2018 [sic] due to higher rates of out migration.”

9. The local authority said that the reduction in PAN from 60 to 30 for 2019 for this school and reductions to the PANs for the other four schools concerned was proposed to “assist the school governing bodies to plan for long term stability, a consistent structure and a sustainable financial position, providing a secure foundation for high quality educational outcomes for all pupils.”

10. Paragraph 3.6 of the Code requires that admission arrangements, once determined, may only be changed, that is varied, if there is a major change of circumstance or certain other limited and specified
circumstances. I will consider below whether the variation requested will address the change in circumstances.

11. Paragraph 3.7 of the Code requires that relevant parties be notified of a proposed variation. The local authority has provided me with a copy of its notification on the proposed variation and the list of schools and other bodies to which it was sent. I have seen confirmation from the school that it supports the request for the variation. I am satisfied that all relevant bodies have been notified and that views expressed have been taken into consideration. I note that one other school made a response to the notification and that response was supportive. The school’s governing body supports the reduction in PAN. I find that the appropriate procedures were followed and the relevant parties notified.

Consideration of the case

12. First of all I will consider the evidence that there will be sufficient school places if I approve this proposed variation. I will then consider the effect of the proposed reduction in the PAN on parental preference and the efficient operation of the school.

13. The local authority produces forecasts of the demand for school places as part of its duty to secure sufficient school places in the area. The forecasts are partly based on clusters of schools and their vicinities, which are known as the planning areas, as well as across the whole of the borough. The school's planning area contains nine primary schools and these are less than a mile from each other. Clearly parents can choose to travel considerably further than this when they state their preferences for a school place but in the local context this is a reasonable planning tool. The next nearest community primary school for which a variation in the PAN has been requested is over three miles away from the school so this is unlikely to have any implications for my determination and I am content to base my decision on the planning area information provided by the local authority.

14. The local authority forecasts the number of school places that will be needed in YR by using the number of births in a planning area combined with estimates of future patterns based on a three year average of births across the borough. The local authority then considers the patterns of retention based on a three year average to estimate the proportion of children likely to remain in the planning area from birth to YR.

15. On this basis the local authority provided a forecast for the planning area for the school shown in Table 1 below. Table 1 also shows the difference between the sum of the existing PANs of the schools in the planning area and the forecast demand for places in YR. This difference provides the possible number of future surplus places in the planning area.
Table 1: the local authority forecast for places in the planning area for the school considered against the sum of the PANs of the schools in the planning area

<table>
<thead>
<tr>
<th>Year</th>
<th>Sum of current PANs of schools in the planning area (assuming no changes for any school)</th>
<th>Local authority forecast for demand for places in YR in the planning area</th>
<th>Difference between forecast and sum of PANs (potential number of surplus places)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>510 (actual)</td>
<td>448 (actual)</td>
<td>62 (actual)</td>
</tr>
<tr>
<td>2019</td>
<td>510</td>
<td>415</td>
<td>95</td>
</tr>
<tr>
<td>2020</td>
<td>510</td>
<td>419</td>
<td>91</td>
</tr>
<tr>
<td>2021</td>
<td>510</td>
<td>440</td>
<td>70</td>
</tr>
</tbody>
</table>

16. Table 1 shows that there were 62 surplus places for admissions to YR in 2018 in the planning area. This is a surplus of 12 per cent. The forecast is that this surplus is likely to increase. I am therefore assured that if the PAN were reduced from 60 to 30 then there would be sufficient places in YR for the children living in the area because there would still be around 65 surplus places, or 13 per cent surplus places, if these 30 places were removed.

17. Table 2 provides information on the number of first preferences for the school and the number of places allocated. This shows that the number of first preferences and the number of places allocated for the school were below 30 in three of the last four years of admissions. I am therefore assured that if the PAN were reduced to 30 then parental preference is unlikely to be frustrated. It is unfortunate that the variation will take effect after parents have stated their preferences for 2019.

