



## Determination

**Case reference:** VAR817

**Admission authority:** London Borough of Southwark for Comber Grove Primary School, Camberwell

**Date of decision:** 25 March 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 the London Borough of Southwark for Comber Grove Primary School for September 2019.

I determine that for admissions for the academic year commencing September 2019 the published admission number shall be 30.

### The referral

1. The London Borough of Southwark (the local authority) has referred a proposal for a variation to the admission arrangements for Comber Grove Primary 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 in Camberwell.
2. The proposed variation is that the published admission number (PAN) is reduced from 45 to 30 for admissions in 2019.

### 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:

- a. the referral from the local authority received 5 February 2018, supporting documents and further information provided at my request;
- b. the determined arrangements for 2019 and the proposed variation to those arrangements;
- c. a copy of the local authority's booklet for parents seeking admission to schools in the area in September 2019;
- d. evidence that the local authority has consulted the governing board of the school;
- e. a map showing the location of the school and other relevant schools; and
- f. a copy of the letter notifying the appropriate bodies about the proposed variation with a summary of the feedback received.

## The proposed variation

7. The local authority has proposed variations to the arrangements of ten community primary schools admitting children to reception year (YR) in its area for 2019 and all ten proposals are that the relevant PAN is reduced. This determination is solely for the variation proposed for the school but I have taken into consideration this wider context. The local authority said that the major change in circumstances since the arrangements were determined is that *"In 2018 there was a drop in primary school applications following on from drops in 2016 and 2017."*

8. The local authority said, specifically in relation to this school, that *"Comber Grove's PAN is 45, meaning they are staffed for 2 classes but have 2 small reception classes of 17-18. This has added to the financial and organisational burden on the school."*

9. Paragraph 3.7 of the Code requires that relevant parties be notified of a proposed variation. The local authority has provided me with a copy of its notification of the proposed variation and information on the schools and other bodies to which the notification was sent. I have seen confirmation from the chair of the governing board of the school that it supports the request for the variation. I am satisfied that all relevant bodies have been notified and that views expressed have been taken into consideration. I find that the appropriate procedures were followed and the relevant parties notified.

## Consideration of the case

10. I wished to know that there would be sufficient places for local children if the PAN were reduced at this school. I was also mindful of the proposals to reduce the PANs at another nine community primary schools in the area. I therefore asked the local authority to

provide me with information on its school place planning data for primary schools in the local authority area. This included:

- a. the names of the primary schools and their PANs in 2018 and 2019 and the total of the PANs for these years;
- b. the numbers of children admitted to YR in 2016, 2017 and 2018 for each school and in total; and
- c. the forecasts of places which will be required for YR in 2019, 2020 and 2021 and an explanation of how the forecasts provided in the variation request form were arrived at.

11. The local authority provided this information by grouping schools in planning areas which cover smaller geographical parts than the whole local authority. The school is considered in a planning area with a total of 11 schools (the planning area) admitting children to YR. The proposal to reduce the PAN of the school is one of three proposals to reduce the PANs of the community primary schools in the planning area. Table 1 shows the sum of the PANs of the 11 schools in the planning area, the number of children admitted in previous years, the surplus number of places in YR in each of the years 2015 to 2018 and the level of surplus places as a percentage of the total number of places. Table 1 shows a trend for an increasing number of surplus places in YR between January 2016 and January 2019.

Table 1: information on the numbers of pupils in YR in the planning area between 2015 and 2018 compared to the sum of the relevant PANs as previously set

Date of census	Sum of PANs of the schools in the planning area	Number of children admitted to YR in the schools	The difference between the sum of the PANs and the number of children (the number of surplus places)	The level of surplus places shown as a percentage
January 2016	688	646	42	6.1
January 2017	688	623	65	9.4
January 2018	688	603	85	12.3
January 2019	690	578	112	16.2

12. My consideration is for September 2019 and the future. This is addressed in Table 2 based on information provided by the local authority which shows the forecast of the number of children seeking a place in YR in the planning area. I have compared this with the sum of the proposed PANs, including the other two schools for which a reduction in the PAN is proposed. The proposed variation for the school is a reduction of 15 places. The other two proposed variations are for reductions of 30 and 15 places respectively so for the three schools this totals a reduction overall of 60 places. In other words, the total of the determined PANs in the planning area was 690 for September 2019 and the local authority,

by requesting variations to the arrangements for three schools, seeks that the total number of places will be 630.

Table 2: forecast number of pupils for YR in the planning area compared to the sum of the proposed PANs

	Sum of the proposed PANs for the schools in the planning area assuming that there are no other changes except those proposed by the local authority	The forecast provided by the local authority of the number of children seeking to be admitted to YR in the planning area	The difference between the sum of the proposed PANs and the number of children forecast to be admitted (the number of surplus places)	The forecast level of surplus places shown as a percentage
September 2019	630	545	85	13.5
September 2020	630	572	58	9.2
September 2021	630	560	70	11.1

13. Table 2 shows that there would still be a considerable proportion of surplus places if the PAN for the school and the other schools in the planning area were to be reduced as proposed by the local authority. I am therefore assured that if I were to agree the proposed variation then there would still be sufficient places in YR in 2019 and in future years.

Table 3: numbers of YR pupils at the school between 2015 and 2018 based on the January census

September	PAN	Number of first preferences	Number of pupils admitted to YR
2015	45	30	46
2016	45	37	39
2017	45	29	27
2018	45	27	32

14. Table 3 shows that the numbers of children at the school have been reducing and that the school was the first preference for fewer than 30 families in 2017 and 2018. The Infant Class Size Regulations (2012) say, “No infant class may contain more than 30 pupils while an ordinary teaching session is conducted by a single school teacher.” In September 2018 there were 32 places admitted to YR for the school. I have not asked the school to tell me its class organisation but I can see that admitting 32 children to YR can create problems in meeting the Infant Class Size Regulations. The school cannot have one infant class of 32 YR pupils (except in particular circumstances) but two classes for that number of pupils is not likely to be financially efficient. Of course it is possible for schools to have mixed age

classes but many schools and parents prefer single age classes. It is therefore understandable that the local authority and the governing board seek a PAN that is as close as possible to a multiple of 30.

15. The local authority identified a trend of reducing numbers of children requiring a place in YR in the local authority area. The local authority therefore met representatives of the schools to agree a strategic approach to address this trend efficiently. This led to a lower PAN for three schools in the planning area being proposed, including for this school. It was considered that this could help all schools to have some certainty about how many classes they would need to provide and therefore to be able to plan staffing accordingly. The evidence provided to me shows that this strategic approach does not undermine parental preference as fewer than 30 parents have been expressing a first preference for the school.

16. The local authority explained in its referral that there were 765 places in YR across 13 schools within 0.75 miles of the school. These figures include places outside of the local authority area. The local authority explained that 645 of these places were within its area and only around 460 of the places were taken up in 2018. I am therefore assured that if this variation is agreed then there will be sufficient places for children living in the area.

## **Summary**

17. The local authority has proposed a variation to the admission arrangements for the academic year commencing September 2019 which is that the PAN should be reduced from 45 to 30. This is supported by the governing board for the school. There have been no concerns raised by those notified. I am assured that the variation will address the major change in circumstances.

## **Determination**

18. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by the London Borough of Southwark for Comber Grove Primary School for September 2019.

19. I determine that for admissions for the academic year commencing September 2019 the published admission number shall be 30.

Dated: 25 March 2019

Signed:

Schools Adjudicator: Deborah Pritchard