

DETERMINATION - Variation

Case reference: VAR/000563

Admission Authority: Wolverhampton City Council

Date of decision: 17 January 2012

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Wolverhampton City Council for Wilkinson Primary School.

I determine that for admissions in September 2012 the Planned Admission Number shall be 60 for the Reception Year and 15 for Year 1.

The referral

1. Wolverhampton City Council (the council) has referred a variation to the Adjudicator about the admission arrangements for Wilkinson Primary School (the school), a community school for September 2012. The request is that its planned admission number (PAN) should be increased from 45 to 60 for the Reception year. In addition, it has requested an additional PAN of 15 for Year 1 for 2012 in order and that the number of pupils in that year be increased from 45 to 60.

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 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 (the Code).
5. The documents I have considered in reaching my decision include:
 - a. the council's letter of referral of 8 December 2011 and supporting documents;
 - b. the determined arrangements for 2012/2013 and the proposed variation to those arrangements;
 - c. a copy of the council's booklet for parents seeking admission to schools in the area in September 2012;
 - d. a copy of the letter notifying the appropriate bodies about the proposed variation;
 - e. the minutes of the meeting of the governing body of the school held on 4 July 2011 where the governors resolved to support the proposed variation; and
 - f. maps of the area showing surrounding schools and areas of housing development.

Background and consideration of Factors

6. According to Ofsted "this is an outstanding school that enjoys an excellent reputation locally". Unsurprisingly, therefore, applications for places at the school have consistently exceeded the number of places available for several years. Numbers applying for the 45 places were 71 (2008/9), 84 (2009/10), 75 (2010/11) and 85 (2011/12).
7. There are, however, additional factors which it is argued make a rise in the PAN for 2012 essential.
 - a. The school building was burned down in October 2010. The school is currently accommodated in temporary classrooms on the school field and playgrounds. New buildings are being planned and work is due to start in July 2012 and be completed in August 2013. The new school is being built as a two form entry school. The temporary accommodation is now capable of providing additional places in advance of the new premises being completed and the variation would allow full use to be made of the accommodation.
 - b. Wolverhampton is experiencing a noticeable level of cross border leakage of pupils to other authorities, and there is a significant level of loss from the Bilston East Ward, which is served at primary phase by this school among others. It is

anticipated that one by-product of the rebuilding of the school, even before it is completed in 2013, will be a reduction on pupil leakage from this local community.

- c. There are currently two large scale housing regeneration developments taking place in the vicinity of the school. The Bankfield Works Housing development is 0.37 miles from the school and will consist of 150 three and four bedroom houses. The Great Bridge development is 0.6 miles from the school and will consist of 131 two, three and four bedroom houses. The council's most conservative estimate is that there will be an additional seven children per year group in 2012/2013 and 10 children per year group in 2013/2014.
- d. There has been a reversal in the trend of falling birth rates in Wolverhampton in recent years, which is expected to impact significantly on levels of demand for Reception places across the city. Applications for 2012/2013 are projected to be particularly high, which provides another reason for admitting more children in that year rather than waiting for the new buildings to open for September 2013.

8. The council has experienced particular difficulties over the last year placing children in their local schools and has had no option but to allocate places in schools that are a significant distance from the family home. It argues that introducing a PAN for Year 1 as well as increasing the places available in the Reception year will help relieve the pressure and enable it to allocate school places within a reasonable distance from pupils' homes in September 2012.

9. The council realises that it is within its power simply to accept more children into Year 1 without a variation, but it has indicated that for local reasons it would prefer an additional PAN of 15 for 2012 for which the oversubscription criteria would be applied if necessary.

10. Other schools in the area are currently full. These schools have been notified of the proposed changes and there have been no objections.

11. I have taken into account that the request for the variation was made during the time that applications for places were being made and that the date for applications has now closed. The request was made prior to the closing date for applications, the date after which the Code at paragraph 4.26 says variations should not be requested unless this is unavoidable. I am satisfied that it is to the benefit of children and their families to have more places available near their home and therefore am persuaded I should approve this variation.

Conclusion

12. Demand for places at primary schools in the area is high and growing, and is being exacerbated by the building of over 280 new houses.

13. The burning down of the school was clearly a dramatic change in circumstance, and has given the council an opportunity in the longer term to provide a two form of entry school. It is now possible to provide some additional places both in Reception and in Year 1 as the temporary buildings will enable the school to accommodate two full forms of entry in those years from September 2012.

14. I accept that it is in the interests of all concerned that these variations should be approved.

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Wolverhampton City Council for Wilkinson Primary School.

I determine that for admissions in September 2012 the Planned Admission Number shall be 60 for the Reception Year and 15 for Year 1.

Dated: 17 January 2012

Signed:

Schools Adjudicator: Dr Stephen Venner