



Office of
the Schools
Adjudicator

Determination

Case references: VAR2521 and VAR2522

Admission authority: Ealing Council for Downe Manor Primary School, Northolt and Drayton Green Primary School, West Ealing

Date of decision: 18 December 2024

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variations to the admission arrangements determined by Ealing Council for Downe Manor Primary School and Drayton Green Primary School for September 2025.

I determine that the published admission number for admissions to the reception year in Downe Manor Primary School in 2025/26 will be 30.

I determine that the published admission number for admissions to the reception year in Drayton Green Primary School in 2025/26 will be 30.

The referral

1. Ealing Council (the local authority) has referred a proposal for variations to the admission arrangements for September 2025 (the arrangements) for Downe Manor Primary School (Downe Manor) and Drayton Green Primary School (Drayton Green) (the schools) to the adjudicator. The schools are both community schools for children aged three to eleven. Downe Manor is located in Northolt and Drayton Green is in West Ealing.
2. The proposed variation is the same for each school. It is to reduce the published admission number (PAN) from 60 to 30 for admissions to reception year (YR) in 2025/26.

Jurisdiction and procedure

3. The referral was made to me in accordance with section 88E of the School Standards and Framework Act 1998 (the Act) which deals with variations to determined

arrangements. Paragraphs 3.6 and 3.7 of the School Admissions Code (the Code) say (in so far as relevant here):

“3.6 Once admission arrangements have been determined for a particular school year, they cannot be revised by the admission authority unless such revision is necessary to give effect to a mandatory requirement of this Code, admissions law, a determination of the Adjudicator or any misprint in the admission arrangements. Admission authorities may propose other variations where they consider such changes to be necessary in view of a major change in circumstances. Such proposals **must** be referred to the Schools Adjudicator for approval, and the appropriate bodies notified. Where the local authority is the admission authority for a community or voluntary controlled school, it **must** consult the governing body of the school before making any reference.

3.7 Admission authorities **must** notify the appropriate bodies of all variations”.

4. The local authority has provided me with confirmation that the appropriate bodies have been notified. I have seen confirmation that the schools’ governing bodies have been consulted on the proposed variation. I find that the appropriate procedures were followed, and I am also satisfied that the proposed variation is within my jurisdiction.

5. In considering these matters I have had regard to all relevant legislation, and the Code.

6. The information I have considered in reaching my decision includes:

- a. the referral from the local authority dated 16 December 2024 and supporting documents;
- b. the determined arrangements for 2025/26 and the proposed variation to those arrangements;
- c. a map showing the location of the school and other relevant schools; and
- d. information available on the websites of the local authority, the schools and the Department for Education (DfE).

The proposed variation

7. For each school, the proposal is to reduce the PAN from 60 to 30 for entry to YR in 2025/26.

8. I have seen evidence that the governing body for each school supports the proposed variation.

9. Paragraph 3.6 of the Code (as above) requires that admission arrangements, once determined, may only be revised, that is changed or varied, if there is a major change of circumstance or certain other limited and specified circumstances.

Consideration of proposed variation

10. There is no formal consultation required for a variation and so parents and others do not have the opportunity to express their views. Clearly it is desirable that PAN reductions are made via the process of determination following consultation as the consultation process allows those with an interest to express their views. It also allows for objections to the adjudicator. None of this is afforded by the variation process and so it is particularly important that the proposed variations are properly scrutinised.

11. I note here that the arrangements for 2026/27 have not yet been determined, and so if the proposed variations for 2025/26 were to be approved, the PAN for 2026/27 could be set at 30 by the local authority without objection save from the governing body of the relevant school. However, I also note that the local authority is currently in the process of consulting on reducing the PAN for each of the schools for 2026/27. It is consulting on the same reduction in the PAN as requested by the proposed variation, namely a reduction in the PAN from 60 to 30.

12. The major change in circumstances relied upon by the local authority is set out in the request for a variation form which states:

For Downe Manor:

“Further reduction in actual reception pupil numbers in GNP West planning area (from 200 in Oct 23 to 185 in Oct 24, against a PAN of 240. This was in line with the SCAP 24 forecast but represents a surplus of 23%.

Reduction in applications and take up of offers leading to reduction in number admitted to reception (from 34 in 2023 to 29 in 2024).

Increased number of vacancies across all year group (R-Y6 roll decreased from 261 in Oct 23 to 250 in Oct 24).

Significant escalation of financial deficit (£180k in year deficit in 23/24, increasing cumulative deficit from £135k end Mar 23, to £314k end Mar 24)”

For Drayton Green

“Further reduction in actual reception pupil numbers in Ealing North planning area (from 423 in Oct 23 to 396 in Oct 24, against a PAN of 510. This was 3% below the SCAP 24 forecast (407) and represents a surplus of 22%.

