

DETERMINATION - Variation

Case reference: VAR/000557

Admission Authority: St Michael's Catholic Primary School,
Liverpool

Date of decision: 15 December 2011

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by St Michael's Catholic Primary School, Liverpool.

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

The referral

1. The governing body of St Michael's Catholic Primary School, Liverpool (the School), a Voluntary Aided primary school, has referred a variation to the Adjudicator about its admission arrangements for September 2012. The request is that its planned admission number (PAN) should be increased from 45 to 60.

Jurisdiction

2. 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”.

3. I am satisfied that the proposed variation is within my jurisdiction.

Procedure

4. In considering this matter I have had regard to all relevant legislation, guidance and the School Admissions Code (the Code).

5. The documents I have considered in reaching my decision include:
- a. the School's letter of referral of 16 November 2011 and supporting documents, including minutes of the relevant governors' meetings;
 - b. a letter of support from Liverpool City Council, the local authority, (the LA) dated 2 December 2011;
 - c. a letter of support from St Paul & St Timothy's Catholic Infant School dated 13 October 2011;
 - d. the determined arrangements for 2012/2013 and the proposed variation to those arrangements;
 - e. a copy of the LA's booklet for parents seeking admission to schools in the area in September 2012 ;
 - f. a copy of the letter notifying and consulting the appropriate bodies about the proposed variation, together with the one response received; and
 - g. a map of the local area.

Background and consideration of factors

6. Applications for places at the school have consistently exceeded the number of places available for several years. However, in 2011 there was a very significant and unexpected increase in demand, from an average over the past five years of 55 for the 45 places available to 87 for 2011. It is now projected that this higher level will be repeated for 2012 and beyond and thus the governing body, supported by the LA, are of the view that there has been a major change in circumstances that merits the variation requested.

7. This has resulted in a significantly larger number of children who fulfil the admissions criteria not being offered a place, and being directed to the appeals procedures.

Capacity.

8. The school already has the physical capacity to accommodate the proposed rise in the PAN, having been designed as a two forms of entry school. Although some of the building has been mothballed, the school and archdiocese which supports the variation, have plans in place to bring these areas back into use. Staffing levels will expand gradually as the increased numbers of pupils move through the school.

Appeals

9. The LA believes that as the schools has the space to accept children above the current PAN, it is probable that parents appealing in 2012 could have their appeals allowed, at least up to that number. The LA maintains that an increase in the PAN of this school would save some parents having to go

through the appeals process, and would save significant resources.

Impact on other schools

10. This proposed increase sits alongside a number of other requests from the LA to increase the PAN of some community schools in the area. Most of the other schools in the area are admitting up to their PAN, and the LA does not consider that this proposal will adversely impact them.

11. None of the schools in the vicinity registered any concerns or opposition to the proposal. One school wrote in support.

Conclusion

12. The request for an increase to this PAN might seem at first sight to be unnecessary, given that the changes could be effected straightforwardly for 2013.

I am particularly persuaded by the argument that parents should not have to go to appeal for a place which is almost certain to be accepted when the School has the capacity and wishes to provide the additional places. I also understand the LA's argument, accepted by the School, that to increase the PAN as requested would make more places available to children who fulfil the admissions criteria in full.

13. I accept that it is in the interests of all concerned that this variation should be approved. .

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variations to the admission arrangements determined by St Michael's Catholic Primary School, Liverpool.

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

Dated: 15 December 2011

Signed:

Schools Adjudicator: Dr Stephen Venner