



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2158

Admission authority: The London Borough of Harrow for Cannon Lane Primary School, Pinner.

Date of decision: 23 July 2021

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by the London Borough of Harrow for Cannon Lane Primary School, Pinner for September 2021.

I determine that the published admission number for September 2021 will be 90.

By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements within two months of the date of the determination.

The referral

1. The London Borough of Harrow (the local authority) has referred a proposal for a variation to the admission arrangements (the arrangements) for September 2021 for Cannon Lane Primary School, Pinner (the school) to the adjudicator. The school is a community school for children aged 4 to 11 in Pinner.
2. The proposed variation is to reduce the published admission number (PAN) from 120 to 90.

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

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

- a. the referral from the local authority dated 25 June 2021 and supporting documents;
- b. the determined arrangements for September 2021 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 2020;
- d. data from the local authority showing previous and projected numbers in the school; and
- e. information available on the websites of the local authority, the school and the Department for Education.

6. Paragraph 3.6 of the Code requires that the appropriate bodies in the relevant area be notified of a proposed variation. The local authority has provided me with confirmation that the appropriate bodies have been notified. I find that the appropriate procedures were followed, and I am also satisfied that the proposed variation is within my jurisdiction.

The proposed variation

7. The local authority has planned primary school places in detail over the last years. Numbers in primary schools in the local authority as a whole are falling and therefore the local authority proposed PAN reductions in a number of schools for September 2021. These were subject to consultation and review. A reduction was not proposed for this school because the local authority forecast that the numbers would be near to the PAN already published. However, the school has received a lower number of applications than was expected and this is a significant change for the school. The local authority has consulted the governing board of the school, and all are agreed that a reduction in PAN will provide the school with much needed financial stability.

8. Paragraph 3.6 of the Code 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. I will consider below whether the variation requested is justified by the change in circumstances.

Consideration of proposed variation

9. There is no formal consultation required for a variation and so parents and others do not have the opportunity to express their views. Once the PAN has been set for a particular year then no body, except the governing board of a community or voluntary controlled school, can object if that PAN remains the same in subsequent years. 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. However, this is clearly an unexpected change in circumstances for the school as the projected numbers for this year were higher. The local authority has reduced the PANs of other schools following appropriate consultation and determination but clearly the reduced number of applicants to this school came as a surprise to both the local authority and the school.

10. This change in circumstances is reflected both in the local authority area and across other London areas. The local authority believes that the situation has been exacerbated by the fact that the school draws applications from both Harrow and Hillingdon residents. In addition, the local authority believes that other factors are contributing to the reduction; welfare changes, housing process, Brexit and the current pandemic.

11. The governing board met on 15 June 2021, discussed and agreed with the local authority that a reduction in PAN should be sought.

12. The number of applications for the school was expected to be in the region of 105 (currently the PAN is 120). In reality there were only 67 first preferences and the number of second preference places also reduced. As of 9 June 2021, the school has 41 vacancies with a PAN of 120.

13. Previous projections for admission in 2021, 2022 and 2023 were 105, 107 and 106. There were 74 fewer applications than expected this year and the local authority believes that this trend will continue although they have said that if numbers increase again then they would be prepared to increase the PAN for future years.

14. With a reduced PAN the school can plan for a three-form entry rather than a four-form entry and this will provide a stable financial basis on which to plan. I therefore agree that this is an unexpected change in circumstances, and I agree that the variation should be approved.

Summary

15. Numbers of applications have taken an unexpected and significant drop for admission in 2021 and therefore I approve the variation which will provide realistic stability for organisational and financial planning for the school.

Determination

16. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by the London Borough of Harrow for Cannon Lane Primary School, Pinner for September 2021.

17. I determine that the published admission number for September 2021 will be 90.

18. By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements within two months of the date of the determination.

Dated: 23 July 2021

Signed:

Schools adjudicator: Ann Talboys