



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: VAR679

Admission Authority: The governing body of Newman Catholic College, Brent

Date of decision: 18 February 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 for Newman Catholic College, Brent for admissions in September 2016.

The referral

1. The governing body of Newman Catholic College (the school), a voluntary aided Roman Catholic school for boys aged 11 to 18 has referred a request for a variation to its admission arrangements for September 2016 to the Office of the Schools Adjudicator. The governing body requested that the published admission number (PAN) is reduced from 150 to 120.

Jurisdiction

2. The referral was made in accordance with section 88E of the School Standards and Framework Act 1998 (the Act). This states "*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:
 - a. the form from the school requesting a variation received on 29 January 2016 and supporting documents;
 - b. the minutes of the governing body meeting of 13 November 2014 at which the arrangements for September 2016 were determined;
 - c. the minutes of the governing body of 11 November 2015 at which the decision to request a variation was taken; and
 - d. comments from Brent Council, the local authority (the LA) on the proposed variation.

Consideration of factors

5. The school is a voluntary aided Roman Catholic school for boys aged 11 to 18 in the London Borough of Brent. The admission authority is the governing body. The school has a published admission number of 150 and is not oversubscribed. In asking for a reduction in its PAN to 120 the school has said that a *“more realistic PAN would give the governors control over our admissions.”* The school plans to set a PAN of 120 for September 2017.
6. The circumstances in which an admission authority can request a variation in its arrangements, including a reduction in the PAN, are set out in section 88E of the Act quoted above and in paragraph 3.6 of the Code. These require the admission authority to consider that there has been a *“major change in circumstances”*. In response to enquiries about what major change in circumstances made a reduction in PAN necessary the school initially said they were *“a gradual change in local circumstances most notably in the Catholic nature of this part of London”* and that *“the school and governors should have gone down this road many years ago.”* I offered the school the opportunity to expend on this statement, but it chose not to do so.
7. The LA said that it had no objection to the reduction in PAN as there were surplus places in the area and the school was undersubscribed. In this LA parents can express a preference for up to six schools. It provided data to show that for September 2016 there were 142 preferences expressed for the school of which 31 were first preferences. The Archdiocese of Westminster which is the school’s religious body made no comment on the school’s proposal.
8. The school provided me with the net capacity assessment of its accommodation. From this it is clear that it has sufficient

accommodation to admit up to 150 boys in September 2015. It would appear from the data supplied by the LA that the school is unlikely to be oversubscribed at either a PAN of 150 or 120. This means the requested reduction in PAN will not affect which boys are allocated places for September 2016, but should assist the school in planning the provision for those who are admitted. The downward trend in the number of applications has continued since the arrangements were determined rather than being reversed and thus the full 150 places available are no longer required.

Conclusion

9. The major change in circumstances identified by the school since it determined its arrangements in November 2014 would not prevent the school from accommodating an intake of 150 boys in September 2016 if there were sufficient applicants. However, the proposed reduction in PAN would appear to have no effect on which boys will be offered places at the school in September 2016 or on the supply of places in the area. I therefore approve the proposed reduction in the PAN at the school.

Determination

10. 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 for Newman Catholic College, Brent for admissions in September 2016.

Date: 18 February 2016

Adjudicator: Phil Whiffing