Ofsted requires improvement judgement (February 2024)

Reduction in applications and take up of offers leading to significant reduction in number admitted to reception (from 46 in 2023 to 26 in 2024).

Increased number of vacancies across all year group (R-Y6 roll decreased from 358 in Oct 23 to 288 in Oct 24)

Significant escalation of financial deficit (£1.1m in year deficit in 23/24, increasing cumulative deficit from £137k end Mar 23, to £1.26m end Mar 24)."

13. In relation to both schools, the local authority also states:

"The head and governors are working towards a budget plan and structure that enables them to be financially sustainable in year and a longer term plan to recover the cumulative deficit.

We are proposing to reduce the published admission number (PAN) from 60 to 30 places at [relevant school] for admission to reception in September 2025. We are also carrying out a full consultation on the community school admissions arrangements 2026/27 which includes the proposed reduction from 60 to 30 places at [relevant school]. This change seeks to reduce surplus capacity across the [relevant] planning areas and assist the school's governing body 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."

14. I have accordingly given careful consideration to the latest available data in order to form a view about the sufficiency of school places in each of the local areas if the relevant school's PAN is reduced from 60 to 30 for 2025/26. I have also considered the demand for places at each of the schools, the reasons given for the variations proposed, the potential effect on parental preference and whether the proposed variations are justified taking into account all relevant circumstances.

15. The local authority has a duty to make sure that there are sufficient places for the children in its area. To fulfil this duty the local authority assesses the likely future number of places to be needed and plans to meet that need. The local authority uses planning areas, which are geographical areas each containing a number of schools, for this purpose. Downe Manor is located in the GNP West [Greenford, Northolt and Perivale] planning area. It is one of four schools in the area that admit children to YR. Drayton Green is located in the Ealing North planning area. It is one of eight schools in the area that admit children to YR. The local authority has provided me with the following data regarding admissions to these schools.

Table 1: The number of children admitted to YR in the GNP West planning area which includes Downe Manor Primary School

	2022/23 (actual)	2023/24 (actual)	2024/25 (actual)	2025/26 (forecast)	2026/27 (forecast)
Sum of PANs for YR	240	240	240	240	210*
Total number of children admitted to YR	195	200	185	211	160
Vacant places	45	40	55	29	50
Vacant places as a percentage	18.8	16.7	22.9	12.1	23.8

* Includes proposed reduction in PAN currently being consulted upon

If the proposed variation is approved for 2025/26

Sum of PANs for YR				210	
Vacant places				-1	
Vacant places as a percentage				-0.5	

16. From the data in table 1, I can see that, over the last few years, there has been a large number of surplus places in YR in the GNP West planning area. However, the forecast data shows that there could be a shortfall of one place in 2025/26. The local authority provided the following information in relation to this point:

“The forecast for GNP West in 2025 is 211, If the reduction is agreed the total PAN for GNP West will be 210. Based on the number of preferences and admitted pupils over the last three years it is our view that there will be sufficient vacancies across GNP West, GNP Central and Southall North to allocate a school place to all applicants within 1.5 miles.”

17. The DfE’s website ‘Get Information about Schools’ indicates that there are approximately 30 schools admitting pupils to YR within a two-mile radius of Downe Manor. I am, therefore, satisfied that if the PAN for Downe Manor were to be reduced to 30 for 2025/26, it is highly likely that there would be sufficient places available in the local area for any parents seeking a YR place for their child.

Table 2: The number of children admitted to YR in the Ealing North planning area which includes Drayton Green Primary School

	2022/23 (actual)	2023/24 (actual)	2024/25 (actual)	2025/26 (forecast)	2026/27 (forecast)
Sum of PANs for YR	510	510	510	510	480*

	2022/23 (actual)	2023/24 (actual)	2024/25 (actual)	2025/26 (forecast)	2026/27 (forecast)
Total number of children admitted to YR	461	423	396	408	388
Vacant places	49	87	114	102	92
Vacant places as a percentage	9.6	17.1	22.4	20.0	19.2

* Includes proposed reduction in PAN currently being consulted upon

If the proposed variation is approved for 2025/26

Sum of PANs for YR				480	
Vacant places				72	
Vacant places as a percentage				15.0	

18. Table 2 shows that, if the proposed variation is agreed, there are still likely to be over 70 vacant places for YR children in the Ealing North planning area in September 2025. I am satisfied that if the PAN of the school were to be reduced to 30 for 2025, there would be sufficient places available in the planning area for any parents seeking a YR place for their child.

19. I will now consider the demand for places at the schools and the reasons why the local authority has proposed the reduction in their PANs. The local authority forecasts the likely future number of places needed at planning area level only. Forecast data at school level is, therefore, unavailable.

