



Office of  
the Schools  
Adjudicator

## Determination

**Case reference: VAR868**

**Admission authority: Hampshire County Council for Stanmore Primary School, Winchester**

**Date of decision: 26 June 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 Hampshire County Council for Stanmore Primary School for September 2019.**

**I determine that the published admission number shall be 30.**

### The referral

1. Hampshire County Council (the local authority) has referred a proposal for a variation to the admission arrangements for Stanmore Primary School (the school), for September 2019 to the Office of the Schools Adjudicator. The school is a community primary school for children aged 4 to 11 in Stanmore, Winchester.
2. The proposed variation is that the published admission number (PAN) is reduced from 45 to 30 for admissions in September 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 dated 13 May 2019, supporting documents and further information provided at my request;
- b. the determined arrangements for 2019 and the proposed variation to those arrangements;
- c. evidence that the local authority has consulted the governing board of the school on the proposed variation;
- d. a map showing the location of the school and other relevant schools; and
- e. a copy of the letter notifying the appropriate bodies about the proposed variation and information on the comments received on the proposed variation from the appropriate bodies.

## The proposed variation

7. The local authority determined the arrangements for 2019 for the school with a PAN of 45. In June 2018, after the arrangements had been determined, Ofsted judged the school to require improvement. The local authority said that the school has become less popular with some parents preferring other schools so the number of applications are lower than previously. I am told that a new headteacher has been appointed and that plans are in place to improve standards.

8. The governing board for the school recognised that there was a group of 52 Year 6 children leaving the school in the summer of 2019 and 29 children had been allocated places for reception year (YR) in September 2019. As a result the overall number of children in the school and in consequence its budget will fall. The governing board considered potential changes at its meeting on 2 May 2019 to make sure that the school was financially sound. The minutes record that that the board considered it in the best interests of pupil achievement and financial efficiency to have one YR class of no more than 30 children in 2019. As a result the local authority made a request for a variation to the arrangements so that the PAN for admissions in 2019 should be reduced from 45 to 30. The PAN has been set at 45 for admissions in 2020 and no proposal to amend this has been received.

## Consideration of the case

9. The places for YR for September 2019 have already been allocated with 29 offers made for places at the school. This is below the proposed PAN of 30. Infant class size regulations require that infant classes (that is where the majority of children reach the age of five, six or seven during the school year) **must not** contain more than 30 children to a single qualified teacher (with certain specified exceptions). The governing board seek to provide one YR class of up to 30 pupils and to avoid the risk of going over 30. If more than 30 pupils were admitted this could require the employment of another qualified class teacher without sufficient pupil numbers to finance the additional expenditure. In these circumstances it is understandable that the governing board and the admission authority seek to limit the number of children able to enter YR to 30.

10. In considering this proposal, I need to be assured that if the PAN is reduced then there will remain sufficient school places for the children in the area. In this case this is easier to assess as the places have already been allocated. Local authorities forecast the number of school places that will be required in order to help them fulfil their duty to make sure that there are sufficient school places for the children in their areas. In this instance the local authority bases its forecasts on a planning area of ten schools admitting children to YR, including the school (the planning area). Following the allocations made for 2019, there are still 34 surplus places. If the PAN for the school were 30 then there would be 19 surplus places which, considering the allocations for 2019 have already been made, gives some assurance that there would be sufficient places for a child for whom a late application or an in year application had to be made.

11. I therefore approve the proposed variation as there are sufficient places available for children in the area requiring a place in YR for 2019 and it is in the interests of the school and the educational provision it makes that the PAN is set at 30.

## Determination

12. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Hampshire County Council for Stanmore Primary School for September 2019.

13. I determine that the published admission number shall be 30.

Dated: 26 June 2019

Signed:

Schools Adjudicator: Deborah Pritchard