

DETERMINATION

Case reference: VAR/000571-574

Admission Authority: London Borough of Redbridge

Date of decision: 23 February 2012

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the requested variation to the admission arrangements of Christchurch Primary School, Grove Primary School, Mayespark Primary School and Mossford Green Primary School. I determine that for admissions in September 2012 the published admission numbers for the schools shall be 150, 90, 120 and 60 respectively.

The referral

1. The London Borough of Redbridge (the Council) referred a variation to the Office of the Schools Adjudicator on 25 January 2012. The variation requested was for an increase in the published admission number for September 2012 of four primary schools, each by one form of entry for entry into the Reception Year. Thus:
 - Christchurch Primary School, an increase in admission number of 30 from 120 to 150;
 - Grove Primary School, an increase of 30 from 60 to 90;
 - Mayespark Primary School, an increase of 30 from 90 to 120; and
 - Mossford Green Primary School, an increase of 30 from 30 to 60.
2. The Council argues that this variation is a result of the need to increase provision in the area to meet an increasing demand for places across the Borough and follows the conclusion of a statutory proposals process to expand the premises of the four schools. The variation was submitted after the final date for applications for September 2012 entry.

Jurisdiction

3. 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".

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

Procedure

5. In considering this matter I have had regard to all relevant legislation, guidance and the School Admissions Code (the Code). The documents I have considered in reaching my decision include:
 - The Office of the Schools Adjudicator's "Request for an in-year Variation" forms for each of the four schools. These were received on 25 January 2012 and in the case of Mossford Green Primary School, a second, revised form was received on 10 February 2012;
 - an email communication with the Council dated 10 February;
 - minutes of the Council's Cabinet meetings of 1 December 2011 and 10 January 2012 at which the statutory proposals for enlargement were discussed and finally determined;
 - a copy of the Council's booklet for parents seeking admission to schools in the area in September 2012 ;
 - maps showing the locations of the schools;
 - net capacity calculations for each of the schools;
 - a copy of the letter of consultation sent to other schools and interested parties;
 - a demographic analysis of the area submitted to the Council's Cabinet and dated June 2010; and
 - data showing the increase in the provision of places in the London Borough of Redbridge since 2006 and a copy of a report to the Council on 4 October 2011.

Background and consideration of factors

6. The Council is the admission authority for the four schools. In the Council's view an increase in demand for primary school places across the Borough is a "major change in circumstances" that is sufficient for the admission authority to seek this variation. In common with some other London Boroughs, the demand for school places in Redbridge has been increasing in recent years and is expected to continue to do so. Since September 2006 the Council has provided an additional 17.5

forms of entry in their primary schools and their Demographic Analysis indicates that demand will continue to increase to at least 2016. For example, a projection in September 2009 showed that there will be a deficit of 483 places in reception alone in 2016 unless further provision is made.

7. I am satisfied that there is a need for additional schools places in the Borough.
8. Although I have requested comments from the governors of the four schools on two occasions I have not receive any responses. On the second occasion it was stated that a non-response would be interpreted as supportive of the variation. This, together with the involvement of the governors in the statutory proposals for the enlargement of their schools leads me to believe that they are in agreement with the variation submitted.
9. I am further reassured that the Council has carefully considered the demographic evidence and taken a systematic approach to addressing the shortfall. It has properly consulted on its plans. Other schools in the Borough and all surrounding authorities have been informed and consulted and no objections were received from them.
10. As required by the Code, in a Cabinet meeting of 22 March 2011, admission arrangements for September 2012 were determined for the schools in the London Borough of Redbridge for which the Council are the admission authority. However, the Council was unable to determine the increased admission numbers of the four schools which are the subject of this variation as part of the normal process because the statutory proposal for their enlargement had not been completed. Furthermore, admission numbers cannot be changed as part of the statutory proposal process.
11. The proposal for the enlargement of the four schools went out to consultation on 17 June 2011 and was concluded on 15 July with 87-92% of the respondents in favour of the enlargement of the four schools. The enlargement of the schools was determined by the council on 10 January 2012 and a variation submitted to the Office of the Schools adjudicator on the 25 January 2012.
12. I am concerned that the variation was submitted after the deadline for application for school places in September 2012, 15 January 2012, had passed.
13. However, I recognise that the request for a variation at this late stage was dictated by the time scales of the statutory proposal for enlargement of the schools and I accept that this was “unavoidable” as required by the Code (paragraph 4.26) in these circumstances.
14. I am also concerned that the Council’s published admission arrangements, “Primary Schools Admissions, Admissions to Reception 2012/13” contain errors. It gives the higher, requested admission

number for two of the schools, Christchurch Primary School and Mayespark Primary School (150 and 120 respectively), but the admission numbers for the remaining two, Grove Primary School and Mossford Green Primary School are the lower 2011 admission numbers of 60 and 30 respectively. The Council has explained that the admission numbers given for 2012 entry were erroneously transposed from the previous year's prospectus and that Christchurch Primary School and Mayespark Primary School had agreed an in-year variation to increase their admission numbers for 2011.

15. Nevertheless, this error may, in my opinion, could have been a cause of confusion for parents. Although unlikely given that consultations had taken place about enlarging the schools, it is just possible that some parents may not have applied to a particular school.

Conclusion

16. I am convinced that the London Borough of Redbridge has faced an increasing demand for school places and that the enlargement of the four schools and an increase in their admission numbers is an appropriate response. I accept that the submission of the variation, although referred to the Adjudicator after the deadline for applications had passed, was unavoidably delayed. I am satisfied that I should approve the variation.
17. However, I am concerned that the deadline for application for school places for September 2012 has passed and that a small number of parents may be unfairly disadvantaged by the published admission numbers. The Council may wish deal sympathetically with any parental responses to this determination where parents ask to amend their application.

Determination

18. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the requested variation to the admission arrangements of Christchurch Primary School, Grove Primary School, Mayespark Primary School and Mossford Green Primary School. I determine that for admissions in September 2012 the published admission numbers for the schools shall be 150, 90, 120 and 60 respectively.

Dated: 23 February 2012

Signed:

Schools Adjudicator M J Kershaw