



DETERMINATION

Case reference:	ADA3213
Objector:	London Borough of Hillingdon
Admission Authority:	The governing body of Harlington School, Hillingdon
Date of decision:	15 July 2016

Determination

In accordance with section 88H(4) of the School Standards and Framework Act 1998, I do not uphold the objection to the admission arrangements determined by the governing body of Harlington School for admissions in September 2017.

The referral

1. Under section 88H(2) of the School Standards and Framework Act 1998, (the Act), an objection has been referred to the Adjudicator by the London Borough of Hillingdon (the objector) which is also the local authority (LA) for the area, about the admission arrangements (the arrangements) for September 2017 for Harlington School (the school), a foundation school with an age range of 11 - 18. The objection is to the reduction in the published admission number (PAN) from 224 to 195 for 2017.

Jurisdiction

2. These arrangements were determined by the governing body of Harlington School, which is the admission authority for this foundation school. The objector submitted the objection to these determined arrangements on 13 May 2016. I am satisfied the objection has been properly referred to me in accordance with section 88H of the Act and it is within my jurisdiction.

Procedure

3. In considering this matter I have had regard to all relevant legislation and the Code.
4. The documents I have considered in reaching my decision include:
 - a. the objector's objection, and subsequent comments;
 - b. the school's responses to the objection including supporting documents;
 - c. the LA's composite prospectus for parents seeking admission to schools in the area in September 2016;

- d. confirmation of when consultation on the arrangements last took place;
- e. a copy of the minutes of the meeting of 9 February 2016 at which the governing body of the school determined the arrangements; and
- f. a copy of the determined arrangements for 2017.

The Objection

5. The objection is that the arrangements introduce a reduction in the PAN for the school from 224 to 195 for 2017 and, in making its objection, the LA considers that this will reduce overall capacity in local schools and limit parents' ability to gain a place in a school in the area as projected pupil numbers rise over the next few years.

Background

6. Harlington School is a foundation school located in the southern part of the London Borough of Hillingdon. It has a PAN of 224 for Year 7 in September 2016. In 2002 the net capacity calculation for each year group was calculated as 197 with a total capacity of 1156. The school has been undersubscribed in recent years and so the mismatch between the PAN and net capacity calculation has not been a matter for concern. Secondary pupil numbers in the area are projected to rise and the school is concerned that its number on roll will increase above its measured capacity and this would prejudice the efficient and safe provision of education for students on the school's site. It has therefore consulted upon a proposal to reduce the PAN and subsequently determined to reduce its PAN for Year 7 from 224 in September 2016 to 195 for September 2017. The school has a specialist resource base that has seven places which are counted in addition to the PAN and which is unaffected by this change.
7. The school was inspected by Ofsted in 2013 and judged to be good.

Consideration of Factors

8. The school has determined its arrangements and has reduced its PAN from September 2017. The LA has objected to this on the grounds that the school has the short to medium term capacity to maintain this PAN because of undersubscription in recent years. The LA wishes the school to retain the higher PAN because it projects increasing pupil numbers over the next few years and wishes to ensure that there has sufficient capacity across all the schools in the area to meet demand.
9. The school argues that the LA has disregarded the capacity measurement which was undertaken in 2002 and which assessed the school as having capacity for a PAN of up to 197 with a total capacity of 1156. The school says that because it has been undersubscribed it has not needed to consider reducing the PAN to limit applicants and all applicants who applied have gained a place. The school provided the following figures that show the rising roll and also show that the school has a significant number of in year admissions.

