



Office of
the Schools
Adjudicator

Determination

Case references: VAR1637

Admission authority: Northamptonshire County Council for Alfred Street Junior School, Rushden

Date of decision: 2 October 2020

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 Northamptonshire County Council for Alfred Street Junior School, Rushden for September 2020 and September 2021.

I determine that the published admission number for September 2020 and September 2021 will be 30.

The referral

1. Northamptonshire County Council (the local authority) has referred a proposal for a variation to the admission arrangements for September 2020 and September 2021 for Alfred Street Junior School (the school), to the Office of the Schools Adjudicator. The school is a community school for children aged 7 to 11 in Rushden, Northamptonshire.
2. The proposed variation is that the published admission number (PAN) is reduced from 60 to 30 for admissions in 2020 and 2021.

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 11 August 2020 and supporting documents;
- b. the determined arrangements for 2020 and 2021 and the proposed variation to those arrangements;
- c. a copy of the local authority's booklet for parents seeking admission to schools in the area in September 2020 and September 2021;
- d. evidence that the governing board for the school has been consulted;
- e. a map showing the location of the school and other relevant schools; and
- f. a copy of the letter notifying the appropriate bodies about the proposed variation.

The proposed variation

7. Alfred Street Junior School is located in Rushden, which is part of the Raunds, Higham Ferrers and Rushden area of the county. The school is 0.36 miles from its linked infant school, Tennyson Road Infant School, based on the government's Get Information About Schools website. The local authority has also applied for reductions in the PAN for 2020 and 2021 at Tennyson Road Infant School.

8. 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 circumstances. I will consider below whether the variation requested is justified by the change in circumstances.

9. Paragraph 3.6 of the Code also requires that relevant parties be notified of a proposed variation. The local authority has provided me with a copy of its notification on the proposed variation which was sent to the appropriate bodies on 22 June 2020. It is also a requirement that where a local authority (as in this case) is the admission authority for a school it consult the governing board about the proposed variation and I have also seen confirmation from the school's governing board that it supports the request for the variation.

The chair of the governing board wrote “Governors have discussed the question of reducing our PAN number from 60 to 30 and are entirely in favour of the change. Alfred Street Junior School has been experiencing falling pupil numbers for some time; our feeder Infant School continues to experience falling rolls so the change would allow us as a school to stabilize pupil numbers, to develop a more appropriate staffing structure and to address some of the financial problems we have been experiencing.”

10. 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

11. I wanted to know that, if the PAN were reduced at this school from 60 to 30 as proposed, there would be sufficient places for local children. The school is part of the Ferraers Rushden, East Northamptonshire Primary Planning Area of the authority. I was also mindful of the proposal to reduce the PAN at the linked Tennyson Road Infant School and what the impact would be on other schools in the area.

12. The local authority told me “Pupil numbers at Alfred Street Junior School have been low for a prolonged period of time, whilst the school has a PAN of 60 and a total capacity of 240 pupils if full, the school currently has 117 pupils on roll and the level of surplus capacity available at the school exceeds 50%.”

The table below sets out information on pupil numbers at the school.

September	PAN	Number of first preferences	Number of places allocated
2015	60	44	57
2016	60	23	31
2017	60	32	35
2018	60	33	39
2019	60	21	25
2020	60	31	28

13. It is clear that numbers applying for and being allocated places at the school have dropped significantly since 2015. In addition the school has had a rating of ‘Requires Improvement’ from Ofsted since 2013, the most recent in December 2019. The local authority wrote “The school has multiple ‘Requires Improvement’ Ofsted ratings and is struggling to attract pupils, whilst this was less of a problem historically due to higher levels of demand in the wider area, a drop in the birth-rate from 2014 onwards and smaller

numbers coming through its linked Infant School, has begun to seriously impact upon the number on roll at the school in recent years and low number of pupils attending the school is now having a severely detrimental impact on the school's finances." I asked the local authority how many children have started at the school in the Year 3 this term and on 17 September 2020 the local authority reported that were 30 children who have started at the school.

14. The local authority told me "the school's financial viability is now under immediate threat unless action is taken." A reduction in PAN will enable the school to develop the staffing structure necessary to implement the curriculum for all pupils at the school.

15. The local authority has forecast the following need for places at the school in the next few years:

	Number of places forecast
2020	28
2021	28
2022	24

16. I should add that the local authority has determined the admission arrangements for its community schools for admission in 2021 including a PAN of 60 for this school and published that number in the local authority's composite prospectus. I find this surprising as the reduction in numbers at the school and the local authority's forecast for future demand might have suggested a statutory consultation in line with the requirements of the Code before determining a lower PAN would have been appropriate. Consulting on a proposed new PAN in the manner required by paragraphs 1.42 to 1.45 of the Code would have allowed a full local scrutiny of the issues and full consultation with parents and others. Parents would have had the opportunity to comment or object to the proposals. The notification to appropriate bodies about the proposed reduction is not a consultation but the proposal covers both 2020 and 2021. The local authority said that there was an "Agreement between the school and local authority that the school will increase PAN back to 60 at the request of the LA and in line with demand." The PAN needs to be set each year by the local authority as the admission authority.

17. The local authority has confirmed that there are "sufficient levels of surplus capacity in other Ferrers Rushden Primary planning area schools that will be more than sufficient to meet demand from September 2020, and beyond." Indeed, the projections for pupil numbers indicate a large and increasing level of surplus capacity within the planning area. The local authority told me "The proposed reduction will also benefit all schools located in the area as will help reduce the level of surplus capacity to be more in line with DfE

[Department for Education] recommended limits in future academic years.” However, the proposed change will affect only the PAN and admission to Year 3 in 2020 and 2021.

Summary

19. The local authority has proposed a variation to the admission arrangements of the school in September 2020 and 2021, which is that the PAN should be reduced from 60 to 30. This is supported by the governing board for the school. In the light of the number of places that have been offered, and the number of vacancies in other local schools, I approve the reduction.

Determination

20. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Northamptonshire County Council for Alfred Street Junior School, Rushden for September 2020 and September 2021.

21. I determine that the published admission number for September 2020 and September 2021 will be 30.

Dated: 2 October 2020

Signed:

Schools Adjudicator: Lorraine Chapman