



Office of  
the Schools  
Adjudicator

## **DETERMINATION**

**Case reference:** VAR816

**Admission Authority:** Royal Borough of Greenwich for De Lucy Primary School, Abbey Wood

**Date of decision:** 2 April 2019

### **Determination**

**In accordance with section 88E of the School Standards and Framework Act 1998, I approve two variations to the admission arrangements determined by the Royal Borough of Greenwich for De Lucy Primary School, Plumstead.**

**I determine that for admissions in September 2019 and September 2020 the published admission number shall be 60.**

### **The referral**

1. The Royal Borough of Greenwich (the local authority) has referred two proposals for variations to the admission arrangements (the arrangements) for De Lucy Primary School (the school) for September 2019 and September 2020 to the Office of the Schools Adjudicator. The school is a community school for children aged 3 to 11 in Abbey Wood.
2. The proposed variation is a reduction to 60 for both years from the determined published admission number (PAN) of 90.

### **Jurisdiction**

3. The referrals were 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 variations are 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 6 February 2019 (in respect of the proposed variation for September 2019) and 12 March (in respect of the proposed variation for September 2020), and supporting documents;
- the determined arrangements for September 2019 and September 2020 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;
- an email from headteacher of the school; and
- a map showing the location of the school, other relevant schools and the local authority's "planning areas".

7. The local authority believed that its first referral (dated 6 February 2019) would, if approved, have the effect of varying the PAN of the school for both September 2019 and September 2020. This is not the case as that referral only mentions the arrangements for September 2019. When I explained this to the local authority, it submitted a second referral in respect of the September 2020 arrangements. I have decided to deal with both referrals in this determination.

### **The proposed variation**

8. The physical capacity of the school is sufficient for it to accommodate 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 number of children admitted to the school has been below its PAN of 90.

**Table 1: Admissions to Reception Year 2015-2018**

	Admission number	Number of first preferences	Total number of places allocated
2015/2016	90	62	70
2016/2017	90	83	85
2017/2018	90	77	81
2018/2019	90	67	74

9. For admission in September 2019, the local authority has received 41 first preference applications. Having taken into account other preferences, it expects to allocate 48 places. It has requested that the PAN for September 2019 be reduced to 60 from the figure of 90, which it determined on 21 February 2018.
10. For admission in September 2020, the local authority forecasts that no more than 60 places will be required in YR. It has requested that the PAN for September 2020 also be reduced from 90 to 60. It determined the higher figure on 20 February 2019.

### **Consideration of the case**

11. 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.”*

The local authority reports that

*“the demand for mainstream places in the north-east of the borough (the planning area in which the school is located) has decreased and is now expected to remain steady into the next decade”*

The reduction in pupil numbers in the area has led to the school becoming undersubscribed, which, the local authority believes, is *“not sustainable.”* The local authority says that a reduction in the PAN will,

*“afford the school some stability and make it more financially viable.”*

12. I take this to mean that having a PAN of 90 is likely to mean that the school would be closer to being fully subscribed. It would enable it to plan to operate with two classes for children in YR, with two teachers, in September 2019 and September 2020. If the PAN were to remain at 90 but the number of children allocated places in YR exceeded 60, even by a small margin, three qualified teachers would be required for pupils in YR, due to the regulations relating to the size of infant classes. As schools are funded principally on the basis of the number of pupils on

roll, such a requirement could pose a severe financial challenge.

13. I recognise the benefits to the school that a reduction in its PAN for admission in September 2019 and September 2020 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. Forecasts provided by the local authority indicate that 900 places will be required in YR in both September 2019 and September 2020 within the North East Planning Area. The total of the PANs of the 14 schools in the planning area is currently 990. The effect of the proposed variations, if they are approved, and similar proposed reductions in PAN at Gallions Mount Primary School (which are the subject of determination VAR815) would be to reduce the total of PANs in the planning area to 930 in both years. I asked the local authority whether an effect of the proposed variations might be that some families might in the future face a longer journey to school.
14. In response, the local authority reported that it did not expect this to be the case. It is confident that there is sufficient capacity at schools in the planning area and that the proposed reduction in PANs,  
  
*"would have no, or very little, impact on allocations and travel distances to a good local school, over the medium term."*
15. The local authority identified several schools in the local area that it expects will,  
  
*"continue to have sufficient spare capacity to manage any variations in demand and in-year applications."*  
  
The closest of these schools to De Lucy Primary School is St Thomas a Becket Roman Catholic Primary School, which is less than a mile away. The nearest community school is Alexander McLeod Primary, which is located a little over a mile from De Lucy.
16. The local authority's response provides a measure of assurance that all children living in the planning area will be able to be allocated a place in YR within a reasonable distance of their home.
17. The local authority reports that the decision to request a reduction in the school's PAN followed a discussion with the school. The headteacher has expressed her support for the change. In accordance with the requirements of the Code, the local authority notified the appropriate bodies about its request for both variations. I have not been made aware of any responses.
18. Taking into account the actual demand for places both at the school and at neighbouring schools for September 2019 and the forecast demand for September 2020, I approve both requests for reductions in the school's PAN.

## **Determination**

19. In accordance with section 88E of the School Standards and Framework Act 1998, I approve two variations to the admission arrangements determined by the Royal Borough of Greenwich for De Lucy Primary School, Abbey Wood.

20. I determine that for admissions in September 2019 and September 2020 the published admission number shall be 60.

Dated: 2 April 2019

Signed:

Schools Adjudicator: Peter Goringe