



## **DETERMINATION**

**Case reference:** VAR715

**Admission Authority:** The London Borough of Lambeth for  
Woodmansterne School, London

**Date of decision:** 17 July 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 the London Borough of Lambeth for Woodmansterne School for September 2018.**

**I determine that for admissions in September 2018 the published admission number for Reception shall be 90.**

**I have also considered the admission arrangements for September 2017 and 2018 for the school in accordance with section 88I(5) of the School Standards and Framework Act 1998 and find that there are matters which do not conform with the requirements relating to admission arrangements in the ways set out in this determination.**

**By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangements within two months of the date of this determination unless an alternative timescale is specified by the adjudicator. In this case, I specify a deadline of 1 September 2017.**

### **The referral**

1. The London Borough of Lambeth the local authority and admission authority for Woodmansterne School (the school), has referred a variation to the adjudicator concerning the admission arrangements for the school, a community school for pupils aged 3-18 years, for September 2018. The variation requested is to reduce the published admission number (PAN) for Reception (Year R) pupils to the school from 120 to 90 for September 2018. The reason for the variation is that major building works taking place in order to expand the school have been delayed with the result that the school's physical capacity is smaller than was expected when the PAN was set.

### **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 variation prescribed] (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.

3. As the arrangements as a whole for 2017 and 2018 have come to my attention I have decided to use the power conferred under section 88I(5) of the Act to consider whether the arrangements conform with the requirements relating to admission arrangements.

### **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 16 May 2017 and supporting documents;
- b. the determined arrangements for September 2018 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 2017;
- d. a copy of the notice informing the appropriate bodies about the proposed variation;
- e. correspondence from the head teacher and school’s governing body; and
- f. further correspondence from the local authority dated 13 June 2017.

### **Background and consideration of case**

6. The school was historically a primary school catering for children aged 3 to 11 with a PAN of 60 for Year R. Following the necessary statutory process, the school’s PAN for Year R has been increased to 120 and the age range expanded to 3 to 18 so that the school will become an all through school. The change in age range will come into force on 1 September 2017. One result of these changes is that the school was expected to cater for up to a total of 90 pupils in Year 7, in September 2017. This pupil cohort would comprise up to 60 children transferring from Year 6 (the last year of primary

education) and up to 30 pupils joining the school for the first time in Year 7. However, the building work for the expanded primary provision has been delayed, the school reports by more than 12 months, and this, in turn, has caused delays to the building for the secondary provision. The school will have Year 7 pupils from September 2017 and Year 7 and Year 8 pupils from September 2018. It will also of course have pupils in year groups R to 6. The school says that as a consequence of the delays in building work it will have to accommodate Year 7 and Year 8 pupils in the buildings intended for primary school age pupils for at least 18 months from September 2018. These secondary aged children will be who began Year 7 in 2017 and those who began Year 7 in 2018. The buildings intended for secondary aged children will, I am told, be completed during the 2018/19 academic year.

7. The school has written in detail to explain the difficulties it will face come September 2018 if it has to provide for up to 120 Year R children, together with the numbers of primary and secondary aged children it will have in other year groups in the school. Quite simply, it will not have enough space of the right type to deliver education to the children. The school reports the site is already "*very constrained*" and gives as example that it will have difficulties in providing access to specialist teaching rooms for its Year 7 and 8 pupils. This is because the rooms earmarked for this are presently used for primary pupils. In addition, the school says that the needs for appropriate space for PE and outdoor areas needed for primary pupils will be compromised and the safe use of dining accommodation is a concern.

8. The local authority reports that it has a surplus of Year R places and a shortage of secondary places. Against this background, the local authority requests this variation to the Year R PAN. It has notified all the parties required and had no negative responses.

9. The local authority determined the admission arrangements for September 2017 on 23 January 2017 in accordance with the provisions of regulation 17 of the School Admissions (Admissions Arrangements and Coordination of Admission Arrangements) (England) Regulations 2012 and paragraph 1.46 of the Code requires an admission authority to determine arrangements by 28 February. It anticipated that the new school buildings would be opened as planned and set the PANs for the school for both Year R and Year 7 accordingly.

10. The school has been extended. This extension has covered by the numbers in each age group for which it has traditionally catered and the age range for which it caters. Unsurprisingly, such a major change has required correspondingly significant building works. These major building works have been delayed and will not be completed in time to admit the number of pupils planned for September 2018. The local authority forecasts a surplus of primary places and a shortage of secondary places and wishes therefore to reduce the reception PAN. This seems to me a sensible response to the circumstances.

