



Office of  
the Schools  
Adjudicator

## Determination

**Case reference:** VAR854  
**Admission authority:** London Borough of Hounslow  
**Date of decision:** 11 June 2019

## Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variations to the admission arrangements determined by the London Borough of Hounslow for Ivybridge Primary School for September 2018 and 2019.

I determine that the PAN for 2018 and 2019 shall be 30.

## The referral

1. The London Borough of Hounslow (the local authority) has referred proposals for variations to the admission arrangements for Ivybridge Primary School (the school), for September 2018 and 2019 to the Office of the Schools Adjudicator (OSA). The school is a community primary school for children aged 3 to 11 in Isleworth in the west of London.
2. The proposed variations are that the PAN set for 2018 and 2019 at 60 should be reduced to 30.

## 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 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:

- 6.1. the referral from the local authority dated 1 April 2019, supporting documents and further information provided at my request;
- 6.2. the determined arrangements for 2018 and 2019 and the proposed variations to those arrangements;
- 6.3. evidence that the local authority had consulted the governing board of the school and a copy of the minutes of the governing board’s meeting on 21 November 2018 where the matter was discussed;
- 6.4. a copy of the letter notifying the appropriate bodies about the proposed variations; and
- 6.5. information received on 7 June 2019 that no comments were received on the proposed variations from the appropriate bodies.

## **The proposed variations**

7. An officer of the local authority attended a meeting of the governing board of the school on 21 November 2018 following information provided by the governing board to the local authority on the pattern of admissions to the school. The governing board expressed its concern at the increasing number of vacancies in the school. The notes record that there were not sufficient numbers of children living in the local area (described as the Ivybridge estate) to fill the school to its capacity and that, in addition, some of those who lived in the estate chose to attend other schools. The financial and planning implications for the school were discussed and it was agreed that the local authority should take the necessary steps to request a variation to the existing admission arrangements.

8. On 1 April 2019 the local authority made a referral to the OSA requesting variations that would reduce the PAN for the school from 60 to 30. The adjudicator sought further clarification on the year or years for which the variation was requested and evidence of the notification of the appropriate bodies as required by paragraph 3.6 of the Code. On 30 April 2019 the local authority confirmed that the proposed reductions were requested for

admissions in 2018 and 2019. It also confirmed that it was making the required notifications and that the closing date for responses would be 28 May 2019.

9. Paragraph 3.6 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 variations 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 requests for the variations. 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 be assured that if the PAN for the school were to be reduced from 60 to 30 for 2018 and 2019 that there would be sufficient school places in YR for local children. Clearly the 2018 academic year will soon be coming to a close so 2019 is the greater concern. The local authority has a duty to ensure the provision of sufficient school places. To help it fulfil this duty the local authority analyses information to inform its school place planning and forecast the number of places likely to be needed. The local authority bases its analysis partly on planning areas made of groups of primary schools. The school is part of what the local authority calls the Central Hounslow planning area (the planning area) together with 14 other schools admitting children to YR. The information provided by the local authority on the number of children admitted to YR in the planning area against the number of places available shows an increasing number of surplus places since 2016.

11. The information provided to me is that while most of the children at the school come from the Ivybridge estate, many children who live there choose to go to other schools. This partly appears to be because access routes to the school from the estate are not easy. The school is also close to the local authority area of the London Borough of Richmond where there is capacity for children to access school places and parents have been choosing to send their children to schools outside of the local authority area. Table 1 shows the number of children admitted to the school in the last three years.

Table 1: number of children on roll at the school as at February 2019 and the number of surplus places based on the PAN of 60

	Y2 (admitted 2016)	Y1 (admitted 2017)	YR (admitted 2018)
Number of children on roll as at February 2019	43	30	23
Number of surplus places	17	30	37

12. Table 1 shows that the number of surplus places has increased since admissions in 2016. The admissions for 2018 show a surplus of over 60 per cent. As at 1 April 2019, 27 children were to be offered a place at the school on national offer day for YR. This would leave 33 surplus places. If the PAN were reduced to 30 then there would still be three surplus places at the school for September 2019 based on the allocations made.

13. The school, at its meeting with the local authority representative on 21 November 2018, described some of the problems caused by the number of surplus places. Infant Class Size Regulations require that infant classes must not contain more than 30 pupils with a single school teacher. If just over 30 children were admitted this could create financial and planning challenges for the school as all schools are largely funded on the number of pupils admitted. It is therefore understandable that the school would like the guarantee of not having to admit more than 30 children to a year group as then the school can plan accordingly.

14. On the basis of the information provided to me I am assured that the proposed variations would not prevent local children attending a local school, would assist the school in its class organisation and planning and would address the change in circumstances.

## **Determination**

15. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variations to the admission arrangements determined by the London Borough of Hounslow for Ivybridge Primary School for September 2018 and 2019.

16. I determine that the PAN for 2018 and 2019 shall be 30.

Dated: 11 June 2019

Signed:

Schools Adjudicator: Deborah Pritchard