



Office of  
the Schools  
Adjudicator

## **DETERMINATION**

**Case reference:** VAR693

**Admission Authority:** The Governing Body of Send Church of England Primary School, Woking, Surrey

**Date of decision:** 31 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 Send Church of England Primary School (formerly St Bede's Junior School) for September 2017.**

**I determine that for admissions in September 2017 there will be a published admission number of 60 for Reception; there will a published admission number of 0 for Year 3; priority as described in this determination will be given in the oversubscription criteria to children with siblings attending Send Church of England Primary School; the priority given to children attending Send First Infant School will be removed; the priority given to children attending Clandon Infant School will be removed; and, the final criterion shall be all other children.**

### **The referral**

1. The governing body of Send Church of England Primary School (formerly St Bede's Junior School), (the school) as the admission authority for this voluntary aided school, has referred a variation to the Adjudicator about the admission arrangements for the school. The school was formerly a junior school for pupils ages 7-11 years and has expanded its age range to become a primary school for pupils ages 4-11 years. Send First Infant School, which the younger pupils previously attended, closed 31 August 2016. The school's name changed from St Bede's Junior School on 1 September 2016. The variation requested is: to set a published admission number of 60 for Reception; to remove the criterion giving priority to children attending Send Infant School; remove the criterion giving priority to children attending Clandon Infant School; to amend the sibling criterion to give priority to siblings of pupils at St Bede's Primary; to remove the published admission number (PAN) of 60 at Year 3; and, to amend the final criterion to be all other children.

## **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”.*

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 governing body’s form of referral of 3 October 2016 and supporting documents;
  - b. the determined arrangements for 2017 and the proposed variation to those arrangements;
  - c. a copy of Surrey County Council’s (the council) composite prospectus for parents seeking admission to schools in the area in September 2017;
  - d. a copy of the consultation document, public notice and final decision relating to the proposals to close Send First Infant School and expand St Bede’s Junior School;
  - e. a response to the request for variation from the council;
  - f. a response from the Diocese of Guildford (the diocese); and
  - g. amendments to the request received on 13 October 2016.
6. Send First Infant was a Church of England foundation school and St Bede’s Junior was a Church of England voluntary aided junior school in Send in Surrey. The two schools federated and shared one head teacher and one governing body. The diocese supported the governing body in publishing in December 2015 proposals to expand St Bede’s Junior from 1 September 2016 and to close Send First Infant School from 31 August 2016. The statutory proposal period was held

from 15 July 2016 to 12 August 2016; no responses were received during this statutory period. The Leader of the Council took the decision to approve these proposals on 22 August 2016. These proposals were in the form required by the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and (Establishment and Discontinuance of Schools) (England) Regulations 2103.

7. The deadline for determining admission arrangements for September 2017 – which was 28 February 2016 – fell before the decision on the proposals was taken by the LA. As the governing body could not pre-empt this decision, it determined admission arrangements for both schools as it is required to do by regulation 17 of the School Admissions (Admissions Arrangements and Coordination of Admission Arrangements) (England) Regulations 2012 and paragraph 1.46 of the Code. The arrangements were determined on 15 January 2016. The requested changes to the admission arrangements of the school were included in the consultation on the proposals.
8. The determined oversubscription criteria which formed part of the admission arrangements as originally determined for St Bede's were, in summary:
  - a. Looked after children or children who were previously looked after;
  - b. Children or families who have a serious medical, physical or psychological condition;
  - c. Children with a sibling at the school;
  - d. Children attending Send First Infant School;
  - e. Children within the Civil Parish of Send;
  - f. Children attending Clandon Church of England Infant School;
  - g. Children whose parents wish them to attend this Christian School.

Straight line distance of home to school is used to distinguish between applicants should the school's PAN be reached and exceeded within any of the criteria outlined above.

9. An admission authority may request a variation to admission arrangements if there is a major change of circumstance after determination. In this case the first school was closed from 1 September 2016 and the junior school expanded to become a primary school.
10. The governing body, with the support of the diocese and the LA, proposed "*this amalgamation in order to provide continued, secure progression of primary phase education in the Send locality.*" The variation is requested to ensure the admission arrangements fit the newly formed primary school.
11. A PAN of 60 for Reception is required so that pupils can be admitted to Send Primary rather than the infant school; the PAN of 60 for Year 3 is no longer required as pupils will now transfer automatically from Year 2 to Year 3. The priority for siblings needs only to relate to the school;

the priority for children from Clandon Infant School can be removed because under separate proposals Clandon Infant has become a primary school and its Year 2 pupils will remain at that school. In addition, as the school will only have a PAN for Reception and no child who had previously been at Clandon could qualify for a place in Reception at another school, the priority would make no sense. The governing body wish to amend the final criterion to remove the reference to parents who wish their child to attend a Christian school in order to make it clear that any child will be considered for a place at the school as required by the Code. All of these amendments seem entirely reasonable in the circumstances.

### **Summary**

12. Send First School has closed and the age range of St Bede's Junior school has been extended to create a single primary school, Send Church of England Primary School. The variation requested addresses this change in circumstance as it seeks to provide appropriate arrangements to admit pupils to the newly formed primary school. Against this background, I approve this request for a variation.

### **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 the governing body of Send Church of England Primary School (formerly St Bede's Junior School) for September 2017.
14. I determine that for admissions in September 2017 there will be a published admission number of 60 for Reception; there will a published admission number of 0 for Year 3, priority as described in this determination will be given in the oversubscription criteria to children with siblings attending Send Church of England Primary School; the priority given to children attending Send First Infant School will be removed; the priority given to children attending Clandon Infant School will be removed; and, the final criterion shall be all other children.

Dated: 31 October 2016

Signed:

Schools Adjudicator: Miss Jill Pullen