



Office of  
the Schools  
Adjudicator

## DETERMINATION

**Case reference:** VAR720

**Admission Authority:** The governing body of Cheshunt School,  
Waltham Cross, Hertfordshire.

**Date of decision:** 28 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 the governing body of Cheshunt School, Waltham Cross, Hertfordshire.**

**I determine that for admissions in September 2017 the published admission number for year 7 shall be 60 and for admissions in September 2018 the published admission number for year 7 shall be 120.**

### **The referral**

1. The governing body of the school has referred a variation to the Adjudicator about the admission arrangements for Cheshunt School, Waltham Cross, Hertfordshire (the school), an 11 to 16 secondary school for September 2017 and 2018. The school is due to become part of the Goffs Generations multi-academy trust (MAT) in September 2017. The school faces significant issues relating to finance and performance, exacerbated by a rapidly declining roll. As a result it is in significant financial deficit. The governing body, supported by the MAT, has agreed a new staffing structure and curriculum model which aims to ensure a stable and financially viable organisation. Key to these changes is a maximum number of classes in year 7 (Y7) in September 2017 of two growing to a maximum number of classes in Y7 in September 2018 of four. The variation requests a change in the published admission number (PAN) from 150 to 60 in September 2017 and from 150 to 120 in 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".*

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. The documents I have considered in reaching my decision include:
- a) the Chair of Governors's letter and variation request form of 6 June 2017 and supporting documents;
  - b) the determined arrangements for 2017 and 2018 and the proposed variation to those arrangements;
  - c) governing body minutes relating to the variation;
  - d) a copy of the Hertfordshire County Council's (the local authority) booklet for parents seeking admission to schools in the area in September 2017; and
  - e) a copy of the letter notifying the appropriate bodies about the proposed variation and a response to that notification.

### **Background and consideration of factors**

4. Subject to due diligence and agreement from the Secretary of State, the school will become an academy school and part of the Generations MAT in September 2017. Goffs School, a near neighbour of the school, leads the MAT. The plans for this change are well underway and the aim is to create a 'new' school through rebranding including a new name, uniform, revised staffing and salary structure and a fully revised curriculum. Pupil numbers have declined in previous years. The PAN for the past few years has been set at 150. The school has a capacity of 1026 and currently has 273 pupils on roll. The sixth form closed at the end of the summer term 2017. In September 2016, 45 pupils were admitted to Y7 and it is forecast that 50 pupils will be admitted into Y7 in September 2017. In January 2014 an Ofsted inspection judged that the school required improvement. A further Ofsted inspection in February 2016 reported that overall some improvement had been made but judged that the school required improvement.

5. The school's financial position shows a significant deficit overall and at a governors meeting on 18 May 2017 it was reported that there would be a large and continuing in-year deficit which would add to this. The staffing and curriculum plans have been subject to major review and the new staffing and curriculum plans are now approved and being put into place. The plans are based on a two form entry in September 2017. These plans represent significant financial savings and the aim is that the school will grow at a steady

rate whilst realising the financial savings needed to ensure viability. Core curriculum areas have been prioritised and time for other subjects has been reduced. The curriculum plans for each year group show a basic curriculum provision with a small number of options being introduced in year 9.

6. There are seven secondary schools in the area including the school and the MAT lead school. In the current Y7 of the other five schools there are places for 73 additional pupils. A similar number of places are available in other year groups. This means that the small number being admitted to the school will not impact on the places in the other schools and that there are places available at local schools for children in the area.

7. The school has consulted on the changes and has notified all the relevant bodies identified in the Code. This has included 36 primary and 20 secondary schools. One response, from the Chair of Governors and the Principal of a local secondary school, was received after this notification. The response expressed concerns that if the school reduces its PAN then more students with multiple complex needs would be admitted to their school. The school's response to this drew attention to the vacancies which exist in local secondary schools. The response also restated the commitment of the school to work with the local authority to place pupils through the Fair Access Protocol. (FAP)

8. The school reports that the local authority was considering, amongst other options, closing the school in 2016. The local authority reports that it is fully supportive of the school's proposal for a variation. It says that it is working closely with the school and the MAT to secure a sustainable future for the school. It suggests that the variation is critical to the school's ability to manage its budget and staffing effectively and that, given the acute financial pressures facing the school it underpins a carefully planned strategy to grow the school successfully over the next three years.

9. I am of the view that the change in status of this school from foundation school to a member of a MAT constitutes a major change in circumstances. The MAT is proposing a 'fresh start' for this school. A new name and uniform aims to establish this within the community. The proposal reflects the poor financial status of the school and the staffing and curriculum plans support an intake in September 2017 of two forms of 30 pupils whilst making significant financial savings. The reduced PAN of 60 would facilitate this plan and, with a forecast of 50 pupils being admitted this would allow a small number of in-year admissions if required. This could include pupils referred by the local authority's FAP. The variation suggests that the school will grow as the confidence in it increases and therefore it is sensible to vary the PAN for admission in 2018 to 120 i.e. a four form entry.

## **Conclusion**

10. The school requires improvement as judged by two consecutive Ofsted reports. It carries a large financial deficit and projected figures indicated in May that there would also be a large in-year deficit. The plan by the MAT to start afresh with greatly reduced staffing, a basic curriculum model and a new identity represent an exciting possibility for the future viability and success of

the school. In order to implement these plans the school needs stability in terms of projected numbers and the reduction in PAN for 2017 and 2018 represents a sensible way forward. A two form entry in 2017 and a four form entry in 2018 allows for current projected admission numbers and a small number of in-year admissions together with a projected moderate expansion as the school establishes itself in the community. I determine therefore that the PAN for admission in 2017 shall be 60 and for 2018 shall be 120.

### **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 the governing body of Cheshunt School, Waltham Cross, Hertfordshire.

12. I determine that for admissions in September 2017 the published admission number for year 7 shall be 60 and for admissions in September 2018 the published admission number for year 7 shall be 120.

Dated: 28 July 2017

Signed:

Schools Adjudicator: Ann Talboys