



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2113

Admission authority: Hampshire County Council for Bishops Waltham Infant School, Southampton

Date of decision: 4 May 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 Hampshire County Council for Bishops Waltham Infant School, Southampton for September 2021.

I determine that the published admission number for admissions in September 2021 shall be 60.

The referral

1. Hampshire County Council (the local authority) has referred a proposal for a variation to the admission arrangements for September 2021 for Bishops Waltham Infant School (the school), to the Office of the Schools Adjudicator. The school is a community school for children aged 5 to 7 in Southampton.
2. The proposed variation is that the published admission number (PAN) be reduced 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:

- a. the referral from the local authority, dated 28 January 2021 but actually submitted on 25 March 2021, supporting documents and further information provided at my request;
- b. the determined arrangements for 2021 and the proposed variation to those arrangements;
- c. evidence that the governing board for the school has been consulted;
- d. a map showing the location of the school and other relevant schools; and
- e. a copy of the email dated 26 February 2021 notifying the appropriate bodies about the proposed variation.

The proposed variation

7. The admission arrangements, including a PAN of 90, for 2021/22 were determined by the local authority on 26 February 2020. The local authority said that there were 57 first preferences for the school and thus "There will be staffing implications if infant classes creep above 30 which will incur staffing costs and create budget difficulties for the school." The headteacher at the school, supported by the co-chair of governors, submitted more information about the school's circumstances which I shall consider further in this determination.

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 a copy of its notification on the proposed variation. 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. I find that the appropriate procedures were followed.

Consideration of proposed variation

10. The headteacher at the school and an officer at the local authority have helpfully provided more information about the background to this request for a reduction in PAN. The school's PAN was expanded from 60 to 90 in 2018 on the expectation of additional housing in the catchment area. The local authority told me that 'the housing has not come on stream as quickly as we had been told by the developer which means the yield of pupils has been suppressed'.

11. I have looked at the number of children admitted to the school over the last three years based on the information submitted by the local authority and information available on the council's website.

12. I want to consider the impact of the proposed reduction on the number of places in the planning area. The school is located in the Bishops Waltham planning area of nine schools of which seven, including this school, admit to the reception year (YR). The local authority has also submitted an application to reduce the PAN at St John the Baptist CE (Controlled) Primary School which is also in the planning area. The local authority has a duty to make sure that there are sufficient places in the local area if the PAN is reduced. The local authority sent me information about the number of places in the planning area the number of children admitted in the last three years and the number forecast in future years.

Table 1: number of places in the local authority planning area for admission to YR with forecast of demand

	2018	2019	2020	2021	2022
Sum of PANs	309	309	309	264	264
Number of children admitted/expected to be admitted	276	255	256	241	261
Number of vacant places	33	54	53	23	3
Number of vacant places as a percentage	11%	17%	17%	9%	1%

The numbers 264 in the top row of the table assume a reduction in PAN at Bishops Waltham Infant School and St John the Baptist CE (Controlled) Primary School. The number 241 in the second row is the number of places offered for September 2021. The forecast numbers and percentages shown in the second, third and fourth row do not take account of expected reduction in demand.

13. Across the planning area, the local authority has taken steps to reduce the number of vacant places by applying for reductions in PAN at two schools. I do need to note that supply could be very tight for 2022 if the expected drop in demand does not take place.

14. I have looked in detail at applications to the school from 2017 using the local authority's published data. The row of applications is the number received by the closing date for applications and the number of offers is the number made on National Offer Day.

Table 2: number of applications and offers made for the school

	2017	2018	2019	2020	2021
PAN	60	90	90	90	90
Applications	102	109	107	107	57
Offers	60	66	74	63	59
Admitted to YR		76	74	70	

In relation to the figure 57 shown for 2021, the local authority told me these were first preferences

15. It is clear that a combination of a high number of applications in previous years and the expectation of additional housing in the area led the local authority to increase the PAN at the school but, without the additional housing, a PAN of 90 has led to significant budgeting and staffing challenges. In short, the school has admitted in each year from 2018 to 2020 more than 60 but far fewer than 90 children. The numbers applying to the school have dipped further this year and consequently the PAN can be reduced to 60 without an impact on parental preference and without the concern that the admission of a 61st child would bring in the light of the requirements of the infant class size regulations. The local authority told me that a PAN reduction would "allow the school to plan for an admissions intake of 60 with two teachers, protecting the school from financial difficulties and maintaining their organisational structure. It will enable them to plan their staffing with certainty." The school also commented that the list of applications for 2021 contained fewer than 57 children living in the Bishops Waltham area and that future projections show a falling birth rate across Hampshire for the next few years. It was against this background that the local authority determined a PAN of 60 for the school on 24 February 2021 for 2022.

Summary

16. The school has not admitted to its PAN since this was increased to 90 in 2018 having previously been set at 60. With a further reduction in applications for 2021 I can support this application to reduce the number to 60 for 2021. However, even without the

additional housing, and I do not know when it will come on stream, the number of places available in 2022 could be problematic and almost certainly would impact on parental preference.

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 Hampshire County Council for Bishops Waltham Infant School, Southampton for September 2021.

18. I determine that the published admission number for admissions in September 2021 shall be 60.

Dated: 4 May 2021

Signed:

Schools Adjudicator: Lorraine Chapman