## Other matters

11. When I looked at the arrangements as a whole, which are shown on the local authority's website, it seemed to me that the arrangements for admission to the school for Year 7 may not comply with the Code. This was because they appeared not to be clear, contrary to paragraph 14 of the Code which states: *"In drawing up their admission arrangements, admission authorities **must** ensure that the practices and the criteria used to decide the allocation of school places are fair, clear and objective. Parents should be able to look at a set of arrangements and understand easily how places for that school will be allocated."* I show the sections of the arrangements below in italics with the matters which appear unclear underlined and my comments beneath.

12. The admission arrangements for 2017 state:

*"Children that attend Woodmansterne primary school, will automatically transfer over to the secondary provision. Woodmansterne is an all through school. All pupils being taught/on roll as a year 6 pupil at Woodmansterne Primary school during the academic year 2016/17 and remain on roll during the Secondary Transfer application process, will be eligible to automatically transfer to the Woodmansterne Secondary School in 2017/18. The PAN of the Woodmansterne year 6 will be 60 and the PAN for the Secondary school is 180. Therefore there will approximately 120 places that will be offered during the PAN London scheme for 2017/18 intake for the school."*

13. Turning to 2018, the admission arrangements state:

*"Secondary Admissions – Children who attend Woodmansterne primary school, will automatically transfer over to the secondary provision. Woodmansterne is an all through school. All pupils being taught/on roll as a year 6 pupil at Woodmansterne primary school during the academic year 2017/18 and remain on roll during the secondary transfer application process will be eligible to automatically transfer to the Woodmansterne secondary department in 2018/19. The PAN of the Woodmansterne year 6 will be 60 and the PAN for the Secondary department will be 150. There will therefore be approximately 90 places which will be offered during the PAN London scheme for 2018/19 intake for the school."*

14. The school does not regularly admit pupils into Year 6. As a PAN always relates to children who are being admitted to a school for the first time and not therefore to those transferring from one year group to another, the reference to a Y6 PAN is wrong and can only be confusing to parents. On the other hand, if the school did have a PAN of 60 in Year 6, this would mean that in addition to the 60 pupils on roll in Year 6, an additional 60 places are offered, that is there will be 120 places for Year 6 in 2017 and in 2018. Similarly, the arrangements for 2017 state that the PAN for the secondary school [sic] is 180 for 2017 and 150 for 2018, although the arrangements do go on to say that 120 places will be offered "during the PAN [sic –this should I

think be pan] London scheme for 2017/18 intake for the school” and 90 in 2018. In the first place, this is a secondary department of an all-through school and not a secondary school. Secondly, the school will not be offering 180 places for children joining the school for the first time in Year 7 in 2017 or 150 in 2018. It is actually offering 120 in 2017 and 90 in 2018 as I note the arrangements also say. This confusion between the PAN and the total number of places in each year group is unhelpful and risks causing confusion to parents. The resulting inconsistency within the arrangements also renders them unclear.

15. My view, agreed by school and local authority is that there has been confusion about terms, particularly the use of the PAN. There is no PAN for year 6 and the local authority must specify as a PAN for year 7 in both 2017 and 2018 the number of places available to applicants other than those presently on roll at the school; this is the PAN.

16. The local authority set admission arrangements for the school, including a PAN for Reception of 120. In the face of the issues described in accommodating secondary pupils within the primary provision, I consider it necessary to reduce the PAN for Year R to 90 and therefore approve the requested variation.

17. I have used my powers under section 88I to consider the arrangements as a whole, I find that the local authority has made an error in its use of terms and wrongly set the PAN for Year 6 and Year 7 in both 2017 and 2018 and this should be corrected as soon as possible and certainly by 1 September 2017 which is the deadline I am specifying for these changes to be made.

## **Conclusion**

18. The local authority set admission arrangements for the school, including a PAN for Reception of 120. In the face of the issues described in accommodating secondary pupils within the primary provision, I consider it necessary to reduce the PAN for Year R to 90 and therefore approve the requested 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 London Borough of Lambeth for Woodmansterne School for September 2018.

20. I determine that for admissions in September 2018 the published admission number for Reception shall be 90.

21. I have also considered the admission arrangements for September 2017 and 2018 for the school in accordance with section 88I(5) of the School Standards and Framework Act 1998 and find that there are matters which do not conform with the requirements relating to admission arrangements in the ways set out in this determination.

22. By virtue of section 88K(2) the adjudicator's decision is binding on the admission authority. The School Admissions Code requires the admission authority to revise its admission arrangement arrangements within two months of the date of this determination unless an alternative timescale is specified by the adjudicator. In this case, I specify a deadline of 1 September 2017.

Dated: 17 July 2017

Signed:

Schools Adjudicator: Miss Jill Pullen