

DETERMINATION

Case reference: VAR/000615

Admission Authority: The Governing Body of Manshead School,
Caddington

Date of decision: 31 October 2013

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 governing body of Manshead School

I determine that for admissions in September 2014 the published admission number for Year 9 pupils shall be 210.

The referral

1. Following a statutory consultation and a decision by Central Bedfordshire Council, the local authority, (the LA), Manshead School (the school), a Church of England, voluntary aided, upper school for pupils aged 13-19 years, will become a secondary school for pupils aged 11-19 years from September 2014.
2. The admissions manager of the LA has referred a variation on behalf of the governing body of the school to the Adjudicator about the admission arrangements (the arrangements). The variation is to decrease the published admission number (PAN) of the Year 9 intake from 270 to 210 for September 2014.
3. In addition, the referrer also asked for the arrangements to be varied to allow the intake of 210 for Year 7 with effect from September 2014.

Jurisdiction

4. 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".

5. I am satisfied that the proposed variation to the arrangements for admissions to Year 9 in September 2014 is within my jurisdiction.
6. The governors did not determine any arrangements for admission to Year 7 for September 2014 under section 88C of the Act. The extension of the age range from 13 to 11 years of age was decided by the LA on 13 August 2013 as part of the statutory proposal and the arrangements for Year 7 were included as part of the statutory proposal and those are the arrangements that will apply for Year 7 for September 2014.

Procedure

7. In considering this matter I have had regard to all relevant legislation and the School Admissions Code (the Code).
8. The documents I have considered in reaching my decision include:
 - a) the Chair of Governors' authorising letter of 30 August 2013, the LA's letter of referral of 30 August 2013, variation form, annex of 27 September 2013 and supporting documents;
 - b) the determined arrangements for September 2014 and the proposed variation to those arrangements;
 - c) a copy of the LA's booklets for parents seeking admission to schools in the area in September 2013 and 2014;
 - d) a copy of the news letter notifying the appropriate bodies about the proposed variation; and
 - e) a copy of the results of the consultation with the relevant bodies about the statutory proposal.

Background

9. Central Bedfordshire primarily operates a three tier system of education. However, there has been a significant number of schools changing their age range in recent years so that a two tier system is also operating.
10. In the area in which the school is situated, the Dunstable and Houghton Regis area, some schools are changing, or have changed, the age range of pupils they serve. Seven lower schools became primary schools and one middle school has converted to a primary with a middle intake. Two other upper schools in the Dunstable and Houghton Regis area, All Saints Academy and Queensbury Upper School have received approval to change the age range from upper to secondary. Consequently provision for pupils over age 11 years, in this area, is made up of secondary and upper schools.
11. The school is currently an upper school for pupils aged 13-19 years. The school carried out a consultation to change its age range from an upper school to a secondary school which commenced on Monday 25 March

2013 and concluded on Monday 2 May 2013. The statutory notices were served from 3 June to 15 July 2013. The decision making meeting was held on 13 August and the call-in period expired on Thursday 22 August 2013. The decision was made to change the school's age range from a 13-19 upper school to a 11-19 secondary school with effect from September 2014.

12. As part of the transition to become an 11-19 secondary, the school will admit pupils to both Year 7 and Year 9 in September 2014 and September 2015. From September 2016 the school will admit children into Year 7 only. The school argues that in order for it to become an 11-19 secondary school and admit two additional year groups a reduction in the PAN is necessary from 270 to 210 for Year 9 from September 2014.

Consideration of factors

13. Among the factors I have considered are the availability of alternative provision; the impact of proposed arrangements on other schools; projected pupil numbers in the area and “the major change in circumstances” that has resulted in the admission authority seeking a variation and whether the proposed variation would address the problems arising from the change of circumstances.
14. The governors as the admission authority for the school are of the view that there has been a major change of circumstances in changing its age range from an upper school to a secondary school from September 2014 that requires it to seek to vary its arrangements for Year 9. In order to begin to implement the change to admit two more cohorts in Years 7 and 8 it has decided to reduce the number of pupils admitted to Year 9 in September 2014.
15. The capacity of the school is 810 with 300 sixth form places. The school will build four additional classrooms and extra toilet facilities to provide a capacity of 1050 with 300 sixth form places which the school indicates it has funds to do. It intends that this building work should be complete by September 2015.
16. It intends the pupil numbers would be as follows;

	Sept 13	Sept 14	Sept 15	Sept 16	Sept 17
Year 7	0	210	210	210	210
Year 8	0	0	210	210	210
Year 9	250	210	210	210	210
Year 10	270	250	210	210	210
Year 11	250	270	250	210	210
Sixth Form	300	300	300	300	300
Total	1070	1240	1390	1350	1350

