



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: VAR736

Admission Authority: Hampshire County Council for Shakespeare Infant School, Eastleigh, Hampshire

Date of decision: 19 October 2017

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Hampshire County Council for Shakespeare Infant School. I determine that for admissions in September 2018 the published admission number shall be 90.

The referral

1. Hampshire County Council (the local authority) has referred a variation to the adjudicator about the admission arrangements for Shakespeare Infant School (the school), a maintained community school for children aged four to seven years for September 2018. The published admission number (PAN) was determined at 120 for September 2018 and the variation requested is that it should be reduced from 120 to 90 for September 2018.

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, supporting documents and information on the local authority's website;
 - b. the determined arrangements for 2018/2019 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 2018; and
 - d. confirmation from the school of support for the variation requested.

Consideration

6. The school is in the town of Eastleigh in Hampshire and had a PAN of 120 for 2017 as a 'bulge' year and 90 in previous years. The local authority forecast an increase in demand for school places for primary aged children due to planned house building and determined a PAN of 120 for admissions in 2018 on 18 January 2017.
7. The local authority has since reassessed the anticipated demand for primary school places and said that there is not going to be the anticipated increase in pupils. The local authority has said that if the PAN were to be maintained at 120 the school would have considerable surplus capacity and the school may have problems in providing a cost effective class structure. The local authority decided that a PAN of 90 is appropriate for 2018. It is therefore asking for a variation to reduce the PAN to 90 for 2018 so that the school can manage its organisation with some certainty.
8. 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.
9. The local authority has provided me with a copy of its notification on the proposed variation and the list of schools to which it was sent. I have seen confirmation from the school that it supports the request for the variation. I am satisfied that all relevant bodies have been notified and that views expressed have been taken into consideration. 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

10. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Hampshire County Council for Shakespeare Infant School. I determine that for admissions in September 2018 the published admission number shall be 90.

Dated: 19 October 2017

Signed:

Schools Adjudicator: Deborah Pritchard