



Office of
the Schools
Adjudicator

DETERMINATION

Case reference: VAR785

Admission Authority: Cambridgeshire County Council for Kings Hedges Primary School, Cambridge

Date of decision: 29 October 2018

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Cambridgeshire County Council for Kings Hedges Primary School for September 2019.

I determine that for September 2019 the published admission number shall be reduced from 90 to 60.

The referral

1. Cambridgeshire County Council (the council) as the admission authority for Kings Hedges Primary School (the school) has referred a proposal for a variation to the admission arrangements for the school, for September 2019 to the Office of the Schools Adjudicator. The school is a community school for children aged 4 to 11 in Cambridge.
2. The proposed variation is to reduce the published admission number (PAN) from 90 to 60.

Jurisdiction

3. 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”.

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

Procedure

5. In considering this matter I have had regard to all relevant legislation, and the School Admissions Code (the Code).
6. The documents I have considered in reaching my decision include:
 - the referral form from the council dated 10 September 2018 and supporting documents;
 - the determined arrangements for 2019 and the proposed variation to those arrangements;
 - a map showing the location of the school and other relevant schools; and
 - a copy of the notification of the proposed variation to the appropriate bodies.

The proposed variation

7. The school is situated on the northern edge of the city of Cambridge. The Department for Education database called “Get Information About Schools” shows there are 16 other primary schools situated within two miles of it. The school’s PAN was increased from 60 to 90 in September 2015 but the school has not been fully subscribed since then. The council told me that they consulted on reducing the PAN back to 60 in November 2016 and had no objections to that proposal. However, following this consultation the council did not determine a lower PAN which it describes as an “*over-sight*” which it is seeking to address through this application. The local authority also told me that it was the governing board which instigated this request.
8. In the application the council said “*There has been a significant downturn in the anticipated pupil numbers since the original decision to increase the PAN from 60 to 90 was taken. This is as the result of a levelling off of anticipated pupil demand combined with the opening of a new free school located close to the school which originally planned to open with only 2 forms of entry but which with the agreement of the DfE opened with 3 forms of entry.*” The council went on to say there would be financial issues for the school if the PAN remained at 90 and the reduction would “*allow greater standardisation to curriculum and support to pupils year on year.*”

Consideration of the case

9. Schools that recruit the same number of children as the PAN, or just below it, every year are in the fortunate position of being able to plan their budget and their curriculum with more certainty than schools where there is greater uncertainty over the number of children they will need to provide for each year. In the last four years the intake to the school has been 76, 38, 76 and 49. I understand why this variation in annual intakes could cause the school problems with planning its budget and curriculum.
10. The net capacity assessment data provided to me indicates that the school has a net capacity of 420 places organised in seven large teaching areas. I think this could also lead to difficulties for the school if it regularly recruited more than 60 children into the reception class.
11. While I can see that a PAN of 90 causes difficulties for the school, it is sometimes necessary for schools to manage such issues to ensure that all children in the local area have a school place. In this case the council, which is responsible for ensuring that there are sufficient places, has told me that another nearby school is experiencing similar problems because it too has not filled following an increase in its PAN in 2016. The local authority suggested that this proposal could help that school recruit more strongly and so address its problems too. The council has also said that a new primary school is planned in association with housing development in the area in the next few years. I am satisfied that the proposal will not lead to a shortage of primary school places in the area.
12. I have also considered whether the proposal will adversely effect the proportion of parental preferences which can be met in the area. In the last four years with a PAN of 90 it has been possible to meet all first preferences for the school. With a PAN of 60 it would not have been possible to do so in two of those years. On balance I consider that the benefits which children at the school would gain from their school having sound finances and consistent planning outweigh any possible small reduction in the proportion of parental preferences that may arise from this proposal in some years.
13. Although the council was only required to notify prescribed bodies that it was submitting this request for a variation to these admission arrangements to the adjudicator it conducted a four-week long consultation on the proposal during September and October 2018. No responses were received to that consultation.
14. For the reasons set out above I have decided to approve this proposed variation to reduce the PAN from 60 to 90 for September 2019.

Determination

15. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Cambridgeshire County Council for Kings Hedges Primary School for September 2019.

16. I determine that for September 2019 the published admission number shall be reduced from 90 to 60.

Dated: 29 October 2018

Signed:

Schools Adjudicator: Phil Whiffing