



Office of  
the Schools  
Adjudicator

## DETERMINATION

**Case reference:** VAR716

**Admission Authority:** Westminster City Council for Hallfield Primary School, Bayswater, London

**Date of decision:** 10 July 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 Westminster City Council for Hallfield Primary School for September 2017 and for September 2018.**

**I determine that for admissions in September 2017 and in September 2018 the published admission number shall be 60.**

### The referral

1. Westminster City Council, the local authority and admission authority for Hallfield Primary School (the school), has referred a variation to the adjudicator concerning the admission arrangements for the school, a community school for pupils aged 2-11 years, for September 2017 and 2018. The variation requested is to reduce the published admission number (PAN) of the school from 90 to 60 as the school has 28 per cent surplus places and needs to bring stability to its organisational and financial planning.

### 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 20 June 2017 and supporting documents;
  - b. the determined arrangements for 2017 and 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. a copy of the notice informing the appropriate bodies about the proposed variation; and
  - e. copies of minutes of meetings of the school's governing body.

### Background and consideration of factors

5. The local authority reports that it is experiencing a significant fall in demand for primary school places across the borough, which was unexpected. The current surplus shown in the Westminster School Organisation and Strategy Report 2017 is 15 per cent. The school has 28 per cent surplus places. The table below shows the recent trend of admissions to the school.

	PAN	Number admitted	Number applicants {1 <sup>st</sup> preference}	Number of appeals
2014/15	90	56	100 {51}	0
2015/16	90	90	125 {61}	0
2016/17	90	68	103 {49}	0
2017/18	90	52	95 {39}	0

6. The school is facing a number of difficulties as a consequence of operating significantly below capacity. The governing body minutes show the school will have a deficit budget in the future if it seeks to maintain the staffing for a PAN of 90 with the decline in pupil numbers as "*there are not enough pupils in some years to budget for 3 classes*". The minutes show that the governing body unanimously agreed to support the local authority's request to reduce the PAN.

7. The local authority says it is able to accommodate elsewhere any pupil that would have otherwise been placed at the school and has notified all the parties required by the Code about this request for a variation. I can see from the data supplied by the local authority that there is considerable surplus capacity in those primary schools near to this school.
8. The local authority determined the admission arrangements for September 2017 on 25 February 2016 and for September 2018 on 27 February 2017. Regulation 17 of the School Admissions (Admission Arrangements and Coordination of Admission Arrangements) (England) Regulations 2012 and paragraph 1.46 of the Code requires an admission authority to determine arrangements by 28 February each year. However, while the school's difficulties were becoming apparent around the time the arrangements for 2018 were determined, no decision to reduce the PAN had been subject to consultation for either year so no changes were made.
9. The school has experienced difficulties over several years. Fluctuating pupil numbers makes the organisation of classes and teaching more difficult with consequent financial problems. I consider that a reduction in the PAN from 90 to 60 will enable the school to plan with more stability for the reception class. The school has offered only 52 places for September 2017 and there is no evidence that the reduction in PAN will mean that any parent is disappointed. I am satisfied that the proposed variation addresses the circumstances described.

### **Conclusion**

10. The local authority set admission arrangements for the school, including a PAN of 90, in the face of the decline in pupil numbers described, I consider it necessary to reduce the PAN to 60 and therefore approve the requested variation.

### **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 Westminster City Council for Hallfield Primary School for September 2017 and for September 2018.
12. I determine that for admissions in September 2017 and in September 2018 the published admission number shall be 60.

Dated: 10 July 2017

Signed:

Schools Adjudicator: Miss Jill Pullen