



## **DETERMINATION**

**Case reference:** VAR812

**Admission Authority:** Harrow Council for Cedars Manor School

**Date of decision:** 20 February 2019

### **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 Harrow Council for Cedars Manor School for September 2019.**

**I determine that the published admission number for September 2019 shall be 60.**

### **The referral**

1. Harrow Council (the local authority) has referred a proposal for a variation to the admission arrangements for Cedars Manor School (the school), for September 2019 to the Office of the Schools Adjudicator. The school is a community primary school for children aged 3 to 11.
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 from the local authority dated 25 January 2019 and supporting documents;
  - the determined arrangements for September 2019 and the proposed variation to those arrangements;
  - the local authority's forecasts of the demand for places in the area served by the school;
  - a map of the area identifying relevant schools;
  - an email from the chair of governors of the school; and
  - a copy of a letter notifying the appropriate bodies about the proposed variation.

## The proposed variation

7. The school has capacity for 90 children in each of the seven primary year groups, that is, from the reception year (YR) to year 6 (Y6). This allows for three classes in each year group. As the table below shows, in recent years the demand for places has been significantly lower than the school's capacity. For admission in both September 2017 and 2018, fewer than 60 children were allocated places in YR.

**Table 1: First preferences and allocations 2015-2018**

	PAN	Number of first preferences	Number of places allocated
September			
2015	90	62	80
2016	90	42	81
2017	90	29	44
2018	90	55	57

8. The local authority does not expect the demand for places at the school to exceed 60 in any of the next three years, that is, for admission in September 2019, 2020 and 2021. It has determined a PAN of 60 for the school for September 2020. It requests, by way of variation, that the PAN for September 2019 is reduced to 60 from the figure of 90 that it determined in February 2018. The local authority says that the proposed variation will,

*"Give the school better financial stability moving forward."*

## Consideration of the case

9. Paragraph 3.6 of the Code states that,

*“Admission authorities may propose...variations where they consider such changes to be necessary in view of a major change of circumstances.”*

Forecasts of pupil numbers made by the local authority in July 2018 indicate that there will be, between the present time and 2024, a significant and increasing number of surplus places in the “Planning Area” in which the school is located. It reports that, for admission to YR in September 2019,

*“As of the closing date only 45 first preferences have been received.”*

In a letter to the school’s headteacher and chair of governors, the local authority wrote,

*“Cedars Manor School has received a lower number of pupils than expected for Reception for the second year. This is a significant change for the school.”*

The local authority considers that its forecasts, combined with the reduced demand for places at the school, makes it necessary to reduce the PAN for September 2019.

10. The school lies within the “North West Planning Area” defined by the local authority. The combined PANs of the six primary schools within this area currently total 600. The number of children in the area requiring places in YR in September 2019 is expected to be around 540, which was also the figure in September 2018. Therefore ten per cent of places will remain unfilled. This figure would fall to five per cent, if the PAN at Cedars Manor School were to be reduced to 60.

11. The school’s chair of governors has indicated that the governing board supports the requested variation. The school is planning to operate with two classes for children in YR in September 2019. If the PAN were to remain at 90 but the number of children allocated places in YR exceeded 60, even by a small margin, such a structure could not be maintained, due to the regulations relating to the size of infant classes. As the local authority says in correspondence with the school,

*“This would mean that the school would need to open an additional class or appoint an additional teacher that would place further pressure on the school budget.”*

12. I recognise the benefits to the school that this proposed variation would bring. I need to be satisfied, too, that a reduction in the school’s PAN will not cause difficulty for parents and children living in the area or moving there later and needing places in YR. I note that Table 1 indicates that the number of places allocated in YR at the school has, in recent years, often significantly exceeded the number of first preferences expressed. I asked the local authority whether an effect of the proposed variation might be that some families might face a longer

journey to school.

13. In response, the local authority reported that all of the preferences expressed for the school have been considered and it is expected that the number of places required at the school will not exceed 60. The local authority also indicated that it is anticipated that there will be neighbouring schools with places available in YR, including Whitefriars School, which is about one mile away from Cedars Manor. The local authority says,

*“based on the historical data we are confident that there will be places in local schools for any in-year applications that we receive.”*

I have no reason to dispute this view.

14. In accordance with the requirements of the Code, the local authority has notified the appropriate bodies about its request for a variation. Apart from the support from the school’s governing board, I have not been made aware of any other responses.

15. Taking into account the demand for places both at the school and at neighbouring schools, I approve this request for a reduction in the school’s PAN for September 2019. The local authority has indicated that it does not intend to reduce the accommodation at the school as it believes the area it serves,

*“will experience a change over time given the extensive housing regeneration and development planned.”*

It says it intends to *“monitor the position over time and make any further adjustments in discussion with the school.”* I consider this to be wise. PANs, as part of admission arrangements, must be determined annually and the local authority will need to continue to keep demographic trends in the area under close review.

## **Determination**

16. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Harrow Council for Cedars Manor School for September 2019.
17. I determine that the published admission number for September 2019 shall be 60.

Dated: 20 February 2019

Signed:

Schools Adjudicator: Peter Goringe