



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: VAR692

Admission Authority: The Governing Body of Great Barr School
Birmingham

Date of decision: 3 October 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 governing body of Great Barr School for September 2016 and for September 2017.

I determine that for admissions in September 2016 and September 2017 the published admission number shall be 350.

The referral

The governing body of Great Barr School (the school), the admission authority of the school, has referred a variation to the Adjudicator concerning the admission arrangements for the school, a foundation secondary school for pupils aged 11-18 years, for September 2016 and September 2017. The variation requested is to reduce the published admission number (PAN) of the school from 422 to 350 as a number of classrooms are unusable because of dilapidation; the number of pupils on roll has fallen and the school forecasts significant financial difficulties.

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 d 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 8 September 2016 and supporting documents;
- b. the determined arrangements for September 2016 and September 2017 and the proposed variation to those arrangements;
- c. a copy of the Birmingham City, local authority's (LA) composite prospectus for parents seeking admission to schools in the area in September 2017;
- d. correspondence from the LA in support of the request for a variation;
- e. a copy of the notice informing the appropriate bodies about the proposed variation;
- f. correspondence and minutes of meetings from the school's governing body; and
- g. further documentary evidence supplied by the school on 23 September 2016.

Background and consideration of factors

5. The school is a large foundation secondary school located in the north west of Birmingham. The school caters for pupils aged 11 to 18. The Net Capacity Assessment shows it has places for for 2355 pupils. However, the school reports that the buildings are in a very poor state and the condition of nine classrooms is so poor that they have had to be decommissioned. The school has been awarded funding under the Priority Schools Building Programme and has been advised that the work will be completed in 2019. The school roll has declined. The table below shows numbers of pupils admitted each year in September to Year 7 since 2012.

| Year | PAN | Number admitted |
|---------|-----|-----------------|
| 2012/13 | 422 | 312 |
| 2013/14 | 422 | 256 |
| 2014/15 | 422 | 266 |
| 2015/16 | 422 | 285 |

6. As a consequence of the declining roll, the school is experiencing financial difficulties which the governing body wishes to address by a number of means including restructuring the staffing organisation, for example by reducing the number of deputy head teachers from four to three.

7. The governing body determined the admission arrangements for September 2016 on 6 February 2015; and for September 2017 on 8 February

2016. At this meeting the governing body considered the financial position. The governing body considered that it will be better able to secure financial stability if the numbers of pupils are confirmed at a lower level. It consulted on this proposed request from 6 June 2016 to July 15 2016.

8. The local authority supports the reduction in the PAN. The school states that the proposed PAN will still enable the LA to meet its published 'Sufficiency Requirements' for in-year applications. The school has notified all the parties required by the Code about this request for a variation and has reported very few responses, none of which was against the proposal but were seeking further information which was supplied.

9. The school has been undersubscribed for a number of years; much of the building needs repair and some classrooms cannot be used. The necessary building work will not be completed until 2019. The school faces considerable financial difficulties. The school considers that these factors constitute a major change in circumstance requiring a variation.

10. I consider that the reduction in the PAN from 422 to 350 is an appropriate response to the circumstances in which the school finds itself. A PAN of 350 for September 2017 will enable the school to plan for staffing and use of limited accommodation and a PAN of 350 for September 2016 will enable of staffing reorganisation to proceed 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 is facing a number of financial and capacity issues, I consider it necessary to reduce the PAN for September 2016 and 2017 to 350 and therefore approve the requested variations.

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 governing body of Great Barr School for September 2016 and for September 2017.

13. I determine that for admissions in September 2016 and September 2017 the published admission number shall be 350.

Dated: 3 October 2016

Signed:

Schools Adjudicator: Miss Jill Pullen