

DETERMINATION

Case reference: VAR/000564

Admission Authority: Fordham All Saints Church of England
(Voluntary Controlled) Primary School

Date of decision: 26 January 2012

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements of Fordham All Saints Church of England (Voluntary Controlled) Primary School proposed by Essex County Council. I determine that the priority admission area of the school will be expanded to include all of the priority admission area formerly identified with Wormingford St Andrew's Church of England (Voluntary Aided) Primary School, and that this should apply to Year R admissions from September 2012 and to mid-year admissions with immediate effect

The referral

1. Essex County Council (the Council) referred a variation to the Schools Adjudicator on 14 December 2011 seeking to extend the priority admission area of Fordham All Saints Church of England (CE) (Voluntary Controlled) (VC) Primary School (the School) for admission into Year R from September 2012 and for mid-year admissions with immediate effect .
2. This was in response to the discontinuation of a nearby school, Wormingford St Andrew's CE (Voluntary Aided) (VA) Primary School (Wormingford) 31 December 2011. The proposed admission priority area is the School's present admission priority area combined with that of the discontinued school.

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 completed “Request for an in-year variation” proforma completed by the Council and received by the Office of the Schools Adjudicator on 14 December 2011;
- the latest Ofsted inspection report on the work of the School (March 2010);
- the published admission arrangements for the School and for Wormingford;
- maps showing the priority admission areas of the School and of Wormingford;
- an email from the planning and admission officer of the Council dated 10 January 2012;
- an email from the Diocesan Director of Education dated 12 January 2012;
- an email from the Headteacher of the School, dated 18 January 2012;
- an email from the chair of governors of the School, dated 19 January 2012;
- the main issues raised against the closure proposals for Wormingford;
- on-roll numbers for the School for the past three years; and
- maps showing the distribution of home addresses of pupils of the School.

Background and Consideration of Factors

6. The School is an average sized primary school serving the village of Fordham and the surrounding area. It is a Church of England voluntary controlled primary school for which the Council is the admission authority. The Ofsted report of 2010 concluded, “This outstanding school is rightly prized by the community. Staff, pupils and parents are proud of their school and the education it provides”.

7. To the north of the School’s “priority admission area” is the priority admission area formerly served by Wormingford which was discontinued on 31 December 2011. It had 13 pupils on roll in May 2011 and the published admission number for entry in September 2012 was eight. In September 2011, nine of the 13 pupils on roll transferred to the School. By the time it closed the remaining pupils had obtained a new school place.

8. The Council regard the discontinuation of Wormingford as a major change in circumstances and seek a variation to the School's priority admission area so that it is enlarged to encompass the priority admission area of the discontinued school, Wormingford. This variation would apply to Year R admissions from September 2012 and to mid-year admissions with immediate effect.

9. The School's admission number is 15 and in January 2011 its total number on roll was 105 of which 17 were in Year R. Maps of the School's geographical distribution of pupils' home addresses for the last three years show that the number on roll from within the School's priority admission area was 94, 82 and 82 for the three years 2009, 2010 and 2011 respectively. A small number (three or four) of pupils have a travel to school journey that is similar or greater in distance than that of the furthest reaches of the proposed priority area to the School.

10. These maps also show that a number (in 2011, 14) of current pupils live outside of the School's priority area to the south, an area that would not be in the proposed extended priority area, but in some cases closer to the School than some parts of it. The School's oversubscription criteria for entry in 2012 are:

1. *Looked After Children;*
2. *children living in the priority admission area with a sibling attending the school;*
3. *other children living in the priority admission area;*
4. *children living outside the priority admission area with a sibling attending the school;*
5. *remaining applications.*

The low priority of criterion 4 indicates that the siblings of current pupils living in this area to the south of the School may find it more difficult to gain admission if the School's priority admission area were extended in the manner proposed. However, the total number of pupils from outside the School's priority area is small and from the information available it is quite possible that siblings would be able to join the School. It is clear to me that children living in the former Wormingford priority area must be given a new priority area. The proposal to extend the School's priority area meets this need. The Council and School may wish to keep the position of siblings from outside the School's priority area under review and, if ever thought appropriate, modify the School's admission arrangements.

11. The current, published admission arrangements for Wormingford contain a clear and prominently placed statement that a consultation commenced in July 2011 to close Wormingford from 31 August 2012 or earlier and that its priority area would become part of the priority admission area for Fordham All Saints Primary CE (VC) Primary School for applications for admission from September 2012. There is a similar statement in the School's admission arrangements.

12. The Chair of governors and Diocesan Director of Education support the proposals.

Conclusion

13. The School provides an outstanding education for pupils. Pupil data over the last three years show that the School can accommodate the additional pupils from the proposed enlarged priority area. The admission arrangements for entry in 2012 of both schools have clearly warned parents of the impending changes and the governors and Diocese support the proposal.

14. I am satisfied that the proposal makes sensible provision for families living in the Wormingford priority area and that the School can accommodate pupils from its enlarged priority area. Therefore I believe that the proposal is reasonable and approve it.

15. However, in the light of the small size of the School, the governors and Council may wish to keep the impact of the change under review especially with regard to the pupils living outside of the proposed priority admissions area to the south of the School to ensure that children are in so far as possible able to access their local school.

16. The Code says that variations should not be referred to the adjudicator after the closing date for applications. The referral on 12 December 2012 was prior to the last date for receipt of parental preferences, 15 January 2012, for admission in September 2012. The Council had kept parents informed of its proposed change to the admission arrangements for the School. However, just in case any parent in the new priority area had not understood the likely change the Council may wish to consider dealing sympathetically to any request to amend an application in the light of this determination.

Determination

17. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements of Fordham All Saints Church of England (Voluntary Controlled) Primary School proposed by Essex County Council. I determine that the priority admission area of the School will be expanded to include all of the priority admission area formerly identified with Wormingford St Andrew's Church of England (Voluntary Aided) Primary School, and that this should apply to Year R admissions from September 2012 and to mid-year admissions with immediate effect.

Dated: 26 January 2012

Signed:

Schools Adjudicator: Dr M. J. Kershaw