



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: VAR758

Admission Authority: London Borough of Waltham Forest for
The Winns Primary School, Walthamstow

Date of decision: 19 June 2018

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 Waltham Forest for The Winns Primary School, Walthamstow.

I determine that for admissions in September 2018 the published admission number (PAN) shall be 90.

The referral

1. The London Borough of Waltham Forest (the local authority) has referred a variation to the Adjudicator about the admission arrangements for The Winns Primary School (the school), a community school for children aged 4 to 11, for September 2018. The variation is a reduction to 90 from the determined PAN of 120.

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 form of referral of 18 May 2018 and supporting documents;
 - (ii) the determined arrangements for 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 2018;
 - (iv) a copy of the letter notifying the appropriate bodies about the proposed variation;
 - (v) evidence that the local authority had consulted the governing body of the school before making the variation request; and
 - (vi) information about the allocation of pupils to the school and neighbouring schools for September 2018.

Background

5. In January 2017 the local authority determined its admission arrangements for the 2018/19 academic year, including the PAN for all community and voluntary controlled schools in Waltham Forest. The PAN for the school was set at 120.
6. The school has been slightly undersubscribed in recent years. In 2016 and 2017, the numbers of children admitted were 118 and 110 respectively. There is a significant change for September 2018, as only 80 places have been allocated for admission to the reception year. The local authority says that this is due to *"a surplus of places in the area."*
7. The chair of governors of the school asked the local authority to make this request for a variation, which was agreed at a meeting of the council's School Organisation and Admissions Board on 2 May 2018. The reason for the request is stated to be the,

"financial impact on the school to employ 4 reception teachers instead of 3"

I take this to mean that it would be financially challenging for the school to operate with four classes in the reception year. This would be necessary if the number of children admitted in September 2018 were to exceed 90, in order to comply with the regulations relating to the size of infant classes.

8. 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. Responses were received from the headteachers of two local schools. Neither expressed any objection to the proposal. In fact, one of the respondents commented that a reduction in PAN at the school *“will help other schools in their area.”*

Consideration of factors

9. I recognise that a reduction in PAN to 90 for September 2018 will be advantageous for the school as it will be able to make financial decisions without the uncertainty as to whether it will be necessary to employ a fourth teacher for the reception year. However, this must not be at the expense of parents and children who require a school place within a reasonable distance of their home.
10. The school is located in a densely-populated part of London, in which the distances between schools are small. On current numbers, a reduction in PAN to 90 would leave ten places unfilled at the school. The local authority informed me that several other primary schools in its vicinity also have unfilled places. These include Hillyfield Primary Academy (12 places available), Roger Ascham Primary School (ten places), Chapel End Infant School (19 places) and Stoneydown Park School (17 places). These figures reassure me that families that move into the area should not experience difficulty in obtaining a place at a local school.
11. The local authority make clear that the request for a reduction in the school's PAN is *“just for 2018/19.”* I consider that this is wise. I note that the chair of governors of the school mentions that,

“The strategic objective to consider a move to 3-form entry appears in the The Winns Strategic Plan.”

The approval of this variation request should not be understood in any way as an endorsement of any longer-term change. The local authority will undoubtedly need to take into account factors such as demographic forecasts and the physical capacities of schools (the school has capacity for four forms of entry, that is, 120 places in each year group) before making decisions about the future provision of school places in the area.

Conclusion

12. A reduction in the PAN of the school from 120 to 90 for admissions in September 2018 will allow it to operate with three classes in the reception year, avoiding the need to have four classes, which would have a significant financial impact. There are sufficient unfilled places in the local area to ensure that children who subsequently require a school place can be allocated one within a reasonable distance of their home. For these reasons I approve the variation requested.

Determination

13. 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 Waltham Forest for The Winns Primary School, Walthamstow.
14. I determine that for admissions in September 2018 the published admission number (PAN) shall be 90.

Dated: 19 June 2018

Signed:

Schools Adjudicator: Peter Goringe