



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: VAR664

Admission Authority: Central Bedfordshire Council for Caddington Village School

Date of decision: 27 July 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 Central Bedfordshire Council for Caddington Village School for September 2016.

I determine that for admissions in September 2016 the published admission number for Year 5 shall be reduced to zero to remove provision for admission to Year 5 at the school.

The referral

1. Central Bedfordshire Council, which is the local authority and admission authority for Caddington Village School (the school), has referred a variation to the Adjudicator about the admission arrangements for the school, which will become a community primary school for pupils aged 4-11 years in September 2015. The school is, at present, a community lower-middle combined school for pupils aged 4-13 years. The variation requested is to reduce the published admission number (PAN) for Year 5 to zero for September 2016. The Year 5 point of entry will no longer be required as the nearby lower school is also becoming a primary school and pupils at that school will no longer need to transfer to the school at the end of Year 4.

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.
4. The documents I have considered in reaching my decision include:
 - a. the local authority's form requesting a variation of 17 June 2015 and supporting documents;
 - b. the determined arrangements for 2016 and the proposed variation to those arrangements;
 - c. a copy of the letter notifying the appropriate bodies about the proposed variation; and
 - d. a map of the area.

Background and consideration of factors

5. Schools in the local authority's area used to be organised in a three tier system of education, lower, middle and upper schools. In the Dunstable and Houghton Regis area of Central Bedfordshire, where the school is situated, a significant number of schools have changed their age range so a two tier system of primary and secondary schools is also operating.
6. Caddington Village School is a combined school for children between the ages of four and 13 years (Reception to Year 8), in Caddington, Dunstable. The school has two points of entry; 60 places in Reception and 15 additional places in Year 5. The Year 5 entry point was to provide for those children attending a nearby lower school, Slip End Lower School, who transferred for Years 5 to 8 before they then transferred to the local upper school, Manshead School. Manshead School converted to be a secondary school from an upper school in September 2014 and from September 2016 will only have a single point of entry, Year 7.
7. Slip End Lower School will convert from a lower school to a primary school in September 2105. Consequently the Year 4 pupils will remain at the school until the end of Year 6 when they will transfer to the secondary sector.
8. The governing bodies of Slip End School and Caddington Village School agreed to federate their schools on 6 October 2014. The first meeting of the federated governing body was 6 November 2014. The governing body decided that Caddington Village School should also become a primary school and consulted on a proposal from 3 March 2015 to 30 April 2015 to alter the upper age range of the school as permitted by The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.
9. The local authority had determined admission arrangements for the school, including a PAN of 15 for Year 5, at an appropriate committee meeting on 31 March 2015. Admission authorities are required by regulation 17 of the School Admissions (Admissions Arrangements and Coordination of Admission Arrangements) (England) Regulations 2012 and paragraph 1.46 of the Code to determine admission arrangements each year by 15 April. The local

authority therefore had to determine arrangements for the school for 2016 even though the governing body was considering changing the age range of the school, not to do so would have been to pre-empt the statutory process.

9. On 17 June 2015 the local authority made a request to the Office of the Schools Adjudicator to reduce to zero the Year 5 PAN for September 2016. Paragraph 3.6 of the Code permits admission authorities to propose a variation where *“they consider such changes to be necessary in view of a major change in circumstances.”* The local authority has decided that this change in age range at both schools is a major change in circumstances and *“the point of entry is no longer required due to the conversion of Slip End School changing its age range from this September (2015) from a lower to a primary school and Year 4 pupils therefore no longer require a Middle transfer entry point at Caddington Village School which has also changed their age range from September 2015 to be a primary school.”* The local authority reports that it received no objections to the letter sent to those parties it was required to notify of this request.

10. There have been no applicants for a Year 5 place at the school for September 2015. I note there were 19 applications from Slip End School in 2014 and 13 for September 2013.

11. I consider that the change in age range of the school and Slip End School after the admission arrangements were determined for September 2016 to be an exceptional circumstance requiring a variation as requested. As both schools are becoming primary schools, pupils will be able to continue their education at their schools until Year 6 and will not require a ‘middle transfer’ at Year 5. 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

12. I consider that the local authority properly set admission arrangements in advance of the decision to extend the age range of the school. I consider it appropriate to agree the requested variation to reduce the Year 5 PAN to zero for the reasons set out in the determination above

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 Central Bedfordshire Council for Caddington Village School for September 2016.

14 I determine that for admissions in September 2016 the published admission number for Year 5 shall be reduced to zero to remove provision for admission to Year 5 at the school.

Dated: 27 July 2015

Signed:

Schools Adjudicator: Miss Jill Pullen