



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: VAR729

Admission Authority: Hampshire County Council for Park View Infant School, Basingstoke.

Date of decision: 29 September 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 Hampshire County Council for Park View Infant School, Basingstoke.

I determine that for admissions in September 2017 the published admission number (PAN) shall be 60.

The referral

1. Hampshire County Council (the local authority) has referred a variation to the Adjudicator about the admission arrangements (the arrangements) for Park View Infant School (the school), a community school, for September 2017. The variation is a reduction to 60 from the determined PAN of 90.

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, guidance and the School Admissions Code.
4. The documents I have considered in reaching my decision include:
 - (i) the local authority's email and form of referral of 1 August 2017 and supporting documents;
 - (ii) the determined arrangements for September 2017 and the proposed variation to those arrangements;
 - (iii) a copy of the local authority's booklet for parents seeking admission to schools in the area in September 2017;
 - (iv) a copy of the letter notifying the appropriate bodies about the proposed variation; and
 - (v) evidence that the local authority had consulted the governing body of the school before making the variation request.

Background and consideration of factors

5. In January 2016 the local authority determined its admission arrangements for the 2017/18 academic year, including the PAN for all community and voluntary controlled schools in Hampshire. The PAN for Park View Infant School, which is in the town of Basingstoke, was set at 90.
6. The school has the capacity to admit three forms of entry, that is, 90 pupils each year. It has not been fully subscribed in recent years. In 2015, 68 pupils were admitted; in 2016, 71 pupils were admitted. In 2017, only 58 pupils were allocated what the local authority terms "*mainstream places*." A further two pupils were allocated places at a "*resourced provision*" for Hearing Impaired children. The arrangements make clear that these places are included within the school's PAN. The school has accordingly made arrangements to have only two classes for its youngest pupils, rather than three.
7. In May 2017, it was reported to the Finance and Resources Committee of the school's governing body that expenditure was expected to exceed income for each of the next three years and that the school's budget would be in deficit by 2019/20. In making its request for a variation to the school's PAN, the local authority stated:

"The school has shared their serious concerns about their budget and the affordability of employing a third teacher when there are only two classes worth of pupils expected."

It regards these concerns as a "*major change of circumstances*" that justifies a variation in the school's admission arrangements. It says that an immediate reduction in PAN to 60 will enable the school to operate

with only two classes containing children in the Reception Year, as further applicants can be refused admission. This will enable the governing body to “*put firm financial plans in place*” as it will not be necessary to employ an additional teacher. Regulations require that infant classes (those where the majority of children will reach the age of five, six or seven during the school year) **must not** contain more than 30 pupils with a single teacher.

8. The local authority does not believe that the reduction in the PAN will adversely affect any other school. Some other schools in the area do have places available in the reception year. The nearest is Chiltern Primary School, which has 12 unfilled places. This school is located 0.8 miles from Park View Infant School and its catchment area is adjacent to Park View's. Having studied a map of the catchment areas, I am satisfied that no child moving into Park View's catchment area would have to travel an unreasonable distance to an alternative school, if they were unable to obtain a place at Park View.
9. The local authority is not seeking a reduction to the PAN in its determined arrangements for September 2018, as it anticipates that more than 60 places will be required at the school. In accordance with paragraph 3.6 of the School Admissions Code, the local authority informed the appropriate bodies of its proposal to reduce the PAN, including the governing bodies of schools in the area. Due to an administrative error, the governing body of Park View Junior School, which is located on the same site as the Infant School, was not notified in writing, but this was subsequently rectified. No responses have been received.

Conclusion

10. The reduction in the PAN of the school from 90 to 60 for 2017/18 will allow the school to operate with two classes for the youngest children for this academic year. This will avoid any requirement to employ a third teacher for this year group, which the school and the local authority believe will help to address the financial pressures that the school faces. Places are available in the reception year at a neighbouring school. For these reasons I approve the variation requested.

Determination

11. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Hampshire County Council for Park View Infant School, Basingstoke.
12. I determine that for admissions in September 2017 the published admission number (PAN) shall be 60.

Dated: 29 September 2017

Signed:

Schools Adjudicator: Peter Goringe