



## DETERMINATION

**Case reference:** VAR682

**Admission Authority:** The Governing Body of Hutchinson Memorial Church of England (Voluntary Aided) First School, Checkley, Stoke on Trent, Staffordshire.

**Date of decision:** 27 May 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 Hutchinson Memorial Church of England (Voluntary Aided) First School for September 2017.**

**I determine that for admissions in September 2017 the published admission number shall be 15.**

### The referral

1. The governing body of Hutchinson Memorial Church of England (Voluntary Aided) First School (the school) has referred a variation to the Adjudicator about the admission arrangements for September 2017. The school is a primary school, known as a first school, for pupils aged 3-9 years. The variation requested is that the published admission number (PAN) for admission to Reception should be reduced from 24 to 15.

### 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 (the Code).

4. The documents I have considered in reaching my decision include:

- the head teacher's (on behalf of the governing body) form of referral of 29 March 2016, supporting documents and revised form of referral of 9 May 2016;
- the determined arrangements for admission to the school in 2017 and the proposed variation to those arrangements;
- a copy of Staffordshire County Council, the local authority's, composite prospectus for parents seeking admission to schools in the area in September 2016;
- a copy of the letter notifying the appropriate bodies about the proposed variation; and
- an email from the local authority of 13 May 2016 confirming it had no objections to the request to reduce the PAN.

## **Background and consideration of case**

5. The school is a very small first school in the village of Checkley in Stoke on Trent, Staffordshire. In some years it has been organised with three classes and in others four classes. This year, for example, it has four classes and one of those classes has only 13 pupils.

6. The school previously had a PAN of 17. In 2007, development plans were put forward to the Diocese of Lichfield, which is the body responsible for capital work at this school, seeking capital funding to build an additional classroom. This additional classroom would have meant that the school could accommodate 24 pupils in each year group and the PAN was increased on the assumption that this additional space would be provided. However, funding for the additional classroom was not approved and the building did not take place.

7. The governing body considered reducing the PAN in earlier years but had been able to accommodate fluctuating numbers by employing an additional teacher when required. However, the school now predicts a shortfall in the budget for the financial year 2016-17 of £33,000 and a further shortfall of £30,000 in 2017-18. It considers this a significant change of circumstance and, in order to manage its resources so that it does not overspend its budget, it wishes to reduce its PAN to 15.

8. The school considers that a PAN of 15 would enable it to organise its pupils into three classes every year. It would be able to ensure that no class which contained infant children exceeded 30 pupils. This would assist the school in meeting its duty to comply with The School Admissions (Infant Class Sizes) (England) Regulations 2012 which require infant classes to contain no more than 30 pupils when taught by one teacher.

9. The Net Capacity Survey, which calculates available space in a school, gives a total number of pupil spaces of 79. This would support the proposed PAN of 15, providing for 5 year groups of 15 pupils in each and eight part time nursery places. The school would organise three classes its three classes as follows: one for Reception and Year1; one for Year 2 and Year 3, and one for Year 3 and Year 4.

10. The school has provided evidence that it notified all parties as required by the legislation and the local authority confirmed by email dated 13 May 2016 that it had no objections to the proposed decrease in the PAN.

11. I see from data supplied by the school from the local authority that fewer than 15 pupils were admitted in each of the last two years and 14 pupils are anticipated for 2016; 16 for 2017 and 15 for 2018. I can also see from the information supplied by the school that that it has never been possible to admit 24 pupils per year group and in the recent past has admitted fewer than 15 pupils to Reception. I note that there may be 16 applications for September 2017 but this request is in sufficient time to inform parents of a different PAN.

### **Summary**

12. The school increased the PAN anticipating building work which never took place. It faces financial constraints and wishes to be able to plan sensibly based on a PAN which reflects recent demand for places and its physical capacity and which allows it to deploy its staff efficiently. Its local authority supports the school in this request. 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 Hutchinson Memorial Church of England (Voluntary Aided) First School for September 2017.

14. I determine that for admissions in September 2017 the published admission number shall be 15.

Dated: 27 May 2016

Signed:

Schools Adjudicator: Miss Jill Pullen