



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: VAR663
Admission Authority: Slough Borough Council for Wexham School
Date of decision: 27 July 2015

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Slough Borough Council for Wexham School for September 2015.

I determine that for admissions in September 2015 the published admission number shall be 140.

The referral

1. The head teacher of Wexham School has as referred a variation to the Adjudicator about the admission arrangements for Wexham School, (the school), a community secondary school for pupils aged 11-18 years. The variation requested is to reduce the published admission number (PAN) from 165 to 140 for September 2015. The school has been allocated only 125 Year 7 pupils for September 2015. Slough Borough Council which is the local authority and admission authority for the school has written to agree the variation request may be made.

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”.

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

Procedure

3. In considering this matter I have had regard to all relevant legislation and the School Admissions Code.
4. The documents I have considered in reaching my decision include:
 - a. the school's form requesting a variation of 16 June 2015 and supporting documents;
 - b. the determined arrangements for 2015 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 2015 ;
 - d. an email of agreement from the local authority for this request and supporting documents;
 - e. a copy of the letter notifying the appropriate bodies about the proposed variation;
 - f. a map of the area; and
 - g. a report on school places in the local authority, downloaded from the internet.

Background and Consideration of factors

5. Wexham School is a community school for boys and girls aged from 11 to 18, in the north of Slough. The PAN is set at 165. It has a resourced provision for pupils with autistic spectrum disorder. At the last inspection by Ofsted in September 2013, it was found to be good in all aspects. The school has been allocated 125 pupils for admission in September 2015.
6. The local authority has a mix of grammar and non selective secondary schools. Two secondary free schools opened in September 2014 and a third will open in September 2015. Both the local authority and the school argue that the surplus places in the school for Year 7 in September 2015 are a consequence of the opening of these new schools. The local authority anticipates that there may be 70 pupils requiring Year 7 places as in year admissions during the next school year and that an unknown number of pupils may leave.

7. The school has a shortfall of 40 pupils for September 2015 which it considers to be a major change of circumstance. It is concerned that 40 spare places “risks the stability, cohesion and work ethic of the year group. Pupils arriving in year don’t have the benefit of the transition and induction arrangements, which are vital to ensuring that pupils are happy and you know what is expected of a Wexham pupil. Whilst schools can manage a small number of a new admissions successfully, this number is simply too high”. It considers that the admissions of these additional pupils would represent “a real risk to the happiness, attitudes and academic success of our pupils, with all the attendant pressures on staff as a result”. The school argues further that a reduction in PAN will enable it to reduce the number of teachers it employs without the risk that more teachers will have to be employed during the year. It reports that most local schools have surplus places in this year group.

8. In the recent past, the school has always admitted the PAN of 165 as can be seen from the table below

	PAN	Number admitted	Number of Applications	Number of Appeals
2010/2011	165	165		34
2011/2012	165	165	499	31
2012/2013	165	165	512	32
2013/2014	165	165	499	11

9. I acknowledge that the shortfall in the PAN of 40 places is an unexpected and serious event for the school and this leaves the school with vacant places for 40 in year admissions for year 7. This variation for a PAN of 140, if agreed, would make planning and staffing for the year group at the school more predictable.

10. This is a variation for the admission arrangements determined by Slough as the local authority. I consider whether there may be implications for the area as a whole. This variation would reduce the number of available places by 25 for pupils moving into Slough, currently projected as 70, with an unknown number likely to move out of the area. My consideration should therefore include where these pupils may otherwise find school places.

11. The local authority supports the request for a variation indicating also that there are sufficient surplus places at other schools. I asked the local authority for a list of secondary schools in the borough and numbers of pupils allocated. The surplus places in Slough are, in the main, at one school, Lynch Hill Enterprise Academy, which is in the very west of Slough and has yet to secure a site for September. It opened on a primary school site as a temporary measure and will continue there for September 2015. However, the local authority reports that it has had an assurance from the project manager

for the Education Funding Agency that there will be capacity available. The local authority reports that there are also places at two schools outside of Slough, one a Church of England school with 80 spare places and the other an E-ACT academy which has places but the local authority does not know how many. The surplus places at these two schools are incorporated into the local authority's plan for pupil places.

13. It is the responsibility of the local authority to ensure that there are sufficient school places. The Education Act 1996, s 14(2) places a duty on a council to *secure sufficient schools for providing (a) primary education and (b) secondary education and that those schools are available for their area. (Sufficient means sufficient in number, character and equipment to provide the opportunities for appropriate education for the pupils.)*.

14. The local authority confirms that it will have sufficient school places if the PAN at the school is reduced. However it advises that *"For school place planning reasons it is important that all Wexham's PAN places can be available again in 2016-17 if required"*. The arrangements for 2016 have already had to be determined so the local authority must know what has been determined as the PAN for 2016.

15. I find that the unexpected reduction in the number of Year 7 pupils allocated to the school, which has been full in recent years, is a major change of circumstance since the admission arrangements were determined. The school wants to plan sensibly, with the security of a reduced PAN, for the children who will be joining the school and also have some places for others.

16. The local authority, as the admission authority and responsible for the provision of school places supports the variation and reports that it will have sufficient school places for Year 7 in the next school year.

Conclusion

17. The school unexpectedly had a reduced number of applicants for Year 7 and wants to stabilise the situation both in terms of the number of Year 7 pupils it would be asked to admit during the year and to make sure it has efficiently deployed its staffing resources.

18. The local authority supports the school in this request and confirms that it will have sufficient school places for those Year 7 pupils that may move into Slough. I therefore approve this variation.

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 Slough Borough Council for Wexham School for September 2015.

20. I determine that for admissions in September 2015 the published admission number shall be 140.

Dated: 27 July 2015

Signed:

Schools Adjudicator: Jill Pullen