17. There are 21 schools admitting secondary pupils in the area of a three mile radius of the school. These include a special school, a University Technical College, a middle/ secondary (Years 5-11), three middle schools and 14 secondary schools. Of schools admitting primary age pupils within a five mile radius, 30 are primary schools, six are lower schools, one is lower and middle, four are infant and five are junior schools. As a consequence of the change in age of admissions in other schools, the school forecasts that there will be a reduction in the number of applications for Year 9 places as pupils will have transferred at the end of Year 6 into Year 7 at the school. The LA, on behalf of the school, has informed me that the projected pupil numbers will be as follows:-

School Year	Numbers projected
2014/2015	Y7 152 Y9-142
2015/2016	Y7160 Y9-149
2016/2017	Y7 170

18. Ten schools in the area are remaining within the three tier structure, seven are lower (one lower and middle) and three are middle school. These middle schools are named in the oversubscription criteria of the school as feeder schools; but data from the LA and Ofsted, as shown below, indicates that these schools are not full to capacity and would not require the number of Year 9 places that the PAN of each school would indicate.

School	PAN	Number admitted September 2013	Ofsted comment on number on roll (NOR)
Ashton Middle School	155	100	Feb 2011 NOR 580, "number in Yr 5 is significantly lower"
Brewers Hill Middle School	130	77	March 2012 NOR 381
Streetfield Middle School	120	63	March 2013 NOR 197

19. My conclusion from the LA's projections and the numbers presently on roll is that there is likely to be capacity for the Year 9 pupils wishing to transfer to the school even with a reduced PAN in 2014.

20. No responses have been reported from those notified about the variation. I have looked at the consultation undertaken for the statutory proposal which posed two questions:-

1. Should Manshead Upper School move to become an 11- 19 Secondary School?

2. Should Manshead Upper School reduce its entry from 270 pupils to 210 pupils per year group?

21. A significant proportion of consultees strongly disagreed with question 2, the outcomes were as follows:-;

53 {33%} Strongly Agree; 29 {18%} Agree; 21 {13%} Neither Agree nor Disagree; 8 {5%} Disagree; 49 {31%} Strongly Disagree.

22. When scrutinizing the comments, some responses are concerned about reduced capacity, for example;

“I feel reducing the school entry amount will cause even more unsettlement for those students moving either in Year 7 or Year 9 and will make transition even harder for students and parents as they are more likely to not obtain a place.” (Parent - Middle/Upper School)

“The worry is that there will not be enough room for all the children who wish to go to Manshead. Although I can see there must be a reduced number.” (Parent - Middle/Upper School)

23. The majority of the comments of those disagreeing with proposal 2 reiterate their disagreement with the change of age range rather than the reduction of the Year 9 PAN for September 2014.

24. The decision to change the age range has been made and therefore I have to consider whether the reduction in Year 9 PAN for 2014 is a reasonable response to the major change in circumstances at the school. I am satisfied that the reduction is necessary to assist in the implementation of the agreed statutory proposal.

25. I am mindful that the deadline for application for school places is close, 31 October 2013, and the reduction in PAN for Year 9 may cause further anxieties for parents. However, the information provided for parents by the LA has made clear the change in age range at the school and that in 2014 there will be an intake into Year 7 and Year 9 to the school. The information also makes clear the range of options for parents in the Dunstable and Houghton Regis area.

Conclusion

26. The LA is experiencing a significant change in the organisation and arrangements for schools as changes are agreed for individual schools and as the LA itself makes changes to community and controlled schools. As a result the LA area now has a mixture of two and three tier education.

27. The school published statutory proposals to extend its age range by two year groups, Year 7 and Year 8, from September 2014, to establish an 11-19 secondary school. From September 2016 the school will have a single point of entry into Year 7. The proposals were approved by the LA.

28. While the consultation indicated that some parents were concerned that there would be an insufficient number of places available for Year 9 pupils in 2014, the evidence provided by the LA and the school about projected pupil numbers would indicate there will be sufficient Year 9 provision.

29. I therefore agree to the request to vary the determined arrangements for Year 9 admissions for 2014 and to reduce the PAN from 270 to 210.

Determination

30. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by the governing body of Manshead School.

31. I determine that for admissions in September 2014 the published admission number for Year 9 pupils shall be 210.

Dated: 31 October 2013

Signed:

Schools Adjudicator: Miss Jill Pullen