



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: VAR661

Admission Authority: South Gloucestershire Council

Date of decision: 9 June 2015

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by South Gloucestershire Council for The Grange School and Sports College for September 2015.

I determine that for admissions in September 2015 the published admission number shall be reduced to zero to remove provision for admission to Year 7 at the school.

The referral

1. South Gloucestershire Council which is the local authority and admission authority for the school has referred a variation to the Adjudicator about the admission arrangements for The Grange School and Sports College (the school), a community secondary school for pupils aged 11-18 years. The variation requested is to reduce the published admission number (PAN) to zero for September 2015. The school is to close in August 2017 and the local authority considers it will not be in pupils' best interests to join the school in the period of the implementation of the closure.

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”.

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.
4. The documents I have considered in reaching my decision include:
 - a. the local authority's form of 19 May 2015 requesting a variation, and supporting documents;
 - b. the determined arrangements for 2015;
 - c. a copy of the local authority's composite prospectus for parents seeking admission to schools in the area in September 2015;
 - d. the consultation document on the proposed closure of the school, downloaded from the local authority's website;
 - e. the statutory notice to close the school, published by the local authority on 5 January 2015;
 - f. a copy of the letter notifying the appropriate bodies about the proposed variation; and
 - g. a map of the area.

Background and consideration of factors

5. The Grange School and Sports College is a maintained community school for boys and girls aged from 11 to 18, in Warmley, South Gloucestershire. Its PAN is set at 180. In April 2013 the school was inspected by Ofsted and the school was judged to require special measures as stated in the report published in June 2013. The local authority says that despite "*extensive discussions with the Department for Education to try to identify a strong local academy sponsor to take responsibility*" for the school it was unable to find a long term solution to secure improvement and decided the only option was closure of the school.
6. The school has low and declining numbers of pupils. In September 2014 only one third of the places were filled overall and very few children enrolled at the school; in year 7, there were 12 pupils on roll and 168 surplus places.
7. On 29 September 2014 the local authority began to consult on the proposal to close the school with a view to making a final decision in March 2015. The local authority followed the procedures prescribed by the Education and Inspections Act 2006 and The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2013. The consultation ended on 14 November 2014. Following that period of public consultation the full Council on 10 December 2014 approved the publication of the formal notice proposing the closure of the school. The local authority published the statutory notice on 5 January 2015. The statutory four week period ended on 2 February 2015. At the meeting on 4 March 2015 the Children and Young People's committee of the Council determined to close the school on 31

August 2017. The committee also resolved that *“approval be given to the Director for Children, Adults and Health to seek a variation from the Schools Adjudicator to cease new admissions to The Grange School and Sports College with effect from 1 September 2015.”*

8. The local authority had determined admission arrangements for the school, including a PAN of 180, at an appropriate committee meeting on 5 March 2014. Admission authorities are required by regulation 17 of the School Admissions (Admissions Arrangements and Coordination of Admission Arrangements) (England) Regulations 2012 and paragraph 1.46 of the Code to determine admission arrangements each year by 15 April. The local authority therefore had to determine arrangements for the school for 2015 even though it was already considering the future of the school, not to do so would have been to pre-empt the statutory process which it was undertaking in order to close the school.

9. On 19 May 2015 the local authority made a request to the Office of the Schools Adjudicator to reduce to zero the PAN for September 2015. Paragraph 3.6 of the Code permits admission authorities to propose variation where *“they consider such changes to be necessary in view of a major change in circumstances.”* The local authority has decided that the closure of the school in 2017 is a major change in circumstances and to admit pupils in 2015 will *“not be in the best interests of the families and young people concerned for any new children to join the Grange in the period of the implementation of the closure”*. The local authority reports that it received no responses to the letter sent to those parties it was required to notify of this request. The school makes only the comment that *“we accept the closure notification.”*

10. There have been no applicants for a place at the school for September 2015. I asked the local authority how this came about noting that the information about the future of the school in the composite prospectus was *“(Options for a the possible provision of a new Studio School are being considered)”*. I am told that on the closing date for applications the 31 October 2014 for year 7 places in September 2015 there were 15 preferences received for the school; one first preference, six second preferences and eight third preferences. The local authority reports that *“experienced colleagues made personal contact with each of these families and carefully explained the position on The Grange so that they were made fully aware of the on-going review and possibility of a closure proposal without anticipating the outcome. In some cases there were a number of conversations as parents requested further information, updates or clarification. In the event no preferences for The Grange were pursued by parents and secondary school places were offered as far as possible in accordance with parental preference. Allowance was made so that the parents were not disadvantaged as late applicants.”*

11. I consider that the planned closure of the school after the admission arrangements were determined for September 2015 to be an exceptional circumstance requiring a variation as requested. I find that the appropriate procedures were followed and the relevant parties notified. There are no applicants for places at the school for 2015 so no pupils will be displaced. My view is that it would not be in the interests of a young person to join the school

during the implementation of the closure and to have to move to a different school after two years. I am satisfied that the proposed variation addresses the circumstances described.

Conclusion

12. I consider that the local authority properly set admission arrangements in advance of the decision to close the school. As that decision to close has now been taken I consider it appropriate to agree the requested variation to reduce the PAN to zero for the reasons set out in the determination above.

Determination

13. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by South Gloucestershire Council for The Grange School and Sports College for September 2015.

14. I determine that for admissions in September 2015 the published admission number shall be reduced to zero to remove provision for admission to Year 7 at the school.

Dated: 9 June 2015

Signed:

Schools Adjudicator: Miss Jill Pullen