



DETERMINATION

Case reference: VAR805
Admission Authority: Ealing Council for Hobbayne Primary School
Date of decision: 8 March 2019

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Ealing Council for Hobbayne primary school.

I determine that for admissions in September 2019 the published admission number (PAN) shall be 60.

The referral

1. Ealing Council has referred a variation to the Adjudicator about the admission arrangements for Hobbayne primary school (the school), a community school, for September 2019. The variation is a reduction to 60 from the determined PAN of 90 for September 2019.

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.

3. I am also using my power under section 88I (5) of the Act to consider the arrangements as a whole.

Procedure

4. In considering this matter I have had regard to all relevant legislation, guidance and the School Admissions Code.
5. The documents I have considered in reaching my decision include:
 - (i) the local authority's email of referral dated 24 December 2018 and the attached form, together with subsequent correspondence;
 - (ii) the determined arrangements for September 2019 and the proposed variation to those arrangements;
 - (iii) evidence of determination of the arrangements;
 - (iv) a copy of the council's booklet for parents seeking admission to schools in the area in September 2019;
 - (v) a copy of the notification which the local authority sent to appropriate bodies about the proposed variation, and
 - (vi) evidence that the local authority had consulted the governing body of the school before making the variation request.

Consideration of Factors

6. The local authority determined the admission arrangements for September 2019 for the school, and for the other community schools for which it is the admission authority, on 13 February 2018. When it did so, it set a PAN of 90 for the school.

7. In its form setting out the requested variation, the local authority stated that there had been a higher than expected drop in the number of parents seeking admission to Year R in the borough in 2018 and that this had resulted in there being "*a higher than necessary level of surplus places in some planning areas*", and that it was therefore seeking to reduce the number of available places "*at some of the undersubscribed schools*". I am aware that the local authority has made similar variation requests to reduce the PANs of other primary schools for September 2019.

8. In response to my request that it clarify the problems that the reduced intake had caused at the school, and that it set out how these would be addressed by the requested variation in its admission arrangements, the local authority explained that there was a general funding strain across schools in Ealing as a result of falling numbers in all age groups. In the case of Hobbayne primary school the year-on-year reduction to October 2018 had been from 627 to 603 pupils on roll. It told me that the requested variation would allow the school to reduce the number of reception classes from three to two from September 2019, with the consequent reduction in expenditure and reduction in pressure on the school budget.

9. The local authority notified the governing boards of all Ealing primary schools about the proposed variation to the school's admission arrangements,

and received no adverse comments in reply. It has also provided me with evidence of its discussions with the school's governing board. This consultation is required under section 88E of the Act. The governing board supported the proposal to reduce its PAN, and the school has also written to me following the formal variation request made by the local authority confirming this support.

10. The local authority has also informed me that it recently consulted in the school's proposed admission arrangements for September 2020, which included a PAN of 60. No comments had been received concerning the proposed PAN, and the local authority has now determined the school's admission arrangements for September 2020 on this basis.

11. Although the local authority's action in setting a reduced PAN for admissions in 2020 has already been made, I have nevertheless been concerned in considering the requested variation for 2019 to satisfy myself that it will not result in there being too few available Year R places to meet local demand, both in 2019 itself and in the longer term. In its form of application, the local authority had provided the number of first preferences and the number of allocated places in each of the last four years at the school. This showed that the number of first preferences had fallen below the level of the current PAN of 90 in 2017, and that the number of places allocated had done so in 2018. In response to my request, it has informed me that the number of first preferences for September 2019 which it has received is below the level of the proposed PAN of 60.

12. The local authority forecasts the future demand for Year R places using planning areas, which are a geographical sub-division of the area of the local authority. Hobbayne primary school falls within the Ealing North planning area, as does one of the other primary school for which a variation to reduce the PAN for September 2019 has been made. This school is St Gregory's Catholic primary school. The local authority has provided me with details of the methodology which it uses to forecast the need for Year R places within its planning areas. This seems to me to be detailed and sound in nature.

13. The existing total PAN of the primary schools in the Ealing North planning area for September 2019 is 600. If both variation requests are agreed, the total PAN will be reduced to 540. The total number of Year R places allocated in September 2018 in the planning area was 460, and the total of first preferences for places at schools there was 450. The local authority's forecast for the need for Year R places in the planning area for September 2019 was 455, and 462 and 488 for each of the two subsequent years. I am satisfied that approval of the variation request will not result in a shortfall in available Year R places for the foreseeable future.

14. I have also considered whether the requested variation is likely to result in there being a decrease in the proportion of parental preferences that will be met in the area. Of the eight primary schools in the planning area, two were oversubscribed with first preferences in 2018 with 63 first preferences in total not being met. Even if both variation requests are agreed, only one school will be oversubscribed in September 2019 and 67 first preferences will not be met in the area. However, the reduction in PAN at Hobbayne primary school will

not have contributed to this increase, as it will still be undersubscribed with first preferences. I am satisfied that the proposed variation will not have a negative effect on the level of parental preferences being met in the area.

15. I approve the variation of the admission arrangements for September 2019 to provide that the PAN be set at 60.

Conclusion

16. I have set out in the preceding paragraphs the reasons why I approve a variation to the arrangements for the school for September 2019.

Determination

17. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Ealing Council for Hobbayne primary school.

18. I determine that for admissions in September 2019 the published admission number (PAN) shall be 60.

Dated: 8 March 2019

Signed:

Schools Adjudicator: Dr Bryan Slater