



Office of  
the Schools  
Adjudicator

## Determination

**Case reference:** VAR902 Spon Gate Primary School, Coventry

**Admission authority:** Coventry City Council for Spon Gate Primary School

**Date of decision:** 9 January 2020

## 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 Coventry City Council for Spon Gate Primary School for September 2020.

I determine that for admissions in September 2020 the Published Admission Number will be 30.

## The referral

1. Coventry City Council (the local authority) has referred a proposal for a variation to the admission arrangements for September 2020 for Spon Gate Primary School (the school), to the Office of the Schools Adjudicator. The school is a community school for children aged 3 to 11 in Coventry.
2. The proposed variation is that the published admission number (PAN) is reduced from 60 to 30 for admissions in 2020.

## 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:

- a. the referral from the local authority sent on 20 November 2019 and supporting documents;
- b. the determined arrangements for 2020/21 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. an email from the headteacher of the school confirming the governing board's support for the application to vary the PAN;
- e. a map showing the location of the school and other relevant schools; and
- f. an email sent to all primary schools in July 2019 recording a meeting on primary place planning and taking account of the proposal to reduce the PAN at the school.

## The proposed variation

7. The local authority has applied for a variation to reduce the PAN at the school following primary planning area meetings and workshops and further analysis in the context of school place planning. The local authority wrote "*There has been a significant decrease in numbers of children living in the catchment area/and surrounding area for the school in the planning area. This has resulted in changes to the forecasting number for Spon Gate with the intake number suggested to be lower than 2FE [forms of entry]. This decline is also apparent in other schools across the planning area.*" Also, "*The school is experiencing a significant level of financial difficulty, which has been exacerbated by the reducing demand in their normal year of entry.*" The local authority has explained by way of context that the school is located with five other schools in the West Central planning area.

8. 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 is justified by the change in circumstances.

9. Paragraph 3.6 of the Code also requires that relevant parties be notified of a proposed variation. The local authority has provided me with detail about the materials it

sent to the email group *Education Consultations* about the planning area meetings in which the reduction to the PAN at the school was noted.

10. Following the meeting of the school’s governing board on 18 September 2019, the headteacher at the school wrote “*Governors decided to reduce the school’s PAN (Pupil Admission Number) from 60 to 30 from September 2020. This decision was based on the evidence provided by the Local Authority on the predicted number of children to attend the school, and the information regarding the surplus school places within the planning area. Governors concluded that the school would not be financially viable in future years without this change. Governors expressed regret at having to make this decision and hope that, in the future, the school can return to a thriving two-form entry primary school.*”

11. I am satisfied that all relevant bodies have been notified and that views expressed have been taken into consideration. I find that the appropriate procedures were followed.

## Consideration of proposed variation

12. The local authority notified all primary schools in March 2019 about the impact of reductions in the birth rate on forecasts for primary school admissions. Meetings in planning areas with a significant forecast surplus of places and a workshop took place in July 2019 to discuss changes in forecast numbers starting school. The local authority also carried out a more detailed analysis of the information which was sent to each school by the beginning of the Autumn Term 2019.

13. The table below sets out the number of children admitted to schools in the planning area for each relevant year of entry for the last three years.

School	Published Admission Number	2017	2018	2019	Forecast 2020	Forecast 2021
All Souls’ Catholic Primary	30	30	30	31	30	30
Earlsdon Primary	60	53	59	56	60	60
Hearsall Academy	60	39	47	51	51	46
Moseley Primary	60	60	57	59	59	50
<b>Spon Gate Primary</b>	<b>60</b>	<b>53</b>	<b>28</b>	<b>37</b>	<b>35</b>	<b>40</b>
St Osburg’s Catholic Primary	30	29	30	30	30	30
<b>TOTAL</b>	<b>300*</b>	<b>264</b>	<b>251</b>	<b>264</b>	<b>265*</b>	<b>256*</b>

\*PAN total of 270 in 2020 and 2021 if Spon Gate variation approved

14. The table above sets out the number of children admitted to the Reception Year at the school in September each year. I also wanted to know about the number of preferences

made to the school and, in particular, how many first preferences had been expressed for places at the school in recent years. This information is set out in the table below. Whilst it is not possible to offer places to all children whose parents express a preference for a school, the pattern of preferences for the last two years shows that a reduced PAN of 30 would have enabled parents who made the school their first preference to be offered a place.

Number of preferences made for Spon Gate Primary School

	2017	2018	2019
First preference	37	25	30
Second preference	10	10	11
Third preference	14	8	12

15. The forecast predicted numbers for the school show that five pupils in 2020 and 10 pupils in 2021 whose parents express a preference (but not probably a first preference) for the school are unlikely to be offered a place. The local authority told me “*This is solely due to an increase of number of children in catchment, rather than any increase in parental preference for the school.*” The forecasts for the planning area show places are likely to be available at Moseley Primary School and Hearsall Academy. Both schools are less than one mile from Spon Gate and the local authority has said that they are both safe-walking routes. I am therefore assured that if this variation is agreed, there will be sufficient places for children living in the area. It is also clear to me from the figures supplied both that there is an oversupply of places in the West Central planning area and that Spon Gate is the school with the highest number and proportion of empty places in the current Reception Year.

16. Although the closing date for parents to submit on time applications setting out their preferences for primary school places for admission in September 2020 is 15 January 2020, the local authority has advised parents in the primary admissions booklet “*Primary education in Coventry 2020*” that the PAN for the school will be reduced for 2020 subject to the agreement of the Schools Adjudicator. This has helpfully enabled parents to make a preference for the school in the knowledge that there may be fewer places than in previous years.

17. Taking account of all the information provided to me, I am satisfied that the proposed variation is an appropriate response to the circumstances of the school and the area and I approve the variation.

## Determination

18. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Coventry City Council for Spon Gate Primary School for September 2020.

19. I determine that for admissions in September 2020 the Published Admission Number will be 30.

Dated: 9 January 2020

Signed:

Schools Adjudicator: Lorraine Chapman