



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2108

Admission authority: Wakefield Metropolitan District Council for Stanley St Peter's Church of England Voluntary Controlled Primary School, Stanley, Wakefield

Date of decision: 15 March 2021

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 Wakefield Metropolitan District Council for Stanley St Peter's Church of England (VC) Primary School, Stanley, Wakefield for September 2021.

I determine that for September 2021 the Published Admission Number shall be reduced from 60 to 45.

The referral

1. Wakefield Metropolitan District Council (the local authority) has referred a proposal for a variation to the admission arrangements for September 2021 for Stanley St Peter's Church of England (VC) Primary School, Stanley, Wakefield (the school), to the Office of the Schools Adjudicator. The school is a voluntary controlled school for children aged three to eleven in Stanley, Wakefield.
2. The proposed variation is that the published admission number (PAN) for the school be reduced from 60 to 45 for September 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 26 February 2021 and supporting documents;
- b. the determined arrangements for 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 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. The proposal is to reduce the school's PAN for September 2021 from 60 to 45.

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 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 and the list of schools and other bodies to which it was sent. 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

10. The school has financial pressures on its budget and a reducing school roll. In 2018 Ofsted judged that the school “required improvement”. The school has a new headteacher who took up post in September 2020 and who has begun to tackle the budget situation. The local authority reports that the previous headteacher and school management did not tackle the issue at the time in early 2020 when the school set its PAN for September 2021.

11. The school is operating this academic year with a PAN of 60 but there are only 40 children in the Year R resulting in two small classes of 20 children. There are 26 first preferences for places in September 2021. Following the governing board’s agreement that the local authority should reduce the PAN from 60 to 45 in September 2022, the combination of a continuing reduction of numbers, the appointment of a new headteacher, the continuing requirement for school improvement and continued pressure on the budget have led the governing board and the local authority to request that the PAN reduction is brought forward from 2022 to 2021 by means of this variation request.

12. The school was established as a primary school with two forms of entry, the fourteen teachers were deployed with two in each of the seven year groups. The fall in pupil numbers has meant that in the current 2020-2021 academic year the school is operating with 11 teachers across the school having reduced the number of teachers by 3 as staff have left the school. The classes are organised as follows:

Year group	Class size	Class size
Reception	20	20
Year 1	29	
Year 2	22	22
Year 3	32	
Mixed Year 3/4	32 (24 Y3 and 8 Y4)	
Year 4	33	
Year 5	31	
Mixed Year 5/6	31 (23 Y5 and 8 Y6)	
Year 6	32	

13. The local authority reports that the school has 26 first preferences for admission to Reception in September 2021 as part of the primary admissions round, and that there are sufficient places to meet all parental preferences for the school in September with a PAN of 45.

14. Paragraph 3.6 of the Code requires me to consider whether the variation requested is justified by the change in circumstances described. I am satisfied that the change will contribute to the financial and school organisational issues described. I also note that the local authority and the governing board have used the consultation period before the determination of the 2022 admission arrangements to consult on reducing the PAN for 2022 from 60 to 45. A reduction of the PAN by means of a variation request removes the need for consultation and the fact that the school has conducted a consultation on this matter for 2022 is helpful.

15. In addition to considering whether the change requested is justified I also have to consider the impact on the families applying for places at the school for September 2021 to ensure that there is no unfairness and that parents who have expressed a preference for their child to attend the school are likely to receive a place. The local authority has provided a summary of the number of children who have joined the school in the last three years as follows:

	2018/2019	2019/2020	2020/2021
Stanley St Peter's CE (VC) Primary School	52	26	40

The local authority has confirmed the following preferences that it had received by the closing date for admissions for September 2021:

	1 st Preference	2 nd Preference	3 rd Preference	4 th Preference	5 th Preference
Stanley St Peter's CE (VC) Primary School	26	9	2	3	2

The local authority also provided its pupil number on roll (NOR) forecasts for schools in the area that includes Stanley St Peter's Primary School with two tables, one with the PAN at the school at 60 and the second with the PAN at 45.

