



DETERMINATION

Case reference:	VAR687
Admission Authority:	Hertfordshire County Council for Ashwell Primary School, Baldock
Local Authority:	Hertfordshire County Council
Date of decision:	1 August 2016

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Hertfordshire County Council for Ashwell Primary School, Baldock, Hertfordshire.

I determine that for admissions in September 2016 and September 2017 the published Admission Limit shall be reduced from 38 to 30.

The referral

1. Hertfordshire County Council (the LA) has referred a variation to the Office of the School Adjudicator about the admission arrangements for Ashwell Primary School, Baldock (the school), a community school, for September 2016. The variation is to reduce the published admission number (PAN) from 38 to 30. This change is sought as a result of discussions to support the efficient use of resources in the school and to support educational standards.

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 documents I have considered in reaching my decision include:
 - I. the LA letter of referral of 27 June 2016 and supporting documents;
 - II. the determined arrangements for 2016/2017 and the proposed variation to those arrangements;
 - III. a copy of the LA's booklet for parents seeking admission to schools in the area in September 2016; and
 - IV. copies of letters notifying the appropriate bodies about the proposed variation and copies of responses.

Background and consideration of factors

5. The school's PAN was increased from 30 to 38 in 2008 in order to meet demand from existing nursery pupils and because the capacity calculation assessed the school as having 266 available places.
6. A new Headteacher started at the school in September 2015 and quickly identified organisational issues linked to the school's PAN, which have been cumulatively uneconomical over the years and in 2015/16 led to a projected budget deficit.
7. The school has worked closely with LA officers to achieve short and long term solutions to the current budgetary difficulties. Actions include voluntary redundancies; staff restructuring; non-renewal of temporary contracts; introduction of mixed-age classes throughout the school; and stringent restrictions to the school's training and resources budgets. The school states that little else in terms of cost cutting is possible without compromising the educational provision for existing pupils.
8. As a result of these measures, the LA and the governing body of the school now seek an in-year variation to reduce the school's PAN for September 2016 and September 2017 from 38 to 30.
9. Their view is that without a reduction in PAN the school will be unable to balance its budget because of the organisational difficulties a PAN of 38 creates. Recognising the very real difficulties of the school, the LA has already agreed to "cap" numbers entering the school in Years 1-6. The LA has also given provisional agreement to move to consultation to reduce the school's PAN to 30 for 2018. This decision will be formally made by the LA before consultation can take place in the autumn term 2016.
10. The LA says that its future pupil projections for the area do not require a PAN of 38 and many children currently attending the school come from outside the local area. This is confirmed by the following table supplied by the LA.

Forecast number on roll

	2016/17	2017/18	2018/19
N	23	20	20
R	35	23	20
1	32	35	23
2	40	32	33
3	38	40	32
4	32	38	40
5	22	32	38
6	36	23	32
Total	258	243	238

11. The school's capacity calculation indicates that the school can accommodate 266 children and this was one of the reasons that the school's PAN was set at 38. The LA reports that admission numbers in Year R for September 2016 are currently 35 and as a result the school will need to run two reception classes. The LA has, exceptionally, agreed to fund an additional reception teacher for 2016/17 to meet the requirements of infant class size legislation in recognition of the fact that the school cannot meet the cost of an additional teacher and there is no class organisation alternative. The infant class size legislation limits class size to 30 pupils at this age.
12. The proposed organisation for 2016 is set out below and includes a forecast for in year admissions. The LA and the school have agreed to refuse further applications for in year admissions on the grounds that they will prejudice the provision of efficient education and effective use of resources.

	2016/17 Forecast Number	2016/17 Intake Number	Note
Reception	35	38	Currently 35 pupils allocated. the LA has agreed exceptional funding to meet infant class size requirements as this year group exceeds 30 pupils
Year 1	32	35	Three mixed classes in small

Year 2	40	38	rooms. Year 1 Cap set at 35 to reflect the fact that Year 1 is under PAN.
Year 3	38	38	Large class to be taught in the school's largest classroom by a single teacher
Year 4	32	32	
Year 5	23	32	Years 5/6 will be vertically grouped with 29 or 30 in each of the four classes.
Year 6	36	30	

13. The LA and the governing body of the school have consulted upon this proposed variation and I am satisfied that the requirement of the Code have been met in respect of the consultation. There have been no adverse comments to the proposal and indeed, the governing body invited parents to comment and there have been numerous responses supporting the proposed reduction in the school's PAN and no responses opposing the move.

Conclusion

14. This request has come forward from the LA and the school governing body as a way to secure a balanced budget for the school and to enable the school to move to a more sustainable form of organisation that will help to secure school standards. I concur with the thinking. There have been no adverse comments or objections to the plan and parents and others who have commented have expressed their support for the plan. For these reasons I approve the variation.

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 Hertfordshire County Council for Ashwell Primary School, Baldock, Hertfordshire.
16. I determine that for admissions in September 2016 and September 2017 the published Admission Limit shall be reduced from 38 to 30.

Dated: 1 August 2016

Signed:

Schools Adjudicator: David Lennard Jones