

DETERMINATION

Case reference: VAR/000534

Admission Authority: Jennett's Park Church of England Primary School, Bracknell

Date of decision: 7 November 2011

Determination

In accordance with section 88G(5) of the School Standards and Framework Act 1998 and the Regulations made thereunder, I approve the variation to the admission arrangements determined by the Governing Body of Jennett's Park Church of England Primary School.

I determine that for admissions in September 2012 the admission number shall be 60.

The referral

1. The Temporary Governing Body of Jennett's Park Church of England Voluntary Aided Primary School (the School) wrote a preliminary letter to the Adjudicator about the admission arrangements for the school on 28 July 2011. The formal request to increase the Planned Admissions Number (PAN) from 30 to 60 for September 2012 was received on 30 September 2011.
2. The School opened in September 2011.

Jurisdiction

3. The referral was made to me in accordance with section 88G(5) of the School Standards and Framework Act 1998 (the Act) and Regulation 23(6) of the School Admissions (Admission Arrangements)(England) Regulations 2008, which provides that an admission authority may refer to the adjudicator proposals to vary admission arrangements where "there has been a major change of circumstances since the date when the admission arrangements were implemented".
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). In particular, paragraph. 1.46 of the Code states:

“Statutory proposals for new schools **must** contain an indication of the proposed admission arrangements. Once approved, the admission arrangements **must** remain unchanged for two years after the first year of operation unless the Schools Adjudicator allows an application to vary them because of a major change of circumstances.”

6. The documents I have considered in reaching my decision include:
 - a. the letter from the Chair of the Temporary Governing Body to the Office of the Schools Adjudicator dated 28 July 2011 following a decision by the Governors to request a variation to the Pan, seeking advice on process;
 - b. the formal request dated 30 September 2011 from the Chair of Governors; including
 - i) a copy of Governing Body Minutes of 30 June and 23 August 2011 including the formal decision to seek a variation to the PAN;
 - ii) the competition document for the new school;
 - iii) a map of the immediate area of the new development;
 - iv) the Admission Booklet for 2012/13 of Bracknell Forest Borough Council (the LA);
 - v) PANs for Bracknell Forest Primary schools for 2012/13; and
 - c. the School’s admissions policy

Background and consideration of factors

7. In 2008, the LA published a Statutory Notice (under Section 7 of the 2006 Education and Inspections Act) inviting proposals to establish a new 2 forms of entry (2fe) primary school for children age 4-11 in Jennett’s Park, an area of significant new housing. It was envisaged that the school would open in 2010 with a PAN of 30, rising to 60 by September 2012 at the earliest. The Oxford Diocesan Board of Education (the Diocese) was awarded the right to establish the school. The school actually opened in September 2011.

8. The LA consulted fully about the proposals, including a phased approach to admissions. It was recognised that the school would be built for 2fe, would open with 1fe and move to 2fe depending on the housing sales and demand. It was not considered likely that this would be necessary for two years.

9. When the admission plan was first set out it was anticipated that the impact of the recession would be to limit the need for places in the first few years after the School opened. However, the LA has been monitoring the situation closely and is convinced that 2fe will be needed for September 2012. All of the other local schools have been notified of this intention, and there

have been no adverse comments.

10. Whilst I do not in this instance have jurisdiction formally to consider the admission arrangement nor to make changes, I am concerned that although they are fair and objective they are not as clear as they should be about the priority given to siblings. I have discussed my concerns with the School so that the governors are aware of how clarity could be improved without changing the effect of applying the oversubscription criteria

Conclusion

11. I am satisfied that, in accordance with Section 88G(5) of the Act, the rapid increase in the number of local children requiring education at their local school provides “a major change in circumstance” which requires a variation to the PAN.

12. The admission authority have notified and consulted with neighbouring schools. The Diocese too is supportive of the change.

13. Determination by the Schools Adjudicator is required to alter the PAN during the first three years of a new school.

14. I am persuaded that increasing the PAN as requested will ensure that sufficient places will be available for the unexpected extra numbers of pupils wishing to join the School.

Determination

15. 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 Jennett’s Park Church of England Primary School.

16. I determine that for admissions in September 2012 the admission number shall be 60.

Dated: 7 November 2011

Signed:

Schools Adjudicator: Dr Stephen Venner