



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2172

Admission authority: London Borough of Haringey for Earlham Primary School in Wood Green

Date of decision: 13 August 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 Haringey for Earlham Primary School for September 2021.

I determine that the published admission number for 2021 will be 30.

The referral

1. The London Borough of Haringey (the local authority) has referred a proposal for a variation to the admission arrangements for September 2021 (the arrangements) for Earlham Primary School (the school) to the adjudicator. The school is a community school for children aged four to eleven in Wood Green.
2. The proposed variation is that the published admission number (PAN) is reduced from 60 to 30.

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 Code provide as follows (in as far as is 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 and **must** display a copy of the full varied admission arrangements on their website until they are replaced by different admission arrangements.”

4. The local authority has provided me with confirmation that the appropriate bodies have been notified. I have seen confirmation that the school’s governing board has 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 this matter I have had regard to all relevant legislation, and the School Admissions Code (the Code).
6. The information I have considered in reaching my decision includes:
 - a. the referral from the local authority dated 9 July 2021, supporting documents and further information provided at my request;
 - b. the determined arrangements for 2021 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 and the Department for Education.

The proposed variation

7. The local authority said that the number of children seeking a place in reception year (YR) has been reducing in its area since 2015. This reduction in demand increased for admissions in September 2021. The local authority said, “Since March 2020 Covid-19 has led to a pronounced out-migration from Haringey and lowered demand for Reception places further” and explained, “The temporary reduction in the supply of primary places to more closely align demand will benefit school budgets and ensure Haringey residents continue to be offered a broad range of primary schools across all planning areas.”

8. As explained above, admission arrangements, once determined, may only be revised, that is varied, if there is a major change of circumstances or in certain other limited and specified circumstances as described above. I will consider below whether the variation requested is justified by the change in circumstances.

Consideration of proposed variation

9. The PAN for the school has been set for 2022 at 60 and so my decision in this matter will only apply to admissions in 2021. I have scrutinised the data to try to ascertain if there will be sufficient school places in the local area if the PAN is reduced from 60 to 30 for September 2021. I have also considered the demand for places at the school, the reasons given for the change, the potential effect on parental preference and whether the change is justified in these circumstances.

10. 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 groups of schools, for this purpose. The school is one of 11 schools admitting children to reception year (YR) in its planning area. Table 1 below summarises the number of children admitted to these schools in recent years.

Table 1: number of children admitted to YR in schools in the planning area in recent years

	2019	2020	2021
Sum of PANs of schools in the planning area	686	656	656
Number of children admitted or allocated a place	631	604	546
Vacant places	55	52	90
Number of vacant places as a percentage	8%	8%	14%

11. Table 1 shows the number and proportion of vacant places in the planning area increased significantly for admissions in 2021. If the PAN for the school were reduced to 30 then there would still be 60 vacant places for 2021. Based on the information available to me I therefore consider that if the PAN for the school were reduced to 30 for 2021 then there would be sufficient places for late applications and children moving into the area.

Table 2: number of children admitted to or allocated a place at the school

	2019	2020	2021 ¹
PAN	60	60	60
Number of children	42	47	29
Vacant places	18	13	31

12. Table 2 shows a significant reduction in allocations made for admissions in 2021 and that for fewer than 30 parents the school was the highest preference that they could

¹ As at 9 August 2021

achieve for their child. Schools are largely funded based on the number of children admitted. Children in YR are infants as infant classes are those where the majority of children will reach the age of 5, 6 or 7 during the school year. The School Admissions (Infant Class Size) (England) Regulations 2012 (the infant class size regulations) require that infant classes must not contain more than 30 pupils with a single qualified school teacher except in specific circumstances. This means that many schools seek PANs that are a multiple of 30 as this supports financially efficient class sizes if the pupils are taught in single year groups.

13. It is possible for schools to organise their classes with more than one year group to a class and this is an effective way of addressing a potential problem when the number of admissions does not come in helpful numbers of 30 or close to 30. Such an approach is not always popular with parents and can be more complicated to manage. In this case, it is anticipated that in September 2021, for example, there will be 85 pupils across Year 1 (Y1) and Year 2 (Y2). The headteacher of the school, writing on behalf of the governing board to support the proposed variation, explained that due to the low numbers being admitted to the school in recent years and the effects on the school budget, the governing board has decided to teach Y1 and Y2 together in three classes rather than four from September 2021. Three classes across the two year groups will mean around 28 to 29 pupils per class which will be a financially efficient approach. If the governing board had retained teaching groups that solely comprised of one year group, then the 47 pupils in Y1 could have been in two classes of around 23 or 24 and the 38 children who will be Y2 in two groups of 19 each. This would be an expensive model and if repeated in all years, could cause severe financial strain on the governing board and the education that the school provides.

14. Reducing the PAN to 30 would allow the governing board to provide just one class of up to 30 pupils. If the PAN remained at 60 then the local authority would have to admit any child seeking a place at the school until its PAN of 60 were reached. If this occurred, the school would have to organise its classes to meet infant class size regulations, which could mean providing two classes for YR which would be very expensive given the number of children. A variation to the PAN to 30 would therefore make sound financial sense where 30 or fewer children have been allocated a place at the school after all preferences have been taken into account.

15. In summary:

- 15.1. If the PAN were reduced to 30 then there are sufficient places in the area for late applications or children moving into the area.
- 15.2. Currently there are 31 vacancies at the school and the governing board wishes to arrange the incoming YR in one class to minimise financial pressure on the school budget.
- 15.3. If the PAN is set at 30 then no more children will be allocated a place at the school and the governing board will have greater certainty in its planning.

15.4. There is no evidence that reducing the PAN to 30 will frustrate parental preference.

16. I therefore uphold the proposed variation so that the PAN for the school for September 2021 is 30.

Determination

17. 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 Haringey for Earlham Primary School for September 2021.

18. I determine that the published admission number for 2021 will be 30.

Dated: 13 August 2021

Signed:

Schools adjudicator: Deborah Pritchard