



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: VAR803

Admission Authority: Hampshire County Council for King's Furlong Infant and Nursery School, Basingstoke

Date of decision: 25 January 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 Hampshire County Council for King's Furlong Infant and Nursery School for September 2019.

I determine that the published admission number for September 2019 shall be 60.

The referral

1. Hampshire County Council (the local authority) has referred a proposal for a variation to the admission arrangements for King's Furlong Infant and Nursery School (the school), for September 2019 to the Office of the Schools Adjudicator. The school is a community school for children aged two to seven in Basingstoke.
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 dated 26 November 2018 and supporting documents;
- the determined arrangements for September 2019 and the proposed variation to those arrangements;
- the local authority's forecasts of the demand for places in the area served by the school;
- an email from the chair of governors of the school; and
- a copy of an email notifying the appropriate bodies about the proposed variation.

Other matters

7. I pointed out to the local authority that the arrangements included a typographical error and an unnecessary definition, which it immediately rectified.

The proposed variation

8. The school has six permanent classrooms, providing capacity for 60 children in each of the reception year (YR), year 1 (Y1) and year 2 (Y2), that is, two classes in each year group. In recent years demand for places increased and, as the table below shows, up to 90 children were admitted to YR at the school from September 2015.

Table 1: First preferences and allocations 2015-2018

	PAN	Number of first preferences	Number of places allocated
September			
2015	60	83	90
2016	60	59	89
2017	60	73	87
2018	90	57	60

9. The local authority provided three temporary classrooms and made plans for a permanent expansion of the school's buildings to cater for three classes in each year group. The PAN was increased from 60 to 90 for September 2018. As can be seen from the table, there was, however, a significant reduction in the demand for places in September 2018.
10. The local authority has revised its forecasts of the demand for places at the school and is now of the view that no more than 60 places will be required in YR each year over the next three years. As a result, it has cancelled its plans to expand the school's buildings. It requests that the PAN returns to 60 to match the permanent physical capacity of the school.

Consideration of the case

11. Paragraph 3.6 of the Code states that,

“Admission authorities may propose...variations where they consider such changes to be necessary in view of a major change of circumstances.”

The local authority considers that the downward revision of the forecasts of pupil numbers that has resulted in the cancellation of the project to expand the permanent capacity of the school makes it necessary to reduce the PAN.

12. The school lies within a “Planning Area” defined by the local authority. The number of children in that area requiring places in the reception year in September 2019 is around 10 per cent lower than it was in 2016 and is forecast to remain at this level for the foreseeable future. The combined PANs of the infant and primary schools within this area currently total 390. In September 2018, 299 children took up places in YR at schools in the planning area. The local authority expects the uptake of places to be a little higher in September 2019, but forecasts that 14 per cent of them will remain unfilled. This figure would fall to seven per cent, if the PAN at King's Furlong Infant and Nursery School were to be reduced to 60.
13. The Net Capacity Assessment for the school, provided by the local authority, indicates that there are three temporary classrooms on the school's site, one of which is marked as “*condemned*” and is not in use. The school therefore currently has eight usable class teaching spaces, which matches the number of classes in this academic year: three in both Y1 and Y2 and two in YR.
14. It would therefore theoretically be possible for the school to accommodate an intake of up to 90 children in September 2019, as the three classes leaving the school from Y2 could be replaced by three classes joining in YR. However, this is very unlikely to be necessary as the local authority informed me the day before the national closing date for applications for primary school places that it

had received 50 applications expressing a first preference for the school.

15. I recognise that there would be significant benefits to the school and the local authority if the PAN at the school were to be reduced to 60. Less temporary accommodation would be required and the school would, as the local authority says in its variation referral, be able to adopt a “*two class structure*.” This would not be possible if the number of children admitted exceeded 60 by a small margin, due to the regulations relating to the size of infant classes.
16. I am satisfied that a reduction in the school’s PAN will not cause difficulty for parents and children living in the area, as fewer first preferences have been expressed for the school than the proposed PAN of 60. In addition, the total number of places available in the planning area as a whole will still comfortably exceed the number of children expected to require them.
17. In accordance with the requirements of the Code, the local authority has notified the appropriate bodies about its request for a variation. The chair of governors, responding on behalf of the governing board, indicated that the school was “*planning for a PAN of 60*.” I have not been made aware of any other responses.
18. Taking into account the cancellation of the building project and the demand for places both at the school and across the planning area, I approve this request for a reduction in the school’s PAN for September 2019. I would emphasise that this should not be understood as an endorsement of any longer-term change. PANs, as part of admission arrangements, must be determined annually. The local authority will need to continue to keep demographic trends in the area under close review.

Determination

19. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Hampshire County Council for King’s Furlong Infant and Nursery School for September 2019.
20. I determine that the published admission number for September 2019 shall be 60.

Dated: 25 January 2019

Signed:

Schools Adjudicator: Peter Goringe