



Office of  
the Schools  
Adjudicator

## Determination

**Case reference:** VAR859

**Admission authority:** The London Borough of Waltham Forest  
for Mission Grove Primary School

**Date of decision:** 28 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 the London Borough of Waltham Forest for Mission Grove 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 Mission Grove Primary School (the school) for September 2019 to the Office of the Schools Adjudicator. The school is a community primary school for children aged 2 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, 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 is 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 26 June 2019, the local authority wrote:

*“There has been a similar number of applications for reception for September 2019 as there were for 2018. You will be aware from the National Offer Day stats that admissions sent last year that there was a large surplus looming in reception for September 2018. For this reason we supported 4 schools in reducing their PAN on a temporary basis to reduce this surplus and allow cost savings for the schools. This continued for September 2019.*

*I am writing to inform you that Mission Grove is applying to reduce their PAN from 120 to 90 for this September 2019 (reception only). The reduction would still ensure*

*that there was a selection of schools in the local area retaining the ability for parental preference.”*

10. 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

11. The school has been undersubscribed in recent years when the PAN was 120 but has admitted more than the PAN of 90 now requested. The local authority told me *“It has been noted that historically the numbers were higher at Mission Grove, however we have had a noticeable decrease in demand in primary and this has had an impact on some areas more than others.”* The application to reduce the PAN was based on the fact that numbers of applications to the school and places offered had reduced compared to previous years 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.
12. 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	108
2017/18	120	102
2016/17	120	120

13. 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.”* Mission Grove Primary School was one of the schools which had expressed an interest in a temporary reduction.
14. At its meeting on 9 May 2019 the chair of governors confirmed the governing board’s agreement to apply for a reduction in PAN. The headteacher said *“The school had looked into the number of pupils and it was widely known that there was a shortfall in pupils for the 2019/2020 academic year across the borough. If the school did not apply for the one year PAN reduction, the DfE [Department for Education] could admit pupils in year making the school potentially have additional children resulting in class sizes being exceeded and a teacher and teaching assistant being needed for one pupil. Governors clarified that this was a one year agreement and would need to revisit this discussion if the number of pupils remained as low as it currently was.”*
15. 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 Mission Grove. The local

authority sent me the following information as at 10 May 2019.

School	Published Admission Number	Number of offers for places	Number of vacancies
Edinburgh Primary School	60	48	12
South Grove Primary School	60	55	5
Mission Grove Primary School	120	74	46
Coppermill Primary Academy	30	30	0
Stoneydown Park School	90	90	0
St Patrick's Catholic Primary School	60	54	6
St Saviour's Church of England Primary School	60	51	9
Barn Croft Primary School	30	28	2
Thomas Gamuel Primary School	30	29	1

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

## Summary

17. 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

18. 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 Mission Grove Primary School for September 2019.

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

Dated: 28 June 2019

Signed:

Schools Adjudicator: Lorraine Chapman