Table 2: number of children admitted to YR in September and the number of first preferences made

<table>
<thead>
<tr>
<th>September</th>
<th>PAN</th>
<th>Number of first preferences</th>
<th>Number of children admitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>60</td>
<td>15</td>
<td>18</td>
</tr>
<tr>
<td>2016</td>
<td>60</td>
<td>35</td>
<td>36</td>
</tr>
<tr>
<td>2017</td>
<td>60</td>
<td>13</td>
<td>20</td>
</tr>
<tr>
<td>2018</td>
<td>60</td>
<td>19</td>
<td>22</td>
</tr>
</tbody>
</table>
18. Paragraph 3.6 of the Code says, “Admission authorities may propose other variations where they consider such changes to be necessary in view of a major change in circumstances.” The local authority explained that this was a major change in circumstances, even though the pattern of admissions has been considerably below the PAN in each of the past two years. The explanation was that it had waited to consider whether to apply for a variation to the PAN for 2019 until the numbers admitted to YR in 2018 were clear, given the tendency in the area for admissions after the normal point of entry. The numbers of children attending schools are collected on a census date in October each year. The local authority consulted with the governing board on the proposed variation when data from the census was available as the census provided the most accurate figures available.

19. Paragraph 3.3c of the Code prohibits “objections about a decision by the admission authority [the local authority] of a voluntary controlled or community school to increase or keep the same PAN unless the objection is brought by the governing body of the school.” This means that if I agree that this variation can take effect then no consultation is needed for the PAN to remain at that level, except with the governing board of the school. In addition, no body, except for the governing board, could object to the PAN remaining at that level. The local authority has told me that it has consulted on setting the PAN at the school at 30 for admissions in 2020 and that there were no responses.

20. I will now consider why the variation was requested. The local authority explained that the number of children attending a school affects its ability to run efficiently and effectively. Paragraph 2.15 of the Code says, “Infant classes (those where the majority of children will reach the age of 5, 6 or 7 during the school year) must not contain more than 30 pupils with a single school teacher. Additional children may be admitted under limited exceptional circumstances.” The implications of this can be significant for a primary school as I will consider below.

21. In September 2018 there had been 22 places allocated for YR. However, by the census date in October that year the school had 29 children on roll in YR. This increase reflects the high mobility described by the local authority above. The school established one class with one qualified teacher. As the PAN is 60, any child of the right age who requested a place in the admission year must be admitted. If more than 30 children were admitted, and the children were not excepted children under The School Admissions (Infant Class Sizes) (England) Regulations 2012, then the school would need to make arrangements so that no infant aged children were being taught in groups of more than 30 with a single qualified teacher. Schools are largely funded by the number of children attending and infant class sizes between 25 and 30 children are likely to be financially viable.
22. It is possible for schools to adapt to different cohort sizes by creating mixed age classes or additional single age classes. However, such potential variables during the school year could make it harder for the school to plan efficiently and could impinge on the effective provision of education by requiring changes to class organisation during the school year. It is therefore understandable that the local authority seeks a PAN that does not require the school to admit more than 30 children and that the governing body supports this.

23. I have considered the reasons for the request for the variation in the determined admission arrangements so that the PAN is reduced from 60 to 30 for admission in 2019 to YR. I am assured by the evidence provided to me that:

a) there will be sufficient school places in the area for children requiring a place in YR in 2019 if the PAN is reduced from 60 to 30 as there is a forecast surplus of 95 places in the immediate area for YR in 2019;

b) reducing the PAN to 30 will not negatively impinge upon parental preference as the pattern has been that fewer than 30 families have named the school as their first preference in the last two years; and

c) reducing the PAN to 30 will make it more likely that the school can plan its provision effectively and economically.

Summary

24. The local authority has proposed a variation to the admission arrangements for the academic year commencing September 2019 which is that the PAN should be reduced from 60 to 30. This is supported by the governing board which seeks such a reduction to assist in the efficient management of resources at the school. There have been no concerns raised by those notified. I am assured that the variation will address the major change in circumstances.

Determination

26. I determine that for admissions for the academic year commencing September 2019 the published admission number shall be 30.

Dated: 4 March 2019

Signed:

Schools Adjudicator: Deborah Pritchard