



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: VAR696

Admission Authority: The London Borough of Camden for Kingsgate Primary School

Date of decision: 13 December 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 the London Borough of Camden for Kingsgate Primary School for September 2017.

I determine that for admissions in September 2017 the published admission number shall be 90.

The referral

1. The London Borough of Camden, which is the local authority and admission authority for Kingsgate Primary School (the school), has referred a variation to the Adjudicator concerning the admission arrangements for the school, a community primary school for pupils aged 3-11 years, for September 2017. The variation requested is to reduce the published admission number (PAN) of the school from 120 to 90. The school was a two form entry school when established and accepted 'bulge' classes, increasing the PAN to 120 as the demand for pupil places increased in the area. The demand for places has declined and the school will face considerable financial difficulties if it must employ staff for four forms of entry but have many unfilled places.

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:

“proposed variations fall within any description of variations prescribe “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 do for the purposes of this section] (a) refer their proposed variations to the adjudicator, and (b) notify the appropriate bodies of the

proposed variations.”

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

Procedure

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

4. The documents I have considered in reaching my decision include:

- a. the governing body's form of referral of 22 November 2016 and supporting documents;
- b. the determined arrangements for September 2017 and the proposed variation to those arrangements;
- c. a copy of the local authority's composite prospectus for parents seeking admission to schools in the area in September 2017;
- d. correspondence and minutes of meetings from the school's governing body;
- e. a copy of the notice informing the appropriate bodies about the proposed variation; and
- f. further information from the local authority received 1 December 2016.

Background and consideration of factors

5. The school is a larger than average primary school serving an inner city area with high levels of social deprivation. At its last inspection by Ofsted, it was found to be 'outstanding'. The school was a two form entry school from its establishment in 2000 until 2012. As demand for places increased in the area, it created additional reception classes and the local authority determined that it should have a PAN of 120 for September 2017. However, the demand for numbers has declined. The local authority cites as reasons; a free school has opened in a neighboring authority but in close proximity to the school that has attracted some families and that the number of births in the area had not been as high as originally forecast.

6. The local authority has provided information from the Greater London Authority (GLA) which models school roll projections (SRP) annually. The GLA SRP for the area in which the school is sited, Planning Area 1, forecasts a drop in numbers of places required for the next ten years. As a consequence of the declining roll, the local authority considers it is unviable for the school to operate as a four form entry school as "*this would entail the school having a substantial shortfall to its pupil funding as it would be forced to carry a significant number of vacancies*", and intends that it should become a three form entry school.

7. The local authority determined the admission arrangements for September 2017 on 21 January 2016. At this time the decline in the number of required pupil places was not apparent and a PAN for the school of 120 was determined.

8. The governing body supports the reduction in the PAN. At the meeting 14 November 2016 the governing body noted that the shortfall of pupils in the school roll would result in a reduction of £174,00 in the school's allocated budget and unanimously agreed to support the proposed reduction in the PAN. The local authority has notified all the parties required by the Code about this request for a variation and has reported no responses.

9. The school has increased capacity in recent years to accommodate a surge in the demand for pupil places. This demand has reduced so a fourth reception class is not required and there will be financial difficulties if the school remains as a four form of entry school. The local authority considers that these factors constitute a major change in circumstance requiring a variation.

10. I consider that the reduction in the PAN from 120 to 90 is an appropriate response to the circumstances in which the school finds itself. A PAN of 90 for September 2017 will enable the school to plan for staffing without concern that a high number of in year admissions will be required. I find that the appropriate procedures were followed and that the relevant parties were notified. I am satisfied that the proposed variation addresses the circumstances described.

Conclusion

11. The school provided places that are no longer required; to continue to do so when the demand has reduced will cause a number of financial issues, I consider it necessary to reduce the PAN for September 2017 to 90 and therefore approve the requested variation.

Determination

12. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by the London Borough of Camden for Kingsgate Primary School for September 2017.

13. I determine that for admissions in September 2017 the published admission number shall be 90.

Dated: 13 December 2016

Signed:

Schools Adjudicator: Miss Jill Pullen