



Office of
the Schools
Adjudicator

Determination

Case reference: VAR899

Admission authority: Lewisham London Borough Council for Forster Park Primary School

Date of decision: 26 November 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 Lewisham London Borough Council for Forster Park Primary School for September 2020.

I determine that the published admission number for September 2020 will be reduced from 90 to 60.

The referral

1. Lewisham London Borough Council (the local authority) has referred a proposal for a variation to the admission arrangements for September 2020 for Forster Park Primary School (the school), to the Office of the Schools Adjudicator. The school is a community school for children aged 3 to 11 in Lewisham.
2. The proposed variation is to reduce the published admission number (PAN) from 90 to 60.

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 8 November 2019 and supporting documents;
- b. the determined arrangements for 2020 and the proposed variation to those arrangements;
- c. evidence that the governing board for the school has been consulted;
- d. a map showing the location of the school and other relevant schools;
- e. a copy of the notification to the appropriate bodies about the proposed variation;
and
- f. comments received on the proposed variation from the appropriate bodies.

The proposed variation

7. Paragraph 3.6 of the Code requires that admission arrangements, once determined, may only be changed, that is varied, if there is a major change of circumstance or in certain other limited and specified cases. I will consider below whether the variation requested is justified by the change in circumstances.

8. Paragraph 3.6 of the Code also requires that all appropriate bodies within the relevant area are notified of a proposed variation. When the request for this variation was initially submitted the local authority had only notified four schools of this proposal; this did not meet this requirement. Subsequently the local authority provided me a copy of further notification on the proposed variation which did meet this requirement. I have seen confirmation from the school's governing board that it supports the request for the variation. 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.

Consideration of proposed variation

9. The local authority told me that the number of pupils applying for places and turning up at the start of the school year has been falling, consequently less popular schools are failing to fill with the number joining the school being more than a form of entry (30 places) less than the PAN. Reducing the PAN at this school would enable the school to “*better plan and make more prudent use of resources*”.

10. I was provided with data which showed the number of places available in the South East Planning Area of Lewisham for Reception in September 2020 is 1020 and that 901 of these were expected to be taken up. In 2019 only 45 of the 90 places available at this school were taken up.

11. It would appear to me that reducing the PAN at the school from 90 to 60 will not compromise the local authority’s duty to provide sufficient school places in 2020, nor would it deny any parental preference. Comments received following notification of the proposed reduction in PAN were supportive. I consider the change in circumstances at the school justifies the proposed variation.

12. The local authority is currently consulting on setting a PAN at the school of 60 for 2021. As a community school it would be possible for the local authority to admit over PAN or increase the PAN in future years if the demand for places grew.

13. I can see no detriment in reducing the PAN which will give the school a base on which to plan that reflects current patterns of demand. As a community school, there are safeguards should the demand for places rise. I therefore approve the proposed reduction in PAN from 90 to 60 for September 2020.

Determination

14. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Lewisham London Borough Council for Forster Park Primary School for September 2020.

15. I determine that the published admission number for September 2020 will be reduced from 90 to 60.

Dated: 26 November 2019

Signed:

Schools Adjudicator: Phil Whiffing