



Determination

Case reference: VAR858

Admission authority: The London Borough of Waltham Forest
for The Winns Primary School

Date of decision: 16 May 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 Waltham Forest for The Winns Primary School for September 2019.

I determine that for admissions in September 2019 the published admission number shall be 90.

The referral

1. The London Borough of Waltham Forest (the local authority) has referred a proposal for a variation to the admission arrangements for The Winns 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 Walthamstow.
2. The proposed variation is that the published admission number (PAN) is reduced from 120 to 90 for admissions in 2019/20 only.

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 sent on 24 April 2019, supporting documents and further information provided at my request;
- the determined arrangements for 2019 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;
- evidence that the local authority has consulted the governing board of the school; and
- a copy of the letter notifying the appropriate bodies about the proposed variation.

The proposed variation

7. The local authority determined the arrangements for the 2019/20 academic year, including the PAN for all community and voluntary controlled schools in Waltham Forest, on 21 February 2018. The PAN for the school was set at 120.

8. The local authority wrote that there was a major change in circumstances since the arrangements were determined: *"There is a surplus of places in the area and this has financial impact on the school to employ 4 reception teachers instead of 3."*

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. In the notification, sent on 24 April 2019, the local authority wrote *"The reduction would still ensure that there was a selection of schools in the local area retaining the ability for parental preference."* I find that the appropriate procedures were followed and the relevant parties notified. The local authority reported no responses to the notification.

Background and consideration of the case

10. The school has been undersubscribed in recent years and has not admitted to its PAN of 120. The local authority applied for a reduction in PAN to 90 for 2018/19 only which was agreed by the Office of the Schools Adjudicator (VAR758) on 19 June 2018. The application to reduce the PAN was based on the fact that 80 pupils only were admitted to the school in 2018 and the school was concerned that it might have been necessary to employ a fourth teacher for the reception year which would have had a significant

financial impact; admitting more than 90 pupils would have required four classes and teachers in order to comply with the regulations relating to the size of infant classes.

11. The local authority sent me the following information about the number of pupils admitted to the school in the last few years.

Admission year	Published Admission Number	Number of pupils admitted
2018/19	120*	80
2017/18	120	54
2016/17	120	81

*The local authority applied for a reduction in PAN to 90 for 2018/19 only which was agreed by the Office of the Schools Adjudicator (VAR758) on 19 June 2018.

12. The council’s School Organisation and Admissions Board met on 1 May 2019 and, following a summary about the level of surplus places in Waltham Forest for September 2019, *“it was agreed that the schools that have applied for a PAN reduction on a temporary basis was appropriate to ensure that schools can make cost savings whilst at the same time parental preference would not be compromised.”* The Winns Primary School was one of the schools, which had expressed an interest in a temporary reduction.

13. The chair of governors confirmed the governing board’s agreement to apply for a reduction in PAN on 3 May 2019 *“I give my authority under Chair’s Action for this application to be put forward, and this has been dealt with at full governing body in the Autumn. The strategic objective to consider a move to 3-form entry appears in The Winns Strategic Plan, and having spoken to the Governing board about this issue I have no hesitation in green-lighting this.”*

14. The school received 77 first preferences for places at the school in 2019 and 88 places were offered on 16 March, national offer day. I asked the local authority for more information about other schools to ensure that there were sufficient places in the area for local children. The school is in a densely populated part of London with a number of schools closely nearby to The Winns. The local authority sent me the following information.

School	Published Admission Number	Number of offers for places	Number of vacancies
Greenleaf Primary School	60	60	0
The Winns Primary School	120	88	32**
Roger Ascham Primary School	60	59	1
Hillyfield Primary Academy	90	90	0

Whittingham Primary Academy	60	46	14
Walthamstow Primary Academy	30	22	8

** Only 2 vacancies after the PAN has been reduced to 90.

15. The figures submitted show there are vacancies in schools in the area for applications from other families which may move into the area.

Summary

16. 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 120 to 90. This is supported by the governing board for the school. There have been no concerns raised by those notified. In the light of the number of places that have been offered, and the number of vacancies in other local schools, I am assured that the variation will address the major change in circumstances.

Determination

17. 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 Waltham Forest for The Winns Primary School for September 2019.

18. I determine that for admissions in September 2019 the published admission number shall be 90.

Dated: 16 May 2019

Signed:

Schools Adjudicator: Lorraine Chapman