



Office of  
the Schools  
Adjudicator

## **DETERMINATION**

**Case reference: VAR676**

**Admission Authority: Surrey County Council for West Ewell Infant and Nursery School, Ewell, Surrey**

**Date of decision: 21 October 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 Surrey County Council for West Ewell Infant and Nursery School. I determine that for admissions in September 2016 the published admission number shall be 90.**

### **The referral**

1. The Surrey County Council (the local authority) has referred a variation to the Adjudicator about the admission arrangements for West Ewell Infant and Nursery School (the school), a maintained community school for children aged 3 to 7 years for September 2016. The school admits 120 children to reception and the variation requested is to vary the published admission number (PAN) such that it should be reduced from 120 to 90 for September 2016.

### **Jurisdiction**

2. The referral was made 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 and the School Admissions Code (the Code).
5. The documents I have considered in reaching my decision include:
  - a. the local authority's form of referral of 2 October 2015, supporting documents and subsequent correspondence;
  - b. the determined arrangements for 2016/2017 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 2016;
  - d. confirmation from the school of support for the variation requested; and
  - e. maps of the area.

## **Background**

6. The school is in the town of Ewell in Surrey. The local authority has described how the area of Ewell has had an unprecedented increase in demand for school places over the last ten years and the steps that it has taken to meet that need which has included increasing the size of existing schools. Its forecasts show the need for an additional form of entry (or 30 places) for reception. There are six schools for primary aged children in Ewell. Three are primary schools with reception (YR), key stage 1 (KS1) and key stage 2 (KS2) children. The other three schools are West Ewell Infant and Nursery School (YR and KS1), Ewell Grove Infant and Nursery School (also YR and KS1 and a community school) and Danetree Junior School (KS2) which is an academy.

7. The local authority, working in collaboration with the trust for Danetree Junior School, has agreed that all three schools should become primary schools with provision for children for YR, KS1 and KS2 in order to create the extra places needed. The two infant and nursery schools will build up from the end of KS1 so retaining children from 2017 rather than those children joining another school in year 3. This year group will then continue at the school until it becomes the first year 6 group at the school in 2020. The PAN for the school will reduce to 60 in 2017 and the final size of the school will be 420 places which will be achieved in 2023.

8. Danetree Junior School will take children into YR and build up year on year to become a primary school with YR and KS1. The combination of these changes creates the space for the additional form of entry required to make sure that there are sufficient places for children in the area.

9. The local authority has requested this variation as, *"We are seeking to reduce the PAN at West Ewell Infant and Nursery School for Reception from 120 to 90. This is to allow for conversion to primary status in September 2017. Without this reduction in PAN, the school would be unable to accommodate the number of children in its Foundation and Key Stage 1 classes, alongside accommodating Key Stage 2 provision."*

## **Consideration**

10. Paragraph 3.6 of the Code requires that admission arrangements, once determined, may only be changed if there is a major change of circumstance or certain other limited and specified circumstances. I will therefore consider whether the relevant parties were notified as required by the Code and whether the variation requested will deal with the change in circumstances of the school.

11. The full council of the local authority determined the admission arrangements for community and voluntary controlled schools in Surrey for 2016 on 17 March 2015. This was necessary in order to meet the requirements of the Code for arrangements to be determined by 15 April 2015. The statutory notices for the reorganisation of the school were published on 15 June 2015. On 28 July 2015 the relevant cabinet member for the local authority agreed that West Ewell Infant and Nursery School should become a primary school from September 2017. The agreement of the local authority to change the school from an infant school to a primary school is a major change in circumstances from when the arrangements were determined.

12. The variation is requested because of the longer term effect on this school and the other schools in the wider area reorganisation. The school's size will vary as the first year 3 in 2017 works its way through the school. The school would have a potential peak of numbers of 600 children in 2020 if the PAN were to remain at 120 until 2017. This number would reduce to 570 if the PAN were reduced to 90 in 2016. The final size of the school will be 420 places and this will be achieved in 2023.

13. The variation is also in the context of the wider area reorganisation and making sure that there are places for children in every age group in a manageable way for all three schools. This needs a collaborative effort across the three schools concerned. The variation provides that there will be sufficient children to make the new reception class viable at the junior school which is to become a primary school.

14. The local authority has provided me with a copy of its notification on the proposed variation and the list of schools and local authorities to which it was sent. I have seen confirmation from the school that it supports the request for the variation. I am satisfied that all relevant bodies have been consulted and that views expressed have been taken into consideration. I find that the appropriate procedures were followed and the relevant parties notified. I am satisfied that the proposed variation addresses the circumstances described.

## **Conclusion**

15. The variation is necessary to enable the school to accommodate the additional year groups of pupils as it becomes a primary school. I approve the variation requested that the PAN should be reduced to 90 in 2016.

## **Determination**

16. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Surrey County Council for West Ewell Infant and Nursery School. I determine that for admissions in September 2016 the published admission number shall be 90.

Dated: 21 October 2015

Signed:

Schools Adjudicator: Mrs Deborah Pritchard