

DETERMINATION

Case reference: VAR708

Admission Authority: The London Borough of Haringey for Earlham Primary School, Wood Green, London

Date of decision: 8 June 2017

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 London Borough of Haringey for Earlham Primary School for September 2017.

I determine that for admissions in September 2017 the published admission number shall be 30.

The referral

1. The London Borough of Haringey, the local authority and admission authority for the school, has referred a variation for Earlham Primary School, (the school) to the Adjudicator concerning the admission arrangements for the school, a community school for pupils aged 3-11 years, for September 2017. The variation requested is to reduce the published admission number (PAN) of the school from 60 to 30 as there is a surplus of reception places in Planning Area 5 in Haringey, the area in which the school is located.

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 variation prescribed] (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 local authority's form of referral of 31 March and supporting documents;
 - b. the determined arrangements for 2017/2018 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 2017;
 - d. documents relating to the demand for pupil places in the area, downloaded from the internet;
 - e. a copy of the notice informing the appropriate bodies about the proposed variation; and
 - f. correspondence from the Interim Executive Board (IEB) which has replaced the school's governing body.

Background and consideration of factors

5. The local authority divides Haringey into areas for the purpose of planning school places; the school is in Planning Area 5. There had been an increasing demand for reception places in the borough since 2003, and the local authority had sought to increase capacity by temporary and permanent expansions of some schools. However, its current predictions of the need for reception places, based on its School Place Planning report, shows that fewer places are required as the projections from the Greater London Authority (GLA) show a reduction in the number of births with a consequent reduction in the number of reception places needed. The local authority is concerned that there should not be financial difficulties for schools if they must create classes for which they may not have applicants. It says : in its Infrastructure Delivery Plan *"While this reduction in overall demand is small it does means that we need to carefully consider any planned provision/increase of places to ensure that we do not end up with a large surplus of places that is too high leading to financial and other difficulties for schools"*. It is against this background of changing demand that the local authority has applied for this variation. The school has had an IEB since October 2014; its last published report of an Ofsted inspection showed that it requires improvement. The IEB confirms that it wishes the arrangements to be varied for the financial reasons identified by the local authority.

6. The local authority determined the admission arrangements for September 2017 on 9 February 2016 in accordance with the provisions of regulation 17 of the School Admissions (Admissions Arrangements and Coordination of Admission Arrangements) (England) Regulations 2012 and paragraph 1.46 of the Code which require an admission authority to determine

arrangements by 28 February. It had not consulted on reductions in the PAN at this time as the evidence outlined above was not available at that time.

7. The local authority reports that on National Offer Day, 16 April 2017, for entry to the school in September 2017, it made 30 offers of places at the school. Of these, 23 were for applicants for whom the school was their first preference and the remaining seven were to late applicants. The local authority says it is able to accommodate elsewhere any pupil who would have otherwise been placed at the school and has notified all the parties required by the Code about this request for a variation.

8. I consider that the reduction in the PAN from 60 to 30 is necessary so that the school need not employ staff for a class it may not form. The infant class size regulations which govern the numbers of infant age children in a class with one teacher would require the employment of another teacher for if more than 30 pupils were admitted. The school could not plan with certainty if the PAN remains at 60. I am satisfied that the proposed variation addresses the circumstances described.

Conclusion

9. The local authority set admission arrangements for the school, including the PAN before the reduction in the demand for places became apparent. It is concerned that there may be financial difficulties for the school if the PAN is not reduced and the school's IEB supports that view. I therefore consider it necessary to reduce the PAN to 30 and approve the requested variation.

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 London Borough of Haringey for Earlham Primary School.

11. I determine that for admissions in September 2017 the published admission number shall be 30.

Dated: 8 June 2017

Signed:

Schools Adjudicator: Miss Jill Pullen