

DETERMINATION

Case reference: VAR 578 and VAR 579

Admission Authority: The London Borough of Redbridge

Date of decision: 1 June 2012

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the requested variation to the admission arrangements of Chadwell Primary School and Winston Way Primary School. I determine that for admissions in September 2012 the published admission numbers for the schools shall be 90 and 120 respectively.

The referral

1. The London Borough of Redbridge (the council) referred a variation to the Office of the Schools Adjudicator on 25 May 2012. The variation requested was for an increase in the published admission number for September 2012 for :

- Chadwell Primary School, an increase of 30 from 60 to 90;
- Winston Way Primary School, an increase of 30 from 90 to 120.

2. The Council states that these variations are requested as a result of the need to increase provision in the area to meet the demand for places across the Borough which it is experiencing in the form of late applications for reception class places for September 2012.

Jurisdiction

3. The referral was made 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 council's letter of referral of 25 May 2012 and supporting documents;
- a copy of the Council's booklet for parents seeking admission to primary schools in the area in September 2012 ;
- a report submitted to the council's Cabinet on 4 October 2011;
- maps showing the locations of the schools;
- net capacity calculations for each of the schools;
- a copy of the letter of notification sent to other schools and interested parties;
- data showing the increase in the permanent provision of places in the London Borough of Redbridge since 2006 and of temporary places since 2008, and
- data showing the recent experience of late applications for reception class places in the Borough.

Other matters

6. A revised School Admissions Code came into force on 1 February 2012 and applies to admission arrangements for admissions in September 2013. However, this request is for a variation to admission arrangements that were determined during the period of currency of its antecedent, which is the Code to which I must therefore have regard in making this determination. References to "the Code" which I shall make here are therefore to the 2010 Code.

Background and consideration of factors

7. The demand for school places in Redbridge has been increasing in recent years and this trend is expected to continue. Live births in the Borough show a continuing upward trend, and a report received by the council's Cabinet in October 2011 projected that primary school rolls will continue to rise until at least 2020/21. Other demographic changes affecting some parts of London are compounding the challenge which the Borough is facing to meet the demand for primary school places there.

8. Since September 2006 the Council has provided an additional 25.5 forms of entry in primary schools, has provided 600 additional places in higher primary year groups, and has added 840 temporary primary school places by changing the use of existing premises or by the use of mobile classrooms since 2008.

9. The council has told me that in spite of it providing eight additional forms of entry in permanent provision for September 2012, the total supply of reception places for that date is already likely to be fully stretched to meet the known

demand in the form of on-time and late applications. It continues to receive an average of 16 late applications for reception places per week, and expects this to continue until August.

10. The council has decided, as it is constrained to do by the Code, paragraph 4.26, that this continuing pressure constitutes a major change in circumstances which makes it unavoidable that it seeks a variation in admission arrangements to provide more school places. Having reviewed the evidence, I am convinced that there is a need for additional reception class places in the Borough.

11. As noted in paragraph 3 above, the council is required to notify the appropriate bodies of its requested variation. It did so on 25 May 2012. It is also required to consult the Governing Bodies of the two schools before making its referral. It did so, and I have seen the response made to it by the Governing Body of Chadwell Primary School, dated 14 May 2012, who ask that the expansion take place on a year-by-year basis. The Governing Body of Winston Way Primary School has agreed to the temporary increase to the school's published admission number.

12. The Code, paragraph 1.17, requires that the admission number of a school be set with regard to the capacity assessment for the school. Although this requirement has been removed for admissions subsequent to 2012, it remains in force in this case, and I have therefore examined for each of the two schools the net capacity assessment provided by the council.

13. Chadwell Primary School has a capacity of 420 places, based on the current admission number of 60, and it's indicated admission number is currently 57. The additional temporary class that will be formed if the variation requested by the council is approved will be housed in the existing school buildings by remodelling of the existing ICT classroom. The council is in discussion with the school concerning a proposal to establish it as a 3 form entry school for September 2013. This would require the council to publish statutory proposals to that effect in due course.

14. Winston Way Primary School has a capacity of 630 places, based on the current admission number of 90, which is its current indicated admission number. The additional temporary class that will be formed if the variation requested by the council is approved will be housed, as for Chadwell Primary School, in the existing buildings by remodelling an ICT classroom. The change requested for Winston Way Primary School is for admissions in 2012/13 only, and no permanent expansion of the school is anticipated.

15. It is of concern that the variation was submitted after the deadline of 15 January for parents to express their preferences for school places for September 2012.

16. However, I recognise that the nature of the change in circumstances described above made this "unavoidable" as required by the Code, paragraph 4.26.

Conclusion

17. For the reasons stated in paragraphs 7-10 above, I am persuaded that a temporary increase in admission numbers is needed to meet the demand for reception places in primary schools in the London Borough of Redbridge for September 2012.

18. As described in paragraphs 12 – 14 above, I believe that the council has had appropriate regard to the net capacity of the school buildings of the two schools concerned in determining the increased admission numbers for September 2012, and that it has done so with a proper regard for the potential long term implications of this measure. It has also taken the necessary steps to notify and consult with the relevant parties, as described in paragraph 11.

19. As set out in paragraph 16, the lateness of the requested variation has been unavoidable, although it is unfortunate that the deadline for parental preferences to be expressed has passed, and that some parents may feel that they have been disadvantaged as a result.

Determination

20. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the requested variation to the admission arrangements of Chadwell Primary School and Winston Way Primary School. I determine that for admissions in September 2012 the published admission numbers for the schools shall be 90 and 120 respectively.

Dated: 1 June 2012

Signed:

Schools Adjudicator: Dr Bryan Slater