



## DETERMINATION

**Case reference:** VAR 641

**Admission Authority:** The Governing Body of St Andrew's Church of England School for Boys, Worthing.

**Date of decision:** 2 October 2014

### Determination

**In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by the governing body of St Andrew's Church of England School for Boys.**

**I determine that for admissions in September 2015 the published admission number for year 7 shall be 180 and the published admission number for year 8 shall be 140.**

### The referral

1. The governing body of St Andrew's Church of England School for Boys has referred a variation to the Adjudicator about the admission arrangements for St Andrew's Church of England School for Boys (the school), a voluntary aided secondary school for boys for September 2015. The school admits boys to year 7 and year 8 and the variation requested is to vary the published admission number (PAN) for two year groups; that the PAN for year 7 be reduced from 240 to 180 and the PAN for year 8 be reduced from 145 to 140.

### Jurisdiction

2. 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”.

3. 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.
5. The documents I have considered in reaching my decision include:
  - a) the head teacher's email of referral of 22 July 2014 and supporting documents;
  - b) the determined arrangements for 2015/2016 and the proposed variation to those arrangements;
  - c) a copy of West Sussex County Council's, the local authority (the LA) composite prospectus for parents seeking admission to schools in the area in September 2014 and 2015;
  - d) information from the LA supporting the request for variation;
  - e) minutes of the reorganisation stakeholder board of 7 July 2014 where the variation was discussed; and
  - f) information from the LA's website about the proposed change in age of transfer in Worthing.

## **Background and consideration of factors**

6. The school is in the Borough of Worthing which is in West Sussex. At present pupils are normally admitted to schools in the borough at age 12 (year 8) for which the school has a PAN of 145. The school also has a PAN for year 7 pupils of 40 as, in 2008, the neighbouring areas of Shoreham and Lancing changed their age of secondary transfer from year 8 to year 7. Part of these areas is in the school's catchment area so, to allow parents in those areas to continue express a preference for a place at the school a year 7 PAN was introduced. The majority of pupils are admitted at year 8.
7. The school was judged to require improvement following a section 5 inspection in May 2013.
8. The LA consulted in 2013 on a proposal to change the school system in Worthing from a first / middle / upper school system to a primary/ infant / junior/ secondary system which changes the age at which children transfer between school sectors. In addition the school age population is increasing in the area. The LA has secured an investment of £30 million pounds to reorganise the schools in Worthing.
9. On behalf of the governing body, the LA published a notice in accordance with Section 19(1) of the Education and Inspections Act 2006 (as amended by the Education Act 2011) that the governing body intended to make a prescribed alteration to the school. The proposal and subsequent decision was to change the age range of the school from 12 -16 years to 11-16 years from September 2015 and to increase

the year 7 PAN to 240 to take in eight forms of entry.

10. The LA now require fewer places for September 2015 than was originally forecast, estimating that 41 forms of entry are necessary from the six secondary schools the in the area.

Among the factors I have considered are the following:

#### Major Change in Circumstances

11. The school has now received information that only six forms of entry are required for September 2015 and that the original, eight forms of entry will not be need until September 2017. The governing body agreed to increase the forms of entry to the school at the request of the LA and is now informed that the capacity is not required for September 2015.
12. The LA has supported this application and explains further that the funding available to provide additional places is insufficient to meet the latest cost estimates behind the original proposals to enlarge the school and a phased approach has been agreed by the governing body, the LA and the Diocese of Chichester following discussions with local schools.
13. In addition, the school and LA agree that a phased growth to incorporate year 7 will better support the current capacity of the school to bring about improvement in standards.
14. I consider the matters above; that there is no longer the need for this increased capacity for 2015; that the funding to build capacity is insufficient and that the school was found at the monitoring visit by Ofsted on 11 March 2014 to not be *“taking effective action to tackle the areas requiring improvement identified in the last inspection”* and view them to be a significant change in the school’s circumstances and the reduction in the PAN appropriate to that change.

#### Availability of Alternative Provision

15. The LA, through its stakeholder group is encouraging the six local secondary schools to work collectively to manage admissions and provide sufficient places for the existing and growing population. The data provided by the LA show there will be sufficient capacity with the proposed reduction in the PAN for year 7. The explanation is that the current numbers in primary schools show that there is not the need for as many school places as was first forecast for 2015. The projected numbers take into account the general increase in pupil numbers from new housing and an estimate of number of families that move into accommodation, for example flats, that previously were occupied by single persons or couples. The data show that the school will have 1069 pupils in 2015 with a proposed capacity of 1350 and that there will be surplus places in the area.

## Capital Investment

16. The LA reports that two phases of building are planned for the school; the first will enable it to take six forms of entry for September 2015 and the second phase to take eight forms of entry in the future timescales.

## Responses from Relevant Bodies

17. The variation request form shows that relevant parties have been notified of the proposed variation and there are minutes of the reorganisation stakeholder board showing there is ongoing co-operation and collaboration to manage the change in the age of transfer in the area of which this change in PAN plays a part. I am satisfied there has been appropriate notification and consultation. I note also that this change can be made before the deadline for application for school places which is 31 October 2014.

## **Conclusion**

18. This is a period of significant change for the local authority and the school. The school and LA wish to adopt a phased approach to the increase in the number of pupils while at the same time changing the age of transfer. The estimated costs of building work are now greater than was originally forecast and the projected number of pupils for 2015 is smaller than was originally forecast. I consider a reduction in year 7 PAN and 8 PAN to be an appropriate response to these circumstances and I agree the request to reduce the year 7 PAN from 240 to 180 and the year 8 PAN from 145 to 140 for September 2015.

## **Determination**

19. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by the governing body of St Andrew's Church of England School for Boys.
20. I determine that for admissions in September 2015 the published admission number for the year 7 PAN shall be 180 and the published admission number for year 8 shall be 140.

Dated: 2 October 2014

Signed:

Schools Adjudicator: Jill Pullen