



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2192

Admission authority: Hampshire County Council for Chawton Church of England Primary School, Alton, Hampshire

Date of decision: 1 November 2021

Determination

In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed reduction in the published admission number for September 2021 determined by Hampshire County Council for Chawton Church of England Primary School, Alton, Hampshire. I determine that for September 2021 the published admission number will be reduced from 20 to 15.

The referral

1. Hampshire County Council (the local authority) has referred a proposal for a variation to the admission arrangements for September 2021 for Chawton Primary School, Alton (the school), to the Office of the Schools Adjudicator. The school is a voluntary controlled school for children aged 3 to 11 and the local authority is its admission authority.
2. The parties in this case are the school's governing board, the local authority and the Diocese of Portsmouth (the diocese). The proposed variation is to reduce the published admission number (PAN) from 20 to 15 for September 2021.

Jurisdiction and procedure

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

5. The information I have considered in reaching my decision includes:

- a. the referral from the local authority dated 12 October 2021, supporting documents and further information provided at my request;
- 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. a map showing the location of the school and other schools in the planning area; and
- e. information available on the websites of the local authority, the school and the Department for Education.

6. Paragraph 3.6 of the Code 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, and I am also satisfied that the proposed variation is within my jurisdiction.

The proposed variation

7. The proposed variation is to reduce the PAN of the school from 20 to 15 for September 2021. The local authority as the admission authority determined in February 2021 that for 2022 the PAN for the school will be 15. Admissions for 2021 have already taken place and 14 children were admitted into Reception (Year R).

8. Paragraph 3.6 of the Code requires that admission arrangements, once determined, may only be revised, 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.

Consideration of proposed variation

9. The local authority explains that 14 children were admitted into Year R in September 2021. The school is a primary school and the School Admissions (Infant Class Sizes)

(England) Regulations 2012 require the school to keep classes to a maximum of 30 children with a single qualified teacher except in some specified circumstances in the school's infant classes. The school is currently organised with four mixed age classes.

10. The local authority consulted on reducing the PAN for 2022 from 20 to 15 and determined that this should be the case when the arrangements were determined on 24 February 2021. The school governing board fully supports this PAN reduction proposal on the basis of the available information. Nothing in this determination affects the PAN for 2022.

11. There are currently six spaces available in Year R before the school reaches its originally determined PAN in the current school year. The school is concerned that if there are any applications for these places during the year that it may have to create a fifth class to accommodate these children and that this would be financially very difficult for the school. If this variation is agreed the school would still have one spare place available in Year R.

12. The local authority has provided the following information about pupil numbers admitted to and expecting to seek places at the school and the other schools in the Alton area where the school is located (Chawton is shown bold):

SCHOOL	PAN 2021	2018 admissions	2019 admissions	2020 admissions	2021 admissions	2022 forecast	2023 forecast
Alton Infant School	60	44	53	40	58	43	50
Wootey Infant School	60	39	46	46	51	47	49
The Butts Primary School	60	39	23	43	54	49	43
Saint Lawrence CofE Primary School	30	24	30	30	22	40	43
Binsted CofE Primary School	14	10	5	8	14	8	11
Bentley CofE Primary School	30	30	24	28	27	35	28
Chawton CofE Primary School	20	15	10	10	14	14	10
Medstead CofE Primary School	30	33	24	27	30	36	38
Rowledge CofE Controlled Primary School	30	24	30	30	30	30	42
St Mary's Bentworth CofE Primary School	15	16	10	13	14	22	14
Andrews' Endowed CofE Primary School	30	30	25	30	30	29	29
Selborne CofE Primary School	15	14	13	15	9	13	9

13. The figures demonstrate that for this school admissions numbers have been below the PAN for the last three years and the local authority has as a result taken the action to reduce the PAN for 2022. The variation request makes organisational and financial sense for the school in the current school year. If this proposed variation is approved, the school will only be required to accept one additional child into Year R during the course of the school year because after that it will be at its PAN. There are places available in the other schools in the area so I am satisfied that children moving in to the area can be found a school place. I therefore approve this variation request.

14. There is one further important point I must make as there appears to be some misunderstanding about this. The PAN does not apply beyond the year of normal admission, which in this case is Year R. Decisions about whether or not there are places available in the cohort in subsequent years, for example in Year 3, are made by the admission authority. If an in-year application for a place is made in any year other than the “relevant year”, it is assumed that a place will be offered if there is space available. The decision about whether or not there is space available is made on the basis of any potential prejudice to the efficient delivery of education or use of resources in the school. For year groups other than Year R, the admission authority might choose to argue that the creation of an additional class would be required in order to comply with the School Admissions (Infant Class Sizes) (England) Regulations 2012 or because the admission of additional children could not be accommodated in an existing classroom and the school would not receive sufficient budget to be able to fund an additional class which would inevitably be a small class or involve whole school reorganisation of classes. If an applicant wishes to appeal against a refused application for in-year admission they have the right to do so to the admission authority’s independent appeal panel who would take into account the arguments made by the school and the admission authority.

Determination

15. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed reduction in the published admission number for September 2021 determined by Hampshire County Council for Chawton Church of England Primary School, Alton, Hampshire. I determine that for September 2021 the published admission number will be reduced from 20 to 15.

Dated: 1 November 2021

Signed:

Schools adjudicator: David Lennard Jones