If Stanley St Peter's CE (VC) Primary School was to remain with a PAN of 60:

		Historic Census	Historic Census	Current Headcount	Forecast (2020)	Forecast (2020)	Forecast (2020)
		2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Alverthorpe St Paul's CE (VA) JI School	PAN:	36	36	36	36	36	36
	NOR:	36	36	35	36	36	36
Jerry Clay Academy	PAN:	30	30	30	30	30	30
	NOR:	30	30	30	30	30	30
Newton Hill Community School	PAN:	45	45	45	45	45	45
	NOR:	20	27	44	40	45	45
OPA Kirkhamgate	PAN:	25	30	30	30	30	30
	NOR:	25	30	28	28	30	30
OPA Ledger Lane	PAN:	60	60	60	60	60	60
	NOR:	60	59	61	53	60	45
OPA Lofthouse Gate	PAN:	60	60	60	60	60	60
	NOR:	59	57	61	60	60	60
Rooks Nest Academy	PAN:	45	45	45	45	45	45
	NOR:	45	44	44	45	45	34
St John's CE (VA) JI School	PAN:	30	30	30	30	30	30
	NOR:	30	30	29	23	30	23
Stanley Grove Primary School	PAN:	30	30	30	30	30	30
	NOR:	30	29	30	29	29	23
Stanley St Peter's CE (VC) Primary School	PAN:	60	60	60	60	60	60
	NOR:	52	26	40	39	39	43
Wrenthorpe Academy	PAN:	45	45	45	45	45	45
	NOR:	45	44	45	45	45	45
Total	PAN:	466	471	471	471	471	471
	NOR:	425	412	447	428	449	414
Surplus places in area		41	59	24	43	22	57

If Stanley St Peter's CE (VC) Primary School was to reduce PAN to 45:

		Historic Census	Historic Census	Current Headcount	Forecast (2020)	Forecast (2020)	Forecast (2020)
		2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Alverthorpe St Paul's CE (VA) JI School	PAN:	36	36	36	36	36	36
	NOR:	36	36	35	36	36	36
Jerry Clay Academy	PAN:	30	30	30	30	30	30
	NOR:	30	30	30	30	30	30
Newton Hill Community School	PAN:	45	45	45	45	45	45
	NOR:	20	27	44	40	45	45
OPA Kirkhamgate	PAN:	25	30	30	30	30	30
	NOR:	25	30	28	28	30	30
OPA Ledger Lane	PAN:	60	60	60	60	60	60
	NOR:	60	59	61	53	60	45
OPA Lofthouse Gate	PAN:	60	60	60	60	60	60
	NOR:	59	57	61	60	60	60
Rooks Nest Academy	PAN:	45	45	45	45	45	45
	NOR:	45	44	44	45	45	34
St John's CE (VA) JI School	PAN:	30	30	30	30	30	30
	NOR:	30	30	29	23	30	23
Stanley Grove Primary School	PAN:	30	30	30	30	30	30
	NOR:	30	29	30	29	29	23
Stanley St Peter's CE (VC) Primary School	PAN:	45	45	45	45	45	45
	NOR:	45	26	40	39	39	43
Wrenthorpe Academy	PAN:	45	45	45	45	45	45
	NOR:	45	44	45	45	45	45
Total	PAN:	451	456	456	456	456	456
	NOR:	425	412	447	428	449	414
Surplus places in area		26	44	9	28	7	42

16. Taking these tables into account I am satisfied that there are sufficient places for the first preferences for places to be met for September 2021 and given the number of additional places in the area it is clear that parents will be able to achieve their first preferences for places and there will still be places available for second preferences. In addition, the forecast numbers tables confirm that there will be sufficient places for the school to meet demand in September 2021 if the PAN is reduced as proposed. I am satisfied that the proposed reduction in PAN will not have a detrimental effect on the ability for parents to obtain a place for their child at this school in September 2021 through the current admission process.

Summary

17. I have considered whether or not the proposed variation is justified by the change in circumstance described and am satisfied that the reduction in PAN will contribute to the need for the school to manage its budget deficit and its class organisation.

18. I have also considered the impact of the proposed PAN reduction from 60 to 45 on admissions and whether or not there will be families who are unable to attend the school as a result of the PAN reduction. I am satisfied that the information provided by the local authority shows that there will be sufficient places at the school to meet the demand for places for September 2021. In consequence I approve the proposed variation and determine that from September 2021 the PAN at the school should be reduced from 60 to 45.

Determination

19. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed variation to the admission arrangements determined by Wakefield Metropolitan District Council for Stanley St Peter's Church of England (VC) Primary School, Stanley, Wakefield for September 2021.

20. I determine that for September 2021 the Published Admission Number shall be reduced from 60 to 45.

Dated: 15 March 2021

Signed:

Schools Adjudicator: David Lennard Jones