



Office of  
the Schools  
Adjudicator

## Determination

**Case reference: VAR923**

**Admission authority: Leicestershire County Council for Ravenhurst Primary School, Braunstone, Leicestershire**

**Date of decision: 15 April 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 Leicestershire County Council for Ravenhurst Primary School, Braunstone, for September 2020.**

**I determine that for admission to the school in 2020 the Published Admission Number shall be 60.**

## The referral

1. Leicestershire County Council (the local authority) has referred a proposal for a variation to the admission arrangements for September 2020 for Ravenhurst Primary School (the school), to the Office of the Schools Adjudicator (OSA). The school is a community school for children aged 5 to 11 in Braunstone.
2. The proposed variation is to reduce the Published Admission Number (PAN) from 80 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:

- a. the referral from the local authority dated 10 March, supporting documents and further information supplied in response to my enquiries;
- b. the determined arrangements for September 2020 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. evidence that the governing board for the school has been consulted;
- e. a map showing the location of the school and other relevant schools;
- f. a copy of the letter notifying the appropriate bodies about the proposed variation; and
- g. comments received on the proposed variation from the appropriate bodies.

## The proposed variation

7. The proposed variation is sought on the basis that a fall in the number of births in the area has led to a reduced demand for places at the school. I am told that a reduction in the PAN would allow for the making of what the local authority describes as "*much needed redundancies to reduce their [the school's] deficit*". Schools are funded primarily on the basis of pupil numbers so falling numbers of pupils will have resulted in a reduced budget. In addition, the school must comply with the requirements of the infant class size regulations that no class of infants can exceed thirty children taught by one qualified teacher (save in very limited circumstances). This means that having just over sixty children in Reception would require three rather than two teachers for that year group or adopting some other form of organisation – such as mixed aged classes – which schools are usually keen to avoid. The funding which would flow from, say, 63 children, would not support the employment of three teachers in the way that the funding for, say, 88 children would do. An email from the school to the OSA makes clear its support for the variation.

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 in 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 a copy of its notification on the proposed variation and the list of schools and other bodies to which it was sent. I have seen confirmation from the school's governing board that it supports the request for the variation. 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**

10. It is easy to see why the proposed variation would help to support the school to manage its budget. I have considered whether the proposed variation would affect the local authority's duty to secure the provision of school places in the area and whether it would adversely affect the meeting of parental preference. The latter is especially important as this request for a variation was made after parents would have expressed their preferences for primary school places and they will have done so on the understanding that there were 80 places available at the school.

11. The local authority uses a catchment area system for primary schools. In the case of Ravenhurst, it has a catchment area which is shared by three other schools. The four schools have a combined PAN of 215. The number of children resident in the catchment area and the right age to join Reception in 2018 was 212 and in 2019 it was 198. I am conscious that the number of places available in the catchment area would reduce to 195 if I approve the proposed variation but I am given to understand by the local authority that it is confident that numbers are continuing to fall and that it will be able to meet its duty to provide places.

12. Against this background, I turn to the question of whether the reduction in places at the school would affect the degree to which parental preferences could be met. The school admitted 65 children to Reception in 2018 and 63 in 2019. I was initially concerned that on the basis of this pattern, the reduction could see some children denied a place at the school. Given, as noted above, that the variation was sought relatively late in the admissions round, this would be of concern, especially as the local authority confirmed in response to my enquiries that parents had not been warned in advance that the PAN might be reduced. However, the local authority has been able to provide me with the numbers of applications for and allocations of places at the school for September 2020. A total of 53 places have been allocated as a result of on-time applications. In addition, the local authority has received five late applications for places. On this basis, I am satisfied that the proposed reduction in PAN would not result in the denial of a place at the school to any child whose parent wished them to have a place. I approve the proposed variation and I determine that for 2020 the PAN for Ravenhurst shall be 60. I note that as the

arrangements for 2021 had been determined by the local authority prior to the making of this variation, the PAN for 2021 remains at 80.

## Determination

13. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Leicestershire County Council for Ravenhurst Primary School, Braunstone, for September 2020.

14. I determine that for admission to the school in 2020 the Published Admission Number shall be 60.

Dated: 15 April 2020

Signed:

Schools Adjudicator: Shan Scott