

DETERMINATION

Case reference: VAR/000588

Admission Authority: The Governing Body of St Paul's Church of England Junior School, Kingston upon Thames.

Date of decision: 31 July 2012

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I agree to the proposed variation to the admission arrangements determined by the governing body, the admissions authority, for St Paul's C of E Junior School, to decrease the published admission number from 90 to 60 for admissions in September 2013.

The referral

1. The Governing Body of St Paul's Church of England Junior School, a Voluntary Aided Church of England junior school (the School), has referred a variation to the Adjudicator about its admission arrangements for September 2013.
2. The variation that has been requested is to decrease the published admission number (PAN) for admissions in September 2013, for one year only, 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 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".

I am satisfied that the proposed variation is within my jurisdiction.

Procedure

4. In considering this matter I have had regard to all relevant legislation, guidance and the School Admissions Code (the Code).

5. The documents I have considered in reaching my decision include:
- the determined arrangements for 2013/14 and the proposed variation to those arrangements dated 18 July 2012;
 - minutes of the governing body meeting held on 10 November 2009, at which the permanent expansion was agreed;
 - a copy of the Primary Admissions Booklet 2012 for the Royal Borough of Kingston upon Thames, the local authority, (the LA);
 - maps of the area; and
 - the Net Capacity Assessment for the School.

Background and Consideration of Factors

6. In November 2009 the governing bodies of a number of schools in Kingston upon Thames were consulted by the LA about a permanent expansion to meet the substantial and growing demand for primary school places in the area. The School was one of nine local schools which agreed to a permanent expansion. It increased the PAN from 60 to 90 in September 2011.

7. Prior to this large scale permanent expansion of infant, junior and primary schools in the local area, the LA had managed to meet demand by admitting above the PAN of several schools each year, as a temporary measure. The partnered infant school, Alexandria Infant School, a community school with nursery, had agreed to admit 30 additional pupils, in each of the two years prior to September 2010, and therefore 90 pupils transferred to the School in the autumn terms of 2011 and 2012.

8. In September 2010 the infant school only admitted 60 pupils and as a result of this, in September 2013 there will be a smaller cohort of 60 pupils transferring to the School. However, the projections for the number of pupils indicate that from September 2014, the infant school intake will rise again to 90 each year.

9. In the light of this situation at the infant school, the governing body of the School is seeking a variation to the arrangements it has determined for admissions in September 2013, to decrease the PAN from 90 to 60 for one year only. The LA fully supports this request for a variation and has provided comprehensive information about past pupil numbers, the projections for the number of pupils and the admission numbers of all schools within a three mile radius of the School. All of the primary schools within this area have been consulted about the proposal but none has responded.

10. If the School retained its PAN of 90, the admission number that was determined as part of its arrangements for September 2013, the governors would have to admit up to that number. There is a strong possibility that this would have a negative impact on other local schools by reducing the number

of children admitted to them in September 2013.

11. The alternative of admitting only 60 children would leave the School open to appeals, which would have to be upheld until the PAN of 90 was reached. In future years there would then be the possibility of added pressure on places at the School caused by the priority given to siblings of pupils attending the School, in the oversubscription criteria.

12. The only course of action open to the School to avoid this situation is to apply for a variation to lower the PAN for admissions in September 2013 to 60 and then to determine a PAN of 90 for admissions in September 2014.

13. Although the School has requested the reduced PAN for one year only, implying that I might agree that it reverts to 90 for admissions in 2014, I have jurisdiction to consider only the determined arrangements for admissions in September 2013. When the governing body of the School determines its arrangements for 2014 it will do so in accordance with the Code and will be able to increase the PAN, if it wishes, as provided for in paragraph 1.3 of the Code.

Conclusion

14. The governing body of the School has been working closely with the LA to manage the pressure on primary school places in the area, firstly by making temporary arrangements for two years to admit above its PAN and then by agreeing to permanent expansion. As a result of these different year on year arrangements, there will be a smaller cohort of 60 children in the partner infant school, transferring to the School in September 2013 and in my view this proposal to vary the PAN for one year only, is both reasonable and desirable. For these reasons and those given above I agree to this variation to decrease the PAN for one year only, from 90 to 60 for admissions in September 2013.

15. In accordance with section 88E of the School Standards and Framework Act 1998, I agree to the proposed variation to the admission arrangements determined by the governing body, the admissions authority, for St Paul's C of E Junior School, to decrease the published admission number from 90 to 60 for admissions in September 2013.

Dated: 31 July 2012

Signed:
Schools Adjudicator: Mrs Carol Parsons