



DETERMINATION

Case reference: VAR743

Admission Authority: The London Borough of Camden for
Haverstock Secondary School, Camden

Date of decision: 20 December 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 Camden for Haverstock Secondary School, Camden. I determine that for admissions in September 2018 the published admission number shall be 180.

The referral

1. The London Borough of Camden (the local authority) has referred a variation to the Adjudicator about the admission arrangements for Haverstock Secondary School (the school), a community school, for September 2018. The published admission number (PAN) was determined at 210 for September 2018. The variation requested is that it should be reduced from 210 to 180 for September 2018.

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”.*

3. I am satisfied that the proposed variation is within my jurisdiction.

Procedure

4. In considering this matter I have had regard to all relevant legislation, guidance and the School Admissions Code.
5. The documents I have considered in reaching my decision include:
 - a. the local authority's letter of referral of 8 November 2017, which was re-submitted on 13 December 2017, and supporting documents;
 - b. the determined arrangements for 2018/2019 and the proposed variation to those arrangements;
 - c. a copy of the local authority's booklet for parents seeking admission to schools in the area in September 2018;
 - d. a copy of the letter notifying the appropriate bodies about the proposed variation; and
 - e. evidence that the local authority had consulted the governing body of the school before making the variation request.

Background and consideration of factors

6. The school is a mixed non-selective community school for pupils aged 11–18. It serves an inner-city area with high levels of deprivation. A large percentage of the school's intake is from minority ethnic groups, and many pupils speak English as a second language. The determined PAN for admission to the school in September 2018 is 210. The school has not been fully subscribed for several years. Figures dating back to 2012/2013 show that, with a PAN of 210, the number of pupils admitted to Year 7 in 2012/2013 was 189; in 2013/2015 the number was 199; in 2014/2015 the number was 196; in 2015/2016 the number was 187; and in 2016/2017 the number was 174.

7. Due to demographic changes, the number of applications for school places in the area served by the school for the 2017/2018 intake has fallen. The school has been particularly badly affected. It admitted 125 pupils in September 2017, and is therefore currently carrying 85 vacant places in Year 7. Although admissions to the school have been declining in recent years, this is clearly a significant fall in the numbers on roll at the school in the year of admission. The local authority is unclear of the reasons for the drop in the number of applications, and is currently conducting a survey of Camden parents asking why they listed the schools they did on their application forms. The local authority considers that it has become "*temporarily unviable for the school to operate with a seven form entry*". This is because having a seven form entry will result in the school carrying a significant number of vacancies, which in turn will lead to a substantial shortfall in its funding and will not allow it to sustain the staffing numbers required for a seven form entry school. There is also a risk that the school will be forced to make provision of in-year admissions, which it cannot afford to do.

8. Paragraph 3.6 of the Code requires that admission arrangements, once

determined, may only be changed if there is a major change of circumstance or in certain other limited and specified circumstances. I will therefore consider firstly whether the relevant parties were notified as required by the Code, and secondly whether there has been a major change of circumstance which would allow the determined arrangements for the school to be varied.

9. The local authority has provided me with a copy of the notification of the proposed variation dated 24 November 2017. This was sent to the Headteachers and Chairs of Governors of Camden Community, Voluntary Aided, Free Schools, Academies and Camden Admission Forum. No copies of any responses were sent to me. I have taken this to mean that no responses were received by the local authority. I am satisfied that all relevant bodies were notified and, that there were no responses to be taken into account. I consider in more detail below the response and views of the school's governing body. I therefore find that the local authority has complied with the required procedure.

10. The local authority considers the drop in the number of applications and admissions to the school to be a major change of circumstances requiring a variation to the school's arrangements for admission in September 2018. It is anticipated by the local authority that demand will increase for secondary school places for the 2019/2020 intake due to the fact that there are "*bulge classes within primary schools in the area which are working their way through*".

11. The local authority has stated that any reduction in the PAN for the school will not impact on an academy or other maintained school. This is said to be because "*the three secondary schools in the immediate vicinity are either full or have a small number of vacancies*". The table attached to the application for the variation shows four of the eleven secondary schools situated within a five mile radius of the school were undersubscribed for the 2017/2018 intake. Acland Burgley school has 20 vacant places; Regent High School has 2 vacant places; Maria Fidelis RC has 7 vacant places; Harris Academy has 5 vacant places. All other secondary schools within the 5 mile radius are fully subscribed. I have concluded on the basis of this evidence that there will be no adverse effect to other schools in the area if the PAN for the school is reduced to 180, as requested.

12. The governing body of the school discussed the local authority's proposed in-year variation to its PAN at a meeting on 28 September 2017. Section 5.3 of the Minutes of the Meeting sets out the discussion that took place. The headteacher explained that, due to the large number of vacancies on the current Year 7 roll, the school would be required to make £875,000 in savings. He attributed the large number of vacancies to the fact that there were fewer children in Camden; the conclusions of the school's Ofsted Report published in March 2017; and the most recent exam results. The headteacher advised the governors that the local authority had suggested a reduction in the PAN for 2018/2019 to 180 or 150 on a temporary basis. The governors agreed that the PAN for 2018/2019 should be reduced to 180.

13. The minutes are not dated or signed, but I have taken them to be the minutes recording the agreement of the governors to the proposed reduction.

The school has indicated that it wishes to make no comments in response to this request by local authority to vary its admission arrangements for September 2018, except to confirm that it remains in agreement with the proposed reduction. I am aware that the local authority has been in ongoing discussions with the school.

Conclusion

14. I have concluded on the basis of the information provided that, as a result of demographic changes and other circumstances, there has been a significant reduction in the number of admissions to the school in Year 7 for the admission year 2017/2018. The school has been particularly badly affected by various adverse circumstances and is currently carrying 85 vacant places in Year 7. This significant fall in the number of admissions to the school is projected to continue, and the school is very likely to be carrying a significant number of vacant places again in Year 7 for the admission year 2018/2019 if the PAN is not reduced. Other secondary schools in the area are either fully subscribed or only carrying a small number of vacancies, so there is no evidence that the reduction in the school's PAN requested by the local authority will have an adverse effect on these other secondary schools.

15. It is my view that the fall in the number of admissions to the school, and its projected continuance for the admission year 2018/2019, constitutes a major change in circumstances which has occurred since the admission arrangements for the school in September 2018 were determined. A reduction in the PAN from 210 to 180 for admission in September 2018 will benefit the school by allowing it to operate with six forms of entry, as opposed to seven.

Determination

16. 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 Camden for Haverstock Secondary School, Camden. I determine that for admissions in September 2018 the published admission number shall be 180.

Dated: 20 December 2017

Signed:

Schools Adjudicator: Dr Marisa Vallely