Projected pupil numbers in school for September 2016	
Year 7	215 but expected to rise to 224
Year 8	169
Year 9	153
Year 10	157
Year 11	193
Year 12	80
Year 13/14	99

Student numbers in 2015-2016			
Year group	Student roll in September 2015	Student roll in January 2016	Student roll in May 2016
Year 7	145	166	169
Year 8	144	154	153
Year 9	142	155	157
Year 10	180	193	193
Year 11	184	185	187
Year 12	88	88	80
Year 13/14	70	102	99
total	953	1043	1038

10. The school and LA say that they have a positive working relationship. The LA objected to the proposal to reduce the PAN within the consultation period. The school governing body took the LA comments into account when determining the arrangements but the minutes show that the main concerns were about the additional pressures that increasing numbers bring and the constraints imposed by the building and site and their impact on learning, wellbeing, and health and safety for the pupils at the school.
11. Following further discussions with the LA, the school has agreed to admit above the PAN in 2017 and admit up to 224 pupils at Year 7 instead of 195 to assist the LA in providing local places. The school sees this as a short term expedient to help the LA but believes that this is only possible because of the lower pupil numbers in the higher year groups. It can be seen from the figures above that there is spare capacity in some years which enable this to be done as the assessed capacity is 1156. The school does not wish to see this repeated because it will quickly go over its assessed capacity. For its part, the LA has said that it will enter into discussion with the school about how it might be possible to enhance the building on order to accommodate more students. The school has expressed willingness to discuss how improvements to the buildings could lead to the PAN being increased. These discussions have not yet been concluded.

12. The LA has said that it *“feels the reduction in the PAN will reduce choice for local families, particularly those from disadvantaged backgrounds. The reduction will also limit choice for the growing number of secondary pupils in the Borough requiring a school place. The number of pupils attending the school has historically been less than the PAN (for example the Y7 intake in 2015 was 145 pupils) and therefore there remains capacity within the school campus to accommodate the PAN in the medium term without needing to reduce the PAN by either Sept 2017 or Sept 2018.”*
13. The school says that *“there is insufficient space to construct additional buildings on its site to accommodate more students. Resources such as the dining area, toilets and the playground provision are already operationally constrained, which has resulted in split time timetabling/provision being necessary”* and it *“must ensure that, as student numbers increase, standards do not reduce as a direct result of that increase, in the absence of additional physical resources to support the curriculum model that the School delivers to good effect.”*
14. The School says that it is mindful of the fact that the London Borough of Hillingdon is experiencing increasing numbers of students requiring school places and is required to find a significant number of places for secondary aged students from 2017 onwards. However, it is unwilling to jeopardise the provision for its students by taking more students than the capacity calculation suggests is appropriate.
15. I have considered these arguments and note that prior to this determination being written the school has agreed to admit over its newly agreed capacity for a year in 2017 in order to support the LA's need for school places. I am convinced by the argument that the PAN has been allowed to continue out of step with the assessed capacity of the school because it has not been a problem while the school has been undersubscribed. I can see evidence that the school and the LA are working to identify a way forward that will allow the school to accommodate additional pupils but in the meantime I do not uphold the LA's objection and consider that the school has acted reasonably in seeking to balance the assessed capacity with the published admission number.

Summary

16. The local authority made two arguments about this proposed reduction in PAN at the school. The first was that it would reduce capacity and lead to a potential shortage of places in the area and in doing so reduces choice for local children. I have noted these points and also the school's counter argument that there has been a mismatch between the PAN of 224 that has been used in recent years and the assessed capacity of the school which is 197. While the school has been undersubscribed this has not been a concern but with increasing rolls this is becoming more likely.
17. The school and the LA are in discussions to find a way forward that would allow the school to increase the school capacity and in consequence, the PAN to help accommodate a rising secondary school population. However, I do not uphold the objection on the grounds that

the school capacity is assessed at 197 and it is reasonable for the governing body to have decided in terms of health and safety, and school organisation that the PAN and capacity should be brought into line more closely.

Determination

18. In accordance with section 88H(4) of the School Standards and Framework Act 1998, I do not uphold the objection to the admission arrangements determined by the governing body of Harlington for admissions in September 2017.

Dated: 15 July 2016

Signed:

Schools Adjudicator: David Lennard Jones