



Office of  
the Schools  
Adjudicator

## **DETERMINATION**

**Case reference:** VAR834 Rainham Village Primary School

**Admission Authority:** London Borough of Havering

**Date of decision:** 4 April 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 London Borough of Havering for Rainham Village Primary School, Rainham, Essex.**

**I determine that for admission in September 2019 the Published Admission Number will be 60.**

### **The referral**

1. Havering London Borough Council (the local authority) has referred a variation to the Adjudicator about the admission arrangements for Rainham Village Primary School, a 3 to 11 community primary school in Rainham, Essex for September 2019. The referral requests a reduction in the Published Admission Number (PAN) from 90 to 60 for admissions in 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.
3. I am satisfied that the proposed variation is within my jurisdiction.

## **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:
  - a) the local authority's referral of 18 March 2019 and supporting documents;
  - b) the determined arrangements for the school; and
  - c) a copy of the email consulting the relevant bodies about the proposed variation.

## **Background and consideration of factors**

6. The school is a 3 to 11 primary school in the London Borough of Havering although its postal address is Rainham, Essex. The referral states that the expansion of the school was proposed as demand for places in the area has been increasing and is projected to continue particularly due to the impact of the 'Rainham and Beam Housing Zone' which will see some 3500 new homes developed. Building work to expand the school accommodation has taken place. The school will be able to accommodate three forms of entry (that is 90 children) in each year group. The admission arrangements for 2018 and 2019 were determined with a PAN of 90. Delays in the housing development have meant that the increase in numbers has not materialised. The plan indicates that 200 units would be completed by the summer of 2018 and only 19 had been completed. The revised completion trajectory indicates that in 2019/20 238 will be completed. The local authority, which is the admission authority for the school, has requested a reduction in PAN from 90 to 60 for September 2019.
7. A similar application to reduce the school's PAN for September 2018 was made last year and a determination dated 25 July 2018 approved that variation. The school had a low number of applications for September 2019. As at March 2019 there were 59 first preferences and 138 preferences overall. Again due to delays in completion of houses in the Rainham and Beam Park Housing Zone the anticipated demand for school places has not materialised.
8. This makes it likely that the school will not reach an intake of 90 but would exceed 60. This would cause difficulties as infant class size is capped at 30 children to each qualified teacher so additional pupils beyond 60 would lead to re-organisation and probably to additional staffing costs. The school and the local authority consider it financially unviable to arrange the 2019 reception cohort over three classes, although other models are possible, such as some children moving up to a higher class. However, I accept that having some children in excess of 60 but well below 90 will create problems for the school.
9. The local authority states that a reduction in PAN will not lead to a

shortage of school places in the planning area as there are places available at other schools which can accommodate any in-year demand for a school place.

10. In the delegated budget scheme, funds are allocated to the school based on a number of factors. Most important among these factors is the allocation of funds based on actual pupil numbers on roll. A sustainable financial plan based on 90 pupils in a year group where the numbers are actually just over 60 would prove very difficult. I agree that this situation would render the school's budget financially unviable.
11. I therefore approve the variation requested by the local authority. The PAN for admission to the school in September 2019 will be 60.

### **Conclusion**

12. I note that the admission arrangements for September 2019 have already been determined with a PAN of 90. I agree that financial planning based on a PAN of 90 in September 2018 when only 60 pupils are to be admitted would be unviable. I conclude that the variation which the local authority has requested is sensible and I note that the arrangements for admission in September 2020 retain the PAN of 90 in anticipation of the completion of a large number of new houses in the area and a consequent increase in the number of pupils applying for the school. I therefore agree that the PAN for YR at the school should be 60 for admissions in September 2019.

### **Determination**

13. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by Havering London Borough Council for Rainham Village Primary School, Rainham, Essex.
14. I determine that for admission in September 2019 the Published Admission Number will be 60.

Dated: 4 April 2019

Signed:

Schools Adjudicator: Tom Brooke