

DETERMINATION

Case reference: VAR/000542

Admission Authority: The Governing Body of Christ Church Church of England Primary School, London Borough of Croydon

Date of decision: 16 November 2011

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements for Christ Church Church of England Primary School

I determine that for admissions in September 2012 the parishes of Emanuel, South Croydon and All Saints, Sanderstead shall be added to the list of parishes in appendix 1 of the admission arrangements.

The referral

1. The governing body of Christ Church Church of England Primary School, a voluntary aided primary school, (the School) has referred a variation to the Adjudicator about its the admission arrangements (the arrangements) for admissions in September 2012.
2. The request is to amend the list of parishes by adding two parishes such that higher priority for a place at the School is given to families worshipping in churches in the current list of parishes and the additional parishes.

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 subsection] (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 to the arrangements determined by the governing body is within my jurisdiction.

Procedure

5. In coming to my conclusions I have had regard to all relevant legislation, guidance and the School Admissions Code (the Code).
6. The documents I have considered in reaching my decision include:
 - a. the School's letter of referral of 13 October 2011 and supporting documents, including earlier documents relating to the request;
 - b. the determined arrangements for 2012/2013 and the proposed variation to those arrangements;
 - c. a copy of the London Borough of Croydon's (the LA's) booklet for parents seeking admission to schools in the area in September 2012 as published on its website;
 - d. the minutes of meetings of the governors; and
 - e. copies of notifications to those originally consulted about arrangements and the proposed variation, and their responses.

Consideration of Factors

7. The LA has faced an exceptional increase in the number of children seeking a primary school place and has concluded that the demand for places in 2012 will again exceed the current supply of places within Croydon as was the case for September 2011. In response to a request from the LA the School admitted an additional class of children in September 2011. The LA's latest projections indicate that it will continue to need additional primary school places and plans are in hand for some schools to expand permanently to accommodate more pupils, but not the School. At the time the governors determined the School's arrangements for 2012 they could not be certain that they would be asked to take, as an exception, up to an additional 30 pupils in 2012. The governors therefore quite properly determined the School's admission number as 30 and did not change its oversubscription criteria.
8. The School, however, anticipating that it might be asked to take additional pupils in 2012 considered the implications of this for the School as a whole. The governors took the view that to maintain the ethos of the School and open the possibility of a place at the School to children from near, but not currently priority, parishes they should consider amending the list of priority parishes by adding the parishes of Emanuel, South Croydon and All Saints, Sanderstead.
9. The School consulted with the LA, Diocese and others and received support for their view that the change would be appropriate. The Office of the Schools Adjudicator (OSA) was informed and the School proposed a variation at that stage. However, as the School had not at

that time been asked formally to take extra pupils in 2012, the variation did not proceed and the request was withdrawn pending further discussions between the School and the LA.

10. The LA has now approached the School about taking an extra class in September 2012, again as an exception rather than a permanent expansion of the School. The governors have assessed the implications for the School of admitting another extra class and have consulted with parents and others. The minutes of meetings of governors in September and October 2011 indicate how seriously they have considered the matter of the temporary expansion and the impact on the School, both the practical impact of more children at the School site and the implications for future admissions, for example the priority for siblings when the two 60-children intakes have younger siblings wishing to join the School and the admission number remains at 30 in future years. The School anticipates reverting to its currently determined arrangements in respect of parishes when the number admitted remains at 30 in 2013, unless by then there are other changes to consider.
11. I have considered the request to vary the arrangements and taken into account the consultation the School undertook to be ready to respond if it were to be asked to take up to 30 additional children in 2012. It could not be certain that it would be asked to take extra children and therefore it quite properly determined its arrangements for 2012 assuming that it would admit 30 children. However, as there has now been a major change in its circumstances the School wishes to make a change to the parishes where applicants worship that confer a higher priority for admission. In providing extra places the School wishes to ensure that there will be continued priority for pupils admitted against its faith-based oversubscription criteria while still providing places for local pupils. The School has noted that no faith schools in Croydon have been selected to be part of the LA's permanent expansion of places. I am satisfied that the reasons for increasing the number of designated parishes at the very least provides more opportunities for parents who seek a place at a Church of England primary school to have their preference met and taken overall maintains local places for local children.
12. I am mindful that applications for a primary place in Croydon are now being made, but the deadline is not until 15 January 2012. I have therefore concluded that there is no reason to reject the variation on the basis of preferences having had to be submitted already to the LA. I hope that if there are parents who have already submitted their application forms to the LA and did not include the School as a preference, but might have done so had the arrangements been determined following this variation, the LA will be willing to allow them to amend their preferences. The School will also, in due course, need to check its arrangements for 2013 against the new Code expected to apply to arrangements for 2013 onwards.

Conclusion

13. Taking into account all the information currently available, I am persuaded that I should agree the variation to add the two parishes named by the School to those listed in appendix 1 of the arrangements.

Determination

14. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements for Christ Church Church of England Primary School.
15. I determine that for admissions in September 2012 the parishes of Emanuel, South Croydon and All Saints, Sanderstead shall be added to the list of parishes in appendix 1 of the admission arrangements.

Dated: 16 November 2011

Signed:

Schools

Adjudicator: Dr Elizabeth Passmore