



Office of  
the Schools  
Adjudicator

## DETERMINATION

**Case reference:** VAR797

**Admission Authority:** The London Borough of Islington for Holloway School

**Date of decision:** 19 December 2018

### Determination

**In accordance with section 88E of the School Standards and Framework Act 1998, I do not approve the proposed variation to the admission arrangements determined by The London Borough of Islington for Holloway School for September 2019.**

### The referral

1. The London Borough of Islington (the local authority) has referred a proposal for a variation to the admission arrangements for Holloway School (the school), for September 2019 to the Office of the Schools Adjudicator. The school is a community school for children aged 11 to 16 in Islington.
2. The proposed variation is to reduce the published admission number (PAN) from 180 to 120.

### 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 from the local authority dated 27 November 2018 and supporting documents;
  - the determined arrangements for 2019 and the proposed variation to those arrangements;
  - a copy of the local authority's booklet for parents seeking admission to schools in the area in September 2019;
  - a map showing the location of the school and other relevant schools;
  - a copy of the letter notifying the appropriate bodies about the proposed variation; and
  - comments received on the proposed variation from the appropriate bodies.

### **The proposed variation**

7. The local authority said that the major change in circumstances since the arrangements were determined was *"For the second year running, the GLA has revised its school roll projections downwards for London, reversing previous estimates that the secondary school-age population would increase significantly from 2020. Instead, the revised GLA projections indicate potential oversupply of secondary school places in this part of London rather than a shortage from 2020."* In particular the local authority was concerned about an oversupply of places for boys in the borough.
8. The local authority explained that the school had held surplus capacity for three years and that these places would not be needed for the foreseeable future. The proposal was *"To temporarily reduce the PAN of Holloway School from 180 to 120."* The local authority said *"The removal of these places will help to reduce secondary surplus capacity across the local area (currently running at over 10%) to between 2-3%, thereby providing the Council with a financially viable strategy for ensuring sufficiency of secondary school places. Furthermore, should the GLA's revised downward school roll projections fail to materialise and additional capacity is required, the decommissioned places at Holloway Secondary School could be brought back into immediate use at no extra cost."*

## Consideration of the case

9. From the outset I wish to be clear that a reduction in PAN cannot be temporary as requested by the local authority. PANs are set annually as part of the admission arrangements and can only be varied after that through the process set out in paragraph 3.6 of the Code. If I were to approve this proposal, then the PAN of 120 would apply for the whole of the year to the group of children who will be admitted to Year 7 in September 2019. I have noted that the local authority is consulting on determining a PAN of 120 for the school for 2020. Because the local authority is consulting, as it is required to do before determining arrangements which are different from those which applied in the preceding year, parents and other local people will be able to comment on the proposed new PAN. They will also have the opportunity to object to the PAN if it is set at a lower level than 180 for 2020. The only body which is consulted on (others are notified of) a proposed variation to the determined admission arrangements of a community school is the school's governing body. The normal scope for others with an interest to have their say on and object to changes to admission arrangements is removed when such changes are made by means of a variation.
10. From the figures provided by the local authority, it is apparent that the number of children taking up places at the school fell dramatically in 2018 and would appear that even fewer places may be allocated in 2019 although the local authority forecasts that 112 places will be required.

	2015	2016	2017	2018	2019
First preferences	134	118	113	70	33
Places allocated	180	156	169	88	Not yet known forecast at 112

11. The PAN only comes into play in the school admissions process if it is exceeded by the number of applications. Whether the PAN is 180 or 120 it does not seem likely to me that it will be exceeded in 2019 and so the proposed reduction would have no effect on which children were, or were not, offered places at the school.
12. The issue which the local authority says will be addressed by the proposed reduction in PAN is that of surplus places in the area. The local authority has said that there is a surplus of places in the area for boys and I do not see how reducing the number of places at this mixed school will help address that problem.
13. The capacity of a school is assessed through a national method of net capacity assessment which takes into account the area of the school buildings and how each room is used. This generates two figures, the

minimum and the maximum number of working places available and for this school the numbers are 889 and 988. If the PAN times the number of year groups exceeds the minimum figure, then that is deemed to be the net capacity of the school, so with a PAN of 180 and five year groups the capacity is 900. If the PAN times the number of year groups is less than minimum figure, the capacity is deemed to be the minimum number of work places available, so if the PAN was 120 multiplying by five gives 600 and the capacity would be 889. This proposal, therefore, removes just 11 places.

14. The surplus places which the local authority refer to in the application are not the same as the number of places measured by the net capacity assessment and collected by the Department for Education (DfE) annually. The surplus capacity referred to by the local authority is the difference between the total of all the PANs of all schools in the area and the number of children on roll, or expected to be on roll across all schools in individual year groups. This figure is not collected by the DfE. The local authority has not explained what difficulties are caused by this gap being in the order of ten per cent. Nor has it explained how reducing the gap by lowering the PAN at this school will bring benefits to the education of children.
15. The costs of heating, cleaning and maintaining underused accommodation at a school divert funds away from teaching and learning. It therefore makes sense to take unused classrooms out of service which will reduce the net capacity of the school. If the classrooms cannot be physically removed, they could be mothballed or allocated for community or other use. However, the application does not make any suggestion that accommodation is being removed from the school.
16. The local authority has presented no arguments that the current PAN is causing difficulties for the school in relation to staffing, funding or delivering the curriculum and how reducing the PAN will address those difficulties. It would appear that the proposal is simply intended to reduce a statistic.
17. I am also concerned that the local authority is of the view that it will be able to increase the PAN if it finds the need for more places in the future. The school is currently a community school and the local authority is the admission authority and therefore able to set the PAN it wishes to for 2020. The school is however judged by the Office for Standards in Education (Ofsted) to require improvement. This means that there is the possibility that the school may become an academy in the near future. Should this happen the local authority would not have the power to increase the PAN.

## **Summary**

18. The application does not explain what difficulties are caused by there being a ten percent gap between the total PAN for all schools in the area and the number of children expected to require them. It does not

explain how removing places at a mixed school will address the oversupply of places for boys in the area.

19. It would appear to be unlikely that the number of places offered for September 2019 will exceed either the existing PAN or the proposed one and so the proposal will have no effect on which children are offered places at the school.
20. The application does not suggest any benefits which will accrue to children at the school, or other schools in the area, from the proposal. I therefore reject the proposal.

### **Determination**

21. In accordance with section 88E of the School Standards and Framework Act 1998, I do not approve the proposed variation to the admission arrangements determined by The London Borough of Islington for Holloway School for September 2019.

Dated: 19 December 2018

Signed:

Schools Adjudicator: Phil Whiffing