



Office of  
the Schools  
Adjudicator

## **DETERMINATION**

**Case reference:** VAR728

**Admission Authority:** Hampshire County Council for Rucstall Primary School, Basingstoke.

**Date of decision:** 22 September 2017

### **Determination**

**In accordance with section 88E of the School Standards and Framework Act 1998, I approve two variations to the admission arrangements determined by Hampshire County Council for Rucstall Primary School, Basingstoke.**

**I determine that for admissions in September 2017 and September 2018 the published admission number (PAN) shall be 30.**

### **The referral**

1. Hampshire County Council (the local authority) has referred a variation to the Adjudicator about the admission arrangements for Rucstall Primary School (the school), a community school, for September 2017 and September 2018. The variation is a reduction to 30 for both years from the determined PAN of 34.

### **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 September 2018 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. In January 2017 it determined the arrangements for the 2018/19 academic year in the same way. On both occasions the PAN for Rucstall Primary School, which is in the town of Basingstoke, was set at 34.
6. The children at the school are organised into eight classes across the seven year groups. This is necessary because 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. The headteacher of the school reported to the governing body in November 2016 that the current organisation of the school was “*financially challenging*.” It was resolved to seek a reduction in the school’s PAN. It subsequently became clear that the school would be undersubscribed in September 2017. 28 places have been allocated.
7. The local authority regards the “*serious concerns*” about the school’s budget and the undersubscription for September 2017 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

30 will enable the school to operate with only one class containing children in the Reception Year, as if and when 30 children have been admitted, 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 additional staff, as would be the case if the intake were to exceed 30.

8. In his submission, the chair of governors emphasises the issues caused both by the admission of children during the year reception year and when children leave the school. In the former case, if an admission were to take the number of children above 30, an additional teacher would need to be employed at short notice. Conversely, if more than 30 children had been admitted and two classes for children in the reception year had been formed, and later the number of children fell to 30 or fewer, it would not be necessary to have two classes. I recognise both the uncertainty and the financial implications of this state of affairs.
9. The local authority does not believe that the reduction in the PAN will cause any difficulties in September 2018 for parents and children living in the area of the school. The number of four year-olds resident in the school's catchment area has been fewer than 30 in each of the last five years. Historically, children living outside the catchment area have constituted more than one-third of the school's intake. Pupil projections show that there are only 13 children living in the catchment area who will be four years old in September 2018. With a PAN of 30, the school would clearly be able to accommodate all of these children and others living outside the catchment area whose parents might seek a place there, for example, younger siblings of children already at the school.
10. In accordance with paragraph 3.6 of the School Admissions Code, the local authority has informed the appropriate bodies of its proposal to reduce the PAN. No responses have been received.

## **Conclusion**

11. The small reduction in the PAN of the school from 34 to 30 will, in time, allow it to operate a structure of one class for each year group, which it believes will help to address the financial pressures that it faces. Fewer than 30 children are to be admitted in September 2017 and forecasts suggest that the demand for places at the school will be lower in September 2018. The reduction in PAN will therefore not have any impact on neighbouring schools. For these reasons I approve the variations requested.

## **Determination**

12. In accordance with section 88E of the School Standards and Framework Act 1998, I approve two variations to the admission arrangements determined by Hampshire County Council for Rucstall Primary School, Basingstoke.

13. I determine that for admissions in September 2017 and September 2018 the published admission number (PAN) shall be 30.

Dated: 22 September 2017

Signed:

Schools Adjudicator: Peter Goringe