



Office of  
the Schools  
Adjudicator

## Determination

**Case reference: VAR2142**

**Admission authority: London Borough of Havering for Crownfield Infant School**

**Date of decision: 08 June 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 the London Borough of Havering for Crownfield Infant School for September 2021.**

**I determine that the published admission number will be 90.**

## The referral

1. The London Borough of Havering (the local authority) has referred a proposal for a variation to the admission arrangements for September 2021 for Crownfield Infant School (the school) to the adjudicator. The school is a community school for children aged three to seven in Romford.
2. The proposed variation is that the published admission number (PAN) be reduced from 120 to 90.

## 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 information I have considered in reaching my decision includes:

- a. the referral from the local authority dated 6 May 2021, supporting documents and further information provided at my request;
- b. the determined arrangements for 2021 and the proposed variation to those arrangements;
- c. confirmation that the governing board for the school has been consulted;
- d. a map showing the location of the school and other relevant schools;
- e. confirmation that the appropriate bodies have been notified of the proposed variation; and
- f. information available on the websites of the local authority and the Department for Education.

## The proposed variation

7. This is one of three requests that the local authority has made for the admission arrangements it determined for 2021 (the arrangements). All three requests are that the PAN set is reduced for 2021 following the allocation of places for 2021. I am the adjudicator for the three cases. I have considered each case on the basis of the evidence available and no case sets a precedent for another case. The local authority said in its proposal that on national offer day 82 children were offered places at the school and that, "This was lower than expected with other schools in the planning area also having unfilled reception places... Reducing the PAN of Crownfield Infants School for 2021/22 would prevent the school from carrying a large surplus of places, which would otherwise place a financial burden on the 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 the appropriate bodies in the relevant area be notified of a proposed variation. The local authority has provided me with confirmation that the appropriate bodies have been notified. I have seen confirmation from

the school's governing board that it has been consulted on the proposed variation. I find that the appropriate procedures were followed.

## Consideration of proposed variation

10. The PAN for the school for 2022 has already been set at 120 and so the only year of admission to be affected by the proposed variation is 2021. To put it a slightly different way and for the avoidance of doubt, unless there is a further variation approved by the adjudicator, the PAN for 2022 is 120. My consideration is therefore for 2021 only. I have scrutinised the data to try to ascertain if there will be sufficient school places in the local area if the PAN is reduced from 120 to 90 for September 2021. I have also considered the demand for places at the school, the reasons given for the change, the potential effect on parental preference and whether the change is justified in these circumstances.

11. The local authority has a duty to make sure that there are sufficient places for the children in its area. To fulfil this duty the local authority assesses the likely future number of places to be needed in the future and plans to meet that need. The local authority uses planning areas, which are geographical groups of schools, for this purpose. The school is one of seven schools admitting children to reception year (YR) in the Collier Row planning area (the planning area). Table 1 below summarises the number of children allocated places at these schools in recent years.

Table 1: number of places in the planning area and the number of children allocated places in recent years

	2018	2019	2020	2021
<b>Sum of PANs</b>	555	540	540	555
<b>Number of children allocated a place</b>	505	484	507	493
<b>Number of vacant places</b>	50	56	33	62
<b>Number of vacant places as a percentage</b>	9%	10%	6%	11%

12. Table 1 shows that for there was a small decrease in the number of children allocated a place in 2021 compared with 2020. The increase in the number and proportion of vacant places in 2021 is partly a reflection of an increase in the overall PAN of 15 places (from 540 to 555 places) because another school in the planning area increased its PAN for 2021.

13. If the sum of the PANs for the planning area were to be reduced by 30 because I agreed the proposed variation, then there would be 32 vacant places available in the planning area. This would leave around six per cent vacant places which is a sufficient proportion to allow for additional children who may require a place after allocations have been made. I will now consider the number of children allocated places at the school in recent years and 2021 and this is shown in table 2 below.

Table 2: number of children allocated places at the school

	2018	2019	2020	2021
<b>PAN</b>	120	120	120	120
<b>Number of children allocated a place</b>	104	102	115	82
<b>Number of vacant places</b>	6	18	5	38

14. Table 2 shows that there has been a sharp reduction in the number of children allocated to YR at the school for 2021 from all previous years. This will affect the school's class organisation and funding as schools are largely funded based on the number of children admitted. Children in YR are infants as infant classes are those where the majority of children will reach the age of 5, 6 or 7 during the school year. The School Admissions (Infant Class Size) (England) Regulations 2012 (the infant class size regulations) require that infant classes must not contain more than 30 pupils with a single qualified school teacher except in specific circumstances. It is advantageous, where schools seek to teach in classes all from one year group, for the number of children in each year group to be either a multiple of 30 or close to that number. For example, in 2020 there were 115 children admitted to the school and they would have been taught in three classes of 28 or 29 children each, which is an economically efficient model.

15. The school has previously operated with four classes to each year group and this has been achievable in previous years with the number of children to a year group as can be seen in table 2. However, 82 children would normally only generate sufficient funding for three classes. The school is what is known as an infant school which means that every class must conform with the infant class size regulations and there is no flexibility to have classes which contain more than 30 children as would be possible in a primary school which is for children aged up to 11 years old.

16. If 82 children were admitted to YR in September 2021 then the school could run with two classes of 27 and one of 28 children, which would be financially efficient. If the PAN were to remain at 120 then it is possible that during 2021/22 other children could join YR so that the numbers increased beyond 90, say to 91, so that classes had to be re-arranged so that no infant class had more than 30 children. As the school has 115 children in its current YR classes, which will be Year 1 (Y1) come September 2021, it would have some scope to admit up to five children and place some YR children into classes with Y1 children. This would minimise additional expense to the school, but would cause challenges in terms of teaching and learning. In addition, as children could join the school throughout the year the class structures might have to keep changing which is likely to be detrimental to learning. Another option for 91 children would be four classes of around 23 children which would be an expensive model.

17. As it is, based on the number of places allocated to date, there will be eight vacant places in YR at the school in September 2021 if the PAN were set at 90 for 2021. Moreover,

there are more vacant places in the area if more children were to need places. These factors lead me to conclude that there will be no frustration of parental preference as all preferences have already been taken into account. The variation sought is only for 2021 as the PAN has been set for 2022 and the governing board support the variation as it will help them operate an efficient school. I therefore approve the variation.

## Other matters

18. The admission arrangements for this school are, with the exception of the PAN, which is specific to each school, the same as those for those other primary schools in Havering for which the local authority is the admission authority. I have considered those arrangements previously in determination VAR2141 and determined that there were ways in which the arrangements did not conform with the Code. I will not duplicate those matters here.

## 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 the London Borough of Havering for Crownfield Infant School for September 2021.

20. I determine that the published admission number will be 90.

Dated: 08 June 2021

Signed:

Schools adjudicator: Deborah Pritchard