



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2005 Parkside Community Primary School

Admission authority: The Governing Board of Parkside Community Primary School, Borehamwood, Hertfordshire.

Date of decision: 23 November 2020

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by the governing board for Parkside Community Primary School, Borehamwood, Hertfordshire.

I determine that for admissions in September 2021 the Published Admission Number will be 30.

The referral

1. The headteacher, on behalf of the governing board, has referred to the Adjudicator a proposed variation to the admission arrangements for admissions in 2021 for Parkside Community Primary School (the school). The school is a 3 to 11 primary school in Borehamwood, Hertfordshire; it is a foundation school. The local authority is Hertfordshire Council and the Strategy and Policy Manager for the authority reports that the local authority is fully aware of the proposed variation, is fully supportive of the school's proposals and has assisted the school in preparing the variation request. The referral requests a reduction in the Published Admission Number (PAN) from 60 to 30 for admissions in September 2021.

Jurisdiction

2. 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".

3. I am satisfied that the proposed variation is within my jurisdiction.

Procedure

4. In considering this matter, I have had regard to all relevant legislation, guidance and the School Admissions Code.

5. The documents I have considered in reaching my decision include:

- a) the headteacher's referral on behalf of the governing board dated 23 October 2020;
- b) minutes of the governing board meeting of the 10 December 2019 at which the admission arrangements were determined;
- c) minutes of the governing board meeting of 13 October 2020 at which the variation was discussed;
- d) a note from the local authority confirming that it is in agreement with the variation request;
- e) the determined arrangements for admission in 2021 for the school;
- f) details of notifications sent to appropriate bodies concerning the variation request; and
- g) comments from the school and the local authority concerning the variation request and subsequent correspondence; and
- h) a copy of the local authority's booklet for parents seeking admission to schools in the area in September 2020.

The proposed variations

6. 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 certain other limited and specified circumstances. I will consider below whether the variation requested is justified by the change in circumstances.

7. Paragraph 3.6 of the Code also requires that the appropriate bodies in the relevant area be notified of proposed variations. I have seen evidence that all appropriate bodies have been notified of this variation. I have also seen confirmation from both the school's governing board and the local authority that the request for the variation is supported.

Consideration of proposed variations

8. The admission arrangements for admission in September 2021 were determined by the governing board on 10 December 2019 and published on the local authority's and the school's websites. These arrangements include a PAN of 60. This is the same PAN as previous years. At the school's governing board meeting on 13 October 2020 the PAN was discussed in view of falling rolls in the school. The discussion at the meeting was far reaching and included questions about class size, teacher numbers, empty places, the proportion of children currently in the school with additional needs, potential numbers of siblings and pupils applying for reception who are currently in the school's nursery. It was also made clear that should numbers begin to increase again then the school could admit over PAN and/or increase the PAN in subsequent years. The governors voted unanimously for the request to vary the PAN to 30 from September 2021. The headteacher on behalf of the governing board, submitted the variation request to the OSA on 23 October 2020.

9. The referral explains that the school has experienced much instability over the past few years in terms of leadership, staffing and pupil mobility. There were five headteachers over a period of two years. The school's current improvement in the quality of education for its pupils has been recognised by Ofsted and the school was graded as good in January 2020 following a previous judgement of requires improvement. Despite this, the mobility concerns remain, and the school is not full in any year group. Currently the school has 260 pupils when at full capacity this would be 420.

10. All year groups are currently operating at under capacity and in some year groups quite significantly so. Class sizes range from 16 to 33. Over the past eight years the school has had a declining roll which, in turn, has led to financial pressures and the posting of an in-year deficit budget in 2020/21. In September 2018 a new Headteacher was appointed who recognised that a reduction in PAN would allow the school to plan and organise year groups in single classes of 30 pupils. The school and the local authority believe that this is the best model going forward and would achieve financial sustainability and avoid a deficit budget.

11. Numbers on roll have declined over the past five years as shown in the table below;

Autumn census year	Total number on roll
2016	373
2017	349
2018	315
2019	319
2020	289

12. The primary place planning team at the local authority has provided data to show that the current percentage of surplus places in the Borehamwood area is 4.2 per cent. The DfE recommended figure is no more than 5 per cent. The forecast figures show that the surplus will be 9.4 per cent in 2021/22 and 10.2 per cent in 2022/23. The places at the school are not therefore required to meet demand in the area and any reduction in PAN will not disadvantage families in the area.

13. The school is in the fortunate position to have positive carry forward in its budget due to an unusual historical surplus and this has allowed careful planning for future staff deployment and class structure. The plan is to reduce the number of classes from twelve to seven over a six-year period.

14. The current reception year (YR) has 44 pupils and I was concerned that if the variation was agreed and the PAN was reduced to 30, if a similar number was due to be admitted then it posed the question where would the other 14 children go to school. The local authority provided the following data;

	2018	2019	2020
Total preferences	69	61	73
First Preferences	26	26	27

I am reassured by these figures because they show that all first preference applications including those from siblings and those who attend the nursery, could have been admitted to the school under a PAN of 30. The 44 children in the current YR are made up of 27 first preference places with the other 17 places allocated to lower or no preference applications. The authority was asked for a prediction of preferences in 2021 and although accurate estimate preference data for 2021 could not be provided because preferences can change significantly from year to year, the local authority does expect preferences to be similar to the 2020 allocation round.

15. The school's building is able to accommodate 60 children in each year group. However, the governing board and the local authority considers it to be financially unviable to plan staffing and accommodation for 60 pupils being admitted in YR when, in reality, the number is much smaller. This planning has added considerably to the financial and organisational burden on the school. In the delegated budget scheme, funds are allocated to the school based on a number of factors. Most important among these factors is the allocation of funds based on actual pupil numbers on roll. A sustainable financial plan based on 60 pupils in a year group where the numbers are actually only 30 or fewer could prove difficult for governors to manage. I agree that this situation may render the school's budget financially unviable in the future.

16. The local authority states that the reduction in PAN for YR for the school will not lead to a shortage of school places in the planning area. I have also considered the current and forecast numbers for admission to the school. The school has been able to admit every child whose parent wished them to attend this school in the past few years and is forecast

to be able to continue to meet parental preferences in the future with the reduced PAN.

17. I therefore approve the variation requested by the school. The PAN for admission to the school in September 2021 will be 30.

Summary

18. With reduced numbers applying for and being allocated a place at the school the current PAN of 60 is unrealistic and is leading to turbulence in the school and an increasingly deficit budget. I agree that this change in circumstances justifies the reduction in PAN. The local authority forecast that smaller numbers will apply to the school and will be allocated a place and support the request for a reduced PAN. The local authority makes it clear that this will not adversely affect primary places in the area. I am of the view that a reduction in PAN with a consequent reduction in class numbers and required staffing will lead to a more stable school and a reduced deficit budget which will in turn allow the school improvement strategy to continue to be implemented.

Determination

19. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the variation to the admission arrangements determined by the governing board for Parkside Community Primary School, Borehamwood, Hertfordshire.

20. I determine that for admissions in September 2021 the Published Admission Number will be 30.

Dated: 23 November 2020

Signed:

Schools Adjudicator: Ann Talboys