



Office of
the Schools
Adjudicator

Determination

Case reference: VAR2213

Admission authority: The Governing Board of Greenfields Community Primary School, Wideopen, North Tyneside

Date of decision: 16 December 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 2021 determined by the governing board of Greenfields Community Primary School, Wideopen, North Tyneside.

I determine that for the year beginning September 2021 the published admission number will be reduced from 60 to 30.

The referral

1. The governing board of Greenfields Community Primary School, Wideopen, Tyneside (the admissions authority) has referred a proposal for a variation to the admission arrangements for September 2021 for the school, to the adjudicator. The school is a foundation school for children aged 4 to 11. The local authority for the area is North Tyneside Council.
2. The proposed variation is to reduce the published admission number (PAN) from 60 to 30 for admissions in 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 school dated 7 December 2021;
- b. information provided by the local authority in support of the request for a variation;
- c. the determined arrangements for 2021 and the proposed variation to those arrangements;
- d. a copy of the local authority's booklet for parents seeking admission to schools in the area in September 2022; and
- e. a map showing the location of the school and other relevant schools.

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 60 to 30 for September 2021.

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 school's governing board explains that pupil numbers have been reducing in recent years and the school has not admitted up to its PAN. In September 2021, 27 children were admitted. The major change in circumstances is that the governing board, in

discussion with the local authority, has decided to take action to limit pupil numbers so that the need to create a second class can be avoided.

10. This is a primary school so the requirement in the School Admissions (Infant Class Sizes) (England) Regulations 2012 not to have more than 30 children in a class with a single qualified teacher applies. It is requesting a variation for 2021 to limit the PAN to 30 having admitted 27 children in September 2021. The school is also seeking to reduce the PAN for September 2022 and this will be dealt with in another determination. The school is also undertaking a consultation to reduce the PAN for 2023. When the consultation is completed, it will be able to consider doing this when it determines these arrangements in early spring of 2022.

11. The case made by the local authority and the school makes sense as numbers have been falling in recent years and is the reason why the school is consulting on reducing the PAN for 2023 from 60 to 30. Given that the numbers admitted to Reception in September 2021 are below the PAN requested, if I agree to the proposed variation, there will still be three spare places should a family move into the area seeking a place. In addition, the figures submitted by the local authority confirm that there are spare places in schools in the area should families move into the area.

12. For these reasons I approve the request for a reduction in PAN from 60 to 30 for September 2021. For the avoidance of doubt, this decision has no effect on the PAN of 60 for September 2022. A decision about September 2022 will be published as VAR2214.

Determination

13. In accordance with section 88E of the School Standards and Framework Act 1998, I approve the proposed reduction in the published admission number for 2021 determined by the governing board of Greenfields Community Primary School, Wideopen, North Tyneside.

14. I determine that for the year beginning September 2021 the published admission number will be reduced from 60 to 30.

Dated: 16 December 2021

Signed:

Schools adjudicator: David Lennard Jones