



Office of
the Schools
Adjudicator

Determination

Case reference: VAR869

Admission authority: The governing board for Burdett-Coutts and Townshend Foundation CE Primary School, Westminster

Date of decision: 29 August 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 governing board for Burdett-Coutts and Townshend Foundation CE Primary School for September 2019 and September 2020.

I determine that the published admission number for September 2019 and September 2020 shall be reduced from 54 to 30.

The referral

1. The board of governors of Burdett-Coutts and Townshend Foundation Primary School (the school) has referred a proposal for a variation to the admission arrangements for the school, for each of September 2019 and September 2020 to the Office of the Schools Adjudicator (OSA). The school is a Church of England foundation school for children aged 4 to 11 in Westminster, London. The local authority (LA) is Westminster Borough Council and the school's religious authority is the Diocese of London (the diocese).
2. The proposed variations are to reduce the published admission number (PAN) for the school from 54 to 30 from September 2019 and September 2020.

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 form from the board of governors dated 16 May 2019 but sent to the OSA on 5 June 2019 and supporting documents;
- the determined arrangements for 2019 and 2020 and the proposed variations to those arrangements;
- a copy of the local authority’s booklet for parents seeking admission to schools in the area in September 2019;
- a map showing the location of the school and other relevant schools; and
- a copy of the letter notifying the appropriate bodies about the proposed variation;

The proposed variations

7. The governing board of the school is requesting variations to reduce the PAN from 54 to 30 for September 2019 and September 2020 on the grounds of falling rolls and the consequent budget difficulty that this creates for the school.

Consideration of the case

8. The governing board reports that the school roll has been falling and since 2014 the roll has decreased from 331 to 177. The governing board gives reasons for this that include the falling birth rate in the area leading to a reduction in pupil numbers and the opening of a free school in Pimlico which is close to the school. As a result of this reduction in numbers the school reports that it has insufficient pupils to fill its planned classes. There are currently 15 children on roll in the Reception year (YR) against a capacity for 60 pupils and an existing PAN of 54.

9. The school has begun to take steps to respond to the budget shortfall which is a direct result of having less pupils and has cut expenditure on ICT and teaching resources and restructured the school's staffing model. Other measures include cost sharing between neighbouring schools and reducing expenditure to protect teaching provision in the classes.

10. The LA has confirmed that there will be more than sufficient places available in the area if this reduction in PAN is agreed and it supports this variation request. The diocese has confirmed that it offers its support for this variation.

11. Having considered the facts presented and the comments made by the various parties I can see that the falling roll and the opening of a new school nearby have had a negative impact on this school. The school is putting measures in place to manage its reducing budget but with numbers in Reception Year well below 30 children it is appropriate to consider a reduction in PAN so that appropriate staff can be employed for the forthcoming years on the basis of one form of entry rather than two. I am satisfied that in agreeing to this request for a reduction in PAN from 54 to 30 there will continue to be sufficient places in the school for those seeking a place there and sufficient places in the local area for children. I therefore approve this request for a variation to reduce the PAN from 54 to 30 for September 2019 and September 2020.

Determination

12. 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 governing board for Burdett-Coutts and Townshend Foundation CE Primary School for September 2019 and September 2020.

13. I determine that the published admission number for September 2019 and September 2020 shall be reduced from 54 to 30.

Dated: 29 August 2019

Signed:

Schools Adjudicator: David Lennard Jones