

DETERMINATION

Case reference: VAR/000513 & 514
Admission Authority: Leicestershire County Council
Date of decision: 28 June 2011

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve a variation to the admission arrangements for community primary schools for 2012 determined by Leicestershire County Council

I determine that for admissions in September 2012:

- a. normal admission to Donisthorpe Primary School will be at Year R only;**
- b. reference to admission at the beginning of Key Stage 2 should be removed from the arrangements and from the catchment area maps; and**
- c. the admission numbers for both schools will be 25, in line with the statutory proposals recently determined by the County Council.**

Referral

1. Following determination of statutory proposals by Leicestershire County Council, that Council has referred to the Adjudicator a consequential variation to its admission arrangements for 2012. The variation relates only to admissions to for Moira Infant and Donisthorpe Primary Schools.

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 accept the County Council's view that the decision to implement organisational changes to the schools constitutes such a change of circumstances and 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:
 - the County Council's letter of referral of xx June 2011 and supporting documents, including consultation documents and reports to Cabinet;
 - the determined arrangements for 2012 and the proposed variation to those arrangements;
 - a copy of the County Council's booklet for parents seeking admission to schools in the area in September 2011.

Background

6. At a meeting on 8 February 2011 the Cabinet of Leicestershire County Council approved a proposal for a number of changes to two schools: Moira Infant School and Donisthorpe Primary School. The changes would have the effect of:
 - a. increasing the number of pupils to be admitted to Donisthorpe Primary School at Year R, and discontinuing the arrangement whereby this school admits pupils at the beginning of Key Stage 2.
 - b. Changing the age range of Moira Infant School such that it serves the full primary age range, and reducing its admission number.
7. It was recognised that the 2012 admission arrangements for the schools would require amendment, to reflect the new organisation and to reflect the fact that the catchment area hitherto used to allocate places for admission to Donisthorpe Primary School at the beginning of Key Stage 2 would no longer be required.
8. The Cabinet approved the proposal and appropriate statutory notices were published.
9. On 5 April the Cabinet was advised that there had been no objections to the statutory proposals. The proposals were formally determined and will be implemented on a phased basis over the next four years, as the current Year 2 cohort works its way through the new Moira Primary School.
10. Admission arrangements for 2012 were determined for the County's community schools earlier this year, before the changes summarised here could be approved. They now need to be adjusted to reflect the revised

organisation.

Proposed Variation

11. The admission arrangements for primary schools in Leicestershire for 2012 include the following reference to these schools give admission numbers of 30 and 20 for the infant and primary school respectively, and catchment area maps refer to a wider catchment area for Donisthorpe Primary School at Year 2 than at Year R.
12. In order for the arrangements to reflect the new organisation of the schools concerned, the admission numbers for both schools need to be changed to 25, reference to admission to Donisthorpe at the beginning of Key Stage 2 needs to be deleted, and catchment area maps need to be amended to remove reference to the wider catchment area of Donisthorpe at Key Stage 2.

Consideration and Conclusion

13. This change is a necessary consequence of the changes made to the intake to the two schools and the discontinuance of the planned admission to Donisthorpe at the beginning of Key Stage 2. That change has been properly made by the County Council following thorough consultation.
14. I have concluded that the proposed variation should be approved.

Determination

15. In accordance with section 88E of the School Standards and Framework Act 1998, I approve a variation to the admission arrangements for community primary schools for 2012 determined by Leicestershire County Council
16. I determine that for admissions in September 2012:
 - a. normal admission to Donisthorpe Primary School will be at Year R only;
 - b. reference to admission at the beginning of Key Stage 2 should be removed from the arrangements and from the catchment area maps; and
 - c. the admission numbers for both schools will be 25, in line with the statutory proposals recently determined by the County Council.

Dated: 28 June 2011

Signed:
Schools Adjudicator: Andrew Baxter