



DETERMINATION

Case reference: VAR686

Admission Authority: London Borough of Havering for Gaynes School, Upminster, Essex

Date of decision: 22 July 2016

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variations to the admission arrangements determined by the London Borough of Havering for Gaynes School in Essex for 2016.

The referral

1. The London Borough of Havering (the local authority) has referred a variation to the Office of the Schools Adjudicator about the admission arrangements for Gaynes School (the school), a maintained community secondary school for children aged 11 to 16 years. The school has a published admission number (PAN) of 192 and the variation requested is to vary the PAN so that it should be reduced from 192 to 150 for September 2016.

Jurisdiction

2. The referral was made 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 and the School Admissions Code (the Code).
5. The documents I have considered in reaching my decision include:
 - a. the local authority's form of referral of 22 June 2016, supporting documents and subsequent correspondence;
 - b. the determined arrangements for 2016 and the proposed variation to those arrangements;
 - c. a copy of the local authority's composite prospectus for parents seeking admission to schools in the area in September 2016;
 - d. confirmation from the school of support to the variation requested; and
 - e. a map of the area.

Consideration of the case

6. The local authority is the admissions authority for the school. The local authority said that the school has been undersubscribed for some years but an increased demand for secondary school places for 2016 had been anticipated. This has not led to more places being requested at the school. The situation is difficult for the school to manage and it has expressed the wish to have a lower PAN for 2016. The school believes a lower PAN would allow it to plan properly and have forms of entry which would not require it to re-arrange and disrupt classes or create additional classes when there are requests for in-year admissions.
7. The school is on the southern edge of the local authority area and parents have secured places at other secondary schools, sometimes outside of the local authority area, and the numbers applying for the school and being allocated a place at the school have remained low.
8. This pattern has continued for some years as indicated by the table below:

	Admission number	Number admitted	Number of applications	Number of appeals
2012/2013	192	111	455	0
2013/2014	192	60	345	0
2014/2015	192	96	435	0
2015/2016	192	121	462	0

9. On 1 March 2016 there were 114 places allocated for admission to the school in September 2016. This reduced to 96 by June 2016 and is likely to continue to fluctuate around that number based on previous patterns.

This indicates that the school is unlikely to achieve its PAN of 192 in September 2016; the actual numbers of children starting school in September 2016 are likely to be nearer the 96 counted in June than the PAN of 192.

10. The school has explained that having a PAN of 192 while actually receiving perhaps half that figure makes it hard to plan appropriately for the number of classes. The school has expressed the view that this leads to an inefficient use of resources and therefore creates a detrimental impact on the provision of education. When the request for the variation was made on 22 June 2016, 39 children had joined the school during the year following the September 2015 intake. This is nearly eight per cent of the school's population. The application for the variation says, "*A reduced PAN will mean that the potential percentage increase of the school population during an academic year will be reduced. This will mean that we will be able to fulfil the plans put in place for timetabling and curriculum each year and will ensure high standards for students.*"
11. I asked the local authority for reassurance that there would be sufficient places for in-year admissions so that children would not be left without a suitable place. The local authority provided information on schools in the area based on 2015 admissions. This shows that there is some capacity in the area. The local authority also said, "*The current number of year 7 pupils allocated Gaynes for September 2016 is 96, a reduction since the initial allocation. As such, a reduced PAN of 150 will still have sufficient places to accommodate any increase in the Gaynes 2016/17 year 7 roll, assuming that any movement throughout the year will follow a similar pattern to that seen in the 2015/16 year.*"
12. In September 2015 there were 106 children in year 7 and by May 2016 this figure was 112. The figures provided give me assurance that if the school's PAN were reduced to 150 for 2016 that there would still be sufficient places for all students who needed them and that the situation would help the school maintain good standards of education.
13. Paragraph 3.6 of the Code requires that, admission arrangements, once determined, may only be changed if there is a major change of circumstance or certain other limited and specified circumstances. I will therefore consider whether the relevant parties were notified as required by the Code and whether the variation requested will deal with the change in circumstances of the school.
14. The local authority has provided me with a copy of its notification sent on 1 June 2016 on the proposed variation and the list of schools and local authorities to which it was sent. There were no responses received.
15. I have seen confirmation from the school that it supports the request for the variation. I am satisfied that all relevant bodies have been consulted and that views expressed have been taken into consideration.

Conclusion

16. I find that the appropriate procedures were followed and the relevant parties notified. I am satisfied that the proposed variation addresses the circumstances described.

Determination

17. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by the London Borough of Havering for Gaynes School in Essex.

Dated: 22 July 2016

Signed:

Schools Adjudicator: Mrs Deborah Pritchard