Table 3: The number of children admitted to YR at Downe Manor Primary School

	2022/23	2023/24	2024/25
PAN	60	60	60
Number of first preferences	32	23	19
Number of children admitted	37	34	29
Vacant places	23	26	31
Vacant places as a percentage	38.3	43.3	51.7

20. Table 3 shows that the number of first preferences and the number of children being admitted to YR at Downe Manor has declined over the last three years. The percentage of vacant places at the school is much higher than that seen in the GNP West planning area as a whole. There is nothing to suggest that the number of parents seeking a YR place for their children at the school will change significantly in the short term. I am, therefore, satisfied that a PAN of 30 is unlikely to lead to a frustration of parental preference for the school in 2025/26.

Table 4: The number of children admitted to YR at Drayton Green Primary School

	2022/23	2023/24	2024/25
PAN	60	60	60
Number of first preferences	30	32	29
Number of children admitted	59	46	26
Vacant places	1	14	34
Vacant places as a percentage	1.7	23.3	56.7

21. Table 4 shows that the number of children being admitted to YR at Drayton Green has fallen sharply over the last three years. This may be partially explained by the school's most recent Ofsted report, February 2024, which points to the school having "been through a period of turbulence including staff turnover" although it is now "more settled ... and there are signs that the school is improving." Given parents have the choice of at least 30 schools admitting children to YR within a two-mile radius of Drayton Green, I am satisfied that a PAN of 30 will not lead to a frustration of parental preference for the school in 2025/26.

22. Using data from the DfE's 'Financial Benchmarking and Insights Tool' website, each school's financial situation is summarised in table 5. Both schools are in a challenging financial position which is worsening over time. For Downe Manor, the local authority is forecasting that the deficit will have increased to £668k by March 2025.

Table 5: Summary of each school's financial situation

	2022/23	2022/23	2023/24	2023/24
	In-year Balance	Revenue Reserve	In-year Balance	Revenue Reserve
Downe Manor Primary School	-£190k	-£135k	-£178k	-£314k
Drayton Green Primary School	-£760k	-£138k	-£1.1m	-£1.3m

23. In support of the proposed variation for each school, the local authority states:

“A substantial portion of the funding received by schools is directly related to the number of pupils attending the school. A large number of vacancies in an individual school therefore significantly impacts financial sustainability.

Reducing the PAN at [relevant] Primary School will enable the school to have certainty that they will not be required to run 2 reception classes if applications exceed 30 at any time during the 2025/26 school year. This will ensure that they are not placed in a position to have to employ an additional teacher should they exceed 30 pupils.

We consider there will continue to be sufficient vacancies at other local schools in the [relevant] planning areas [or nearby] to meet forecasted demand.”

24. As schools are funded, in large part, on a per child basis, a reduction in the number of children admitted will result in a reduction in income. However, the schools’ financial projections are such that a reduction in PAN for YR for 2025/26 will help mitigate the financial problems the schools face by bringing greater certainty in pupil numbers and, consequently, the number of teaching and support staff required.

25. The provisions of the School Admissions (Infant Class Size) (England) Regulations 2012 (the infant class size regulations) apply to the school, and they require that infant classes (those where the majority of children will reach the age of five, six or seven during the school year) must not contain more than 30 pupils with a single qualified school teacher, except in specific exceptional circumstances. It is more efficient financially for primary schools to have classes of 30 or near to 30. Classes that are significantly smaller than 30 can create economic strain upon a school.

26. If the proposed variations for 2025/26 are not agreed, then any in-year admissions will have to be admitted until the number of children admitted to YR is 60. Any such in-year admission could necessitate a reorganisation of classes midway through the year to avoid breaching the infant class size regulations. This situation is likely to present a significant logistical and financial challenge. Also, if the number of children in YR is “capped” at 30, then each school will be able to plan with certainty that in September 2025 it will need staffing for one YR class.

27. I find that in each case the variation is justified by the circumstances, and I approve the proposed variation for each school.

Determination

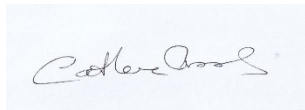
28. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variations to the admission arrangements determined by Ealing Council for Downe Manor Primary School and Drayton Green Primary School for September 2025.

29. I determine that the published admission number for admissions to the reception year in Downe Manor Primary School in 2025/26 will be 30.

30. I determine that the published admission number for admissions to the reception year in Drayton Green Primary School in 2025/26 will be 30.

Dated: 18 December 2024

Signed:

A handwritten signature in black ink, appearing to read 'Catherine Crooks', is written on a light blue rectangular background.

Schools adjudicator: Catherine Crooks